

Section 30 of H.493 of 2023 – Repeal of Section 12 of Act 185 of 2018

Sec. 30. REPEAL

2018 Acts and Resolves No. 185, Sec. 12 (suspension of private loans for clean water projects) is repealed.

Senate Institutions Committee

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Repeal of Section 12 of Act 185 of 2018

- ▶ Act 185 at Section 12:
 - ▶ Sunsets access to the CWSRF by private entities by prohibiting DEC and VEDA from accepting private applications for CWSRF loans after June 30, 2023.
 - ▶ Signals intent for a review of private loans, natural resources projects, and the sponsorship program.
- ▶ Section 30 of H.493 repeals the sunset language to perpetuate access to CWSRF by private entities.

Act 185 - An act relating to the Clean Water State Revolving Loan Fund

Passed in 2018, Act 185 did three things:

- ▶ Consistent with pre-existing Federal law, allowed for natural-resources based projects to be financed with CWSRF
- ▶ Consistent with pre-existing Federal law, allowed for access to CWSRF by private entities, for eligible projects.
 - ▶ VEDA administers private projects, while VBB administers municipal projects.
- ▶ Created a Water Infrastructure Sponsorship Program
 - ▶ A mechanism for a municipal borrower to sponsor the design and construction of a natural resources project
- ▶ Act 185 contains protections that ensure municipal borrowers get top priority for available funds before access is provided to private borrowers.
 - ▶ Municipalities have the first access to SRF, and no more than 20% can go to privates.

Why is private access to CWSRF important?

- ▶ Manufactured Home Communities, to upgrade wastewater and stormwater systems
- ▶ Private entities to construct soil-based wastewater systems
- ▶ Private owners and HOA's subject to stormwater control requirements
- ▶ Nonprofits to support natural resources projects that secure water quality benefits



What private activity has happened since passage?

Borrower	Project	Loan Amount
Trust for Public Land	Rolston Property	3,966,504
VT Land Trust	Worcester Woods (Repaid in full)	5,350,000
Trust for Public Land	Mt. Hunger Headwaters (Repaid in full)	1,980,000
VT Land Trust	Bluffside Farm	1,400,000
Upper Valley Land Trust	Woody Adams Conservation Forest	300,000
VT Land Trust	FFY21 Farmland Futures Fund	3,000,000
VT Land Trust	FFY22 Farmland Futures Fund	2,000,000
Milton MHC	Wastewater Infrastructure Improvement Project	500,000
Bolton Valley CWS	Wastewater System Upgrade (note - moving to design)	52,600
Addison County Community Trust	Lindale Community Wastewater System	182,035
Vernon Advent Christian Home, Inc.	Wastewater System Replacement	2,894,569
	Total	21,625,708

Note that no municipal borrowing was impacted in order to provide these loans

Why natural resources projects are important?

- ▶ Natural resources projects are an important tool to achieve Vermont's clean water goals.
- ▶ Many such projects will be needed to fully complete the Lake Champlain and Lake Memphremagog "TMDLs"



Beecher Hill Brook Floodplain Reconstruction – Before and After

Questions?

Before removal of Camp Wihakowi dam on Bull Run river in Northfield, VT.



Looking downstream on the Bull Run river after removal of Camp Wihakowi dam in Northfield, VT.

