

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Fish, Wildlife and Water Resources to which was
3 referred House Bill No. 829 entitled “An act relating to water quality on small
4 farms” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. 6 V.S.A. § 4810a(a)is amended to read:

8 § 4810a. REQUIRED AGRICULTURAL PRACTICES; REVISION

9 (a) On or before July 1, 2016, the Secretary of Agriculture, Food and
10 Markets shall amend by rule the required agricultural practices in order to
11 improve water quality in the State, assure practices on all farms eliminate
12 adverse impacts to water quality, and implement the small farm certification
13 program required by section 4871 of this title. At a minimum, the amendments
14 to the required agricultural practices shall:

15 (1) Specify those farms that:

16 (A) are required to comply with the small farm certification
17 requirements under section 4871 of this title due to the potential impact of the
18 farm or type of farm on water quality as a result of livestock managed on the
19 farm, agricultural inputs used by the farm, or tillage practices on the farm; and

1 (B) shall be subject to the required agricultural practices, but shall not
2 be required to comply with small farm certification requirements under section
3 4871 of this title.

4 (2)(A) ~~Prohibit~~ Except where approved by the Secretary, prohibit a farm
5 from stacking or piling manure, storing fertilizer, or storing other nutrients on
6 the farm:

7 (i) in a manner and location that presents a threat of discharge to a
8 water of the State or presents a threat of contamination to groundwater; or

9 (ii) on lands in a floodway or otherwise subject to annual flooding.

10 (B) ~~In~~ Except for waste storage facilities designed by a licensed
11 engineer, in no case shall manure stacking or piling sites, fertilizer storage, or
12 other nutrient storage be located within 200 feet of a private well or within
13 200 feet of a water of the State, provided that the Secretary may authorize
14 siting within 200 feet, but not less than 100 feet, of a private well or surface
15 water if the Secretary determines that a manure stacking or piling site, fertilizer
16 storage, or other nutrient storage will not have an adverse impact on
17 groundwater quality or a surface water quality.

18 * * *

19 (7) ~~Prohibit the construction or siting of a farm structure for the storage~~
20 ~~of manure, fertilizer, or pesticide storage within a floodway area identified on a~~
21 ~~National Flood Insurance Program Map on file with a town clerk. [Repealed.]~~

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Representative _____

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FOR THE COMMITTEE