

S.223 An act relating to water quality of the waters of Vermont

**Senate Natural Resources and Energy
January 16, 2026**

- Vermont Water Quality Standards
- Classification
- Antidegradation
- Protecting Vermont's Waters

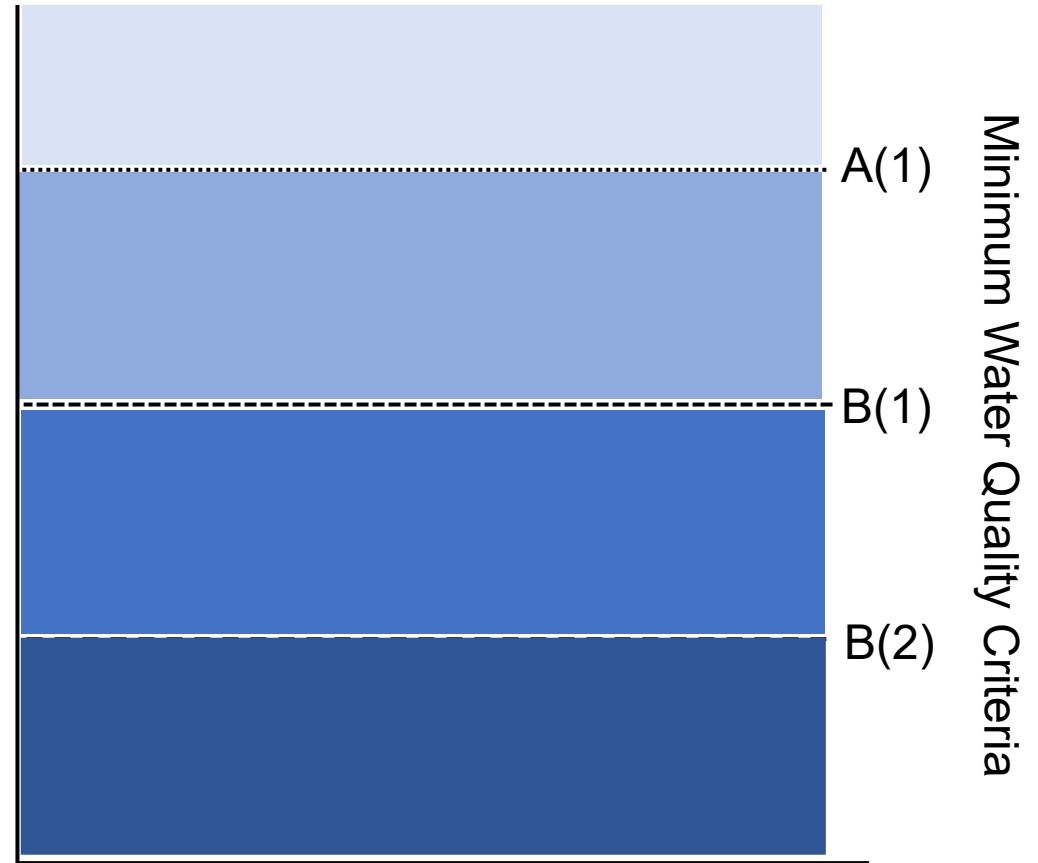
Vermont Water Quality Standards

- Designated uses
 - Aquatic biota and wildlife
 - Habitat
 - Aesthetics
 - Swimming
 - Fishing
 - Boating
 - Public water source
 - Irrigation
- Management objectives
- Minimum water quality criteria

Antidegradation Policy

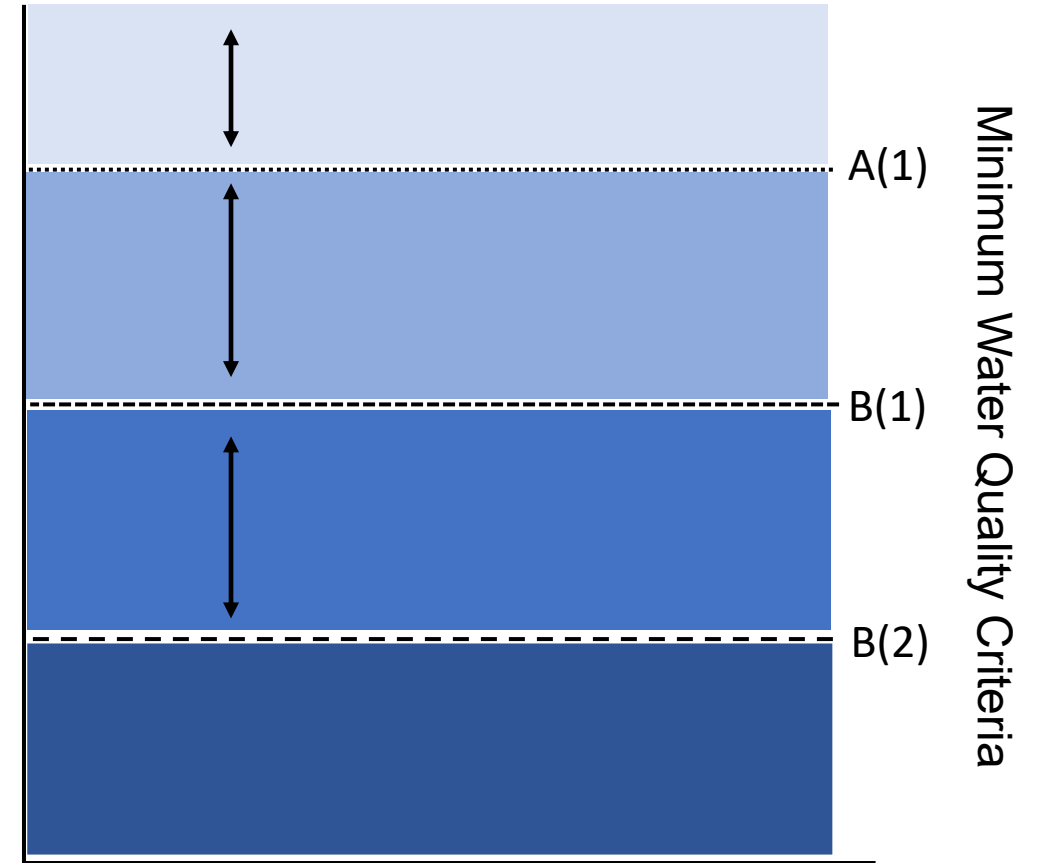
Classification

- A(1): Best water quality
- B(1): Very good water quality
- B(2): Good quality water
- 10 V.S.A. § 1253
 - All waters at or above 2,500 feet are Class A
 - All waters below 2,500 feet are B(2) unless reclassified “in the public interest”



Antidegradation

- Limits incremental water quality degradation above the minimum criteria to protect uses.
- An analysis that occurs during the permitting process for new or increased discharges.
- Requires public notice.
- Any permitted lowering of water quality must be justified.



Antidegradation

- **October 2021:** Agency convened a stakeholder process with environmental advocates, consultants, and municipal representatives to develop the proposed Antidegradation Implementation Rule
- **December 2022:** Agency filed proposed Antidegradation Implementation Rule
- **January – May 2023:** Rulemaking and legislative initiative to advance surface water protection
- **December 2023:** Agency refiled proposed Antidegradation Implementation Rule pending outcome of legislative initiative
- **January – May 2024:** Rulemaking and legislative initiative

Protecting Vermont's Waters

Legislative Initiative – S.146 (2023-2024) – and the Proposed Antidegradation Implementation Rule

- Modified 10 V.S.A. § 1259, which prohibits onsite systems greater than 1,000 gallons/day in Class A watersheds, so the prohibition would only apply in the watersheds of existing Class A waters.
- Required a site-specific antidegradation analysis for Class A and Class B(1) waters.
- Required the Agency to reclassify waters based upon existing water quality data.