

H.126 – Biodiversity Protection & Community Resilience, 30x30
A case for support of Water Conservation

The undersigned support H.126, with an amendment to include language regarding aquatic systems/water conservation. A few key points are below for consideration.

- **Community Resilience & Flooding**
 - Vermont’s number one natural hazard, which is expected to worsen with climate change, is flooding. We must support our aquatic systems to support our collective community resilience.
 - Approximately 75% of all river miles assessed in Vermont are disconnected from their floodplains, indicating degradation and exacerbating community vulnerability and flood-related damages.
 - These flood-related impacts cost Vermonters millions in damages annually.

- **Biodiversity Protection & Endangered Species**
 - Freshwater vertebrate populations have declined by 84% globally since 1970, *twice* the rate of decline of biodiversity in terrestrial and marine biomes. Almost one in three freshwater species are threatened with extinction.
 - More than half (24 of 43) of Vermont’s threatened and endangered species require aquatic or water-connected land habitat.

- **The international and national 30x30 biodiversity efforts all include water**
 - **188 governments (including the US) adopted a 30x30 Global Biodiversity Framework** United Nation’s COP15 Summit, which elevates both terrestrial *and aquatic* targets.
 - **President Biden’s America The Beautiful Initiative (30x30)** aims to conserve 30% lands *and waters* by 2030. Creating similar goals and targets for Vermont is key to elevating our efforts alongside the national initiative.

- **Aren’t Vermont’s waters held in the public trust?**
 - Yes, but public trust doctrine focuses primarily on surface water resources. It holds that surface waters and the lands beneath them are held in trust for the benefit of the people, and that management and supervision of the waters is the responsibility of the State. However, watersheds and their lands that drain into a specific waterbody are NOT as directly protected by the public trust doctrine. This statute should expressly recognize the connection between land and water in order to ensure that the state considers its affirmative obligation to protect our waters as part of land conservation planning, and to promote water health and aquatic biodiversity. For these reasons, we must conserve water-connected land areas.
 - Additionally, if we were successful in protecting/conserving our waters under the public trust doctrine, would Lake Champlain beaches be closed regularly due to dangerous algal blooms? Would 75% of our rivers be disconnected from their floodplains? Would more than half of Vermont’s threatened & endangered species be aquatic or aquatic adjacent species?

Vermont’s waters, just like its lands, need protection. And H.126 is a way to be sure that the floodplains, river corridors, lakes, ponds, and wetlands that support critical habitat, healthy ecosystems, and community resilience are recognized in the State’s conservation goals and planning process. It is incumbent upon all of us, as stewards of our lands and waters, to elevate both as worthy of conservation. Setting statutory goals for conservation is a statement of values by the Legislature. Let’s make sure Vermont’s waters are part of those values.

