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S.212

Representative Greer of Bennington moves that the report of the Committee on Environment be amend by inserting a new section to be Sec. 4a to read as follows:

Sec. 4a. TECHNICAL ADVISORY COMMITTEE REPORT ON  
EXTENSION OF ISOLATION DISTANCES ONTO  
NEIGHBORING PROPERTY

(a) The Secretary of Natural Resources shall reconvene the Technical Advisory Committee (TAC) created under 10 V.S.A. § 1978(e) to review authority under State statute and rule that allows the isolation distances for potable water supplies and wastewater systems to extend onto neighboring property. The TAC shall:

(1) summarize the purpose of allowing isolation distances for potable water supplies and wastewater systems to extend onto neighboring property and how isolation distances can limit the use of or encumber neighboring property;

(2) evaluate whether State law should continue to allow isolation distances for potable water supplies and wastewater systems to extend onto neighboring property;

1           (3) if the TAC concludes that State law should continue to allow  
2           isolation distances for potable water supplies and wastewater systems to extend  
3           onto neighboring property, provide:

4                   (A) the basis for the conclusion;

5                   (B) an explanation of why alternatives that do not encumber the  
6           property of others would not be feasible; and

7                   (C) a recommendation on whether owners of potable water supplies  
8           or wastewater systems that encumber neighboring property with isolation  
9           distances should be required to compensate the owner of the encumbered  
10           property for lost value or for the use of the encumbered property; and

11           (4) if the TAC concludes that State law should not continue to allow  
12           isolation distances for potable water supplies and wastewater systems to extend  
13           onto neighboring property, recommend:

14                   (A) how State statute or rules should be amended to eliminate  
15           authority for isolation distances to extend onto neighboring property; and

16                   (B) whether and how existing permits that allow extension of  
17           isolation distances onto neighboring property can be amended to remove  
18           authority for isolation distances to extend onto neighboring property.

19           (b) On or before January 1, 2027, the TAC shall submit a report of its  
20           findings under subsection (a) of this section to the House Committee on  
21           Environment and the Senate Committee on Natural Resources and Energy.