

**Act 173: Surface Water Diversion and  
Transfer Study Group**

**March 15, 2021  
9:30 – 11:30 AM**

**Agenda**

- 1. Introductions**
- 2. Review of Act 173 and Charge of Committee**  
Review and walkthrough of Act 173 by Michael O’Grady, Legislative Council; Review of the charge of the Study Group; assisted by Matt Chapman, ANR General Council.
- 3. Background**  
Review by Jeff Crocker of diversions and transfers of surface water in Vermont, usages and users of surface waters, and concerns regarding the environmental effects of diversions and transfers of surface water in Vermont.
- 4. Legal Framework**  
Joint review by Matt Chapman, ANR General Council and Jeff Crocker of applicable existing laws and regulations in Vermont related to diversions and transfers of surface water in Vermont (i.e., common law riparian rights, 10 VSA Chapter 41 Regulation of Streamflow Section 1003, Snowmaking Rules, Stream Alterations, Vermont Water Quality Standards – hydrology criteria, Section 404/401 federal clean water act, encroachments of public waters, and Act 250).
- 5. Committee Goals, Deliverables, and Schedule**
  - a. Revisit required Committee deliverables and to-be-performed research objectives.
  - b. Set schedule and agenda for future meetings.
  - c. Expert Testimony - compile list of suggested experts who can speak to issue(s).
  - d. Discuss the need for a designated facilitator/moderator for meetings.