



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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March 3, 2021

Peter Walke, Commissioner  
Vermont Department of Environmental Conservation  
1 National Life Drive, Main 2  
Montpelier VT 05620-3522

**Re: Lake Champlain TMDL Implementation Interim Report Card for the South Lake Champlain Tactical Basin Plan**

Dear Commissioner Walke:

Thank you for your report of progress on Lake Champlain TMDL implementation, titled "Vermont Clean Water Initiative 2020 Performance Report," and your transmittal letter of January 20, 2021. We appreciate the major effort and excellent teamwork that went into developing this document, and your dedication to continuous improvement each year. This comprehensive and well-documented report has given EPA a solid basis for evaluating Vermont's progress toward completion of the work described in the Accountability Framework section of the 2016 TMDL document.

When EPA issued the TMDL in 2016, we committed to periodically evaluate Vermont's progress with respect to completion of several sets of milestones. We provided our final evaluation of the state's progress on the Phase 1 milestones in September of 2020. The purpose of this letter is to evaluate the state's progress on the currently applicable Phase 2 milestones – a mid-cycle review of implementation progress for the South Lake Champlain Tactical Basin Plan.

The tactical basin plans (also referred to as Phase 2 plans) have a five-year implementation cycle, and the TMDL Accountability Framework indicates that at the mid-way point of the five-year cycle, EPA will provide an interim assessment of state progress toward implementation goals for each plan. As a result of our review, EPA concludes that the state is on track toward accomplishing most of the five-year actions identified in the implementation table for the Phase 2 plan. The basis for this conclusion is explained below.

EPA is committed to issuing a final report card at the end of the five-year implementation cycle for each tactical basin plan. At the mid-way point, however, EPA's charge is to issue interim report cards based on whether the state is on track (or not) toward completing the actions contained in the five-year implementation tables for each plan. To assess state progress in implementing the South Lake Champlain Tactical Basin Plan, we focused our review on Appendix B of the state's performance report.

The state performance report assesses progress for each action in the plan implementation tables using the following four categories: completed; in progress (for actions that have a clear end point); ongoing (which refers to actions that are anticipated to continue indefinitely, such as outreach and education efforts); and not started.

Appendix B of the state's performance report describes progress on the South Lake Champlain plan. EPA is pleased to see that 88% of the actions have either been completed, are ongoing, or have a high or medium likelihood of completion by 2022. Of the 59 actions in the implementation table, 14 have been completed, 12 are in progress, 31 are ongoing, and two have not been started. For the actions listed as "in progress," the state has further broken out the status into those with high, medium, or low likelihood of being completed by December 31, 2022. The high number of ongoing actions makes it more difficult to quantitatively assess progress, but a review of the status summary for each action makes it clear that substantial progress is being made on most of these actions. Clearly some challenges remain, but EPA considers the state to be making reasonable progress towards the five-year implementation goals.

For the seven actions with a low likelihood of completion by 2022 (five in the "in progress" category and two "not started"), EPA notes that in some cases the intended impact of the actions appears to be minor or an alternative approach has been selected to achieve the intended outcome of the action, as indicated in the "explanation" column of the implementation table. But in other cases, no substitute action is referenced, even when the action appears to be a relatively important part of achieving phosphorus reduction goals. One example is the action, "Develop stormwater BMPs for farms and provide technical and financial support to implement these to address runoff from impervious surfaces in farm production areas." Another example is the action, "Complete targeted water quality sampling on farms *to identify source areas* (emphasis added) and evaluate nutrient reductions achieved through BMP implementation." We strongly encourage the state to re-evaluate options for completing actions such as these during the next two years.

As we noted in previous correspondence, EPA recommends the inclusion of quantitative five-year milestones for all ongoing actions in future tactical basin plans. EPA believes this would provide a more clear and objective way to evaluate progress on the actions with no end point, and would further serve to ensure that significant progress continues to be made on these actions during each planning cycle.

While the focus of this interim report card is on the South Lake Champlain plan, we are pleased to note the many basin-wide accomplishments documented in the 2020 performance report. The 2020 Performance Report indicates that actions tracked by the state so far have resulted in an estimated reduction of 28 metric tons of phosphorus per year, or about 13 percent of the total reduction target. We are encouraged by this progress, particularly considering that results of new permit programs and related measures will not be seen for several years.

We look forward to continuing to collaborate with you on this important work.

Sincerely,

Deb Szaro  
Acting Regional Administrator

Cc (via email): Neil Kamman, VTDEC  
Emily Bird, VTDEC