

Senate Committee on Natural Resources and Energy
Testimony from Liz Royer, Executive Director
S.328 - Definition of “Served by Municipal Water and Sewer Infrastructure”
March 19, 2026

Dear Chair Watson and Members of the Committee,

Thank you for having me here today. Vermont Rural Water represents drinking water and wastewater systems that protect public health and allow for economic development in our towns and communities. We have several concerns and comments regarding the proposed definition of service area in S.328.

Less than one quarter of the 400+ public community drinking water systems in Vermont are owned by a town, city or village. 78% of the water systems and infrastructure in Vermont are owned by water districts, fire districts, homeowner and condo associations, housing non-profits, cooperatives and corporations. On the wastewater side, there are 10 fire districts that provide sewer service to communities around the state.

We suggest striking the term “municipal” in reference to sewer and water infrastructure and water and wastewater systems.

In addition, we suggest adding the term “utility” to municipally adopted service and capacity agreements to capture non-municipal systems

While we support the concept of directing development to areas of existing infrastructure, the public drinking water and wastewater systems throughout our state are not “one size fits all.” Every community and every water and wastewater system tracks and manages their capacities and allocations differently. Treatment capacities can vary seasonally for both drinking water and wastewater systems. There aren’t hydraulic capacity determinations for most drinking water distribution systems in the state. Regulatory and permit requirements change frequently for wastewater treatment facilities.

The question of water or sewer capacity cannot be boiled down to if a pipe runs down a road or is within a certain distance of a proposed development. Systems need adequate

pressures to provide water for firefighting and to prevent contamination due to backflows during line breaks. Capacities of water and wastewater treatment plants and distribution and collection system infrastructure are multi-faceted and constantly evolving. New, unknown hazards are facing our industry on a yearly basis – whether it be floods, pandemics, cybersecurity threats, or drought – all of these have impacted operations and capacities.

We suggest replacing a proposed distance with language such as “adjacent to” water and wastewater systems.

In addition, we suggest striking the word “identified” in regards to capacity constraints.

Finally, I would like to remind you of a resource as you consider the many challenges facing our industry today, and specifically in Vermont. We have put together a comprehensive webpage to inform local and state officials regarding water and wastewater systems and residential development.

**Vermont Rural Water webpage on housing –
<https://vtruralwater.org/water-sewer-housing/>**

We believe this resource can inform many discussions in the Statehouse, including conversations on water and sewer service areas and system capacities. Thank you for this committee’s efforts towards improving public health and protecting the environment as we all work together for Vermont’s future.

Suggested language edits to the definition of a service area in S.328 –

- (42)(A) An area “served by sewer and water infrastructure” means:*
- (i) an area where residential connections and expansions are available to a parcel or a portion of a parcel adjacent to water and wastewater systems that are mapped in an approved regional plan as a downtown or village center, planned growth area, or village area and not prohibited by:*
- (I) State regulations or permits;*
 - (II) capacity constraints; or*
 - (III) municipally or utility adopted service and capacity agreements*