



Testimony of Jared Carpenter
Water Protection Advocate, Lake Champlain Committee
Before the House Committee on Ways & Means
February 7, 2019

Good Morning, Chair Ancel and Members of the Committee,

Thank you for inviting me to testify on clean water funding. For the Lake Champlain Committee and other organizations in the environmental community, securing revenue for clean water restoration is one of the most important issues before the Vermont Legislature since the passage of the Vermont Clean Water Act (Act 64) in 2015.

The Lake Champlain Committee (LCC) is a bi-state nonprofit working for a clean, accessible lake since 1963. We use science-based advocacy, education and collaborative action to protect water quality, safeguard natural habitats, provide access and foster stewardship. LCC is the home organization for the Lake Champlain Paddlers' Trail and, in 2003, initiated the Lake Champlain citizen cyanobacteria monitoring program. The program has grown every year and we now monitor over 100 sites on Lake Champlain and provide monitor training and oversight for several inland Vermont lakes.

LCC is part of the “Water Caucus,” a network of environmental advocate groups working towards clean water implementation and restoration. The Water Caucus supports the State Treasurer’s recommendation of an additional \$25 million per year in state investments beyond what is currently funded to pay for clean water efforts in Vermont. The Water Caucus also supports an automatic review every 3-5 years, to assess whether funding is sufficient to achieve clean water.

A long-term and stable state investment in clean water is critical to the success of Vermont’s Clean Water Act, the Lake Champlain TMDL, and efforts to restore other impaired waters. Vermont needs sufficient funds to achieve clean water statewide and funding sources must be stable, predictable, and reliable from year to year, to support ongoing, consistent clean water protection and

restoration efforts. Funding should be raised from all areas of the state and must be flexible in terms of its use, to meet the full and evolving scope of clean water needs statewide.

Asking the Legislature to annually appropriate existing funding for clean water projects from the General Fund does not provide the stability and reliability needed for long-term planning.

Act 64 was passed in 2015 without adequate funding and the debate over revenue sources has continued since that time. This Committee has addressed the issue multiple times and is credited with the two current funding sources, the Property Transfer Tax Clean Water Surcharge and the “escheats” from unreturned deposits on bottles and cans. But, the approximately \$6 million that these two sources will bring in annually starting in FY20 is not enough for the needed clean water projects and programs to achieve success.

To ensure Vermont does not fall further behind and fail to meet its clean water commitments to the U.S. Environmental Protection Agency and to communities across the state, the Legislature and Administration must act this session to create additional funding for clean water. EPA mandated a new funding source for clean water by December 2017. The State has failed to meet this obligation. EPA will next check in on the State’s progress in “mid-2019.” At this time, the State must establish a long-term funding source for water protection or restoration or risk violating the terms of the TMDL and the State’s requirement to protect water quality and public health.

In addition to securing adequate funding, we need an efficient and effective means of distribution. To ensure success, the knowledge of local partners, such as watershed groups, Conservation Districts, Regional Planning Commissions must be involved as equal partners to determine and implement clean water projects in their regions. This would enhance regional and local efforts to protect and restore clean water, in particular by engaging local leadership and knowledge of needs and opportunities. Further, the groups must have a viable ‘blueprint’ of projects to follow and allow them to reach their goals, namely updated Tactical Basin Plans.

The purpose of the Tactical Basin Plans should be expanded to prioritize projects based on key factors, including nutrient pollution reduction and co-benefits, to better assist the regional entities in achieving their pollution reduction goals. Prioritized projects should support all phases of clean water protection and restoration projects, and maximize pollution reductions from nutrients, sediment, and other contaminants. Science-based and watershed-specific, each Plan currently

incorporates a significant amount of assessment, monitoring and input from regional and local partners. Essentially, the Tactical Basin Plan would become an implementable plan, with projects prioritized to achieve the goals of Act 64 and the Vermont's Clean Water Standards.

In conclusion, to ensure Vermont does not fall further behind and fail to meet its clean water commitments, the Vermont Legislature must act this Session to establish additional funding for clean water, as well as defining the mechanism to ensure efficient and equitable distribution of funds.