



To: Senate Committee on Transportation

3/25/2022

RE: H.466 Surface Water Regulation

Associated General Contractors of Vermont (AGC/VT) is the trade organization for contractors and construction workers in Vermont. We provide industry specific training, Occupational and Safety Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) certifications and are home to nationally recognized safety instruction. Our members employ 15,000-20,000 in Vermont annually with careers offering wages and benefits well above Vermont's livable wage.

AGC/VT understands and is supportive of the purpose of protecting the waters of Vermont. Those contractors are currently performing many duties already to continue that mission including mitigation of runoff per the 3-acre rule, stormwater treatment to our roads, river resiliency after hurricane Irene and other heavy civil projects including wastewater and infrastructure work. In addition, those contractors will be rushed to complete work from ARPA and the recently passed infrastructure appropriations to improve our roadways which includes multimodal transportation and other projects planned to deal with climate change. While we support the idea of clean and healthy water ways, we have some concerns related to the language in H.466. We hope to create an easy to comply with reporting scheme and avoid another layer of permitting that would delay state projects that are time sensitive.

Contractors are currently using water in 3 predominant ways which can be from multiple sources (sometimes multiple per project) including surface water:

1. Dust mitigation to comply with the Federal Clean Air Act
2. Soil compaction for sub surfaces which is critical and part of state engineering requirements
3. Coolant for asphalt rollers

In any extraction of water the quality is assessed prior with the goal to get clean and pure water to protect expensive pumping equipment so a trickling trout stream or low level river would not be a quality source for contractors.

AGC/VT has one request that would allow them to support H.466 which is to add language to the exception section on page 12: (d) Exceptions. A permit required under this subchapter shall not be required for surface water withdrawals for fire suppression or other public emergency response purposes **and state or municipal highway construction projects and maintenance activities.**

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