

1 H.397

2 Introduced by Representatives Anthony of Barre City, McCullough of
3 Williston, and Walz of Barre City

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; natural resources; flooding; stream
7 alteration

8 Statement of purpose of bill as introduced: This bill proposes to require the
9 Agency of Natural Resources to conduct a study analyzing the impact of
10 emergency flood conditions on Vermont's streams. This bill also proposes to
11 permit the Agency to prepare and issue a request for proposal to conduct this
12 study.

13 An act relating to a study on stream alteration resulting from emergency
14 flood conditions

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

16 Sec. 1. STREAM ALTERATION STUDY; REQUEST FOR PROPOSAL

17 (a) The Agency of Natural Resources, Department of Environmental
18 Conservation shall commence a study analyzing the impact of emergency
19 flood conditions on stream flow and widening, aggradation, streambed
20 degradation, and bank erosion. The Agency may prepare and issue a request

1 for proposal (RFP) to commence the study and shall oversee the development
2 of a final report of any selected bidder.

3 (b) The Agency shall create a final report that provides the methodology,
4 analysis, and conclusions regarding emergency flood condition impacts on
5 Vermont's stream channels.

6 (1) The final report shall address the following issues:

7 (A) how high-flow events resulting from emergency flood conditions
8 have altered the physical characteristics, including stream flow and widening,
9 aggradation, streambed degradation, and bank erosion, of Vermont's stream
10 channels;

11 (B) the impact climate change has on the frequency of high-flow
12 events and, as a result, the extent to which climate change has altered the
13 physical characteristics of stream channels:

14 (C) the proportion of emergency flood condition impacts on stream
15 alteration in relation to other occurrences or conditions that may result in
16 stream alteration, such as construction; and

17 (D) the effectiveness of current State and federal permitting
18 requirements for stream channel alteration intended to restore a channel to its
19 previous condition before the occurrence of high-flow events resulting from
20 emergency flood conditions.

1 (2) A primary location for the conduct of the study shall be between
2 coordinates 44.209701, -72.515441 and 44.202225, -72.509459, also known as
3 Stevens Branch in Barre, Vermont.

4 (c) Report. On or before January 15, 2021, the Agency shall submit a final
5 written report to the General Assembly setting forth all findings relating to this
6 act.

7 (d) Appropriation. The sum of \$15,000.00 is appropriated to the General
8 Assembly from the General Fund in fiscal year 2020 for the purposes of
9 funding the directed study under this act and to compensate a selected bidder.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2019.