

# Dam Safety Rule and Revolving Loan Fund Update

Julie Moore, P.E.

Secretary, Vermont Agency of Natural Resources

April 3, 2025

# Dam Safety Program Workload

- Act 161 (2018) addressed significant gaps in dam safety regulation in Vermont but did not provide additional staff capacity to DSP
- Act 121 (2023) added new (technical) positions, as well as new responsibilities, but did not address the existing capacity challenges created by Act 161
- Significant flood events and dam related-issues have added significant and extraordinary workload to DSP portfolio
  - Failure of stop logs, Miles Pond Dam, Summer 2021
  - Emergency repair of works at Lake Bomoseen Dam, December 2022
  - Failure of a private dam in Stowe - December 2022
  - Failure of a private dam in Randolph post-2023; addressed using the unsafe dams fund in winter 2024
- ANR Leadership has worked with the Program to prioritize workload in light of available resources

# Act 121- Flood Safety Act: Scope

- Transfers regulatory authority of approximately 20 dams from Public Utility Commission oversight to DEC oversight;
- Modifies the uses and eligibility for the existing Unsafe Dams Fund to create a more accessible Dam Safety Revolving Loan Fund;
- Establishes new annual legislative reporting requirements; and
- Establishes a legislative study committee to examine, on a regional basis, how dam safety emergency operations planning is carried out.

# Act 121- Flood Safety Act: Staffing

- Agency testified that scope envisioned by Act 121 would require 18 staff to fully implement, including 6 positions in the Dam Safety Program + 1 Financial Administrator to manager the Revolving Loan Fund
- As passed, Act 121 established 15 positions, including 5 in the Dam Safety Program + 1 Financial Administrator
- FY25 ‘Big Bill’ included funding sufficient to hire 11 of the 15 positions
  - ANR Leadership prioritized filling 4 Dam Safety positions + 1 Financial Administrator
    - To date, 2 positions have been filled

# Technical Standards Rule

- What's included:
  - Dam order application requirements
  - Design, planning, and construction requirements
  - Inspection and O&M requirements
  - Emergency Action Plans (EAPs) required for all SIGNIFICANT and HIGH hazard dams, updated every 2 years. Regional training/testing.
  - Detailed technical standards: H&H, Geotechnical & Structural, Mechanical, Instrumentation
- Remaining tasks:
  - Complete rule drafting
  - Internal agency review
  - Pre-rulemaking stakeholder engagement and rule peer review
  - Public meeting
  - File rules (ICAR/LCAR)
- Due July 1, 2025 – more realistically mid-2026
  - Benefit to better aligning Technical Standards with Revolving Loan Fund rules

# Revolving Loan Fund

- Framework:
  - Low or zero interest loans, starts with ~\$4M
  - Design, Planning, Construction for rehabilitation, removal, breaching, draining, or other risk reduction action.
  - Emergency and non-emergency funding
  - Requirements for access, subsidy, and alternative analyses
- Current Status
  - Due July 1, 2027 – on-track