

DEPARTMENT OF ENVIRONMENTAL CONSERVATION LEGISLATIVE REPORT

Annual Report on Unspent Capital Funds – FY2023 and Older

Year: 2024

Date reported: 1/15/2024

Authorizing statute: 32 V.S.A. Sec. 701a(d)

Committees: House Committee on Corrections & Institutions and Senate Committee on Institutions

Prime contact: Eric Blatt, Director of Engineering, Water Investment Division

Executive Summary

This report fulfills the requirement for the Department of Environmental Conservation to report on the current fund balances of each project with unexpended funds authorized by a capital construction act enacted two or more years prior to the current legislative session. This report includes the status of fifteen appropriations for capital assets consisting of department-owned dams, municipal pollution control facilities, ecosystem restoration projects, and public water systems addressing PFAS contamination.

Key Takeaways

- Current aggregate unexpended balance at 12/31/2023..... \$8.83M
- Current aggregate encumbered/committed balance at 12/31/2023..... \$0.98M
- Pending amount to encumber at 12/31/2023..... \$7.84M
- Amount Available to Reallocate.....\$8,796.39
- All funds are projected to be spent by 12/31/2025.

Discussion

The table below identifies each appropriation, obligated or committed amounts, and estimated timing of expenditure of the unspent balances.

DEC Capital Funds Balance at 12/31/2023 - Capital Funds Authorized 2 or More Years Prior to Current (2024) Legislative Session

Report Date 1/15/2024

Project Description	Session Year	Act	Appropriation Section	DEPT ID	Unexpended Balance 12/31/2023	Obligated Unspent 12/31/2023	Pending Obligation	Expend 1/1/24 - 6/30/24	Expend 7/1/24 - 12/31/24	Expend 1/1/25 - 6/30/25	Expend 7/1/25 - 12/31/25	Remaining Balance 1/1/2026	Notes
Pollution Control - New Projs	2017	84	11	6140991707	10,449.89	5,951.72	0.00	2,975.86	2,975.86	0.00	0.00	4,498.17	Obligated \$s for Burke WW Feasibility Study, unobligated \$s can be reallocated
Std EcoSystem Restore&Prot	2018	190	8	6140991805	4,798.22	4,798.22	0.00	500.00	0.00	0.00	0.00	4,298.22	All but \$500 of obligated \$s can be reallocated due to contract/grant underruns
Munic. Pollution Control-New	2018	190	8	6140991809	160,445.10	160,445.10	0.00	160,445.10	0.00	0.00	0.00	0.00	Grant Closeout Payment to South Burlington CSO Project
Dam Safety & Hydrology Proj	2019	42	10	6140991902	2,314.89	2,314.89	0.00	0.00	2,314.89	0.00	0.00	0.00	Reobligate \$2,314.89 contract underruns to Lake Carmi Dam Project
Muni Pollution Control	2019	42	11	6140991905	53,386.89	53,386.89	0.00	53,386.89	0.00	0.00	0.00	0.00	Funds to be paid to be reobligated to Addison for PC Grant Award and Closeout
DEC - Dam Safety, Hydrology	2020	139	6	6140992002	62,360.33	62,360.33	0.00	60,060.33	2,300.00	0.00	0.00	0.00	~ \$60+K to complete RTI Contract and Reobligate \$2,300 to Lake Carmi Dam
DEC - Public Water Improve	2020	139	6	6140992003	4,888.15	0.00	4,888.15	4,888.15	0.00	0.00	0.00	0.00	See Notes 1 & 2 Below
DEC -Municipal Poll Control Gr	2020	139	7	6140992005	80,625.45	80,625.45	0.00	18,941.89	31,282.77	30,400.80	0.00	0.00	Funds used for WW Planning and balance needed for a Grant to Addison
Dam Safety & Hydrology Proj	2021	50	9	6140992102	289,838.93	0.00	289,838.93	50,000.00	144,919.47	94,919.47	0.00	0.00	Lake Carmi and Silver Lake Dams Contracts
DEC - Contaminants of Emerg Conce	2021	50	9	6140992104	495,493.00	0.00	495,493.00	0.00	75,384.60	0.00	420,108.40	0.00	See Notes 1 & 2 Below
DEC -Municipal Poll Control Gr	2021	50	10	6140992106	1,455,470.23	614,584.12	840,886.11	560,143.86	882,576.38	12,750.00	0.00	0.00	4 construction & 5 planning projects underway & 1 pending construction project
DEC - High/Sig Hazard ANR Dams	2022	180	7	6140992202	3,115,000.00	0.00	3,115,000.00	0.00	311,500.00	623,000.00	2,180,500.00	0.00	\$s to be allocated to the 5 highest priority ANR Dams based on Risk Assessment
DEC- Waterbury Dam Spillway	2021	50	9	6140992203	193,240.00	0.00	193,240.00	0.00	0.00	193,240.00	0.00	0.00	Match \$s for the ACOE planning for Waterbury Spillway Rehab Project
DEC- Little Hosmer Dam	2022	180	7	6140992204	190,000.00	0.00	190,000.00	25,000.00	40,000.00	25,000.00	100,000.00	0.00	Little Hosmer Pond Dam Rehab
DEC -Municipal Poll Control Gr	2022	180	7	6140992207	2,715,000.00	0.00	2,715,000.00	1,143,406.60	1,242,428.40	264,165.00	65,000.00	0.00	Grants pending for 7 projects underway, and 1 pending, plus \$s for planning
Total					8,833,311.08	984,466.72	7,844,346.19	2,079,748.67	2,735,682.36	1,243,475.26	2,765,608.40	8,796.39	

Note 1: Less bond costs, appropriations 6140992003 & 6140992104 total \$1,045,225 for PFAS remediation for Public Water Systems. At 12/31/23 \$983,662.50 has been awarded to 9 public water systems with a balance of \$61,558.50 available for 2 additional systems. \$625,116.60 has been expended thru 12/31/2023.

Note 2: DEC pays the grantees directly from the Contaminants of Emerging Concern Special Fund (CECF) and an annual transfer is made at the end of each fiscal year from the two designated appropriations to the CECF. Three transfers totaling \$544,843.85 from DEPTID 6140992003 have been made to date, an additional transfer is expected by circa 7/1/24, with a subsequent and final transfer for the remainder of DEPTID 6140992104 by circa 7/1/2025.