1	S.312
2	Introduced by Senators Collamore, Benning, Brock, Hooker, McNeil, Parent,
3	Rodgers, Starr and Westman
4	Referred to Committee on
5	Date:
6	Subject: Conservation and development; water resources; stormwater; three-
7	acre impervious surface permit
8	Statement of purpose of bill as introduced: This bill proposes to extend by two
9	years the required date by which coverage under a general permit shall be
10	sought for a discharge of stormwater from impervious surface of three or more
11	acres in size when the stormwater discharge previously was not permitted or
12	was permitted under an individual permit or general permit that did not
13	incorporate the requirements of the 2002 Stormwater Management Manual.
14	An act relating to stormwater permitting
15	It is hereby enacted by the General Assembly of the State of Vermont:
16	Sec. 1. 10 V.S.A. § 1264 is amended to read:
17	§ 1264. STORMWATER MANAGEMENT
18	* * *
19	(b) Definitions. As used in this section:
20	* * *

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1	(6) "Impervious surface" means those manmade surfaces, including
2	paved and unpaved roads, parking areas, roofs, driveways, and walkways, from
3	which precipitation runs off rather than infiltrates.
4	* * *
5	(14) "Stormwater runoff" means precipitation and snowmelt that does
6	not infiltrate into the soil, including material dissolved or suspended in it, but
7	does not include discharges from undisturbed natural terrain or wastes from
8	combined sewer overflows.
9	* * *
10	(g) General permits.
11	(1) The Secretary may issue general permits for classes of stormwater
12	runoff that shall be adopted and administered in accordance with the provisions
13	of subsection 1263(b) of this title.
14	* * *
15	(3) Within 120 days after the adoption by the Secretary of the rules
16	required under subsection (f) of this section, the The Secretary shall issue a
17	general permit under this section for discharges of stormwater from impervious
18	surface of three or more acres in size, when the stormwater discharge

previously was not permitted or was permitted under an individual permit or

general permit that did not incorporate the requirements of the 2002

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existing impervious surface.

1	Stormwater Management Manual or any subsequently adopted Stormwater
2	Management Manual. Under the general permit, the Secretary shall:
3	(A) Establish a schedule for implementation of the general permit by
4	geographic area of the State. The schedule shall establish the date by which an
5	owner of impervious surface shall apply for coverage under this subdivision
6	(3). The schedule established by the Secretary shall require an owner of
7	impervious surface subject to permitting under this subdivision (3) to obtain
8	coverage by the following dates:
9	(i) for impervious surface located within the Lake Champlain
10	watershed, the Lake Memphremagog watershed, or the watershed of a
11	stormwater-impaired water, on or before October 1, 2023 2025; or
12	(ii) for impervious surface located within all other watersheds of
13	the State, no not later than October 1, 2033 2035.
14	(B) Establish criteria and technical standards, such as best
15	management practices, for implementation of stormwater improvements for the
16	retrofitting of impervious surface subject to permitting under this subdivision
17	(3).
18	(C) Require that a discharge of stormwater from impervious surface
19	subject to the requirements of this section comply with the standards of
20	subsection (h) of this section for redevelopment of or renewal of a permit for

1	(D) Allow the use of stormwater impact fees, offsets, and phosphorus
2	credit trading within the watershed of the water to which the stormwater
3	discharges or runs off.
4	* * *
5	Sec. 2. EFFECTIVE DATE
6	This act shall take effect on passage.