

Email Regarding Changes to 3-Acre Bill from Representative Rob North 3/13/2025

An Act amending to the 3-acre rule

Recommended changes to draft 3.1

Section 7(e)(2)

(C) funding for the Municipal Stormwater Implementation Grant Program as provided in section 928 of this title, including at least \$1,000,000.00 annually for costs of complying with permitting requirements under subdivision 1264(c)(7) of this title ~~including for residential subdivisions when the municipality assumes full legal responsibility for the stormwater system.~~ residential subdivisions under subsection 1264(c)(7) of this title when the municipality assumes full legal responsibility for the stormwater system;

Section 10:

(c) Powers and duties. The Study Committee shall review the feasibility of establishing regional stormwater utility districts in the State. The Study Committee shall:

(1) review current statutory authority for the development of regional stormwater utility districts comprised of multiple municipalities, including **identifying any** potential disincentives or obstacles to utility formation;

(2) propose **an approach** the State could **use for implementing** a regional stormwater utility ~~approach~~ that would allow **the utilities to assume** liability ~~and~~ responsibility for compliance with water quality laws ~~to the utility~~, including how a utility could assume responsibility for **any** the permitting of properties subject to the three-acre stormwater permitting normally performed by the Department of Environmental Conservation (DEC);

(3) propose alternate methods for stormwater management at the regional level that would achieve equivalent or better Phosphorus reduction more cost effectively than \$25,000/Kg/year and exceeding 1700 Kg/yr in total.

~~(3)~~ propose ~~recommend whether and~~ how to authorize a regional stormwater utility to assess fees or charges to **landowners**, residents and businesses within the regional stormwater utility district **for the purpose of stormwater controls to meet the TMDL**;

~~(4)~~ propose how a regional stormwater utility district could be eligible for Clean Water State Revolving Loan Fund awards; and access state-level financial assistance for the design, construction, and operation and maintenance of regulatory and non-regulatory stormwater systems including from the Clean Water State Revolving Loan Fund; and

~~(5)~~ propose ~~recommend how~~ statute should be amended to implement any of the ~~recommendations~~ **proposals** of the Study Committee, **including replacing the three-acre rule with method(s) defined in (3)**;

(7) estimate a cost to operate such proposed regional stormwater utility districts, net of the reduction in DEC headcount that would be achieved by implementing the proposed regional stormwater utility districts; and

(8) task DEC to propose a system and estimate a cost to reduce the phosphorus flow from Dead Creek into Otter Creek by 50% or more and report on these results.

Thank you,

Representative **Rob North**, Addison-3

Vermont State House

House Committee on Environment

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