

ACT 76 NEWSLETTER

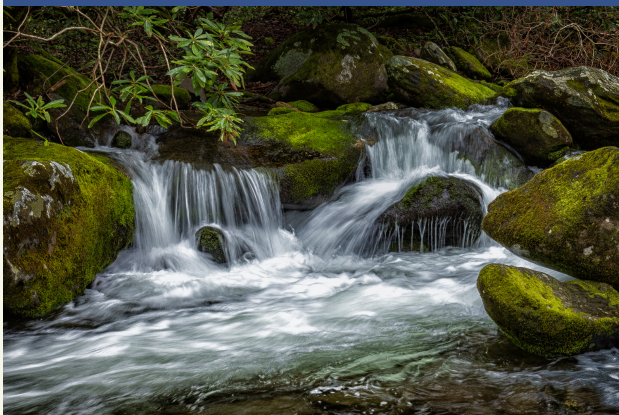
March 2023

Newsletter 1



ENHANCEMENT GRANTS

The Clean Water Initiative Program received proposals for the \$2.3M Enhancement Development Design and Implementation Block Grant program and will be deliberating on proposal selection on March 9th. We expect to alert selected Funding Program Administrators by mid-late March and to finalize grant agreements by the end of April.



WHAT'S NEW?

Hello, and welcome to the new and improved Act 76 Newsletter! This document will be taking the place of the former Act 76 Subgroup Newsletter. It will include updates and summaries from Act 76 subgroups, as well as updates from Clean Water Service Providers, information on upcoming trainings and other pertinent information around Act 76.

This newsletter will be distributed bi-monthly, with the next one set to come out at the beginning of May! If you would like to be removed from the subgroup newsletter listserv, wish to add a recipient, or have any questions, please email Jay Mullen at jay.mullen@partner.vermont.gov.

O&M SUBGROUP UPDATE

The subgroup last met on 2/21/2023, and is focused on making progress on the Chapter 7 CWSP Guidance on O&M. At the February meeting the group discussed roles and responsibilities related to project verification and maintenance. The next meeting is scheduled for 3/22/2023 from 2-3:30pm with a focus on the project adoption section of guidance as well as on the O&M Tier 1 and Tier 2 verification training content.

DATA MANAGEMENT

A draft of the Data Management chapter of Act 76 Guidance was posted for public comment from January 4th – February 3rd, 2023. Public comments are being considered in the finalization of the guidance chapter, which is expected to be completed before the end of March and will be posted here: <https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76/law-rule-guidance>. In addition, a responsiveness summary addressing public comments received will be made available here: <https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76/resources>.

CWSP GUIDANCE – CHAPTER 6

Chapter 6 of the Clean Water Service Provider Guidance document is currently open for public comment. The state of Vermont engaged with state agencies and external stakeholders throughout the development and review of components of the draft guidance chapters before the public review period. Public comments are being accepted through March 13. To view the draft guidance follow this link: <https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76/resources>. Public comments should be directed to Chris Rottler at chris.rottler@vermont.gov.

FUNCTIONING FLOODPLAIN INITIATIVE

As partners are gearing up for restoration work this year, we are aware of the interest and need to calculate phosphorus credits for stream restoration projects. The Functioning Floodplain Initiative (FFI) tool has been developed to provide those estimates for stream project. The FFI team has been working to finalize some of the tool's web interface and connections with our DEC databases; the release of the tool is planned for mid-summer. To help our partners get ready to use the tool we have scheduled two training dates; April 19th (hosted with ACRPC) and May 24th (location TBD). We will be providing the training in a hybrid format to allow for in-person and remote options. Trainings will also be recorded. Registration and more logistics information will be coming as we get closer to the dates. We look forward to seeing folks at the trainings.

ACRPC CWSP UPDATE

A call for proposals for the Otter Creek Clean Water Service Provider closed on February 8th. Nine projects requested just under \$350,000. The CWSP will be working with the applicants, DEC, and the BWQC in the coming weeks to ensure the projects are eligible for funding and able to move forward.

NRPC CWSP UPDATE

The Northwest Regional Planning Commission in its role as CWSP for two watersheds issued its first Call for Applications for Clean Water Projects in the Missisquoi Basin on January 23 and its Call for Applications in the Lamoille Basin on January 30. The deadlines for applications are March 6 and March 13, respectively. NRPC is accepting applications using an online form. In addition to fielding questions by email and by telephone, NRPC staff is conducting one-on-one Zoom-based consultations on Friday afternoons for the month in advance of the deadlines. NRPC has created a "Project Application FAQ" page on its website. The page provides relating to project applications in a question and answer format. NRPC is also completing work on the prequalification of subgrantees and contractors. Some thirteen partner organizations across two basins will be offered Master agreements. Another eighteen contractors across two basins will be offered Master agreements. As of this writing, the master agreements associated with the prequalification are undergoing legal review.

UPCOMING TRAININGS

The Vermont Department of Environmental Conservation (DEC) Clean Water Initiative Program (CWIP) is partnering with the Vermont Division for Historic Preservation to provide an in-depth training on the new State Historic Preservation Review section of the CWIP State Fiscal Year 2023 Funding Policy. Training topics are expected to include statutory context, historic and archaeological resource definitions, distinction between state and federal designations, project review case studies and possible effect findings, examples of treatment plans or mitigation strategies, applicable and exempt project types, conditional exemption processes, workflow planning, budgeting, and a question and answer session. The training took place on March 8, but a recording is posted Applicant and Recipient Resources Webpage on the DEC website.

On Tuesday, February 7th the Clean Water Initiative Program (CWIP) - represented by Gianna Petito and Rachel Wood - presented during the Chittenden County Regional Planning Commission (CCRPC) MS4 Subcommittee meeting on the development of the new MS4 Community Formula Grant. If you missed the meeting or want to review the details that were presented, you can watch the recording (<https://youtu.be/7K85sq4M2bA>).

TRAININGS CONTINUED

The O&M program is planning a training in April (date TBD) but it will be announced on the Clean Water initiative Grants Listserv and folks should sign up for that listserv to stay connected!

There will be two upcoming trainings for the Functioning Floodplain Initiative tool. The first is scheduled for April 19th hosted by the Adison County Regional Planning Commission, and the second will take place on May 24th (location TBD). The trainings will be hybrid, allowing more in-person and remote options. The trainings will also be recorded. Registration information will be made available closer to the training dates.