

SELECT BOARD

Jonathan Giroux, Chair
Bryan DesLauriers, Vice Chair
Brendan Deso
Jack Brigham
Jeff Sanders

Anna Bourdon, Town Clerk
Carrie Johnson, Town Manager



P.O. Box 37
St. Albans Bay
Vermont 05481

Phone
802-524-7589

Fax
802-524-5816

Website
www.stalbanstown.com

To: Senate Finance Committee
From: Carrie Johnson, St. Albans Town Manager
Re: Water Quality – S.115
Date: March 15, 2023

Members of the Senate Finance Committee:

I am writing to express my concern with the language in Section 8 of S.115 – An act relating to miscellaneous agricultural subjects.

By way of background, the Town of St. Albans has two impaired watersheds: Rugg Brook and Stevens Brook, which drain into St. Albans Bay. As a community, we're supportive of water quality initiatives taken by the State in the recent years and the "all-in" utility approach that has accompanied those initiatives. Today, we ask you to refrain from setting that work, and the progress we've made locally, back a step. We request that you remove Section 8 in its entirety from S.115.

Suggested edits to S.115 as introduced:

~~Sec. 8. 24 V.S.A. § 4414(9) is amended to read:~~

~~(9) Stormwater management and control. Any municipality may adopt bylaws to implement stormwater management and control consistent with the program developed by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1264, provided the municipality does not exceed the Secretary's authority, maintains the exemptions in 10 V.S.A. § 1264(d)(1), and does not charge an operating fee related to exempt practices.~~

The Town of St. Albans was designated as an MS4 community by the State of Vermont nearly a decade ago. This designation brings with it numerous

regulatory requirements and millions of dollars in necessary stormwater infrastructure investments. The Town of St. Albans has invested time, energy, and resources into complying with various regulatory requirements, and has developed a Flow Restoration Plan and a Phosphorous Control Plan. The Town must complete the projects envisioned in these plans by 2036 and is fully committed to meeting every metric. Each year we delay progress makes the task at hand more costly and challenging to complete.

Stormwater utilities have been in place in Vermont for nearly two decades. Stormwater utilities allow municipalities to raise the revenue necessary to comply with their MS4 permit. By utilizing a stormwater utility, a municipality can adopt an “all-in” approach, where every member of the community contributes to the cost of mitigation. No entity, or group of individuals are exempt. The Town of St. Albans contributes to the utility for its own properties – the Parks Department for the Town of St. Albans contributes. The Public Works Department contributes for roads and other assets. The dangerous precedent proposed in S.115 would undermine the construct of an effective stormwater utility and would result in a cost shift to other payers. If S.115 as drafted is approved, the legislature can expect annual requests from a litany of entities lining up for their own exemption, shrinking the base of payers into the cost of water cleanup.

The existing statute enabling Vermont municipalities to establish stormwater utilities ensures an “all-in” approach on solving the State’s water quality challenge. Municipalities are ready to do our part in cleaning up Vermont’s waterways. We respectfully request that our ability to establish and maintain robust stormwater utilities is not limited. Without a consistent, reliable revenue stream to fund critical investments, we would be forced to turn to more conventional methods of raising funds – namely property taxes – or seek additional support from the State.

If you have any questions or would like to discuss this issue further, please feel free to reach out to me at c.johnson@stalbanstown.com.

Best,

Carrie Johnson
Town Manager