

1 S.96

2 Senators Bray and Starr move to amend the recommendation of amendment  
3 of the Committee on Natural Resources and Energy as follows:

4 First: In Sec. 1, 10 V.S.A. chapter 37, subchapter 5, section 924, in  
5 subdivision (f)(3), by striking out the word “entity” where it appears and  
6 inserting in lieu thereof the words clean water service provider

7 Second: In Sec. 1, 10 V.S.A. chapter 37, subchapter 5, section 924, by  
8 striking out subsection (a) in its entirety and inserting in lieu thereof a new  
9 subsection (a) to read as follows:

10 (a) Clean water service providers; establishment.

11 (1) On or before March 1, 2020, the Secretary shall adopt rules that  
12 assign a clean water service provider to each basin for the purposes of  
13 achieving pollutant reduction values established by the Secretary for the basin  
14 and for identification, design, construction, operation, and maintenance of  
15 clean water projects within the basin. The rulemaking shall be done in  
16 consultation with regional planning commissions, natural resource  
17 conservation districts, watershed organizations, and municipalities located  
18 within each basin.

19 (2) An entity designated as a clean water service provider shall, in  
20 consultation with the basin water quality advisory council established under  
21 subsection (f) of this section, be required to identify, prioritize, develop,

1 construct, monitor, operate, and maintain clean water projects in accordance  
2 with the requirements of this subchapter 5.

3 (3) In carrying out its duties, a clean water service provider shall adopt  
4 guidance for subgrants that establishes a policy for how the clean water service  
5 provider will issue subgrants to other organizations in the basin, giving due  
6 consideration to the expertise of those organizations and other requirements for  
7 the administration of the grant program. The subgrant guidance shall be  
8 subject to the approval of the basin water quality advisory council.

9 (4) When selecting clean water projects for implementation or funding,  
10 a clean water service provider shall prioritize projects identified in the basin  
11 plan for the area where the project is located and shall consider the pollutant  
12 targets provided by the Secretary and the recommendations of the basin water  
13 quality advisory council.

14 Third: In Sec. 1, 10 V.S.A. chapter 37, subchapter 5, section 924, by  
15 adding subsection (g) to read as follows:

16 (g) Basin water quality advisory council.

17 (1) A clean water service provider designated under this section shall  
18 establish a basin water quality advisory council for each assigned basin. The  
19 purpose of a basin water quality advisory council is to make recommendations  
20 to the clean water service provider regarding the most significant water quality

1 impairments that exist in the basin and prioritizing the projects that will  
2 address those impairments.

3 (2) A basin water quality advisory council shall include, at a minimum,  
4 the following:

5 (A) representatives from each natural resource conservation district  
6 in that basin, selected by the applicable natural resource conservation district;

7 (B) representatives from each local watershed protection organization  
8 operating in that basin, selected by the applicable watershed protection  
9 organization;

10 (C) representatives from applicable local or statewide land  
11 conservation organizations selected by the conservation organization in  
12 consultation with the clean water service provider; and

13 (D) representatives from each municipality within the basin, selected  
14 by the municipality.

15 (3) The designated clean water service provider and the Agency of  
16 Natural Resources shall provide staff support to the basin water quality  
17 advisory council. The clean water service provider may invite support from  
18 persons with specialized expertise to address matters before a basin water  
19 quality advisory council, including support from the University of Vermont  
20 Extension, staff of the Agency of Natural Resources, and staff of the Agency  
21 of Agriculture.

