

1 S.212

2 Representatives Greer of Bennington and Chapin of East Montpelier move
3 that the report of the Committee on Environment be amended by inserting a
4 new section to be Sec. 4a to read as follows:

5 Sec. 4a. TECHNICAL ADVISORY COMMITTEE REPORT ON

6 OVERSHADOWING OF PROPERTY BY POTABLE WATER

7 SUPPLIES AND WASTEWATER SYSTEMS

8 (a) On or before January 15, 2027, the Secretary of Natural Resources'
9 Technical Advisory Committee (TAC) shall report to the House Committees
10 on Environment and on Judiciary and the Senate Committees on Natural
11 Resources and Energy and on Judiciary regarding authority under State statute
12 and rules that allows the isolation distances for potable water supplies and
13 wastewater systems to extend onto neighboring property, a practice commonly
14 referred to as overshadowing. In preparing the report, the TAC shall:

15 (1) summarize the scientific and technical basis and benefit to the
16 environment and public health from overshadowing;

17 (2) evaluate alternatives to overshadowing that could prevent or
18 significantly limit overshadowing of property and recommend preferred
19 alternatives;

20 (3) present data on the frequency of overshadowing and on the different
21 alternatives or types of outcomes that occur when overshadowing exists;

1 (4) recommend additional steps the Agency of Natural Resources can
2 take to support the resolution of issues that may occur between neighbors when
3 overshadowing occurs; and

4 (5) any additional information that the TAC deems relevant to address
5 the issue of overshadowing from potable water supplies and wastewater
6 systems.

7 (b) Any recommendation by the TAC under subsection (a) of this section
8 for legislative action or rulemaking may be presented as draft legislation or
9 draft amendment to rules. The TAC may submit the report required under
10 subsection (a) of this section as part of the Committee’s annual report to the
11 General Assembly.