

To: House Legislative Committee on Administrative Rules
From: Mark Nelson, Chair Ripton Conservation Commission
Date: October 4, 2022
Subject: 22-09 Agency of Natural Resources/Vermont Water Quality Standards

Chair MacDonald and members of the Legislative Committee on Administrative Rules. My name is Mark Nelson and I am the Chair for the Ripton Conservation Commission. I am here to testify in support of the reclassification of three headwater streams in Ripton from class B(2) to A(1).

The Ripton Conservation Commission would like to thank the Vermont Agency of Natural Resources and the Department of Environmental Conservation for considering our Petitions to reclassify Alder Brook, Blue Bank Brook, and Goshen Brook from class B(2) to A(1). These Petitions were submitted per 10 V.S.A. § 1253 "Classification of waters designated, reclassification". The Ripton Conservation Commission has worked to understand all of the requirements for stream reclassification and all of the requirements for submitting the Petitions. From May 2017 through Dec 2019, the Ripton Conservation Commission worked with members of the Vermont Department of Environmental Conservation to research, write and submit the Petitions. The Petitions were submitted in December 2019. From December 2019 through 2022, the Vermont Department of Environmental Conservation reviewed our Petitions to ensure that they were Administratively Complete and to start their Internal Procedures for Evaluating Petitions to Adopt, Amend or Repeal Surface Water and Wetland Rules. The results of this work are here before you today.

Our investigation and research has supported the water quality sampling that has been done for many years for these streams. These three headwater streams are some of the most pristine streams in Vermont and meet the requirements for A(1) classification.

Benefits of reclassifying these streams from B(2) to A(1):

- Reflects the current conditions showing excellent/very good biological and chemical health, and aquatic habitat (also protected under Vermont's Anti-Degradation Policy).
- The streams will be managed to achieve and maintain waters in their natural condition.
- Providing these streams with a higher level of protection will assist in managing our streams and wetlands in such a way as to help protect against the impacts of extreme weather events.
- Protecting headwater streams is part of Vermont's overall effort to address water pollution.

We hope that the Legislative Committee on Administrative Rules will approve the reclassification of the Alder Brook, Blue Bank Brook, and Goshen Brook streams from class B(2) to A(1). We appreciate the time and work that was required to review our petitions and to consider all of the public input. Again, we thank the Vermont Agency of Natural Resources and the Department of Environmental Conservation for considering our petitions and look forward to protecting these streams for the animals and plants that depend on them, and for the future generations of people that will enjoy them and benefit from their biological and ecological values.