1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Ways and Means to which was referred House Bill No.
3	590 entitled "An act relating to the safety and regulation of dams" respectfully
4	reports that it has considered the same and recommends that the bill be
5	amended:
6	First: In Sec. 1, in 10 V.S.A. § 1080, by striking out subdivision (7) in its
7	entirety and inserting in lieu thereof a new subdivision (7) to read:
8	(7) "Dam" means any artificial barrier, impoundment, or structure and
9	its appurtenant works that are, were, or will be capable of impounding water or
10	other liquid after construction or alteration, except for:
11	(A) waste management systems constructed and operated according
12	to the accepted agricultural practices as administered by the Agency of
13	Agriculture, Food and Markets;
14	(B) impoundments that are capable of impounding no more than
15	500,000 cubic feet of liquid with a surface area less than one acre;
16	(C) municipal underground or elevated tanks to store water; or
17	(D) any other structure identified by the Department in a duly-
18	adopted rule.
19	Second: In Sec. 1, in 10 V.S.A. § 1104, by striking out subsection (b) in its
20	entirety and inserting in lieu thereof a new subsection (b) to read:
21	(b) Dam registration.

1	(1) On or before January 1, 2015, the person owning legal title to a dam		
2	shall, on a form provided by the Department, register the dam with the		
3	Department.		
4	(2) Beginning one year from the date of dam registration, a dam		
5	registered under subdivision (1) shall be subject to an annual dam safety		
6	program operation fee.		
7	(3) If no person owns legal title to a dam, the person owning the		
8	property on which the dam is located shall submit the registration required		
9	under subdivisions (1) and (2) of this subsection.		
10	Third: By striking out Sec. 4 in its entirety and inserting in lieu thereof a		
11	new Sec. 4 to read:		
12	Sec. 4. 3 V.S.A. § 2822(j)(12) is amended to read:		
13	(12)(A) For dam permits issued under 10 V.S.A. chapter 43: 0.525		
14	percent of construction costs, minimum fee of \$200.00.		
15	(B) For the dam registration under 10 V.S.A. § 1104(b)(1), a person		
16	registering a dam shall pay a registration fee based on the hazard classification		
17	of the dam as follows:		
18	(i) Low hazard dam \$200.00;		
19	(ii) Significant hazard dam \$350.00;		
20	(iii) High hazard dam \$1,000.00.		

1	(C) The annual dam safety program operation fee submitted under		
2	10 V.S.A. § 1104(b)(2) shall be based on the hazard classification of the dam		
3	<u>as follows:</u>		
4	(i) Low hazard dam \$200.00;		
5	(ii) Significant hazard dam \$350.00;		
6	(iii) High hazard dam <u>\$1,000.00.</u>		
7	Fourth: By striking out Sec. 5 in its entirety and inserting in lieu thereof a		
8	new Sec. 5 to read:		
9	Sec. 5. DAM REGISTRATION PROGRAM REPORT		
10	On or before January 1, 2016, the Department of Environmental		
11	Conservation shall submit a report to the House Committee on Fish, Wildlife		
12	and Water Resources, the House Committee on Ways and Means, the Senate		
13	Committee on Natural Resources and Energy, and the Senate Committee on		
14	Finance. The report shall contain:		
15	(1) an evaluation of the dam registration program under 10 V.S.A.		
16	chapter 43, including whether impoundments of water with less than one acre		
17	of surface area should continue to be exempt from the definition of dam;		
18	(2) a recommendation on whether to modify the fee structure of the dam		
19	registration program;		
20	(3) a summary of the dams registered under the program, organized by		
21	amount of water impounded; and		

1	(4) an evaluation of any other hydrologic concerns related to dam		
2	registration.		
3	and by renumbering the remaining subdivisions to be numerically correct.		
4			
5	(Committee vote:)		
6			
7		Representative	
8		FOR THE COMMITTEE	