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Sent: Wednesday, April 17, 2019 5:37 PM
To: Amy Sheldon <ASheldon@leg.state.vt.us>
Cc: Laura Bozarth <LBozarth@leg.state.vt.us>
Subject: Comments on Revised Version of S.96

Dear Chair Sheldon and the House Committee on Natural Resources, Fish and Wildlife,

Thank you all again for the opportunity to have Watersheds United Vermont (WUV) testify last week. I listened to Matt Chapman's testimony yesterday and wanted to highlight a few continued concerns regarding the revised S.96 legislation. We are still concerned overall that S.96 rolls back the intentions in Act 64 in protecting all waters of the state as it redefines clean water projects and sets out an allocation method based on to be determined modeling of single nutrients and pollutants. We are also concerned that this funding distribution model duplicates and minimizes the impact of DEC Tactical Basin Planning and would rather see an investment in strengthening DEC and partner efforts.

We do feel that some additional key changes in the legislation would at least address some of our major concerns. While we understand the need to prioritize funds on meeting TMDLs, we feel restricting funds only to impaired waters ignores the very important efforts to prevent our waters from becoming impaired. It is critical that we address antidegradation to maintain and improve all water as stated in Vermont's Water Quality Standards. Under the proposed S.96, all funds except the Water Quality Enhancement Funds would go towards meeting pollution reduction targets in impaired waters. There are some basins that will receive no dollars for protecting and restoring waters under this new model. Chair Sheldon was inquiring about this yesterday and our understanding from talking with the Agency is that all of the current funding programs under the Clean Water Initiative currently at DEC would be folded into this new model; these grants would replace, not supplement the current DEC funds (at least that is our understanding).

Recommended Changes:

Section 925: We feel it is important, as Representative Dolan mentioned, to change the description of the Water Quality Enhancement grants to explicitly include projects to maintain or improve water quality in all waters (antidegradation).

Section 1389d: Because the new Water Quality Enhancement Funds would be the only funds available statewide and the only funds available for any projects outside addressing nutrient reduction in impaired waters, we believe \$1.5 million is far too low. We believe a minimum of \$5 million would allow us to continue to address clean water and healthy watersheds and not just phosphorus reduction. These state funds are also critical for groups to be able to leverage private and federal funds, which will now be cut off outside of the Champlain Basin and Lake Memphremagog.

I am also attaching the comments we provided by request to Matt Chapman on the revised bill on Monday. This includes additional changes we recommend that the agency did not incorporate. We also want to recognize that the agency did make some changes to the legislation that addressed some of our concerns including strengthening the role of basin councils. I have noted in the comments those areas where I am pleased to see changes and we hope those changes will be maintained in the House version of S.96 if it goes forward.

Please let me know if there is any additional input I can provide that would be helpful to the committee. Thank you for your efforts.

Best Wishes,
Lyn

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