



**Friends of the Winooski River**

PO Box 777  
Montpelier VT 05601

info@winooskiriver.org • 802-882-8276

July 27, 2017

Agency of Natural Resources  
1 National Life  
Montpelier VT 05601

RE: Clean Water Funding

Dear Vermont Clean Water Initiative:

I am writing to express support for the comments that Watersheds United Vermont has submitted regarding funding. I want to add few more specific comments as to how I believe funds can be more quickly and efficiently allocated to specific projects.

As WUV notes, watershed groups often have intimate knowledge of and strong relationships in the communities in the watershed. It is not uncommon for staff, officials or concerned citizens to reach out to us on specific areas of concern. This puts us in a unique position to work through issues regarding the design and implementation of water quality projects. As the letter notes, even if a project is on public land or wholly within the ROW, public understanding and acceptance is key. In a recent conversation, a Public Works Director of one of the larger non-MS4 communities in the watershed stated that one of the most important things the Friends could do to help is educate the residents on specific municipal projects as to their need and value as well as providing general education. We can help engage residents on projects that involve the ROW near their property or their property itself.

Here are three projects, currently in construction phase, that illustrate this relationship:

- **Huntington Town Garage:** A member of the Conservation Commission sent us photos of a direct flow of sediment-laden stormwater into the river. The technical solution was not particularly difficult, however, there were several competing interests and concerns (Conservation Commission, Select Board, Road Foreman and Recreation Committee). The Friends were able to work through these. Also in this particular case, the Friends wrote, in the Town's name, both the design and construction grant applications (LCBP). We served as both project and grant manager to relieve the staff of that burden. The time needed for grant writing and management as well as project management is a concern to many municipalities.
- **Smilie School:** Again, a Conservation Commission member alerted us to a stormwater runoff issue into Joiner Brook. As with the Huntington garage, technical solutions were relatively easy to design but several 'social' issues such as how to maintain VAST access, parking on Town Meeting Day and rearranging the dumpster access needed to be resolved. These may sound small or perhaps even silly but issues like these make or break the implementation of small but valuable projects. The Friends wrote and managed both the design and construction grants (LCBP).
- **Park/Winter Meadow drainage (Barre City):** The Friends were contacted by a resident of a steep neighborhood in Barre regarding runoff and erosion issues. The Friends received an ERP grant that created a stormwater master plan for the neighborhood and in partnership with the City, we conducted

outreach to several private landowners. This was an iterative process. The result was final designs for 3 projects on a combination of public and private land. The City has a current ERP implementation grant (written by the Friends) to construct these practices.

In all three of these cases, it was important to have strong community ties, both to gain acceptance of the projects and to provide the additional resource to write and manage the grants and projects. Related to this, I want to address how the State may create variation on the block grant process to leverage these relationships, using stormwater as an example.

When a stormwater master plan is completed, projects are scored and ranked with respect to priority. Priority projects, in many cases, have been placed on the Go List. It is my understanding that this makes it possible for block grant recipients to pursue them without further approval from ANR. Some of these projects have 30% designs, some no design. Our suggestion is to simply do a 'block grant' on a smaller scale. That would allow an organization such as the Friends, working in partnership with its municipalities, to advance Go List projects to 100% design with landowner and/or public acceptance. As an illustration, the application would state that out of 20 priority projects on the Go List, the Friends and its municipal(s) partner will complete 100% designs on 8 of them. I believe this is effectively what the current block grant process is trying to do—to not have to reexamine every project from a priority perspective as a separate application. However, to identify and manage projects still in design from a state level creates layers of reporting and degrees of separation that are inefficient. It is much more difficult to address the social concerns during design from afar. Even if a project is on the Go List, there is no guarantee that there is a design that will be acceptable, especially if it involves private land or public land that is highly visible or used by many parties.

With respect to the partner funds, I am a little confused as to the projects and organizations they are intended to address and support. My only specific insight into this is my understanding that VYCC was hired to assess erosion around stormwater outfalls in at least a few municipalities. I can't speak for other watershed groups but the Friends have participated in almost all of the IDDE studies in the watershed outside of the MS4 communities. In addition to sampling the outfalls, those studies gathered basic data on the condition of the outfalls. We could have built on that data and experience, probably trained volunteers to do this and perhaps done this for less money than VYCC. It would allow us to further leverage and expand our relationships with our municipalities, which benefits the State over the long term to improve water quality, instill stewardship and build capacity. This may be a one-off situation but it may be to your advantage to disburse these funds more widely or to put these types of projects out for consideration by other organizations.

I am happy to talk about these ideas more in person if that is helpful.

Sincerely,



Ann Smith  
Executive Director



August 1, 2017

Vermont Clean Water Initiative  
Watershed Management Division  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3522

**Re: CLF's Comments on the Clean Water Fund Draft FY19 Budget and the Clean Water Initiative**

Sent via email: [bethany.sargent@vermont.gov](mailto:bethany.sargent@vermont.gov)

Dear Vermont Clean Water Initiative:

The Clean Water Fund budget process is an important opportunity to evaluate the State's progress toward clean water and achieving the benchmarks set forth in the Lake Champlain TMDL.<sup>1</sup> Raising sufficient revenue and effectively allocating these resources is critical to project implementation and cleaning up Vermont's waters.

According to the State Treasurer, the annual cost for complying with Vermont's water obligations is \$115 million. Existing funding sources cover \$53 million annually for water quality, which leaves a gap of \$62 million per year.<sup>2</sup> The Clean Water Fund was established to help close this gap, generating roughly \$5 million each year for water conservation projects.

Vermont's Clean Water Act (Act 64) charged the Secretary of Administration with administering this fund with a Clean Water Fund Board (the Board) to recommend expenditures. The Board is composed of the Secretaries of Administration; Natural Resources; Agriculture, Food and Markets; Commerce and Community Development; and Transportation.<sup>3</sup>

Informally, the Board formed an interagency partnership to oversee clean water work called the Vermont Clean Water Initiative (the Initiative). The Initiative consists of the

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<sup>1</sup> Phosphorus TMDLs for Vermont Segments of Lake Champlain (June 17, 2016) (hereinafter Lake Champlain TMDL).

<sup>2</sup> Clean Water Report Required by Act 64 of 2015 (January 15, 2017) (hereinafter State Treasurer Report).

<sup>3</sup> 10 V.S.A. §1389

same members as the Board; however it is unclear if it is similarly commanded by the Secretary of Administration. While their recent Investment Report limits the Initiative to an interagency partnership,<sup>4</sup> the Initiative's website includes municipalities, local and regional partners, farmers, businesses, and the public as collaborators within the Initiative.<sup>5</sup>

As is apparent from a brief summary of clean water actors, the roles and responsibilities for clean water work are ambiguous. What exactly is the Initiative? What is the interplay between the Initiative and the Board? How are disputes between agencies resolved? With these uncertainties, CLF is concerned Clean Water Funds will be mismanaged.

Therefore, we recommend the agencies involved with clean water funds and project implementation (i.e. the Initiative) formalize their relationship through a Memorandum of Understanding (MOU). The MOU would include a leadership framework to ensure accountability for spending, an outline of each agency's responsibilities, and a mechanism to raise and address potentially conflicting policy positions between agencies. Even with these reforms, a non-partisan entity above the political foray may be required to lead the charge on clean water.

In our comments below, CLF first provides feedback on the Clean Water Fund draft FY19 budget. Next, we critique the Initiative's approach and success at addressing water quality challenges. These concerns substantiate our ultimate conclusion that a more formalized structure such as an MOU is necessary to effectually spend taxpayer dollars.

### **CLF Comments on the Clean Water Fund Draft FY19 Budget**

#### **The Initiative's Disjointed Priorities for Clean Water Funding**

The Initiative is reliant on multiple planning processes to direct funding and project priorities. One such process is Tactical Basin Planning. As outlined in the Lake Champlain TMDL, Tactical Basin Plans (TBPs) are the backbone of the Implementation Plan<sup>6</sup> and the framework for achieving the necessary phosphorus reductions.

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<sup>4</sup> Vermont Clean Water Initiative 2016 Investment Report (December 30, 2016) (hereinafter Investment Report), Acknowledgments and Executive Summary.

<sup>5</sup> Vermont Clean Water Initiative, <http://dec.vermont.gov/watershed/cwi>.

<sup>6</sup> Lake Champlain Phosphorus TMDL Phase I Implementation Plan (September 15, 2016) (hereinafter Lake Champlain Implementation Plan).

Accordingly, the Initiative should rely on each of the 15 TBPs to set funding and project priorities specific to each sub-basin.

The Initiative also makes funding recommendations based on the priorities laid out in Vermont's Clean Water Act (Act 64). While there is significant overlap between the top objectives of each TBP and those of Act 64, there are some discrepancies. Furthermore, in the draft FY19 budget, the Initiative only examines how funding decisions reflect the language of Act 64 without commenting on the importance of TBPs. CLF is concerned the TBPs are not appropriately incorporated into the draft FY19 budget

In contrasting the two most recent TBPs, Missisquoi Bay<sup>7</sup> and Lamoille River,<sup>8</sup> with Act 64 priorities, there are some notable differences. Protecting very high quality waters is a top strategy in both the Lamoille and Missisquoi TBPs; however the draft FY19 budget does not mention any specific efforts to prevent degradation of Vermont's highest quality waters.

Each TBP also stresses climate resilience with several objectives in each TBP dedicated to natural resource restoration, including wetland and floodplain restoration, river corridor protection, riparian area protection, and stream equilibrium support. While Act 64 includes a priority to restore riparian conditions, the draft FY19 budget only awards five percent of funds specifically to natural resource restoration. This limited level of commitment seems incongruous with the number of objectives dedicated to climate resilience in the TBPs. CLF further discusses this concern below.

### **The Initiative Has Underfunded Climate Resilience Projects**

From climate trend data, Vermont can expect warmer temperatures and more intense precipitation in the future.<sup>9</sup> Precipitation is closely tied to water quality since stormwater runoff often causes streambank erosion and carries pollutants to waterways. Given the predicted increase in severe weather events, the Initiative has recognized the importance of managing rivers to meet and maintain dynamic equilibrium conditions.<sup>10</sup>

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<sup>7</sup> Missisquoi Bay 2016 Tactical Basin Plan, pg. viii.

<sup>8</sup> Lamoille 2016 Tactical Basin Plan, pg. 8-9.

<sup>9</sup> Lake Champlain Implementation Plan, pg. 152.

<sup>10</sup> *Id.* pg. 163.



CLF agrees that flood resilience and natural resource restoration should be a top priority of the Initiative. There are fewer regulations in place to protect our river corridors and floodplains, meaning much of this work will remain incomplete without significant public investment. In addition, the co-benefits to public safety and economic stability cannot be ignored - Tropical Storm Irene caused more than \$733 million in damage to 800 buildings and 500 miles of roads.<sup>11</sup>

The proposed draft FY19 budget for the Clean Water Fund includes \$200,000, or five percent of the total budget, for natural resources restoration.<sup>12</sup> This low prioritization is consistent with spending last year, which saw a mere ten percent of funds invested in natural resource restoration.<sup>13</sup> CLF encourages the Initiative to reevaluate the importance of floodplain and river corridor protection to prepare for future climate impacts on water quality.

### **CLF Comments on the Clean Water Initiative**

#### **The Initiative's Inconsistent Leadership on Clean Water Funding**

During the final weeks of the legislative session, the Senate diverted \$1 million from the Clean Water Fund to support affordable housing. Despite the significant loss of 20 percent of Clean Water Funds, the Initiative did not publicly oppose this transfer. It is CLF's understanding that the Governor supported the diversion, and therefore the Initiative's hands were tied in opposing any reduction to clean water funding. This scenario highlights the inherent dysfunction of the Initiative being comprised solely of members of the Governor's administration. It is critical that the State place our clean water obligations above politics.

#### **The Initiative's Internal Conflict on Clean Water Funding**

Secretary of Administration Susanne Young offered testimony on March 2, 2017 to the House Committee on Ways and Means requesting more time to review existing revenue sources before creating additional, long-term funding streams for clean water. Yet, at the same time, the Initiative claims "[t]o keep pace with the high demand for clean water funding, the State is working to establish *additional* revenue

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<sup>11</sup> Pierre-Louis, Kendra. "Five Years After Hurricane Irene, Vermont Still Striving for Resilience," Inside Climate News, September 1, 2016.

<sup>12</sup> Vermont Clean Water Fund SFY19 Distribution Priorities for FY19 Draft Budget (June 30, 2017).

<sup>13</sup> Investment Report, pg. 14.

sources to close funding gaps” [emphasis added].<sup>14</sup> It remains unclear whether or not the Initiative is committed to establishing additional revenue sources.

Throughout 2016, the Initiative worked with the State Treasurer to evaluate and recommend long term funding sources for clean water. As a result of this process, the State Treasurer produced a report in January 2017 in which she recommended establishing a long-term funding plan and acting early to create a sustainable track record on clean water.<sup>15,16</sup> The Initiative, as a primary collaborator to this report, again appears to agree that additional funding is needed for clean water projects.

CLF is concerned with the apparent conflict within the Initiative. On one hand, the Initiative has offered testimony asking that action on long-term funding be delayed. At the same time, the Initiative acknowledges the need for additional revenue sources and supports the State Treasurer’s conclusion that an early, proactive long-term funding plan is needed. The Initiative worked through a nine-month stakeholder process with the State Treasurer to conclude long-term funding is needed now for water quality, only to backtrack in front of the legislature and ask to delay action on funding. CLF believes the Initiative requires consistent leadership that will promote long-term funding despite any political opposition.

### **The Initiative’s Opposition to Mandatory Water Protections**

The Initiative committed to certain water protections in the Lake Champlain Implementation Plan and the Investment Report. In particular, the Agency of Agriculture, Food, and Markets (a key member of the Initiative) is required to update the Required Agricultural Practices in 2018 to include requirements for addressing the agricultural practice known as tile drains.<sup>17</sup> The Initiative reaffirmed this obligation in the Investment Report.<sup>18</sup>

However, the Agency vehemently fought to delay this obligation throughout the legislative session. Despite a written commitment to clean water in the Implementation Plan and Investment Report, the Agency ardently sought to shelve rulemaking on tile drains until 2022, a four-year delay.

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<sup>14</sup> Investment Report, pg. 10.

<sup>15</sup> State Treasurer Report, pg. 78.

<sup>16</sup> *Id.* at 81.

<sup>17</sup> Lake Champlain Implementation Plan, pg. 97.

<sup>18</sup> Investment Report, pg. 49.



While the 2018 deadline is a statutory mandate under the Vermont Clean Water Act (Act 64) with no room for agency discretion, CLF finds it particularly disingenuous for the Initiative to author several reports in which it reiterates its commitment to regulate tile drains by 2018 only to oppose this action during the legislative session.

### **The Initiative's Demonstrated Limited Capacity for Managing Funds**

Last session, the General Assembly appropriated an additional \$2.25 million to the Ecosystem Restoration program (ERP), providing \$6 million for FY18. This funding is critical for watershed groups, municipalities, and regional organizations to address nonpoint source runoff and nutrient pollution. In several committee rooms, legislators warily consented to the additional flow of dollars supporting the investment in clean water, but emphasized the need for accountability on how these dollars are spent.

Despite the urgency in efficiently and effectively spending the influx of funds from the General Assembly, the Initiative is lagging in project implementation. Due to a bottleneck at the Agency of Natural Resources, many ERP grant recipients have waited over six months for their grant contracts and have therefore been unable to begin work on critical projects. The end result is a delay in project implementation and some on-the-ground partners have opted not to submit applications for future rounds of ERP funds.

Equally frustrating is the uncertainty surrounding municipality requirements and timeframes. Nine months ago, municipalities of a certain size (small municipal separate storm sewer systems, or MS4s) submitted Flow Restoration Plans (FRPs), plans to manage the quantity and quality of stormwater runoff. Many of the FRP projects were presented to the House Committee on Corrections and Institutions as proof of shovel-ready, capital-eligible projects<sup>19</sup> - meaning the Agency relied on FRP projects to assure the General Assembly that any appropriated funds would be efficiently and effectively spent.

However, the FRPs have yet to be approved or denied, and the timeframe for agency action remains murky. Municipalities are left in limbo as to whether their project lists will or will not be rejected. At the same time, the Clean Water Fund is prioritizing stormwater improvement projects such as those included in the FRPs, especially now during the Fund's first three years.<sup>20</sup> Therefore, the Clean Water Fund risks being

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<sup>19</sup> Testimony by Rebecca Ellis, DEC Watershed Project List (April 27, 2017).

<sup>20</sup> See Vermont Clean Water Fund SFY19 Distribution Priorities for FY19 Draft Budget (June 30, 2017) ("Prioritize awards to municipalities for compliance with water quality requirements during the first three years of the Clean Water Fund").



underutilized by municipalities awaiting a decision on their FRPs. Meanwhile, the prime summer construction season is passing as these “shovel-ready” projects languish.

To conclude, CLF questions the ability of the Initiative to drive clean water progress while steeped in politics. The Initiative seeks to balance a number of political and policy objectives, leaving clean water work in the precarious position of being pitted against competing interests. CLF believes an MOU to formalize the relationship between the agencies of the Initiative is necessary to mitigate some of our concerns. However, even with an MOU, a third entity may be required to successfully and consistently steer clean water work and ensure results.

Thank you for the opportunity to provide input. We hope you take these comments into consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebekah Weber", with a long horizontal flourish extending to the right.

Rebekah Weber  
Lake Champlain Lakekeeper  
Conservation Law Foundation



August 15, 2017

Ms. Kari Dolan  
Program Manager  
Clean Water Initiative Program  
Vermont Dept of Environmental Conservation  
One National Life Drive  
Montpelier, VT 05620-3522

Via Email: [Kari.Dolan@vermont.gov](mailto:Kari.Dolan@vermont.gov)

**Re: Comments on the FY19 Recommendations by the Clean Water Fund Board**

*Please Note: These comments are amended on this date to include an additional signatory party. The substance of the comments has not changed from those filed on August 2, 2017.*

The Lake Champlain Committee, the Vermont Chapter of the Sierra Club, the Vermont Natural Resources Council, Vermont Conservation Votes, Vermont Businesses for Social Responsibility, the Lintilhac Foundation, and Lake Champlain International appreciate the opportunity to offer input and ask questions regarding the Vermont Clean Water Fund Draft Distributions for the FY19 Draft Budget. We offer general comments on the overall proposal followed by comments on specific revenue allocations.

## **General Comments**

Although not part of the FY19 allocation recommendations, we thank the Agency for its hard work to allocate the funding secured for FY18 as part of H.519 “An act relating to capital construction and State bonding.” While the funds are restricted in use and limited to capital projects, the Clean Water Act Implementation Project funds represent a solid start on what is needed in the long term to clean up Lake Champlain and Vermont’s waters.

Overall, in the process from determining allocation by sector to the actual distribution of funds for specific projects, there must be transparency, accountability, and cost-effective use at all decision-levels. This must be applicable to all agencies, even if it means developing new internal systems and safeguards that are not currently in place. If a particular agency is unable to accomplish this, we request that the responsibility be transferred to an agency that can meet these standards. To ensure that funds are used in the most cost-effective manner to achieve the optimal impacts on water quality, all allocations and expenditures must be tracked and monitored with the information available for public review. There must be accountability for the use of the funding. Of specific concern are funds used for municipal roads, particularly if the funds are given to a municipality or town as a block grant to be used on a number of road projects. Any revenues distributed from the Clean Water Fund must be used in the most cost-effective manner to achieve the goal of improved water quality.

As a general comment on the suggested FY19 revenue allocation, since the Capital funding is restricted to certain projects, the unrestricted revenue from the approximately \$4 million Property Transfer Tax Clean Water Surcharge should be allocated to programs and projects that cannot utilize capital funds. Specifically, more unrestricted funds overall should be shifted to agricultural programs, particularly technical assistance for farmers, as capital funding is largely dedicated to development, municipalities, and roads projects. Agricultural technical assistance programs are important early in the process, as they will pay large dividends going forward as management practices change and less phosphorus and sediment is discharged into Vermont waters.

## **Specific Comments**

#3. Support for the Agronomy and Conservation Assistance Program (ACAP). This sector is a prime example of the use of unrestricted funds as mentioned in the general comments. ACAP offers technical assistance to farmers; in many cases, it would just be one-time assistance to facilitate better farm management that would pay dividends in the long run. It is also our understanding that the Agency of Natural Resources (ANR) seeks to shift this program to the Agency of Agriculture, Farms & Markets (AAFM). This is acceptable as long as AAFM can efficiently and effectively distribute the funds to the necessary programs. ANR may want to consider a block grant to the University of Vermont Extension or another entity to provide much of the on-the-ground support.

#4. Project support for partner implementation. The more than doubling of this program will supply technical support for project implementation, a service that will likely be in greater demand due to the amount of capital eligible projects that will be undertaken.

#5. Improved water quality monitoring. Accountability is necessary and monitoring needs to occur to ensure that the money, especially the new Capital funding, is spent on cost-effective projects. Therefore, we ask that this be bolstered in 2020 and subsequent years to well above current levels.

#6. Investment in innovative technologies. We ask that you please provide greater detail on the goals of this allocation. As it is a relatively small dollar amount, it does not seem cost-effective to allocate the funds on technologies or practices in a number of sectors. Rather, it seems these unrestricted funds would be best used for agricultural technical assistance, as indicated above.

#9. Municipal Road Grants-in-Aid Pilot Project. It is our understanding that these funds will be directed to towns and municipalities to initiate the Municipal Roads General Permit, which is certainly needed by towns that lack the capacity to start without some assistance. As tension between towns is likely regarding the amount each receives and the factors that determine this, the Agency must closely track how the money is used and ensure cost-effectiveness. There must be accountability to ensure that the funds are used to upgrade the roads that will have the most immediate impact on water quality, as opposed to projects unrelated to water quality, particularly repairing roads that have no nexus to waterways.

#10. Flood Resilience / Water Quality. More funds need to be allocated to this program, as there must be an increased focus on easements and restoration. For some floodplains, particularly those in agricultural use to grow crops such as corn, the most effective way to protect water quality is simply to ease or purchase the land so it is taken out of use. We recommend that the \$200,000 from the Clean Water Fund available for planning purposes be dedicated to identifying such parcels of land in floodplains to take out of use, as well as identifying owners willing to put parcels of land into easement and take them out of production. In future years, Capital funds could be used to implement this approach.

#14. Municipal gravel and non-gravel stormwater mitigation projects. As with #9, we ask that the implementing agency track and monitor the use of these funds to ensure they are used in the most cost-effective manner to provide optimal gains in water quality, rather than just the priorities of the municipality.

#16. Stormwater payments to municipalities with stormwater utilities. The Agency of Administration needs to justify these expenditures, as it seems that the money could be better spent on other programs, such as the aforementioned agricultural assistance or the purchase of floodplains. While 10 V.S.A. §1389(e)(1)(H) does indeed allow for “[f]unding to municipalities for the establishment and operation of stormwater utilities,” subsection (H) is the last in the series of eight priorities listed under (e) “Priorities” (1) “In making recommendations . . . the Board shall prioritize.” It is likely that legislative intent put it last in the priority list for a reason. The expenditure of funds allocated might be justifiable if it were for the “establishment” of a utility, as in one that is not yet operational, but the payment of \$25,000 to a municipality that already has a stormwater utility seems frivolous when there are so many other needs for these funds.

#17. Funding for municipalities to incorporate stormwater management strategies. The Agency of Commerce and Community Development needs to justify this allocation. This unrestricted Clean Water Fund money could be used on other projects in a more cost-effective manner to achieve water quality. One would assume that municipalities, particularly those under a Municipal Separate Storm Sewer System (MS4) General Permits, already have to develop such comprehensive transportation, land use and economic development action plans, so this appears to be a redundant expenditure used to offset local budget concerns.

#18 Capital improvement within or serving a designated downtown. As above, we ask that the Agency justify this allocation. While these are Capital funds and not unrestricted Clean Water Funds, it is not clear how this is the best use for these funds to improve water quality.

#19. VHCB funds for Clean Water Conservation and Farm Improvements. ANR must ensure that these funds be used in coordination with the Tactical Basin Plans, rather than potentially used for other Vermont Housing and Conservation Board (VHCB) conservation priorities. Since this allocation is from Capital funds that are designated for enhancing water quality, they should be used for “[s]tatewide water quality improvement projects,” and not for “other conservation projects,” even though this is stipulated in H.519 § 11(d)(1). It is the spirit and intent that the funds be used for clean water improvements, and not for other conservation projects.

**Conclusion:**

Thank you for the opportunity to comment on the proposed FY19 allocations from the Clean Water Fund Board. We urge the allocation of funds and distribution to projects be transparent and accountable with the monies used in the most cost-effective manner to protect and enhance water quality of Lake Champlain and other Vermont waters. We appreciate the Agency’s diligence in getting the FY18 funds distributed in such a short time frame.

Sincerely,



Lori Fisher  
Executive Director  
Lake Champlain Committee



Mark Nelson  
Chair  
Vermont Chapter of the Sierra Club



Jon Groveman  
Policy and Water Program Director  
Vermont Natural Resources Council



Lauren Hierl  
Political Director  
Vermont Conservation Voters

Daniel Barlow  
Public Policy Manage  
Vermont Businesses for Social Responsibility



Crea Lintilhac  
Director  
Lintilhac Foundation



Juliana Dixon  
Program Manager  
Lake Champlain International

cc: Susanne Young, Secretary, Agency of Administration  
Anson Tebbets, Secretary, Agency of Agriculture, Food & Markets  
Michael Schirling, Secretary, Agency of Commerce and Community Development  
Julie Moore, Secretary, Agency of Natural Resources  
Joe Flynn, Secretary, Agency of Transportation

**CCRPC Comments on the  
Clean Water Fund SFY19 Distribution Priorities for FY19 Draft Budget  
Approved by the CCRPC Executive Committee on August 2, 2017**

The Clean Water Advisory Committee and the CCRPC Executive Committee thank the State's Clean Water Fund Board (CWFB) for this opportunity to comment publicly on the water quality funding decision making process. While the provided survey has been made available to our Committee members we would like to take the opportunity to provide more detailed comments from a municipal perspective. We appreciate your valuable time and efforts on this issue of paramount concern for all Vermonters.

**State-Wide Per-Parcel Fee:**

We endorse the implementation of a state-wide funding per-parcel fee that spreads the costs of water quality improvements among all Vermonters, including tax exempt properties. As appropriate as the state-wide fee is as a funding method, multiple municipalities have previously implemented a per-parcel fee in the form of a stormwater utility. Therefore, we ask the CWFB to recognize existing stormwater utilities and allow them the flexibility to continue to meet State permitting and TMDL requirements through the funding mechanisms they already have in place.

Property owners subject to existing stormwater fees should not be "double charged". To avoid double charging stormwater utilities it is suggested that utilities be exempt from state fees that are lower than a municipal fee. If state fees are higher than any given municipal fee it may be appropriate for those parcel owners to contribute the difference between the two fees to the Clean Water Fund. Essentially, any state-wide fee levied for the purpose of water quality should not reduce funding available for municipal stormwater programs/utilities, nor should municipal local management of stormwater render it ineligible for state grant/loan programs.

**Collection of Per-Parcel Fees:**

While collection may be most cost effective if administered at the state level, a detailed analysis of the cost of administration for the available options is needed. Municipalities have major concerns about being asked to bill on behalf of the State including tax exempt properties that do not currently receive municipal bills. Accordingly, we suggest that an analysis be performed to determine the collection method which has the lowest administrative cost. Regardless of state, local/regional, or a third-party collection similar to Efficiency Vermont, the method resulting in the lowest administrative costs will provide the greatest net amount of funds for water quality improvements.

**Long Term Costs of Operation and Maintenance:**

It is important to keep in mind that costs estimated in the recent Treasurers Report do not include project planning and development costs or ongoing operating and maintenance costs, which may be as much or more than the capital costs on an annual basis and are ongoing through the design life of a project. Considering these additional project planning, operating and maintenance costs, the state should raise enough revenue to cover no less than 80% of capital costs. Additionally, the state should consider funding the costs for engineering at 100% which could help to accelerate the development of new projects, especially for smaller towns.

**Funding Efforts and State/Municipal Communication:**

Vermont DEC recently created a number of new water quality funding programs. Unfortunately, these new programs had a very tight turnaround time which didn't allow municipalities sufficient time to plan or budget according to funding eligibility requirements. Leading up to the most recent round of grants, municipalities were contacted by multiple branches of DEC, none of which described the context of their information requests. This lack of background from the state resulted in confusion and inadequate information sharing at the municipal level. The grant application period is also occurring during summer

construction season, a time of year when it is very difficult for municipalities to pull new projects together. As noted above, these funding programs do not provide significant funding for project development (i.e., engineering). In the future, it would be helpful for state staff to be more forthcoming and transparent with justification for their requests and to coordinate their efforts to prevent municipalities having to answer similar questions multiple times. For future state/municipal coordination efforts, we request careful consideration of funding timelines, to include traditional bidding and construction schedules and capital planning processes as well as municipal annual budget processes that typically take place each fall.

Municipalities have been told that the reason for these issues is that the legislature has put pressure on DEC to spend enough FY18 funds to facilitate receiving adequate FY19 funds. However, since we (municipalities) weren't given a reasonable amount of time to develop and plan projects it will be difficult to use these funds to the extent that DEC and others are hoping. This is further exacerbated by the fact that DEC is offering solely a 50% grant on non road-related projects for MS4 communities (as opposed to the 80% grant for non-MS4's). This grant allocation punishes the communities that have performed the most advanced planning efforts as part of their Flow Restoration Plans, and are therefore more likely to have "shovel ready" projects for implementation. CWAC members have been told that the reason for this is to facilitate the geographic spread of projects across the state. While this may be a reasonable policy goal, it is unreasonable to strive for geographic equity in each fiscal year when certain areas of the state may require different levels of effort at varying times. Geographic equity may take place over a number of years therefore allowing the state to provide an influx of funds when and where needed.

**Clean Water Fund Allocations:**

Clean Water Funds should be prioritizing the development and implementation of both municipal and agricultural water quality projects. Over the short term (2-5 years), the Clean Water Funds should simultaneously allow for significant project development and not solely focus on construction. Over the longer term (5-20 years), the Clean Water Fund Board can continue to increase the percentage of implementation projects while phasing out engineering efforts.

Ultimately, when it comes to constructing water quality improvements, municipalities have the potential to be DEC's largest, most cooperative, and most effective partners. As such, the funding programs developed by DEC will be far more successful if they take into account the suggestions above and consider the timelines by which municipalities operate.

## Watersheds United Vermont's Comments on the Clean Water Fund Draft FY19 Budget Allocation

August 2, 2017

Dear Vermont Clean Water Initiative,

Thank you for the opportunity to comment on the Clean Water Fund Budget Allocation for FY19.

Watershed groups are significant and important partners in achieving clean water goals for the State of Vermont. Watersheds United Vermont (WUV) is a state-wide network of local groups dedicated to the health of their home watersheds. Our mission is to empower community-based watershed groups in all parts of the state to protect and restore Vermont's waters. Watersheds United Vermont's comments are focused on four areas:

1. A need for an increase in education and outreach funds and an expansion of how education and outreach are defined;
2. A need for additional funds for scoping and design projects;
3. A need for an expansion of funds for protection and restoration of natural resources;
4. A need to include watershed groups under partner support.

Increased Education and Outreach Funds. In the Vermont Clean Water Fund SFY19 Distribution Priorities for FY19 Draft Budget, priority E is to "provide education and outreach regarding the implementation of water quality requirements". WUV fully supports this priority and feels strongly that education and outreach are currently not supported enough and that providing targeted education is a key component to achieving clean water goals. The more aware people and communities are about how they can improve water quality, the more likely it is for individuals, landowners and municipalities to take action that will lead to water quality improvements. Currently, the dollars in the draft allocation budget for education/outreach are very limited and directed only at technical assistance, which is an aspect of education, but only a limited piece. We recognize that Clean Water Fund dollars must be tied to direct measurable outcomes, but we believe that this can be achieved with education and outreach beyond technical assistance and that more robust support for comprehensive education and outreach efforts will go much further to accomplish clean water goals.

The design and implementation of many water quality improvement projects, unless mandated by permit, require the understanding and acceptance of projects by the specific landowners and often the community as a whole. We recommend that you expand education and outreach beyond technical assistance to include targeted education around the implementation of plans, such as stormwater master plans, or goals from tactical basin plans, river corridor plans, etc. This could include education around buffer planting, floodplain protections, private road and driveway management and stormwater management.

Using stormwater as an example, many municipalities have or will soon have Stormwater Master Plans in hand. Watershed groups have intimate knowledge of their communities and can serve as partners to gain landowner/public acceptance that will move a suite of projects through design and into implementation. We recommend that you allow watershed groups with support of a municipality or group of municipalities to submit an application that will use the Stormwater Master Plans (or other appropriate plans) as the basis to develop a targeted education and outreach program. An expanded variation could be an application that combines this targeted outreach to result in some number of designs. The application would not be required to identify specific projects upfront, but rather will

develop a certain number of projects identified as a priority in the Stormwater Master Plan (or other plans). Since they are identified in these plans, the State could then consider these projects part of their “Go List” and prioritize these projects for action. This will allow groups to focus on the most likely successes but still ensures they are working on projects that the State and municipality see as a priority.

Additional funds for scoping and design projects. This folds into our second point that there needs to be more dollars for scoping and design if we are to successfully get to shovel ready implementation projects. It has been clear talking to watershed groups (and this extends beyond watershed groups) that they do not have the resources they need to pursue scoping and design and therefore, in many cases, are not able to move important projects to the implementation stage. There needs to be state investment in the scoping and design portion of projects if we are to have enough implementation projects to reach clean water goals. While we understand that many of the dollars from the clean water initiative are tied to capital funds, WUV recommends that those dollars not tied to capital funds (ie funds from the Property Transfer Tax) be used to help support scoping and design work.

Increased funds for protection and restoration of natural resources. In addition, WUV asks the state to further prioritize natural resource protection and restoration. In participating in the clean water funding meetings last summer and fall with the State Treasurer and state agency staff, many partner organizations emphasized the importance of prioritizing natural resource protection. Dollar for dollar it is considerably cheaper to protect our resources than it is to mitigate once degraded. And natural resource protection and restoration are not only a cost-effective way of investing in clean water, but also have significant co-benefits as well including flood resiliency. The proposed draft FY19 budget for the Clean Water Fund includes \$200,000 of non-capital dollars for natural resources protection. Tactical Basin Plans and Act 64 set out significant goals in terms of natural resource protection and restoration including river corridor and riparian area protection and restoration. And, yet, only \$200,000 or 5% of the Clean Water Fund, is now allocated to such efforts.

Include watershed groups as potential partners under partner support. Lastly, we want to point out the \$630,000 in “partner support for project implementation involving delivery of technical and implementation services for projects that are identified and prioritized in Tactical Basin Plans, TMDLs, Act 64 and 2016 Combined Sewer Overflow Policy”. We strongly support dollars going to assist partners in their work to accomplish the State’s clean water goals. However, we ask that the State broaden who is eligible for these funds and make them open to all groups, including watershed groups, who are working toward achieving the goals of the above listed plans. Our understanding is that in the past, these funds have been specifically allocated to VYCC and while they too are an important partner, watershed groups are often on the ground working on projects and need the support from the State to continue to do their work. Watershed groups have intimate knowledge of their communities and the projects that need to be done, but they must have the capacity to accomplish the work.

While not specific to the allocation of dollars, in order for the Clean Water Initiative to be successful, groups and municipalities must have timely contracts from the State to do their projects. Organizations and municipalities have waited over six months for contracts on ERP grants from last fall and, in some cases, are still waiting. This has prevented projects from being initiated and has delayed important water quality projects from getting done.

Lastly, we strongly encourage the State to push for the full level of funding allocation as set out in the Clean Water Report Required by Act 64 of 2015 (January 15, 2017) by the State Treasurer's office. We ask that the Agency of Natural Resources and the Clean Water Initiative make it clear to the Legislature that the full level of funding is critical to meet our obligations under TMDLs and Act 64 and, most importantly, for Vermont to have swimmable, drinkable, fishable clean water across the state.

Thank you again for the opportunity to comment. And thank you for your commitment to clean water!

Lyn Munno  
Director  
Watersheds United Vermont  
watershedsunited@gmail.com

**Attention: Vermont Clean Water Initiative**  
**Department of Environmental Conservation**  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3522

**Julie Moore**  
*Agency Secretary*  
1 National Life Drive  
Davis 2  
Montpelier, VT 05620-3901

**Executive Office of Governor Phil Scott**  
109 State Street, Pavilion  
Montpelier VT 05609

**Town of Rockingham**  
**Village of Bellows Falls Select Board**  
**Village Trustees**  
**Emmett Dunbar, Development Director**

**Scott Sharland**  
Greater Falls Connections  
44 School Street  
Bellows Falls VT 05101

Hi to All,

As a citizen and taxpayer, I would like to put forth my input on the following Clean Water Survey.

This letter speaks of Vermont DEC Clean Water Fund Survey and a topic matter which also links into some 'Proposed Investments' noted below.

I have copied and pasted from various websites information and have not changed any wording or corrected any spelling. I did however **bold out in black** and underline important segment(s).

The following segment is a clip copied from an email by the following:

**Gary Holloway / Downtown Program Coordinator**  
**Community Planning and Revitalization**

Good news that will help our downtown and village programs. The state's Clean Water Fund has proposed investments to enhance the effectiveness of the Downtown Transportation Fund and the Better Connections program

Two proposed Investments:

[Downtown Transportation Fund \(DTF\)](#) - This fund helps municipalities pay for transportation-related capital improvements within or serving a designated downtown. Clean Water Initiative capital funds would allow

municipalities to incorporate stormwater management BMPs into the corresponding transportation (streetscape) improvement in the designated downtown. Requesting \$200,000 in CWI funds for FY2019 to add to the existing DTF funding

The ACCD/VTrans planning grant program align state and local investments to increase transportation options, build resilience and economic vitality in downtowns and villages. Clean Water Initiative planning funds would provide funding for municipalities to incorporate stormwater management strategies into a comprehensive transportation, land use and economic development action plan. Requesting \$100,000 in CWI funds for FY2019 to add to the existing BC funding.

<http://dec.vermont.gov/watershed/cwi/cwf>

## CLEAN WATER FUND

The Vermont Clean Water Fund was created by Act 64, also known as the Vermont Clean Water Act, which was passed by the legislature during the 2015 session and signed into law by Governor Shumlin on **June 16, 2015**. The law also established a Clean Water Fund Board to administer the Fund. **The purpose of the Clean Water Fund is to provide additional state funds to help municipalities, farmers and others implement actions that will reduce pollution washing into Vermont's rivers, streams, lakes, ponds and wetlands.** The Fund is supported by a 0.2 percent surcharge on the property transfer tax on properties over \$100,000. The challenge now facing the state is how to develop a long-term funding solution for the Fund. See the [webpage on developing long term clean water funding recommendations](#) for more information.

If indeed the wording in the above segment titled: CLEAN WATER FUND under Department of Environmental Conservation (DEC) is factual, how can a fund; which was just established over 2 years ago specifically set aside for the purpose of providing additional state funds to help municipalities, farmers and other implement action to **reduce pollution washing into all RIVERS, STREAMS, LAKES, PONDS, and WETLANDS** in the State of Vermont, now be utilized for said proposed investments without addressing any further needs within the Town of Rockingham and outside the following:

- a. Designated downtown
- Or
- b. Villages

I think we all understand what the proposed investments are saying, but there are so many other pressing WATER issues outside the (a and b) items that should be addressed with our tax money via funding:

For example:

1. Funding money to clean up all roadways (all of the time) in and around The Town of Rockingham just to start with, where careless and negligent drivers dispose of their cigarette butts, glass bottles, aluminum cans and assorted trash. In addition, the actual Village of Bellows Falls does have a serious cigarette butt issue. There are either people discarding cigarette butts directly into the water

drainage system or on the ground and eventually those butts are getting into the water sources. Two prior letters have been sent out to various agencies surrounding Village of Bellows Falls cigarette butt issues.

2. Funding money to clean up the garbage being trashed onto the streets from careless, negligent drivers and roll off waste management trucks with inadequate tarps covering the trash. This trash is eventually being transported into the rivers and water drainage systems through rain water erosion or culverts.
3. Funding money to better educate people especially who live along the rivers **who rent or own** to clean up their yards of countless amounts of garbage, rusted items, scrap metal, waste product, dog poop, paint peeling from their homes that might or might not have lead in it.
4. Funding money to shore up the river ways from erosion with bedrock or some other natural material, ie. actual Saxtons River, which and might I add has serious erosion issues if huge rooted trees are falling into the river.
5. Funding money towards projects that make the rivers and waterway cleaner and flow, especially where there are culverts blocked by natural debris and garbage buildup.
6. Funding money towards Waste Water treatment plant maintenance or upgrades that will prevent beating the tax payer over the head with excessive user fees starting in the near future, ie. Village of Saxtons River
7. Funding money for making walkways and nature hikes along the Connecticut River where applicable, ie. Bellows Falls, so people can feel good about their tax money being applied towards some enjoyable natural resource.
8. Funding to fill in low lying areas around the River in Saxtons River that has resulted in prior erosion.
9. Funding or decrease property taxes for people like myself who have to divert water from my basement because some decision was made to put culvert(s) to divert rainwater from one area right into another residential property which might I add, causes displaced erosion and/or creates unnecessary pooling and sitting water that a homeowner has to deal with and absorbs as an expense.
10. Funding for farmers to reduce their fertilizer applications and use something more Eco and Organic friendly.
11. Funding for every farmer to integrate systems that are renewable so they aren't the cause of more water pollution.

Contrary to what every person believes; We all need our local humane treatment, not industrial cow farms; We need our raw milk and We need to eat wholesome organic cheese and dairy products but we also need our clean water sources.

12. Funding money to educate people on ALL the above.

We need to start having a balance in the above as well as the funds supporting these systems. The whole idea of setting up a FUND is to earmark it specifically for that purpose and not utilize it for another FUND. What's the point? It would be like a homeowner opening up 5 checking accounts to pay bills and only utilize one account to pay from.

**There should have been better awareness of this Survey. Unless someone is looking at some related topic, how does all the citizens of the State of Vermont know of this survey? Is it fair to someone renting, not to be aware of such a survey? Is it the sole responsibility of just a homeowner to know about this water survey? Each Village, Town and County needed to make sure everyone had the choice to participate and not find the survey by accident or find out about it after the fact. All these matters effect all of us, not just some of us!! (see enclosed signature sheets). If I was aware of the survey sooner, I could have gotten more signatures before the deadline of Aug 2<sup>nd</sup>.**

The following 3 outlines are probably the most irritant idioms to any person because it involves money, taxes and services. If we pay directly for a service, ie. Go to the food store, we get satisfaction for our money, Go to a restaurant and get a meal, we get satisfaction for our money. Pay for a contractor service to get home improvement, we get satisfaction for our money and so on. Now Pay property taxes or file taxes during tax season, no satisfaction for our money. We consistently pay tax money and get NO satisfaction and this in itself is the most irritant to any person. It appears the Clean Water Fund is no different. We need to know there is some satisfaction for our money.

A. 'rob peter to pay paul' is continually done.

<http://money.cnn.com/2016/01/13/news/powerball-education/index.html>

One Major Example: Where does the money go when you buy a Powerball ticket?

Powerball and other lotteries claim that ticket revenues go to fund state-run programs such as education, parks, emergency responders, veterans' health and other services.

But lottery proceeds don't always get used for their stated purposes. And while about one third of all lottery money returns to state budgets, critics say the money tends to replace -- rather than supplement -- existing funding for the targeted programs.

"Money from the lottery generally substitutes money that would go to education anyway," said Patrick Pierce, a political science professor at St. Mary's College in Indiana. "After a few

years, lottery money earmarked for education tends to find its way into a state's general revenue pool."

One prime example is North Carolina, which started its lottery in 2005, calling it the North Carolina Education Lottery. 100% of the proceeds go to fund North Carolina's public education budget.

But in 2009, the state cut its education funding by 12%. North Carolina **now** allocates a smaller percentage of its budget to education than it did **when the lottery started**.

In the initial version of North Carolina's bill establishing the lottery, the law said that, "lottery net revenues shall supplement rather than be used as substitute funds for the total amount of money allocated for those public purposes." But that **language was stripped** from the final version of the bill.

California, Florida and Michigan also have reduced spending on education over the past decade, allowing lottery funds to supplant existing funding. Other states, including New York, have actually increased spending on education despite using lottery revenues to fund schools

B. **'no we don't have money'** for that project is the Verbiage that comes out when a project does need funds, ie. Trolley's for the Village of Bellows Falls.

C. **'planning and budgeting'** long term ie. 2-10 years from now (again what's the point) One year out is all any FUND OR PROGRAM can handle, because no one knows to keep (letter a) from happening.

In conclusion:

No one is disputing; we all agree we need FUNDS, programs, grant programs but they need to make sense, enhance and support any revitalization effort; not just within the villages but it needs to cover the whole community labeled Town as well. The villages should not become 'white elephants' in the communities.

We are all for public participation but YOU sitting on these boards need to listen to us out here. What is a point of a survey, if people **AREN'T** aware of a survey? YOU as the Board and People of these agencies need to come out and physically look at what WE are talking about out here and don't just patronize us with budgets and unannounced/unaware survey's. It would better foster HOPE to know our TAX dollars are working in and around our homes and the communities on necessary projects instead of being needlessly wasted on excessive overhead expenditure in higher State and Federal levels and/or sent out of this country. Hence my prior point of NO Satisfaction.

In addition, if a transportation project arises within a designated downtown, ie. Trolley request; then the Designated Downtown Village Representative(s) and Director of Development requesting said project funding, should be able to call upon Vtrans and

Better Connection Program who in turn should be able to acquire funds from the Downtown Transportation Fund (DTF), or other transportation funds. There should never be any words uttered from any agency who can acquire funding to say 'there isn't ANY money for your current project request'. What could be rolling out is 'we can budget it in for the remainder of this and next fiscal year and in the event there is some funds that weren't used, we will allocate the money sooner' and make the public aware of it by any means possible. As taxpayers, in the State of Vermont, we have a right to know where our money is being spent. If you keep telling us there is no money but yet ALL of our taxes keep going up and no one is addressing these issues, then we ALL have issues. **Once again Satisfaction for our Money spent.**

If these specific funds exist and they are in place collecting tax money, then there should be no integral issues, STRICT criteria and eligibility requirements for just the local levels or bankrolling one fund to support another. I'm not saying there is intentional behavior, but (letter a) above, could and most often crops up as the culprit. In addition, it's very frustrating for homeowners and even YOU (taxpayers as well) to continue to bear the burden of tax increases, especially PROPERTY TAXES without having representation to know where our money is or ISN'T going WITHIN OUR COMMUNITIES and STATE. **Once again Satisfaction for our Money spent.**

Different website from above

<http://dec.vermont.gov/watershed/cwi/cwf/future>

#### CLEAN WATER FUND: DEVELOPING LONG TERM CLEAN WATER FUNDING RECOMMENDATIONS

The Clean Water Fund was established in June of 2015 when Governor Shumlin signed into law Act 64, the Vermont Clean Water Act. The Fund is supported by a 0.2 percent surcharge on the property transfer tax on properties over \$100,000. The challenge now facing the state is how to develop a funding solution for the Fund. Pursuant to Act 64, the Office of the State Treasurer, in partnership with the Department of Environmental Conservation, the Department of Taxes and other state agencies, submitted a report to the State Legislature, recommending how to fund water quality improvements in Vermont.

<http://accd.vermont.gov/community-development/funding-incentives>

#### FUNDING AND INCENTIVES

Your community has a great re-development opportunity, but the project needs funding. Sound familiar? Luckily a number of federal, state and local resources are available to help. Each program below serves a particular area of interest and has specific eligibility requirements. Program staff can help you find the resources needed to meet your community development goals.

#### **Vermont Community Development Program**

The Vermont Community Development Program (VCDP) assists communities on a competitive basis by providing financial and technical assistance to identify and address local needs in the areas of housing, economic development, public facilities and public services.

#### **Northern Border Regional Commission Grants**

**The Northern Border Regional Commission**, a federal-state partnership for economic and community

development, offers grants to combat economic distress in the counties of Essex, Orleans, Caledonia, Lamoille, and Franklin.

### **Municipal Planning Grants**

These grants help municipalities build and enhance the local framework to guide growth and development in step with the community's goals, values and aspirations. Grants fund town plans and updates, zoning bylaws and other planning-related projects.

### **Downtown Transportation Fund**

This fund helps municipalities pay for transportation-related capital improvements within or serving a designated downtown district. Past projects include parking facilities, pedestrian and streetscape improvements and utility relocation.

### **Downtown & Village Center Tax Credits**

State income tax credits are available to business and property owners with buildings constructed prior to 1983 and located within a State designated downtown or village center. Credits can help defray the cost of historic rehabilitation, façade and code improvements and technology upgrades.

### **Federal Rehabilitation Investment Tax Credits (RITC)**

Administered by the National Park Service, a 20% federal income tax credit is available for rehabilitation of income-producing historic buildings, including multi-family housing. Properties must be listed in the National Register of Historic Places and work must meet preservation standards.

### **Downtown Sales Tax Reallocation**

Municipalities and the project developer may jointly apply to reallocate sales taxes generated by a project located within a designated downtown district. Examples of projects include parking garages, pocket parks and other municipal improvements that enhance the qualified project.

### **Tax Increment Financing Districts**

Municipalities with a designated downtown or growth center may create a tax increment financing (TIF) district to help pay for the public infrastructure (streets, sewer, water, or parking facilities) needed to support new development.

### **Better Connections**

The grant program is a partnership between ACCD and VTrans that supports and guides local investments in transportation options through a wide array of planning activities including, downtown and village center master plans, corridor plans and innovative guidelines and bylaws.

<https://thinkprogress.org/how-farms-across-america-are-using-cow-manure-for-renewable-energy-b49e9ff06e92>

How Farms Across America Are Using Cow Manure For Renewable Energy

Many have heard about how cow farts and manure decomposition both produce harmful methane gas, which contributes to global warming pollution. What is less known, though, is that farms can convert cow manure into renewable biogas, which can power aspects of the farm and prevent that methane from reaching the atmosphere.

While it's no "[catalytic converter](#)" method, it is slowly but surely making its way across America's farms. According to statistics updated by the EPA in November, there are now approximately 220 manure-to-biogas conversion systems operating at commercial livestock farms throughout the United States.

As ThinkProgress [reported last month](#), these so-called "anaerobic digesters" have been used on farms to help process manure for several years. They are essentially just airtight tanks filled with a special mix of bacteria similar to that of the stomach of a cow. Patrick Serfass, Executive Director at the American Biogas Council, calls anaerobic digesters "[optimized cow stomachs](#)." Farm operators make "slurry" out of the cow manure by combining it with water, and feed it into the machine, which creates a biogas

comprised of about 60 percent methane and 40 percent carbon dioxide. The gas is then [collected, treated, and piped](#) to a gas use device. The leftover “digester byproducts” (cow dung without its gas) can be used for fertilizer or potting soil, which some of the farms are selling for some extra revenue. The systems are now installed at 181 dairy farms, 27 swine farms, 7 “mixed” livestock farms, 4 beef farms, and 4 poultry farms in the United States, [according to the EPA](#).

The process has been so successful that [one of the farms highlighted](#) by the EPA is currently evaluating plans to build a biogas pipeline from their farm to feed biogas into an upgrading facility close to a natural gas pipeline. The farm, Baldwin Dairy, says it is also constructing a greenhouse complex to use biogas for heating, considering growing algae for biodiesel production or raising tilapia fish, and is anticipating using biogas for heat and possibly future electricity generation.

In the U.K., there is one farm that has gone so far as to have their entire operation powered by anaerobic digesters, as [Renewable Energy World reports](#). Wyke Farms, the UK’s largest independent cheese producer and milk processor, spent \$8 million and five years on their system that, together with two gas engines, now power the farm and dairy operation entirely.

<http://www.onegreenplanet.org/animalsandnature/the-gross-way-water-pollution-from-livestock-effects-you/>

Water Pollution and Agriculture

Livestock require massive quantities of food during their lifetimes. Of the 330 million acres of agricultural land in the U.S., 260 million acres are used to produce feed for livestock. If the farming of these crops is done incorrectly, runoff from fertilized and pesticide laden lands carry pollutants to streams, lakes, and even groundwater.

**The U.S. EPA determined in the 2000 National Water Quality Inventory that about 40 percent of rivers and streams are impaired, and the leading cause of pollution was agriculture. Agriculture is responsible for almost half of these compromised water sources. Since livestock production requires roughly 80 percent of that agriculture which is polluting the water ways, it is safe to say that animal agriculture is a main cause of water issues. We haven’t even gotten to the animal part of the subject yet, and we can already see the large impact animal agriculture has on the water ecosystem!**

<http://articles.mercola.com/sites/articles/archive/2016/04/16/raw-vs-organic-milk.aspx>

**Raw Milk Has Been Wrongfully Demonized**

Unfortunately, raw milk and cheese have been wrongly demonized as hazardous — primarily by the conventional dairy industry and those who do not understand the health benefits of 'live' foods.

**Both the U.S. Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC) warn that raw milk can carry disease-causing bacteria — completely ignoring and overlooking the fact that these bacteria are the result of industrial farming practices that lead to diseased animals.**

Research<sup>4</sup> by board certified pathologist Ted Beals, M.D. shows you're actually 35,000 times more likely to get sick from other foods than you are from raw milk. An investigation by Mark McAfee, CEO of Organic Pastures Dairy, which included a FOIA request to the CDC for data on deaths claimed to be related to raw milk revealed:<sup>5</sup>

Best

  
Michele Ohayon

730 Saxtons River Road, Saxtons River VT 05154

July 24, 2017

AS a Citizen, Taxpayer / Homeowner or Renter Were YOU aware of any Public Participation for a Clean Water Fund Survey by Vermont Department of Environmental Conservation (DEC) State agencies will propose Fiscal Year 2019 (FY19) Clean Water Fund draft allocations for public input. UNTIL this point. July 24, 2017

Signature	Print	Y/N	O/R	Village/Town/Zip
<i>[Signature]</i>	LISA M TRAFTON	N	O	Rockingham 05101
<i>[Signature]</i>	KENTA BELAND	N	O	WESTMINSTER VT 05158
<i>[Signature]</i>	Brenda Cole Mackwell	N	R	Springfield, VT 05156
<i>[Signature]</i>	VALERIE MATUCONIS	N	O	SPRINGFIELD, VT 05156
<i>[Signature]</i>	Jennifer Aldrich	N	R	Bellows Falls, VT 05101
<i>[Signature]</i>	David Parella	N	O	White River Junction, VT 05801
<i>[Signature]</i>	Denise McHugh	N	R	Bellows Falls, VT 05101
<i>[Signature]</i>	KAREN M. EUBOY	N	O	SPRINGFIELD, VT 05156
<i>[Signature]</i>	Jana Lafumelle	N	O	Rockingham VT 05101
<i>[Signature]</i>	Sineen D. Smith	N	R	Groton, V.T. 05046
<i>[Signature]</i>	Stephanie L. Brennan	N	R	Bellows Falls, 05101
<i>[Signature]</i>	LAURA DEMOS	N	O	Westminster VT 05158
<i>[Signature]</i>	Carol Jane Jones	N	R	Bellows Falls, VT 05101
<i>[Signature]</i>	Karen Wright	N	O	Bellows Falls, VT 05101
<i>[Signature]</i>	JONATHAN WRIGHT	N	O	Bellows Falls VT 05101





## Vermont Clean Water Fund Fiscal Year 2019 Priorities

The purpose of **this questionnaire** is to **gather public input** on Vermont's clean water funding priorities and allocations for the next state fiscal year (see the Board's State Fiscal Year 2019 [draft proposed Clean Water Fund priorities and allocations](#)).

The **Vermont Clean Water Act**, signed into law in June of 2015, focuses on improving water quality in the State's lakes, rivers, ponds, streams, and wetlands. The legislation also created the **Vermont Clean Water Fund** to assist municipalities, farmers, and others in making needed investments in priority clean water improvement projects.

The Act established a **Vermont Clean Water Fund Board**, which manages the Clean Water Fund. The Board consists of the secretaries from the agencies of Administration; Agriculture, Food and Markets (AAFM); Commerce and Community Development (ACCD); Natural Resources (ANR); and Transportation (VTrans).

The Board will meet in September 2017 and will use the information from this questionnaire to draft its recommendations for the Clean Water Fund for the next state fiscal year (July 1, 2018 through June 30, 2019, or FY2019). Please see this [factsheet on the Clean Water Fund budget process and opportunities for public participation](#) and the Clean Water Fund Budget Process webpage for more information.

Thank you for taking the time to complete this questionnaire. **Your participation in the Clean Water Fund process is important to us.** In addition to completing this questionnaire, you may also send written comments by email to [anr.cleanwatervt@vermont.gov](mailto:anr.cleanwatervt@vermont.gov) or by mail to:

Attention: Vermont Clean Water Initiative  
Department of Environmental Conservation  
1 National Life Drive, Main 2

*Budget  
so many  
are  
unclear.*

Montpelier, VT 05620-3522

If you have any questions, or if you need a hard copy of this questionnaire to respond, please contact: [bethany.sargent@vermont.gov](mailto:bethany.sargent@vermont.gov) or (802) 490-6131.

**The deadline for responding to this questionnaire is 4:30 pm, Wednesday, August 2, 2017. Questionnaire responses and comments submitted by mail must be post-marked by Wednesday, August 2, 2017.**

Next

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