



Vermont's Environmental Common Agenda

Your guide to Vermont's most pressing environmental priorities in 2018

The Vermont Environmental Common Agenda highlights the top environmental priorities and proposed solutions for the 2018 legislative session. This Agenda represents the priorities of a range of environmental organizations across Vermont who are working to engage policy makers and the public on important issues affecting our shared natural resources, our communities, and the health of Vermonters.

Vermont Conservation Voters (VCV) and partner groups will advocate for the following priorities in the 2018 legislative session. Votes on these issues will likely be included in VCV's Environmental Scorecard, and VCV will be educating voters on their elected officials' leadership, support, or opposition to these goals.

With the federal administration actively working to dismantle environmental safeguards, civil rights, consumer protections, and so much more, the environmental community is calling on Vermont lawmakers to enact policies and make investments that will ensure our environment, public health, and vulnerable communities are protected.

Top environmental priorities for 2018:

Goal: Establish a Long-Term Clean Water Funding Source and Clean Water Authority to Successfully Implement Funding

Goal: Enact Policies to Better Protect Vermonters' Health by Reducing Exposure to Toxic Chemicals in Drinking Water and Consumer Products

Goal: Grow the Climate Economy by Helping All Vermonters Transition to Efficient and Clean Energy Solutions

Goal: Maintain Healthy, Intact Forests, and Support Our Rural Economy by Strengthening Landowner Incentives and Act 250 to Address Impacts to Forests



Partner organizations supporting the 2018 Environmental Common Agenda

Vermont Conservation Voters (VCV)
Vermont Natural Resources Council (VNRC)
Vermont Public Interest Research Group (VPIRG)
Conservation Law Foundation (CLF)
Vermont Chapter of the Sierra Club
Toxics Action Center (TAC)
Audubon Vermont
Lake Champlain Committee
Lake Champlain International



The Environmental Common Agenda is a project of Vermont Conservation Voters.

Vermont Conservation Voters (VCV) is the non-partisan political action arm of Vermont's environmental community. Since 1982, our mission has been to defend and strengthen the laws that safeguard our environment. We work to elect environmentally responsible candidates. We then hold legislators accountable for the decisions they make affecting our air, water, communities, land, and wildlife.

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Goal: Establish a Long-Term Clean Water Funding Source and Clean Water Authority to Successfully Implement Funding

The Problem:

Clean water is essential to Vermonters' health, economy, and way of life. Healthy waters underpin our tourism and recreation economies, thriving businesses, our favorite paddling, swimming, and fishing holes, and safe drinking water. Sadly, water pollution in Vermont is resulting in problems such as pervasive cyanobacteria blooms and contaminated drinking water supplies. Polluted water has put the health of Vermonters at risk, decreased property values, and threatened Vermont's vital tourist economy.

Water quality in Lake Champlain, for example, has been a serious problem for decades. In 2015, the U.S. Environmental Protection Agency (EPA) – as a result of lawsuits to protect the Lake brought by the Conservation Law Foundation (CLF) – required Vermont to ramp up its efforts to cut pollution and clean up Lake Champlain. Specifically, EPA ordered Vermont to develop a revised total maximum daily load (TMDL) clean up plan. The passage of Vermont's Clean Water Act (Act 64) in 2015 was a major part of Vermont's commitment to EPA under the revised TMDL. Act 64 included new regulations, better enforcement tools, and interim funding for water quality. Act 64 applies to waters statewide because, unfortunately, Lake Champlain is one of many impaired waters across the state. For example, EPA recently approved a new TMDL requiring cleanup of Lake Memphremagog.

Fundamental to the successful implementation of Vermont's Clean Water Act (Act 64), TMDLs, and other laws essential to meeting Vermont's Water Quality Standards, is the successful implementation of our existing pollution regulations – including strong enforcement of those laws – as well as increased investment. New funding is needed to implement on-the-ground projects essential to reducing pollution from farms, roads, developed lands, and forests.

With farms being the single biggest contributor, we need special attention on ensuring our regulations are strong enough, and that they are being adequately enforced. We support moving enforcement of agricultural water requirements to the Department of Environmental Conservation (DEC); as well as developing regulations on tile drains; and funding innovative practices on farms, such as supporting farmers seeking to transition to organic and regenerative practices.

To meet our obligations and safeguard public health and the Vermont brand, we propose establishing a non-political, publicly accountable Clean Water Authority to set budgets, collect revenue, and get money on the ground for prioritized clean water projects across the state. Simultaneously, we are calling on lawmakers to authorize a long-term, dedicated funding source that adequately invests in our water cleanup efforts.

Proposed Legislative Solutions:

- ✓ **Create a non-political, publicly accountable "Clean Water Authority" to set clean water budgets, collect revenue, and get money on the ground to implement clean water projects.**
- ✓ **Enact a long-term, dedicated revenue source for clean water investments that will be of sufficient magnitude to implement the Vermont Clean Water Act (Act 64) and meet our other economic, legal, and moral obligations to ensure healthy, safe water for all Vermonters.**
- ✓ **Strengthen regulations and enforcement to ensure we're on track to meet our clean water obligations, including enacting 0.5-acre stormwater legislation (H.39), and moving all water pollution regulation enforcement to the DEC.**

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Goal: Enact Policies to Better Protect Vermonters' Health by Reducing Exposure to Toxic Chemicals in Drinking Water and Consumer Products

The Problem:

In the winter of 2016, the toxic chemical perfluorooctanoic acid (PFOA) was discovered in water supplies in Bennington County, Vermont. Subsequent testing has shown contamination in other regions of Vermont. This chemical was used to make a variety of products, including Teflon, and persists in the environment indefinitely. PFOA exposure is correlated with high blood pressure, thyroid disease, kidney and testicular cancer, and other health problems.

The PFOA contamination highlighted a systemic problem, where tens of thousands of chemicals are registered for use in the U.S. without adequate health and safety testing. Once public health concerns are identified, we have inadequate federal laws to regulate the use of chemicals. To address this gap, Vermont has enacted a number of laws through the years to ban harmful chemicals in consumer products, and to require reporting of chemicals of high concern in children's products (Act 188). In 2016, the federal government updated the Toxic Substances Control Act, but those new regulations will take years to implement, and those programs are currently being run by an administration that is prioritizing corporate profits over public health.

Given the lack of federal action to protect our health from toxic chemicals, Vermont must continue working to improve protections for our families. The Vermont Legislature passed Act 154 in 2016, which established a Chemical Use Working Group. This group recommended a series of policy improvements to better protect our families and communities from exposure to toxic chemicals.

In 2017, several working group recommendations were advanced in S.103, which passed the Senate, was strengthened in the House, and awaits final action in the Senate. We urge passage

Proposed Legislative Solutions:

✓ **Pass S.103, which will:**

- **create an interagency committee to better coordinate chemical policies, develop recommendations to better achieve the public's right to know which chemicals are being used in their community, and improve our program that aims to reduce manufacturers' use of toxic chemicals;**
- **require testing of new private drinking water wells for certain harmful contaminants; and**
- **update the Toxic-Free Families Act (Act 188) to collect more user-friendly information on toxic chemicals being used in children's products, and improve the process for phasing out the use of harmful chemicals in these products.**

✓ **Restrict the use of toxic PFOA and closely related chemicals in food packaging.**

✓ **Strengthen legal remedies to help protect Vermonters who have been exposed to hazardous chemicals, and hold the polluters responsible.**

of S.103, as well as continuing to make progress on other working group recommendations – particularly banning toxic chemicals like PFOA from food packaging, and giving better legal protections to Vermonters who have been harmed by exposure to toxic contaminants.

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Goal: Grow the Climate Economy by Helping All Vermonters Transition to Efficient and Clean Energy Solutions

The Problem:

The effects of global warming are already being felt in Vermont, with a recent study showing Burlington has warmed faster than any city in the country over the past four decades.¹ We have a responsibility to ourselves and future generations to do our part to reduce our carbon pollution – and the transition off fossil fuels presents a significant economic opportunity. By weatherizing homes, developing renewable energy, installing heat pumps and advanced wood heat, creating broader transportation choices, and more, we can put Vermonters to work and save families money over the long-term.

In recent years, the State of Vermont has made progress reducing energy consumption through efficiency programs, enacting an innovative Renewable Energy Standard to deploy more renewable resources, and setting statutory goals to dramatically reduce our greenhouse gas pollution. Our combined efforts have saved Vermonters money and moved us from the highest to second lowest electric rates in the region. However, we have far more to do – particularly considering that a recent Agency of Natural Resources report showed Vermont's greenhouse gas emissions are rising.² According to the Vermont Total Energy Study,³ a 2014 Department of Public Service analysis of how to meet the state's comprehensive energy plan goal of 90% renewable energy by 2050, meeting our state's goals are feasible *and* can be done in a way that grows our state's economy.

Considering that we import 100% of the fossil fuels we use for transportation and heating, we have an exciting opportunity to increase our energy independence and move people to more local and cleaner heating and transportation solutions. To spur Vermont's essential energy transformation, we need to invest in energy efficiency and implement improvements to commonsense policies like appliance efficiency standards. We also need to support policies that will allow for the strategic deployment of renewable energy. We must ensure that one-time opportunities like the Volkswagen settlement funds are used to help transform our transportation system, not squandered on investments in fossil fuel vehicles.

Further, we must explore and advance policies like carbon pricing to help Vermonters invest in solutions and transition away from fossil fuels. An innovative new carbon pricing proposal would put a fee on polluting fossil fuels and provide a rebate via Vermonters' electricity bills. The Legislature should explore how best to implement carbon pricing to grow Vermont's economy, protect the most vulnerable, and drive down our climate pollution.

Proposed Legislative Solutions:

- ✓ **Increase state funding to weatherize more Vermonters' homes and businesses.**
- ✓ **Maintain Vermont's commitment to the Renewable Energy Standard's Energy Innovation Program, energy efficiency funding, and expand appliance efficiency standards.**
- ✓ **Send a strong message to the administration that the Volkswagen settlement funds should be used to invest in electric vehicle infrastructure and electric vehicles – such as transit and school buses – to help spur the transformation of our transportation sector.**
- ✓ **Continue exploring and advancing innovative climate solutions, including carbon pollution pricing paired with a rebate on Vermonters' electricity bills.**

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1 <https://vtdigger.org/2017/12/08/burlington-winter-temperatures-rise-7-degrees/>

2 <http://climatechange.vermont.gov/climate-pollution-goals>

3 http://publicservice.vermont.gov/sites/psd/files/Pubs_Plans_Reports/TES/TES%20FINAL%20Report%2020141208.pdf

Goal: Maintain Healthy, Intact Forests and Support Our Rural Economy by Strengthening Landowner Incentives and Act 250 to Address Impacts to Forests

The Problem:

Vermont's forested landscape is central to our state's identity and economy. Forest-based manufacturing, recreation, and tourism employ approximately 13,000 Vermonters and contribute about \$1.5 billion in revenue to the state every year. From forest jobs in the woods, to recreational opportunities for hunters, birdwatchers, hikers and anglers, to helping filter and clean our waters, and providing a home for iconic wildlife – healthy forests are an essential asset for Vermont.

Unfortunately, recent studies commissioned by the Legislature⁴ show our forests are being fragmented, which reduces their overall health and habitat quality, resulting in reduced biodiversity, more invasive species, reduced water quality, reduced recreational and hunting access, and smaller tracts that can't support a working forest economy. In response, the Vermont Legislature passed Act 171 in 2016 to put in place a proactive process to maintain healthy, intact tracts of forest for current and future generations to enjoy, and which better support working forests.

Another major concern is the impending large-scale shift in forest ownership and management. The vast majority (80%) of Vermont's forestland is in private ownership, and according to surveys, more than 17% of Vermont landowners who own more than 10 acres plan to transfer or sell their land in the next five years.⁵ This means that a lot of forested parcels will be changing hands in the coming years. As land changes hands, parcels are often divided up into smaller segments with more landowners. The anticipated large-scale transition of land ownership in the immediate future threatens to dramatically change our landscape. The Legislature should explore policies, such as tax incentives and funding successional planning programs, to encourage the maintenance of intact tracts of forest as land changes ownership – particularly in priority forest blocks identified by the Agency of Natural Resources.

Finally, in 2017, lawmakers continued progress begun in Act 171 by crafting H.233, an important bill that corrects a long-standing gap in Act 250 by updating criteria to better address forest fragmentation by shaping development so that it maintains intact forest blocks and habitat connectivity. H.233 passed the House and awaits action in the Senate.

Proposed Legislative Solutions:

- ✓ **Enact H.233, a bill that updates existing Act 250 criteria to better address forest fragmentation, the maintenance of intact forest blocks, and habitat connectivity.**
- ✓ **Implement tax incentives and fund successional planning programs to encourage landowners to maintain intact tracts of forest as land changes hands, particularly in priority forest blocks.**

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⁴ 2015 Vermont Forest Fragmentation Report, submitted by Department of Forests, Parks, and Recreation to Vermont Legislature, April 2015. Available at <http://fpr.vermont.gov/node/1300>

⁵ <https://legislature.vermont.gov/assets/Legislative-Reports/Intergenerational-Transfer-of-Forestland-2017-Final.pdf>

Additional Environmental Priorities for 2017

Goal: Protect our working landscape and encourage smart growth development

Vermonters have long worked to maintain a vital working landscape and thriving downtowns and villages. These compact centers also enable us to meet other important state goals, including helping save energy by providing transportation choices, offering vibrant spaces for small businesses, and providing an appealing setting and variety of housing choices for people at all stages of their lives. A variety of regulatory programs and financial incentives help us maintain our healthy environment alongside vibrant communities. These programs should be protected, and in some cases, strengthened.

Proposed Legislative Solutions:

- ✓ Authorize full statutory funding for the Vermont Housing and Conservation Board.
- ✓ Maintain strong funding for Downtown and Village Tax Credits and the Working Lands Enterprise Fund.

Goal: Zero Waste

Implementing strategies to reduce the amount of waste we generate, and improving how we manage waste, can help the state break out of disposal patterns that are inefficient, expensive, and produce harmful pollution – including greenhouse gas pollution and toxic chemicals that leach into state waters. In 2012, in response to stagnating recycling rates in the state, the Vermont Legislature enacted Act 148 that phased in mandatory recycling and composting over a number of years. We must maintain our commitment to this important legislation, and our successful “Bottle Bill,” while seeking policies to better fund these efforts and improve statewide recycling and composting rates.

Proposed Legislative Solutions:

- ✓ Maintain our commitment to mandatory recycling and composting.
- ✓ Expand the “Bottle Bill” to cover a wider range of beverages on the market.
- ✓ Increase funding for recycling and composting programs by authorizing the state to collect the Bottle Bill’s unclaimed nickels, and by putting a fee on disposable plastic bags.





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