



Green Mountain
Water Environment
Association

To: Members, Senate Finance Committee

From: Christine Dougherty, Vice President
Green Mountain Water Environment Association

Date: March 15, 2023

Re: S. 115 Miscellaneous Agricultural Subjects, Section 8

The Green Mountain Water Environment Association, on behalf of its 400+ individual, and 50 business/organizational members, strongly urges you to eliminate Section 8 of S. 115.

Section 8 would exempt farms and silvicultural practices from municipal bylaws that establish fees for the management of stormwater related to drainage networks serving municipal roadways and water quality improvements to reduce pollutants from municipally owned impervious surfaces. The municipal stormwater fees that municipalities charge to all property owners is based on the fact that all receive a benefit from municipal stormwater management work and all need to pay in for clean water. Those fees pay for stone lining ditches, replacing and building culverts, building settling ponds, redirecting runoff away from road networks, and other much more complex stormwater management features.

Part of the concern is that the language used in the proposed bill does not clarify that the “municipal fee’s” for which an exemption is being requested is often a “utility fee” and is structured that way with the intention of equitable liability for all property owners.

Municipal infrastructure such as road side ditches, catch basins, and culverts all function as a conduit for stormwater runoff with no means by which this service can be provided on a parcel by parcel basis. In other words, a municipality cannot refuse to receive stormwater runoff from a parcel which elects not to pay the utility fee. Furthermore, the infrastructure used to convey stormwater is also the target of regulations by the Department of Environmental Conservation, so municipalities have to manage, and in some circumstances treat, stormwater runoff which comes with a financial burden that if not shared by all will be redistributed to those who are not exempt. Therefore we urge you to honor the “all in” approach to municipal stormwater management in those towns that have adopted bylaws and fee requirements.