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H.730

SHORT FORM

Introduced by Representative Deen of Westminster

Referred to Committee on

Date:

Subject: Conservation and development; water resources; water quality; lake  
in crisis

Statement of purpose of bill as introduced: This bill proposes to authorize the Agency of Natural Resources (ANR) to declare a lake to be in crisis if the condition of the water poses a potential harm to the public health, poses a risk of damage to the environment or natural resources, or is likely to cause significant devaluation of property value or other significant negative economic effects. When a lake is declared to be in crisis, ANR shall be designated the State agency with sole authority for regulation of water quality requirements in the watershed of the lake in crisis, provided that all other State agencies shall provide ANR with necessary technical and administrative services for the required responses. When a lake is declared to be in crisis, the State shall appropriate financial resources to ANR sufficient to improve the quality of the lake in crisis.

1 ANR is authorized to issue emergency orders requiring activities  
2 contributing to the conditions of the lake in crisis to cease, including, if the  
3 source of pollution in the lake is phosphorus, cessation in the watershed of  
4 agricultural practices that contribute phosphorus to the lake. If an ANR  
5 emergency order requires cessation of agricultural practices in the watershed of  
6 the lake in crisis, ANR shall compensate farmers in the watershed for  
7 economic losses directly attributable to the emergency order. ANR shall  
8 review all agricultural practices in the watershed, including application of  
9 nutrients according to a nutrient management plan. ANR shall hold at least  
10 one public hearing and accept notice and comment for any water quality  
11 program or project implemented in the watershed of a lake in crisis. All  
12 records produced or acquired by ANR in establishing a water quality program  
13 or project in the watershed shall be subject to public inspection and copying  
14 under the Public Records Act, including nutrient management plans of farms in  
15 the watershed.

16 The bill would declare Lake Carmi to be a lake in crisis. ANR would be  
17 required to establish an emergency response plan for Lake Carmi on or before  
18 April 1, 2018. The emergency response plan for Lake Carmi shall include  
19 funding necessary for implementation of a phosphorus management plan that  
20 incorporates requirements for aeration of the lake.

1           An act relating to State response to waters in crisis

2           It is hereby enacted by the General Assembly of the State of Vermont:

3                                   (TEXT OMITTED IN SHORT-FORM BILLS)