

## Standards Relating to Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in S.49

Generally:

- According to 10 V.S.A. §1259: no person shall discharge any waste, substance, or material into waters of the state....
- To prevent or minimize discharges to waters, minimum practices for maintaining water quality should be implemented on all logging jobs in Vermont. Currently, the AMPs for maintaining water quality on logging jobs must explicitly be implemented on lands enrolled in the Current Use Program - about half of the eligible forestland in Vermont.
- Since there's no statutory authority for the AMPs, the suggested language below clarifies that the AMPs shall apply to all logging jobs.
- In order for these minimum practices to be adopted and implemented statewide, additional resources will be needed by the Department of Forests, Parks and Recreation (DFPR).
- To meet this need, legislation should require the DFPR to define those needs and develop a comprehensive program to promote outreach, implementation, and oversee enforcement.
- The details of the resource and implementation needs could be encompassed in the DFPR report-back as directed in House-passed H.35. Rather than delaying the report until March 1, 2016, as suggested in Section 27 of H.35, we suggest requiring the report-back by January 15, 2016 to enable the legislature to provide those resources to meet the requirements of S.49.

VNRC offers the following suggested language regarding AMPs:

- Include Sections 46 – 49 of the House-passed H.35 (with modifications below)
- Modify H.35 Section 46(b) to: Acceptable management practices. On or before March 1, 2016, the Commissioner shall revise by rule the acceptable management practices for maintaining water quality on logging jobs in Vermont. The revised acceptable management practices shall be designed to ensure that all logging operations, on both public and private forestland: prevent or minimize the discharges of sediment, petroleum products and woody debris logging slash from entering streams and other bodies of water; protection aquatic habitat and aquatic wildlife; and minimize or prevent erosion and maintain natural water temperature. The purpose of the acceptable management practices is to provide measures for loggers, foresters and landowners to utilize before, during and after logging operations to comply with the Vermont Water Quality Standards and minimize the potential for a discharge from logging operations in Vermont.
- Maintain the following priority in Senate v1.8 Section 22 language (priorities for the Clean Water Fund Board) with the following change:
  - (VI) funding for enforcement, education, outreach, demonstration and access to tools for the implementation of the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks and Recreation.