



Friends of the Winooski River

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The mission of the Friends of the Winooski River is to safeguard and enhance the natural resources of the Winooski River in harmony with its human communities. The goals of Act 138 are clearly supportive of our mission. As we understand it, the purpose of the Report is to provide recommendations on how to remediate or improve the water quality of the state's surface waters, how to implement remediation or improvement of water quality, and how to fund the remediation or improvement of water quality.

The Friends appreciate the considerable work that has gone into preparing the Act 138 Report. It is clear that the Agency of Natural Resources team created an open and thoughtful process to incorporate many points of view. We offer a few comments in response to the Act 138 Draft Report.

First, while the Report divides the water quality issues into nineteen categories, it does not prioritize possible actions and the most cost-effective means to achieve these goals. The nineteen categories fall roughly into one of three macro groupings: municipal policy/operations; municipal infrastructure; and agriculture. The municipal policy/operations grouping is the most diverse including unregulated stormwater; channel, corridor, floodplain and shoreland management and protection and enhanced stormwater regulation and MS4 permitting. The municipal infrastructure grouping includes those areas that involve equipment and capital investment. The agriculture grouping is comprised of the five agriculture related categories.

These macro groupings are useful in thinking about funding mechanisms, administration and implementation. The Draft Report identifies current resources including funding streams and regulatory frameworks. Additional funding, technical resources and regulatory/enforcement mechanisms need to be considered in the context of what exists and how those might be leveraged for future gain and impact. These groupings could also inform the selection of the most effective mix of financing tools, how to best administer those funds, and options for implementation. A single approach across the nineteen categories to financing, administration and implementation seems unwieldy.

Despite the categorization and grouping of the challenges facing Vermont water quality, the Report provides no sense of priority across those nineteen areas. Any additional funding will likely fall short of the total amount identified as needed to address all issues. With this, where would limited funding be most effectively spent? What are the Agency's priorities with respect to clean water? Further, the Report makes note of the possibility of increasing inspection and enforcement on several occasions. Would some of these actions be pursued independent of additional funding and/or direction from the legislature?

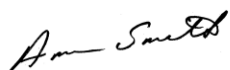
Second, the Report deals primarily with the identification and administration of new funding to address Vermont's current water quality ills, but does not adequately address prevention and enforcement. These funds would be used primarily to provide technical assistance and direct financial aid to municipalities and farmers. We agree that additional stable predictable funding sources are needed and that municipal and agricultural sectors deserve assistance. However, it is usually less expensive to prevent a problem than it is to fix it or suffer the economic losses that are caused by the problem. The Report makes minimal reference to regulation and enforcement as a cost avoidance measure. We encourage the State to keep these items on the table as well as considering strong incentive/disincentive programs to encourage policies and practices that benefit water quality.

Third, with respect to implementation, the Agency needs to leverage the resources and relationships with third parties on a local basis. This includes a combination of watershed groups, regional planning commissions, conservation districts and other organizations. The strength of these organizations and their ability to affect change varies dramatically across the State. As the Agency determines how to invest in non-State entities to improve water quality, it needs to consider the relative strengths of various organizations. This would require developing implementation approaches at a finer level than the four basin division described in the report. This would be more time consuming initially but would yield greater results in the long term.

Finally, the Agency needs to focus on funding specific functions for the completion of tasks or roles to address the priorities. These tasks or roles should be funded on a contract basis subject to performance standards. The Agency should avoid using an annual grant cycle for long term functions. It does not allow recipient organizations to build momentum and leverage from one project or program to another. On the other hand, it should also avoid funding general staff positions within organizations. The effectiveness of these types of positions are often limited for several reasons. It is often one individual who simply cannot address a wide range of issues. They may also be impacted an organization's other goals or sympathies, which may conflict with water quality improvement. Also, once an organization establishes a staff position, retaining that position becomes a priority in itself. However, if an organization is tasked with and held accountable for specific functions or objectives, they will be more likely to select the best approach (mix of staff, consultants, subcontract to other organizations etc) to support those functions and objectives.

The Friends is neither a policy nor an economic analysis organization. What we do best is work with local communities and landowners to education them about water quality issues and how to change practices to protect or restore our rivers and streams. In addition to an education role, we implement projects that benefit water quality and aquatic life such as riparian enhancement, corridor protection and stormwater management practices. In closing, The Friends is interested in working with the Agency to educate the public and work in partnership with the State to improve and protect Vermont's water resources.

Sincerely,



Ann Smith
Executive Director
Friends of the Winooski River