

*Written testimony from Karen Horn 3/12/25*

Hello Chair Sheldon and Members of the Committee,  
Thank you for the opportunity given yesterday to GMWEA to testify in DR 25-0967, your draft stormwater bill.

As stated yesterday, we continue to be concerned about the implementation of the three acre stormwater permit and 1) its unequally distributed economic burden; 2) the presumed solution that towns will take full legal responsibility for residential subdivisions with no liability protection or sufficient staff to manage 3-acre stormwater permits on private property, and 3) the lack of new dollars to incentivize that program which will leave other important Clean Water Fund programs underfunded.

In particular, we urge you to include in bill 25-0967 authorization to the Agency of Natural Resources (ANR) to change the rule noted in Christine Dougherty's GMWEA letter of March 11. That letter asked for the ANR to amend "The Stormwater Permitting Rule (Section 22-302(b)(3)(A)(i)) to read: "If the applicant does not own the impervious surface or lands on which the stormwater system used to comply with the requirements of Section 22-901 (operational permits) is located, the owner shall be a co-applicant, unless the land from which the stormwater is being discharged is already permitted under an MS4, TS4, or Municipal Roads General Permit."

This revision would allow municipalities to retain autonomy in negotiations and provide support to private stormwater system operators without assuming full liability for actions taken or not taken on private properties. It would also eliminate duplicative permitting for the same discharges in those instances.

Thank you for your consideration of this amendment. We are happy to discuss it in more detail with you.

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