

## **MEMORANDUM**

To: The Clean Water Board

From: Department of Environmental Conservation (DEC) Clean Water Initiative Program (CWIP)

Through: Julie Moore, Agency of Natural Resources (ANR) Secretary

Date: December 2, 2022

Subject: State Fiscal Year (SFY) 2024 Clean Water Budget Public Comment Responsiveness Summary

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Attached to this memorandum, please find the public comments received during the SFY 2024 Clean Water Budget public comment period. This memorandum summarizes themes emerging from public comment for the Clean Water Board's consideration in finalizing its SFY 2024 Clean Water Budget recommendation.

### **Compilation of Public Comment**

The Clean Water Board posted its draft SFY 2024 Clean Water Budget for public comment October 24-November 22, 2022. Input on budget priorities and comments were collected via a Clean Water Budget public hearing on November 2, 2022, attended by 38 with 8 commenters, and via online questionnaire. 53 individuals responded to the questionnaire and 3 email correspondence letters were received. Attachments include:

1. November 2, 2022 SFY 2024 Clean Water Budget public hearing draft minutes (page 11)
2. Copy of the original online questionnaire for reference (page 13)
3. Compiled/summarized public comment online questionnaire results (page 19)
4. Compiled public comment letters submitted via email (page 43)

Review the compiled/summarized public comment online questionnaire results for more information on diversity of stakeholder engagement and geographic distribution of participants.

## Approach to Responding to Public Comment

This responsiveness summary focuses on comments received on the draft SFY 2024 Clean Water Budget during the public comment period, addressing input recommendations within the purview/influence of the Clean Water Board.<sup>1</sup>

Approach:

- Compile and summarize all comments received for review.
- Synthesize comments into common overarching themes.
- Identify themes of comments that are within the purview of the Clean Water Board and Clean Water Budget to be addressed.
  - Comment themes identified as outside the purview of the Clean Water Board and Clean Water Budget are acknowledged and shared with the relevant agency programmatic staff.
- Propose response to each theme, including determination of whether comments compel an edit to the proposed budget.

## Public Comment Themes and Proposed Responses

1. **Theme:** Comment on total Clean Water Fund (CWF) annual revenue.

**Summary of Comment:** The online questionnaire asked, “Do you believe there are sufficient funds projected in the CWF for SFY 2024 revenue (\$25.7 million forecasted revenue within the \$50.8 million budget)?” Thirty percent answered “yes” (up from 28% for SFY 2023), 38% answered “no” (down from 39% for SFY 2023), and 32% answered “unsure” (down from 33% for SFY 2023). Those who answered “no” also provided comments saying more was needed “across the board,” that more needed to be spent now to avoid higher costs later, and that more was needed given the current expense of projects and to avoid falling backwards on progress. A cohort of organizations indicated intent to ask the Legislature for

<sup>1</sup> Additional comment letters were emailed to the Clean Water Board prior to the release of the draft SFY 2024 Clean Water Budget and public comment period, available in the October 18, 2022 Clean Water Board meeting materials, posted on the [Clean Water Board meetings webpage](#).

an increase in revenues in the 2023 Legislative Session and requested Clean Water Board support for this request.<sup>2</sup>

**Response:** ANR/DEC acknowledges that significant and continued state funding is needed to implement Vermont’s major nutrient total maximum daily loads (TMDLs). ANR/DEC also notes that the cost of implementing the TMDLs has always been anticipated to include a mix of public and private costs, including not just the state but also municipalities, farms, private residences, and businesses. The estimation of the gap between total need and revenue, and therefore the State’s appropriate share of the needed funding, however, is subject to data limitations/uncertainties that require staff time and technical capacity to address. Efforts are underway to develop better cost projections in several key implementation areas, and ANR/DEC currently anticipates this work will be completed during the SFY 2026 budgeting cycle (roughly July-December 2024).

The Tax Department projects that CWF revenues will contract with the housing market over the next few fiscal years and further decline with the sunset of the Property Transfer Tax Clean Water Surcharge scheduled for July 1, 2027 (SFY 2027 would be the final year the Clean Water Budget receives these revenues).

In the absence of more accurate estimates for overall funding need, and factoring the demands of the current, unprecedented federal funding on agency and partner capacity, ANR/DEC feels it is imprudent to recommend a specific increase in CWF revenue. In the meantime:

- ANR/DEC is focused on investing in partner capacities to meet this upsized demand for clean water investments.
- ANR/DEC will continue the work needed to refine the estimated total cost of implementation, to inform future discussions on CWF revenue demands.
- ANR/DEC recommends maintaining the existing CWF revenue streams and removing the Property Transfer Tax Clean Water Surcharge sunset.

No budget change is proposed.

<sup>2</sup> Note excerpt from Clean Water Board authorizing statute, [10 V.S.A. § 1389 \(d\)\(3\)\(C\)\(ii\)](#): “if the Board determines that there are insufficient funds in the Clean Water Fund to issue all grants or financing required by sections 925-928 of this title... [the Clean Water Board shall] (ii) Make recommendations to the Governor and General Assembly on additional revenue to address unmet needs...”

2. **Theme:** General comments on percent of funding across the tiers

**Summary of Comment:** Questions 3, 6, and 9 of the online questionnaire asked whether respondents agreed with the proportion of funds allocated to Tiers 1, 2, and 3 respectively. A majority of respondents either answered “yes” or “unsure” to these questions. Those who answered “no” varied in their preferences with some requesting more funding for Tier 1, given the availability of federal funds for programs under Tiers 2 and 3, and others requesting more funding for Tier 3.

**Response:** Responses suggest a lack of strong opposition to the current breakdown of funding across the tiers. No budget change is proposed.

3. **Theme:** Specific line items requesting more/sustained funding

**Summary of Comment:** Respondents either indicated support for or requested more funding for the following line items.

- Line no. 1.1 Water Quality Restoration Formula Grants to Clean Water Service Providers & O&M: To increase funding for project identification and development.
- Line no. 1.31 Statewide Non-regulatory Clean Water Projects: To keep funding at its statutory maximum of \$5,000,000.<sup>3</sup>
- Line no. 1.32 Land Conservation and Water Quality Projects: To fund “substantially.”
- Line no. 1.4 Water Quality Grants to Partners and Farmers: To focus support on agricultural practices because they are more cost-effective.
- Line no. 1.51 Program Support: To support the Agency of Agriculture Food and Markets staff and programming because they are efficient and effective.
- Line no. 1.52 Program and Partner Support: To support investments in partner capacity to deliver clean water projects.
- Line no. 2.21 Municipal Roads Grants-in-Aid (MRGP): To increase investments in municipal road projects.

<sup>3</sup> [10 V.S.A. § 1389 \(e\)\(1\)\(D\)](#)

- Line no. 2.22 Municipal Better Roads (MRGP): To increase investments in municipal road projects.
- Line no. 2.24/3.1: General request for more funding for properties that need to meet stormwater regulatory requirements under the Three-Acre General Permit (under [General Permit 3-9050](#)). Unclear which line item this comment pertained to, as 2.24 supports municipalities and 3.1 supports persons.
- Line no. 2.3 Water Quality Farm Improvement and Retirement Projects: To support this work particularly in sensitive riparian and lakeshore areas.
- Line no. 2.4 Innovative or Alternative Technologies or Practices to Improve Water Quality: To invest in new approaches given the perceived lag in progress using traditional methods for water quality protection and restoration.
- Line no. 4.1 Lakes in Crisis Fund: To prioritize lakes facing crisis and, in particular, ongoing cyanobacteria blooms impacting Lake Carmi.

**Response:** Many line items have demand for more assistance. However, there is not enough revenue to accommodate requests to increase funding across the board. Increasing one line item would come at the direct expense of another. Acknowledging the need to prioritize limited funds available, the Clean Water Board applied a 60%/30%/10% approach towards allocating funding across priority Tiers 1, 2, and 3 respectively, based on priorities outlined in statute. No budget change is proposed.

#### 4. **Theme:** Specific line items requesting less funding

**Summary of Comment:** Some respondents expressed concern for providing funding in certain sectors. In particular, there was concern around funding farms that are polluting waterways, funding private businesses to assist with meeting their regulatory stormwater obligations, and funding Municipal Separate Storm Sewer System (MS4) communities and public schools that had other funding mechanisms (for example through stormwater utilities or school budgeting).

**Response:** While a few comments were received under this theme, there was no clear or sufficient consensus through the questionnaire for any line items that should have funding reduced. No budget change is proposed.

5. **Theme:** Prioritization approach

**Summary of Comment:** A few respondents suggested the Board follow a new or additional prioritization approach to allocating funds beyond the tiering outlined within [10 V.S.A. § 1389 \(e\)](#). This included allocating money towards sectors that achieve the greatest return on investment<sup>4</sup>, allocating based on urgency, and/or allocating based on whether the programs assisted with repairing/restoring water quality as opposed to protecting/maintaining water quality.

**Response:** Act 76 of 2019 demanded a significant re-organization of the Clean Water Budget structure due to a new priority scheme ([10 V.S.A. § 1389 \(e\)](#)) and the introduction of new funding programs ([10 V.S.A. §925-928](#)). Line items have been assigned to tiers to align with these prioritizations. Any line items unnamed in 10 V.S.A. § 1389 (e) have been listed under Tier 3/other. Within a given tier, line items have equal priority, but they may be funded at different levels based on needs projected by the administering agency or program. Individual administering programs strive to target/prioritize projects that achieve the greatest water quality gain for the investment. No budget change is proposed.

6. **Theme:** Switching line items across tiers or creating new line items

**Summary of Comment:** A few respondents requested that certain line items be re-tiered. This included moving line no. 4.5 Municipal Pollution Control Grants to Tier 2 and moving line no. 4.1 Lakes in Crisis Fund to Tier 1. Another respondent asked to add a new line item to support the DEC Lakes and Ponds Program’s Aquatic Nuisance Species Grants-in-Aid.

**Response:** Clean Water Budget priority tiers are established in statute ([10 V.S.A. § 1389 \(e\)](#)). Any line items unnamed in 10 V.S.A. § 1389 (e) have been listed under Tier 3/other. Adjustments in the statutory priorities of the Clean Water Fund would require legislative action and is beyond the authority of the Clean Water Board. The Aquatic Nuisance Species Grants-in-Aid program is funded outside of the Clean Water Budget. No budget change is proposed.

<sup>4</sup> As an enumerated Board duty under 10 V.S.A. § 1389 (d)(1)

7. **Theme:** Geographic distribution of funding

**Summary of Comment:** Respondents indicated concern for an overemphasis of funding within the Lake Champlain and Lake Memphremagog basins leaving the Connecticut and Hudson River basins insufficiently funded. Specifically, respondents highlighted that line no. 1.1 Water Quality Restoration Formula Grants to Clean Water Service Providers & O&M (a grant program only available in the Lake Champlain and Lake Memphremagog basins) is more heavily funded than line no. 1.31 Statewide Non-regulatory Clean Water Projects (a grant program available state-wide). Respondents also mentioned that line items 2.24 Municipal Three-Acre General Permit and MS4 and 3.1 Developed Lands Implementation Grants only provide funding for “Three-Acre” sites within Lake Champlain and Lake Memphremagog basins because sites outside those basins are not yet subject to permitting conditions. This creates a potential missed opportunity for the Connecticut and Hudson River basins, as it is not clear whether or how much funding will be available for those communities when “Three-Acre” regulations are activated.

**Response:** Line no. 1.31 Statewide Non-regulatory Clean Water Projects is funded at its statutory maximum<sup>5</sup> and includes a suite of sub-initiatives which are required to emphasize and/or prioritize funding outside of the Lake Champlain and Lake Memphremagog basins to offset some of the geographic inequity established between the two grant programs. Sites in the Connecticut and Hudson River basins can access funds from line no 1.31 to implement stormwater improvements on potential future “Three-Acre” sites. No budget change is proposed.

8. **Theme:** More capacity needed for state staff

**Summary of Comment:** Respondents indicated that more capacity was needed within state agencies to assist with the workload demands. This includes a request for stronger enforcement to ensure protocols and laws are followed.

**Response:** The Clean Water Budget prioritizes funding programs and initiatives that support direct implementation of clean water projects. State agency personnel are largely funded with other funds outside of the Clean Water Budget. This request is outside the purview of the Clean Water Board. No budget change is proposed.

<sup>5</sup> 10 V.S.A. § 1389 (e)(1)(D)

9. **Theme:** Suggestions for individual agencies, departments or programs that administer funds from the Clean Water Budget

**Summary of Comment:** Several respondents highlighted specific sectors that should be emphasized or project ideas. These are clustered thematically as follows.

- There was a request to focus on more natural resource-type projects like streambank stabilization, wetlands restoration, river buffer plantings, and culvert upgrades over stormwater project types. This included a request to focus on projects that assist with climate change resilience and adaptation.
- There was a request to assist private forest landowners with water bar installations on private trails.
- There was a request for more funding for Clean Water Service Providers to put towards assessments, project identification, and project development.
- There was a request to make funds available to recipients to cover unforeseen cost-overruns.
- There was a request to have more information about the specific projects funded by each of the listed line items.
- There was a request for VTrans to provide training of municipal grader operators on the proper crowning of gravel roads to reduce erosion of road material into side ditches.
- There was a request for funding a public education campaign to let the public know about all the efforts that are going into improving water quality and how they benefit everyone.
- There were a few suggestions on agricultural project types including a) compensating and mandating farmers transition from conventional to organic dairy practices, b) funding an assessment on the impact of tile drains on dissolved phosphorus loading, and c) updating the Required Agricultural Practices to set standards on importation of nutrient-rich feed supplements, fertilizers, and bovine stocking densities.
- There was concern expressed about using modeled as opposed to actual monitored phosphorus levels when tracking and reporting progress.

**Response:** All listed suggestions fall outside the purview of the Clean Water Board. The Clean Water Board recommends allocation of funds at the line item/funding program-level. The Clean Water Board does not oversee individual project selection for funds. Agency/program staff have expertise and autonomy in the design and delivery of funding



programs, including project prioritization/selection, how to address cost-overruns, how to report out to the public individual project outcomes, and how to track progress.

The program/project-specific feedback, listed above, has been shared with the relevant agency staff and the public is encouraged to contact the relevant agencies to learn more about individual funding programs or provide feedback. No budget change is proposed.

#### 10. **Theme:** Alum treatment feasibility studies and application

**Summary of Comment:** There were suggestions on the use of alum to treat in-lake phosphorus loading including a) expanding the alum treatment feasibility study beyond Lakes Carmi and Morey, b) ANR/DEC setting guidelines on the use of alum treatment coupled with comprehensive nutrient reduction efforts, and c) requests for assistance funding the alum treatments once studied. Respondents also expressed concern over lack of progress for Lake Carmi and an urgency to apply an alum treatment to alleviate the severity of cyanobacteria blooms.

**Response:** ANR/DEC agrees that alum treatments can be an effective tool in mitigating internal phosphorus loading that fuels cyanobacteria blooms, and ANR/DEC has direct experience with implementing successful alum treatments in Lake Morey (1986) and Ticklenaked Pond (2014). Funding eligibility for alum treatment will be considered on a case-by-case basis, using the results of any relevant diagnostic feasibility studies, and when recommended by ANR/DEC. In cases where phosphorus loading emanates from the surrounding land/watershed, significant progress must first be made addressing these external nutrient pollution sources before investing in an alum treatment, otherwise, both the impact and the cost-effectiveness of any such treatment are reduced.

In the cases of Lake Carmi and Lake Morey, where external pollution sources are being mitigated, ANR/DEC views alum treatments as a potentially viable approach to address pressing water quality challenges such as high in-lake phosphorus concentrations and prolonged cyanobacteria blooms. ANR/DEC is also exploring the possibility of using a more expedient funding source (compared to the SFY 2024 Clean Water Budget), namely the state's Bipartisan Infrastructure Law funding to the Clean Water State Revolving Fund, for alum feasibility studies and, if recommended, subsequent implementation. As this support is still under exploration, no budget change is proposed.

## 11. Theme: General support for the budget

**Summary of Comment:** Some respondents indicated strong support for the proposed budget and approved of the approach to save some of the funding to account for projected revenue shortfalls in SFY 2025. Respondents were also pleased with the enhanced educational materials available this year to complement the Clean Water Budget public comment period. Some example comments include:

- Some good work is being done, finally!
- Thank you for all of your work on the budget!
- The breakdown of funds and assignment of priorities is well thought out and defensible, the problem is the limited, even though more than ever, amount of funding.
- Overall very well done and solidifies my trust in the process of funding.
- The Clean Water Budget Story Map, with associated videos and hyperlinks, is very helpful. Continue with this.

**Response:** ANR/DEC appreciates this feedback and congratulates the Clean Water Board and interagency Clean Water Initiative Finance and Reporting Workgroup on their hard work to craft a balanced, responsive, and defensible budget, as well as improved educational materials to support the public comment period.

## 12. Theme: Recommended improvements

**Summary of Comment:** Some comments highlighted misconceptions. This included some confusion about the timing of when SFY 2024 would be available, confusion on prioritizing of line items within tiers, and confusion on the geographic focus of specific line items.

**Response:** ANR/DEC will consider these comments when designing improved materials for the SFY 2025 Clean Water Budget process.

**Vermont Clean Water Board Meeting Minutes  
State Fiscal Year 2024 Clean Water Budget Public Hearing**

Date/Time: Wednesday, November 2, 2022, 8:30–10:00 am

Virtual Option to Attend: [Microsoft Teams Meeting](#)

Physical Location to Attend In-Person: Agency of Natural Resources, One National Life Drive, Montpelier, VT 05602 in the Catamount Room (Davis Building, 2<sup>nd</sup> Floor, Room D215).

Meeting details, materials, and recordings available at: <https://dec.vermont.gov/water-investment/cwi/board/meetings>

**Clean Water Board Members/Designees:**

Douglas Farnham, Agency of Administration (AoA) Deputy Secretary and Designated Clean Water Board Chair (Present)

Tayt Brooks, Agency of Commerce and Community Development (ACCD) Deputy Secretary (Present)

Alison Conant, public member (Present)

Bob Flint, public member (Present)

Joe Flynn, Agency of Transportation (VTrans) Secretary (Absent) – *Michele Boomhower, Agency of Transportation (VTrans) Director of Policy, Planning, & Intermodal Development (Present as designee)*

Jim Giffin, public member (Absent)

Julie Moore, Agency of Natural Resources (ANR) Secretary (Present)

Anson Tebbetts, Agency of Agriculture, Food and Markets (AAFM) Secretary (Absent) – *Laura DiPietro, Agency of Agriculture, Food and Markets (AAFM) Director of Water Quality (Present as designee)*

Chad Tyler, public member (Present)

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**1. Showing of pre-recorded [State Fiscal Year 2024 Clean Water Budget presentation](#)**

*\*Note this section of the meeting was not recorded.*

**2. Welcome**

**Recording Time Stamp: 00:00<sup>1</sup>**

*Douglas Farnham, Agency of Administration Deputy Secretary and Clean Water Board Chair*

- a. Welcome and review agenda

**3. Clarifying questions and answers on draft State Fiscal Year 2024 Clean Water Budget**

**Recording Time Stamp: 00:51**

*Emily Bird, Department of Environmental Conservation Clean Water Initiative Program Manager*

- Arne Arneson – Asked for clarification whether any funding could be available for the field season of 2023.
- Martha Feltus – Asked for more information and reasoning behind the increased funding to the Lakes in Crisis line-item.

**4. Public comment**

**Recording Time Stamp: 05:40**

*Douglas Farnham*

<sup>1</sup> Please refer to the available meeting recording to learn more about discussion content under each agenda item. Recording Time Stamps are highlighted to direct focus on the recording. Recording can be directly accessed here:

<https://www.youtube.com/watch?v=ydWn6URsKU4>

- **Peter Berger (Recording Time Stamp: 06:48)** – Expressed concerns for Lake Morey. See meeting recording.
- **Albert Perry (Recording Time Stamp: 08:40)** – Requested summary of restoration plan for Lake Carmi across budget years from Clean Water Board point of view. See meeting recording.
- **Bruce Durgin (Recording Time Stamp: 13:23)**– Expressed concerns for Lake Morey. See meeting recording.
- **Greg Allen (Recording Time Stamp: 16:29)**– Expressed concerns for Lake Morey. See meeting recording.
- **Ernest Englehardt (Recording Time Stamp: 17:57)**– Expressed concerns for Lake Carmi. Suggested that Innovation line-item be included in Tier 1. Cautioned use of modeled over sampled water quality data. See meeting recording.
- **Peter Benevento (Recording Time Stamp: 22:45)**– Expressed concerns for Lake Carmi. See meeting recording.
- **James Maroney (Recording Time Stamp: 25:10)**- Expressed concerns for impact of conventional dairy on water quality. See meeting recording.
- **Dwight Arnesen (Recording Time Stamp: 29:24)** – Expressed concerns for timing of funds availability for Lake Morey.

5. **Wrap-up, summarize next steps**

**Recording Time Stamp: 32:00**

*Emily Bird*

- November 22, 2022, 4:00 pm public comment period ends
- December 7, 2022, 8:30-10:00 am Clean Water Board meeting

- **Agency of Administration (AoA) Deputy Secretary Douglas Farnham** – Expressed thanks to state employees working to improve water quality and to the public participating in the public comment process. Emphasized specific legislative charge of the Clean Water Board and cautioned overstepping boundaries of the Board’s role in direct program oversight.
- **Agency of Natural Resources (ANR) Secretary Julie Moore** – Echoed thanks to the public for their input.

6. **Meeting adjourned at 10:01 am**

# State Fiscal Year 2024 Clean Water Budget Public Comment Questionnaire

Thank you for participating in the Clean Water Board's public comment period on the proposed State Fiscal Year (SFY) 2024 Clean Water Budget, open October 24 through November 22, 2022.

The Clean Water Board is asking the public to provide feedback, through this online questionnaire, on whether they believe funding levels are sufficient and whether they agree with the Board's proposed prioritization of funding across programs. The Clean Water Board will consider public input before making its final Clean Water Budget recommendation in December 2022.

This online questionnaire has two sections:

1. The first section requests input on the allocation and prioritization of funds proposed in the State Fiscal Year 2024 Clean Water Budget. There are opportunities to provide additional comments, thoughts, or elaboration of your answer below each question to better collect your input.
2. The second section is intended to collect feedback on the questionnaire process, suggestions for improvement, and gather information about individuals who responded to the questionnaire.

<sup>\*</sup> required

## Clean Water Budget Public Comment

1. Do you believe there are sufficient funds projected in the Clean Water Fund for State Fiscal Year 2024 revenue (\$25.7 million forecasted revenue within the \$50.8 million budget)? \*

- Yes
- No
- Unsure

2. Please provide any comments, if applicable, on Clean Water Fund revenue/funding levels to share with the Clean Water Board:

3. Do you agree with the proportion (60%/\$29.3 million) of funds allocated to **Priority Tier 1** of the proposed State Fiscal Year 2024 Clean Water Budget? State Law (10 V.S.A. § 1389) directs the Clean Water Board to fund Tier 1 grants and programs as its first priority. \*

- Yes
- No
- Unsure

4. Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 1 of the Clean Water Budget:

5. Please provide any specific comments/recommendations, if applicable, on individual line-items and funding amounts included within Priority Tier 1 of the proposed Clean Water Budget:

6. Do you agree with the proportion (30%/\$14.7 million) of funds allocated to **Priority Tier 2** of the proposed State Fiscal Year 2024 Clean Water Budget? State Law (10 V.S.A. § 1389) directs the Clean Water Board to fund Tier 2 programs as its next priority, after reviewing requests for Tier 1 grants and programs. \*

- Yes
- No
- Unsure

7. Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 2 of the Clean Water Budget:

8. Please provide any specific comments/recommendations, if applicable, on individual line-items and funding amounts included within Priority Tier 2 of the proposed Clean Water Budget:

9. Do you agree with the proportion of (10%/\$4.7 million) of funds allocated to **Priority Tier 3 and Other Priorities** of the proposed SFY 2024 Clean Water Budget? State Law (10 V.S.A. § 1389) directs the Clean Water Board to fund Tier 3 programs as its next priority, after reviewing requests for Tier 1 and Tier 2 programs. \*

- Yes
- No
- Unsure

10. Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 3 and Other Priorities of the Clean Water Budget:

11. Please provide any specific comments/recommendations, if applicable, on individual line-items and funding amounts included within Priority Tier 3 and Other Priorities of the proposed Clean Water Budget:

12. Please provide any other specific comments/recommendations, if applicable, on the overall draft State Fiscal Year 2024 Clean Water Budget to share with the Clean Water Board.



# Questionnaire Evaluation and Participant Demographics

In this section, we are interested to know who is completing this questionnaire. Please take a moment to answer questions to help us improve future questionnaires and evaluate the effectiveness of our communication state-wide and to a diverse audience.

13. How can we improve future Clean Water Budget public comment periods, including improvements to the online questionnaire? \*

14. How did you hear of this questionnaire (select all that apply)? \*

- Email
- Online forum (like Front Porch Forum)
- Print, radio, or television news source
- Social Media
- Vermont Clean Water Initiative e-newsletter
- Website
- Word of mouth
- Other

15. Please enter your zip code to help us understand the statewide distribution of response to this questionnaire. \*

16. Which groups do you belong to or identify with? Select all that may apply. \*

- Agricultural Producer/Farmer
- Business Owner
- Concerned Resident
- Forester/Forest Landowner
- Municipal Employee/Representative
- Natural Resources Conservation District
- Recreational User
- Regional Planning Commission
- State Legislator
- Student
- Watershed Group or other Nongovernmental Organization
- Other

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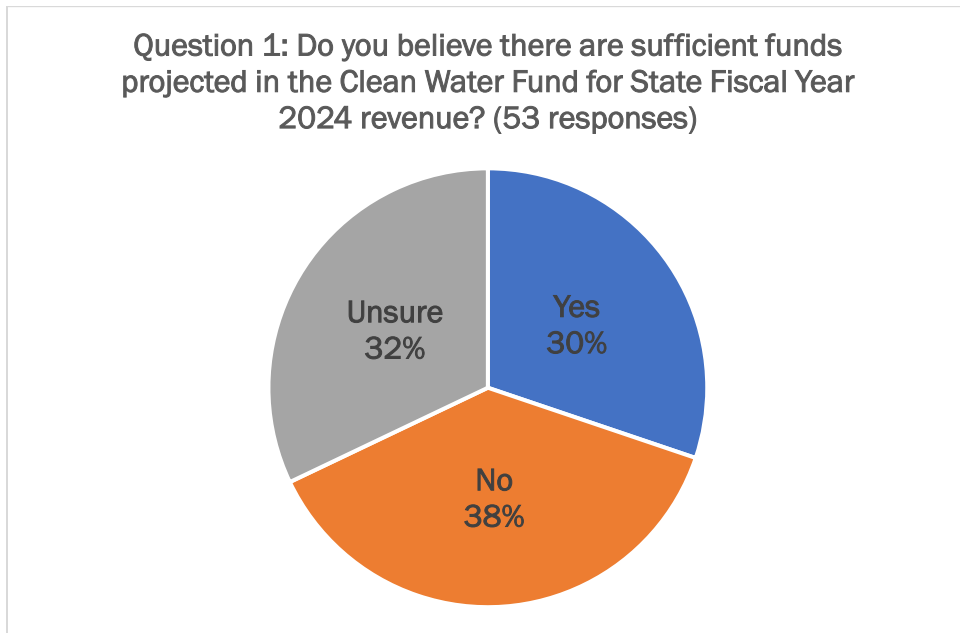
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## Compilation of State Fiscal Year 2024 Clean Water Budget Public Comment Questionnaire Results

The State Fiscal Year 2024 Clean Water Budget was posted for public comment from October 24 through November 22, 2022, and a total of 53 individuals responded to the questionnaire. Below are the compiled/summarized results of responses for each question.

### Clean Water Fund Revenue



**Question 2: Please provide any comments, if applicable, on the Clean Water Fund revenue/funding levels to share with the Clean Water Board (25 responses)**

There does not seem to be enough funding to the 3-acre permits.

Lake Carmi needs more funding for whatever treatment the State decides. Alum, lake guard oly, etc.

This should be sufficient AS LONG AS it is distributed equitably statewide.

See comment below on forestry/ municipal needs

This is a long term multi decade solution

Water is vital and so more [funds] invested in resolving the problems now will benefit all of VT in the future.

Of course, it would be great to have more and be able to do more, but I understand the State funds are limited.

Connecticut River Valley watershed never gets enough funding.

Rising costs have made budgeting projects very difficult so additional funds need to be available for overruns.

The most productive use of state money is agriculture, which is responsible for 45%. Storm water is also about 45% but to achieve real reductions would costs hundreds of millions. Same WWTPs. Reforming BZt conventional dairy could reduce dairy's pollution by 50%

To provide for statewide projects with meaningful impact, at least 2X the amount allocated would be needed.

I believe my higher taxes should fund the water project. If not the I deserve a lower tax bracket since I live in a dangerous health environment

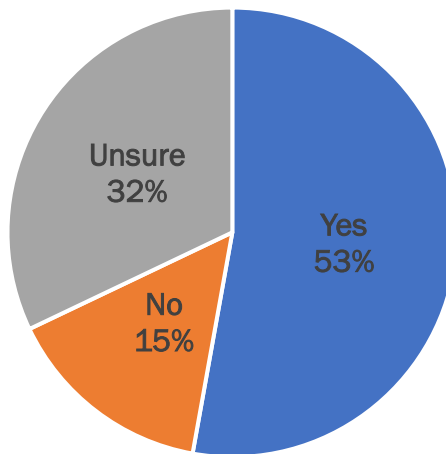
We need to get serious about the problem. Take the studies and make decisions based on the information that was collected.

The State of Vermont continues to downplay the contribution attributable to "agriculture" estimated at 45%. More precisely the state prefers to refer to this sector as "agriculture" which is a euphemism for conventional dairy. The three practices that conventional dairy deploys that cause lake pollution are in this order: the importation of 600,000 tons of conventionally grown feed supplements; the importation of 40,000 tons of artificial fertilizer and herbicides both made from fossil fuels and the housing of more than one cow for every three acres under farm management on which that cow's feed is harvested and her manure is-spread. None of these practices is mentioned let alone regulated in the RAPs. Neither are they mentioned in the DEC's Watershed Division's summary of the state's policies toward achieving clean water.

I think some of the "extra" funds available now should be saved for future years; let's not use it all in 2023
More money/resources needed for streams and wetlands
Neither \$25.7M nor the total of \$50.8 M is sufficient to do what is needed to repair/restore, maintain, and improve Vermont Public Waters.
Vermont has numerous bodies of water that are in or near critical distress.
VT is not reaching its TMDLs because it lacks the capacity to move projects along, but money is restricted to deliverables-based grants not conducive to bringing on staff in non-state organizations that might be able to increase that capacity.
Lake Carmi is in crisis and needs urgent attention. I am hopeful that there is enough funding to assist.
There has to be enough funds to adequately pay for River buffers and culverts that will reduce the erosion that is causing increased sedimentation and phosphorus dumping into Lake Champlain and Lake Memphremagog.
There are a lot of funds. Hopefully positive clean water outcomes match the funding levels.
Revenue/funding levels must be increased so as not to lose ground on the improvements that have been started.
Considering all the state requirements/mandates, it seems that there is not enough funding nor staff to efficiently meet the various obligations
Given how expensive projects are these days, I can't see how these levels of funding are going to be adequate. \$50 Million is around \$77 per Vermonter. Given that a lot of us get our water from the lake, I would pay a lot more.

**Tier 1**

Question 3: Do you agree with the proportion of (60%/\$29.3 million) of funds allocated to Priority Tier 1 of the proposed State Fiscal Year 2024 Clean Water Budget?  
(53 Responses)



**Question 4: Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 1 of the Clean Water Budget: (13 Responses)**

see below suggestions that may need funding

I would like to see Lakes in Crisis moved into Tier 1 if it is not there. It is appropriate to make this percentage division.

The state should offer dairy farmers to pay the difference between conventional and organic price for three years. The program would cost +/- \$30m/year for three years. The program would only work if conversion were mandated i.e., those who did not sign up would lose all state support including current use.

Water quality is key to human health, if you live around the lake.

Lake Carmi needs to include an Alum treatment in addition to the aeration.

The Clean Water Board has a duty to allocate available money in such a way to achieve the greatest return. At the least return for the money end of the spectrum is money allocated to WWTPs. such projects typically require investments in the hundreds of millions for returns in single digits; next is money dedicated to storm water, which also require huge investments and return results in the single digits. Money allocated to projects in the "Agriculture" sector on the other hand cost little to nothing and could potentially result in vast reductions IF the state converted the conventional dairy industry to organic. IF for example the state based the three practices listed above it could reduce "agriculture's" contribution to zero in three years, a 45% reduction overall.

The CWSPs need more funds for assessment, project identification, and project development

This percentage seems reasonable for Priority One, but it is not possible to determine from the CWB Proposed Budget sheet how that 60% is allocated to each of the Board's [sections] or to which specific projects within those functions. One needs to know what each agency plans/proposes to do with the funds allocated in the Priority 1 Section, in order to make a helpful and informed comment.

Do not know what makes up Tier 1.

10% is a low allocation for Priority Tier 3 -Innovative approaches needed for clean water since much of what has been done in the past has not resulted in adequate cleanup of impaired water bodies

Lake in crisis must be primary focus.

Each funding priority is important, more funding across the board is needed - more manpower with the state agencies as well as more funding for projects

It would help if I knew more about the specific projects. I haven't had time to research it.

**Question 5: Please provide any specific comments/recommendation, if applicable, on individual line-items and funding amounts included within Priority Tier 1 of the proposed Clean Water Budget: (18 Responses)**

The balance between Formula grants and enhancement grants is significantly skewed toward Formula grants which is inequitable for almost half the state which only has access to Enhancement grants.

Private forest landowners could use assistance with water bar installations on their forest trails. Suggest FPR ask the AOT for used guard rails for landowners for use as water bars-contact. Dave Wilcox at FPR for details. Also, for municipalities, suggest AOT training of municipal grader operators on the proper crowning of gravel roads to reduce erosion of road material into side ditches.

Per above, Lakes in Crisis should be Tier 1 - I can't remember for sure, but don't think it is.

No money spent on improving storm water or wastewater can match the reduction/\$ spent for converting all VT dairy to organic

I believe that within the Tier 1 groups, allocating a substantial investment of funds to the Land Conservation and Water Quality Projects line item is imperative.

Human health is more important than Money

Prioritization for clean-up projections within Tier 1 should be allocated to Lake Carmi as a lake in Crisis. Although additional funds have been allocated over last year's budget there are worsening conditions on the lake that require a more aggressive and immediate action. Studies proceed but so does the damage.

This has been brought up for discussion and may already be a funding priority for the Statewide, non-regulatory Clean Water Projects, but it feels very important that the CT River and Hudson Basins be given priority to these funds since these Basins do not have access to the larger pot of funds under the Water Quality Restoration Formula Grants to Clean Water Service Providers & O&M.

Please fund the water quality enhancement funds at the largest possible level

An ok start to address issues

It is important to the Recovery of Lake Carmi that the DEC allocation include funds to determine the feasibility and effectiveness of ALUM treatment, and other measures needed to RESTORE/REPAIR this LAKE IN CRISIS

Budget should include an enforcement division to ensure that protocols and laws are being followed and contributors are being held accountable

Lakes Carmi, Champlain and Memphremagog are at or near critical levels. Are these bodies of water included in tier 1?



Please support Agency of Ag programming and staff. They are efficient and accomplish much with their funds.

Additional funding is needed to address aquatic nuisance plants & animals and cyanobacteria. Clean recreational water is needed to support Vermont's tourist industry.

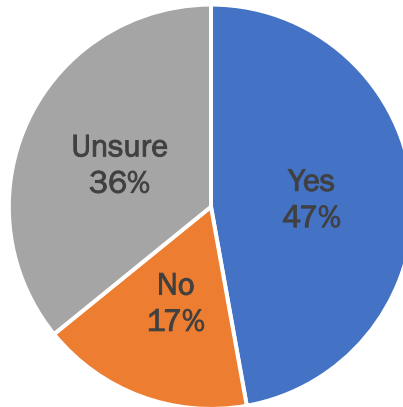
I would prefer to see more money going to DEC CWIP Restoration Formula Grants for CWSP funding of non-regulatory projects and reducing Tier 2 subsidization for 3-Acre permit and MS4 which already have the ability adjust their stormwater utility and school budgets.

Almost 6 million is allocated to AAFM. Farms are still polluting our rivers & streams. Is this money effectively targeting clean water efforts.

See below

**Tier 2**

Question 6: Do you agree with the proportion (30%/\$14.7 million) of funds allocated to Priority Tier 2 of the proposed State Fiscal Year 2024 Clean Water Budget?  
(53 Responses)



<b>Question 7: Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 2 of the Clean Water Budget: (9 Responses)</b>
see comments above
Connecticut River Valley never gets adequate funding.
Lake is in desperate need of it
We need to do what it takes to solve the problem.
River and stream need a clean water program
Hard to answer without knowing/understanding the Board's criteria for allocating resources to functions (Repair, Restore, Maintain, Improve) and whether/how the proposed allocations meet them.
See above
See response to question 5.
see comment under Tier1

**Question 8: Please provide any specific comments/recommendations, if applicable, on individual line-items and funding amounts included within Priority Tier 2 of the proposed Clean Water Budget: (17 Responses)**

There does not appear to be enough funding to support the municipal roads programs.

Flood resiliency needs to be prioritized over stormwater in order to adapt more quickly to climate change.

see above comments

Lake Carmi needed an alum treatment many years ago. I advocated but LCCA said Slow down, Proceed carefully....Yeah and now we have a mess. NY State has treated lakes successfully. It does not last forever but there were 25-30 years with clean lakes. Lake Carmi fishermen have hobbled efforts to use "any Chemicals" and stalled the spring start of the Oxygenation treatments. It is detrimental to the lake and now leaves it in horrid condition. Fund an ALUM treatment. Look at how other lakes have done it and line up volunteers to help spread the alum. If pontoon boats can hold [races] all over the lake, then they can easily drive around [spreading] alum. A OR [spread] via plane over the lake

Lakes in Crisis programs are critical, and lack of progress on this issue is an extremely public and visible failing. It has economic, social, and health impacts.

I'm concerned with Farm Improvement projects that have the potential for farmers to become reliant on Grants and the State for implementation. Case in point is the roof over the calving area at Sprague Ranch. Vermont does not need more cows! I would much rather increase funding to retire agricultural activity at sensitive riparian sites, and pull those lands out of production permanently.

Innovative or Alternative Technologies or Practices to Improve Water Quality should be the top priority within the Tier 2 group - VT is always an innovator and should continue this for the region.

Lake is in desperate need of it

With 7 million in one time ARPA funds being directed to Municipal Three-Acre General Permit and MS4, it feels important that this funding should be available to the whole state and not just focused on the areas where the 3 acre rule has already been implemented. Just because the 3-acre ruling will not be in effect in the CT River Basin until the early 2030's, we have no idea what funding will be available at that time to assist with 3 acre site issues at that time. It is highly unlikely that there will be another large release of one-time funding that can go to these other regions in the state in the future. Even without the 3-acre ruling in effect at this time in the eastern portion of the state, we should be able to utilize the one time funding to assist 3-acre site issues now.

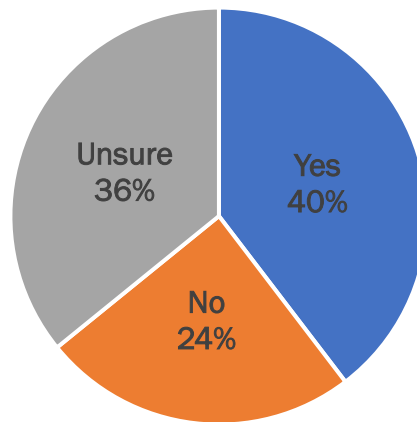
Lakes in crisis should be moved to a tier 2 level, if level is an indicator or priority, and allocated additional funds.

Please fund work to assess impact of tile drains on dissolved phosphorus loading to Lake Champlain

No Comment
Lakes Carmi, Champlain and Memphremagog are at or near critical levels. Are these bodies of water included in tier 2?
Are there any funds available for supporting and improving the aquatic invasive species grants in aid run by DEC's Lakes and Ponds Program?? It seem as though this would be a Tier 2 program, but I don't think they get Clean Water Funds. Please consider using clean water or general funds to support this underfunded program.
I would prefer to see more money going to DEC CWIP Restoration Formula Grants for CWSP funding of non-regulatory projects and reducing Tier 2 subsidization for 3-Acre permit and MS4 which already have the ability adjust their stormwater utility and school budgets.
More money should be allocated to ensure all hydraulically connected roads are not polluting our lakes.
I especially like line 2.3 - Water Quality Farm Improvement and Retirement Projects I think that there are probably a lot of farms that should be reduced or retired near the lake. Or at least their manure should be spread farther from the lake.

### Tier 3 and Other Priorities

Question 9: Do you agree with the proportion of (10%/\$4.7 million) of funds allocated to Priority Tier 3 and Other Priorities of the proposed State Fiscal Year 2024 Clean Water Budget? (53 Responses)



<b>Question 10: Please provide any specific comments/recommendations, if applicable, on the overall allocation of funds to Priority Tier 3 and Other Priorities of the Clean Water Budget: (9 Responses)</b>
see above comments
While I answered Yes on the previous 2 questions I would like to see more funds allocated to tier 3
I would like to see more money available to Lake Carmi in order to help this lake in crisis.
More allocation of funds for lakes and ponds and specifically Aquatic Invasive Species management.
See response to questions 4 and 7.
Allocation of 120,000 for the Lakes in Crisis is insufficient to address the problems and implement solutions
Not sure 10% is a significant enough allocation for Tier 3 projects.
Businesses should help pay for their stormwater problems.
More money needs to be allocated to Lakes in Crisis.

<p><b>Question 11: Please provide any specific comments/recommendations, if applicable, on individual line-items and funding amounts included within Priority Tier 3 and Other Priorities of the proposed Clean Water Budget: (16 Responses)</b></p>
<p>We have worked hard at Lake Carmi to reduce nutrients from entering the lake. We need additional funding for blue green algae treatment.</p>
<p>see above comments</p>
<p>Municipal Pollution Control Grants seems like it should be the top priority for Tier 3, or re-allocated to Tier 2.</p>
<p>The funds should be [allocated] as soon as possible or else more money will be needed in the future to fix the problem</p>
<p>I would like to see more than \$120,000 allocated to Lake Carmi effort.</p>
<p>Please consider additional funding for Alum treatment if feasible for Lake Carmi</p>
<p>Greater allocation to Lakes in Crisis Fund. I am writing from Lake Paran in Bennington VT, we typically receive very little funding from the state and our municipalities since the Lake Association is a 501(c)3. We are in BASIN 1 and are considered a priority water body due to our milfoil infestation. We need more funding to support our aquatic nuisance management for the benefit and health of our community</p>
<p>Lakes in crisis should be allocated additional funds and/or moved to a level 2 if level 1 is an indication of focus. \$100k, given the current situation (a crisis), is not an adequate allocation to take action that is needed in Lake Carmi. Given the summer long blooms the lake experienced in '22 more funds are needed in order to take additional steps to address the ever-increasing blue green algae situation.</p>
<p>Please continue to fund Lakes in Crisis work and Lake Carmi Restoration work at the highest possible level</p>
<p>Don't understand why anything to do with Lake Carmi would be in this low priority section.</p>
<p>Lakes Carmi, Champlain and Memphremagog are at or near critical levels. Are these bodies of water included in tier 3?</p>
<p>Lake Carmi is dead. Aquatic life and the ecosystem is dying. Solutions to address the [cyanobacteria] need to be implemented this summer</p>
<p>I am very disappointed to see the Lakes In Crisis in Priority Tier 3. In all of VT, only Carmi has the Lake in Crisis designation. I appreciate the increase in funding from the original \$50,000 to \$120,000 but the fact of the matter is that Carmi is a dying lake. I have witnessed the sight of dead mussels, dead crayfish and dead fish. It is heartbreaking to see ducks swimming in scum. And above all, I fear for the health implications for humans that live on the shores of Carmi. For these reasons, I believe that the Lakes in Crisis should be a Tier 1 priority. It is discouraging to see it categorized as a Tier 3 priority. What will it take to make decision makers react to this dire situation?</p>



Lakes in Crisis belong in a higher priority tier.

I applaud the residents of Lake Carmi & Morey, but soon their problems are likely to be shared by many more lakes. Alum treatment should be studied, but limiting this to 2 lakes, might be problematic as algae blooms are becoming more common.

More money needs to be allocated to Lakes in Crisis.

## General Comments on Clean Water Budget

**Question 12: Please provide any other specific comments/recommendations, if applicable, on the overall draft State Fiscal Year 2024 Clean Water Budget to share with the Clean Water Board. (15 Responses)**

Some good work is being done, finally! Let's continue to stay hyper-focused on agricultural nutrient runoff reduction.

I suggest allocating funds to a well thought out public education and promotion of the projects to let the public know about all the efforts that are going into improving water quality and how they benefit everyone.

funds should be allocated as soon as possible or else more money will be needed in the future to fix the problem

We are unable to answer most of these questions due to our lack of specific knowledge. We are concerned primarily with our Lake Carmi and are asking that funds be distributed proportional to the extent of the problem. The condition of Lake Carmi has deteriorated from "Lake in Crisis" to "Unusable Lake". Please prioritize this most urgent need.

It would be helpful is there were links embedded in the survey to details for each tier. If they are embedded, they did not work for me. I had to search for them separately.

Recommend using the additional \$6.1M available to increase the total FY 24 CWB Budget \$56.8 Million. Use as much of this additional funding as possible to REPAIR/RESTORE Lake Carmi and other public waters in crisis.

More robust accountability and enforcement for the factions that do not comply with the laws and continue to pollute our watersheds

Lake Carmi, as the state's only lake in crisis should be prioritized for an immediate fix before the lake is lost permanently. Addressing Lake Carmi is only logical because Carmi eventually feeds Lake Champlain.

I would like to ensure that the clean water funding allocated for the continuation for the continuation of the aeration system and feasibility study for clean water solutions for Lake Carmi continue to be a priority. We also need to ensure that if the feasibility is favorable to the application of an alum treatment for the lake that we have allocated the appropriate funding/set aside funding for 2024 so if appropriate, this alum treatment can be applied.

Please see above. Move Lakes in Crisis to a higher level priority.

I can't speak to much of this survey because it is beyond the scope of my knowledge. However, as a seasonal resident of Lake Carmi, I can tell you that it is extremely impaired and efforts to date have not resulted in sufficient improvement. Last summer we began to experience cyanobacteria blooms as early as June and by mid-July we stopped fishing, boating, tubing and spending time on the lake. Our family and friends fear spending time with us and we ourselves fear the possible health impacts of residing on the shores of the lake and the inhalation of aerosolized toxins. It is my understanding that the state has ARPA funds that will only be available for the next 2 years. Please consider the funding

and application of an alum treatment, which would give us hope that our lake can be restored. Studies have shown that the lake sediment is repo

Thank you for all of your work on the budget!

the breakdown of funds and assignment of priorities is well thought out and defensible, the problem is the limited, even though more than ever, amount of funding.

Overall very well done and solidifies my trust in the process of funding, now if we could only get past the hurdles of getting out applications for CWSP funded projects!

It is hard for me to comment on allocations, not knowing where the phosphorus is coming from. I have seen data on the basin as a whole, but not locally. I would like more data on which sources of phosphorus are most significant in the most impacted parts of the lake (St Albans, Missisiquoi, Carry Bay (where I am)). I also would like to see more about assessing the role of septic tanks. I suspect they may be much more significant in some areas than has been addressed. It looks all the line items are good projects, I just don't know which ones will have the biggest impact. And again, we need more money. Just the proposed sewer in Mallets Bay would have been \$10-14 million, and that is just one tiny section of the lake.

## Feedback on Online Questionnaire/Public Comment Period Process

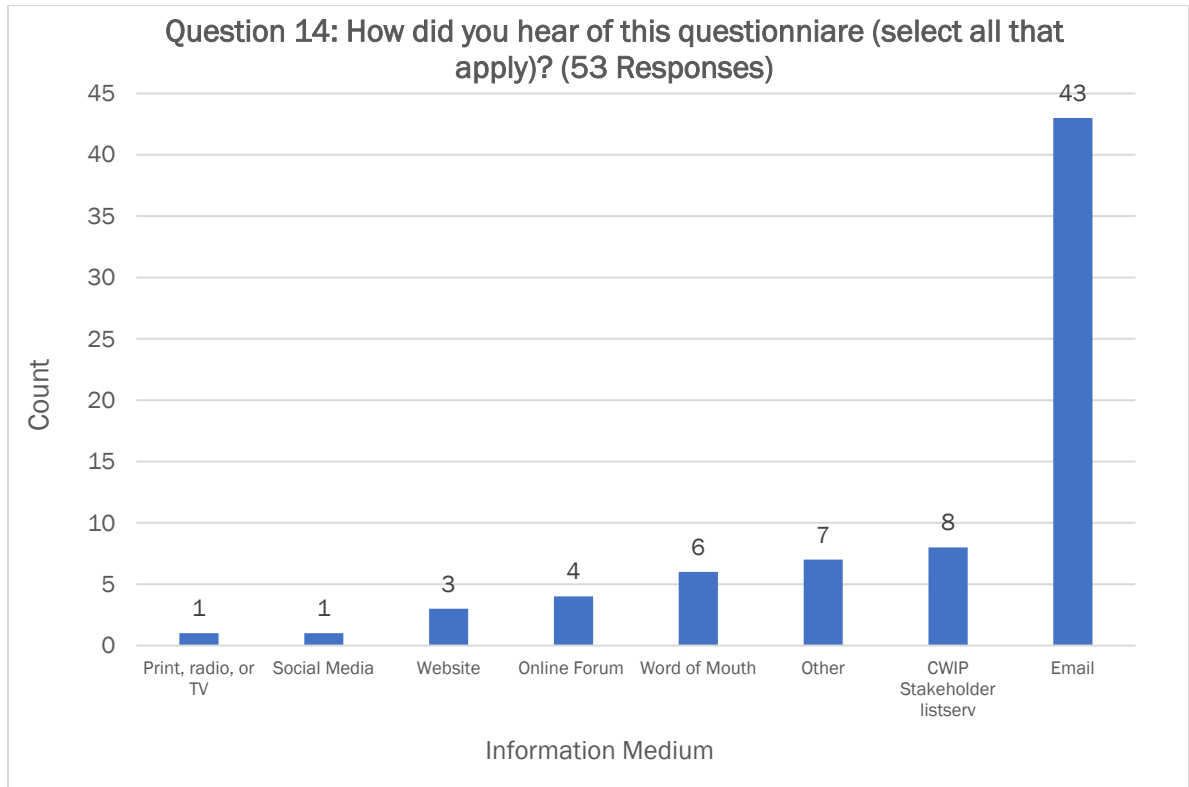
<b>Question 13: How can we improve future Clean Water Budget public comment periods, including improvements to the online questionnaire? (53 Responses)</b>
i dont know
links to explain each budget item.
Explain the differences in the Tier process.
Ensure that links and footnotes can be read. These do not work in this survey.
The process isn't too bad but your requests for details may be too detailed. Maybe a more general approach as many of us don't have the time to examine budgets in the detail needed to answer your questions.
Drill down geographically by body of water. Share details of requirements regarding distribution of funds
Not sure
Seems like you are doing a good job at this, between public meetings and questionnaires.
Hold sessions in the southern part of the state.
More lead time, using conservation groups to get questions to landowners.
be more specific on what tier 1,2, 3 projects are being scheduled. keep the comment period open longer
The Clean water budget Story Map, with associated videos and hyperlinks, is very helpful. Continue with this
My plan can not be appreciated or really judged by reading my responses on this form
No idea
Within each Tier group, list the projects and ask people to rank them.
keep it as is
Keep the comment periods
This is definitely moving in the right direction. Thank you for your efforts. We need to work together.
I am satisfied

Satisfied
It would be very helpful if you would specify where the funds in each line item in each tier are directed and spent. Relating specific projects and success stories to each line item would be helpful.
Continue to make the meetings available through Teams
The questions assume a level of knowledge that many laymen do not possess. Perhaps it is not appropriate for associations like the LCCA to request members to answer such surveys as a way of communicating our concerns. Bad data is worse than no data.
N/a
For the public, it would be helpful to have a short summary of changes to the budget and why certain programs are receiving a higher priority. Not everyone is able to attend the on-line meetings, so providing a written summary to accompany the survey would be helpful.
interview me for specifics of my plan
Include explanation of what consists for projects per Tier.
See prior comment. Embedding links within the survey to information on each tier would be helpful. If they are already embedded, they did not work for me. I separately searched your website for the information.
Yes
More outreach about the comment period
No improvement needed.
More content to the questionnaire
Prepare and present the proposed budget in terms of function and benefit to specific waters in addition to agency allocation and uses.
They are adequate.
more coverage on TV
Define what makes up your tiers.
Tier 1 vs 2 vs 3 is not meaningful to most people. Provide more info about what these mean.
Keep them more general
Make it as simple as possible to get the most responses

no additional work needed... outreach has been very good.
It is very difficult for lay people like myself to participate and make our voices heard when we often don't understand the technical jargon. It is also overwhelming to look at all the line items that we know little or nothing about and offer suggestions. I just know that the lake I love is extremely impaired and it is affecting all aspects of this lake community. It seems clear from recent data that our problem lies largely in our legacy load. We had high hopes for the aerators but they have proven incapable of stopping the sediment release. The State currently has a huge increase in funding due to ARPA. The time is NOW to provide the in lake treatment that has a solid chance of restoring our lake. We've met the DEC phosphorus reduction goals relative to external loading reductions that in the past prevented us from qualifying for an alum treatment. It was mentioned that the aeration arrays would be moved and while that may have a positive impact, it doesn't take much time spent on the shores of Carmi to realize that drastic, salient action must be taken. The numbers show that our in lake total phosphorus concentrations have increased rather than decreased from year to year. Let's move forward in a "crisis mode" fashion , making the restoration of Carmi a top priority.
The LCCA is good about informing folks with Carmi association. The on-line questionnaire seems to work.
It seems fine.
We need background information to know whether funds are enough for the projects listed.
Ask for comments which pertain specifically to areas that we are knowledgeable of... In other words, break it down into specific categories.
I appreciated the ability to comment on specific line items. It would be great if the accompanying slideshow noted when programs described were tier 1, 2, or 3. There were also inconsistencies in how different agencies named partners in the slides.
Include place to attach letters of support.
I find the entire discussion confusing.
I was impressed with the presentation. The only limitation was not being able to read the print budget on the screen, but that can be cured by printing it out prior to the hearings. Continuing with the on line access to these hearings is a necessity.
What you are presenting is excellent
Your public comment periods and online quesAdding background information on how the amounts in each tier were determined is required if meaningful comment is desired.
This is a tough one. Without the specifics about each project it is really hard to comment, and that would be too much for people to digest. Maybe more in person meetings, especially if there was more local info presented. For example, which of the proposed projects are near me?

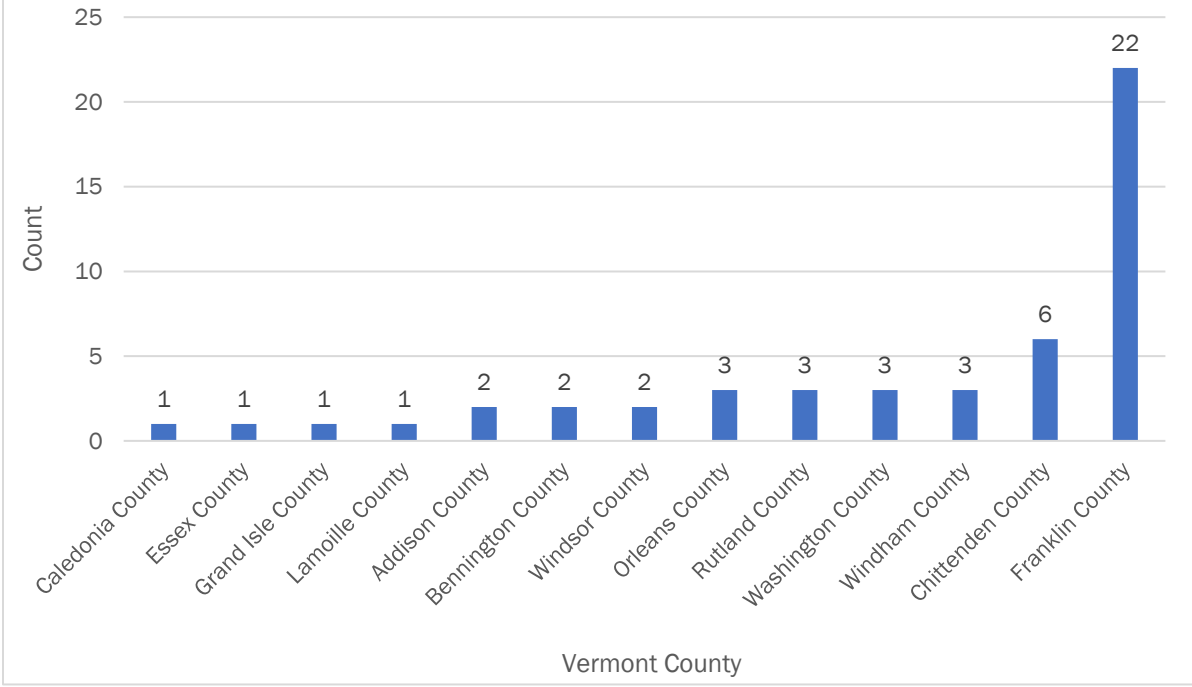
Get out into the community—observing farm and land practices on site.

## Demographics of Respondents

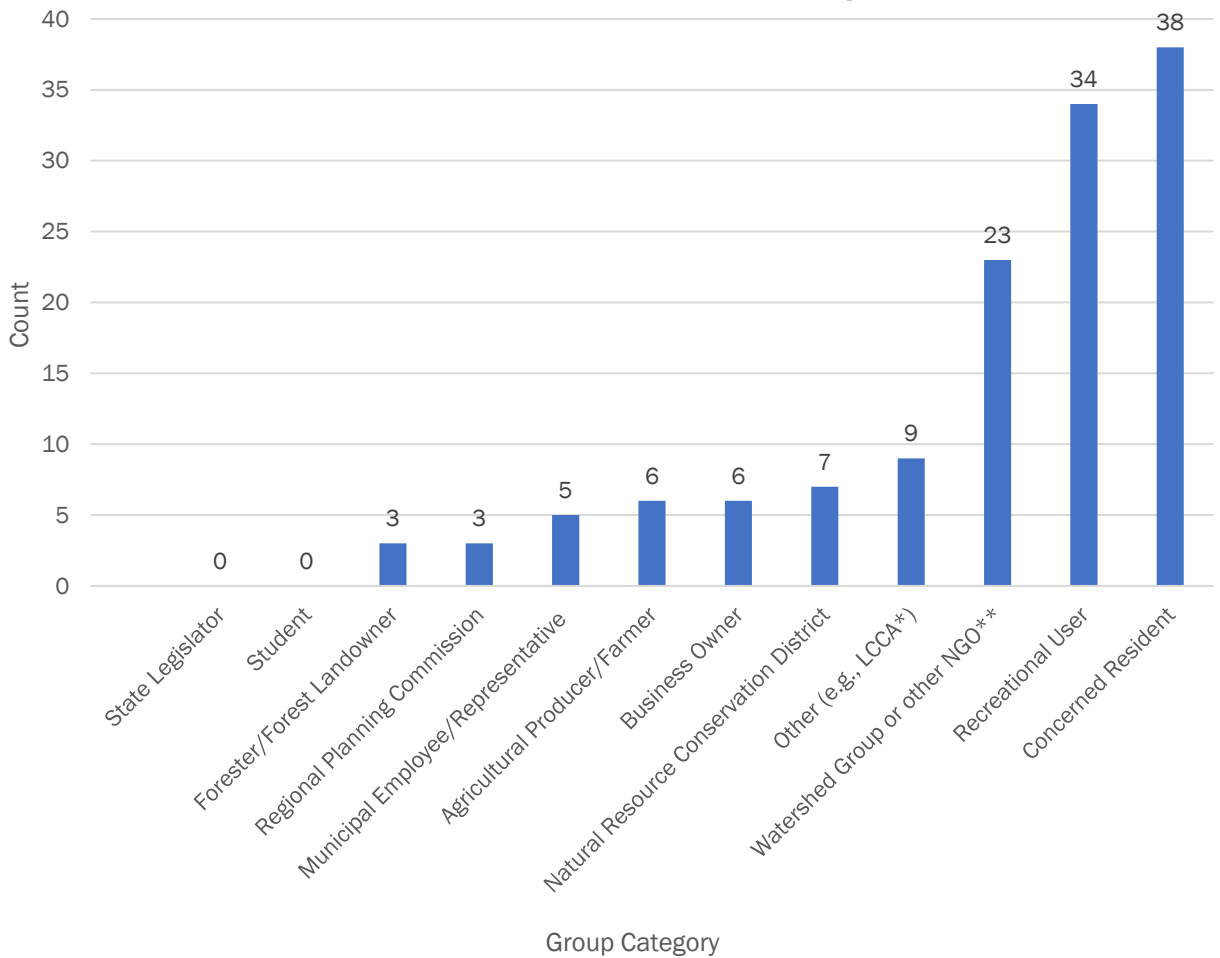




**Question 15: Please enter your zip code to help us understand the statewide distribution of response to this questionnaire.  
(53 Responses, 50 in state, 3 out of state or invalid)**



**Question 16: Which groups do you belong to or identify with? Select all that may apply  
(53 Responses, some selected multiple groups)**



\*Lake Carmi Campers Association (LCCA)  
 \*\*Non-governmental Organization (NGO)

November 22, 2022

Secretary Julie Moore  
Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05620

Dear Secretary Moore and Members of the Clean Water Board,

The Lake Champlain Committee, Audubon Vermont, Connecticut River Conservancy, Conservation Law Foundation, The Nature Conservancy in Vermont, Vermont Conservation Voters, and Vermont Natural Resources Council offer comments on the proposed FY24 Clean Water Budget (“Draft Budget”) and generally on the Clean Water Fund (“CWF”) in its supporting role of the Act 76 Clean Water Service Provider (“CWSP”) program. Overall, we appreciate and support the increased funding levels set in the Draft Budget by the Clean Water Board (“Board”) but have some specific concerns with the use of one-time funds and with the proposed treatment of Lake Carmi in the Lakes in Crisis program.

In a July 28, 2022, letter to the Board, our organizations requested that the Draft Budget increase the investment in Tier One programs, noting that federal funds are currently available for Tier Two and Three programs. Specifically, we asked that funding be increased above FY23 levels for the Restoration Formula Grants, Agricultural Water Quality Grants, and for Program and Partner Support for much-needed capacity building by watershed groups and Conservation Districts. Further, we asked the Board for full statutory funding for the Enhancement Grant program and for the creation of a Risk Reserve program to provide a fund to repair phosphorus reduction projects damaged by natural events. Thank you for making these increased funding allocations for these programs and these programmatic changes in the Draft Budget. These funding levels are vital to the success of the Act 76 Clean Water Service Provider Program.

The use of one-time funds, including Clean Water Fund surplus and American Rescue Plan Act (“ARPA”) revenue, provide a needed financial boost to the Act 76 program during its inception. To ensure future program continuity, we ask the Board to support a revenue increase for the Base Funds in a few short years, when one-time funding is no longer available.

As the Agency of Natural Resources (“ANR”) has noted, approximately \$50 to \$60 million is needed annually in order to meet the goals of the Lake Champlain TMDL alone, including between \$25 to \$28 million from the Clean Water Fund. For FY24 and FY25, the Clean Water Fund is projected to be about \$25 to \$26 million. But, in order to offset a likely future decrease in the Property Transfer Tax revenue and the new-found reliance on ARPA funds, as well as ensure funding above and beyond what is needed for the Lake Champlain TMDL to address clean water needs in the rest of the state, the Meals & Rooms Tax revenue diverted to the Clean Water Fund should be increased from 6% to 8% over several years. Each percentage point increase results in approximately \$2.3 million, so this would boost the Clean Water Fund by about \$4.6 million. This is particularly needed for capacity building of local organizations

statewide to implement clean water projects. We intend to make this request of the Vermont Legislature in the coming months and hope we can count on the support of the Board.

Finally, our organizations offer comments on the proposed alum (aluminum sulfide) treatment for Lake Carmi. While this treatment has proven successful on a small scale at neutralizing the phosphorus that feeds cyanobacteria blooms, it must be categorized as a temporary solution that cannot replace both the short- and long-term reduction of nutrient pollution. In the case of Lake Carmi, great efforts were made to reduce phosphorus runoff from the surrounding area into the Lake, but this is not the case throughout the state.

This past summer, cyanobacteria blooms occurred in other Vermont inland lakes, including Lake Memphremagog, Joe's Pond, and Lake Morey. We are concerned that other lake associations and lakeside property owners will see alum treatment as a quick fix to a problem that requires an ongoing commitment to nutrient reduction and land management that is protective of water quality. ANR should set clear guidance for alum as a treatment of last resort, not an early option, and one that must be coupled with a comprehensive nutrient reduction effort. Political expediency cannot win out over sound water quality policy.

Thank you again for the opportunity to comment on the proposed FY24 Clean Water Budget and for the proposed increases in funding allocations key to the success of the Act 76 Clean Water Service Provider program. We look forward to our recommendations being incorporated in the next iteration of the Budget.

Sincerely,

Lori Fisher, Executive Director  
**Lake Champlain Committee**

David K. Mears, Executive Director  
**Audubon Vermont**

Kathy Urffer, River Steward  
**Connecticut River Conservancy**

Mason Overstreet, Staff Attorney  
**Conservation Law Foundation**

Lauren Oates, Director of Policy & Government Relations  
**The Nature Conservancy in Vermont**

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

Jon Groveman, Water and Policy Program Director  
**Vermont Natural Resources Council**

cc:

Dep. Secretary Doug Farnham, Agency of Administration, and, Chair, Clean Water Board

Secretary Anson Tebbetts, Agency of Agriculture, Food & Markets

Secretary Lindsay Kurrle, Agency of Commerce and Community Development

Secretary Joe Flynn, Agency of Transportation

Senator Chris Bray, Chair, Senate Natural Resources & Energy Committee

Senator Jane Kitchel, Chair, Senate Appropriations Committee

Rep. Amy Sheldon, Chair, House Natural Resources, Fish & Wildlife Committee



## Town Offices

Tel: (802) 333-4363 Fax: (802) 333-9214  
P.O. Box 95 • Fairlee, VT 05045

November 15, 2022

Reference to the waters of Lake Morey and the cyanobacteria bloom.

To the Clean Water Board:

The undersigned request the CWB to consider providing financial resources for the treatment of Lake Morey.

The Town of Fairlee has been a natural recreation center for over one hundred years with Lake Morey as a centerpiece. Located solely in Fairlee, Lake Morey is the Town's most significant natural resource. It is also the Town's most significant financial resource, with 128 cottages and two commercial entities on the Lake that provide roughly \$85 million a year in tax revenues. During the Clean Water Board public input session on November 2, 2022, several Fairlee landowners offered commentary on the cyanobacteria bloom on Lake Morey that occurred mid-August to mid-October. To summarize, this event was of the longest duration in recent memory. None of the collected data from the Lake Morey Commission and the State DEC's Lake Monitoring Program or the LaRosa tributary data had predicted a bloom of this magnitude or duration.

In 1981, the Lake experienced a nuisance aquatic algae event which was addressed with an alum treatment. This alum treatment of the Lake was reported in the scientific papers 'The Morey Diagnostic/Feasibility Study, A Successful Alum/Aluminate Treatment of Lake Morey' and 'Long-Term Water Quality and Biological Effects of Alum Treatment of Lake Morey, Vermont' were created from the results by the Vermont DEC and the community. The alum/aluminate treatment in 1986 was deemed a monumental success.

Respectfully submitted,  
Peter Berger, Chair Fairlee Selectboard  
Don Weaver Greg Allen – Co Chairs The Lake Morey Commission  
Laura Tucker, President - The Lake Morey Protective Association  
Bruce Durgin - President - Lake Morey Foundation



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Respectfully submitted,  
Peter Berger, Chair Fairlee Selectboard  
Don Weaver Greg Allen – Co Chairs The Lake Morey Commission  
Laura Tucker, President - The Lake Morey Protective Association  
Bruce Durgin - President - Lake Morey Foundation

**From:** [susan.gresser](#)  
**To:** [ANR - Clean Water VT](#)  
**Subject:** 11/2 Clean Water Budget Public Hearing  
**Date:** Friday, November 18, 2022 2:32:58 PM

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EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I am a concerned citizen and trying to understand why none of the Clean Water Budget of \$50 million can not be applied to prevention programs such as the Grant in Aid program for Greeter stations to combat the spread of AIS?

Susan Gresser-resident of Caledonia County.