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STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

MEMORANDUM

TO: Representative Ann Pugh, Chair, House Committee on Human Services
Representative Amy Sheldon, Chair, House Committee on Natural Resources,
Fish, and Wildlife
Senator Christopher Bray, Chair, Senate Committee on Natural Resources and
Energy
Senator Virginia "Ginny" Lyons, Chair, Senate Committee on Health and Welfare

FROM: Legislative Committee on Administrative Rules

DATE: October 20, 2022

SUBJECT: Vermont Water Quality Standards (Agency of Natural Resources)

The Legislative Committee on Administrative Rules (LCAR) reviewed and approved amendments to the Agency of Natural Resources' [Vermont Water Quality Standards](#) (VWQS) at LCAR's October 6, 2022, meeting. The approved amendments to the VWQS clarify applicability of the VWQS, reflect updates to policy related to streamflow and stream processes, update water quality criteria for consistency with federal standards, and reflect changes enacted under 2021 Acts and Resolves No. 32.

Throughout the rulemaking process, the Agency of Natural Resources received comments from members of the public. *See* [2022 Proposed Vermont Water Quality Standards Rule \(Chapter 29A\) – Response to Public Comments](#). LCAR also received public comments (posted [here](#)) and took testimony from Jared Carpenter, Water Protection Advocate, Lake Champlain Committee; Sylvia Knight, Earth Community Advocate and Researcher; and Mark Nelson, Chair, Ripton Conservation Commission, in addition to the Department of Environmental Conservation and Michael O'Grady, Deputy Chief Counsel, Office of Legislative Counsel. In discussing the VWQS, members of LCAR had questions about pesticides and polyfluoroalkyl substances (PFAS) in the waters of Vermont and the process for reclassifying the waters of Vermont. These questions, and any related issues, are outside the jurisdiction of LCAR but within the jurisdiction of your committees.

Accordingly, LCAR requests that the House Committees on Human Services and on Natural Resources, Fish, and Wildlife and the Senate Committees on Health and Welfare and on Natural Resources and Energy review one or more of the following:

- the monitoring for pesticides and PFAS in the waters of Vermont;
- the consideration of preventative measures to limit the levels of pesticides and PFAS in the waters of Vermont; and
- ways to improve the process for reclassifying the waters of Vermont.