**Two Rivers-Ottauquechee RPC Clean Water Advisory Committee**

Thursday, February 24, 2022 10:30am-12pm

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| **Name** | **Town/Organization** |
| Sue Greenall | Ottauquechee NRCD |
| Todd Menees | Rivers Program |
| Matt Osborn | Town of Hartford Planner |
| Paul Doton | CT River Watershed Farmers’ Alliance and Farmer |
| Bill Emmons | CT River Watershed Farmers’ Alliance and Farmer |
| Steve Libby | VRC |
| Marie Caduto | DEC |
| Danielle Owczarski | DEC |
| Ron Rhodes | Connecticut River Conservancy |
| Jeff Goodrich | Planner and Engineer Norwich |
| Pete Fellows | TRORC |
| Peter Gregory | TRORC |
| Sage Doviak | TRORC |
| Lyle Nichols | White River NRCD |
| Jennifer Byrne | White River NRCD |

**Meeting Notes**

1.TRORC Update

* Pete Fellows updates for TRORC on the flood resilient communities project grant in Pinney Hollows. They are finalizing permitting and the archeological resource assessment is last step. If bids can go out and there is enough input, the project can move forward this year. After a feasibility study at Amherst dam, funds are being raised to keep the dams. This would be a multiyear project. The MRGP, Municipal Roads General Permit, is intended to manage runoff for town roads. It is changing at the end of 2022 and Pete is working with towns to start anew for the next permit. As far as ARPA work, the treasury final rule was released. It loosened regulation a bit. Towns can now use ARPA money for most general funding projects if they are not padding the capital reserve fund. Towns will only be given a few hundred thousand dollars, but this money will give them more flexibility. The state is still pushing out an infrastructure bill, which should be monitored.
* New regulations:
  + Every town (and village that received NEU ARPA funding) in our region has the option of classifying **the entirety of their award** as “lost revenue.” They are no longer required to do any calculations using the federal formulas we were working with in the interim rule.
    - Lost revenue can be spent on “government services”, which generally include any service traditionally provided by a government, unless Treasury has stated otherwise.
    - Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements.
  + This category is still subject to certain restrictions:
    - You cannot use ARPA funds to make extraordinary contributions to pension funds (i.e., more than your regular contributions)
    - You cannot use ARPA money for servicing debt. The final Rule does not appear to make exceptions around when the debt was incurred, but I’m going to talk with VLCT to follow up on that point.
    - You cannot use ARPA money to replenish financial reserves (rainy day funds).
    - You can’t use ARPA money to satisfy any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring in a judicial, administrative, or regulatory proceeding. However, if a settlement requires the recipient to provide services or incur other costs that are an eligible use of SLFRF funds, SLFRF may be used for those costs.
    - SLFRF funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (e.g., uses of funds that undermine COVID-19 mitigation practices in line with CDC guidance and recommendations) and may not be used in violation of the Award Terms and Conditions or conflict of interest requirements under the Uniform Guidance. Other applicable laws and regulations, outside of SLFRF program requirements, may also apply (e.g., laws around procurement, contracting, conflicts-of-interest, environmental standards, or civil rights).
  + Keep in mind that Towns still have to comply with Uniform Guidance requirements for procurement, etc.
  + Keep an eye on other funding opportunities that are coming down the pike, because Towns need to leverage all the resources they can, and ARPA dollars can be used as match for many (but not all) grant programs if you’re categorizing the dollars as Lost Revenue. **H518 has a lot of traction in the state legislature right now and would provide funding for energy audits, energy efficiency improvements, and renewable energy and fuel switching projects for municipal buildings.** Also, IIJA money is going to start moving soon. If a town wants to use their ARPA money as match, they need to double check with the other funding agency that there’s no prohibition on using ARPA funds as match for that particular program.

2. Pinney Hollow Projects

* Pete notes there are two big flood plain creations and installation projects that adds at least a couple acres of new floodplain to a constrained area. Marie Caduto mentions the sites were impacted by Hurricane Irene and one is the former location of a hotel that had to be bought out. Todd Menees adds that he spoke with Kathy Urffer, Connecticut River Conservancy, about the area and she looked at the lower section. Todd asked Kathy to consider habitat restoration on this site to get it back to the habitat it once was.

3. Amherst Dam

* Marie notes a lake association has been formed as an official entity. They are working on raising funds to keep the dam. It is a tricky situation because the dam is privately owned and has been undergoing safety restrictions. The debate is ongoing for removal or rehab first. Lowering the lake by that much will have landowner impacts on some portions of the lake, but there is good reason to have dam safety regulations because dam failure could have been bad downstream. Todd mentions there was an internal meeting and management decided that until there is a decision to remove, repair, or replace we need to sit and wait. Sue questions if Kelly Stettner, Black River Action Team, can do the lake watershed action plan application and Marie says she is fine to go ahead with that.
* Pete has reached out to Topsham and Vershire about their town garage projects, VTrans does not offer funding for town garages, so moving town garages becomes a big project for small towns. They may be able to get funding through the new infrastructure bill to do these projects.

4. Money Brook Wetlands Project

* This project is now referred to as the Pingree Flats Restoration Workshop. After a meeting with potential volunteers whose expertise would be used to run the workshop, Sage Doviak created a quick survey to gauge people’s interest on topics to cover and time frame to get a better idea of how the workshop should be formatted. It was sent out to RPCs, VACD, WUV, NRCS, VNRC, VYCC, TNC, VLT and Audubon. There have been 8 responses so far. Sage notes that after the survey gets more responses, another meeting will be held to come up with a more formalized schedule and format for the workshop.

5. MRGP (Municipal Roads General Permit)

* Pete notes towns are in good shape. The first addition ends at the end of 2022. Annual reports are due in April and a new 5-year permit releasing starts in 2023.

6. ARPA

* Pete says there are no specific water quality projects yet that we have been made aware of and it is harder to track with loosening up of rules. Bridgewater has a big water quality issue with a wastewater treatment facility and Marie can provide assistance on that.

7. Flood mapping updates CT-White-Ottauquechee

* White: Pete says the White River mapping is moving along. There is a private contractor working with USGS to complete the initial mapping. They are coordinating with Greg Stewart at USGS on that project.
* Ottauquechee: Pete notes discovery meetings have finished, which essentially ask where to map. There is a new base level flood plain mapping approach that do not do detailed on the ground surveys but instead use LIDAR contour elevation data to develop much better approximate mapping.
* Marie notes the discovery meetings have been helpful and are receptive to input from the public. It is a good opportunity if your river has not done one yet. FEMA sends out announcements for these meetings.
  + Contact info found on floodready.vermont.gov/node/822: “If you have any questions regarding the Discovery process, the scheduled Discovery Meetings, or the draft products provided, or if you would like to submit additional information related to flood risk in your community, please contact Diana Rodriguez by e-mail at rodriguezad@cdmsmith.com or by calling (312) 780-7710.  Also available to answer any questions is FEMA Project Manager, Christopher Markesich, by email at Christopher.Markesich@fema.dhs.gov or by phone at (617) 832-4712.” (From 2021)
* Paul asks about the Connecticut River and Pete notes it is much more difficult to handle the Connecticut main stem because of its large size and grade controls along it.

8. Eshqua Bog Update

* Pete notes it appears to be stuck at the ANR online post public comment phase and Marie will follow up. Kevin Geiger, TRORC, is coordinating a reclassification project in the Upper White, but it has been stalled.
* Update from Laura Lapierre, wetland program manager DEC: The Classification rule is connected with the larger Vermont Wetland Rule which we have been working on edits for. Our hope was to have one big rule change that included the addition of Eshqua, but it looks like the other changes will be happening later. This means that we will likely file the change with the Secretary of State this early spring. There is another Class I proposal that we are wrapping up right now, Wards Marsh, which would be included in the filing if approved by our Commissioner. The Rulemaking process takes several months and will include another public meeting and public comment period. We will be reaching out to the petitioners to participate.

9. Basin Planner Updates

* Danielle Owczarski is the representative for DEC watershed grants that are administered by USFW, and DEC. Danielle notes smaller grants have undergone assessment. These projects can include implementation and outreach and education and are funded by conservation license plates with the deer, trout, or loon. They received over 20 applications with $70,000 to grant, so they were able to fund the top 10. The grants are awarded yearly and are usually in the late winter. Marie and Danielle participated in monitoring slam to go over priority sites to monitor in Basin 14. Sites were chosen for this 2020 monitoring season (see attached PowerPoint). People will be out in summer doing monitoring in Basin 14. The first Basin 9 and 14 regional coordination meeting was held, and anyone interested is welcome to join. The meetings are designed to assess basin plan strategies to determine if they are being met. The next meeting is Tuesday, April 5, 2022, at 10:30 am. Danielle met with an Orange and Windsor County work group to gather local input on priorities for NRCS funding for agriculture projects. There is a Lake Morey forum meeting March 10, 2022, from 4-5:30pm to discuss water quality data. The White River Panel and Central Vermont Chapter of Trout Unlimited had a discussion to talk about water quality and the role of the White River Partnership.
* Marie will conduct Basin 10 kickoff meetings for the new round of basin planning. She created a survey for public input and a story map to introduce people to the planning process. The Basin 10 plan covers from Killington to Springfield which is all the Ottauquechee and the main stem of the Connecticut River. Marie is working with the CT River Joint Commission, which is a Vermont New Hampshire organization that manage the CT river and towns on it to ensure natural resources are protected. She is working on a climate migration workshop to assess the number of people coming into the region and find new safe places to live. The workshop will be for town planners to inform what will need to be done with an influx of people and how to manage the CT river to preserve it and take advantage of the migration opportunity. Marie is preparing for a meeting with the local river subcommittee to look at project identification for the new Basin 10 plan and would like smaller group meetings and to get more public input. Vermont funding has been secured for joint commissions and work is being done with the conservation district on the Vermont and New Hampshire side to put together a grant application to the Long Island Sound Futures Fund (LISFF). The grant would be for planning agriculture BMPs forms and to get a group to look at what BMPs are most interesting and that address nitrogen runoff best. LISFF has increased the amount of money in the fund and actively want Vermont and New Hampshire projects. Their projects can include anything from stormwater work to agriculture projects. A project is finishing up that will preserve 450 acres at the headwaters of the Ottauquechee River. There is a project with the Mount Holly Conservation Trust that will be good for the headwaters of the Ottauquechee.
* Sue Greenall says mapping projects are not doing a lot of boots on the ground work and that most projects are using digital mapping. This could leave funds for more in the field projects. A wetlands project grant has been in the works for a year and is now getting signed. They are looking for small areas for restoration projects and using ranking sheets to determine project priority, which can be shared when it is received.
* Marie notes that improved mapping would allow developers to have a better idea of the area and allow for better focus of resources. Former maps were lacking, (the Eshqua Bog was not even a mapped class II wetlands), so using LIDAR and infrared photos to identify wetlands will be helpful.
* Danielle notes that similar work has been done in the Lamoille watershed. They are seeking landowners that are interested in allowing ground truthing on their land. Sue notes that Hartford and West Windsor conservation districts are interested in ground truths.

10. NRCD/Watershed Group Updates

* Paul Doton notes it is important to pressure to get funding from the state for conservation districts. The White River held a working group session to tell NRCD what needs to be covered and to get changes to NRCS programs. There was recently a watershed annual meeting on zoom with 36 people on the call and there is a watershed meeting March 3, 2022, on Zoom.
* Sue recently applied for a USFW grant and is doing water quality testing.
* Lyle Nichols is organizing a grazing class for creating grazing plans. The classes will take place March 29 and April 5 and 12. They are just single classes and there is no set location yet. It would be $40, and lunch would be provided. They hope to fit 10 farmers.
* Jennifer Byrne testified for the senate asking for appropriations for the conservation district. They were previously operating on $100,000 dollars over 14 districts, so there is hope that will change. She is applying for open contract at Lake Fairlee. Lake Morey has contracted with Bear Creek Environmental. She is hoping to conduct Lake Wise assessments.

11. Other business…

* Pete and Matt Osborn are working with permitting food forests.
* Jennifer questions the future of this meeting. Marie notes the municipal connection is an important for this piece. Danielle notes the benefit of the group is to connect with those that they would not typically connect with. Pete says TRORC supports basin planners and municipal water quality projects. It is important to not the conservation districts do not necessarily line up directly with the watersheds. It may be beneficial to meet more frequently about CWSPs.

**Meeting adjourned 11:50 am**