

**Senate Committee on Government Operations**  
**DR 24-0141 - Government Response to Flood Recovery**  
**February 6, 2024**  
**Testimony from Liz Royer, Executive Director**

Hello, my name is Liz Royer and I am the Executive Director of the Vermont Rural Water Association. Vermont Rural Water is a non-profit organization that supports public drinking water and wastewater systems through technical assistance, training, advocacy, and outreach. We represent over 320 system members that protect public health and allow for economic development in our towns and municipalities. These small, rural utilities provide safe drinking water and return clean, treated wastewater to rivers and lakes throughout the state. I also serve as the Co-Chair of VT WARN – Vermont’s mutual aid and response network for water and wastewater systems.

I am here today on behalf of all the drinking water and wastewater workers in the state. We are asking to be specifically recognized as emergency response personnel through DR 24-0141.

Water and wastewater utilities have been designated as critical infrastructure by the Department of Homeland Security (DHS) and FEMA recently added Water Systems as the 8<sup>th</sup> Community Lifeline. But water and wastewater workers have received no such State or Federal recognition; we need a designation that is universally understood.

Why do we deserve this recognition? Drinking water and wastewater personnel are the first line of defense in the protection of public health and our natural environment. They maintain hydrants and ensure adequate flows and pressures for firefighting. They provide safe, potable water and sewer services at critical facilities such as hospitals, nursing homes, and emergency shelters. Without these services, these facilities may have to be evacuated and close their doors to vulnerable populations.

Why are we asking to be included in the definition of emergency responder? Primarily for guaranteed access to treatment plants and collection and distribution infrastructure. Whether there are stay-at-home orders due to a pandemic, weather-related travel restrictions, or checkpoints in communities devastated by flood damage, we need to be able to locate and repair every piece of our drinking water and wastewater systems. In addition, representatives of these systems need to be automatically included in local and regional emergency planning and hazard mitigation efforts.

Why can't water and wastewater just be considered within public works? While some water and wastewater personnel are considered to be part of a public works department, that is not the case for the majority of operators in Vermont. It is also not the case for consultants, engineers, and others who provide technical assistance to these systems during natural disasters and other emergencies.

On the drinking water side, there are just over 400 public community systems in Vermont. A community water system supplies drinking water to the same population year-round at a place where people reside. Only 23% of the community systems in Vermont are owned by a town, village or city, and many of those may be smaller towns lacking the population and tax base to support a public works department. The remaining community water systems include 71 fire districts, 63 manufactured home communities, 101 homeowners associations, and also water districts, cooperatives, nursing homes, and private corporations. All of these systems are required to have a properly trained and certified operator, but without an emergency responder designation or credential, those individuals could be denied access to a vulnerable population that needs their operator to make repairs or issue boil water notices.

Systems such as Brandon Fire District #1, South Hero Fire District #4, and Craftsbury Fire District #2 are the primary drinking water providers to the commercial districts and more densely settled areas of their towns. But they likely would not be considered part of a public works department. Their operators could also be refused entry at a checkpoint near their own facilities since they are not municipal employees and could be unknown to local police or the National Guard.

In one example, after Tropical Storm Irene, the sole wastewater operator in Wilmington needed immediate assistance to repair his municipal treatment facility and get it functioning quickly. He reached out to his consulting engineer and to a wastewater specialist at Vermont Rural Water to come down and help. Checkpoints had been established in parts of Wilmington and both individuals were denied access. In order to provide them with the needed credentials, the operator tore the red municipal license plates off of old town vehicles and took them to the checkpoint to allow them to pass through.

Several of the utilities impacted by the July 2023 flooding are operated by contract companies, such as the Marshfield village water system and the Johnson wastewater treatment facility. These contractors are not considered municipal employees but are the people responsible for operating the drinking water and wastewater treatment plants and repairing infrastructure that was significantly damaged by the floods.

Other systems are not even owned by a municipality, such as Woodstock Aqueduct Company, a private entity that has supplied water to the town since 1880. Woodstock had a “Do Not Drink” order in place for 10 days in July. This system had numerous challenges in communicating with local residents and businesses and continues to struggle as they are not eligible for FEMA assistance.

In addition, many operators requested equipment and labor from neighboring systems and on-site technical assistance from Vermont Rural Water. Vendors immediately came to help make repairs and service infrastructure such as pumps, electrical panels, and process-control devices. Without an emergency responder designation or other recognized credential, any of these operators, contractors, and other specialists could be denied access to the facilities that desperately need their help and advice after natural disasters such as floods.

Finally, we deserve this designation in order to increase recognition of the essential nature and critical services provided by our drinking water and wastewater operators. Our industry is experiencing severe workforce shortages and this designation can serve to help elevate these professions. This isn’t just infrastructure, there are people running the plants, fixing the pipes, and working around the clock to keep safe water flowing out of our faucets, to keep our toilets flushing, and to keep clean water flowing back into our lakes and rivers. They often like to be behind the scenes, but they deserve to be recognized and have earned the designation of emergency response personnel.

Thank you for allowing me to speak on behalf our state’s drinking water and wastewater workers. We appreciate this committee’s efforts towards improving flood response, recovery, and resiliency in Vermont.