

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; or

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 Second: In Sec. 1, in 10 V.S.A. § 1104, by striking out subsection (b) in its  
17 entirety and inserting in lieu thereof a new subsection (b) to read:

18 (b) Dam registration.

19 (1) On or before January 1, 2015, the person owning legal title to a dam  
20 shall, on a form provided by the Department, register the dam with the  
21 Department.

1           (2) Beginning one year from the date of dam registration, a dam  
2           registered under subdivision (1) shall be subject to an annual dam safety  
3           program operation fee.

4           (3) If no person owns legal title to a dam, the person owning the  
5           property on which the dam is located shall submit the registration required  
6           under subdivisions (1) and (2) of this subsection.

7           Third: By striking out Sec. 4 in its entirety and inserting in lieu thereof a  
8           new Sec. 4 to read:

9           Sec. 4. 3 V.S.A. § 2822(j)(12) is amended to read:

10           (12)(A) For dam permits issued under 10 V.S.A. chapter 43: 0.525  
11           percent of construction costs, minimum fee of \$200.00.

12           (B) For the dam registration under 10 V.S.A. § 1104(b)(1), a person  
13           registering a dam shall pay a registration fee based on the hazard classification  
14           of the dam as follows:

- |                                       |                    |
|---------------------------------------|--------------------|
| 15 <u>(i) Low hazard dam</u>          | <u>\$200.00;</u>   |
| 16 <u>(ii) Significant hazard dam</u> | <u>\$350.00;</u>   |
| 17 <u>(iii) High hazard dam</u>       | <u>\$1,000.00.</u> |

18           (C) The annual dam safety program operation fee submitted under  
19           10 V.S.A. § 1104(b)(2) shall be based on the hazard classification of the dam  
20           as follows:

- |                              |                  |
|------------------------------|------------------|
| 21 <u>(i) Low hazard dam</u> | <u>\$200.00;</u> |
|------------------------------|------------------|

1                    (ii) Significant hazard dam                    \$350.00;

2                    (iii) High hazard dam                    \$1,000.00.

3            Fourth: In Sec. 5, by adding a new subdivision (2) to read:

4                    (2) a recommendation on whether to modify the fee structure of the dam  
5            registration program;

6            and by renumbering the remaining subdivisions to be numerically correct.

7

8            (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

Representative \_\_\_\_\_

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FOR THE COMMITTEE