

1 H.250

2 Introduced by Representative Johnson of Canaan

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; agriculture; water resources; land use

6 Statement of purpose of bill as introduced: This bill proposes to require  
7 stormwater offset projects located on primary agricultural soils to comply with  
8 requirements for mitigation of primary agricultural soils.

9 An act relating to stormwater offset projects on primary agricultural soils

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 10 V.S.A. § 1264(f)(5) is amended to read:

12 (5) In addition to any permit condition otherwise authorized under  
13 subsection (e) of this section, in any permit issued pursuant to this subsection,  
14 the ~~secretary~~ Secretary may require an offset or stormwater impact fee as  
15 necessary to ensure the discharge does not cause or contribute to a violation of  
16 the Vermont water quality standards. Offsets and stormwater impact fees,  
17 where utilized, shall incorporate an appropriate margin of safety to account for  
18 the variability in quantifying the load of pollutants of concern. To facilitate  
19 utilization of offsets and stormwater impact fees, the ~~secretary~~ Secretary shall  
20 identify by January 1, 2005 a list of potential offsets in each of the waters

1 listed as a stormwater-impaired water under this subsection. An offset  
2 required under this subdivision shall comply with the requirements of  
3 subdivision 6093(a)(2) of this title regarding mitigation of primary agricultural  
4 soils if the offset is to be located on land with primary agricultural soils, as that  
5 term is defined in subdivision § 6001(15) of this title.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on passage.