

DRAFT

Proposed Amendment to S.96 as passed by the Senate

On Page 15

Sec. 3. 10 V.S.A. § 1387 is amended to read:

§ 1387. FINDINGS; PURPOSE; CLEAN WATER INITIATIVE

(a)(1) The State has committed to implementing a long-term Clean Water Initiative to provide mechanisms, staffing, and financing necessary to achieve and maintain compliance with the Vermont Water Quality Standards for all State waters.

(2) Success in implementing the Clean Water Initiative will depend largely on providing sustained and adequate funding to support the implementation of all of the following:

(A) the requirements of 2015 Acts and Resolves No. 64;

(B) federal or State required cleanup plans for individual waters or water segments, such as total maximum daily load plans;

(C) the Agency of Natural Resources' Combined Sewer Overflow Rule; and

(D) the operations of clean water service providers under chapter 37, subchapter 5 of this title.

(E) the permanent protection of land and waters from future development and impairment through conservation and water quality projects funded by the Vermont Housing and Conservation Trust Fund authorized by 10 VSA Chapter 15.

(3) To ensure success in implementing the Clean Water Initiative, the State should commit to funding the Clean Water Initiative in a manner that ensures the maintenance of effort and that provides an annual appropriation for clean water programs in a range of \$50 million to \$60 million as adjusted for inflation over the duration of the Initiative.

(4) To avoid the future impairment and degradation of the State's waters, the State should commit to continued funding for the protection of land and waters through agricultural and natural resource conservation, including through permanent easements and fee acquisition.

On Page 20

(e) Priorities.

In making recommendations under subsection (d) of this section regarding the appropriate allocation of funds from the Clean Water Fund, the Board shall recommend:

(1) funding for the following grants and programs:

.....

(E) the Vermont Housing and Conservation Board's Water Quality Grants to Farmers Program for infrastructure improvements and equipment.

On Page 24 - New Section 7

Sec 7. LAND CONSERVATION AND WATER QUALITY

(a) The State's success in achieving and maintaining compliance with the Vermont Water Quality Standards for all State waters depends on avoiding their future degradation and impairment. Notwithstanding any other provision of this Act (reference needs to be confirmed) the State shall continue to provide funding through the Vermont Housing and Conservation Trust Fund for the permanent protection of lands for multiple conservation purposes, including the protection of surface waters and associated natural resources pursuant to 10 V.S.A. §303(3)(F). The projects will be prioritized for their multiple conservation values including water quality benefits, agricultural uses, natural areas, flood and climate resilience, wildlife habitat and outdoor recreation. Funding to Vermont Housing and Conservation Board for these purposes shall equal, at a minimum, \$3.5 million as adjusted for inflation and come from the annual capital construction and State bonding act or the annual appropriations act.

(b) Activities pursuant to subsection (a) of this section shall include the purchase of agricultural land in order to take that land out of production when the State water quality requirements cannot be remediated or it is most cost-effective for water quality purposes to retire such land from agricultural use.