

Vermont Clean Water Board December Board Meeting Minutes

Date/Time: Tuesday, December 3, 2024, 2:00–3:30 PM

Virtual Option to Attend: Microsoft Teams Meeting

Physical Location to Attend In-Person: Agency of Natural Resources, One National Life Drive, Montpelier, VT 05620-3510 in the Catamount Room (Davis Building, 2nd Floor, Room D215).

Meeting details, materials, and recordings available at: <https://dec.vermont.gov/water-investment/cwi/board/meetings>

Clean Water Board Members/Designees: -

- Present - Douglas Farnham, Agency of Administration (AoA) Chief Recovery Officer and Designated Clean Water Board Chair
- Present -Tayt Brooks, Agency of Commerce and Community Development (ACCD) Deputy Secretary
- Present - Bob Flint, public member
- Absent - Joe Flynn, Agency of Transportation (VTrans) Secretary
- Present - Jim Giffin, public member
- Present - Julie Moore, Agency of Natural Resources (ANR) Secretary
- Present - Anson Tebbetts, Agency of Agriculture, Food and Markets (AAFM) Secretary
- Present - Chad Tyler, public member
- Present - Jeanne Voorhees, public member

1. Welcome

Recording Time Stamp 00:00¹

Douglas Farnham, Agency of Administration Chief Recovery Officer and Clean Water Board Chair

- Chair Farnham convened the meeting at 2:00 PM and reviewed the agenda for the December Board Meeting. Chair Farnham invited any edits to the October and November meeting minutes. No edits were offered, and minutes were adopted through the consent agenda.

2. Review summary of public comment on draft State Fiscal Year (SFY) 2026 Clean Water Budget

Recording Time Stamp 1:33

Gianna Petito and Colleen Miller, Dept. of Environmental Conservation Clean Water Initiative Program

- Gianna Petito and Colleen Miller provided an overview on the Agency of Natural Resources' (ANR) approach to developing the Public Comment Responsiveness

¹ Please refer to the available meeting recording to learn more about the discussion under each agenda item. Recording time stamps are highlighted to direct focus on the recording. The recording can be directly accessed here: <https://www.youtube.com/watch?v=GlzZiUPWDp4>

summary and walked through each public comment category as well as suggested responses for Board consideration. No edits were proposed.

3. Agency of Administration proposal for interest income in SFY 2026 Clean Water Budget **Recording Time Stamp 24:41**

Nick Kramer, Department of Finance and Management Budget Analyst and Chair Farnham

- Nick Kramer and Chair Farnham reviewed how the Agency of Administration created the proposal to include projected interest income in the SFY 2026 Clean Water Budget totals and explained how proposed uses would fit into the line items of the Clean Water Budget.

4. Public comment **Recording Time Stamp 40:30**

Led by Gianna Petito, Dept. of Environmental Conservation Clean Water Initiative Program

Commenters:

- **Dana Doran**, Professional Logging Contractors of the Northeast – Dana expressed appreciation for the Board’s decision to use interest income for the portable skidder bridge program. He asked a clarifying question if funding for the low interest loan program for logging equipment as proposed in October was still in the Budget. Gianna confirmed it was.
- **Clare Ireland**, Vermont Association of Conservation Districts – Clare shared that she submitted a comment with the request to increase funding to the Tactical Basin Planning line-item. She expressed appreciation of the Board’s consideration of the request. This year’s request was based on an estimate developed in collaboration with Regional Planning Commissions and watershed groups to look at costs over time. She expressed that there are existing unmet needs within Natural Resource Conservation Districts and would appreciate any increase because level funding will translate to reduction in effort over time given increasing costs.
- **John Costa**, Lake Carmi Campers Association – John thanked the members of the Clean Water Board for their past and continued support in addressing the cyanobacteria blooms on Lake Carmi.

5. Board discussion on draft SFY 2026 Clean Water Budget

Recording Time Stamp 48:20

Full Board led by Chair Farnham

- The Board discussed the proposed linked deposit program for three-acre compliance and low-impact logging equipment. Board members expressed concern over capacity limitations within the Water Investment Division, hesitation with approving this program before seeing an implementation plan, and preference for a grant program over a finance design.
- Neil Kamman, Water Investment Division Director, DEC, responded that there are ongoing internal discussions regarding how this program would function,

but given limited staff capacity, he doesn't want to begin work on developing this program until it's clearer the program will move forward.

- Emily Bird, Clean Water Initiative Program Manager clarified that the capacity constraints that were noted in February 2024 were based on the Clean Water State Revolving Fund as the primary source for the linked deposit program. The use of Clean Water Fund dollars will help with this limited staff capacity.
- Oliver Pierson, Division of Forests Director, Department of Forests Parks and Recreation, shared that the benefit to implementing a linked deposit program rather than a grant is that the funds will be replenished and could continue operations in the long term.
- Jim Giffin expressed discomfort approving the financing proposal without further details and wanted a contingent budget approval pending further program details.
- Chair Farnham expressed hesitation with overprescription of program design as could occur with Board oversight. He pointed to an informal report-back as the best mechanism for the Board to stay involved.
- Board members expressed tentative support for the Budget provided the minutes included a request from the Board to bring back a status report on uses of non-federal match funds supported with the projected interest income revenue and progress on potential loan program. An update for both will be shared at a future Board meeting.

6. Adoption of the SFY 2026 Clean Water Budget for recommendation to Governor Scott **Recording Time Stamp 1:00:00**

Full Board led by Chair Farnham

- a. Chair Farnham asked for a motion to adopt the SFY 2026 Clean Water Budget Recommendation as proposed in the Responsiveness Summary.
- b. Bob Flint, Public Member of the Board, moved to adopt the Budget.
- c. Secretary Moore, Agency of Natural Resources, seconded the motion.

All in favor.

The motion passed with no opposition.

7. Legislative proposal to repeal sunset on Property Transfer Tax Clean Water Surcharge revenue stream **Recording Time Stamp 1:18:07**

Full Board led by Chair Farnham

- a. Chair Farnham asked for a motion to support the recommendation to the General Assembly to repeal the sunset of the Property Transfer Tax Clean Water Surcharge revenue stream to the Clean Water Budget.
- b. Bob Flint moved to support the recommendation.
- c. Secretary Moore seconded the motion.

All in favor.

The motion passed with no opposition.

8. Wrap-up, summarize next steps **Recording Time Stamp 1:19:00**
Douglas Farnham and Gianna Petito

- Gianna Petito provided an update on the upcoming Clean Water Performance Report which will become available in January 2025.

9. Adjourn

Recording Time Stamp 1:22:00

- Chair Farnham asked for a motion to adjourn this meeting of the Clean Water Board.
- Secretary Moore moved to adjourn the meeting.
- Chad Tyler, Public Member of the Board seconded the move to adjourn the meeting.

The meeting adjourned at 3:26 PM.

DRAFT

From: [Robert Ide](#)
To: [ANR - Clean Water VT](#)
Cc: mark.fox.vt@gmail.com; [Brent Wilbur](#); [Country Grove Rutland](#)
Subject: 12/3 Clean Water Board Meeting
Date: Monday, December 2, 2024 9:29:51 AM

You don't often get email from robide62@gmail.com. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Comment for 12/3 meeting.

Effort must be made to find the funds necessary to reimburse those projects who incurred expenses before the availability of the COVID funding. Using COVID funds was a connivence for the Legislature, but it ignores the efforts of the early activity for projects who stepped up their efforts immediately.

Robert Ide, President
Country Grove Owners Association.
300 Grove Street, Unit 27
Rutland, VT 05701
robide62@gmail.com
802-249-9662

From: [Bruce McGurk](#)
To: [ANR - Clean Water VT](#)
Subject: 12/3 Clean Water Board Meeting
Date: Monday, December 2, 2024 4:50:11 PM

You don't often get email from brucemcgurk@comcast.net. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Clean Water Board

My family has had a cabin on Lake Carmi since 1964, and we have long enjoyed the water-based recreation that the Lake made possible. Due to the current "Lake in Crisis" problem, the blue-green algae has severely limited our use of the cabin, and our economic participation in nearby Franklin, Enosburg, and St. Albans. The poor and uncertain water quality has also prevented us from being able to rent the camp in August, further impacting the local economy.

An Alum Treatment study has been done and concluded that the Lake was an excellent candidate for a fall treatment. All us campers in the Lake Carmi Campers Association are strong supporters of doing this treatment, and having sufficient funds allocated in the 2025 budget, and if not then, in the 2026 budget.

Both due to the health effects on Lake Carmi recreationists and the local economy, treating Lake Carmi to remediate these adverse effects should be a high priority.

Thanks very much

Bruce McGurk and Jan Cushman
335 Westcott Shore Rd
Franklin, VT

Bruce McGurk, PhD, P.H. (he/him)
McGurk Hydrologic
Cert. Prof. Hydrologist #730
Orinda, CA 94563
email: brucemcgurk@comcast.net
Cell: 925-698-4683

Clean Water Fund Operating Statement - Appropriation Basis - February 2025

		Actual	Jan 2024 Rev. Update / Gov Rec Budget	Jul 2024 Rev. Update / As Passed	Jan 2025 Rev. Update / As Passed	Jan 2024 Rev. Update	Jul 2024 Rev. Update / Draft CWB	Jan 2025 Rev. Update / Gov Rec Budget	Jul 2024 Rev. Update	Jan 2025 Rev. Update
		FY2024	FY 2025	FY 2025	FY 2025	FY 2026	FY 2026	FY 2026	FY 2027	FY 2027
Revenue										
(a)	Clean Water Surcharge (PTT)	8,145,774	7,240,000	8,510,000	8,510,000	7,350,000	8,680,000	8,680,000	8,950,000	8,770,000
(b)	Interest Income	2,583,435		1,000,000	1,000,000		500,000	500,000		
(c)	Reversions	100,000								
(d)	Donations	-								
(e)	Escheats	3,384,163	3,507,887	3,495,688	3,495,688	3,492,328	3,476,062	3,476,062	3,451,971	3,451,971
(f)	Meals and Rooms Tax	14,769,082	14,748,000	15,762,000	15,708,000	15,258,000	16,326,000	16,260,000	16,818,000	16,794,000
(g)	Subtotal Sources	28,982,454	25,495,887	28,767,688	28,713,688	26,100,328	28,982,062	28,916,062	29,219,971	29,015,971
Appropriations										
Base Appropriations										
(h)	DEC	14,813,750	13,890,000	13,890,000	13,890,000		14,860,000	14,860,000		
(j)	ACCD	-	-	-	-		-	-		
(m)	VTRANS	4,000,000	4,000,000	4,000,000	4,000,000		4,000,000	4,000,000		
(o)	FPR	143,613	144,000	144,000	144,000		477,062	477,062		
(p)	AOA	-	25,000	25,000	25,000		25,000	25,000		
(pp)	VHCB	-	2,800,000	2,800,000	2,800,000		-	-		
(q)	Subtotal Base Appropriations	18,957,363	20,859,000	20,859,000	20,859,000		19,362,062	19,362,062		
One-Time Appropriations										
(r)	DEC	1,751,250	2,600,000	2,600,000	2,600,000		3,605,112	3,605,112		
(t)	AOA	100,000	-	-	-		850,000	850,000		
(u)	VTRANS	1,000,000	1,000,000	1,000,000	1,000,000		750,000	750,000		
(v)	FPR	-	-	-	-		322,938	322,938		
(w)	Subtotal One-Time Appropriations	2,851,250	3,600,000	3,600,000	3,600,000	-	5,528,050	5,528,050		
(x)	Subtotal All Appropriations	21,808,613	24,459,000	24,459,000	24,459,000	-	24,890,112	24,890,112		
(y)	Revenue Surplus/Deficit	7,173,841	1,036,887	4,308,688	4,254,688	26,100,328	4,091,950	4,025,950	29,219,971	29,015,971
Transfers (To)/From										
(z)	Transfer (to) Agriculture CWF	(6,684,880)	(9,010,000)	(9,010,000)	(9,010,000)		(11,000,000)	(11,000,000)		
(ab)	Transfer (to) Lakes in Crisis Fund	(120,000)	(120,000)	(120,000)	(120,000)		(120,000)	(120,000)		
(ac)	Transfer (to)/From Contingency Reserve	(2,000,000)	-	-	-		-	-		
(ad)	Subtotal Transfers	(8,804,880)	(9,130,000)	(9,130,000)	(9,130,000)		(11,120,000)	(11,120,000)	-	-
(ae)	Current Year Unallocated/Unreserved	(1,631,039)	(8,093,113)	(4,821,312)	(4,875,312)	26,100,328	(7,028,050)	(7,094,050)	29,219,971	29,015,971
Reserve										
(af)	Contingency Reserve	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Available Funds										
(ag)	Prior Year Balance Unreserved/Unallocated	13,480,401	8,441,669	11,849,362	11,849,362	348,556	7,028,050	6,974,050	-	-
(ah)	Current Year Unallocated/Unreserved	(1,631,039)	(8,093,113)	(4,821,312)	(4,875,312)	26,100,328	(7,028,050)	(7,094,050)	29,219,971	29,015,971
(ai)	Summary of Unallocated/Unreserved	11,849,362	348,556	7,028,050	6,974,050	26,448,884	-	(120,000)	29,219,971	29,015,971

No.	Agency	Activity	SFY26 BASE FUNDS			SFY26 ONE-TIME FUNDS			SFY26 Compared to SFY25 One-Time Funds	Total SFY26 (Base + One-Time)	SFY26 Total Compared to SFY25 Total	
			Clean Water Fund	Capital Bill	Subtotal Base Funds	Clean Water Fund Prior Year Unallocated/Unreserved ¹	Clean Water Fund Projected Interest Income ²	Subtotal One-Time Funds				
Clean Water Budget Statutory Priority Tier 1 (Items of Equal Priority)												
1.1	ANR-DEC (CWIP)	Water Quality Restoration Formula Grants to Clean Water Service Providers & C&M	7,210,000	-	7,210,000	-	-	-	(1,150,000)	7,210,000	(1,150,000)	
1.2	ANR-DEC (CWIP)	Basin Planning, Basin Water Quality Council Participation, Education, and Outreach	750,000	-	750,000	-	-	-	-	750,000	-	
1.3	Water Quality Enhancement Grants		-	-	-	-	-	-	-	-	-	
1.3.1	ANR-DEC (CWIP)	Statewide Non-regulatory Clean Water Projects	5,000,000	-	5,000,000	-	-	-	-	5,000,000	-	
1.3.2	VHCB	Land Conservation and Water Quality Projects	-	2,000,000	2,000,000	-	-	-	-	2,000,000	-	
1.4	AAPM	Water Quality Grants to Partners and Farmers	8,000,000	3,000,000	11,000,000	2,553,113	2,000,000	2,000,000	1,786,887	13,000,000	4,340,000	
1.5	Agency and Partner Operating Support		-	-	-	-	-	-	-	-	-	
1.5.1	AAPM	Program Support	1,000,000	-	1,000,000	100,000	-	-	-	1,000,000	100,000	
1.5.2	ANR-DEC (CWIP)	Program and Partner Support	1,500,000	-	1,500,000	570,000	555,112	555,112	(144,888)	2,055,112	425,112	
Tier 1 SUBTOTAL			23,460,000	5,000,000	28,460,000	3,223,113	2,555,112	2,555,112	491,999	31,015,112	3,715,112	
Tier 1 % of Total			82%	9%	74%	42%	0%	34%	68%			
Clean Water Budget Statutory Priority Tier 2 (Items of Equal Priority)												
2.1	Outreach and Implementation of Forestry Acceptable Management Practices for Maintaining Water Quality		-	-	-	-	-	-	-	-	-	
2.1.1	ANR-FRR	Forestry Water Quality Practices and Portable Skidder Bridges	150,000	-	150,000	6,000	-	100,000	100,000	250,000	100,000	
2.1.2	ANR-FRR	Implement BMPs at State Forests, Parks, and Recreational Access Roads	327,062	200,000	527,062	(22,938)	222,938	222,938	222,938	750,000	200,000	
2.2	Municipal Stormwater Implementation		-	-	-	-	-	-	-	-	-	
2.2.1	VTrans	Municipal Roads Grants-in-Aid (MRGP)	3,000,000	-	3,000,000	-	-	-	-	3,000,000	-	
2.2.2	VTrans	Municipal Better Roads (MRGP)	1,000,000	-	1,000,000	-	750,000	750,000	(250,000)	1,750,000	(250,000)	
2.2.4	ANR-DEC (CWIP)	Municipal Three-Acre General Permit and MSA ⁴	-	-	-	-	-	-	-	-	-	
2.3	VHCB	Water Quality Farm Improvement and Retirement Projects	-	800,000	800,000	-	-	-	-	800,000	-	
2.4	ANR-DEC (CWIP)	Innovative or Alternative Technologies or Practices to Improve Water Quality	200,000	-	200,000	200,000	1,200,000	550,000	1,750,000	1,000,000	1,200,000	
Tier 2 SUBTOTAL			4,677,062	1,000,000	5,677,062	183,062	2,172,938	650,000	2,822,938	6,500,000	1,256,000	
Tier 2 % of Total			16%	1%	18%	3%	36%	47%	38%	19%		
Clean Water Budget Statutory Priority Tier 3												
3.1	ANR-DEC (WID)	Developed Lands Implementation Grants ⁵	200,000	-	200,000	200,000	1,300,000	1,300,000	1,300,000	1,600,000	1,500,000	
Tier 3 SUBTOTAL			200,000	-	200,000	200,000	1,300,000	1,300,000	1,300,000	1,600,000	1,500,000	
Tier 3 % of Total			1%	0%	1%	3%	6%	18%	3%			
Clean Water Budget Other Priorities												
4.1	ANR-DEC (Lakes)	Lake in Crisis Fund	120,000	-	120,000	-	-	-	-	120,000	-	
4.2	ACC	Stormwater Utility Payments (ES&K each)	25,000	-	25,000	-	-	-	-	25,000	-	
4.3	ACC	Boater Connections and Downtown Transportation Fund	-	-	-	-	-	-	-	-	-	
4.4	ANR-DEC (WIFP)	State Match to Clean Water State Revolving Fund (CWSRF) Federal Grant ⁶	-	-	-	(1,600,000)	-	-	-	-	(1,600,000)	
4.5	ANR-DEC (WIFP)	Municipal Pollution Control Grants ⁶	-	4,000,000	4,000,000	700,000	-	-	-	4,000,000	700,000	
4.6	ACC	Non-Federal Match	-	-	-	-	730,000	730,000	730,000	730,000	730,000	
Other SUBTOTAL			145,000	4,000,000	4,145,000	(800,000)	730,000	730,000	730,000	4,875,000	(176,000)	
Other % of Total			1%	4%	11%	(6%)	6%	6%	19%	11%		
Total Proposed for Appropriation⁷			28,482,062	10,000,000	38,482,062	2,756,176	6,028,050	1,380,000	7,408,050	3,894,937	45,895,112	6,301,112
Anticipated SFY26 Revenue/Reserves			28,416,062	10,000,000	38,416,062	-	500,000	500,000	-	38,916,062	500,000	
Estimated Revenue Available from Prior Year Unallocated/Unreserved			-	-	-	-	5,974,050	1,000,000	6,974,050	6,974,050	-	
Anticipated Total Available			28,416,062	10,000,000	38,416,062	-	5,974,050	1,500,000	7,474,050	45,890,112	500,000	
Balance=Total Available-Total Requested			(66,000)	-	(66,000)	(54,000)	120,000	66,000	-	-	-	

Agency	SFY26 BASE FUNDS			SFY26 ONE-TIME FUNDS			SFY26 Compared to SFY25 One-Time Funds	Total SFY26 (Base + One-Time)	SFY26 Total Compared to SFY25 Total			
	Clean Water Fund	Capital Bill	Subtotal Base Funds	Clean Water Fund Unallocated/Unreserved ¹	Clean Water Fund Projected Interest Income ²	Subtotal One-Time Funds						
AAPM	9,000,000	3,000,000	12,000,000	2,603,113	2,000,000	2,000,000	1,786,887	14,000,000	4,460,000			
ACC	-	-	-	-	-	-	-	-	-			
ANR (DEC)	14,880,000	4,000,000	18,880,000	70,000	3,055,112	550,000	3,605,112	22,585,112	1,075,112			
ANR (FRR)	477,062	200,000	677,062	(16,938)	222,938	100,000	322,938	1,000,000	300,000			
ACC	25,000	-	25,000	-	-	730,000	730,000	750,000	730,000			
VHCB	-	2,800,000	2,800,000	-	-	-	-	2,800,000	-			
VTrans	4,000,000	-	4,000,000	-	750,000	750,000	(250,000)	4,750,000	(250,000)			
Total Proposed for Appropriation⁷			28,482,062	10,000,000	38,482,062	2,756,176	6,028,050	1,380,000	7,408,050	3,894,937	45,895,112	6,301,112

Footnotes:

¹ Clean Water Fund unallocated/unreserved budgeted as one-time funds includes actual interest income accrued through the end of SFY24.

² Clean Water Fund projected interest income budgeted as one-time funds is projected to accrue during SFY25 and SFY26. Interest income is not anticipated to be available as a long term source for budgeting and is therefore programmed as one-time funds.

³ The "Municipal Three-Acre General Permit and MSA" line item was primarily funded with American Rescue Plan Act (ARPA) dollars, no longer available to budget in SFY25-26, but will be expended through December 2026/SFY27. In SFY25-26, activities previously supported by this line item will transition to a combination of Lake Champlain Basin Program federal funding (\$3 million available) and CWSRF financing.

⁴ Three-Acre General Permit projects, which are the focus of the "Developed Lands Implementation Grants" line item, were primarily funded with American Rescue Plan Act (ARPA) dollars. ARPA dollars are no longer available to budget in SFY25-26, but will be expended through December 2026/SFY27. Three-Acre General Permit projects will eventually transition to a financing structure.

⁵ The required state match to the CWSRF federal grant is fully covered by prior year funds in SFY26. This is a one-time pause in this line item and state match will be required again in SFY27 to continue to leverage substantial federal investment. In prior years, up to \$2.2 million has been needed.

⁶ The SFY26 Clean Water Budget only covers \$4 million of the estimated \$20 million Municipal Pollution Control Grant need in SFY26. Need is estimated based on CWSRF financed projects in the pipeline eligible for that portion of the project to be covered by grant funds.

⁷ Projected SFY26 Clean Water Fund revenue are based on the consensus revenue forecast adopted by the Vermont Emergency Board at its July 2024 meeting, submitted in the November 22, 2024 Clean Water Fund Operating Statement. Unallocated/unreserved funds proposed for appropriation as one-time funds are also based on the November 22, 2024 Clean Water Fund Operating Statement. Unallocated/unreserved balances materialize when actual revenue received exceeds projections and/or when revenue forecast upgrades are made after the Board's budget recommendation or its passage. Since the prior (SFY24) and current (SFY25) fiscal years already have approved budgets, any increases in revenue, whether actual or projected, become available as one-time surpluses in the following (SFY26) budget development process. Unallocated/unreserved revenue available for allocation in SFY26 are a combination of actual balances at the close of SFY24 and projected balances based on SFY24 revenue projections. Actual unallocated/unreserved balances at the close of SFY24 include \$2.9 million in interest income generated based on the overall Clean Water Fund balance. The Clean Water Fund balance generates interest based on all unexpended dollars in the Fund, including prior and current year revenues. Interest income is difficult to project and will vary year-to-year depending on interest rates and the rate of cash flow expenditures from the Fund. For the SFY26 Clean Water Budget, the Board has recommended projecting a conservative amount of interest income in SFY26 (\$1 million) and SFY26 (\$0.5 million) to be allocated as one-time funds. Interest income is not anticipated to be available as a long term source for budgeting and is therefore programmed as one-time funds.

2025-2026 Legislative Session Summary of Bills Related to the Clean Water Budget

Current as of February 7, 2025 at 3:20 pm

Bill No./Title	Description	Status
Appropriations Bill (AKA "Big Bill")	Proposes Clean Water Fund appropriations as recommended by the Clean Water Board and Governor Proposes repeal of the Property Transfer Tax Clean Water Surcharge July 1, 2027 sunset	In Gov's recommend (see page 45)
Capital Bill	Proposes clean water section of the Capital Bill as recommended by the Clean Water Board and Governor	In Gov's recommend
<u>S.24</u> An act relating to stormwater management	<u>Clean Water Fund revenue</u> Delays the Property Transfer Tax Clean Water Surcharge sunset until 2036 (note: this language differs from that in the Big Bill; Leg. Counsel has been provided awareness of the competing versions) <u>Three-Acre General Permit</u> Extends deadline to obtain Three-Acre General Permit coverage to 2028 ¹ Limits the Three-Acre General Permit to Lake Champlain and Lake Memphremagog basins and stormwater impaired watersheds (no longer extends permit statewide in 2033)	Referred to Committee on Natural Resources and Energy

¹ Note "permit coverage" involves completing engineering, design, and obtaining the operational stormwater permit. Three-Acre site stormwater management system must be fully constructed and certified by a professional engineer as built in accordance with the permit and its referenced plan by no later than five years from the date of issuance of the Full Notice of Intent (NOI) permit.

Bill No./Title	Description	Status
S.24 continued	<p><u>Local Community Implementation Grant Program/Special Fund</u></p> <p>Establishes Local Community Implementation Grant Program and Special Fund to provide grants to municipalities to assist in the stormwater permitting of residential subdivisions or orphan systems² in the State</p> <p>Adds Grant Program as Tier 1 priority to Clean Water Fund statutory priorities</p> <p>Directs \$5 million start up investment from SFY 2025 (current year) Clean Water Budget, then \$1 million minimum/year thereafter</p> <p>Specifies Grant Program eligible recipients, application deadline, and prioritization</p> <p>Incentivizes municipalities to take on responsibility for residential subdivisions and orphan systems</p> <p>Grants municipalities authority to assess impact fees for stormwater system users (e.g., special tax districts) to raise local funds to comply with the Three-Acre General Permit</p>	
<p><u>H.146</u></p> <p><u>An act relating to administration and enforcement of agricultural water</u></p>	<p>Proposes to transfer from the Secretary of Agriculture, Food and Markets to the Secretary of Natural Resources all authority to administer and enforce water quality requirements on farms in Vermont</p>	<p>Referred to the House Committee on Environment</p>

² “Orphan” systems were previously defined as stormwater systems that have an expired State discharge permit; the drainage system serves a residential subdivision, in whole or in part; the developer/original permittee or the successors in development no longer have any ownership in the subdivision; and the drainage system does not discharge to a Clean Water Act 303(d) listed stormwater impaired waterway. Note: “orphan stormwater systems” was removed from statute when Act 64 of 2015 came into effect and revised 10 VSA 1264.

Bill No./Title	Description	Status
quality requirements in the State		
H.162 An act relating to repealing the three-acre stormwater permit	Proposes to repeal the statutory requirement for the Agency of Natural Resources to issue a permit for stormwater discharges from impervious surface of three or more acres in size when the stormwater discharge previously was not permitted or was permitted under the requirements of the 2002 Stormwater Management Manual	Referred to the House Committee on Environment

State Fiscal Year (SFY) 2027 Clean Water Budget Process (June 2025 – July 2026)

DRAFT January 28, 2025



Visit the [Clean Water Board webpage](#) for more information. [Subscribe to the Clean Water Stakeholder Listserv](#) or visit the [DEC Calendar](#) to be notified of upcoming Clean Water Board meetings.