

1. TITLE OF RULE FILING:

Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont

2. ADOPTING AGENCY:

Agency of Natural Resources; Department of Forests, Parks and Recreation

3. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Dave Wilcox

Agency: ANR

Mailing Address: 1 National Life Drive, Davis 2
Montpelier, VT. 05620-

Telephone: 802 793 - 0265 Fax: 802 828 - 1399

E-Mail: david.wilcox@vermont.gov

Web URL(*WHERE THE RULE WILL BE POSTED*):

<http://anr.vermont.gov/forests-parks-rec>

4. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Meghan Purvee

Agency: Agency of Natural Resources, Department of Forests, Parks and Recreation

Mailing Address: 1 National Life Drive, Davis 2
Montpelier, VT. 05620-3801

Telephone: 802 279 - 7870 Fax: 802 828 - 1399

E-Mail: meghan.purvee.vermont.gov

5. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

6. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A 2622 (a) and (b) and 10 V.S.A 1259 and 3 V.S.A §2853 (5).

7. CONCISE SUMMARY (150 WORDS OR LESS):

This is a proposed amendment to state rule 16-037; "Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont." Effective Date: October 22, 2016. The proposed amendment makes changes to the recently revised rules that clarify technical information regarding permanent stream crossings. The changes consist of: amending three existing definitions and adding two new definitions, amending three of the 26 AMPs, and amending Table 2 that deals with minimum sizes for temporary and permanent culverts. The AMPs are intended to prevent discharges of sediment, hazardous materials such as petroleum products, logging slash and logging debris from entering streams or other bodies of water. There are specific AMPs for truck roads, skid trails, stream crossings, stream buffers and log landings.

8. EXPLANATION OF WHY THE RULE IS NECESSARY:

Act 64 of 2015: An act relating to improving the quality of State waters, required the Commissioner of Forests, Parks and Recreation to amend the rule. The amended rule provided for a higher level of forest water quality protection by enhancing standards for improving stream crossing practices and controlling runoff from forest roads and trails. These new rules went into effect in October, 2016. When providing information and outreach for the new rules it was discovered that they needed further clarification, as well as the addition of recommended sizes for permanent stream crossing structures on intermittent streams.

9. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

VT Agency of Natural Resources and Department of Forests, Parks & Recreation, loggers, forest

landowners, foresters and others associated with timber harvesting.

10. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

There will be minimal additional economic impact to small business. Forest landowners and loggers are responsible for implementing AMPs on logging operations to protect water quality. Thus, both parties are responsible for costs associated with AMP implementation and maintenance. Loggers generally bear the cost of implementing AMPs just prior to, during and immediately after logging. Landowners are responsible for maintaining AMPs and bear the cost associated with those efforts after a logging operation is completed. These amendments include sizing requirements for permanent culverts and bridges on intermittent streams. This will be an additional benefit to loggers and landowners in that they will be properly sizing stream crossing structures. Over the long term, this will most likely result in an economic benefit because the risk of washouts and associated repair and replacement of undersized structures is significantly reduced, saving the landowner money long term.

11. A HEARING IS SCHEDULED .

12. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION NEEDED FOR THE NOTICE OF RULEMAKING.

Date: 1/16/2018

Time: 05:00 PM

Street Address: Lyndon State College, 1001 College Rd,
Lyndon, VT

Zip Code: 05851

Date: 1/18/2018

Time: 05:00 PM

Street Address: Howe Center-Rail Room, 1 Scale Ave.,
Rutland, VT

Zip Code: 05701

Date: 1/23/2018

Time: 05:00 PM

Street Address: UVM Extension, 327 U.S.Route 302, Berlin, VT

Zip Code: 05641

Date:

Time: AM

Street Address:

Zip Code:

13. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

2/2/2018

14. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Acceptable Management Practices

Logging

Water Quality

Logging Jobs

Run Spell Check