

TRANSMITTAL MEMO

TO: LAMOILLE BASIN WATER QUALITY COUNCIL (BWQC)
FR: LAMOILLE BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: MATERIALS FOR MEETING ON 5/23/24
DA: 5/17/24

=====

Greetings, Lamoille BWQC members and others. The next meeting will take place on May 23. Please let me know if you have any questions regarding the agenda or the meeting.

Conflict of interest disclosures, if any

As a reminder, this recurring agenda item provides BWQC members and others opportunity to note possible conflicts of interest regarding agenda items.

Seating of any new representatives or alternates

It's possible but not confirmed that the BWQC will be asked to seat a new alternate. Details to come if available before the meeting.

Budget Adjustments

No budget request has been received since the last meeting. If one is received and requires action, I will provide an update before the meeting..

Application Review/Prioritization

The CWSP for the Lamoille Basin announced a fifth call for project applications on April 4. The filing deadline was May 9, and one application was received. The application is for final design (Floodplain/Stream Restoration- Final Engineering Design). The sponsor of the application is the Orleans County Conservation District. Staff have reviewed the application and recommend it them for funding. The amount of funding requested ranges is \$10,100. The estimated annual phosphorus reductions is 10.09 KG per year and has relatively strong cost effectiveness. Please find additional information attached.

Discussion of proposed increase in Project Development funding allocation

This agenda item will feature an introduction by staff regarding the proposed increase in Project Development funding allocation. The proposal, outlined in the email from Chris Rottler dated April 30, 2024, suggests increasing the allocation from 7% to 14% for the year, with a retroactive adjustment for the previous two grants. This will provide additional support for project identification and development, addressing the capacity issues faced by partners and the system. The relevant materials, including the email and Project Development SOP, are attached for your review and discussion

Solicitation / Appointment of BWQC Member and Alternates

The BWQC will also be discussing the process we must follow for (re) appointment of members and alternates for the Council. This agenda item is critical for ensuring that the Council continues to have a diverse and representative membership, capable of effectively guiding water quality projects in the basin. Attached please find excerpts from Chapter 4 of DEC Guidance Document, which spells out procedures for the appointment, reappointment, replacement,

and dismissal of BWQC members. For contrast, I am also provide an excerpt from the BWQC's bylaws. An up to date version of the Member Status Table will be used to track the current status of BWQC members and alternates.

Future meetings, including annual meeting and hybrid meetings

As part of this agenda item, members of the BWQC will discuss the scheduling and format of future meetings, with particular attention to the upcoming annual meeting in July and the possibility of hybrid meetings. Resources provided for the discussion include BWQC bylaws and a summary of S. 55, recently enacted by the Vermont legislature. Regarding the annual meeting, the BWQC will need to conduct elections for the Chair and Vice Chair positions. The current Chair is willing to stand for reelection, while the Vice Chair will be stepping down. A process for nominating and electing a new Vice Chair will be discussed. Members should be consider the need to nominate candidates for the Vice Chair position and any other open roles. The Nominating Committee, if established, will present a slate of nominations, and additional nominations will be taken from the floor during the meeting. Regarding S. 55, staff will provide an introduction to the question: Is the BWQC required to conduct hybrid meeting?

Updates and conclusion

This time will be available for discussion of future meeting topics and updates. If you would like to mention any of your own, please let us know.

Thanks to all who participate.

Agenda

AGENDA

Lamoille Basin Water Quality Council (BWQC)

Thursday, May 23, 2024

9:00 -11:00 AM

Remote /Zoom meeting

(Zoom details below)

1. Welcome and introductions
2. Meeting protocols
3. Conflict of interest declarations, if any
4. Review/adjust and approve agenda
5. Approval of minutes
6. Public comment not related to items on agenda
7. Seating of any new reps or alternate(s)
8. Report on budget adjustments, if any
9. Review of application filed in response to round 5 "Call for Projects"
10. Discussion of proposed increase in Project Development funding allocation
11. Solicitation / Appointment of BWQC Member and Alternates
12. Future meetings, including annual meeting and hybrid meetings
13. Updates and conclusion

Please Note: The schedule for the upcoming application round in Lamoille Basin is as follows:

Round #	Open
6	October 10, 2024
7	February 6, 2024

Join Zoom Meeting

<https://us02web.zoom.us/j/86562460349?pwd=dCtISjdHSGI1OFZ6Z2ZndTRPQ1pRQT09>

Meeting ID: 865 6246 0349

Passcode: 031502One tap mobile

+16465588656,,82336649019# US (New York)

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Staffing provided by Northwest Regional Planning Commission (NRPC), the Basin 6 Clean Water Service Provider. NRPC’s physical / mailing address is 75 Fairfield Street, St. Albans, Vermont 05482.

NRPC will ensure public meeting sites are accessible to all people or provide an opportunity to request accommodations. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Amy Adams, NRPC Title VI Coordinator, at 802-524-5958 or aadams@nrpcvt.com. NRPC will accommodate requests made no later than 3 business days prior to the meeting for which services are requested, and will strive to accommodate all other requests. This support is provided in accordance with provisions of the Americans with Disabilities Act (ADA) of 1990.

Minutes

Lamoille Basin Water Quality Council (BWQC)
Wednesday, April 3, 2024
9:00 -11:00 AM
Virtual Meeting/Held Via Zoom* (computer/smartphone/tablet etc.)

Meeting video posted at <https://youtu.be/12nKxAkwZjM>

**A VIDEO RECORDING OF THE MEETING IS AVAILABLE THROUGH
THE NRPC YOUTUBE CHANNEL (Link above).
THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE
MEETING. MOTIONS ARE AS STATED. MINUTES WILL BE SUBJECT TO
CORRECTION BY THE COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE
MINUTES OF THE NEXT MEETING OF THE COUNCIL**

Council Members: Richard Goff (Q), Kent Henderson (Q), Brad Holden (Q), Peter Danforth (Q), Erin De Vries (Q), Jed Feffer (Q), Brent Sheets (Q), Katherine Sonnicks (Q Alternate counting), Adelaide Dumm (Q Alternate counting), Mel Auffredou (Q Alternate non counting as first counting alternate present),
Q= towards quorum unless otherwise indicated

Staff: Dean Pierce

Others present: Karen Bates, Meghan Rodier, Dana Hazen, James King, Ted Sedell, Zach Shaw, Alberto Della Torre

1. Welcome and Introductions

Peter Danforth opened the meeting as Chair at 9:02 a.m. Attendees introduced themselves.

2. Meeting protocols

Meeting protocols were reviewed.

3. Conflict of interest declarations, if any

Peter Danforth announced his intention to recuse himself. Richard Goff also later indicated his intention to recuse himself.

4. Review/adjust and approve agenda

Peter Danforth asked if there were any additions the members would like to propose and if none if there's a motion to approve the agenda as is. Erin de Vries moved to approve the agenda, which Kent Henderson seconded. The motion was approved.

5. Approval of Minutes

Peter Danforth moved on to the approval of the minutes. Kent Henderson moved to approve the minutes, while Brent Sheets seconded. The motion carried.

6. Public comment not related to items on agenda

No public comments were made.

7. Seating of any new reps or alternate(s)

Dean Pierce described the council's protocol for admitting alternates, noting that while the council votes to admit alternates, no vote is required to confirm representatives like Brent Sheets, who previously introduced himself.

Brent Sheets shared a few words about his background and expressed eagerness to contribute to the council. With over 26 years of experience in water and wastewater infrastructure from Texas, Brent notes the adjustment to Vermont's more aggressive approach to water and wastewater management and expressed his hope that his insights will be beneficial to the council.

Peter Danforth formally welcomed Brent and noted the council's appreciation for having him as a part of the team, especially valuing the perspective he brings as a new town administrator.

Richard Goff asked about the selection process for municipal representatives. Dean Pierce explained that appointments of municipal representatives are made by regional planning commissions serving the areas covered by the basin.

Responding to a question, Dean Pierce confirmed that Erin de Vries does not currently have an alternate, but one could be appointed.

Adelaide Dumm asked about the protocol for alternates attending meetings. Dean Pierce noted all alternates are encouraged to attend meetings if possible. He mentioned the policy of compensating alternates for their attendance, similar to representatives, to ensure engagement and informed participation.

Dean Pierce also described the preferred procedure for informing the council when a representative can't attend, allowing alternates to be better prepared.

8. Report on budget adjustments

Dean Pierce outlined the council's policy for handling budget changes, emphasizing that: small adjustments can be approved administratively; changes up to 20% require approval from staff in coordination with the Chair and Vice Chair; and that larger adjustments must be presented to the Council for approval.

The specific adjustment discussed involved a request by Peter Danforth, the Chair, which required seeking an additional council member's input due to the policy's stipulations. Kent Henderson was approached for this role. Dean Pierce also noted the policy's requirement to report any staff or Chair/Vice Chair adjustments at the next council meeting, ensuring transparency.

The request involved a relatively modest amount of \$500, exceeding the 10% allowance but not the threshold requiring full council action. The adjustment was necessary for invoicing related to a project.

Materials included in the meeting packet illustrate the adjustment's minor impact on cost-effectiveness and the overall budget.

Peter Danforth opened the floor for any questions regarding this or general budget changes, but there were none.

9. Review of applications

Temporary Chair

Peter Danforth noted his need to recuse himself from discussions on certain applications due to a conflict of interest. Dean Pierce suggested two options:

- A council member could volunteer to serve as a temporary Chair for the discussion of the particular item, with the group's consent.
- In the absence of a volunteer, Dean, in his staff role, would manage the proceedings.

With no volunteers from the council members and for the sake of procedural ease, Dean Pierce assumed the role of temporary Chair while Peter Danforth's applications were considered.

First Application

Peter Danforth provided an overview of the project, describing it as a strategic wood addition in Elmore, specifically for Rocky Woods LLC. He highlighted the project's innovative approach to phosphorus reduction and its benefits for geomorphology, wildlife habitat, and overall river ecosystem health. The project, having moved from design to implementation phase, seeks to verify and clarify data for a full design completion.

The ensuing discussion revealed further project details, including the source of wood for the addition, the estimated phosphorus reduction, the maintenance and monitoring plans, and the cost-effectiveness of the project.

There was a brief conversation about the estimates of phosphorus reduction, with Karen Bates from the Department of Environmental Conservation (DEC) emphasizing that the calculations used are estimates and not officially approved figures. Dean Pierce noted for the importance of “holding harmless” in the future any decisions made based on current estimates.

Forestry Management Plan Compliance: The project's compliance with the Forest Management Plan, especially concerning tree cutting near streams, was discussed. Dana Hazen from Redstart, a consulting firm involved in the project, indicated that they have addressed these concerns with county foresters in the past.

Motion to Approve Funding: Kent Henderson made a motion to approve, seconded by Brent Sheets. The motion to approve the funding application passed unanimously among the council members present and voting. Peter Danforth recused himself from the vote, as previously mentioned.

Second application

Peter Danforth described the project as a tree planting across 3.5 acres in Hyde Park, emphasizing its significance due to the large buffer area of about 250 feet at its widest point. The project is also meant to serve as a memorial for an individual who was instrumental in facilitating similar projects in the past. The phosphorus reduction effectiveness for this project is cited as being notably cost-effective.

Peter noted the anticipated support from the U.S. Fish and Wildlife Service for about half of the planting efforts, highlighting the collaborative and community-driven nature of the project.

Members inquired about the types of trees to be planted and the specifics of the project's location and design. Peter noted various tree species planned for the project and explained the broad scope of land use contributing to the phosphorus reduction estimates.

Jed Feffer made a motion to approve the funding application, seconded by Brad Holden. Council members voted unanimously in favor of approving the project (again with Peter Danforth recusing).

Third application

The third and final application was presented by Alberto Della Torre from the Lamoille County Planning Commission (LCPC). The project aims to restore a floodplain in Johnson, Vermont, by

demolishing a building previously damaged by flooding and creating a more natural floodplain along the Gihon River. This restoration includes the removal of fill and riprap, lowering the gradient along the riverbank, and establishing a pollinator garden and educational pathway. This project is intended to enhance phosphorus reduction, increase floodplain storage, and offer educational opportunities about native plants and floodplain management.

Members of the council inquired about the benefits beyond phosphorus reduction, the types of plantings for stream stability, and the project's alignment with existing community features like the Johnson Arboretum. Additional discussions touched on the preliminary nature of the design and the importance of ensuring stream stability through appropriate plantings and slope adjustments.

A motion to approve funding for the preliminary design of the project was made by Erin de Vries and seconded by Brent Sheets. The vote was in favor, with one abstention from Richard Goff.

Dean Pierce provided additional insights into the cost-effectiveness and phosphorus reduction calculations. The project's cost per kilogram of phosphorus reduction is estimated at approximately \$11,000, considering both annual and one-time phosphorus benefits. This highlights the project's potential for environmental impact in terms of phosphorus reduction and flood mitigation.

10. Brainstorming session

The brainstorming session aimed to gather input from council members regarding the project development process, particularly in preparation for the Clean Water Summit. Dean Pierce initiated the session by presenting a digital whiteboard tool for collaborative input, although technical challenges limited its immediate use. Instead, the session transitioned to a more traditional discussion, with an emphasis on soliciting feedback via email. The primary objective will be to collect feedback on what is working well, what could be improved, and suggestions for future project development processes.

11. DEC clean water network summit

There was a brief discussion of the Basin Summit, scheduled to take place on Friday. There was an acknowledgment of potential travel difficulties due to weather conditions.

12. Updates and Conclusion

Updates

Dean Pierce informed participants that the next round of applications for funding opens April 4. The deadline for the application process opening tomorrow was specified as May 9.

Conclusion and Adjournment

Peter Danforth suggested concluding the meeting earlier than planned, allowing members to focus on submitting their thoughts via email regarding the brainstorming session topic discussed earlier. Jed motioned to adjourn the meeting and Kent seconded. The meeting was adjourned following a unanimous "aye" from the members, with no objections.

Seating of any new reps or alternate(s) / Report on budget adjustments, if any

Seating of any new representatives or alternates

It's possible but not confirmed that the BWQC will be asked to seat a new alternate. Details to come if available before the meeting.

Review of application filed in response to round 5 “Call for Projects”

TypeList	Floodplain/Stream Restoration – Final Engineering Design
Funding Program	
Definition	
Performance Measures	
Milestones	
Deliverables	
Step/Phase	
Basic Eligibility	Yes
Applicant Name	Ted Sedell
Applicant Organization	Orleans County
Applicant Email	edwin.sedell@vt.nacdnet.net
Applicant telephone	+1 (802) 624-7021
Project ID from WPD	2041
Description of Project	<p>Project description The primary goal of the Caspian Lake and Watershed Action Plan was to protect and preserve water quality in the Lake, with respect to opportunities to reduce the amount of phosphorus entering the lake and potentially contribution to Harmful Algal Blooms (HABs). HABs can be dangerous to human health and harm aquatic ecosystems (algae can alter plant communities and, when they decompose, can cause mass fish die-offs). The LWAP identified 34 priority projects and further selected five for 30% Concept Design. Following the Field Assessment and Prioritization processes of the Caspian Lake and Watershed Action Plan and with the input of the project's stakeholder group including members of the Stewards of Greensboro Watershed, Orleans County Natural Resources Conservation District, VT DEC, and representatives from the Town of Greensboro, five projects were chosen to advance to 30% Concept Design. 30% Concept Designs can be thought of as 'proof of concept' designs where features are approximately sized, sited, and modeled to ensure that they will work given site opportunities and constraints such as topography, soils, or ownership boundaries. <u>Of the five projects that were selected to go forward towards final design, OCNRCD is applying for funding for a floodplain project on Cemetery Brook. In order to improve water quality at this site (identified as Wet005 & ST-3 in the Caspian LWAP) , a combination of several Best Management Practices were chosen, including:</u></p> <ul style="list-style-type: none"> •Installation of Beaver Dam Analogs (or Woody Debris Additions) in the stream channel in the upper reach of the stream segment •Adoption of No Mow practices in the stream and wetland area buffer to 50' (with demarcation of same using an aesthetically pleasing fence and planting of sentinel trees) •Native wetland vegetation restoration using appropriate native species of trees, shrubs, and perennials (both established stock and seed mixes) •Creation of a road ditch turnout to a grass swale and stormwater pond to capture and treat road runoff from ~3,300' of the adjacent Lake Shore Road (and adjoining roads) <p>Costs Implementation costs are estimated at \$15,000. These costs include mobilization, erosion and sediment control, excavation, topsoil, wetland seed mixes, plant restoration, buffer zone demarcation, and materials and labor for the beaver dam analogs within the stream, as well as materials and labor for the turnout to the stormwater pond. Benefits Modeled phosphorus removal is estimated at 10.09 kg (22.24 lbs.) annually, resulting in a cost/benefit ratio of \$564 / lbs. P removed for Best Management Practices (BMPs) associated with stream and riparian buffer restoration, wetland restoration, and road-related improvements, including the turnout to the stormwater BMP. 6.02 kg (13.27 lbs.) of P removal are associated with the buffer and wetland restoration projects while 4.07 kg (8.97 lbs.) are associated with the road related BMPs. As road-related projects can be more complex than private property riparian and wetland area restoration, so can the costs associated with them. To estimate costs, additional site survey and hydrologic/hydraulic</p>
Project Latitude	44.59010
Project Longitude	72.32814
Project Phase	Final Design
Annual P Reduction KG	10.09
Any one time P reduction KG	
Total Cost of Proposed Phase	10,100
Amount of funding requested (Proposed)	\$10,100.00
Matching Funds Available	\$0.00
Total Project Costs (All Phases)	less than \$30,000
KG/\$ Current Phase	0.00099901
KG/\$ Overall	#INVALID OPERATION
Design Life	15
Adjusted Design Life	
Estimated Annual O&M cost total	\$1,000.00
Estimated Annual O&M Cost per KG	
Conformance with Tactical Basin Plan	5
Number of Co-benefit Areas	2
DEC Screening Form Uploaded	Yes
Map of Project Area Uploaded	Yes
Project Budget Uploaded	Yes
Project Schedule Uploaded	Yes
Landowner Support uploaded	Yes
Phosphorus Calculator Tool uploaded	Yes
Created	05/09/24 7:20 AM
Design/Imp Costs Requested	\$ 10,100
Design-Imp Costs Total	less than \$30,000
Using_As_Match	No
Cultural Resource Review	No

Project description

The primary goal of the Caspian Lake and Watershed Action Plan was to protect and preserve water quality in the Lake, with respect to opportunities to reduce the amount of phosphorus entering the lake and potentially contribution to Harmful Algal Blooms (HABs). HABs can be dangerous to human health and harm aquatic ecosystems (algae can alter plant communities and, when they decompose, can cause mass fish die-offs). The LWAP identified 34 priority projects and further selected five for 30% Concept Design.

Following the Field Assessment and Prioritization processes of the Caspian Lake and Watershed Action Plan and with the input of the project's stakeholder group including members of the Stewards of Greensboro Watershed, Orleans County Natural Resources Conservation District, VT DEC, and representatives from the Town of Greensboro, five projects were chosen to advance to 30% Concept Design. 30% Concept Designs can be thought of as 'proof of concept' designs where features are approximately sized, sited, and modeled to ensure that they will work given site opportunities and constraints such as topography, soils, or ownership boundaries.

Of the five projects that were selected to go forward towards final design, OCNRCD is applying for funding for a floodplain project on Cemetery Brook.

In order to improve water quality at this site (identified as Wet005 & ST-3 in the Caspian LWAP) , a combination of several Best Management Practices were chosen, including:

- Installation of Beaver Dam Analogs (or Woody Debris Additions) in the stream channel in the upper reach of the stream segment
- Adoption of No Mow practices in the stream and wetland area buffer to 50' (with demarcation of same using an aesthetically pleasing fence and planting of sentinel trees)
- Native wetland vegetation restoration using appropriate native species of trees, shrubs, and perennials (both established stock and seed mixes)
- Creation of a road ditch turnout to a grass swale and stormwater pond to capture and treat road runoff from ~3,300' of the adjacent Lake Shore Road (and adjoining roads)

Costs

Implementation costs are estimated at \$15,000. These costs include mobilization, erosion and sediment control, excavation, topsoil, wetland seed mixes, plant restoration, buffer zone demarcation, and materials and labor for the beaver dam analogs within the stream, as well as materials and labor for the turnout to the stormwater pond.

Benefits

Modeled phosphorus removal is estimated at 10.09 kg (22.24 lbs.) annually, resulting in a cost/benefit ratio of \$564 / lbs. P removed for Best Management Practices (BMPs) associated with stream and riparian buffer restoration, wetland restoration, and road-related improvements, including the turnout to the stormwater BMP. 6.02 kg (13.27 lbs.) of P removal are associated with the buffer and wetland restoration projects while 4.07 kg (8.97 lbs.) are associated with the road related BMPs.

As road-related projects can be more complex than private property riparian and wetland area restoration, so can the costs associated with them. To estimate costs, additional site survey and hydrologic/hydraulic modeling need to be conducted to support design and to refine the cost estimate more fully for this BMP.

Please refer to the attached 30% design plans for details at the site level.

For more detailed information pertaining to selection and methodologies used, please view our documents at:

<https://storymaps.arcgis.com/stories/2eedc76823a946b89641547af63333b4>

Hi Dean,
 Here's the Phos cost effectiveness calculator for the Cemetery Brook/Barr Property 100% design in the Caspian LWAP area in Greensboro.

Project ID	Project Type	Estimated Project Type Design Life	Estimated Project Cost to be			Total Project Estimated Cost Effectiveness (\$/kg/yr)	Formula Grant Estimated Cost Effectiveness (\$/kg/yr)
			Total Estimated Project Cost (design and construction)	Covered by Formula Grant Funds (design and construction)	Calculated Estimated P Load Reduction (kg/yr)		
Wet005	Forested Riparian Buffer	20	\$15,000.00	\$15,000.00	2.28294066	\$6,570.47	\$6,570.47
ST-3	Forested Riparian Buffer	20	\$15,000.00	\$15,000.00	4.968101964	\$3,019.26	\$3,019.26
RD-1	Private Road Erosion Remediation	8	\$10,000.00	\$10,000.00	4.0704	\$4,606.43	\$4,606.43

Ted Sedell - Conservation Specialist

Orleans County NRCD

Newport VT 05855

Office: (802) 624 7021

Mobile: (406) 224 1608

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PROJECT BUDGET SUMMARY			
Expense/Item	Grant Request	Leverage /Match Funds	TOTAL
APPLICANT			
Project Management/Completion: staff expenses including salary and fringe benefits: 40hrs @ \$65/hour for OCNRCD staff	\$2,600		\$2,600
Volunteers or ad hoc employees			
Mileage Charges (use Federal 2023 rate of 65.5 cents/mile)	\$200		\$200
Supplies / Materials not purchased by contractors			
Equipment Rentals or Equipment Use charges			
SUBCONTRACTORS			
Project Identification/Assessment /Development effort			
Engineering/Design Services for Final Design	\$7,300		\$7,300
Construction Management/Oversight Services			
Construction Services			
Other eligible costs (see 2023 CWIP Funding Policy)			
<i>Project Completion</i> SUBTOTAL	\$10,100		\$10,100
Indirect**: If you have a negotiated indirect rate, you typically charge, please use that. Otherwise, you may charge up to 10% on the first \$50,000 of non-staff costs.			
<i>Project Completion</i> TOTAL (<i>Project Completion</i> SUBTOTAL + Indirect)	\$10,100		\$10,100
100% Design cost at \$10,100, estimated implementation cost is \$15,000, with a total cost of less than \$30,000.			

Timeline

Task	Deliverable	Date
Site Survey	Survey fo site for specific features / locations (limited topography from survey - 1' Lidar contours will be used). Drone imagery for the site will be captured.	June -Aug 2024
Wetland Delineation	Delineation (in-field) of actual wetland extent to protect and buffer	June-Aug 2024
60% Design	Update 30% plan sheets to 60% to include details / typicals for revised management practices, in-field surveyed locations, etc.	Sept-Oct 2024
90% Design	Revised 60% plan sheets to 90% - will include any regulatory / permitting review of revised design	Nov 2024
100% Design	Revised 90% plan sheets to 100% - locations/details/typicals finalized, necessary permit documents completed for submission by final applicant	Jan 2025
Final Report	Final report w/ draft O&M and Site access agreements	March 2025

APPENDIX A. CLEAN WATER INITIATIVE PROGRAM - PROJECT ELIGIBILITY SCREENING FORM

This fillable PDF form is designed to assist with project review by systematically walking through all eligibility criteria. It should be completed for all projects seeking funding for 30% + design or implementation work. It may be applied to projects seeking funding for assessment or development if helpful for determining their alignment with eligibility criteria 2, 3, 6, and 8.

Step 1: Conduct Eligibility Criteria #1 Screening: Project Purpose

Table 1A: Project Purpose	
From the drop-down list to the right, please select which of the four objectives of Vermont's Surface Water Management Strategy this project addresses. If multiple, please list below:	

Step 2: Conduct Eligibility Criteria #2 Screening: Project Types and Standards

Table 2A: Project Types and Standards	
Please select the most representative project type from the drop-down list to the right. ^{1,2} If multiple BMPs are included in the project, please list below:	
Is the project type an eligible project type for the funding program you are applying to as listed in column B of the CWIP Project Types Table ? (Answer must be YES to proceed)	Yes No
Does the project meet the project type definitions and minimum standards as provided in column C of the CWIP Project Types Table ? (Answer must be YES to proceed)	Yes No
Will the project result in the standard performance measures, milestones, and deliverables as defined by project type in columns D-F of the CWIP Project Types Table ? (Answer must be YES to proceed)	Yes No
Is the project listed as an ineligible project or activity in the CWIP Funding Policy ? If Yes, please explain below how project meets the allowable exceptions within the CWIP Funding Policy. (Answer must be NO to proceed, unless reasonable justification is provided above)	Yes No

Step 3: Conduct Eligibility Criteria #3 Screening: Watershed Projects Database

Verify project has been recorded in the [Watershed Project Database](#) (WPD). Each project must have a Watershed Project Database number specific to the proposed project phase (for example,

¹ Note that Road/Stormwater Gully project-types must not otherwise be considered intermittent or perennial streams by the DEC Rivers Program and therefore project proponent must show documentation of this determination in order to select this project type.

² One project may include multiple best management practices (BMPs) that cross “project types.” For example, a single project may include both stormwater and lake shoreland BMPs. Proponents should use their best judgement in selecting the most representative project type for the purposes of eligibility screening and reporting.

a final design will have a different WPD-ID from a preliminary design even if for the same project). If the project, or the specific phase, is not yet in the Watershed Project Database, follow directions provided in the CWIP Funding Policy to secure a WPD-ID. Please see [CWIP Funding Policy](#) for more information on the WPD-ID.

Table 3A. WPD-ID	
Watershed Project Database ID number assigned	
Watershed Project Database Project Name	

Step 4: Conduct Eligibility Criteria #4 Screening: Natural Resource Impacts³

Agency of Natural Resources (ANR) permit screening for natural resource impacts includes 1) an initial desktop review to identify which ANR permitting programs should be contacted, 2) a review by the relevant ANR permitting staff, and 3) a response summary from the project proponent addressing any permitting staff concerns. ⁴

- 1) **Table 4. Natural Resource Impacts** facilitates a high-level desktop review of the most likely ANR permits to apply to clean water projects. Project proponents should answer all the questions to identify likely permit needs. ⁵ Please note that “project site” may include both the active restoration location as well as any additional impact footprint related to staging, site access, or storage of waste or disposed materials.
- 2) If responses to the **Table 4. Natural Resource Impacts** desktop review trigger a permitting staff consultation, **Table 4** provides appropriate contact information.
 - a. Proponents should send the identified permitting staff the following:
 - i. The watersheds project database identification number (WPD-ID) (if available),
 - ii. Project location (GPS coordinates)
 - iii. Summary of proposed scope of work, and
 - iv. Any other relevant information they request that will be utilized in their review.
 - b. **Proponents should clarify they are seeking permitting staff input on potential permitting needs, permit-ability of proposed scope of work, and other design considerations but they are NOT seeking a formal permit determination.**
 - c. Project proponents must attempt to communicate with the permitting staff and provide them with at least thirty days to review the project and provide a

³ Easements and Riparian Buffer Plantings are excluded from this eligibility requirement/step.

⁴ In cases where this screening may have already occurred in a prior project phase, project proponents may supply attachments or links to relevant permit needs assessment documents in place of completing Table 4.

⁵ Entities selected for funding are expected to perform due diligence to ensure all applicable permits (including non-ANR state, local, and federal permits) are discovered and secured prior to implementation. The [ANR Permit Navigator](#) and an Environmental Compliance Division Community Assistance Specialist can help confirm ANR permitting needs for any projects once selected for funding.

response. Project proponents are encouraged to perform this screening during a project development phase as opposed to during a project solicitation round to allow for more time for feedback. Permitting feedback may be up to one year old.

- 3) Proponents should summarize permitting staff feedback and how the proposed scope of work will address this at the bottom of **Table 4**. Specifically, please include:
 - a. Which permits or permit amendment are needed or might be needed?⁶
 - b. What type might be needed? (e.g., a general or individual permit⁷)?
 - c. What concerns were voiced by permitting staff?
 - d. How will the proposed scope of work address these concerns?⁸

Table 4A: Natural Resource Impacts		
I. Act 250 Permits		
1. Have any Act 250 (Vermont’s Land Use and Development Control Law) Permits been issued in the project site’s parcel location?⁹	Yes	No
If yes , please provide the permit number and list any water resource issues or natural resource issues found ¹⁰ :		
PermitNumber:		
ResourceIssues: _____		
If yes , use the Water Quality Project Screening Tool to identify the appropriate regulatory contact for an Act 250 consultation.		
Regulatory Point of Contact Name/Position:		
II. Lake and Shoreland		
1. Is the project site located within 250 feet of the mean water	Yes	No

⁶ Occasionally permit staff may indicate they need a field visit or to see more completed designs prior to making a permit need determination.

⁷ Design phase projects that require an individual wetlands permit must have the permit in hand at the close of the final design phase. Implementation phase projects must have the individual permit in hand to be eligible for funding.

⁸ Examples could include planned design changes or inviting permitting staff to stakeholder meetings.

⁹ An Act 250 Permit is required for certain categories of development, such as subdivisions of 10 lots or more, commercial projects on more than one acre or ten acres (depending on whether the town has permanent zoning and subdivision regulations), and any development above the elevation of 2,500 feet. The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located on an Act 250 parcel. Note that the layer to activate in ANR Atlas is now named “Clean Water Initiative Program Grant Screening.”

¹⁰Note that Act 250 permit amendments may require more extensive review of project impacts to natural resources including wildlife habitat, significant natural communities, and riparian zones. Please consult with the Act 250 District Coordinator regarding the nature and scope of that review and what bearing it may have on your project design.

level (shoreline) of a lake or pond? ¹¹		
<p>If yes, you might need either a Shoreland Protection Act Permit or a Lake Encroachment Permit. Use the Water Quality Project Screening Tool to find the Lakes and Ponds Program contact for your project's region.</p> <p>Regulatory Point of Contact Name/Position:</p>		
III. Rivers, River Corridors, and Flood Hazard Areas		
<p>1. Is there any portion of the project site located within 100' of a river corridor and/or mapped Federal Emergency Management Agency (FEMA) flood hazard area¹²? (e.g. a stormwater pond's pipe draining into a river corridor area)? Any permanent excavation/filling or construction within a flood hazard area or river corridor may trigger regulatory requirements through municipal bylaws or through state authorities.</p>	Yes	No
<p>If yes, you will need to speak with a Floodplain Manager. Use the Water Quality Project Screening Tool to find the Floodplain Manager for your project's region.</p> <p>Regulatory Point of Contact Name/Position:</p>		
<p>2. Is any portion of the project site within a perennial river or stream channel?</p> <p>¹³</p>	Yes	No
<p>If yes, you will need to speak with a Stream Alteration Engineer. Use the Water Quality Project Screening Tool to find the Stream Alteration Engineer for your project's region.</p> <p>Regulatory Point of Contact Name/Position:</p>		
IV. Wetland		

¹¹ The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Lakeshore permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

¹² FEMA mapped Flood Hazard Areas are not available statewide on the ANR Natural Resources Atlas. For projects located in Grand Isle, Franklin, Lamoille, Addison, Essex, Orleans, Caledonia, and Orange Counties, maps are available via the FEMA Flood Map Service Center: <https://msc.fema.gov/portal/home>. ANR Floodplain Managers are available to provide technical assistance if needed.

¹³ Stream Alteration Permits regulate all activities that take place within perennial river and stream channels. Examples of regulated activities include streambank stabilization, dam removal, road improvements that encroach on streams, and bridge/culvert construction or repair. The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Stream Alteration permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

<p>1. Does the Wetland Screening Tool¹⁴ provide a result of wetlands likely, very likely, or present at the project site?</p>	<p style="text-align: center;">Yes No</p>
<p>2. Does your project site involve land that is in or near an area that has <u>any</u> of the following characteristics:</p> <ul style="list-style-type: none"> o Water is present – ponds, streams, springs, seeps, water filled depressions, soggy ground under foot, trees with shallow roots or water marks? o Wetland plants, such as cattails, ferns, sphagnum moss, willows, red maple, trees with roots growing along the ground surface, swollen trunk bases, or flat root bases when tipped over? o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of rusty/red/dark streaks? Soil smells like rotten eggs, feels greasy, mushy or wet? Water fills holes within a few minutes of digging? (See Landowners Guide to Wetlands for additional information on identifying wetlands onsite.) 	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p> <p style="text-align: center;">Not Sure</p>
<p>If you answered yes or not sure to <u>either</u> of the above questions, you will need to contact your District Wetlands Ecologist using the Wetland Inquiry Form. The District Wetlands Ecologist can help determine the approximate locations of wetlands and whether you need to hire a Wetland Consultant to conduct a wetland delineation. Alternatively, if you answered yes or not sure to <u>either</u> of the above questions, you can simply budget for a Wetland Consultant in the proposed scope of work. Any activity within a Class I or II wetland or wetland buffer zone (minimum of 100 feet and 50 feet respectively) which is not exempt or considered an “allowed use” under the Vermont Wetland Rules requires a permit. All permits must go through review and public notice process, which takes at minimum 6 weeks for a General Permit and 5 months for an Individual Permit.</p> <p>Regulatory Point of Contact Name/Position:</p>	
<p>1. Is your project a Wetland Restoration project type?</p>	<p style="text-align: center;">Yes No</p>
<p>If you answered yes, under the Vermont Wetland Rules you will need an “allowed use” determination from the DEC Wetlands Program. Contact your District Wetlands Ecologist using the Wetland Inquiry Form.</p> <p>Regulatory Point of Contact Name/Position:</p>	
<p>V. Fish and Wildlife</p>	
<p>State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.</p> <p>1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, Hinesburg, Manchester, Middlebury, Monkton, New Haven, Orwell, Panton, Pawlet, Pittsford, Rupert, Salisbury, Sandgate, Shoreham, Starksboro, St. George, Sudbury, Sunderland, Vergennes, Waltham, West Haven, Weybridge, Whiting</p>	<p style="text-align: center;">Yes No</p>

¹⁴ To view the Wetland Screening Tool introduction video, see <https://youtu.be/6lv5en0AB1o>

2. Is the project site within 1 mile of a mapped¹⁵ Significant Natural Community or Rare, Threatened, or Endangered Species?	Yes	No
<p>If yes to either of the above questions, connect with the VT Fish and Wildlife department (everett.marshall@vermont.gov 802-371-7333) to discuss your project and any necessary permitting.</p> <p>Regulatory Point of Contact Name/Position:</p>		
VI. Stormwater		
1. Will the project disturb more than an acre of land during construction, add or redevelop impervious surface, create new development or otherwise require a Stormwater permit?	Yes	No
<p>If yes, forward to the appropriate Stormwater specialist to ensure necessary permitting. Use the Water Quality Project Screening Tool to find the Stormwater specialist for your project's region.</p> <p>Regulatory Point of Contact Name/Position:</p>		
VII. Solid Waste		
2. Will you be creating any debris (including construction and demolition waste, stumps, brush, untreated wood, concrete, masonry, and mortar) with your project that you intend to bury on site? ¹⁶	Yes	No
<p>If yes, connect with the Waste Management & Prevention Division (dennis.fekert@vermont.gov 802-522-0195) to discuss your project and any necessary permitting.</p> <p>Regulatory Point of Contact Name/Position:</p>		
<p>Provide below or attach a narrative summary of Table 4 findings. Please include:</p> <ol style="list-style-type: none"> Which permits or permit amendment are needed or might be needed? What type might be needed? (e.g. a general or individual permit)? What concerns were voiced by permitting staff? How will the proposed scope of work address these concerns? 		
Is the project, as proposed, reasonably considered permit-able by all applicable	Yes	No

¹⁵ Find both of these layers on the ANR Atlas under Atlas Layers/Fish and Wildlife. Use the Measurement tool to 1) Plot Coordinates for your project 2) select the coordinates from the left panel 3) select the Radius Tool 4) click on your project location 5) Indicate 1 mile distance 6) look for overlap with either of these mapped layers.

¹⁶ If your project will result in the transfer and disposal of debris (including construction and demolition waste, stumps, brush, untreated wood, concrete, masonry and mortar), you do not need a permit from this office as long as you hire a [licensed solid waste hauler](#) and bring the material to a certified facility.

ANR permitting programs? (Answer must be Yes to continue)	
--	--

Step 5: Conduct Eligibility Criteria #5-8 Screenings

Table 5A. Eligibility Criteria 5-8			
Landowner and Operation and Maintenance Responsible Party Support. Project identifies and demonstrates commitment from a qualified and willing operation and maintenance responsible party. Project demonstrates landowner support for the proposed project phase. (Answer must be YES to proceed)	Yes	No	
Budget. Project budget includes ineligible expenses. (Answer must be NO to proceed)	Yes	No	
Leveraging. Proposed leveraging meets required leveraging levels (if applicable), meets the definition of leveraging, and comes from eligible sources (Answer must be YES or N/A to proceed)	Yes	No	N/A
Funding Program Specific Eligibility. Project meets additional funding program eligibility requirements*. Please list applicable funding program below: (Answer must be YES to proceed) *If Water Quality Restoration Formula Grant, complete Step 6 below	Yes	No	

Step 6: Screening Projects on Agricultural Lands (Water Quality Restoration Formula Grants Only)

For Water Quality Restoration Formula Grant projects, please complete the following information as part of your Funding Program Specific Eligibility Screening (Criteria 8). Please note this must be completed for all projects located on agricultural lands regardless of project type. See [CWIP Project Types Table](#) for eligible project types.

Table 6A. Screening Projects on Agricultural Lands	
1. Is the proposed project located on a jurisdictional farm operation ¹⁷ ? Complete a preliminary review to	Yes - Proceed to next question below.

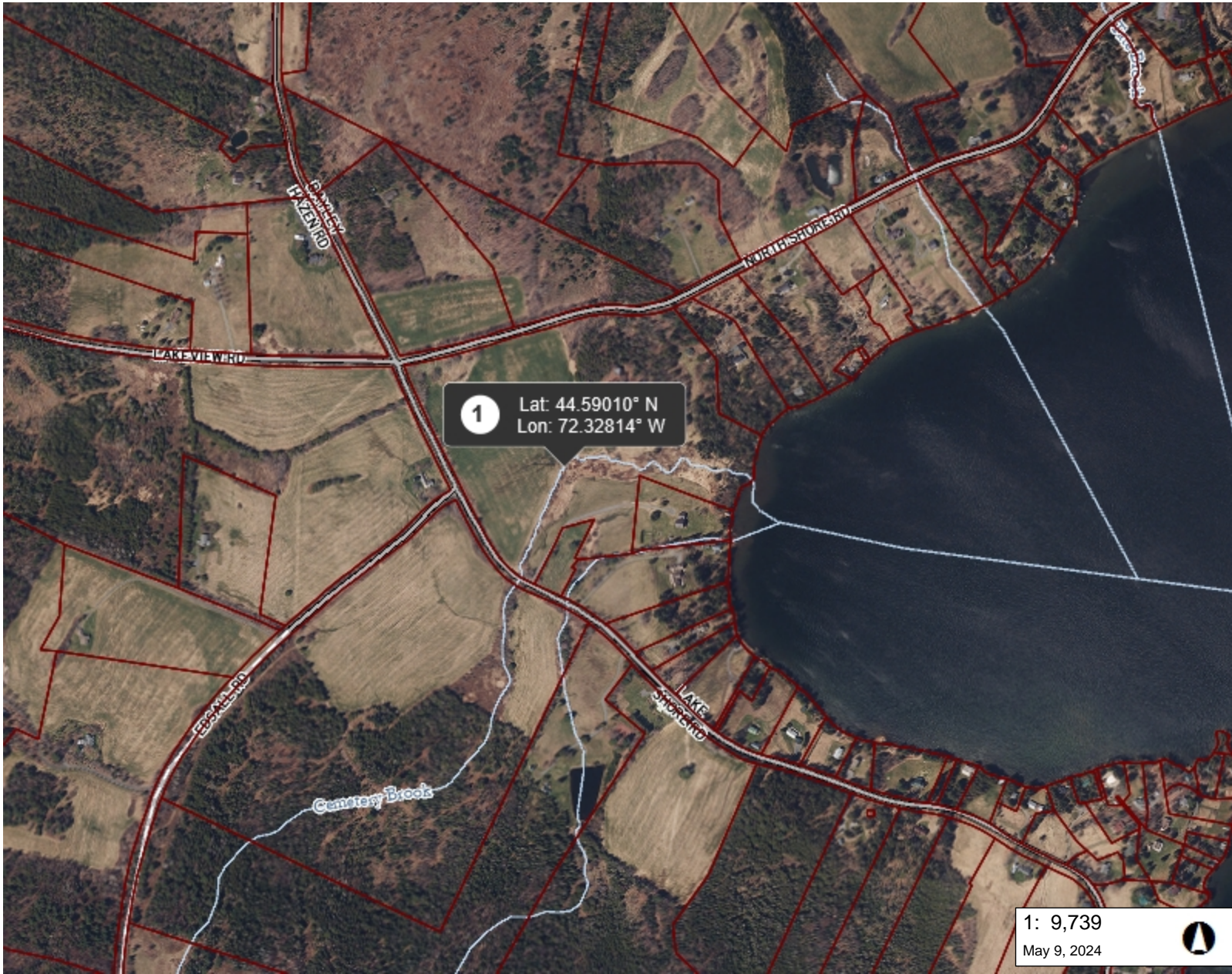
¹⁷ Jurisdictional farm operations are required to meet Vermont’s Required Agricultural Practices (RAPs).

<p>determine if it is a jurisdictional farm operation, and any case that requires consultation with AAFM will occur via the farm determination process. Please note this form must be submitted by the farm operation/landowner seeking the determination.</p>	<p>No¹⁸ - There is no additional requirements related to agricultural review for these projects.</p>
<p>2. Is the proposed project an agricultural project?</p> <p>Examples of agricultural projects include but are not limited to Production Area Practices – (e.g. Waste Storage Facilities, Heavy Use Area, Diversion) Fence, Livestock Exclusion, Filter Strip, Cover Crop, Reduced Tillage, Manure Injection, Rotational Grazing. Please note this is not an exhaustive list of all agricultural practices.</p>	<p>Yes - Agricultural Projects on jurisdictional farms are not an eligible project type. You can provide a referral to an applicable state or federal agricultural assistance program, or a local organization.</p> <p>No- The natural resource, innovative, or other project type will require an agricultural project review and approval from the Vermont Agency of Agriculture, Food and Markets (VAAFMM) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 & 2 below.</p> <p>Step 1- Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAFMM at AGR.WaterQuality@Vermont.gov .</p> <p>Step 2- Once you complete this Agricultural Project Review, please allow 30 days for a response. Once that response has been received, please include a summary of the response in the next section.</p>
<p>Agricultural Project Review Status & Summary:</p>	
<p>Check as Applicable</p>	<p>Status</p>
	<p>Submitted/ Pending</p>
	<p>Approved</p>
	<p>Denied</p>
















¹⁸ Note CWIP’s Agricultural Pollution Prevention project type eligibility is limited to land where owner or operator is not a jurisdictional farm (i.e., not required to meet the Required Agricultural Practices (RAPs)). As such, projects that meet the definition of the Agricultural Pollution Prevention project type in the Appendix B. Project Types Table are not subject to review by VAAFMM.


Please include a summary of the response here:

Please note that it is expected that all projects with the status “submitted/pending” will be “approved” prior to a project approval for funding.



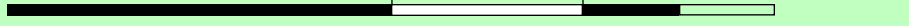
LEGEND

-  Parcels (standardized)
- Stream**
 -  Stream
 -  Intermittent Stream
- Roads**
 -  Interstate
 -  US Highway; 1
 -  State Highway
 -  Town Highway (Class 1)
 -  Town Highway (Class 2,3)
 -  Town Highway (Class 4)
 -  State Forest Trail
 -  National Forest Trail
 -  Legal Trail
 -  Private Road/Driveway
 -  Proposed Roads
-  Town Boundary

1: 9,739
May 9, 2024 

NOTES

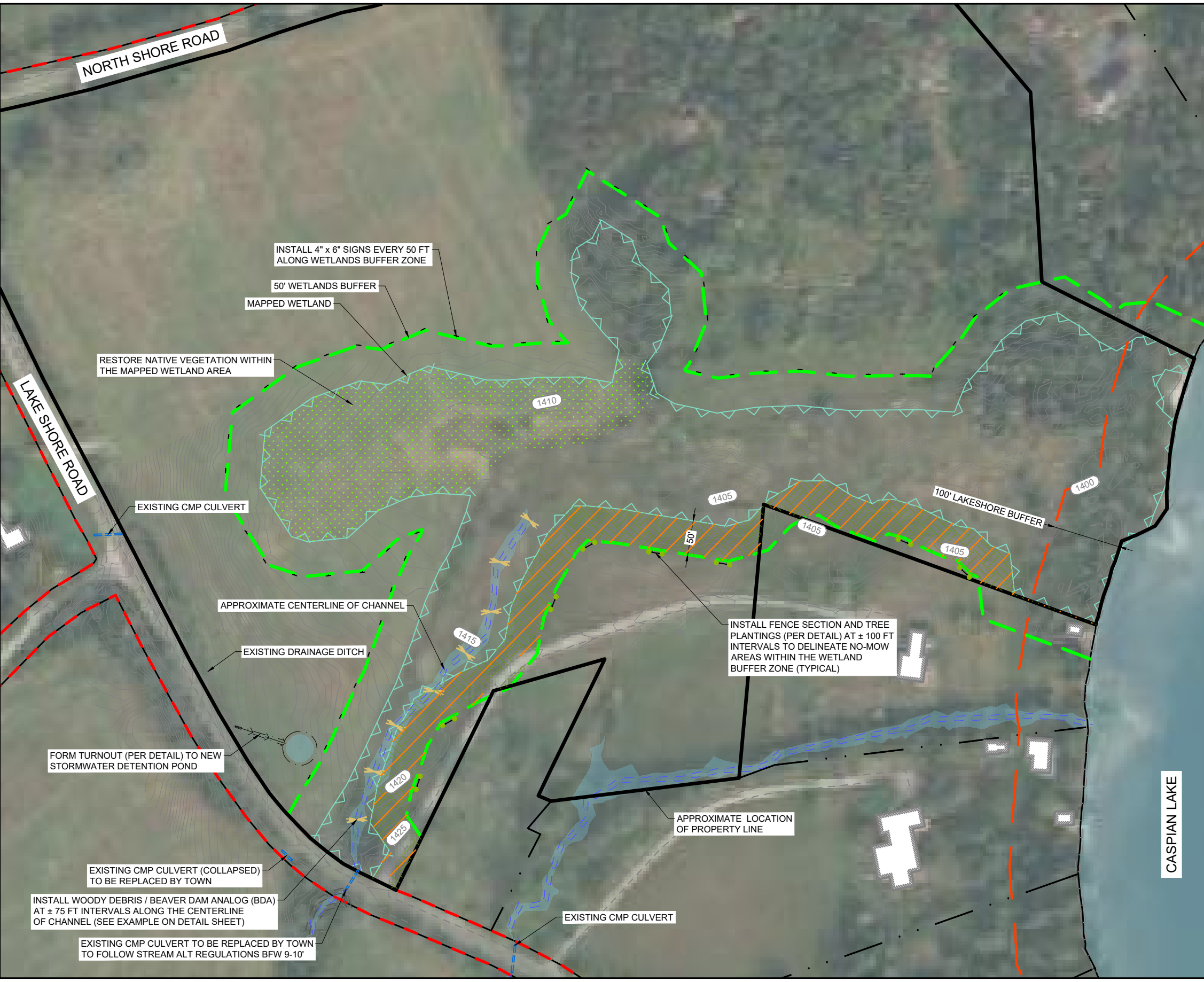
Map created using ANR's Natural Resources Atlas

495.0 0 248.00 495.0 Meters

 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 812 Ft. 1cm = 97 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

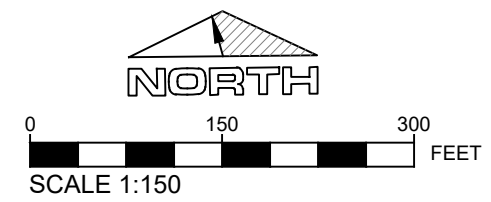
10 November 2023 11:33:55

K:\DRAWING DATABASE\1346-001 CASPIAN LAKE\1346-001 CASPIAN LAKE_WATERSHED ACTION PLAN WET005.DWG



PARCEL ID: 201-0228
LOCATION: 228 LAKE SHORE ROAD

- LEGEND**
- NO-MOW AREAS (WITHIN 50 FT BUFFER ZONES)
 - NATIVE WETLANDS FLORA TO BE RESTORED
 - APPROXIMATE LIMITS OF 50 FT WETLANDS BUFFER ZONE
 - MAPPED WETLANDS
 - DIRECTION OF FLOW
 - APPROXIMATE CENTERLINE OF STREAM / CHANNEL



**30% REVIEW: FOR PLANNING ONLY
NOT FOR CONSTRUCTION**

MSK ENGINEERS
 P.O. BOX 139, 150 DEPOT STREET
 BENNINGTON, VERMONT 05201
 PH: (802) 447-1402 FAX: (802) 445-1291

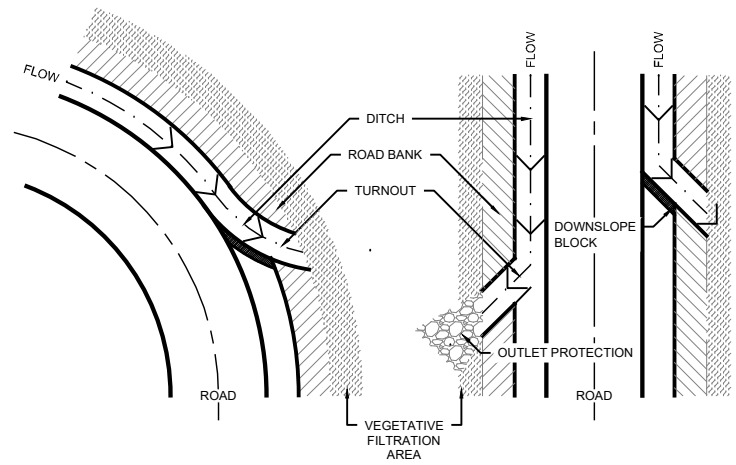
**CASPIAN LAKE
 WATERSHED ACTION PLAN
 GREENSBORO, VERMONT**

CONCEPTUAL DESIGN	NUMBER	DATE
228 LAKE SHORE ROAD	1346-001	11-10-2023
	MSK	AR
WET005	SHEET NUMBER	

13 November 2023 16:17:44

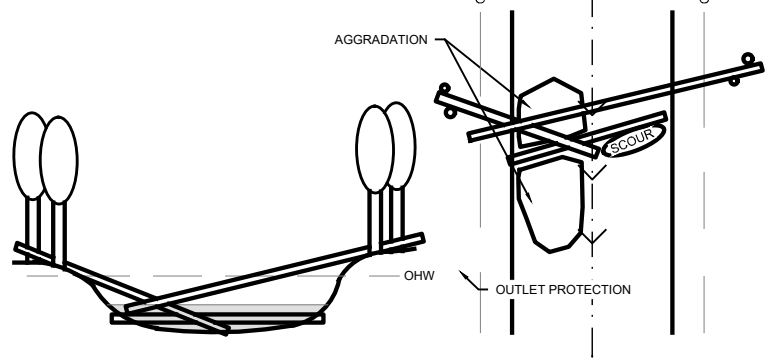
K:\DRAWING DATABASE\1346-001 CASPIAN LAKE\1346-001 CASPIAN LAKE\WATERSHED ACTION PLAN WET005.DWG

PARCEL ID: 201-0228
LOCATION: 228 LAKE SHORE ROAD

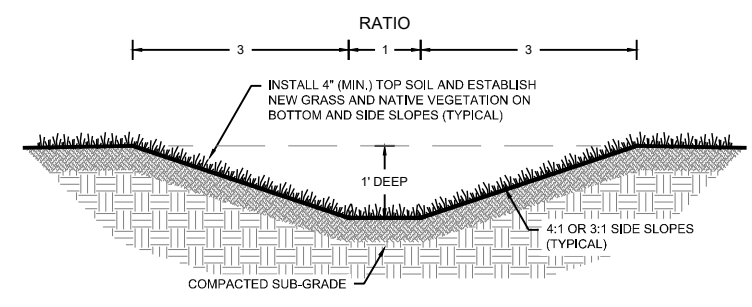


1 TYPICAL TURNOUT DETAIL
Scale: NTS

NOTE: DETAIL IS TYPICAL, WOODY DEBRIS ADDITION WILL BE SPECIFIC TO EACH INDIVIDUAL LOCATION. SEE VERMONT STRATEGIC WOOD ADDITION HANDBOOK, JUNE 2020 FOR ADDITIONAL REQUIREMENTS

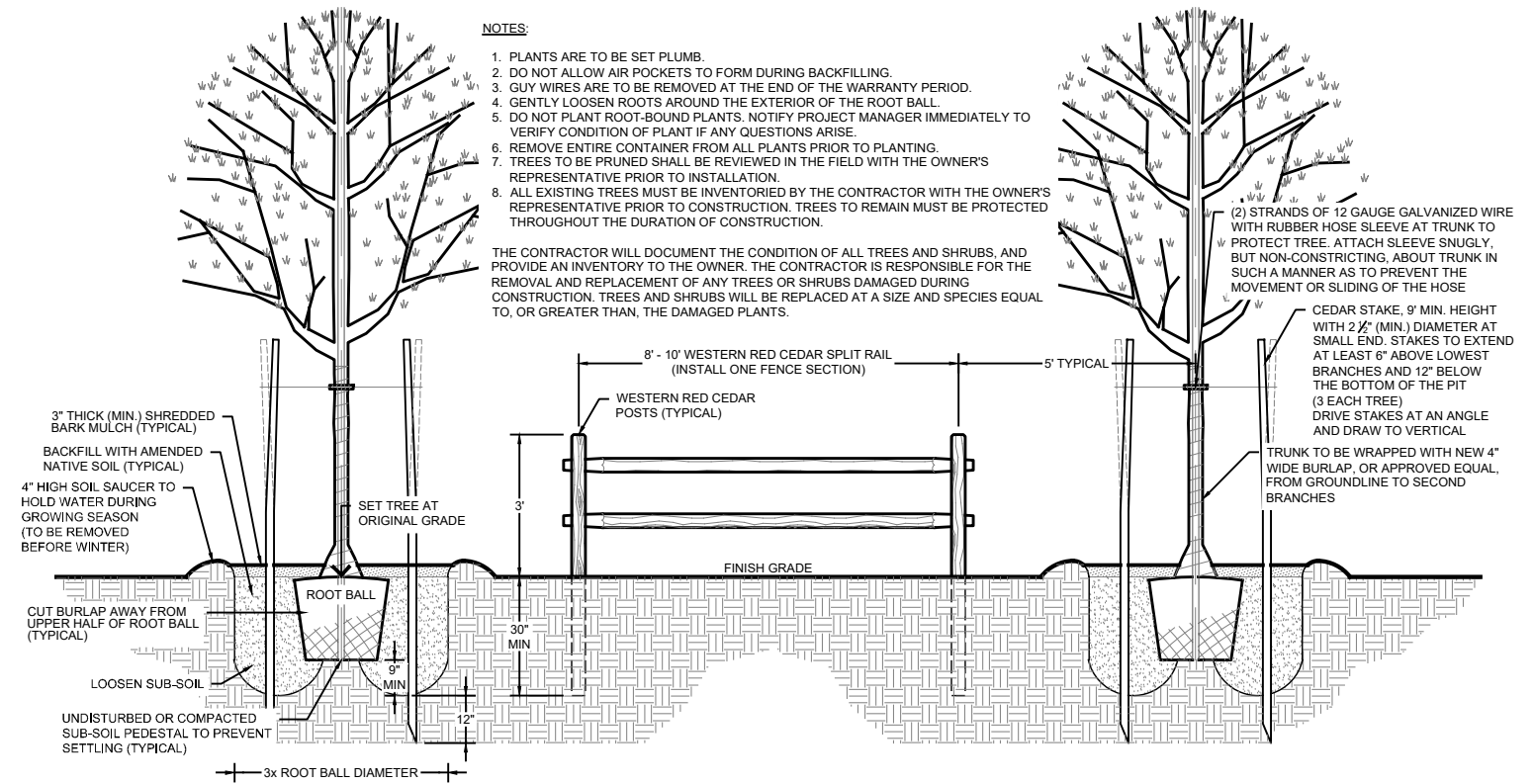


2 BEAVER DAM ANALOG
Scale: NTS



3 TYPICAL VEGETATED SWALE DETAIL
Scale: NTS

WET-005				
	UNITS	TOTAL	UNIT COST	TOTAL COST
General Conditions				
Mobilization	LS			\$ 1,000.00
Traffic Controls	LS	0	\$ 5,000.00	\$ -
Erosion and Sediment Control	LS	1	\$ 1,000.00	\$ 1,000.00
Earthwork				
Common Excavation	CY	30	\$ 30.00	\$ 900.00
Topsoil	CY	10	\$ 80.00	\$ 800.00
Seed	SF	350	\$ 0.50	\$ 175.00
Stormwater Systems				
Buffer Zone Marking	LS	1	\$ 500.00	\$ 500.00
Plant Restoration Areas	LS	1	\$ 500.00	\$ 500.00
Beaver Dam Analog	EACH	8	\$ 500.00	\$ 4,000.00
Other				
Turnouts/Stormwater Pond	LS	1	\$ 1,000.00	\$ 1,000.00
WET-005 SUB TOTAL				\$8,875.00
TOTAL WITH MOBILIZATION AND 25% CONTINGENCY				\$12,343.75



NOTES:

1. PLANTS ARE TO BE SET PLUMB.
2. DO NOT ALLOW AIR POCKETS TO FORM DURING BACKFILLING.
3. GUY WIRES ARE TO BE REMOVED AT THE END OF THE WARRANTY PERIOD.
4. GENTLY LOOSEN ROOTS AROUND THE EXTERIOR OF THE ROOT BALL.
5. DO NOT PLANT ROOT-BOUND PLANTS. NOTIFY PROJECT MANAGER IMMEDIATELY TO VERIFY CONDITION OF PLANT IF ANY QUESTIONS ARISE.
6. REMOVE ENTIRE CONTAINER FROM ALL PLANTS PRIOR TO PLANTING.
7. TREES TO BE PRUNED SHALL BE REVIEWED IN THE FIELD WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
8. ALL EXISTING TREES MUST BE INVENTORIED BY THE CONTRACTOR WITH THE OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION. TREES TO REMAIN MUST BE PROTECTED THROUGHOUT THE DURATION OF CONSTRUCTION.

THE CONTRACTOR WILL DOCUMENT THE CONDITION OF ALL TREES AND SHRUBS, AND PROVIDE AN INVENTORY TO THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND REPLACEMENT OF ANY TREES OR SHRUBS DAMAGED DURING CONSTRUCTION. TREES AND SHRUBS WILL BE REPLACED AT A SIZE AND SPECIES EQUAL TO, OR GREATER THAN, THE DAMAGED PLANTS.

* MAINTAIN EXISTING NURSERYGROUND LINE OF TREES

4 TYPICAL WETLANDS BUFFER DEMARCATION FENCE
Scale: NTS

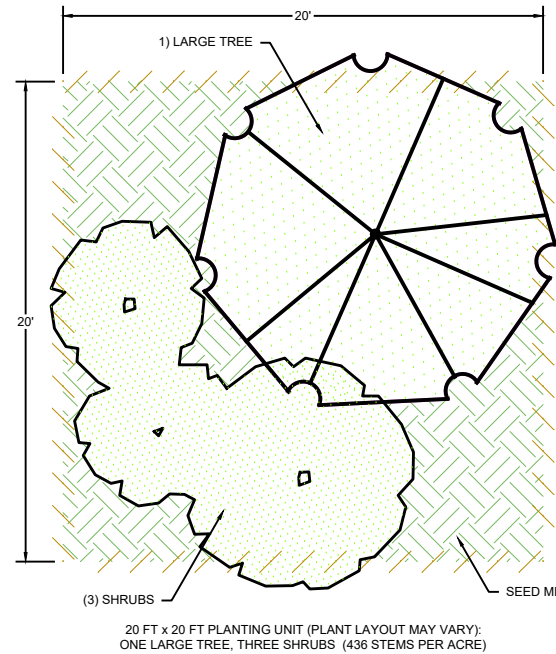
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MSK ENGINEERS
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BENNINGTON, VERMONT 05201
PH: (802) 447-1402 FAX: (802) 445-1291

CASPIAN LAKE
WATERSHED ACTION PLAN
GREENSBORO, VERMONT

CONCEPTUAL DESIGN
228 LAKE SHORE ROAD
SITE REMEDIATION DETAILS

NUMBER	DATE
1346-001	11-13-2023
DRAWN	CHECKED
MSK	AR
SHEET NUMBER	
WET005	



PLANTING GUIDANCE FOR THE RESTORATION OF NATIVE SPECIES

1. WITHIN 50 FEET OF THE SHORELINE, THE GOAL SHOULD BE TO PLAN A MINIMUM OF 436 WOODY STEMS PER ACRE, WHICH EQUALS APPROXIMATELY ONE (1) LARGE TREE AND THREE (3) LARGE AND SMALL SHRUBS IN EVERY 20' x 20' AREA. A WILDFLOWER POLLINATOR SEED MIX SHOULD BE APPLIED IN EACH 20' x 20' AREA.
2. FROM 50 FEET TO 100 FEET FROM THE SHORELINE, AT MINIMUM, APPLY A WILDFLOWER POLLINATOR SEED MIX THAT MATCHES THE SITES SUN/SHADE AND MOISTURE REQUIREMENTS. ADDITIONAL NATIVE, NON-INVASIVE, TREES AND SHRUBS MAY BE PLANTED IN THE UPLAND AREA.
3. FOR SPECIES DIVERSITY, FIVE (5) DIFFERENT SPECIES OF NATIVE TREES AND SHRUBS SHOULD BE PROVIDED AS CHOSEN FROM APPROVED SPECIES.
4. FOR NON-INVASIVE, NATIVE POLLINATOR PLANTS AND SHRUBS, (6 - 8) PLANTS OF THE SAME SPECIES SHOULD BE PLANTED IN PROXIMITY TO ONE ANOTHER.
5. WHEN ORDERING OR PURCHASING PLANT MATERIAL, IT IS IMPORTANT TO PROVIDE COMPLETE SCIENTIFIC NAMES INCLUDING SUBSPECIES IF APPROPRIATE, TO ENSURE NON-NATIVE AND INVASIVE SPECIES ARE NOT INTRODUCED INADVERTENTLY.
6. RE-VEGETATION AREAS ARE DESIGNED TO ACHIEVE THE GOAL OF NATURALIZATION. NO ADDITIONAL MAINTENANCE OR MOWING IS REQUIRED.
7. USE OF EROSION MATTING OR STRAW IS PREFERRED OVER THE USE OF HAY AS MULCH ON SEEDED AREAS. HAY CARRIES WEED SEEDS AND SHOULD BE AVOIDED.
 - SEEDLINGS AND BARE ROOT TREES (MINIMUM 36" TALL STOCK)
 - TREES SHOULD BE SPACED 8-10' APART
 - SHRUB MATERIAL SHOULD BE NO LESS THAN 36"
 - SHRUBS SHOULD BE PLANTED 3-5' APART AND CLUSTERED IN GROUPS.

PARCEL ID: 201-0228
 LOCATION: 228 LAKE SHORE ROAD

1 TYPICAL PLANTING UNIT DETAIL
 Scale: NTS

PLANT LIST			
ID	COMMON NAME	BOTANIC NAME	PLANTING LOCATION
TREES			
CONIFEROUS			
AB	BALSAM FIR	ABIES BALSAMEA	RIPARIAN < 50 FT FROM OHW; UPLAND
PS	WHITE PINE	PINUS STROBUS	UPLAND
TO	EASTERN WHITE CEDAR (ARBORVITAE)	THUJA OCCIDENTALIS	RIPARIAN < 50 FT FROM OHW; UPLAND
DECIDUOUS			
AR	RED MAPLE	ACER RUBRUM	RIPARIAN < 50 FT FROM OHW; UPLAND
AS	SILVER MAPLE	ACER SACCHARINUM	RIPARIAN < 50 FT FROM OHW
ASU	SUGAR MAPLE	ACER SACCHARUM	UPLAND
BP	GREY BIRCH	BETULA POPULIFOLIA	RIPARIAN < 50 FT FROM OHW; UPLAND
PT	QUAKING ASPEN	POPULUS TREMULOIDES	UPLAND
LR	LARCH	LARIX LARICINA	RIPARIAN < 50 FT FROM OHW
SN	BLACK WILLOW	SALIX NIGRA	RIPARIAN < 50 FT FROM OHW
SHRUBS			
VN	WILD RAISIN	VIBURNUM NUDUM	RIPARIAN < 50 FT FROM OHW; UPLAND
CS	RED TWIG DOGWOOD	CORNUS SERICEA	RIPARIAN < 50 FT FROM OHW
SA	MEADOW SWEET	SPIRAEA ALBA	RIPARIAN < 50 FT FROM OHW
PV	CHOKECHERRY	PRUNUS VIRGINIANA	RIPARIAN < 50 FT FROM OHW; UPLAND
SC	ELDERBERRY	SAMBUCUS CANADENSIS	RIPARIAN < 50 FT FROM OHW; UPLAND
SD	COMMON PUSSY WILLOW	SALIX DISCOLOR	RIPARIAN < 50 FT FROM OHW
VA	LOWBUSH BLUEBERRY	VACCINIUM ANGUSTIFOLIUM	UPLAND
VO	HIGHBUSH CRANBERRY	VIBURNAM OPULUS VAR. AMERICANUM	RIPARIAN < 50 FT FROM OHW; UPLAND
SEED MIXES			
	NEW ENGLAND WETMIX	WETLAND SEED MIX	RIPARIAN < 50 FT FROM OHW
	VERMONT WET MEADOW & DETENTION BASIN	WETLAND SEED MIX	RIPARIAN < 50 FT FROM OHW

OHW: ORDINARY HIGH WATER LEVEL

30% REVIEW: FOR PLANNING ONLY
NOT FOR CONSTRUCTION

NUMBER	DATE
1346-001	11-10-2023
DRAWN	CHECKED
MSK	AR
SHEET NUMBER	
WET005	

From: [Michael Young](#)
To: [Sedell, Edwin - FPAC-NRCS, VT](#)
Subject: Re: [External Email]Barr Family LLC - Next steps past 30% Plan
Date: Thursday, May 9, 2024 9:06:37 AM

Yes - I consent to move to a 100% plan.
Sent from my iPhone

On May 8, 2024, at 5:06 PM, Sedell, Edwin - FPAC-NRCS, VT
<Edwin.Sedell@vt.nacdnet.net> wrote:

Hello Michael,
I've attached the Operation and Maintenance and Site Access Agreement to review. Based on the previous conversations and have gained a more thorough understanding of our restoration objects, do you provide consent on behalf of the Barr Family Property to proceed with 100% design?
Cheers,

Ted Sedell - Conservation Specialist

Orleans County NRCD

Newport VT 05855

Office: (802) 624 7021

Mobile: (406) 224 1608

edwin.sedell@vt.nacdnet.net

From: Michael Young <mcyoung200@gmail.com>
Sent: Friday, April 19, 2024 11:13 AM
To: Sedell, Edwin - FPAC-NRCS, VT <Edwin.Sedell@vt.nacdnet.net>
Subject: Re: [External Email]Barr Family LLC - Next steps past 30% Plan

Hey Ted - thanks for this info. Here is my cell: 207-351-0118.

I'll try to give you a call soon as well.

-Mike

On Tue, Apr 16, 2024 at 10:10 AM Sedell, Edwin - FPAC-NRCS, VT
<Edwin.Sedell@vt.nacdnet.net> wrote:

Hi Michael,
To address your questions regarding easement and Operation and Maintenance (O&M), the Clean Water Service Provider grants, yes there are two landowner obligations, both are required by Department of Environmental Conservation and they are 10 year access license and a 10 year O&M both of which are drawn up

during the final design phase. I can dig up a couple of examples that I can share with you.

Also, I realize I don't have your phone number, can you give me a call at your earliest convenience? Please use my mobile number as I'm on the go this week.

Thanks,

Ted Sedell - *Conservation Specialist*

Orleans County NRCD

Newport VT 05855

Office: (802) 624 7021

Mobile: (406) 224 1608

edwin.sedell@vt.nacdnet.net

From: Michael Young <mcyoung200@gmail.com>

Sent: Sunday, April 14, 2024 1:16 PM

To: Damsell, Sarah - FPAC-NRCS, VT <sarah.damsell@vt.nacdnet.net>

Cc: Dana Allen <dana@fluidstateconsulting.com>; Chris Steel <chrissteel4@gmail.com>; JoAnn Hanowski <joannhanowski@gmail.com>; Sedell, Edwin - FPAC-NRCS, VT <Edwin.Sedell@vt.nacdnet.net>; Stew Arnold <stewarnold@hotmail.com>

Subject: Re: [External Email]Barr Family LLC - Next steps past 30% Plan

Sarah/Ted: another question - is there a cost share for the grant you are looking at?
Thank You!

On Sun, Apr 14, 2024 at 1:08 PM Michael Young <mcyoung200@gmail.com> wrote:

Hi all,

Sorry to miss you the other day.

Dana - you captured the conversation and our concerns spot-on, thank you.

Sarah and Ted - please let me know about the easement that may be required. I am just curious what kind of legal/contractual obligations we will be under to implement and maintain the plan when created and approved.

Glad to be working on this with you all.

-Mike

On Fri, Apr 12, 2024 at 12:36 PM Damsell, Sarah - FPAC-NRCS, VT <sarah.damsell@vt.nacdnet.net> wrote:

Thanks Dana! Ted and I reviewed this together and he will be in touch.
Sarah

From: Dana Allen <dana@fluidstateconsulting.com>

Sent: Friday, April 12, 2024 10:40 AM

To: Chris Steel <chrissteel4@gmail.com>

Cc: Michael Young <mcyoung200@gmail.com>; Damsell, Sarah - FPAC-NRCS, VT <sarah.damsell@vt.nacdnet.net>; JoAnn Hanowski <joannhanowski@gmail.com>; Sedell, Edwin - FPAC-NRCS, VT <Edwin.Sedell@vt.nacdnet.net>; Stew Arnold <stewarnold@hotmail.com>

Subject: Re: [External Email]Barr Family LLC - Next steps past 30% Plan

Hi all -

Mike and I spoke this morning RE design questions and concerns. Per our conversation, the primary questions/concerns are:

- Stormwater basin - potentially a non-starter with the ownership group. I think it's wise to move forward without this particular aspect of the design as it currently stands in the 30% concept design given our conversation on-site the other day RE maintenance of the feature over time. I find it unlikely that the town will want to maintain it long-term. Mike and I discussed instead using stone-armored turnouts from the town ditch to spill water from the ditch at specific locations on the property. That is more in-line with the MRGP requirements placed on the town and as such more likely to be maintained. Chief concern with those are their collective impact on haying within the field.
- Another concern is the viewshed from the house back toward the field in the direction of Edsall Road vis-a-vis the no-mow zone. There's concern that certain tree species or other vegetation may begin to encroach on the viewshed. We will address that in final design through species selection (and can also address it via some type of maintenance provision that allows for trimming in that area).
- Mike and I also discussed process and at what point are things considered finalized and what would actually be implemented on the property. I explained that typically we go from 30% to 60% design with landowner input - so things like the basin vs. turnouts and the viewshed would be addressed then. A revised draft, often called a 90% plan, is then created for further review. This plan can be amended with any

final concerns or revisions from 90% to 100% but at 100% this represents what would be constructed.

- Additionally, we did talk about how the basin (or more likely, turnouts) could be designed but implementation of those might actually be separate from the other work on the property, given that those will likely be constructed by the town when they do their MRGP road/ditch work on that stretch of road. In this case, pursuing a design-only grant to be followed by an implementation grant makes a lot of sense as implementation funds can be sought only for the portions of the design to be constructed outside of town involvement.
- Mike also asked about commitment in the future and if this restoration work would be under an easement. I'm not certain about this - Sarah/Ted, I think you are better suited to answer that.
- Finally, Mike asked that if property owner commitment is needed for the grant application, he'd like to be notified as soon as possible given that other family members are involved and need to weigh in, which could take some time.

Overall, we're well positioned to move forward with final design and I feel like we can fairly easily address design concerns. Mike - did I miss anything?

Thanks all.

I'll work on scope/cost estimate for this for Sarah and Ted.

Dana

On Fri, Apr 12, 2024 at 10:15 AM Chris Steel <chrissteel4@gmail.com> wrote:

To confirm our discussion at Cemetery Brook the other day. Ben Matthews, the river engineer for the NEK, is joining me in connection with another matter for a walk through at Porter Brook next Wednesday morning. He has agreed to take a look at Cemetery Brook afterwards to provide some advice on any Stream Alt permitting re the BDAs and culvert actions described in the 30% design. Ted is hoping to join us.

I will update following that.

Best regards

Chris

On Fri, Apr 12, 2024 at 10:06 AM Michael Young <mcyoung200@gmail.com> wrote:

Hi - no worries. I am glad to be moving forward and to have your support and leadership.

On Wed, Apr 10, 2024 at 4:39 PM Damsell, Sarah - FPAC-NRCS, VT <sarah.damsell@vt.nacdnet.net> wrote:

Hello All, I want to apologize for the confusion/logistical hiccup on the meeting location! Please know that Ted and I are committed to this Barr Property work and take our responsibilities as project managers in assisting with coordinating, planning, accessing resources and project implementation seriously. Micheal, I hope that Ted was able to call you to at least have a phone call conversation with you about the project details and next steps.

Sincerely,
Sarah

From: Michael Young <mcyoung200@gmail.com>

Sent: Wednesday, April 10, 2024 3:57 PM

To: Dana Allen <dana@fluidstateconsulting.com>

Cc: Damsell, Sarah - FPAC-NRCS, VT <sarah.damsell@vt.nacdnet.net>; Chris Steel <chrissteel4@gmail.com>; JoAnn Hanowski <joannhanowski@gmail.com>; Sedell, Edwin - FPAC-NRCS, VT <Edwin.Sedell@vt.nacdnet.net>; Stew Arnold <stewarnold@hotmail.com>

Subject: Re: [External Email]Barr Family LLC - Next steps past 30% Plan

I just got a google calendar invite with the TEAMS link and have joined.

On Wed, Apr 10, 2024 at 3:54 PM Michael Young <mcyoung200@gmail.com> wrote:

Hey folks - sorry I was not on email the last couple of days and had assumed this meeting would be online - currently I am over 3 hours from there - sorry!!

On Wed, Apr 10, 2024 at 11:52 AM Dana Allen <dana@fluidstateconsulting.com> wrote:

Hi all, I didn't realize this was going to be an in person meeting at the property. I believe that I can be there at four, but need to leave at five.

Dana

Dana Allen
Principal
FluidState Consulting
dana@fluidstateconsulting.com
802.999.9762

On Tue, Apr 9, 2024 at 8:37 PM Damsell, Sarah - FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net> wrote:

Hello All. We are planning to meet at the Young property
tomorrow at 4:00.

Thanks
Sarah

From: JoAnn Hanowski <joannhanowski@gmail.com>
Sent: Tuesday, April 9, 2024 12:18 PM
To: Stew Arnold <stewarnold@hotmail.com>
Cc: Damsell, Sarah - FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net>; Michael Young
<mcyoung200@gmail.com>; Dana Allen
<dana@fluidstateconsulting.com>; Chris Steel
<chrissteel4@gmail.com>; Sedell, Edwin - FPAC-NRCS, VT
<Edwin.Sedell@vt.nacdnet.net>
Subject: Re: [External Email]Barr Family LLC - Next steps past
30% Plan

Are we meeting this afternoon?

On Mar 28, 2024, at 1:39 PM, Stew Arnold
<stewarnold@hotmail.com> wrote:

Hi Sarah and all,
I am available at 4pm on April 10th.
Stew

On Mar 27, 2024, at 5:52 PM,
Damsell, Sarah - FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net>
wrote:

Hello Everyone.

If folks are still free on the 10th at 4:00 please let me know and I will send a calendar invite to hold the date for us all.

Cheers,
Sarah

From: Michael Young
<mcyoung200@gmail.com>
Sent: Wednesday, March 13, 2024
4:01 PM
To: Damsell, Sarah - FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net>
Cc: Dana Allen
<dana@fluidstateconsulting.com>;
Chris Steel <chrissteel4@gmail.com>;
Sedell, Edwin - FPAC-NRCS, VT
<Edwin.Sedell@vt.nacdnet.net>; Stew
Arnold <stewarnold@hotmail.com>;
JoAnn Hanowski
<joannhanowski@gmail.com>
Subject: Re: [External Email]Barr
Family LLC - Next steps past 30% Plan

I won't be free until 4pm on the
10th...

On Wed, Mar 13, 2024 at 12:13 PM
Damsell, Sarah - FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net>
wrote:

Ted and I could be there at
1:00. Hows that work for folks?
Sarah

From: Michael Young
<mcyoung200@gmail.com>
Sent: Wednesday, March 13, 2024
11:09 AM
To: Dana Allen
<dana@fluidstateconsulting.com>
Cc: Chris Steel
<chrissteel4@gmail.com>; Damsell,
Sarah - FPAC-NRCS, VT

<sarah.damsell@vt.nacdnet.net>;
Sedell, Edwin - FPAC-NRCS, VT
<Edwin.Sedell@vt.nacdnet.net>;
Stew Arnold
<stewarnold@hotmail.com>; JoAnn
Hanowski
<joannhanowski@gmail.com>
Subject: Re: [External Email]Barr
Family LLC - Next steps past 30%
Plan

Sounds good.

I could be free starting at 4pm on
the 10th. Would that work for a
time?

-Mike

On Mon, Mar 4, 2024 at 2:44 PM
Dana Allen
<dana@fluidstateconsulting.com>
wrote:

The afternoon of the
10th works best for me.
The 8th is the date of
the eclipse, FYI. Totality
sometime in the
afternoon? I mention it
because I forgot and will
be flying home from
Chicago (maybe?).

Dana

On Sun, Mar 3, 2024 at 4:11 PM
Chris Steel
<chrissteel4@gmail.com> wrote:

+ JoAnn

On Sun, Mar 3, 2024, 2:30 PM
Damsell, Sarah - FPAC-NRCS,
VT
<sarah.damsell@vt.nacdnet.net>
wrote:

Hello Mike,

I hope this finds you well. Thank you for following up and checking in. We have been discussing the next steps in house here at the Orleans County conservation district. We would like to find time to meet with you to address the concerns that you have and discuss the next steps.

General outline:

1. Address your concerns.
2. Plan for and engage with the town on draining practices and culverts.
3. If and when you are comfortable moving forward and are interested in applying for financial assistance from grant sources, we would be looking to apply for 100% design, permitting and installation in the same grant which will largely require bids for both of those tasks which Dana might be interested in providing.
4. Review drafted O&M
5. If this is what is

agreed upon we would be aiming for an application to the [Lamoille clean water service provider grant source](#) who will have an application round in May. Are you available to meet sometime in April?

Ted and I have time in April to meet. We could start with a virtual meeting and go from there.

Dates we have available are:

1. Monday the 8th open all day,
2. Wednesday the 10th, the 11th and 12th in the afternoon.

Please let us know what could work for you Dana and Mike.

Best,

Sarah

From: Michael Young
<mcyoung200@gmail.com>
Sent: Wednesday,
February 28, 2024 9:54
PM
To: Damsell, Sarah -
FPAC-NRCS, VT
<sarah.damsell@vt.nacdnet.net>
Cc: Stew Arnold
<stewarnold@hotmail.com>;

Dana Allen
<dana@fluidstateconsulting.com>

Subject: [External
Email]Barr Family LLC -
Next steps past 30% Plan

You don't often get email
from
mcyoung200@gmail.com.
[Learn why this is important](#)

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Use caution before clicking links
or opening attachments.
Please send any concerns or
suspicious messages to:
Spam.Abuse@usda.gov

Hi Sarah - I am writing on
behalf of the Barr Family
LLC to say we would be
interested in bringing the
plan for our property
(228/248 North Shore Rd
Greensboro) past 30%.
My understanding is that
we would work with you
to get that funded.

We really appreciate all
the work you, Dana and
the Greensboro
Association have done to
get us to this point (I
would
have included JoAnn
Hanowski on this but I
could not find her email
address - could you please
forward this to her?).

We have concerns that we
will want to work

through (e.g., areas of no mow zone that could grow into our view; making sure our neighbors, the Kings, are ok with the plans; possibly skipping the retention pond idea and instead working with the town to try to get the road paved in that area etc.), but we feel we can work in these as we continue to bring the plan to further stages of development.

What are the next steps?

Sincerely,

Mike

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www.fluidstateconsulting.com
[p] 802.999.9762
he/him

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dana@fluidstateconsulting.com
www.fluidstateconsulting.com
[p] 802.999.9762
he/him

<OM Plan and Agreement template_12-11-19_0.docx>

<FINAL_Site Access License Agreement_updated7.27.23.docx>

DRAFT Data Entry / Preliminary Results/ Lamoille Basin / Funding Round #5 5/17/24

DATA ENTRY /Prelim results		A			*						B	C		D	E	F		
WPD ID	Project type	Annual p reduction kg	Any one time P reduction kg	Annual plus (onetime / design life) P reduction kg	Funding request (next project stage)	Proposed cost (next project stage)	Estimated Total cost (all project stages) using midpoint of ranges	Estimated Total cost minus other funding sources	cost per kg life P reduction	cost per kg annual P reduction	kg/\$ overall	design life (yr)	Adjusted design life (capped at 40)	Estimated annual maintenance costs	Estimated annual maintenance costs per KG	Cost of Operations and maintenance \$/kg (lower is better)	Conformance with the Basin plan (Imp. Table, elsewhere in TBP, or not)	CoBenefits (How many of six CoBenefit elements)
11774	Floodplain/Stream Restoration – Final Engineering Design	10.09		10.09	\$10,100.00	\$30,000.00	\$ 40,100.00	\$ 40,100.00	\$ 3,974.23	\$3,974	2.51621E-04	15	30	1000	99	\$99	5	2
Description	OCNRCD is applying for funding for a floodplain project on Cemetery Brook. In order to improve water quality at this site (identified as Wet005 & ST-3 in the Caspian LWAP) , a combination of several Best Management Practices were chosen, including: •Installation of Beaver Dam Analogs (or Woody Debris Additions) in the stream channel in the upper reach of the stream segment •Adoption of No Mow practices in the stream and wetland area buffer to 50' (with demarcation of same using an aesthetically pleasing fence and planting of sentinel trees) •Native wetland vegetation restoration using appropriate native species of trees, shrubs, and perennials (both established stock and seed mixes) •Creation of a road ditch turnout to a grass swale and stormwater pond to capture and treat road runoff from ~3,300' of the adjacent Lake Shore Road (and adjoining roads)																	
Total/Average		10.09			\$10,100			\$40,100										

Scoring comparison						
Points	Rank	ID	Description	Annual p reduction kg	cost per kg	Points
80.0	1	2041	Floodplain/Stream Restoration – Final Engineering	10.09	\$3,974	80.0

Discussion of proposed increase in Project Development funding allocation

Discussion of proposed increase in Project Development funding allocation

This agenda item will feature an introduction by staff regarding the proposed increase in Project Development funding allocation. The proposal, outlined in the email from Chris Rottler dated April 30, 2024, suggests increasing the allocation from 7% to 14% for the year, with a retroactive adjustment for the previous two grants. This will provide additional support for project identification and development, addressing the capacity issues faced by partners and the system. The relevant materials, including the email and Project Development SOP, are attached for your review and discussion

From: Rottler, Chris <Chris.Rottler@vermont.gov>

Sent: Tuesday, April 30, 2024 1:23 PM

To: Hilary Solomon <pmnrkd@gmail.com>; Barbara Noyes-Pulling <barbara@rutlandrpc.org>; mwinslow@acrpc.org; Brian Voigt <voigt@cvregion.com>; Dan Albrecht <dalbrecht@ccrpcvt.org>; Dean Pierce <dpierce@nrpcvt.com>; n.johns <n.johns@vhcb.org>

Cc: Copans, Ben <Ben.Copans@vermont.gov>; Swift, Ethan <Ethan.Swift@vermont.gov>; Madden, Claire <Claire.Madden@vermont.gov>; Petito, Gianna (she/her) <Gianna.Petito@vermont.gov>; Wood, Rachel <Rachel.Wood@vermont.gov>; Bates, Karen <Karen.Bates@vermont.gov>; Allen, Angie <Angie.Allen@vermont.gov>; Fritschie, Keith <Keith.Fritschie@vermont.gov>

Subject: FY25 Formula Grant awards and target allowance for development

Dear CWSPs,

At the Summit, and elsewhere, we have heard the call for more support for project identification, development, and for partners. Accordingly, we would like to make an adjustment to your FY25 award that will provide the system with some additional support in these areas. More specifically, we are proposing to adjust the targets for your FY25 awards for ‘project identification and development’ to better support you, as well as your implementer partners doing this work. If you recall, for years 1 and 2, you each received a ‘credit’ of 7% for these items, which lowered your target accordingly. We recognize that ‘looking for projects’ has taken some time to ramp up, as available funding has exceeded partner and system capacity, and that more support is needed – for both you and your partner project implementers. As such, we are proposing to double the allocation for project ID and development from 7% to 14%, for the year, *as well as retroactively for the previous two grants*. When you add 7% for year one, plus 7% for year 2, to year 3 adjustment of (now) 14%, the net adjustment we are proposing is 28% for the FY25 grant.

I don’t have final grant numbers in hand as I write this, but you can guesstimate what this would mean assuming FY25 grants are the same size as your FY24 grants, but targets would be 22% lower. See the table below – which isn’t final as we need to double check the math – but it’s very close and in the ballpark. Note that going forward, we will look to incorporate the need for additional project ID and development in the Cost Rate Methodology. I understand that Claire, Ben and others will be revisiting the Methodology in the coming year, so that the results of that process would be included in the FY26 awards. We will of course include you in that discussion (as required!) so you can provide feedback, but also so that you can your awards with your implementers accordingly. On the award values – I want to note that due to the way we calculated the 7% ‘credit’ in previous awards (by sector, not by amount of your award), this adjustment will affect your overall grant awards by a small amount. I understand these adjustments are in the \$10k-\$20k range. Ben is doing some analysis to confirm the numbers and we can hopefully look at this at the May CWSP meeting. So, more to come on this.

As ‘development’ funding is especially flexible, it is our hope that this adjustment to your target, when combined with the forthcoming partner capacity development awards, will facilitate even more funding to support partners to hire staff and support your efforts to find and develop projects, providing some much needed support and relief in the system. I look forward to hearing your feedback on this in May, and how this can help you and project implementers with developing projects and building capacity.

Chris

CWSP SFY2025 DAFT Awards	Proposed FY 2025 Targets	Total annual cost design/engineering and construction	28% total annual cost project ID/dev distributed based on total TP reduction targets per watershed	O&M	Project Completion Funds	Admin	Total Awards (not rounded yet...)	FY 2024 Total Awards (rounded)	Adjustment from award amount in Fy2024
Basin 2 & 4 - Poultney, Mettawee, South Lake Champlain	60.5	\$593,388.56	\$258,755.33	\$46,795.18	\$898,939.07	\$158,636.31	\$1,057,575.38	\$1,032,223.00	\$25,352.38
Basin 3 - Otter, Lewis, Little Otter	64.5	\$667,235.08	\$275,688.82	\$49,193.14	\$992,117.04	\$175,079.48	\$1,167,196.52	\$1,152,517.00	\$14,679.52
Basin 5 - Northern Lake Champlain Direct	34.9	\$428,400.00	\$149,197.39	\$39,543.00	\$617,140.39	\$108,907.13	\$726,047.52	\$741,808.00	(\$15,760.48)
Basin 6 - Missisquoi, Rock, Pike	158.7	\$1,679,038.51	\$678,486.62	\$86,559.96	\$2,444,085.09	\$431,309.13	\$2,875,394.23	\$2,852,275.00	\$23,119.23
Basin 7 - Lamoille	33.2	\$428,400.00	\$141,853.76	\$39,349.02	\$609,602.78	\$107,576.96	\$717,179.74	\$739,592.00	(\$22,412.26)
Basin 8 - Winooski	53.9	\$640,537.84	\$230,502.83	\$47,294.34	\$918,335.01	\$162,059.12	\$1,080,394.13	\$1,097,235.00	(\$16,840.87)
Lake Memphremagog	36.9	\$428,400.00	\$157,615.25	\$39,765.36	\$625,780.61	\$110,431.87	\$736,212.48	\$744,350.00	(\$8,137.52)
Total	442.6	\$4,865,400.00	\$1,892,100.00	\$348,500.00	\$7,106,000.00	\$1,254,000.00	\$8,360,000.00	\$8,360,000.00	



Chris Rottler, J.D., Water Investment Coordinator (he/him)
 Vermont Agency of Natural Resources | Department of Environmental Conservation
 Water Investment Division
 1 National Life, Davis 3 | Montpelier, Vermont 05620-3510
 802-461-6051 office/cell

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Further Note: Do not submit any Personally Identifiable Information to this email address without using secure encryption.

Project Development Guidance¹

This guidance is directed towards DEC staff, Funding Program Administrators, and project implementers involved with project development efforts. The outline of the document is formatted to encourage project proponents to first understand whether their proposed scope of work aligns with the definition of Project Development and will result in the applicable performance measures, milestones, and deliverables. If yes, the document proceeds to inform project implementers on the requirements for securing a Watershed Projects Database (WPD)-ID for the project development efforts. Guidance is subject to change and DEC will provide updated materials to partners as appropriate.

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What is Project Development?

The section provides a description of the Project Development Project Type and an overview of the type of work expected under the Project Development Project type. For more information on [what is not Project Development](#) please refer to the linked section.

Project Development as a project type must meet several eligibility criteria under the CWIP Funding Policy ([CWIP SFY23 Funding Policy](#), page 18). The Eligibility Screening Form may but does not have to be used to confirm this. This includes:

- a. Eligibility Criteria # 2: Project Types and Standards
- b. Eligibility Criteria # 3: Watershed Projects Database
- c. Eligibility Criteria # 6: Budget
- d. Eligibility Criteria # 8: Funding Program-Specific Eligibilities

Regarding Eligibility Criteria #2, Project Types and Standards, Project Development is a Project Type defined within the Clean Water Initiative Program’s State Fiscal Year 2023 Funding Policy.² Project Development is defined as “Scoping work on any non-regulatory project type³ to determine

¹ Applicable to any Project Development Block Grant funding subject to the Clean Water Initiative Program’s State Fiscal Year 2023 (CWIP SFY23) Funding Policy.

² See Appendix B: CWIP Project Types Table for reference: <https://dec.vermont.gov/water-investment/cwi/grants/resources>

³ Note that guidance on required additional milestones and deliverables for River Corridor Easement Project Development is still pending and as such it is not yet included as an eligible Child Project Type to receive Project Development support under applicable DEC Block Grants. Once this guidance is available, River

feasibility, constraints, and overall suitability for implementing the project. This typically includes reviewing site assessments or other project identification tools and prioritized plans, conducting site visits, refining project scope and phasing, developing conceptual maps and drawings, estimating pollutant reduction benefits, confirming landowner/municipal interest, identification of – and possible engagement with – other stakeholders, partners, and likely concerned parties (e.g. neighbors, funders, regulators), identifying the prospective responsible operations and maintenance party, consulting with DEC staff, and determining project budget and permit needs (local, state and federal), natural and cultural resource constraints, co-benefits, and other project considerations, site constraints and feasibility factors (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns) in advance of design or between design phases.”

Project Development is understood by DEC as a two-fold process that may include *general project scoping* to select identified projects for development as well as *specific project development* to gather the information and commitments needed to determine project feasibility and readiness to proceed.

General project scoping does not require the identification of specific projects to develop at the outset. The results of general project scoping should be a list of projects to develop. *General project scoping* support can be included in any applicable Project Development sub-grant. *General project scoping* should lead to *specific project development* and a Project Development Findings Report (PD-FR) should be submitted for specific child projects developed as a deliverable.

Examples of Allowable General Project Scoping Activities (not an exhaustive list)

- Review the Watershed Projects Database or existing plans and prioritization documents or tools (such as Stormwater Master Plans (SWMP), Flow Restoration Plans, Phosphorus Control Plans,⁴ Lake Wise Assessments, River Corridor Plans, Tactical Basin Plans, Functional Floodplain Initiative tool, and the Watershed Projects Database) to find projects to develop,
- Discuss potential projects with Tactical Basin Planners to gauge priority,
- Respond as needed to landowner water quality questions and concerns and conduct landowner site visits to develop strategies for river restoration and protection opportunities that may turn into a project for development,
- Follow up regularly with potential project landowners to gauge interest,
- Educate and communicate with new municipal staff or town committee members on existing River Corridor or Stormwater Master Plans to gauge interest in selecting and pursuing top priority projects.

Specific project development activities include the research and communications necessary to advance a specific project. These communications and research activities between project phases may also be supported as Project Development. Specific project development may require revision or update to the project scope as it was originally identified. Specific project development findings should be reported through the PD-FR for every child project developed.

Corridor Easements will be added as an eligible project type for DEC Block Grants to support. Project development for River Corridor Easements continues under pre-existing Master Contracts administered by the Clean Water Initiative Program with Technical Project Management assistance from the Rivers Management Program.

⁴ Projects pulled from Phosphorus Control Plans or Flow Restoration Plans should be discussed with the applicable MS4 community to confirm the MS4 community does not plan to report on implementation of the project to comply with their permit requirements. If so, the project is considered regulatory and ineligible to receive project development support.

Examples of Allowable Specific Project Development Activities (not an exhaustive list)

- Work with DEC staff to refine project scope to ensure proposed project is the preferred cost-effective project/best management practice (BMP) solution for a given water quality concern.
- Identify and contact the appropriate landowner and secure landowner support.
- Identify and contact the operation and maintenance (O&M) responsible party and secure their support.
- Work with partners or available online tools to estimate potential water quality pollution benefits and project costs (if not already identified in prior-funded design/scoping work).
- Review potential natural and cultural resource concerns and permit needs for the project.
- Contact any other relevant stakeholders to review potential project barriers.
- Meet with town staff and select board (if a municipal project) to encourage implementation of specific high priority projects from a sector-based assessment and discuss potential grant funding.
- Develop very basic project concept drawings or preliminary designs for the purposes of communicating with stakeholders and landowners and securing support.

Project Development Performance Measures, Milestones, and Deliverables

Project Development efforts must meet standard milestones, performance measures, and deliverables as outlined in the CWIP Project Types Table:

Performance Measures	Milestones	Deliverables
Number of projects explored for design and/or implementation	Project initiated A list of proposed projects to develop prioritized Ownership of site(s) identified and contacted Site visit(s) complete DEC staff consultations Identified site/design considerations and permitting needs Identification of supportive operation and maintenance (O&M) responsible party Project complete	Batch Import File⁵ or ANR Online Clean Water Project - New Project Form (once available) for any projects absent from the Watershed Projects Database. Project Development findings submitted to DEC in format requested

Required Deliverables

The CWIP SFY2023 Funding Policy lists the following as required deliverables for the Project Development Project Type:

⁵ Note now that the ANR Online Clean Water Project – New Project Form is available, the Batch Import File is no longer an accepted deliverable.

1. ANR Online Clean Water Project - New Project Form (once available) for any projects absent from the Watershed Projects Database
2. Project Development findings submitted to DEC in format requested

Items 1 and 2 are clarified to the following:

1. ANR Online Clean Water Project - New Project Form (~~once available~~) for any **nonregulatory and feasible** projects **that underwent development work that are** absent from the Watershed Projects Database.
2. Project Development findings submitted to DEC in format requested, **which includes:**
 - a. **Completed Final Performance Report (or ANR Online Project Closeout Form once available)⁶**
 - b. **Completed Project Development Findings Report (PD-FR)**
 - c. **Completed Project Eligibility Screening forms for all developed child projects deemed feasible and ready to proceed**

Regulatory, feasibility, and readiness determinations

Project development efforts may not always result in the conclusion that a child project is non-regulatory, feasible, and ready to proceed.

Regulatory projects should not receive Project Development assistance. Sub-grantees should stop Project Development efforts for a child project if/when a regulatory driver is identified for a project and complete the PD-FR as much as possible with the information gathered up until the "regulatory" classification. If sub-grantees partially develop projects that are then found to be regulatory, and the projects are absent from WPD, these projects should not be added to WPD. If these projects are already in WPD, DEC staff will review and consider the project development finders report provided by the subgrantee and may update the child project status and information in WPD. The definition of a regulatory project is provided in the [CWIP SFY 2023 Funding Policy Question and Answer](#) document (question 18).

It is up to sub-grantees to review the weight of data collected during project development to determine whether a project is **feasible**. For the purposes of Project Development work, a "feasible" project is any project that has no identified insurmountable barriers or roadblocks to implementation. Examples of insurmountable barriers may include: known natural resource constraints that make any version of project design, in that location, incongruent with natural resource functions; projects that an ANR permitting program has identified as never or unlikely to be permissible without significant impact fees; or projects in conflict with state or federal law, rule, and guidance. If insurmountable barriers are identified the child project should be classified as infeasible, and not added to WPD (if not yet there). If these projects are already in WPD, DEC staff will review and consider the project development finders report provided by the subgrantee and may update child project status and information in WPD.

All feasible child projects should be added to WPD if not already there, whether or not they are ready to proceed. Feasible projects may still encounter potential barriers that make them not yet **"ready to proceed."** Some examples of surmountable barriers may include a currently unwilling landowner, or potentially high costs associated with cultural resource protections. In these cases, the developed

⁶ Should be 1 line for the Parent Project Development WPD-ID with number of projects explored for design/implementation as the performance measure. General Notes column should provide brief (2-3 sentences) describing the project development effort.

child project might be considered “feasible” but not yet “ready to proceed,” unless or until circumstances change.

The table below shows how required deliverables vary based on the child project finding/status.

Applicable Deliverable	1.	2.a.	2.b.	2.c.
Child project Finding	If not yet in WPD – Add to WPD via New Project Form?	Count as part of Performance Measure for Parent WPD-ID in Final Performance Report?	Report finding in PD-FR?	Complete Project Eligibility Screening Form?
Found to be regulatory	N	Y	Y	N
Found to be non-regulatory but infeasible	N	Y	Y	N
Found to be non-regulatory and feasible but not yet ready to proceed	Y	Y	Y	N
Found to be non-regulatory, feasible, and ready to proceed	Y	Y	Y	Y

Data Management for Project Development: Watershed Projects Database (WPD)

This section describes how project development projects are tracked in the WPD. This includes WPD-ID assignment, and relationship links between projects. This is important context for partners to ensure their Project Development projects comply with Eligibility Criteria #3 in the CWIP Funding Policy,

There are three generations of projects used to track Project Development with definitions as follows:

1. **Grandparent:** The grandparent is the grant agreement between DEC and a Funding Program Administrator (FPA) that allows Project Development as an eligible project type to be sub-awarded. The grandparent is typically a block grant or could be a bulk contract. Project Type in WPD is likely to be a “multi-sector block grant.” Examples include the 2022 Project Development Block Grant (not subject to this guidance), the 2023 Enhancement Development, Design and Implementation Block Grant, and the Clean Water Service Provider Formula Grants.
2. **Parent:** The parent is a project in WPD whose Project Type in WPD is “Project Development.” Each parent project has a unique timing, lead partner, grandparent, and/or geographic/project type scope. It describes a discrete effort undertaken by a specific subgrantee, over a specific timeframe, within a specific geographic region and/or to develop specific project types, with specific block grant funding. Each parent project development project is linked as a child to the appropriate grandparent to denote a funding relationship.

The project development effort associated with a single parent WPD-ID may include both *general project scoping* and *specific project development* work but cannot encompass only general project scoping.

3. **Child:** The child projects are all the individual projects that get developed under the specific parent project development effort. The project phase that is developed, or that is linked as a child to the parent project, is the one that has not yet been implemented, but may be made ready to proceed after the project development has happened. For example, if a partner develops a floodplain restoration project such that now it's ready to proceed with a 30% design phase, then the WPD entry for "Floodplain/Stream - Preliminary (30%) Design" is linked as a child project to the partner's project development parent project to denote a phasing/process relationship between the two.

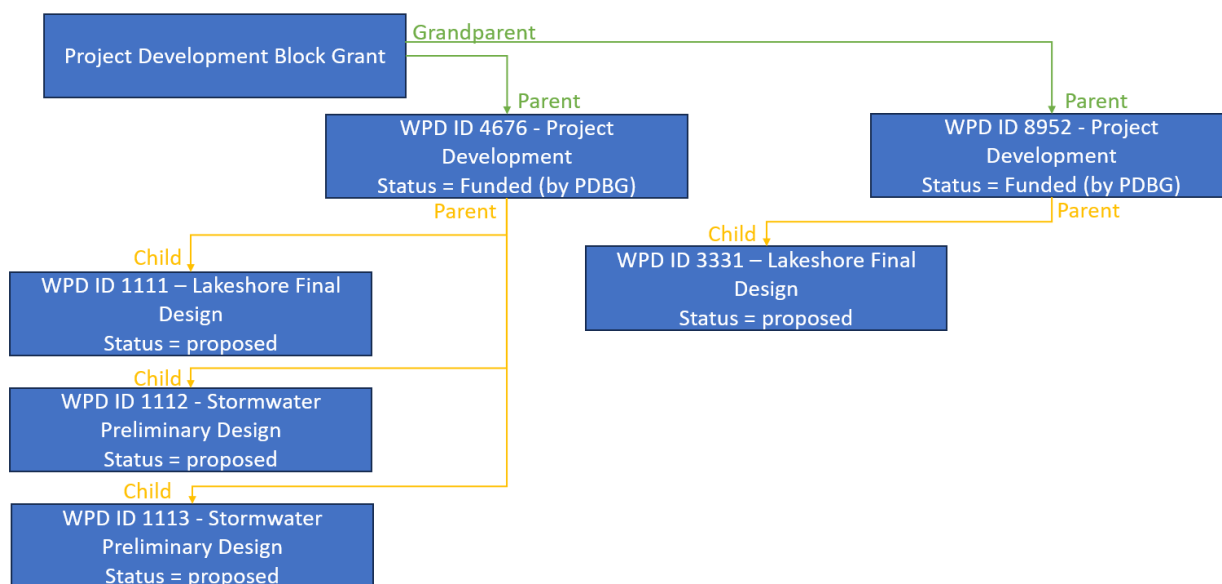


Figure 1. Figure above represents the relationship between Grandparent, Parent, and Child under Project Development efforts. Green lines denote a funding relationship. Orange lines denote a phasing/process relationship. Both types of relationships are acknowledged in WPD by linking project IDs through a Parent-Child relationship.

Each generation of project type across the Project Development effort has different roles, timing, and mechanisms by which they get added to the Watershed Projects Database.

1. **Grandparent.** When a block grant gets executed or amended, the details of the award are uploaded into DEC's Grants and Contracts Management System (GCMS). The WPD has a report query that finds any new agreements in GCMS that are not yet reflected in WPD. This report is typically run annually as part of the Clean Water Initiative Performance Report data compilation effort. To facilitate more timely assignment of WPD-IDs for grandparents, the CWIP Tracking & Accounting team will run this query quarterly, add new block grants and amendments to WPD, and alert the respective TPM of any newly assigned WPD-IDs. The TPM is then responsible for sharing the block grant WPD-ID with the FPAs. CWIP is responsible for adding the block grant funding information to the grandparent WPD-ID.

Component	Task Description	Responsible Party	Mechanism	Timing/Frequency
Block Grant (BG)/Grandparent	Create PD block grant entry in WPD	CWIP Tracking & Accounting team	WPD	Quarterly via GCMS query
BG/Grandparent	Alert TPM of BG WPD-ID	CWIP Tracking & Accounting team	Email	As soon as created
BG/Grandparent	Alert FPA of BG WPD-ID	TPM	During grant drafting (incorporated into agreement) or via email	As applicable
BG/Grandparent	Add new funding information (new awards for CWSPs and amendments for EEDIBG) to BG WPD-ID	CWIP Tracking & Accounting team	WPD	At same time of quarterly GCMS query listed above

2. **Parent:** Project Development parent projects are added to the Watersheds Project Database by local partners when they are ready to seek or seeking funding as part of confirming alignment with Eligibility Criteria # 3. As part of Eligibility Criteria #3, partners should submit a proposed Project Development effort via the ANR Online New Project Form which routes the request to the applicable Watershed Planner for review and approval. Planner approval of the ANR Online New Project Form submission results in automatic creation of a WPD project entry and assignment of a WPD ID. Project proponents are alerted via email when their New Project Form submission has been approved and can then [search the WPD](#) for the project (by project name) to find the WPD-ID assigned to their proposed project. Please consult the CWIP Funding Policy for more information on Eligibility Criteria #3. The following are specific standards and guidance that should be followed by the partner when submitting an ANR Online New Project Form.
 - a. List the partner applying for subgrant from a grandparent block grant
 - b. Pick “Project Development” as the Project Type
 - c. Project descriptions should include:
 1. Proposed FPA/Block grant. The funding block grant grandparent WPD ID should not be added as a parent project as the funding is not yet official. Place proposed FPA in the project description.
 2. Geographic extent. Pick an extent that is as specific as possible (ideally towns and/or sub-basins) but that allows flexibility to switch child projects if desired. For example, an organization that serves a specific watershed could list that watershed or a few subwatersheds in which they plan to develop buffer planting projects. The geographic extent can be updated at project closeout if specificity is not possible up front.

3. Which child project types will be the focus of the project development work (include affirmation these will be non-regulatory)
 4. Source of potential projects if performing general project scoping
 5. Brief description of proposed activities
- d. Follow this proposed naming convention to the extent possible:
1. PD.Partner Organization - Geographic Extent Project Types
 1. E.g..”PD.Friends of My River - Lamoille Headwaters - Stormwater”

Project proponents are encouraged to reach out directly to watershed planners before submitting a New Project Form to discuss project development proposals especially for larger scale project development efforts. Watershed planners will review project development New Project Form submissions to ensure they are consistent with the project development type description including reviewing that the project description:

- focuses on the development of non-regulatory project types
- would not be better characterized as a project ID or a design type project or otherwise covered in the “what is not project development” portion of the SOP.
- for specific child project development efforts, includes a description of the child projects and WPD-IDs for child projects (if available).
- for general scoping type project development where child projects are not known in advance
 - includes the geographic extent of the project development work
 - identifies which project types will be the focus for project development
 - identifies the report, assessment, or other source of potential projects to be evaluated

If the proposed Project Development effort is selected for funding, the FPA is responsible for facilitating updates in WPD to link the grandparent to the parent. Currently this involves quarterly reporting to the applicable TPM who works with CWIP staff to manually update the funding information and relational links in WPD. Once the ANR Online Project Update Form is available, FPAs or their delegates (funded Project Development subgrantees) will be expected to use this form to provide information on the funding amounts awarded through subagreements, dates, and relational linkages.

As part of Project Development closeout, partners should review the geographic extent originally proposed and update if a more refined set of town/s or subbasin/s can be provided. For example, imagine a Project Development Parent project was approved and funded by a block grant to perform Project Development work statewide. Once the Project Development work is complete, it is apparent that only 5 child projects were developed and all are located in the Winooski River basin. The parent Project Development WPD-ID can be updated to narrow the geographic location of the effort to the Winooski basin. In current state, this entails providing updated geographic information as part of the Final Performance Report. The TPM will work with CWIP to manually update the parent project WPD-ID information. In the future state, the partner will use the Project Closeout Form to refine the geographic extent and any other project information, like the project description, as well as provide final reporting on Project Development work completed.

Component	Task Description	Responsible Party	Mechanism	Timing/Frequency
Subgrant/Parent	Add subgrant Project Development effort to WPD	Subgrantee	New Project Form	As part of eligibility screening step 3 – when seeking funding
Subgrant/Parent	Add subgrant funding details to WPD	FPA	Current state: quarterly report to TPM Future state: Project Update Form	Quarterly
Subgrant/Parent	Closeout – refine spatial data, report performance measures, submit required deliverables	FPA or subgrantee	Current state: Final Performance Report Future state: Project Closeout Form	At point of completing Project Development effort/scope of work

3. Child: Child projects may or may not already exist as proposed in the Watersheds Project Database. Child projects do not need to have a WPD-ID for the Project Development parent project effort to be eligible for funding, they can be added to the WPD after a funding decision is made and/or at the close of the Project Development parent project effort. Child projects must be non-regulatory.

Child projects not yet in the WPD should be added via submission of an ANR Online New Project Form.⁷ For child projects already in the WPD, this step can be skipped.

At the end of the Project Development effort, the Project Development parent project WPD-ID will be linked as a parent to all child projects “developed” through the course of the project. In current state this is done through the PD-FR, which the subgrantee uses to report on all child projects that received development efforts. The TPM then works with CWIP to manually enter this data into the WPD. In the future, this should be done by the subgrantee via submission of ANR Online Form(s)child projects

⁷ If subgrantee developed a project found to be regulatory or infeasible it is acceptable not to request a WPD-ID for this project.

Component	Task Description	Responsible Party	Mechanism	Timing/Frequency
Developed/Child project	Add newly identified, non-regulatory and feasible “developed” projects to WPD	FPA/subgrantee	New Project Form	Before the Project Development parent project closes
Developed/Child project	Link “developed” projects to parent project development project	Current state: DEC Future State: FPA/subgrantee	Current state: WPD Future State: Project Update Form	Current state: Annually upon review of subgrantee PD-FRs Future State: As part of Parent Project close out
Developed/Child project	Update status/information if child project found to be regulatory or infeasible	DEC	WPD	Annually as part of review of subgrantee PD-FR

Project Development Deliverables Management

1. For Enhancement Development Block Grant Funding:
 - a. Completed Final Performance Report listing one row per Parent should be compiled across all funded subgrants and uploaded to GCMS as a single excel file deliverable under the block grant/grandparent award at the point of grandparent project closeout. Before a grandparent project is closed out individual parent Project Development WPD-IDs should be closed out on a rolling basis using data from the individual parent Project Development Final Performance reports (see data management section above for more information about parent Project Development project closeout).
2. For Water Quality Restoration Formula Grant Funding:
 - a. Include one row per parent across all funded subgrants as part of CWSP Water Quality Restoration Formula Grant Project Data Tracking Tool.
3. The completed PD-FR should be submitted to the TPM as a deliverable and will be uploaded as an attachment file to the parent Project Development WPD-ID
4. Findings documented in the PD-FR will be exported to individual and respective child projects into the Project Development Notes field of each child project
5. Completed Project Eligibility Screening Forms should be submitted to the TPM as a deliverable and will be uploaded as an attachment file to the applicable child project.
6. Child project Status Updates (only applies to child projects that already have a WPD-ID) will be made by DEC staff as necessary if child project is found to be regulatory or infeasible.

TPM oversight considerations

TPM oversight is focused on the FPA performance. The FPA should provide at a minimum quarterly updates on new funding decisions for Project Development parent projects, and on newly completed Project Development parent projects. Refer to other block grant program specific guidance to learn more about what the TPM will check and when as part of FPA oversight.

What is NOT Project Development?

Project Development is not assessment and planning work. Ineligible activities include performing Lake Wise assessments, road erosion inventories, stream geomorphic assessments, developing prioritized plans like stormwater master plans or lake watershed action plans. These activities are supported under separate CWIP spending initiatives.

Project Development is not design work, nor is it the work supporting the design or implementation phase of a project. Project Completion tasks for design and implementation phases are supported under separate Project Types. Project Development funds may support tasks between design phases but not within or during a design phase. Some limited concept drawings or designs are allowable if they are needed to determine project viability or secure landowner support, but work cannot result in completion of 30%+ designs.

Project Development is not any activity otherwise supported through active workplans under Tactical Basin Planning contracts to statutory partners pursuant to 10 V.S.A. § 1253(d)(3).

Project Development is not grant writing. Sub-grantees may use funds to gather all the necessary information that might be requested on a funding application but may not charge their time to any DEC Project Development block grant for writing any applications.

Project Development is not general, untargeted outreach and education.

Project Development is not outreach and partnership formation to establish a stormwater regulatory public-private partnership as defined in the CWIP SFY21 Funding Policy (https://dec.vermont.gov/sites/dec/files/wsm/erp/docs/2021-02-04_FINAL_FY21_CWIPFundingPolicy_signed.pdf).

Solicitation / Appointment of BWQC Member and Alternates

Solicitation / Appointment of BWQC Member and Alternates

The BWQC will also be discussing the process we must follow for (re) appointment of members and alternates for the Council. This agenda item is critical for ensuring that the Council continues to have a diverse and representative membership, capable of effectively guiding water quality projects in the basin. Attached please find excerpts from Chapter 4 of DEC Guidance Document, which spells out procedures for the appointment, reappointment, replacement, and dismissal of BWQC members. For contrast, I am also provide an excerpt from the BWQC's bylaws. An up to date version of the Member Status Table will be used to track the current status of BWQC members and alternates.

EXCERPTS FROM DEC GUIDANCE CHAPTER 4

- c. Reappointment at the end of term/ Replacement - At least 4 months before the end of each BWQC member term, the BWQC member should inform the CWSP (and any relevant statutory partner) of their interest to stay on the BWQC for another term. At least 3 months prior to the start of the state fiscal year, the CWSP shall provide to ANR in writing if the BWQC member will continue as a BWQC member or who the new BWQC member will be. This is necessary to provide the funding to support BWQC participation by statutory partners.
 - i. For reappointment of Council members:
 - 1. The reappointment of a BWQC member shall be selected in a manner consistent with initial appointments.
 - 2. A CWSP shall post any BWQC vacancies on the CWSP website in a timely manner (i.e., within 4 months from which a vacancy is determined, or at the end of a member term who no longer wishes to serve on that CWSP) and shall conduct outreach and an open process following the processes described in the initial membership section above to make potential representatives aware of the opportunity to serve on the BWQC.
 - ii. For replacement of a Council member prior to term expiration:
 - 1. The replacement member shall be selected in a manner consistent with initial appointments, except that a BWQC's duly adopted rules of procedure may express a preference for replacement members to be drawn from previously designated Alternates.
 - 2. Replacement Members shall be selected based on their knowledge of clean water topics for the basin(s) served and interest and availability to attend BWQC meetings as required.
 - 3. The initial term of a Replacement member shall be the unexpired portion of the term of the Member being replacement.
- d. Dismissal – following a majority vote (e.g., quorum of the BWQC, a Council member can be dismissed following sufficient documentation that the BWQC member is failing to uphold their duty. An example would be the failure of a member to attend one-half or more of the scheduled meetings per year without good cause, which shall constitute grounds for replacement of the member.

EXCERPTS FROM BWQC RULES OF PROCEDURE

ARTICLE IV MEMBERSHIP

Section 401 Number

The number of BWQC members initially shall be nine, in accordance with the Act and Rule. Additional members may be added as allowed in the Act.

Section 402 Appointment

Representation on the BWQC shall be in accordance with the Act and Rule.

LAMOILLE BASIN	NAME OF REPRESENTATIVE	ORGANIZATION	WILLING TO CONTINUE?	NAME OF ALTERNATE*(S), IF ANY	ORGANIZATION	WILLING TO CONTINUE?
LAMOILLE RIVER BASIN (BASIN 7)			Y, N, or ?			Y, N, ?, or NA
Natural Resources Conservation Districts	Peter Danforth	Lamoille County Conservation District		Emily Finnegan	Caledonia NRCD	
Natural Resources Conservation Districts	Lauren Weston	Franklin County Natural Resources Conservation District		Adelaide Dumm	WNRCD	
Regional Planning Commissions	Dick Goff	Lamoille County Planning Commission (Cambridge)		Meghan Rodier	Lamoille County Planning Commission	
Regional Planning Commissions	Brad Holden	Chittenden County Regional Planning Commission		Sai Sarepalli	Chittenden County Regional Planning Commission	
Watershed Protection Organizations	Kent Henderson	Friends of Northern Lake Champlain		Lori Fisher	Lake Champlain Committee	
Watershed Protection Organizations	Jed Feffer	Stewards of Greensboro Watersheds		Joanne Hanowski	Stewards of Greensboro Watershed	
Land Conservation Organization	Erin De Vries	Vermont River Conservancy		Tucker Malone	Vermont Land Trust	
Municipalities	Sarah Hadd	Town of Fairfax		Katherine Sonnick & Ken Minck	Jericho & Georgia	
Municipalities	Brent Sheets	Town of Hyde Park				

Future meetings, including annual meeting and hybrid meetings

Future meetings, including annual meeting and hybrid meetings

As part of this agenda item, members of the BWQC will discuss the scheduling and format of future meetings, with particular attention to the upcoming annual meeting in July and the possibility of hybrid meetings. Resources provided for the discussion include BWQC bylaws and a summary of S. 55, recently enacted by the Vermont legislature.

Regarding the annual meeting, the BWQC will need to conduct elections for the Chair and Vice Chair positions. The current Chair is willing to stand for reelection, while the Vice Chair will be stepping down. A process for nominating and electing a new Vice Chair will be discussed. Members should be consider the need to nominate candidates for the Vice Chair position and any other open roles. The Nominating Committee, if established, will present a slate of nominations, and additional nominations will be taken from the floor during the meeting. Regarding S. 55, staff will provide an introduction to the question: Is the BWQC required to conduct hybrid meeting?

MEMORANDUM

TO: LAMOILLE BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: ANNUAL MEETING IN JULY/ELECTIONS/NOMINATING COMMITTEE
DA: MAY 18, 2023

Here a few things to mention in connection with the meeting to be held in July.

Annual Meeting and Elections

According to its bylaws, the BWQC's calendar is to include an annual meeting. More specifically, "The annual meeting shall be the first regularly scheduled meeting of the CWSP's fiscal year." The CWSP fiscal year starts on July 1. Thus, the meeting currently planned for July 27 will be the annual meeting. The bylaws also indicate that the BWQC's officers (Chair and Vice Chair) are to be elected at the annual meeting. Officers shall be elected by a vote of the "Council members present and voting".

Should a Nominating Committee be formed?

The process used to identify candidates for officer roles is governed by the bylaws as well. Unless the Council specifically votes to forego creating a Nominating Committee, such a committee is to be used to prepare a slate of nominations for officers. (Additional nominations will be taken from the floor at the annual meeting.) The meeting on May 25 is the designated time for the creation of a Nominating Committee, given that the bylaws require the Chair to appoint members of the committee "at the regular meeting preceding the annual meeting."

Meeting location and program

BWQC members are encouraged to suggest possible locations and, if desired, special speaker or topics. CWSP staff are currently exploring whether the annual meeting might be held in Fairfax or Morrisville. Please don't be shy sharing your ideas!

Current Allowance for Fully Remote Meetings:

The Governor signed Act 1 (H.42) into law on January 25, 2023, once again temporarily amending Vermont's open meeting law in response to COVID-19.

Under Act 1, public bodies are authorized until July 1, 2024 to hold fully remote public meetings. Public bodies holding fully remote meetings must use technology that permits attendance of the public, must allow access by telephone, and must post and include in each meeting agenda info that enables direct access and participation.

Summary of Vermont Senate Bill S. 55 (Enacted May 10, 2024)

Purpose: The bill aims to enhance the accessibility, transparency, and efficiency of public body meetings in Vermont by allowing electronic participation under Vermont's Open Meeting Law.

Key Provisions:

1. Legislative Intent:

- Ensure that all public body meetings, whether in-person, remote, or hybrid, are fully accessible to the public and members of public bodies.
- Maintain transparency in the deliberations and decisions of public bodies.
- Adhere to standard rules and best practices for meeting formats and methods of delivery.

2. Definitions:

- Introduces definitions for terms such as “hybrid meeting,” “public body,” and “undue hardship.”
- Clarifies that “public body” includes boards, councils, and commissions but excludes advisory groups to the Governor.
- Defines “Advisory body” as “a public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.”

3. Open Meetings and Electronic Participation:

- All meetings of public bodies must be open to the public.
- Meetings must be electronically recorded if they involve public hearings on proposed rules.
- Public bodies must provide a physical location for the public to attend if the quorum is not physically present.

4. Hybrid and Electronic Meetings:

- Non-advisory state public bodies must hold meetings in a hybrid fashion (both physical and electronic).
- Advisory bodies can meet electronically without a physical location.
- All meeting recordings must be retained for at least 30 days after the approval of meeting minutes and posted online.

5. Local Non-Advisory Public Bodies:

- Local public bodies must record meetings and post recordings online for at least 30 days, unless it imposes an undue hardship.

6. Requests for Access:

- Residents, public body members, or press can request physical or electronic access to meetings.
- Requests must be made in writing at least two business days before the meeting.
- Public bodies must comply unless there is an all-hazards event, local incident, or undue hardship.

7. Training Requirements:

- Annually, certain officers must participate in training on Open Meeting Law procedures.
- The Secretary of State is responsible for developing and providing this training.

8. Special Provisions During Emergencies:

- Allows affected public bodies to meet electronically without a physical location during local incidents or declared emergencies.
- Public bodies must use technology that permits public participation and access by telephone.

9. Penalties and Enforcement:

- Municipalities must post information on how to submit notices of Open Meeting Law violations and the relevant procedures.

10. Annual Meetings and Australian Ballot System:

- Video recording and posting requirements for informational meetings and hearings related to annual meetings and the Australian ballot system.

11. Working Group on Participation and Accessibility:

- Establishes a working group to improve accessibility and participation in municipal public meetings and elections, and to increase transparency and trust in government.

12. Effective Dates:

- The act takes effect on July 1, 2024, except for the training requirements, which take effect on January 1, 2025.

Updates and conclusion