



House Fish, Wildlife and Water Resources Committee
February 6, 2014
H. 650
Vermont League of Cities and Towns

Thank you for the opportunity to testify.

The MS4 municipalities, as you heard yesterday, have been subject to a new MS4 permit since December 2012. One of the requirements of that permit is the collection of flow and precipitation data at monitoring stations in waters impaired due to stormwater.

The reason that particular requirement is in the permit is that the Agency of Natural Resources decided it could no longer afford to do the monitoring. As you also heard yesterday, the agency is the best entity to complete that task because it has a statewide reach and because it would apply one set of standards to the collection of the data. In the hearings before the permit was issued, this matter of requiring towns to undertake the flow monitoring responsibility was raised a number of times, to no effect.

We are concerned about a potential trend of using permits to require municipalities to complete jobs that the agency decides it can no longer afford to complete.

We support the concept of the Ecosystem Restoration and Water Quality Improvement Special Fund as a mechanism for providing funding to accomplish the flow monitoring of waters of the state and education and outreach requirements of the MS4 permit. We do think the language of the bill is a bit messy, which contributed to my confusion upon reading the bill.

It would be helpful to define “monitoring” as flow monitoring in stormwater impaired waters of the state.

It seems to us that a memorandum of understanding to accomplish the requirements of the MS4 permit should be between the agency and the subject municipalities. A non-governmental organization might do some of the work but it seems that would be the subject of a sub-contract from the town or some instrument of that sort. We are not sure why a non-governmental organization would be a party to an MOU.

Thank you.

*Karen Horn, Director
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