

Clean Water Fund Board Meeting
April 8, 2016
Summary of Comments, Questions, and Answers

- **Why doesn't the proportion of Clean Water Fund dollars across sectors match up with the proportion of nutrient loading across sectors?**
 - The CWF allocations were established across sectors incorporating a great deal of public comment. Different areas of the state, and Lake Champlain for example, have different sector needs.
 - In addition, the CWF is being targeted to address gaps in funding needs, and channel those additional funds through existing grant programs. The agricultural sector has the highest level of federal resources available to fund work. CWF allocations to the agricultural sector are leveraging those federal dollars. There are \$9 million per year available for the next four years to augment the federal/state cost share to reduce the farmer cost share required. AAFM is looking at areas of work ineligible for federal dollars, and targeting CWF dollars in those areas to address the funding gap. It is important to note that AAFM does not have control over USDA funds, and farmers need to sign up for cost share programs in order benefit from these federal funds. Approximately \$10 million are available if farmers sign up.
 - Finally, the Clean Water Initiative is considering the cost effectiveness of different practices to address nutrient loading across sectors. The CWF allocations across sectors recognize that different sectors have different best management practices, and some are more expensive than others. Looking at the cost per pound of phosphorus reduced, investments in the agricultural sector will go a long way through smaller investments. Funding needs to address all sources, and some types of treatment or management practices are more expensive than others.

- **What mechanism is in place to track where CWF dollars are invested at the project level?**
 - The Clean Water Initiative Program is coordinating with agency partners to develop a tracking system to measure progress meeting clean water restoration goals. The system will be used to track projects and best management practices through a database platform. This database will be made available online so that the public can see project-level information about how state funds were invested in projects.

- **Will the CWF be used to cover LiDAR statewide or just for the Connecticut River watershed?**
 - The grant will help to complete the upper Connecticut River Valley, which has not been captured before. Once this work is completed the state will have complete LiDAR coverage. LiDAR data need to be continuously updated, so as the state is completed, the state will begin updating parts of the state with older LiDAR data.

- **Will CWF dollars be channeled through existing grant programs, or will new grant programs be established to administer CWF dollars?**
 - The CWF dollars will be channeled through existing grant programs to maximize the efficiency of grant programs.

- **What is being done to address the increase in installation and use of subsurface tile drains in the agricultural sector? Expressed concern and the need to rethink basic agricultural practices when looking at the volume of liquid manure applied to croplands. Recommended rethinking basic agricultural practices. In Lake Erie, studies found that quality of water coming out of tile drains is comparable to storm sewers.**

 - AAFM is in the middle of researching the impacts of tile drains and will report back to the legislature on the impact and recommendations on whether or not, and how to regulate tile drains in January 2017. Research addresses water quality and tile drain outlets and options for mitigating the water quality impact of tile drains. AAFM has found that farmers are willing to adapt new practices, and AAFM is working on determining the best practices for managing water quality impacts of tile drains. Completing this research is critical for identifying what farmers can do to most effectively mitigate impacts. This is a big driver for investing CWF dollars in fostering innovation to address sources of nutrients versus symptoms. Innovation may involve altering the agricultural paradigm. Innovation may also involve providing assistance to farms transitioning from using row crops for livestock feed and switching to grass feed. Partners at the Lake Champlain Basin Program have invested funding into conducting applied research studies to build knowledge needed to respond effectively to emerging sources of phosphorous.

- **Would pushing back the rulemaking and implementation of Required Agricultural Practices (RAPs) impact the CWF? Attendee from wastewater sector expressed concern about waiting to implement actions to address nonpoint sources, because if EPA finds that not enough progress is being made, then costlier actions may be required to address point sources.**

 - AAFM has coordinated a broad-based pre-rulemaking public input process on the RAPs. AAFM received more input than anticipated and would like to take the time to address those comments prior to rulemaking. RAP rulemaking does not preclude spending implementation dollars for practices known to be effective.

- **In adjusting FY2017 CWF allocations due to lower than expected revenue, alternative funding sources were established to continue support of certain programs. If the revenue ends up being higher than estimated, would those alternative funding sources be maintained?**

 - Yes, alternative funding sources have been secured and CWF dollars restored would be able to support programs above and beyond the adjusted FY2017 CWF allocations.

- **How are funds administered by the LCBP going to be incorporated in the CWI annual report?**

 - The Clean Water Initiative will be reporting on complementary federal and state funds. Some of the LCBP funds are channeled through DEC. Where the state administers funds, or where there are partnership initiatives, the state's reporting efforts will capture those investments. Work completed by entities independently will not be incorporated into this report.

- **Will the report provide information at the project level?**

 - The report will address outcomes at the summary level and project level information will be available through an online database.

- **What resources are available to support non-agricultural and non-municipal sectors?**
 - Municipalities have many needs to achieve the goals of large restoration plans like the Lake Champlain TMDL, including managing stormwater, wastewater, and roads. The agricultural sector also needs to address its water quality challenges. However, natural resource restoration projects for floodplain function, wetlands, and river corridors are critical for meeting TMDL goals and for building resiliency. The intent of having Ecosystem Restoration Grant funding supplemented by the CWF is to make funding available to target those natural resource restoration needs that fall onto private lands that will provide a public benefit.

- **Who are the Basin Planners and what is their role in enforcement?**
 - DEC's Basin Planners are assigned to major basins in the state. They are the one stop shop for partners, the public, and stakeholders to help problem solve, and to bring in technical and financial resources. They are responsible for tactical basin planning, which is process for identifying important strategies to address water quality problems. Basin Planners do not have enforcement authority. When there are complaints or questions of compliance with regulations, the Basin Planners can direct those questions or complaints to the appropriate enforcement program.

- Comment: Request that as CWI thinks about how to spend dollars, to look for ways for young adults to become involved in the solution. Water quality issues were a long time in the making, and will take a long time to solve. Investing dollars to bring young people to the table to address the problem and bring new stewards to the field will be very important. A cultural shift in the general population will also be very important to maintain progress moving forward.

- **If the Lake Champlain TMDL is appealed, and there is a radical ratcheting down on wasteload allocations for stormwater and wastewater, would that impact funding priorities?**
 - Yes, but this is a very hypothetical question.

- Comment: Recommend considering pollution reduction gain per dollar invested in the CWF allocations.