

1 Introduced by House Committee on Natural Resources, Fish, and Wildlife

2 Referred to Committee on

3 Date:

4 Subject: Conservation and development; water resources; state lands;

5 pandemic response; financial assistance

6 Statement of purpose of bill as introduced: This bill proposes to establish a
7 program to provide financial assistance to wastewater treatment plants to
8 implement additional measures in response to the COVID-19 public health
9 emergency. The bill would also establish an Outdoor Recreation Business
10 Assistance Program to reimburse outdoor businesses that suffered economic
11 harm due to the COVID-19 public health emergency. In addition, the bill
12 would appropriate funds to the Agency of Natural Resources to implement
13 COVID-19 public health precautions on Agency lands.

14 An act relating to pandemic response assistance for wastewater treatment
15 facilities and State lands

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. WASTEWATER TREATMENT FACILITY; COVID-19 RESPONSE

18 FINANCIAL ASSISTANCE; APPROPRIATIONS

19 (a) As used in this section,

1 (1) “Biosolids” means sewage sludge that has been subjected to a
2 treatment process for the reduction of pathogens and has been shown to meet
3 the applicable requirements for contaminant concentrations, vector attraction
4 reduction, and pathogen densities, such that the material may be applied to the
5 land under a site specific permit or marketed and distributed to the general
6 public for unregulated use.

7 (2) “Exceptional quality biosolids” means biosolids that have been
8 treated using advanced pathogen reduction technologies that reduce pathogen
9 indicator organism densities to below detection limits, meet vector attraction
10 reduction standards, and meet federal or State applicable contaminant
11 standards, and are no longer classified as a solid waste under State or federal
12 rules.

13 (3) “Septage” means the liquid, semi-solid, and solid materials pumped
14 from a septic tank during cleaning.

15 (4) “Sewage sludge” means the solid, semi-solid, or liquid residue
16 generated during the biological treatment of sewage or septage in a wastewater
17 treatment facility.

18 (5) “Wastewater treatment facility” means a treatment plant, collection
19 system, pump station, and attendant facilities permitted by the Secretary of
20 Natural Resources for the purpose of treating sewage.

1 (6) “Wastewater treatment system” has the same meaning as in 10
2 V.S.A. § 1972.

3 (b) In addition to any funds appropriated to the Agency of Natural
4 Resources in fiscal year 2021, the amount of \$?000,000.00 is appropriated
5 from the Coronavirus Relief Fund for the award of grants in fiscal year 2021 to
6 wastewater treatment facilities for one or more of the following:

7 (1) Increased costs or expenses incurred by a wastewater treatment
8 facility to operate due to the COVID-19 public health emergency.

9 (2) Costs of equipment or facility construction that a wastewater
10 treatment facility could purchase or conduct to address one or both of the
11 following:

12 (A) Expansion of the capacity of a facility to accept septage for
13 treatment in order to address demand for septage treatment due to the increased
14 amounts of septage caused by the unplanned usage of residential wastewater
15 treatment systems due to the COVID-19 public health emergency; or

16 (B) Conversion of biosolids into exceptional quality biosolids in
17 order to reduce the public health risks posed by the land application of septage
18 that may contain the COVID-19 coronavirus.

19 (3) Costs of technical assistance, design services, or consulting services
20 necessary to determine if a wastewater treatment facility has capacity to accept

1 additional biosolids for treatment or conversion under subdivision (2) of this
2 subsection.

3 (4) Costs of equipment or services necessary for the wastewater
4 treatment facility to conduct contact tracing of the COVID-19 coronavirus.

5 (c) Program terms and limitations.

6 (1) An outdoor recreation facility is not eligible for an award under this
7 section if the outdoor recreation business will receive reimbursement or
8 assistance for a proposed activity from insurance, another federal grant
9 program, or another source.

10 (2) The Attorney General is authorized to recover funds awarded under
11 this section due to fraud, error, or otherwise in violation of this section.

12 (3) Awards under this section shall not be offset to any State or federal
13 debt except as otherwise required by federal law.

14 (4) The name of the recipient of an award and the amount of award are
15 public records subject to inspection.

16 (5) Any application documents for an award under this section
17 containing federal identification numbers and sales amounts are subject to the
18 confidentiality provisions of 32 V.S.A. §3102 and are return information under
19 that section.

1 Sec. 2. OUTDOOR RECREATION INDUSTRY; COVID-19 FINANCIAL
2 ASSISTANCE

3 (a) As used in this section:

4 (1) “Commissioner” means the Commissioner of Forests, Parks and
5 Recreation.

6 (2) “Economic harm” means expenses, lost revenue, or both incurred by
7 an outdoor recreation business due to the COVID-19 public health emergency.

8 (3) “Outdoor recreation business” means any person conducting a
9 business or a service within the State for profit that offers outdoor recreation as
10 the principle part of the business or service, including outdoor outfitters,
11 fishing guides, snowmobile tours, ski tours, and other eligible activities
12 approved by the Commissioner.

13 (b) Program establishment; eligibility.

14 (1) There is established within the Department of Forests, Parks and
15 Recreation an Outdoor Recreation Business Assistance Program (Program) to
16 provide financial assistance to outdoor recreation businesses that have suffered
17 economic harm in Vermont due to the COVID-19 public health emergency.

18 (2) In order qualify for assistance under this section, an outdoor
19 recreation business shall:

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

21 (B) accurately demonstrate to the Commissioner economic harm that

1 occurred or accrued on or after March 1, 2020 and before September 1, 2020
2 by providing evidence of losses or expenses related to the costs of business
3 disruption caused by the COVID-19 public health emergency.

4 (c) Implementation.

5 (1) The Commissioner shall create an application form that outdoor
6 recreation businesses shall utilize when applying for an award. Applicants
7 shall certify that all information they provide is truthful and accurate to the best
8 of their knowledge, information, and belief.

9 (2) The Secretary shall provide awards based on the amount of
10 economic harm incurred by the outdoor recreation business on the date the
11 application is received up to the maximum award authorized under this section
12 Applications shall be processed in the order received, but an application shall
13 not be ready for evaluation until the Commissioner determines that the
14 application is administratively complete and includes all required proof of
15 economic harm.

16 (d) Payment; maximum. The maximum amount of an award that
17 Commissioner shall award under this section shall be \$?00,000.00.

18 (e) Application; processing.

19 (1) Once an outdoor recreation business submits a complete application
20 and demonstrates economic harm, the Commissioner shall promptly issue a
21 payment, provided that the appropriated funds have not been expended. The

1 last payment may be a partial payment consisting of the remaining available
2 funds.

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

6 (f) Program terms and limitations.

7 (1) The economic harm to an outdoor recreation business is not eligible
8 for an award under this section if the outdoor recreation business will receive
9 reimbursement or assistance for the harm from insurance, another federal grant
10 program, or another source.

11 (2) The Attorney General is authorized to recover funds awarded under
12 this section due to fraud, error, crime, or other violation of this section.

13 (3) Awards under this section shall not be offset to any State or federal
14 debt except as otherwise required by federal law.

15 (4) The name of the recipient of an award and the amount of award are
16 public records subject to inspection.

17 (5) Any application document for an award under this section containing
18 federal identification numbers and sales amounts are subject to the
19 confidentiality provisions of 32 V.S.A. §3102 and are return information under
20 that section.

1 Sec. 3. APPROPRIATIONS; OUTDOOR RECREATION BUSINESS

2 ASSISTANCE PROGRAM

3 In addition to any other funds appropriated to the Department of Forests,
4 Parks and Recreation for fiscal year 2021, the amount of \$?00,000.00 is
5 appropriated from the Coronavirus Relief Fund to the Department of Forests,
6 Parks and Recreation to administer and implement the Outdoor Recreation
7 Business Assistance Program established under Sec. 2 of this act.

8 Sec. 4. AGENCY OF NATURAL RESOURCES; COVID-19 PUBLIC

9 HEALTH PRECAUTIONS ON STATE LANDS;

10 APPROPRIATIONS

11 (a) In addition to any other funds appropriated to the Agency of Natural
12 Resources in fiscal 2021, the amount of \$?00,000.00 is appropriated from the
13 Coronavirus Relief Fund to implement COVID-19 public health precautions on
14 lands owned or controlled by the Agency of Natural Resources. Eligible
15 projects to implement COVID-19 public health precautions include:

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

19 (2) temporary campsites or structures to allow for proper social
20 distancing of users.

21 (b) All funds appropriated under this section shall be expended by

- 1 December 30, 2020 and shall meet the criteria for use of funds under P.L. 116-
- 2 136.