

# Vermont's Acceptable Management Practices Program

## Annual Statewide Summary

### 2013

#### ***Background***

In 1986, the Vermont Legislature passed amendments to Vermont's Water Quality Statutes Title 10 V.S.A. Chapter 47: Water Pollution Control. The amendments declared that "it is the policy of the State to seek over the long-term to upgrade the quality of waters and to reduce existing risks to water quality." The revised state law requires permits for discharges of "any waste, substance or material into the waters of the state." However, individual permits are not required for any discharges that inadvertently result from logging operations if responsible management practices are followed to protect water quality. "Acceptable Management Practices (AMP's) For Maintaining Water Quality on Logging Jobs in Vermont" were developed and adopted as rules to Vermont's water quality statutes and became effective on August 15, 1987. The AMP's are intended and designed to prevent any mud, petroleum products and woody debris (logging slash) from entering waters of the state. There are scientifically proven methods for loggers and landowners to follow for maintaining water quality and minimizing erosion.

Since adoption of the AMP's, the Department of Forests, Parks and Recreation (FP&R) has worked with representatives from the Vermont forest industry to support the Department of Environmental Conservation (DEC) Compliance and Enforcement Division (CED) in an effort to reduce the number and severity of discharges resulting from logging operations.

#### ***Memorandum of Understanding***

A Memorandum of Understanding (MOU) was renewed in 2010 between the DEC Compliance and Enforcement Division and the Department of FP&R and remains in effect. The MOU outlines a process to be followed that provides a consistent approach to remediation and enforcement of water quality violations occurring on logging operations. According to the agreement, five AMP Technical Advisory Teams (TAT's) assist loggers and landowners in complying with the AMPs and respond to complaints of potential AMP violations. These teams will consist of a FP&R forester at a minimum when conducting site inspections; a DEC Environmental Enforcement Officer, when deemed necessary and a representative of the

Vermont forest industry, depending on their availability, may also be involved with conducting site inspections. Enforcement would only be pursued in instances where:

- There is substantial failure to comply with the AMP's which has resulted or is likely to result in substantial environmental degradation;
- Efforts to obtain voluntary compliance have been unsuccessful; and
- There is a history of noncompliance with the AMP's coupled with discharges to State waters.

This report summarizes statewide results of AMP technical assistance program activities and other related efforts to Vermont's AMP Program from January 1, 2013 to December 31, 2013.

### ***AMP Site Investigations & Assistance Provided***

During 2013, AMP foresters conducted site investigations on forty logging operations. Upon investigation, twenty-seven of these cases either displayed an on-going discharge or exhibited evidence that a discharge had recently occurred as a result of logging. Appropriate AMP's were prescribed and implemented to stop discharges to State waters and/or the logging operation was closed out to the satisfaction of the State. Six cases require further remediation at the end of 2013 and remain open. Thirteen cases revealed no active discharge or evidence that one had recently occurred as a result of logging.

### ***Department of Environmental Conservation Compliance and Enforcement Division (CED)***

Five cases were referred to CED in 2013. Two of those cases were transferred to the Vermont Attorney General's Office. All cases remain open as of the end of 2013.

### ***Requests for Technical Assistance***

There were seventeen requests for technical assistance during 2013. Requests for technical assistance generally entail an AMP forester meeting with a logger at their request. The meeting is generally held on-site before a logging operation begins to provide recommendations aimed at protecting water quality and preventing soil erosion both during and after the operation. Most assists deal specifically with stream crossings.

*Conclusions*

There continues to be a high level of cooperation among loggers and forest landowners to bring their operations into compliance with Vermont’s Water Quality Statutes by implementing AMPs. Water quality violations from logging activity that are reported have stayed fairly consistent over time. The Vermont forest industry actively supports the AMP Program by providing representatives on the Technical Advisory Teams. The MOU between the Department of Forests, Parks, and Recreation and the DEC Compliance and Enforcement Division has been an effective guide to refer to when investigating AMP cases. AMP cases referred to the DEC Compliance and Enforcement Division remains low in comparison to the total number of water quality cases investigated, given the number of logging operations annually in Vermont. Vermont loggers are encouraged to continue participating in AMP workshops hosted by the Logger Education to Advance Professionalism (LEAP) Program and FP&R’s Watershed Forestry Program.

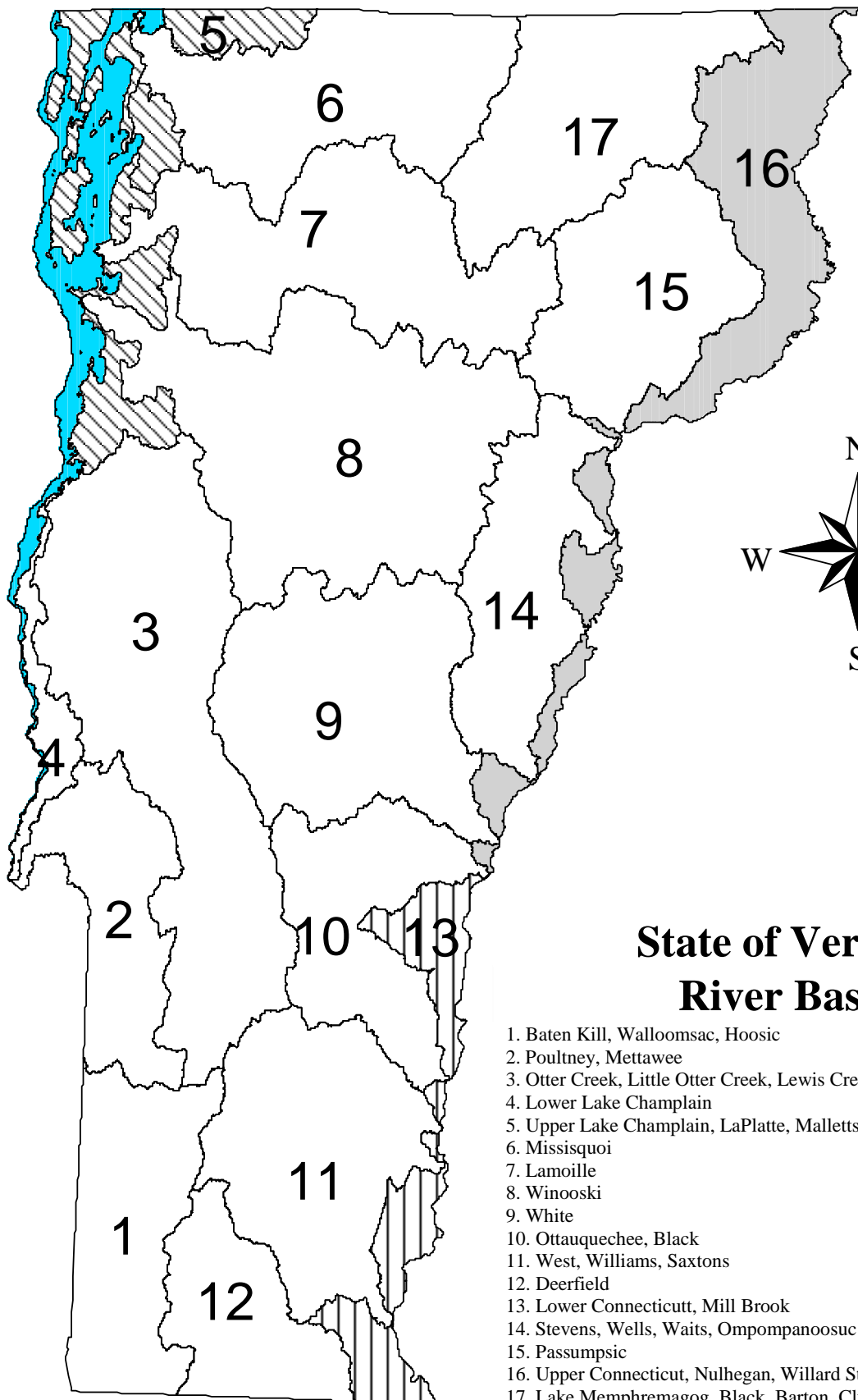
- |     |                            |                   |
|-----|----------------------------|-------------------|
| CC: | Michael Snyder             | Cathy Kashanski   |
|     | Steven Sinclair            | Sean McVeigh      |
|     | Ginger Anderson            | Gary Kessler      |
|     | District Forestry Managers | John Zaikowski    |
|     | AMP Foresters              | Meghan Purvee     |
|     | DEC Enforcement Officers   | Bill Sayre        |
|     | DEC Basin Planners         | Kari Dolan        |
|     | Darcie Johnston            | Colleen Goodridge |
|     | Laura Lapierre             | Eric Smeltzer     |
|     | Rick Hopkins               | Mike Kline        |
|     | Kathleen Wanner            | Neil Kamman       |
|     | Jim Kellogg                |                   |

**2013 SUMMARY OF AMP  
TECHNICAL ADVISORY TEAM ACTIVITIES**

|   | <b>DISTRICT</b>          |                       |                      |                     |                            |              |
|---|--------------------------|-----------------------|----------------------|---------------------|----------------------------|--------------|
|   | <b>Springfield<br/>I</b> | <b>Rutland<br/>II</b> | <b>Essex<br/>III</b> | <b>Barre<br/>IV</b> | <b>St. Johnsbury<br/>V</b> | <b>Total</b> |
| <b>Number of Cases With Evidence of Discharge</b>                           | 0                        | 4                     | 4                    | 12                  | 7                          | 27           |
| <b>Number of Cases Resolved*</b>  | )                        | 4                     | 3                    | 11                  | 3                          | 21           |
| <b>Number of Cases Forwarded to DEC Compliance and Enforcement Division</b> | 0                        | 0                     | 1                    | 2                   | 2                          | 5            |
| <b>Number of Requests For Technical Assistance</b>                          | 2                        | 2                     | 4                    | 7                   | 2                          | 17           |
| <b>Number of Cases With No Evidence of Discharge</b>                        | 0                        | 1                     | 1                    | 6                   | 5                          | 13           |
| <b>Total Number of Cases Investigated**</b>                                 | 0                        | 5                     | 5                    | 18                  | 12                         | 40           |

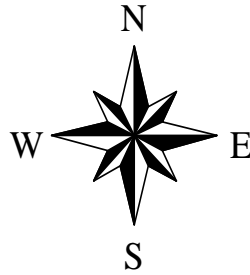
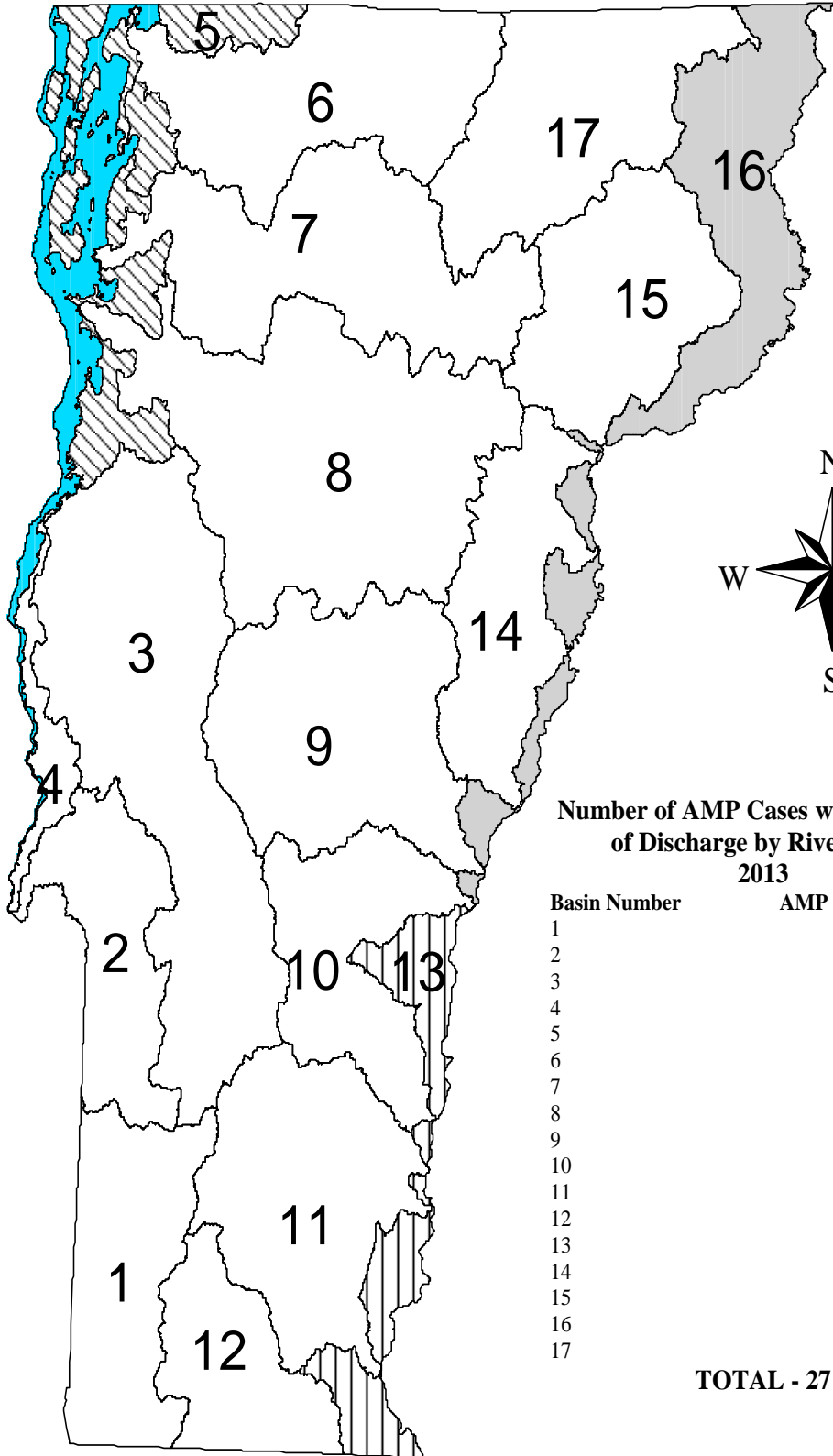
\*Resolved either by the AMPs' being implemented or the operation closed out to the satisfaction of the State.

\*\*This figure is the sum of "Number of Cases With Evidence of Discharge" and "Number of Cases With No Evidence of Discharge".



## State of Vermont River Basins

1. Baten Kill, Walloomsac, Hoosic
2. Poultney, Mettawee
3. Otter Creek, Little Otter Creek, Lewis Creek
4. Lower Lake Champlain
5. Upper Lake Champlain, LaPlatte, Malletts Bay, St. Albans Bay, Pike
6. Missisquoi
7. Lamoille
8. Winooski
9. White
10. Ottauquechee, Black
11. West, Williams, Saxtons
12. Deerfield
13. Lower Connecticut, Mill Brook
14. Stevens, Wells, Waits, Ompompanoosuc
15. Passumpsic
16. Upper Connecticut, Nulhegan, Willard Stream, Paul Stream
17. Lake Memphremagog, Black, Barton, Clyde, Coaticook



**Number of AMP Cases with Evidence of Discharge by River Basin 2013**

| Basin Number | AMP Cases |
|--------------|-----------|
| 1            | 2         |
| 2            | 0         |
| 3            | 2         |
| 4            | 0         |
| 5            | 0         |
| 6            | 0         |
| 7            | 6         |
| 8            | 5         |
| 9            | 3         |
| 10           | 0         |
| 11           | 0         |
| 12           | 0         |
| 13           | 0         |
| 14           | 3         |
| 15           | 2         |
| 16           | 2         |
| 17           | 2         |

**TOTAL - 27**