



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION I**  
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**BOSTON, MASSACHUSETTS 02109-3912**

April 22, 2022

John Beling, Interim 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 Winooski, and Final Report Cards for Lamoille and Missisquoi Tactical Basin Plans*

Dear Commissioner Beling:

Thank you for your progress report on Lake Champlain TMDL implementation contained within the “Vermont Clean Water Initiative 2021 Performance Report” (Performance Report) submitted to EPA on January 20, 2022. The well-documented and comprehensive report has given EPA a solid basis for evaluating Vermont’s progress towards completion of the work described in the Accountability Framework section of the 2016 TMDL document. EPA commends the staff that administer these programs and produced the report.

The purpose of this letter is to evaluate the state’s progress on the Phase 2 milestones – a mid-cycle review of implementation progress for the Winooski River Tactical Basin Plan, and the final review of Phase 2 implementation for the Lamoille River Watershed and Missisquoi Bay Watershed Tactical Basin Plans (TBP). 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 actions for each plan. At the conclusion of the five-year period, EPA will review and provide an assessment of the state’s final progress towards completion of these actions.

As a result of our review, EPA concludes that the state is on track towards accomplishing most of the five-year actions identified in the implementation tables for the Winooski River Basin Phase 2 plans. EPA also concludes that Vermont has satisfactorily completed the five-year actions identified in the implementation tables for the Lamoille River and Missisquoi Bay Tactical Basin Plans. The basis for this conclusion is explained below.

*2018 Winooski River Watershed Tactical Basin Plan Interim Progress Assessment*

To assess state progress in implementing the Winooski River Tactical Basin Plan, we focused our review on Appendix C of the Performance Report. The report assesses progress for each action in the plan implementation tables using the following four categories: complete; 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.

In the Winooski River basin, EPA is pleased to see that 94 percent of the 52 actions included in the implementation table have either been completed, are ongoing, or have a high or medium likelihood of completion by 2023. For the actions listed as “in progress,” the state has further broken out the status into those with high or medium likelihood of being completed by the 2023 end date. A review of the status summary for each action indicates that excellent progress has been made for most of the “in progress” actions, as well as for the “ongoing” actions. To maintain the successful programs and projects that are ongoing, continued and consistent funding and programmatic support will be important. EPA considers the state to be making strong progress towards completing the five-year implementation actions.

#### *2016 Missisquoi Bay Watershed Tactical Basin Plan Final Performance Assessment*

Appendix A of the Performance Report describes progress on the Missisquoi Bay Watershed Tactical Basin Plan. The implementation table for this plan shows excellent progress from the interim review when most of the actions were considered ongoing. Of the 27 actions in the implementation table at the end of the five-year review period, a total of 26 are targeted towards phosphorus reduction, and of those 23 are reported as complete and three are in progress. Status summaries provided by Vermont show that in progress strategies are well underway. The Performance Report also estimates that phosphorus loading has been reduced by 12 percent from the 2016 baseline load in FY21. With a high rate of achievement towards accomplishing the goals set forth in the implementation tables, EPA’s assessment of progress is that Vermont has satisfactorily completed the five-year actions identified in the implementation tables for the Missisquoi Bay Watershed Tactical Basin Plan.

#### *2016 Lamoille River Watershed Tactical Basin Plan Final Performance Assessment*

Appendix B of the Performance Report describes progress on the Lamoille River Watershed Tactical Basin Plan. Though tactical basin plans address a wide range of water quality and habitat restoration activities, the Lake Champlain TMDL Phase 2 Implementation Reports are intended to specifically address phosphorus reduction efforts. The Lamoille River Watershed Tactical Basin Plan included a wide range of activities necessary to address environmental needs, many of which were not focused on phosphorus reduction. EPA contacted the VT DEC’s Water Investment Division’s Watershed Planning Program team to discuss and agree upon the tactical basin plan activities that were expected to reduce phosphorus loading to Lake Champlain.

EPA is pleased to see that, overall, 96 percent of actions identified as expected to achieve phosphorus reductions have either been completed, are ongoing, or will continue into the next phase of the Lamoille River Watershed Tactical Basin Plan. Of the 88 actions in the implementation table, 50 actions were expected to result in phosphorus reductions. Of these, 35 have been completed, 10 are in progress, three are ongoing, and two have been discontinued. A review of the status summary for each action indicates that very good progress has been made for most of the “in progress” actions, as well as for the “ongoing” actions. With a high rate of achievement towards accomplishing the goals set forth in the implementation tables, EPA’s assessment of progress is that Vermont has satisfactorily completed the

five-year actions identified in the implementation tables for the Lamoille River Watershed Tactical Basin Plan.

While the focus of these report cards is on the tactical basin plans, EPA did observe a modest drop in funding available for clean water activities in 2021. COVID-19 impacted many parts of the economy, including the long-term funding mechanism in Vermont, and EPA continues to believe that sustained funding is necessary to achieve the reductions required for Lake Champlain. As a vital Phase 1 milestone, EPA will continue to track available funding.

Beyond the successful implementation in the Winooski, Lamoille, and Missisquoi basins, we are pleased to note the many broader accomplishments documented in the Performance Report. EPA continues to be pleased with the quantity and quality of work completed since passage of Act 64. The 2021 Performance Report indicates that actions tracked by the state so far have resulted in an estimated reduction of 34.8 metric tons of phosphorus per year, or about 16 percent of the total reduction target. We recognize that methods for tracking effectiveness of some measures are still being developed and that most of the results of new permit programs and related measures will not be measurable for several years. Accordingly, we are anticipating (as is projected in the state's Phase 1 Implementation Plan) that phosphorus reduction amounts will increase substantially over the next five years. We look forward to continuing to collaborate with you and wish to thank you and the Watershed Planning Program staff for a thorough review of this important work.

Sincerely,

Melville P. Coté, Jr., Chief  
Surface Water Protection Branch

Cc (via email): Neil Kamman, VTDEC  
Ethan Swift, VTDEC  
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