

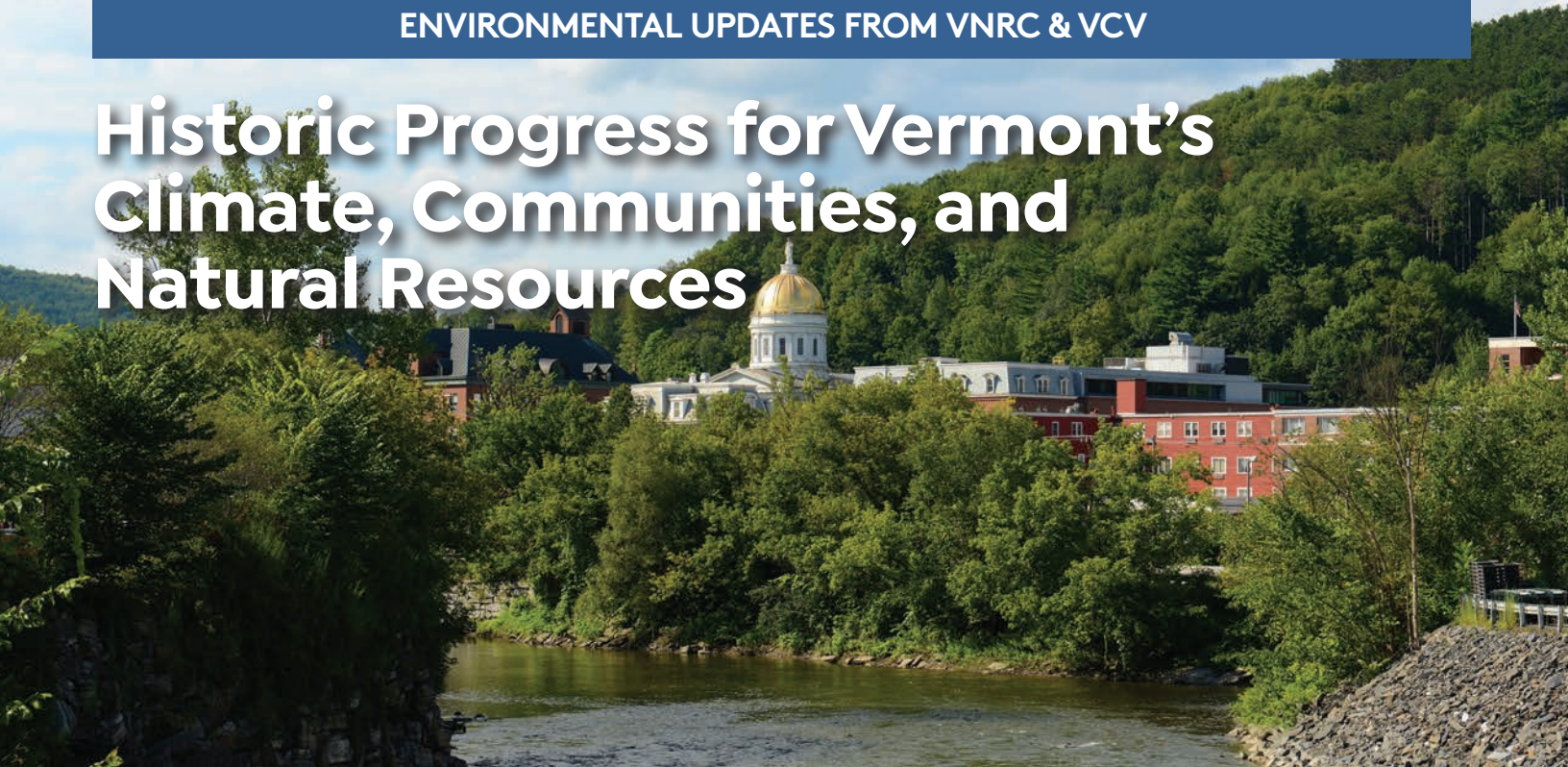


VERMONT Legislative Bulletin



ENVIRONMENTAL UPDATES FROM VNRC & VCV

Historic Progress for Vermont's Climate, Communities, and Natural Resources



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



Dear fellow Vermonter,

As we wrap up the 2024 legislative session, we have a lot of progress to celebrate. At the beginning of the biennium in January 2023, we were coming out of a huge election that brought dozens of new lawmakers to Montpelier and a pro-environment supermajority. **Vermont lawmakers delivered on monumental climate action and environmental legislation this biennium.**

The 2024 session came on the heels of a year that underscored the reality of climate disruption,

with devastating flooding impacting communities, ecosystems, and infrastructure throughout Vermont. These climate disasters shaped legislators' priorities when they arrived in Montpelier this past January. Addressing flood mitigation, meeting the climate and housing crises head-on, protecting our critical natural resources, and ensuring the health and safety of Vermonters were at the forefront of lawmakers' minds. The bills they passed demonstrate their commitment to strong action on these issues.

The Legislature took notable steps to protect our communities and infrastructure from future flooding through the enactment of a bill that establishes protections for Vermont's wetlands and river corridors, and

makes significant improvements to the safety of dams that contribute to flooding across the state.

Additionally, a groundbreaking, nation-leading bill was passed to ensure that Vermonters are not left shouldering the full cost of climate disruption. Lawmakers created a program to hold the largest fossil fuel companies accountable for their fair share of costs inflicted on Vermont as a result of climate pollution from their products. Establishing a "climate superfund" will help Vermont invest in disaster response, climate adaptation, resilience, and infrastructure improvements.

We worked diligently alongside lawmakers to advocate for legislation that shifts the Act 250 process so it will be applied based on a proposed development's location, which will make it easier to build housing in well-planned areas in Vermont's large and small communities while

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CELEBRATING 60 YEARS



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Major Wins

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simultaneously protecting critical natural resources, including our intact forests, wildlife habitat, and headwaters.

On the clean energy front, modernization of our Renewable Energy Standard took center stage in the State House, as lawmakers advanced a bill to put Vermont on track to achieve 100% renewable electricity across all the state's utilities by 2035. The bill also significantly increases the requirement for utilities to support new renewable energy in Vermont and the region, taking major steps toward ensuring that all Vermonters can access clean energy in the coming years.

Finally, two bills to reduce the use of toxic chemicals advanced this year. First, a bill to ban harmful neonicotinoid pesticides, or "neonics," was overwhelmingly supported by lawmakers. Neonics contribute to pollinator loss and pose potential risks to public health, but are still widely used by farmers - despite research showing they provide little to no benefit to those who use them. This bill is a huge step forward in protecting Vermont's pollinators - keystone species that are integral to our ecosystems and food system. Additionally, lawmakers unanimously passed legislation to help protect Vermonters' health by restricting PFAS "forever chemicals" from cookware, juvenile products, artificial turf, and textiles, as well as banning a range of harmful chemicals from personal care and

menstrual products.

The advocacy of VNRC and VCV - and the engagement of our members and coalition partners - helped make these victories possible. Our organizations collaborate to bring both policy expertise and political savvy to our advocacy campaigns. VNRC leans on its longstanding history of bringing a nuanced, well-researched, community-informed perspective to policy debates. VCV holds lawmakers accountable using tools like our online Environmental Scorecard, and works to recruit, train, and elect candidates who share our vision to deliver on strong, pro-environment, legislative majorities for Vermont.

As we now head toward another election this fall, VCV is eager to keep working to re-elect environmental champions and build on the significant achievements of the past two years. VNRC will continue to convene coalitions to develop inclusive campaigns to connect with Vermonters about the important issues facing our communities and our environment. Our work would not be possible without your support, so thank you for all you do!

*Sincerely,
Brian & Lauren*

The Flood Safety Act (S.213)

After the devastating floods of 2023, and climate projections indicating worsening and more frequent future flooding, Vermont lawmakers were compelled to act.



The Flood Safety Act is a huge step forward in protecting Vermont communities, infrastructure, and our environment. The bill safeguards high-hazard river corridors by implementing state oversight to keep future development out of harm's way and allow space for our rivers to store and slow floodwaters. This policy will improve public safety and reduce economic impacts from unmitigated flooding.

The bill will also better protect our vital wetland ecosystems, which naturally mitigate flood risks, through improved wetland mapping and reporting. The bill also establishes a policy to reverse historic wetland loss by requiring a 2:1 net gain of wetlands through restoration, enhancement, or creation of wetland resources.

This legislation also improves dam safety by consolidating oversight and strengthening maintenance requirements for dam owners, while investing in the strategic removal of dams that exacerbate flooding and pose a risk to public safety.

Establishing A Climate Superfund to Make Big Oil Pay (S.259)

As Vermont continues to grapple with the physical and financial impacts of a changing climate, the Climate Superfund Act represents a nation-leading step forward in ensuring that responsible parties – companies like ExxonMobil and Shell that have known for decades that their products are disrupting the climate – be required to pay a fair share of the cleanup costs. Last summer's catastrophic flooding in Vermont has already resulted in estimates of more than \$1 billion in damages, and the costs of climate disruption are only forecast to go up in the future. Those Big Oil companies that had business footprints in Vermont from 1995–2024 would pay a cost recovery assessment for their share of the state's greenhouse gas-related



VCV's Executive Director, Lauren Hierl, speaks at the launch event of the Make Big Oil Pay campaign in Burlington.

costs. The Vermont Climate Superfund would then provide funding for disaster response and climate change adaptation projects in the state, including nature-based solutions and flood protections, upgrading stormwater drainage systems, making proactive upgrades to roads, bridges, railroads, and transit systems, and more.

A Modernized Renewable Energy Standard (H.289)

The Legislature's passage of H.289, to modernize Vermont's Renewable Energy Standard, represents the largest single move towards renewable electricity and away from fossil-fueled power that Vermont has ever taken, by a wide margin. This puts us on track to achieve 100% renewable electricity across all the state's utilities by 2035 – which would make Vermont only the second state to meet that critical benchmark. The bill significantly increases the requirements for utilities to support the deployment of new renewable

energy. It will double the amount of new renewables Vermont utilities are required to build in-state from 10% to 20% of the electricity they deliver. It also creates a new requirement for Vermont utilities to provide their customers with additional, new renewable energy of any size from anywhere in the region. This requirement is over and above the in-state requirement described above – an additional 20% by 2035 for Green Mountain Power, and an additional 10% by 2035 for Vermont's other utilities. Unfortunately, Governor Scott vetoed H.289 and once again attempted to obstruct Vermont's clean energy future. Lawmakers will try to override the veto later this month.



Supporting Well-Planned Housing and Natural Resource Protection Through Land Use Reform (H.687)

Act 250 has helped shape the landscape and communities of Vermont for more than 50 years. But the challenges our state faces today – including climate change, forest fragmentation, and the lack of affordable, smart growth housing – call for changes to the landmark development law. The Legislature’s passage of H.687 is a historic update to Act 250 that addresses Vermont’s need for affordable housing and protects critical natural resources in the face of climate change. The bill creates new jurisdictional triggers that determine what development projects are subject to Act 250 based on a project’s location and the length of new road required, encouraging significant housing to be built in well-planned areas in communities of all sizes throughout Vermont. The bill simultaneously protects critical natural resources, including our intact forests, wildlife habitat and headwaters. It also professionalizes the Board that oversees the Act 250 program to provide resources to make Act 250 more efficient and effective. At the time of this publication, we are still awaiting action by the governor on H.687.

Protecting Our Pollinators from Harmful Pesticides (H.706)

Pollinators are crucial to our broader ecosystem health and food security. Vermont lawmakers took a significant step to better protect these important keystone species. This session, the Legislature overwhelmingly passed H.706, which would phase out the use of neonicotinoid pesticides in



Vermont. These harmful pesticides are applied to seeds that are widely used by farmers, despite research showing they provide little to no benefit to those who use them. Meanwhile, the evidence continues to mount that these chemicals are contributing to pollinator loss and pose potential risks to public health. As more than 30% of Vermont’s native bee species are “critically imperiled or imperiled” according to the Vermont Center for Ecostudies, H.706 is an opportunity to turn the tide on pollinator loss and protect them for generations to come. Unfortunately, Governor Scott vetoed this bill on May 20th – World Bee Day – so we will be calling on the Legislature to override the gubernatorial veto during the upcoming veto session.

Banning PFAS to Protect Vermonters from Toxic Chemicals (S.25)

The Legislature unanimously passed legislation (S.25) to ban per- and polyfluorinated substances (PFAS) and other toxic chemicals from personal care products and menstrual products, and to ban PFAS “forever chemicals” from apparel, cookware, artificial turf, and children’s products. Chemicals like PFAS are linked to cancer and other harms to human health, and this bill continues Vermont’s leadership role in reducing communities’ unnecessary exposure to dangerous chemicals. This bill aligns Vermont more closely with states like California, Minnesota, and Washington, which have already taken action to address toxic chemicals in these products. The bill, which Governor Scott signed into law, takes first-in-the-nation steps to reduce toxic chemicals in menstrual and incontinence products. It will protect Vermonters’ health, help spur the market to transition, and bolster other states’ efforts to restrict harmful chemicals in consumer products.



Young people from around Vermont call for swift and equitable climate action at the State House in Montpelier during the 2024 Youth Lobby Day.



Representative Mike Rice (D-Dorset), recipient of VCV's 2024 Rising Star Award, speaking alongside fellow members of the Climate Solutions Caucus at a press conference in the State House on 2024 legislative climate progress.

Looking Ahead

Governor Scott has demonstrated time and time again that he does not prioritize Vermont's environment - including through his record number of vetoes, many of which were environmental bills. This year, with a historic number of critically important climate and environment bills passed by the Legislature, he has a mixed record. He signed one priority bill, and let several bills go into law without his signature - but he has vetoed two bills that would impede progress on climate action and toxic chemical reform. The Legislature plans to reconvene in mid-June to attempt to override vetoes, which takes a two-thirds majority vote in each chamber.

VNRC and VCV will be calling on lawmakers to override any vetoes on our priority policies.

At the time of publication, the governor has vetoed:

- H.706, a bill to phase out the use of harmful neonicotinoid pesticides and protect the health of Vermont's pollinators
- H.289, a bill to modernize the state's Renewable Energy Standard

We will be working hard to get these bills enacted.

Thank you to our incredible interns:

We are always so grateful for our legislative interns, who support our work in a multitude of ways.

Cora Smith tracked numerous environmental bills as they moved through key committees and were debated on the House and Senate floors. She brought passionate analysis to the role, especially around Act 250, even helping to produce an episode of the Democracy Dispatch podcast on affordable housing development. We wish her all the best in her new role with Senator Peter Welch's staff in Washington, DC.

Craig Howie, Legal Extern, helped track legislation related to Act 250 reform in the Vermont State House, and performed valuable policy research related to forest management and biodiversity protection.

With gratitude for our partners:

The work of VNRC and VCV is immeasurably strengthened by the coalitions we work with, including Act on Climate Vermont, the Forest Partnership, Transportation for Vermonters, the Water Caucus, the Toxics Coalition, and the Dam Task Force. We thank all our partners for their collaboration on these critical issues, and look forward to continuing to expand our partnerships to engage more Vermont voices.





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VNRC & VCV in Action

Photos from various events we helped organize



Top left: VCV's Executive Director, Lauren Hierl, listens to community members at VCV's Community Forum on Climate & Environment in Rutland. **Top right:** Rep. Julia Andrews (D-Westford) and Rep. Josie Leavitt (D-Grand Isle), speaking with community members at VCV's Community Forum on Climate & Environment in Milton. **Bottom left:** Youth Lobby members gather on the State House lawn in Montpelier for the 2024 Rally for the Planet, and call on lawmakers and the governor to take bold climate action for Vermont. **Bottom right:** Lawmakers and advocates from the environmental community gather in Montpelier for the reception of VCV's 2024 Rising Star Award, which was given to Sen. Anne Watson (D-Washington) and Rep. Mike Rice (D-Dorset).

