



COMMON SENSE SOLUTIONS  
FOR A CHANGING VERMONT

January 28, 2015

## **Position on current version of H.35 (An Act Related to the Cleanup of the State's Waters, or "Water Quality Bill")**

VNRC supports the overarching goals of H.35 as introduced in the House Fish, Wildlife and Water Resources Committee.

### **Among the positive provisions of the bill that must remain in it are:**

- Removing the requirement for state funding to be available before requiring "best management practices" on farms.
- Requiring that the 1995 Accepted Agricultural Practices be updated (though the revision should include more effective protections for water quality than what is proposed – for example, comprehensive livestock exclusion and larger buffers).
- Expanding state jurisdiction to municipal gravel roads for stormwater runoff control.
- Requiring compliance with Acceptable Agricultural Practices for farms' continued enrollment in the Use Value Appraisal ("Current Use") program.
- Creation of a Clean Water Fund, and accompanying Clean Water Investment Report to increase transparency of where and how state funds are being spent.

### **H.35 currently does not, but should also contain language that:**

- Lowers the jurisdictional threshold for operational stormwater permits from the current one acre to at least one-half an acre. Only 6% of the impervious surface area in the Lake Champlain basin is currently subject to regulation under these permits.
- Adds a provision requiring private gravel roads to be subject to stormwater regulation.
- Requires that the revisions to the Acceptable Management Practices that are underway ensure reduction in phosphorus from forest roads and timber harvesting activities.
- Requires that ANR adopt the overdue anti-degradation rule to prevent other parameters of Lake Champlain from becoming impaired (e.g. oxygen, bacteria) and protects other waters statewide from becoming impaired like Lake Champlain.
- Requires the Agency of Natural Resources to maintain all enforcement of the Clean Water Act and does not allow for this authority to be transferred to the Agency of Agriculture, Food and Markets.
- Eliminates the requirement that the state be required to fund wastewater treatment plant upgrades when additional upgrades are needed to meet water quality goals.

*Founded in 1963, the Vermont Natural Resources Council is Vermont's oldest conservation organization. With the support of over 4,000 members and activists, VNRC has worked to protect, restore and promote Vermont's surface and ground waters, viable communities, forest and wildlife resources, working lands, and energy independence.*

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