

Administrative Procedures – Proposed Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this proposed filing will be considered complete upon the submission and acceptance of the following components:

- Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of the proposed coversheet form will be used to generate a notice of rulemaking in the newspapers of record. Publication of notices will be charged back to the promulgating agency based on the word count of the notices.

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Rule Title: Vermont Wetland Rules

 _____, on 12/21/17 _____.
 (signature) (date)

Printed Name and Title:

Julie Moore, Secretary
 Vermont Agency of Natural Resources

RECEIVED BY: _____

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- ICAR Approval received by E-mail.

1. TITLE OF RULE FILING:

Vermont Wetland Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. PRIMARY CONTACT PERSON:

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

Name: Laura Lapierre

Agency: Agency of Natural Resources

Mailing Address: Main Building- 2nd Floor

One National Life Drive, Montpelier, VT 05620-3522

Telephone: 802 490 - 6177 Fax: 802 828 - 1544

E-Mail: laura.lapierre@vermont.gov

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

<http://dec.vermont.gov/watershed/laws#Rulemaking>

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: Hannah Smith

Agency: Agency of Natural Resources

Mailing Address: One National Life Drive, Davis 2

Montpelier, VT 05620-3802

Telephone: 802 461 - 8187 Fax: 802 828 - 1544

E-Mail: hannah.smith@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. 905b(18)

7. CONCISE SUMMARY (150 WORDS OR LESS):

This rule change proposes two wetlands to be classified as Class I wetlands: The LaPlatte River Marsh in Shelburne, Vermont, and Peacham Bog, in Peacham, Vermont. The proposed Class I changes appear in Appendix A of the Rule. The proposed change also updates the electronic link on the Rule cover page.

8. EXPLANATION OF WHY THE RULE IS NECESSARY:

Vermont statute mandates that the Vermont Department of Environmental Conservation identify and propose wetlands to be classified as Class I. Class I wetlands are those wetlands that the Secretary, based upon an evaluation of the extent to which the wetland serves the functions and values set forth in subdivision 905b(18)(A) of Vermont title 10, determines is exceptional or irreplaceable in its contribution to Vermont's natural heritage and, therefore, merits the highest level of protection. The LaPlatte River Wetlands and Peacham Bog have been determined to have functions or values that make them exceptional or irreplaceable, and should be afforded the highest level of protection available under Vermont Statute and the Vermont Wetland Rules.

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

Landowners, including individuals, organizations, and state agencies, with property adjacent to the proposed Class I wetlands.

Potentially engineers, designers, consultants, developers, and contractors who are hired to design and build structures on property adjacent to the proposed Class I wetlands and their buffers.

The public at large, with an interest in wetland integrity and water quality.

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

The designation of two new Class I wetlands will protect water quality and flood storage in a state where poor water quality and flooding events have harmed the state economy. Peacham Bog is located entirely within the Groton State Forest on land owned and controlled by the Vermont Department of Forests, Parks, and Recreation and is currently protected as a part of the state forest. No economic impact is anticipated related to the designation of Peacham Bog. Portions of the LaPlatte River Wetlands are currently protected by The Nature Conservancy, and no economic impact is anticipated in those areas. In areas adjacent to the LaPlatte River Wetlands owned by private landowners, the Class I designation would prevent new structures from being built within the wetlands.

11. A HEARING IS NOT 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:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

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

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

Wetlands

Vermont Wetland Rules

Class I wetlands

Shelburne

LaPlatte

Peacham Bog

Bog

Water Quality