

1 Sec. X. JOINT STUDY COMMITTEE ON WETLANDS AND FARMING;
2 REPORT

3 (a) Authorization. The House Committee on Agriculture and Forestry
4 and the Senate Committee on Agriculture shall form the Joint Committee on
5 Wetlands and Farming to clarify the application of State wetlands law to
6 farming so that wetlands law is clear to farmers, farming is not unnecessarily
7 impeded by wetlands permitting requirements, and disturbances to wetlands
8 from farming are avoided, minimized, or mitigated.

9 (b) Membership. The Joint Committee on Wetlands and Farming shall
10 consist of each member of the House Committee on Agriculture and Forestry
11 and each member of the Senate Committee on Agriculture.

12 (c) Assistance. The Joint Committee on Wetlands and Farming shall have
13 the administrative, technical, and legal assistance of the Office of Legislative
14 Council and the Joint Fiscal Office.

15 (d) Report. On or before January 15, 2020, the Joint Committee on
16 Wetlands and Farming shall submit a written report to the General Assembly
17 regarding the application of State wetlands law to farming. Unless the
18 context requires otherwise, as used in this section, “farming” has the same
19 meaning as in 10 V.S.A. § 6001(22). The report shall include:

20 (1) a summary of how existing State wetlands law applies to farming,
21 including how “farming” is defined under State wetlands law;

1 (2) a summary of federal wetlands law and how it differs in application
2 to farming in Vermont, including any differences between the federal and
3 State definitions of “wetlands” and how the federal exemptions for “farming”
4 differ from State law;

5 (3) a recommendation of whether land used to grow food or crops in
6 connection with farming activities should be excluded from the definition of
7 wetlands under State law or whether farming activities in wetlands should be
8 exempt from State wetlands permitting;

9 (4) a recommendation of whether the definition of wetlands under
10 State law should be amended to be based on objective criteria such as size or
11 location in order to provide additional regulatory predictability to farmers and
12 others;

13 (5) a recommendation of whether certain agricultural practices,
14 activities, or structures should be exempt from permitting under the State
15 wetlands law; and

16 (6) whether the permit fees for wetlands permits that are required for
17 farming or farming activities should be set at a maximum fee.

18 (f) Meetings.

19 (1) The Office of Legislative Council shall call the first meeting of the
20 Joint Committee on Wetlands and Farming to occur on or before August 1,
21 2019.

1 (2) The Chair of the House Committee of Agriculture and Forestry and
2 the Chair of the Senate Committee on Agriculture shall serve as the co-chairs
3 of the Joint Committee on Wetlands and Farming.

4 (3) A majority of the Joint Committee on Wetlands and Farming shall
5 constitute a quorum.

6 (4) The Joint Committee on Wetlands and Farming shall cease to exist
7 on January 15, 2020.

8 (g) Compensation and reimbursement. For attendance at meetings during
9 adjournment of the General Assembly, a legislative member of the Joint
10 Committee on Wetlands and Farming shall be entitled to per diem
11 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for
12 not more than six meetings. These payments shall be made from monies
13 appropriated to the General Assembly