1	H.829
2	Introduced by Representative Deen of Westminster
3	Referred to Committee on
4	Date:
5	Subject: Conservation and development; agriculture; water quality
6	Statement of purpose of bill as introduced: This bill proposes to make
7	technical amendments to water quality requirements for small farms.
8	An act relating to water quality on small farms
9	It is hereby enacted by the General Assembly of the State of Vermont:
10	Sec. 1. 6 V.S.A. § 4810a(a)is amended to read:
11	§ 4810a. REQUIRED AGRICULTURAL PRACTICES; REVISION
12	(a) On or before July 1, 2016, the Secretary of Agriculture, Food and
13	Markets shall amend by rule the required agricultural practices in order to
14	improve water quality in the State, assure practices on all farms eliminate
15	adverse impacts to water quality, and implement the small farm certification
16	program required by section 4871 of this title. At a minimum, the amendments
17	to the required agricultural practices shall:
18	(1) Specify those farms that:
19	(A) are required to comply with the small <u>farm</u> certification
20	requirements under section 4871 of this title due to the potential impact of the

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1	farm or type of farm on water quality as a result of livestock managed on the
2	farm, agricultural inputs used by the farm, or tillage practices on the farm; and
3	(B) shall be subject to the required agricultural practices, but shall not
4	be required to comply with small farm certification requirements under section
5	4871 of this title.
6	(2)(A) Prohibit a farm from stacking or piling manure, storing fertilizer,
7	or storing other nutrients on unimproved sites or unapproved sites on the farm:
8	(i) in a manner and location that presents a threat of discharge to a
9	water of the State or presents a threat of contamination to groundwater; or
10	(ii) on lands in a floodway or otherwise subject to annual flooding.
11	(B) In Except for waste storage facilities designed by a licensed
12	engineer, in no case shall manure stacking or piling sites, fertilizer storage, or
13	other nutrient storage be located within 200 feet of a private well or within
14	200 feet of a water of the State, provided that the Secretary may authorize
15	siting within 200 feet, but not less than 100 feet, of a private well or surface
16	water if the Secretary determines that a manure stacking or piling site, fertilizer
17	storage, or other nutrient storage will not have an adverse impact on
18	groundwater quality or a surface water quality.

* * *

1	(7) Prohibit the construction or siting of a farm structure for the storage
2	of manure, fertilizer, or pesticide storage within a floodway area identified on a
3	National Flood Insurance Program Map on file with a town clerk. [Repealed.]
4	(8) Regulate, in a manner consistent with the Agency of Natural
5	Resources' flood hazard area and river corridor rules, the construction or siting
6	of a farm structure or the storage of manure, fertilizer, or pesticides within a
7	river corridor designated by the Secretary of Natural Resources.
8	* * *
9	Sec. 2. 6 V.S.A. § 4871(b) is amended to read:
10	(b) Required small farm certification. Beginning on July 1, 2017, a person
11	who owns or operates a small farm, as designated by the Secretary consistent
12	with section 4810a(1) of this title, shall, on a form provided by the Secretary,
13	certify compliance with the required agricultural practices. The Secretary of
14	Agriculture, Food and Markets shall establish the requirements and manner of
15	certification of compliance with the required agricultural practices, provided
16	that the Secretary shall require an owner or operator of a farm to submit an
17	annual certification of compliance with the required agricultural practices.
18	Sec. 3. EFFECTIVE DATE
19	This act shall take effect on passage.