

10. Criterion 2 (Water supply)

I. Requirements for Issuance of Permit

Criterion 2 requires that a project or development has sufficient water to meet its reasonably foreseeable needs.

II. Burden of Proof

The burden of proof is on the applicant. 10 V.S.A. §6088(a).

III. Analysis

1. Adequate water supply must be demonstrated by the applicant.
2. Evidence that supports a finding of sufficient water includes:

Expert hydrological study, showing sufficient available water, recharge to meet water quantity needs, or similar evidence;

Compliance with Vermont Water Supply Rules

Presumptions created by other permits

Certain permits create a rebuttable presumption that the project complies with Criterion 2. They are:

Public Utility permit from the PSB;

Municipal permit from the local water authority;

Subdivision, mobile home park, or campground permit;

Water supply and wastewater disposal permit;

Public water system construction or operating permit.

Act 250 Rule 19.

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