

**State of Vermont
WATER RESOURCES BOARD**

**Re: Morehouse Brook, Englesby Brook, Centennial Brook, and Bartlett Brook,
Nos. WQ-02-04, WQ-02-05, WQ-02-06, and WQ-02-07 (Consolidated)**

ORDER

On June 2, 2003, this Board issued a decision in the above-referenced matter reversing the issuance of four Watershed Improvement Permits (WIPs) by the Vermont Agency of Natural Resources (ANR). On June 17, 2003, ANR filed a Motion for Reconsideration and a Memorandum in Support pursuant to Board Rule of Procedure 34(D). ANR asks the Board to modify its June 2, 2003 decision by affirming ANR's decision to issue the WIPs, or in the alternative, by authorizing ANR to implement these WIPs for a five-year trial period. As the Board's June 2, 2003 decision makes clear, the WIPs do not comply with Vermont law. Because these WIPs unlawfully fail to include a schedule of compliance reasonably designed to bring the receiving waters into compliance with the Vermont Water Quality Standards within five years, ANR does not have the legal authority to implement these WIPs for a five-year trial period. Accordingly, it is hereby **Ordered** that ANR's June 17, 2003 Motion is **Denied**.

Dated at Montpelier, Vermont, this 27th day of June, 2003.

WATER RESOURCES BOARD

/s/ David J. Blythe

David J. Blythe, Chair

Concurring:

Lawrence H. Bruce, Jr., Member
Jane Potvin, Member
John D.E. Roberts, Vice Chair
Mardee Sánchez, Member