

Act 135: Surface Water Withdrawal Reporting

Jeff Crocker, Streamflow Protection Coordinator

Vermont Agency of Natural Resources

Department of Environmental Conservation

Watershed Management Division / Rivers Program

Act 135: An act related to surface water withdrawals and interbasin transfers

1. Review of the Act 135 Requirements
2. Overview of Surface Water Withdrawal Registration and Reporting Program
3. Surface Water Withdrawal Report
4. Next Steps for 2024

Act 135: An act related to surface water withdrawals and interbasin transfers

Enacted by the General Assembly 2022

- Water Withdrawal Registration and Reporting Program (ANR)
 - Beginning January 1, 2023
 - Report to General Assembly
- Agricultural Water Withdrawals Reporting (AAFM)
 - Beginning July 1, 2022
- Water Withdrawal Permitting Program (ANR)
 - Adoption of rules on or before July 1, 2026
- Interbasin Transfer of Surface Water (ANR)
 - Authority for the Agency to review transfer of surface water between Hydrologic Unit Code 6 basins (e.g. Connecticut River, Lake Champlain, Hudson River, St. Lawrence)

Surface Water Withdrawal Registration and Reporting Program

- Any person withdrawing 10,000 gallons or more within a 24-hour period or 150,000 gallons or more of surface water over any 30-day period to register with the Agency of Natural Resources.
- File annual water withdrawal report with the Agency by January 15.
 - Total amount of water withdrawn each month
 - Daily maximum withdrawal each month
 - Date of daily maximum withdrawal
 - Total hours water was withdrawn each month
- File Annual Report with the General Assembly

Agricultural Surface Water Withdrawal Reporting Program

- Any person who withdrew 10,000 gallons or more of surface water within a 24-hour period in the preceding calendar year or 150,000 gallons or more of surface water over any 30-day period in the preceding calendar year shall file a report with the Secretary of Agriculture, Food and Markets
 - Total amount of water withdrawn each month
 - Daily maximum withdrawal each month
 - Date of daily maximum withdrawal
 - Total hours water was withdrawn each month
- Water withdrawal Reports shared with the Agency of Natural Resources by February 1. Data included in ANR annual report.

Surface Water Withdrawal Registrations

A total of 36 entities registered 38 water withdrawals

- Registration by Sectors
 - Golf course irrigation (11)
 - Industrial (8)
 - Construction (8)
 - Snowmaking (4)
 - Other (4)
 - Aquaculture (1)
- Three determined not to be withdrawing from a surface water.

Surface Water Withdrawal Reporting

- Water withdrawal data from 31 withdrawals was reported
- Five registered withdrawals were reported as not being operated in 2023.

Sector	Total Withdrawal (gallons)
Golf course irrigation	35,259,362
Industrial	421,821,791
Construction	919,250
Other	2,236,582
Snowmaking	91,863,569
Aquaculture	389,412,000

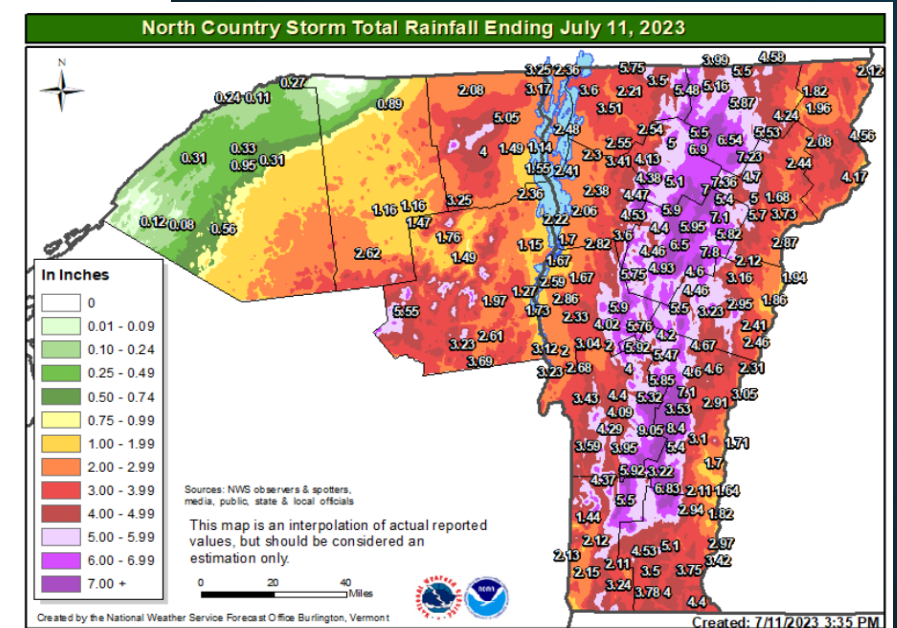
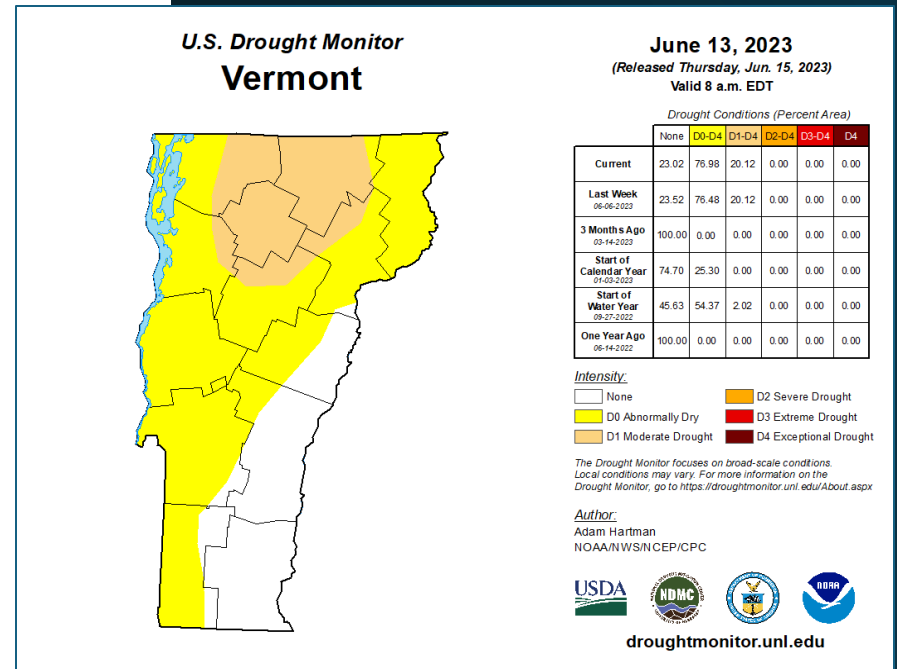
Agricultural Surface Water Withdrawal Reporting

- Water withdrawal reported from 2 withdrawals associated farms reported to AAFM.
- Five reports of withdrawals associated with fish culture stations.

Sector	Total Withdrawal (gallons)
Farming (Irrigation/Frost protection)	1,761,593
Fish Culture Station	1,857,980,000

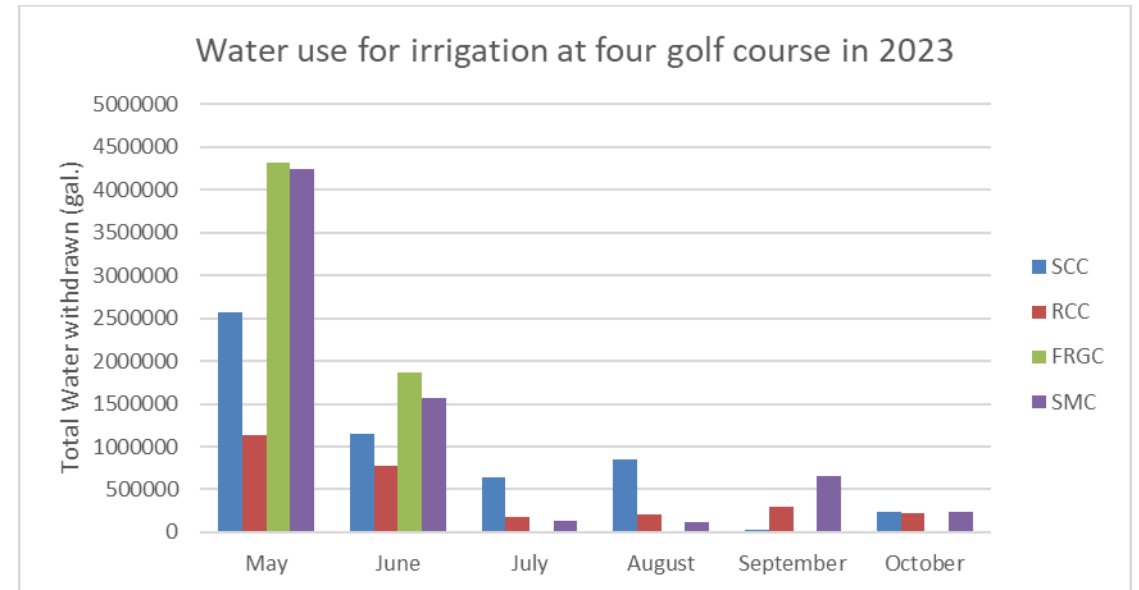
Hydrologic Conditions during 2023

- Hydrologic condition varied significantly between first and second half of 2023
- Mid-June 75% of Vermont was categorized as being abnormally dry or moderate drought conditions.
- Catastrophic flooding event July 10-11th and multiple other flooding event occurring there after.



Effect of 2023 Hydrologic Conditions on Water use

- Significantly effected the quantity of water withdrawn by sectors where water use is closely tied to the environmental condition.



- Potentially limited number of water use reports from sectors that were directly impacted by the flooding events.

Surface Water Registration and Reporting 2024

Outreach

Outreach, education, and technical assistance remains a priority

Increase

Increase efforts to reach water users who may not be aware of the new water withdrawal reporting requirements.

Refine

Refine internal process including online registration and reporting forms based on knowledge gained from first year.

Hydrologic Unit Code 6 Basin of Vermont

