

1 **House Committee on Natural Resources, Fish, and Wildlife Proposed**
2 **CRF Assistance Provisions**

3 Sec. 1. OUTDOOR RECREATION BUSINESS ASSISTANCE PROGRAM;
4 COVID-19 PUBLIC HEALTH PRECAUTIONS

5 (a) Appropriation. In addition to any other funds appropriated to the
6 Agency of Natural Resources in fiscal year 2021, a sum of \$1,500,000.00 is
7 appropriated from the Coronavirus Relief Fund to the Agency of Natural
8 Resources in fiscal year 2021 for award of grants to implement and administer
9 the Outdoor Recreation Business Assistance Program established under this
10 section.

11 (b) Purpose. The purpose of this section is to provide financial assistance
12 to outdoor recreation businesses in the State to assist with compliance with or
13 implementation of COVID-19 public health precautions.

14 (c) Definitions. As used in this section:

15 (1) “Outdoor recreation business” means any person conducting a
16 business or a service within the State that offers outdoor recreation as the
17 principle part of the business or service, including outdoor outfitters, fishing
18 guides, snowmobile tours, ski tours, and other eligible activities approved by
19 the Secretary. An “outdoor recreation business” shall include for-profit
20 businesses, not-for-profit businesses, and charitable organizations organized
21 under 26 U.S.C. § 501(c)(3).

22 (2) “Secretary” means the Secretary of Natural Resources.

23 (d) Program establishment.

1 (1) The Secretary shall establish an Outdoor Recreation Business
2 Assistance Program (Program) to provide grants to outdoor recreation
3 businesses for costs or expenses necessary to comply with or implement
4 COVID-19 public health precautions, including costs or expenses related to
5 one or more of the following:

6 (A) cleaning or disinfection services or equipment;

7 (B) personal protection equipment for staff, customers, or
8 participants;

9 (C) symptom monitoring or diagnosis to ensure safe participation by
10 customers or participants;

11 (D) signage or informational material to inform staff, customers, and
12 participants of necessary public health precautions;

13 (E) temporary staff housing necessary to maintain public health
14 precautions;

15 (F) maintenance or repair of trails where damage is caused by
16 increased usage during the declared COVID-19 public health emergency; and

17 (G) other improvements necessary to address public safety needs due
18 to the COVID-19 public health emergency.

19 (2) In order to qualify for assistance under the Program, an outdoor
20 recreation business shall:

21 (A) be currently operating or providing services; and

22 (B) accurately demonstrate to the Secretary or the Secretary's

1 designee eligible costs or expenses that the outdoor recreation business
2 incurred or will incur on or after March 1, 2020 and before December 20,
3 2020.

4 (e) Implementation and administration.

5 (1) The Secretary shall administer the Program and may implement the
6 Program by:

7 (A) contracting with an independent public or private entity;

8 (B) contracting for or hiring up to two temporary positions at the
9 Agency of Natural Resources; or

10 (C) reallocating existing Agency of Natural Resources staff positions
11 to work exclusively on the Program or other CARES Act, Pub. L. No. 116-136
12 eligible activities.

13 (2) The Secretary may use up to five percent of the funds appropriated
14 under subsection (a) of this section for the costs of administering the Program,
15 including, if applicable, the cost of a contractor to implement the Program.

16 (3) Notwithstanding any provision of law to the contrary, the Secretary
17 may enter into a contract with an independent public or private entity as
18 authorized under this section without the need to competitively bid the
19 contract. For the purposes of the Program, the public health risk posed by
20 COVID-19 shall be deemed to be an emergency situation that justifies the
21 execution of a sole source contract pursuant to Bulletin 3.5, the State's
22 Procurement and Contracting Procedures.

1 (f) Application; processing.

2 (1) The Secretary or the Secretary's designee shall create an application
3 form that outdoor recreation businesses shall utilize when applying for an
4 award. Applicants shall certify that all information they provide is truthful and
5 accurate to the best of their knowledge, information, and belief.

6 (2) The Secretary or the Secretary's designee shall, based on the amount
7 of cost or expense documented by the outdoor recreation business on the date
8 the application is received, provide up to the maximum award authorized under
9 this section. Applications shall be processed in the order received, but an
10 application shall not be ready for evaluation until the Secretary or the
11 Secretary's designee determines that the application is administratively
12 complete and includes required proof of costs or expenses incurred in response
13 to the COVID-19 public health emergency.

14 (3) Once an outdoor recreation business submits a complete application
15 and demonstrates eligible costs or expenses, the Secretary or the Secretary's
16 designee shall promptly issue a payment, provided that the appropriated funds
17 have not been expended. The last payment may be a partial payment
18 consisting of the remaining available funds.

19 (4) Each award under this section shall be a direct payment from the
20 State of Vermont to an eligible outdoor recreation business. Outdoor
21 recreation businesses shall not submit more than one application.

1 (g) Payment; maximum. The maximum amount of an award that may be
2 awarded under this section shall be \$30,000.00.

3 (h) Program terms and limitations.

4 (1) The Secretary shall attempt to award grants equitably on a
5 geographic basis across the State. After equity of geographic distribution is
6 accounted for, grant payments under the Program shall be issued on a first-
7 come, first-served basis until all funds are awarded or December 20, 2020,
8 whichever occurs first, provided that the costs or expenses are incurred and the
9 funds fully expended on or before December 30, 2020.

10 (2) The name of an outdoor recreation business that receives an award
11 under the Program and the amount of the award are public records subject to
12 inspection and copying under the Public Records Act.

13 (3) Any application documents of an outdoor recreation business
14 containing federal identification numbers and sales amounts are subject to the
15 confidentiality provisions of 32 V.S.A. § 3102 and are return information
16 under that section.

17 (4) Data submitted by an outdoor recreation business under this section
18 to demonstrate costs or expenses shall be a trade secret exempt from public
19 inspection and copying under 1 V.S.A. § 317(c)(9), provided that the Secretary
20 may use and disclose submitted information in summary or aggregated form
21 that does not directly or indirectly identify an outdoor recreation business.

22 Sec. 2. AGENCY OF NATURAL RESOURCES; COVID-19 PUBLIC

1 HEALTH EXPENSES ON STATE LANDS;
2 APPROPRIATIONS

3 In addition to any other funds appropriated to the Agency of Natural
4 Resources in fiscal 2021, the amount of \$3,500,000.00 is appropriated from the
5 Coronavirus Relief Fund in fiscal year 2021 for necessary expenditures
6 incurred by the Agency for the purpose of implementing COVID-19 public
7 health precautions on lands owned or controlled by the Agency of Natural
8 Resources. Eligible projects to implement COVID-19 public health
9 precautions include:

10 (1) updating of signage or information provided at entry to or access to
11 trails, access areas, forests, parks, or other areas where information regarding
12 COVID-19 public health precautions would be available to the users;

13 (2) temporary campsites or structures to allow for proper social
14 distancing of users and staff;

15 (3) the cost or expense of services or equipment required to clean or
16 sanitize public spaces; and

17 (4) expanding, improving, or adding public access to State lands and
18 public waters to allow greater social distancing among users, including
19 purchasing, building, repairing, or expanding parking areas, boat ramps,
20 restrooms, trail heads, visitor centers, and other amenities.