

Resources to implement Act 154 – Vermont’s Environmental Justice Policy

Act 154 (S.148) established an environmental justice (EJ) policy for the State of Vermont which creates new EJ-related responsibilities for State agencies, requires development and maintenance of an EJ mapping tool and forms two new bodies to support policy implementation. The policy provides a framework for ensuring fairness in operations of government to better serve disadvantaged Vermonters. However, Act 154 is underfunded to achieve its significant and far-reaching mandate. State agencies provided testimony throughout the legislative process raising concern about the lack of dedicated and ongoing funding to achieve the vision of Act 154 and implement the bill’s requirements.

Implementation of Act 154 across state government is largely the responsibility of ANR, including supporting the EJ Interagency Council (11 members of state government) and the EJ Advisory Council (11 members of the public), creating and adopting community engagement plans, leading rule-making on cumulative impacts and shared benefits, building and maintaining a statewide EJ mapping tool, implementing a Language Access Plan, and to producing guidance documents needed to support programs in other agencies and department statewide in incorporating the principles of Act 154 into their programs.

Unfortunately, the resources appropriated to support this work in the FY23 budget do not match these expectations. Specifically, the FY23 budget included \$500,000 of one-time money to support development of the EJ mapping tool. In addition, \$250,000 was appropriated to ANR in the FY23 to fund three positions to assist in the implementation; unfortunately, this was also appropriated as one-time money. The Administration estimates the resources necessary to fully implement Act 154 would include \$600,000 in base general funds and an additional \$3.75M in one-time funds, as outlined below.

At this point, it is unclear what the General Assembly’s intent was for fully funding this work leaving ANR and the other state agencies named in the bill in an untenable position of having insufficient resources to fulfill the statutory mandate, which is unfair and damaging to the communities this work is intended to serve. The Governor’s FY24 Budget Recommend is anticipated to include \$300,000 in one-time funding for FY24 to support the 3 full-time positions necessary to continue implementation of Act 154 in the coming fiscal year and provide the Legislature with the opportunity to clarify its intended approach for supporting implementation of Vermont’s environmental justice policy on an on-going basis.

Identified Need	One-time estimate	Ongoing (base) funding estimate	Act 154 dedicated resources
ANR staff		\$300,000 (3 FTE)	\$250,000 one-time
Statewide capacity (thru the Office of Racial Equity)		\$100,000 (1FTE)	--
Mapping tool development and maintenance	\$750,000	\$30,000	\$500,000 one-time
Translation of vital documents Statewide	\$3.5M statewide “catch up” (cost estimate by ORE)	\$150,000 for annual upkeep (translating new documents over time)	--
Community engagement stipend		\$150/day/council member or ~\$20,000/year	\$50/day
FUNDING GAP	\$3.75M	\$600,000	