



To: Members of the Senate Natural Resources and Energy Committee
From: Karen Horn, Director, Public Policy and Advocacy, khorn@vlct.org www.vlct.org
Date: May 29, 2020
Re: H. 688 Global Warming Solutions

Thank you for the opportunity to testify about the Global Warming Solutions legislation, H. 688. So much has changed completely since we testified regarding this bill to the House Energy and Technology Committee on January 22. The global economy has been shut down completely. COVID 19 demonstrates the significant improvements in environmental quality, the hazards to human welfare of abruptly stopping the practices that contributed to the health of the economy, and the extent to which we are dependent on the health of economies around the globe. We are living disruptive history and we need to learn from it.

Going forward we must find the balance between a healthy global economy that supports populations across the globe and learning from COVID-19 what can be achieved when we significantly reduce our carbon footprint.

You have the opportunity to amend H. 688 to address the new realities that COVID 19 has imposed on us. Most significantly in the short term is the need to consider what additional work agencies, departments and Vermonters can take on in a severely compromised economy over the next several years and what work no longer needs to be done post COVID-19.

H. 688 would establish a Climate Action Council of eight members and an advisory council of fourteen members. We believe both should be attached to the Governor's office, whence they can require action from all state agencies and departments. We urge you to create an Office of Climate Resiliency in the Agency of Administration and attach the Vermont Climate Council to that office. A model that worked very well for Vermont was then Governor Shumlin's establishment of the Irene Recovery Officer after Tropical Storm Irene.

We urge you to require the Council to assess current programs related to energy efficiency, energy planning, renewable energy and climate adaptation, determine where there are redundancies with the new Climate Action Council and responsibilities, and assure that new and existing programs do not conflict, overlap or require unnecessary efforts from the regulated community.

It would be helpful to include language that authorizes municipalities through their local legislative bodies to enact ordinances to address climate resiliency generally and facilitate reduced use of fossil fuels. Local governments have proven themselves leaders during the COVID-19 crisis, competent in serving their constituents needs and working with state government to keep them safe, informed and provided with essential services. Cities and towns "act locally and think globally" and can provide a laboratory for development of local solutions that shows the state the way to enact proven innovations.

VLCT TESTIMONY

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We oppose the section providing a Cause of Action to any person based upon the failure to adopt or update the plan or rules. In January we testified that our experience with the law suits surrounding the Lake Champlain Total Maximum Daily Load was that a tremendous amount of money was spent on lawyers and lawsuits that could have been spent on implementing projects to address the problem. For seven years while cases were adjudicated, the regulated community waited to be told what exactly they would be required to do. No one wanted to spend vast sums of money to address stormwater management when there was no assurance that what they did would be acceptable or adequate.

More importantly, the COVID-19 experience has shown that there may be priorities that co-opt a schedule, that turn the economy upside down, that demand the government focus its attention on something other than the priority “any person” deems most important. The government must be able to address those emergencies when they occur.

Thank you for the opportunity to testify.