

VLCT TESTIMONY

89 Main Street, Montpelier, Vermont 05602

To: Members of the House Natural Resources and Energy Committee
From: Karen Horn, Director, Public Policy and Advocacy
Date: March 22, 2018
Re: S.260, Clean Water Authority

Thank you for the opportunity to testify on S.260.

The Vermont League of Cities and Towns joined with the Lake Champlain Committee, Vermont Conservation Voters, Vermont Natural Resources Council, and Lake Champlain Chamber of Commerce to urge you to pass legislation that would establish the broad framework of a Clean Water Authority.

We endorse Jon Groveman's comments this morning, which outline the kind of legislation that the coalition hopes to achieve this session. We oppose S. 260 as it is on the Senate Calendar for third reading. It has turned into a Christmas tree bill that does not significantly further the effort to develop a clean water authority, provides for more legislative study and includes a section on citizen rights of action. Citizen suits are non-starters for cities and towns, whose experience shows would be squarely in the cross hairs of those seeking to force action at the local level on one issue area.

We all know and agree that clean water is the goal. We know that the workload is tremendous. We know that funding at every level is inadequate. We, as local officials know that there are many competing needs for scarce funds in Vermont – and significant mandates on cities and towns to address everything from water quality, public safety and law enforcement, rental housing quality, elections integrity, waste management to transportation. We do not understand why the legislature would turn over the prioritization of expenditures on projects to “a person” against “any person” alleged to be in violation of any statute, permit, certification, rule, permit condition, prohibition or order set forth under the Agricultural or Natural Resources water quality statutes. We believe such a provision is counter-productive to getting the job done, as resources will once again be spent on lawyers instead of cleaning up the waters of the state.

We urge you to pass legislation this year that establishes a Clean Water Authority that is funded in an amount sufficient to hire an executive director who will work with a board to develop the framework for implementation. In fact, Senator Lyons suggested such a bill (attached to this testimony). The board and an executive director would be charged with putting in place the mechanisms to ensure the authority:

- is accountable for and protects funds it raises through fees established by the legislature
- works with all sectors bearing responsibility for reducing stormwater and phosphorus discharges
- combines and simplifies grant and loan regulations
- makes cost effective investments based on a priority system that finances projects garnering the biggest bang for the buck first
- assesses and recommends efficient revenue collection mechanisms, and
- realizes clean water achievements in compliance with TMDLs and state legislation.

Thank you for the opportunity to testify.