



# VERMONT Legislative Bulletin



ENVIRONMENTAL UPDATES FROM VNRC & VCV



By Brian Shupe,  
Executive Director,  
Vermont Natural  
Resources Council  
and Lauren Hierl,  
Executive Director,  
Vermont Conservation  
Voters



The 2021-2022 Legislative Biennium is one for the history books, with lawmakers scrambling to address the ongoing COVID-19 pandemic, and working remotely for a large portion of both sessions. Given these unusual dynamics, how much progress did lawmakers make on ensuring a clean and healthy environment for all? Ultimately, we had some notable wins and some disappointing losses.

In good news, lawmakers dedicated historic levels of funding to important climate initiatives and clean water infrastructure. Further, VNRC and VCV fought to help secure groundbreaking wins like Vermont’s first comprehensive environmental justice policy, and a first-in-the-nation bill to hold toxic polluters accountable for medical monitoring costs for victims of toxic

contamination. We also advocated for important climate resilience initiatives including updates to the Current Use Program to make it easier to protect old forests, and to better track and protect withdrawals from our precious surface waters. These are notable victories that VNRC and VCV played important roles in helping secure.

However, several priority bills were vetoed by Governor Scott, and he continues to be a significant obstacle to the transformative actions we need to address the climate crisis. While it’s disappointing that the governor is standing in the way of many of the policies and programs needed to address climate change, healthy forests, and more, VNRC and VCV will continue working with our partners and legislative allies to push for the policies needed to build more equitable, healthy, and resilient communities. Your support means more now than ever—it makes a difference.

## Historic investments in climate action and clean water

Due to the influx of one-time federal funding, **this year’s budget includes the state’s biggest investment in climate action ever.** The FY23 budget includes funding for many programs that will help low- and moderate-income Vermonters weatherize their homes, access clean heating systems, build our clean energy workforce, and more. The state also funded a grant program to help municipalities install clean and efficient energy systems. In addition, this year’s Transportation Bill includes unprecedented climate investments, including funding to help low- and moderate- income Vermonters purchase electric (EV) or highly efficient cars, install EV charging equipment, create safer walking and biking infrastructure, fund public transit, and other programs to build out a more robust, clean and diverse transportation system.

Lawmakers also invested **significant**

*continued on page 2*

## Historic Investments

*continued from page 1*

**resources to help update our water infrastructure in communities around the state.** Increased funding will help address Combined Sewer Overflows (CSOs) to reduce the



### VNRC Advisory Committee

Maude Barlow, Carolyn Finney,  
Bill McKibben, Will Raap, Gus Speth

### VNRC Board of Directors

Will Lintilhac, *Chair*  
Maisie Anrod, Steph Baer, Kathy Beyer, Megan Camp,  
Jameson Davis, Judy Dow, Chad Farrell, Elizabeth Gibson,  
Charlie Hancock, Nolan Holmes, Don Hooper,  
Scott Johnstone, Mark Nelson, Bindu Panikkar,  
Darren Springer, Peter Sterling

### VNRC Staff

Brian Shupe, *Executive Director*  
Alex Connizzo, *Interim Office Manager*  
Karina Dailey, *Restoration Ecologist*  
Jamey Fidel, *General Counsel/  
Forest and Wildlife Program Director*  
Kati Gallagher, *Sustainable Communities  
Program Director*  
Makenna Goodman, *Communications Director*  
Jon Groveman, *Policy and Water Program Director*  
Greta Hasler, *Energy and Climate Program Associate*  
Colin Keegan, *Membership and Engagement Director*  
Johanna Miller, *Energy and Climate Program Director/  
VECAN Coordinator*  
Stephanie Mueller, *Development Director*



### VCV Board of Directors

Linda Gray, *Chair*  
Kelly Coleman, David Deen, Michael Fisher, Iris Hsiang,  
Tom Hughes, Kinny Perot, Helen Riehle, Mary Sullivan

### VCV Staff

Lauren Hierl, *Executive Director*  
Shelden Goodwin, *Political Outreach Associate*



### Publications

Makenna Goodman, *Editor*  
Tim Newcomb, *Design*

amount of untreated sewage going into our waters during the increasing number of high precipitation events that Vermont is experiencing. Investments were also made to help reduce stormwater runoff, improve dam safety, upgrade wastewater systems, and increase funding for water infrastructure at mobile home parks. A notable portion of the water funding is dedicated to helping ensure communities can update their water and sewer systems so we can build more housing in and around our downtowns and village centers.

## Justice for Vermonters

One of the successes that VNRC and VCV are most excited about this year is the enactment of the **Environmental Justice bill** (S.148). This legislation is critical in bringing Vermont in line with the majority of other states working to design meaningful solutions for justice through deep public engagement and partnership with those most impacted by undue environmental harm. The bill—**informed and co-crafted with many Black, Indigenous, and Vermonters of color, and environmental justice experts**—would create the state’s first statutory definition of environmental justice, build a framework for Vermont to better address structural inequities, and create a path for working towards a future where a clean environment is prioritized and accessible for all. **“For too long, low-income Vermonters and Vermonters of color have borne a disproportionate share of environmental burdens and had less access to a healthy environment and cost- and carbon-cutting clean energy opportunities,” said Johanna Miller, Energy and Climate Program Director at the Vermont Natural Resources Council.** “S.148 is critical to truly begin addressing these disparities.” We are grateful to all those who were part of making this happen!

Also exciting: the legislature

enacted a **first-in-the-nation bill to help victims of toxic contamination access medical monitoring** (S.113). This bill takes important steps to hold polluters accountable, and allows the state to sue chemical manufacturers for harm to our natural environment and public facilities. Despite two previous vetoes of similar bills, lawmakers persisted and finally got this important policy enacted.

## A mixed bag on Vermont’s forests and clean water

Lawmakers passed a bill to create a **system for tracking and regulating surface water withdrawals** (H.466), which will help the state better monitor and protect our waters. This program is particularly important given anticipated changes to our waters due to climate change. Further, a bill was enacted that will **promote the enrollment of old forests in Vermont’s Current Use Program** (H.697), which will help mitigate climate change, provide important ecosystem services, and help keep Vermont’s forests intact. Unfortunately, Governor Scott vetoed a bill that would have set a goal of conserving 30% of state lands by 2030 and 50% by 2050, and required the state to develop a plan for how to get there. This bill would have kept Vermont in line with President Biden’s federal “Keep America Beautiful” initiative.

## Back to the drawing board on a key climate policy

It was a huge disappointment when Governor Scott vetoed the Clean Heat Standard (H.715). This bill was a cornerstone of the state’s adopted Climate Action Plan, and central to addressing climate pollution in our heating sector — Vermont’s second largest source of greenhouse gas emissions. The Governor vetoed the bill despite getting the increased legislative oversight he had asked for, and then



the House fell just one vote shy of overriding the veto. Unfortunately, this sends us back to the drawing board for addressing climate pollution in our heating sector. With no time to lose on climate action, we're extremely frustrated that the Governor vetoed the bill and has offered no alternative proposals to cut heating pollution at the scale needed to keep us on track to meet our statutory requirements. This is not good for the climate, and it's not good for Vermonters. Fuel prices continue to rise, and we have no plan in place to help Vermonters access more clean and affordable heating solutions.

## Disappointments around strengthening Act 250

The Legislature passed a bill to update Act 250 to promote affordable housing in smart growth areas, maintain intact forests, promote working forests, and improve the governance structure of Act 250 (S.234). This bill was also vetoed by Governor Scott. The Legislature anticipated a veto was coming, so they decided to move several policies — such as exempting additional “priority housing projects” from Act 250 — into a housing-focused bill (S.226). We were disappointed to see acquiescence from lawmakers on adopting additional Act 250 exemptions without ensuring they were paired with increased forest protections in a bill that would not be vetoed, especially at a time when climate and Covid migration is putting significant development pressure on our forests and farmland. The failure to strengthen Act 250 to address forest fragmentation will put Vermont's working lands and natural resources at increased risk.

Despite our disappointment with the missed opportunity to pass a balanced, comprehensive Act 250 bill, the Legislature did advance important housing legislation that will address the lack of affordability



and promote smart growth. **Small towns will now be allowed to build priority housing projects with more units, and in-fill development will be allowed in already developed river corridors, in accordance with state guidelines, provided the municipality has adopted river corridor protections.** Priority housing projects are a key method of creating affordable homes in smart growth locations and are a part of the state designation programs. While various designation programs (e.g., designated downtowns, village centers, neighborhood development areas) have helped to implement smart growth throughout Vermont, some of them have been used in recent years to try to achieve outcomes beyond their original intent. In response, the Department of Housing and Community Development (DHCD) received funding to assess the effectiveness of the programs. We are looking forward to being a part of this conversation to support the ability of our communities to encourage sustainable, mixed-use development in our downtowns and village centers and protect our working lands and natural resources.

Finally, a bill (H.175) to expand the state's Bottle Bill to cover additional beverages like bottled water and wine bottles, passed the House last year, and the Senate passed a revised version in the waning days of the session. Unfortunately, lawmakers ran out of time to get this bill to the Governor this year, so we'll pick this one back up next legislative session.

## Thank you to our incredible interns

We are always so grateful for our legislative interns, who support our work and bring a much needed perspective and energy to our team.

Jonathan Godbout provided invaluable assistance in the Legislature, and tracked environmental bills as they moved through committees and were debated on the House and Senate floor. He helped staff evaluate testimony and his comprehensive updates provided many insights on priority bills.

Meghan Oates performed extensive policy and legal research on diverse topics of interest to VNRC including water quality, land use and conservation strategies, climate change policy, and forest and wildlife management. Meghan also helped track legislation, provided valuable insights that helped inform our policy in the Legislature, and conducted legal research on several VNRC projects. We are so grateful for their hard work and wish them the best of luck in their careers as changemakers.

## With gratitude for our partners

The work of VNRC and VCV is immeasurably strengthened by the coalitions we work in, including the Climate Coalition, the Forest Partnership, Transportation for Vermonters, the Water Caucus, and our Environmental Justice partners. We thank them all for their partnership on these critical issues.



NONPROFIT ORG  
 U S POSTAGE  
 PAID  
 THE MAILING  
 CENTER  
 05641

11 Baldwin Street  
 Montpelier VT 05602

Email: info@vnrc.org  
 Web: www.vnrc.org  
 Twitter: @VNRCorg

Email: info@vermontconservationvoters.org  
 Web: vermontconservationvoters.org  
 Twitter: @VoteGreenVT

# Looking Ahead

It's been a profoundly challenging time, and it's important to take a moment to celebrate the wins we had this year. Environmental Justice is finally a state priority. Polluters will be held accountable for exposing people to toxic chemicals. We have better tools to protect old forests and to address the impacts of water withdrawals. Thousands of Vermonters will benefit from significant investments in climate programs and clean water initiatives.

**We must maintain hope and stay engaged in these times of precarious democracy. We want to thank you, again, for raising your voice and making it heard over the course of these past few months. It matters!** We are so grateful to everyone who contacted their legislators and urged them to support climate action and a healthy environment for all. And while we

are disappointed in the Governor's vetoes of several key priorities, your continued support helps send an important message to lawmakers that will reverberate in the coming years and help build the momentum we'll need to win on transformative policies.

Now we move into election season in a historic year. Falling short on a couple key votes on

priority environmental bills, this year underscores the importance of electing environmental allies at all levels. This year, VNRC's efforts to raise awareness of the issues important to you, and VCV's work to support candidates for office who share our goals, will be particularly important with an unprecedented number of lawmakers retiring and critical seats up for grabs.

We'll be back in touch soon on how you can help us support pro-environment candidates!

Onward,

**Lauren Hierl**  
 Executive Director,  
 Vermont Conservation Voters

**Brian Shupe**  
 Executive Director,  
 Vermont Natural Resources Council

