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Comments on Draft 1.4 of Water Remediation and Preservation Bill

- Currently, the AAPs are focused almost exclusively on appropriate "animal waste management and disposal." Tillage and cropland management practices are very important for water quality. The proposed revisions would do little to change this, with the only attention given to tillage/cropland management practices being to reduce tolerable soil loss from 2T to T. It may be a matter of, at least in part, reorganizing the AAPs to make clear obligations for all farms to address erosion.
- Construction of new farm structures would be prohibited within the floodway or river corridor; manure stacking should be prohibited in these areas as well.
- Literature review on subsurface tile drainage cannot wait until 2017. There are literally miles of tile installed in Vermont each year and a strategy for managing subsurface drainage — even if preliminary — needs to be a high priority. In addition, monitoring data is needed to understand the range of both water quality and flow conditions associated with tile drainage in Vermont.
- Small farm certifications should be required more often than once every five years. In considering the best approach for these certifications, AAFM should be asked to weigh the relative strengths on self-certification vs. 3rd party vs. state-employed inspectors.
- *Certification of compliance is required at the time of transfer for small farms; similar requirements should be considered for residential properties served by septic systems.*
- Any warning issued by AAFM should come with a mandatory penalty if the person served fails to respond within the 30 period. Also, consideration should be given to providing AAFM with ticket-writing authority for small farms similar to the authority that has been given to ANTR.
- Training of custom operators should start with the rules (AAPs, MFO/LFO permit requirements). Custom operators should also be held to the same level of training as Town Road Foreman - attend a minimum total of 6 hours of training per year on best road management practices (as per the Town Road and Bridge Standards)
 - Robust penalties must be established for any custom operator that violates the certification and/or fails to attend the required training
- As part of the review of use of the AAPs as a condition of current use, a tiered system of incentives that could be used to encourage/incent a higher level of conservation than the minimums established by the AAPs should be evaluated. This could be phased in over time, but in the longterm additional conservation measures should be required to continue to receive the tax incentives
- *Definition of impervious surface is problematic when it comes to encouraging green storm water infrastructure practices that involve porous pavements. Because porous pavements are not considered impervious, the landowner is under no obligation to maintain these surfaces.*

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