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H.833

Introduced by Representatives Mrowicki of Putney, Ode of Burlington, Bates  
of Bennington, Dolan of Waitsfield, Hill of Wolcott, Lefebvre  
of Newark, McCullough of Williston, Morgan of Milton,  
Sheldon of Middlebury, and Squirrell of Underhill

Referred to Committee on

Date:

Subject: Conservation and development; water resources; surface waters;  
interbasin transfer

Statement of purpose of bill as introduced: This bill proposes to require the  
Secretary of Natural Resources to convene a Surface Water Diversions and  
Transfers Study Group to investigate and make recommendations to the  
General Assembly regarding the environmental, economic, and recreational  
impacts of transferring surface water between watershed basins and of  
diversions of surface water in general.

An act relating to the interbasin transfer of surface waters

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

Sec. 1. SURFACE WATER DIVERSIONS AND TRANSFERS STUDY  
GROUP; REPORT

1       (a) Creation. The Secretary of Natural Resources (Secretary) shall convene  
2       a Surface Water Diversions and Transfers Study Group to investigate and  
3       make recommendations to the General Assembly regarding the environmental,  
4       economic, and recreational impacts of transferring surface water between  
5       watershed basins and of diversions of surface water in general.

6       (b) Membership. The Surface Water Diversions and Transfers Study  
7       Group shall be composed of the following members:

8           (1) the Secretary of Natural Resources or designee;

9           (2) the Secretary of Agriculture, Food and Markets or designee;

10          (3) one member of the Senate Committee on Natural Resources and  
11       Energy, appointed by the Committee on Committees;

12          (4) one member of the House Committee on Natural Resources, Fish,  
13       and Wildlife, appointed by the Speaker of the House;

14          (5) two persons representing businesses or industries reliant on large  
15       quantities of surface water, appointed by the Committee on Committees;

16          (6) two persons representing nonprofit environmental advocacy groups,  
17       appointed by the Speaker of the House;

18          (7) one hydrologist, appointed by the Secretary; and

19          (8) one at-large member, appointed by the Secretary.

20       (c) Duties. The Surface Water Diversions and Transfers Study Group  
21       shall:

1           (1) develop a baseline inventory of the current and projected quantity,  
2           location, and usage of diversions and transfers of surface water in Vermont;

3           (2) recommend whether or not interbasin transfers of water should  
4           occur;

5           (3) identify whether the State of Vermont should develop and  
6           implement a statewide permitting or other regulatory regime for diversions or  
7           other transfers of surface water;

8           (4) analyze potentially viable regimes to address the unplanned,  
9           uncoordinated, and uncontrolled use of surface water in Vermont; and

10           (5) if necessary, propose legislative changes to implement the  
11           recommendations of the Study Group.

12           (d) Assistance. The Surface Water Diversions and Transfers Study Group  
13           shall have the administrative, technical, and legal assistance of the Agency of  
14           Natural Resources.

15           (e) Report. On or before January 15, 2021, the Surface Water Diversions  
16           and Transfers Study Group shall submit a written report to the House  
17           Committee on Natural Resources, Fish, and Wildlife and the Senate  
18           Committee on Natural Resources and Energy providing its findings and  
19           recommendations under subsection (c) of this section.

20           (f) Meetings.

1           (1) The Secretary of Natural Resources shall call the first meeting of the  
2           Surface Water Diversions and Transfers Study Group.

3           (2) The Secretary of Natural Resources or designee shall be the chair of  
4           the Surface Water Diversions and Transfers Study Group.

5           (3) A majority of the membership of the Surface Water Diversions and  
6           Transfers Study Group shall constitute a quorum.

7           (4) The Surface Water Diversions and Transfers Study Group shall  
8           cease to exist on February 1, 2021.

9           (g) Compensation and reimbursement.

10           (1) For attendance at meetings during adjournment of the General  
11           Assembly, a legislative member of the Surface Water Diversions and Transfers  
12           Study Group serving in his or her capacity as a legislator shall be entitled to  
13           per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.  
14           § 406 for not more than six meetings. These payments shall be made from  
15           monies appropriated to the General Assembly.

16           (2) Other members of the Surface Water Diversions and Transfers Study  
17           Group shall be entitled to per diem compensation and reimbursement of  
18           expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings.  
19           These payments shall be made from monies appropriated to the Agency of  
20           Natural Resources.

- 1      Sec. 2. EFFECTIVE DATE
- 2      This act shall take effect on passage.