

Sec. 16. 10 V.S.A. § 1628 is amended to read:

§ 1628. PRIORITIES

The Department shall make grant awards under this chapter, ~~and 24 V.S.A. chapter 120,~~ to eligible ~~municipal~~ projects on the basis of ~~urgency~~ of need as determined according to a system of priorities adopted by rule by the Department and to the extent appropriate funds are available. The system of priorities shall ~~include increased priority to eligible municipal projects in designated centers~~ require consideration of criteria, including:

- (1) whether a project is grant or loan eligible;
- (2) the condition of the waters affected by the project and whether the waters are:
  - (A) not in compliance with the Vermont Water Quality Standards, or
  - (B) have a total maximum daily load (TMDL);
- (3) whether the project will address water quality issues identified in a basin plan;
- (4) whether the project will abate or control pollution that is causing or may cause a threat to public health;
- (5) whether the project will address an emergency situation impacting or constituting a threat to the environment or the public health, safety, or welfare;
- (6) if the project repairs or replaces existing infrastructure, the condition and integrity of such infrastructure;
- (7) whether the project incorporates principles of environmental resiliency or sustainability, including energy efficiency, which reduce the environmental impacts of the project or a water pollution abatement and control facility;
- (8) the fiscal integrity and sustainability of the project, including whether the project is a cost effective alternative, when compared to other alternatives;

(9) whether the project is located within a designated center; and

(10) affordability factors for the municipality or municipalities in which the project is located, including:

(A) median household income;

(B) unemployment rate; and

(C) population trends. ~~The Department shall assure that projects sponsored by a town school district, or incorporated school district shall be given increased priority for purposes of the receipt of engineering planning advances awarded under section 1593 of this chapter. The total amount of the engineering planning advances made and still outstanding during a period for this purpose shall not exceed 30 percent of the bond issue or appropriation voted for construction grant funds by the General Assembly for the period in which the award is made.~~

Sec. 25. 24 V.S.A. § 4758 is amended to read:

§ 4758. LOAN PRIORITIES

(a) Periodically, and at least annually, the ~~secretary~~ Secretary shall prepare and certify to the ~~bond bank~~ Bond Bank a project priority list of those municipalities whose publicly owned projects, or privately owned wastewater systems, are eligible for financing or assistance under this chapter. In determining financing availability for ~~wastewater projects~~ water pollution abatement and control facilities under this chapter, the secretary of the agency having jurisdiction shall apply the ~~following~~ criteria:

(1) ~~the probable public benefit to be gained or preserved by the project to be financed;~~

(2) ~~the long term costs and the resulting benefits to be derived from the project. In determining benefits, induced growth from a project that is not consistent with a town, city, or village plan, duly adopted under chapter 117 of this title, will not be considered;~~

~~(3) the cost of comparable credit or financing alternatives available to the municipality;~~

~~(4) the existence of immediate public health, safety, and welfare factors, and compliance therewith;~~

~~(5) the existence of an emergency constituting a threat to public health, safety, and welfare; and~~

~~(6) the current area and population to be served by the proposed project adopted pursuant to 10 V.S.A. § 1628.~~

~~(b) In determining financing availability for stormwater projects under this chapter, the secretary of the agency having jurisdiction shall apply the following criteria:~~

~~(1) that the project is specifically or generally described in Vermont's nonpoint source management plan; [Repealed.]~~

~~(2) that the project will remedy or prevent the impairment of waters, and the severity of that existing or prevented impairment; and~~

~~(3) that the project is consistent with the applicable basin plan for the waters affected by the project.~~