TRANSMITTAL MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: MATERIALS FOR MEETING ON 2/7/24
DA: 1/31/24
==========

Greetings, Missisquoi BWQC members and others. The next meeting will take place one week from today on January 3. Meeting materials are attached. Please let me know if you have any questions. Also please let me know if you will be unable to attend the meeting.

1. Conflict of interest disclosures, if any

This recurring agenda item provides BWQC members and others opportunity to note possible conflicts of interest regarding agenda items.

2. Seating of any new representatives or alternates

This standing agenda item allows BWQC members to acknowledge new representatives or alternates.

3. Review/Action on Application for Funding

One application was received in response to the fourth Call for Applications issued by the CWSP. All materials submitted are attached, as are two additional items from the Watershed Project Database. The application proposes natural resource related preliminary design work, specifically **"Preliminary determination of feasibility and design of stream/river and floodplain restoration projects to restore the stream/river to least erosive condition (i.e., equilibrium condition) and improve habitat." (The initial application submittal incorrectly classified the project as a wetland restoration project, but that issue is being resolved.)** The budget for the proposed phase of the project is roughly $35,800. The amount of annual P reduction is estimated at 16.5 kilograms. The project would occur on state lands and email documentation indicates the project does have support from staff at the Division of Forests, Parks, and Recreation. CWSP staff recommend for approval.

4. Confirm Format of Policy on Budget Adjustments

At the last meeting, the Basin Water Quality Council approved the framework for a policy that would simplify the process of amending already-approved project budgets. (A summary of the discussion is part of the minutes.) The approach adopted by the Council was not previously available in the form of "policy language." Policy language has been drafted for the Council's consideration.

5. Phosphorus Estimates /Crediting

Several months have passed since CWSP staff last provided BWQC members with information about phosphorus reduction calculations. Some project types (such as traditional stormwater projects) use well established estimation methods, while other types (such as floodplain restoration) use newly established techniques. Some project types do not yet have DEC-sanctioned methods. The meeting packet includes material about the status of new methods.

6. Clean Water Network Summary

On Friday, April 5, Vermont DEC will be hosting what is being called a Clean Water Network Summit. The event will take place at St. Leo's Hall (109 Main Street) in Waterbury, starting at 9:00 AM. Per DEC staff, refreshments and lunch will be provided to the first 100 participants who register. DEC intends to have a virtual option for those who cannot attend in-person, although in-person attention is strongly encouraged. A draft version of the agenda has been released. Please note that it includes time for each basin to provide an update on activities in their territory. Because NRPC serves two basins, CWSP Staff will be investigating options for the best way to provide such updates.

7. Updates and conclusion

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

Thanks to all who participate.

AGENDA

Missisquoi Basin Water Quality Council (BWQC)
Wednesday, February 7, 2024
11:00 AM-1:00 PM

Remote meeting via Zoom
(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. New rep or alternate seating (if required)
8. Application for funding-Round 4
    a. Marsh Brook Floodplain Restoration
9. Confirming of form of Policy on Budget Adjustments
10. Phosphorus Crediting
11. Clean Water Network Summit
12. Updates and Conclusion
    a. Input on Cost effectiveness threshold
    b. Adoption of completed projects

Join Zoom Meeting

https://us02web.zoom.us/j/81332571725?pwd=UktCekQ5R2ZSbVNtMXlUclpYNVI3UT09

Meeting ID: 813 3257 1725

Passcode: 103651

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.

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Missisquoi Basin Water Quality Council (BWQC)

MINUTES

Wednesday, January 3, 2024

11:00 AM-1:00 PM

Virtual Meeting/Held Via Zoom* (computer/smartphone/tablet etc.)

https://youtu.be/KijZxalPQgg

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: Lindsey Wight (Q), Kent Henderson (Q), Sarah Downes (Q), Dan Seeley (Q), Barry Lampke (Q), Lauren Weston (Q), Beth Torpey (Q), , Allaire Diamond (Q), Ted Sedell (Q), (Q=toward quorum)

Staff: Dean Pierce, Sara Gratz

Others Present: Jim Pease (and "Jim's Otter Pilot" AI), David Allerton, July Medina-Triana, Karen Bates, Bridget Butler

1. Welcome and Introductions

Lindsey Wight opened the meeting as Chair at 11:04 a.m.

2. Meeting protocols

Meeting protocols were reviewed.

3. Conflict of interest declarations, if any

No conflicts of interest were declared.

4. Review/adjust and approve agenda

No amendments to the agenda were made.

5. Approval of Minutes

Dan Seeley motioned to approve the minutes and Kent Henderson seconded. 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) (if required)

Discussion followed to officially seat Bridget Butler as an alternate.

8. Policy on Budget Adjustments

Dean Pierce presented 3 different alternatives to the budget adjustments proposal that was discussed at the last meeting. The alternative proposals included caps on adjustment amounts and factored in adjustment rates according to different phases of project development. Discussion followed on the Alternative 3 option (found below).

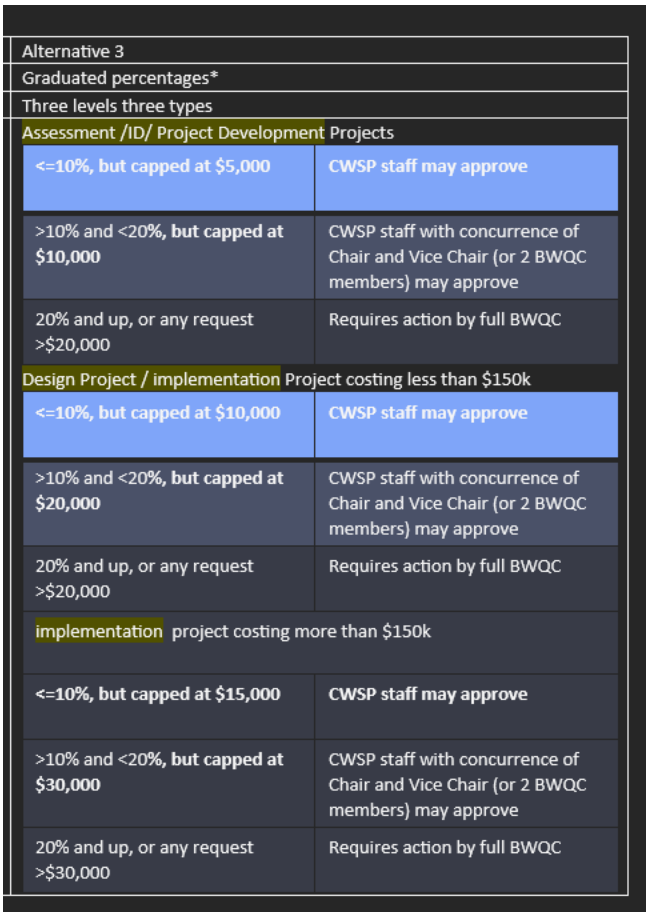
Ted Sedell shared that having a policy for adjusting budgets is beneficial because from his own experience, costs can balloon unexpectedly, and the additional costs can create a financial hardship to organizations.

Kent Henderson felt that the proposed cap amounts were too low because he's had experiences with historical assessments costing much more than what was budgeted for, and suggested that the capped amounts be doubled; from $5,000 to $10,000 and from $10,000 to $20,000.

Beth Torpey and Sarah Downes also expressed the need for budget adjustments and the need for the capped amounts to be higher to help ensure that unexpected costs do not become a burden to an organization.

Alternative 3 was put to vote with the capped amounts being doubled. Beth Torpey motioned to approve and Sarah Downes seconded. Motion carried.

Alternative 3



Alternative 3	
Graduated percentages*	
Three levels three types	
Assessment /ID/ Project Development Projects	
<=10%, but capped at $5,000	**CWSP staff may approve**
>10% and <20**%, but capped at $10,000**	CWSP staff with concurrence of Chair and Vice Chair (or 2 BWQC members) may approve
20% and up, or any request >$20,000	Requires action by full BWQC
Design Project / implementation Project costing less than $150k	
<=10%, but capped at $10,000	**CWSP staff may approve**
>10% and <20**%, but capped at $20,000**	CWSP staff with concurrence of Chair and Vice Chair (or 2 BWQC members) may approve
20% and up, or any request >$20,000	Requires action by full BWQC
implementation project costing more than $150k	
<=10%, but capped at $15,000	**CWSP staff may approve**
>10% and <20**%, but capped at $30,000**	CWSP staff with concurrence of Chair and Vice Chair (or 2 BWQC members) may approve
20% and up, or any request >$30,000	Requires action by full BWQC

9. Schedule adjustment

Dean requested a change to the BWQC meeting schedule to better accommodate project funding rounds. The new schedule would include a meeting next month, and then every other month after that.

Lindsey noted that the change would create an extra meeting within the 2024 calendar year.

No objections were made.

10. Input on Cost effectiveness

Dean initiated a conversation with the committee, per the request of Vermont DEC, to ascertain the BWQC's views on setting a threshold for the cost effectiveness of projects, according to their average cost per kilogram of phosphorous reduction. He shared a table indicating the average

costs of phosphorous reduction for various projects types. A discussion followed about concerns that the rates were too low, and that costs have increased since the table was created.

Jim Pease shared that he was involved in the creation of the table and assured that the values represented were accurate at the time when the table was created, but admitted that it did not represent the high rate of inflation that has incurred since then.

Ted mentioned using a cost curve to estimate inflation rates in the future.

Allaire Diamond expressed concern about the council attempting to estimate costs, stating that they may lack the expertise to make appropriate estimates.

Karen Bates reminded the council that the figures represented in the table do not need to be strictly enforced, but rather, can be used as a guide for determining whether a project's cost is too high according to the amount of phosphorous it will reduce.

A discussion followed concerning how funds are allocated and the need for funds to be increased due to inflation. Dean brought the conversation back to asking the council whether a threshold should be set. Lindsey stated that she did not think setting thresholds would be a good idea.

11. Adoption of completed projects

Dean gave a brief presentation on the Operations and Maintenance chapter of DEC's Guidance document, which discusses the process of adopting projects, stressing the CWSP's role to verify that projects are taken care of in all phases.

A discussion followed about the lack of projects available that would qualify for adoption, and the need for clarification about whether a project's age would disqualify it for future funding. Dean shared that funds are available according to the design-life of a project.

12. Farm Project refresher

Dean initiated a conversation about the challenges related to using CWSP funds for water quality projects on agricultural land. He shared a flowchart from the Agency of Agriculture that helps determine whether a project will require an agricultural review and whether it would qualify for CWSP funds.

A discussion followed relating to how funds are distributed and why CWSP funds are not allocated for agricultural projects. Some frustrations were expressed due to the lack of connectivity for funding opportunities between upland agricultural practices and downstream water quality projects.

13. Updates and Conclusion

Reminders were given on the following: the next meeting will occur next month, DEC is hosting a CWSP network summit in April, and the deadline for the next round of funding is January 24th.

Lauren Weston motioned to adjourn the meeting and Allaire seconded. Motion carried. Meeting adjourned at 12:53

Application for funding-Round 4

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: CWSP STAFF
RE: REVIEW/ACTION ON APPLICATION FOR FUNDING
DA: JANUARY 31, 2024

As noted in the transmittal memo, the CWSP for the Missisquoi Bay Basin received one application in response to its 4th Call for Applications, which was launched on December 20. The filing deadline was January 24th.

A copy of application is attached. The sponsor of the application is Franklin County Natural Resources Conservation District.

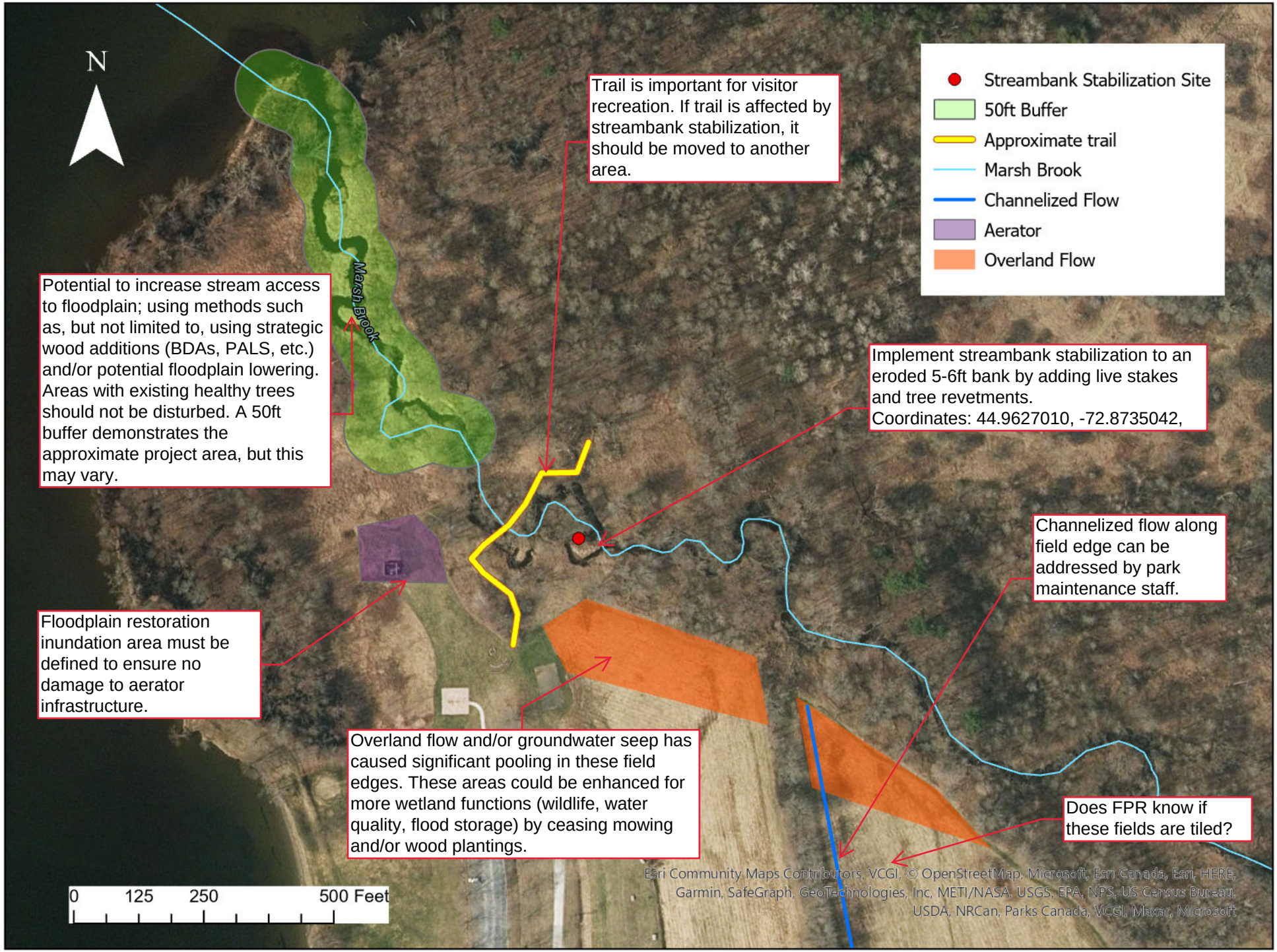
The application proposes natural resource related preliminary design work, specifically **"Preliminary determination of feasibility and design of stream/river and floodplain restoration projects to restore the stream/river to least erosive condition (i.e., equilibrium condition) and improve habitat." (The initial application submittal incorrectly classified the project as a wetland restoration project, but that issue is being resolved.)**

The budget for the proposed phase of the project is roughly $35,800. The amount of annual P reduction is estimated at 16.5 kilograms. The project would occur on state lands and email documentation indicates the project does have support from staff at the Division of Forests, Parks, and Recreation.

Staff have reviewed the application and **recommend it for funding**.

The sponsor of the application has been invited to make a presentation regarding the application.

Project Type	Floodplain/ Stream Restoration – Preliminary Engineering Design
Definition	Preliminary design of high priority stream/river and floodplain restoration projects to restore the stream/river to least erosive condition (i.e., equilibrium condition) and improve habitat. Restoration work includes channel/floodplain modification to improve equilibrium dimensions/connections OR removal/retrofit of river corridor/floodplain encroachments or instream structures. Work must result in at least 30% design of project.
Performance Measures	Number of preliminary (30%) designs completed
Milestones	Project initiated; proposal/bid solicitations issued and contractor selected (if applicable) Conceptual site plan drafted Stakeholder meetings DEC Programmatic Staff Engagement Other permit-required assessments or plans completed (if applicable) Preliminary (30%) design complete Preliminary VDHP Project Review Project complete
Deliverables	DEC programmatic staff comments on design Signed VDHP Project Review Form Preliminary Design Report Media announcement Final Performance Report or ANR Online Clean Water Project - Project Closeout Form (once available) Batch Import File or ANR Online Clean Water Project - New Project Form (once available)
Step/Phase	Preliminary Design
Basic Eligibility	Yes
Applicant Name	Lauren Weston
Applicant Organization	Franklin County Natural Resources Conservation District
Applicant Email	info@franklincountynrcd.org
Applicant telephone	+1 (802) 528-4176
Project ID from WPD	11715
Description of Project	Increase Marsh Brook's access to floodplain near the mouth of the river before it reaches Lake Carmi within Lake Carmi State Park. Use methods such as, but not limited to, using strategic wood additions (BDAs, PALS, etc.) and/or potential floodplain lowering. Areas with existing healthy trees will not be disturbed. Expected project area is 50ft buffer from either side of the stream
Project Latitude	44.96277
Project Longitude	-72.87415
Project Phase	Preliminary Design
Annual P Reduction KG	16.51
Any one time P reduction KG	28,.3
Total Cost of Proposed Phase	**35843.41**
Amount of Funding Requested (Proposed Phase	35,843.41
Non DEC Funding as part of Total Project Costs	0.0
Total Project Costs (All Phases)	It is not possible to estimate the total project cost at this time.
KG/$ Current Phase	0.000460615
$ per KG Current Phase	$ 2,171
KG/$ Overall	
$ per KG Overall Low	$ 3,382
$ per KG Overall High	$ 8,228
Design Life	30
Adjusted Design Life	
Estimated Annual O&M cost total	$2,300.00
Estimated Annual O&M Cost per KG	
Conformance with Tactical Basin Plan TBP	10
Number of Co-benefit Areas	3
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	01/24/24 7:20 AM


N
Streambank Stabilization Site
50ft Buffer
Approximate trail
Marsh Brook
Channelized Flow
Aerator
Overland Flow
Trail is important for visitor recreation. If trail is affected by streambank stabilization, it should be moved to another area.
Potential to increase stream access to floodplain; using methods such as, but not limited to, using strategic wood additions (BDAs, PALS, etc.) and/or potential floodplain lowering. Areas with existing healthy trees should not be disturbed. A 50ft buffer demonstrates the approximate project area, but this may vary.
Marsh Brook
Implement streambank stabilization to an eroded 5-6ft bank by adding live stakes and tree revetments.
Coordinates: 44.9627010, -72.8735042,
Channelized flow along field edge can be addressed by park maintenance staff.
Floodplain restoration inundation area must be defined to ensure no damage to aerator infrastructure.
Overland flow and/or groundwater seep has caused significant pooling in these field edges. These areas could be enhanced for more wetland functions (wildlife, water quality, flood storage) by ceasing mowing and/or wood plantings.
Does FPR know if these fields are tiled?
0 125 250 500 Feet
Esri Community Maps Contributors, VCGI, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada, VCGI, Maxar, Microsoft

Marsh Brook Floodplain Restoration Preliminary Design Schedule

Task 1: Hire Consultants

February – March 2024

It is expected that two consultants will be needed for this project, including an engineering firm and an historical and archaeological consultant. FCNRCD will prepare requests for proposals for each scope of work, solicit proposals following CWSP guidelines, select consultants, and execute contracts with the consultants. Cost estimates for this proposed project budget are based off estimates from consultants likely to bid on this project if selected for funding.

Task 2: Initial Project Site Visit

March – May 2024

There will be a project kickoff site visit to discuss data collection needs and adjust any timelines as needed.

Task 3: Existing Conditions Analysis

May – September 2024

The engineering consultant will perform the following data collection: baseline survey, integration with LiDAR, and wetland delineation. The engineering consultant will draft an existing conditions report, model, and mapping.

Based on cultural resource sensitivity of the surrounding area (Lake Carmi generally and Marsh Brook specifically), it is expected that an Archaeological Resources Assessment (ARA) will be needed for this project as well as possibly a Phase I investigation or more; at the time of submission of funding request, FCNRCD has submitted documents for Historic Preservation Review by the Vermont Division of Historic Preservation but has not yet confirmed regulatory next steps. FCNRCD will ensure coordination with DHP and will secure a Signed VCDHP Project Review Form by the end of the project.

Task 4: Alternatives Analysis

September – November 2024

In addition, the engineering consultant will perform an Alternatives Analysis (AA) to evaluate costs/benefits of 3-5 alternatives. This AA will include a summary with an Alternatives Analysis matrix, evaluation of potential permits for each alternative and associated phosphorus (P) reduction estimates for each alternative; alternatives may include the combination of multiple practices to achieve stacked benefits. FCNRCD, the landowner, and other relevant stakeholders and regulators will then review and select the preferred alternative.

Task 5: Conceptual Design Plan & Cost Opinions

November 2024 – March 2025

The engineering consultant will create 30% Conceptual design sheets showing typical cross-section(s), longitudinal profile, and an aerial map showing existing conditions and the preferred alternative. They will also complete an initial engineer's opinion of probable cost and a Preliminary Design Report.

Task 6: Reporting

March – June 2025

FCNRCD will complete reporting for CWSP funding requirements. Deliverables will include DEC Programmatic staff comments on design, Signed VCDHP Project Review Form, Preliminary Design Report, Media Announcement, Final Performance Report of ANR Online Clean Water Project – Project Closeout Form (once available) and/or Batch Import File or ANR Online Clean Water Project – New Project Form (once available).

CWSP Project Budget

Marsh Brook Floodplain Restoration: Preliminary Design

Personnel (Name, Title)	Tasks/Responsibilities	Hours	Hourly Rate	Salary Expense
Lauren Weston, District Manager	Grant management, staff oversight, field visits, design review and oversight	35.00	$70.00	$2,450.00
Mel Auffredou, Natural Resources Planner	Procurement process, coordination with contractor and landowner, field visits, review contractor's produced materials	45.00	$65.00	$2,925.00
Personnel Subtotal				**$5,375.00**

Anticipated Travel	Purpose	Miles	Mileage Rate	Travel Expense
Travel to Lake Carmi State Park	4 Site visits with contractor and landowner	153.60	$0.67	$102.91
Travel Subtotal				**$102.91**

Contractual	Description/Use	# of Units	Unit Cost	Contract. Expense
Engineering Design Contractor	Site visits, existing conditions analysis, alternatives analysis, conceptual design plans and cost opinion; cost estimates provided by three consultants to determine anticipated contract expense with 10% contingency	1.00	$30,365.50	$30,365.50
Historic and Cultural Review	Background research, field work, report writing, mapping, and production	1.00	$6,500.00	$6,500.00
Contractual Subtotal		0		**$30,365.50**

Total Project Cost: **$35,843.41**

Floodplain and Stream Restoration Estimated Phosphorus Reduction Calculator

kg of TP = Stream Stability P Reduction + Storage P Reduction
Stream Stability P Reduction = project type and basin P reduction factor (lb/acre/yr) * acres * kg per lb
Storage P Reduction = pre- to post- restoration change in connectivity factor (lb/acre/yr) * acres * kg per lb * *50% after year 1*

Variable	Value	Unit	Notes
Unit conversion	*0.454*	*lb to kg*	Not all floodplain and stream restoration projects receive a storage P reduction credit. If a project does not effectively change the ability of a stream or river to access a floodplain, select matching floodplain connectivity ranking for pre- and post- restoration (ex: floodplain connectivity pre-restoration = low, floodplain connectivity post-restoration = low). For more detail on phosphorus credit allocations by project type, please refer to the Standard Operating Procedures for Tracking & Accounting of Natural Resources Restoration Projects available on the VT DEC website. The Functioning Floodplains Initiative (FFI) web application (coming soon) is equipped to generate the most accurate estimation of phosphorus reduction achieved through a floodplain or stream restoration project based on more detailed project specifications, and will ultimately be used for phosphorus accounting purposes by VT DEC. This tool was developed as an interim solution to provide high level estimation of potential phosphorus reductions and can be used to help compare potential project outcomes to inform prioritization. Phosphorus reductions calculated in the interim tool are based on FFI project simulations by project type and watershed. This interim tool cannot be used to accurately account for stacked practices (i.e. multiple project types implemented in a single location) however, the FFI tool will allow for calculation of estimated phosphorus reduction resulting from implementation of multiple project components, such as a river corridor easement layered on a floodplain restoration and buffer planting.
Consecutive year storage p reduction	*50%*	*of year 1*	

*Input**	*Dropdown**	*Dropdown**	*Input Value**	*Input Value*	*Dropdown**	*Dropdown**	*Output value*	*Output value*	*Output value*	*Output value*	*Output value*
Project Identifier	**Basin**	**Project Type**	**Acres Restored**	**Number of Culverts Replaced (if applicable)**	**Floodplain Connectivity Pre-Restoration**	**Floodplain Connectivity Post-Restoration**	**Stream Stability P reduction (lb/yr)**	**Year 1 Storage P Reduction (lb)**	**Consecutive Year Storage P Reduction (lb/yr)**	**Estimated Year 1 P Reduction (kg)**	**Estimated Annual P Reduction *After Year 1* (kg/yr)**
Marsh Brook	Missisquoi	Wood addition in 3rd and 4th order streams	2.60		Moderate	High	2.86	26.00	13.00	13.09	7.19
Marsh Brook	Missisquoi	Floodplain Restoration with Buffer Revegetation	2.60		Moderate	High	7.54	26.00	13.00	15.21	9.32

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: Protect and restore aquatic and riparian habitats, minimize flood and fluvial erosion hazards	Protect and restore aquatic and riparian habitats

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:	Floodplain/Stream Restoration - Preliminary Engineering Design
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	11715
Watershed Project Database Project Name	Marsh Brook Floodplain Restoration - Preliminary Design

Step 4: Conduct Eligibility Criteria #4 Screening: Natural Resource Impacts[3]

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 permit[7])?
   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."

[10] Note 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]	
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. **Regulatory Point of Contact Name/Position:** Laura Woods	
III. Rivers, River Corridors, and Flood Hazard Areas	
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 area[12]**?** (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.	Yes ◉ No ○
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. **Regulatory Point of Contact Name/Position:** Rebecca Pfeiffer	
2. Is any portion of the project site within a perennial river or stream channel? [13]	Yes ○ No ○
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. **Regulatory Point of Contact Name/Position:** Staci Pomeroy	
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."

1. Does the Wetland Screening Tool[14] provide a result of wetlands likely, very likely, or present at the project site?	Yes ◉ No ○
2. Does your project site involve land that is in or near an area that has any of the following characteristics: 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.)	Yes ◉ No ○ Not Sure ○

If you answered ***yes*** or ***not sure*** to either 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 either 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.

Regulatory Point of Contact Name/Position:

Julie Follensbee

1. Is your project a Wetland Restoration project type?	Yes ○ No ○

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.

Regulatory Point of Contact Name/Position: Julie Follensbee

V. Fish and Wildlife

State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. 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	Yes ○ No ◉

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

2. Is the project site within 1 mile of a mapped[15] Significant Natural Community or Rare, Threatened, or Endangered Species?	Yes ◉ No ○

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.

Regulatory Point of Contact Name/Position: Everett Marshall

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 ◉

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.

Regulatory Point of Contact Name/Position:

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 ◉

If yes, connect with the Waste Management & Prevention Division (dennis.fekert@vermont.gov 802-522-0195) to discuss your project and any necessary permitting.

Regulatory Point of Contact Name/Position:

Provide below or attach a narrative summary of Table 4 findings. Please include:

a. Which permits or permit amendment are needed or might be needed?
b. What type might be needed? (e.g. a general or individual permit)?
c. What concerns were voiced by permitting staff?
d. How will the proposed scope of work address these concerns?

A. Stream alteration, wetlands, lakes and shoreland, fish and wildlife
B. Individual
C. Laura Woods expressed concern for tree removal within 250ft of the lake shoreline. Staci Pomeroy expressed concerns that process-based restoration techniques may have a shorter duration than the estimated project design life.
D. Tree disturbance will be minimized wherever possible and permitting staff will be involved in this process. Floodplain lowering will accompany process-based restoration to improve total project design life.

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).

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.	◉ **No**[18] - There is no additional requirements related to agricultural review for these projects.
2. Is the proposed project an agricultural project? 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.	○ **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. ◉ **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 (VAAFM) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 & 2 below. **Step 1** - Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAFM at AGR.WaterQuality@Vermont.gov . **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.

Agricultural Project Review Status & Summary:	
Check as Applicable	**Status**
☑	Submitted/ Pending
☐	Approved
☐	Denied

[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 VAAFM.

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.

FRANKLIN COUNTY NATURAL RESOURCES CONSERVATION DISTRICT

Mel Auffredou <mel@franklincountynrcd.org>

Marsh Brook/Lake Carmi Project

Nerenberg, Jason <Jason.Nerenberg@vermont.gov> Tue, Jan 9, 2024 at 10:57 AM
To: mel <mel@franklincountynrcd.org>
Cc: "White, Emily" <Emily.White@vermont.gov>

Mel,

Yes, sorry if we didn't communicate that clearly after the DST meeting. Yes, you have our full support in moving forward. Thanks so much for meeting with us and for taking the lead on this project.

Cheers,
J.

VERMONT

Jason Nerenberg, Vermont Licensed Forester | Stewardship Forester

Vermont Agency of Natural Resources | Department of Forests, Parks, and Recreation

Forestry Division

111 West St | Essex Junction, VT 05452-4695

802-498-4342

Jason.Nerenberg@vermont.gov

https://fpr.vermont.gov/

From: Mel Auffredou <mel@franklincountynrcd.org>
Sent: Tuesday, January 9, 2024 10:45 AM
To: Nerenberg, Jason <Jason.Nerenberg@vermont.gov>
Cc: White, Emily <Emily.White@vermont.gov>
Subject: Re: Marsh Brook/Lake Carmi Project

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello J and Emily,

I hope you are well and had a wonderful holiday! I'm reaching out to confirm your support for moving forward with this project as I am working on an application for preliminary design. Please let me know if you have any other questions!

Thanks in advance,

Mel Auffredou

On Tue, Dec 5, 2023 at 8:16 AM Nerenberg, Jason <Jason.Nerenberg@vermont.gov> wrote:

> Thanks, Mel. Yes, 830 am on 12/19. I will forward you a meeting invite. I really appreciate it!
>
> VERMONT
>
> **Jason Nerenberg**, Vermont Licensed Forester | Stewardship Forester
>
> Vermont Agency of Natural Resources | Department of Forests, Parks, and Recreation
>
> Forestry Division
>
> 111 West St | Essex Junction, VT 05452-4695
>
> 802-498-4342
>
> Jason.Nerenberg@vermont.gov
>
> https://fpr.vermont.gov/
>
> ---
>
> **From:** Mel Auffredou <mel@franklincountynrcd.org>
> **Sent:** Tuesday, December 5, 2023 8:05 AM
> **To:** Nerenberg, Jason <Jason.Nerenberg@vermont.gov>
> **Cc:** White, Emily <Emily.White@vermont.gov>
> **Subject:** Re: Marsh Brook/Lake Carmi Project
>
> **EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**
>
> Hi J,
>
> Of course, I'd be happy to come present on this project and answer any questions the DST might have. I'm assuming these meetings are at 8:30am and not pm? And would you like me to come to the one on Dec. 19th?
>
> Mel
>
> On Mon, Dec 4, 2023 at 11:56 AM Nerenberg, Jason <Jason.Nerenberg@vermont.gov> wrote:
>
> > Mel,
> >
> > Thanks for meeting with us on Friday, and for being flexible with the timing. Emily and I had a chance to talk afterward and we have a request for you if you can make it work. Emily and I are supportive of moving forward, but

think the best next step is to actually have you, or another member of the team meet briefly with our District Stewardship Team to summarize the project. Originally, Emily and I were going to try and do that, but I think the DST will be better served by someone like you, that has technical expertise in this realm. I still expect overwhelming support for the project but think that any questions that come up will be better answered by you. You don't need to plan anything too detailed- perhaps 10-15 minutes from you describing the problem, project goals, funding sources, next steps, and possible solutions that could stem from the 30% design. We're a visual group, so the map will be helpful.

Our regular monthly meeting is the third Tuesday of the month. Our next being December 19th at 8:30. We typically hold these via teams, so it's a pretty small commitment, I hope. Let me know if this day/time will work for you.

Thanks,
J.

VERMONT

Jason Nerenberg, Vermont Licensed Forester | Stewardship Forester

Vermont Agency of Natural Resources | Department of Forests, Parks, and Recreation

Forestry Division

111 West St |Essex Junction, VT 05452-4695

802-498-4342

Jason.Nerenberg@vermont.gov

https://fpr.vermont.gov/

--

Mel Auffredou (*she/her*)

Natural Resources Planner

Franklin County Natural Resources Conservation District

50 South Main St., Suite B-20

St. Albans, VT 05478

802-528-4159

Mel@FranklinCountyNRCD.org

FranklinCountyNRCD.org

--

Mel Auffredou (*she/her*)

Natural Resources Planner

Franklin County Natural Resources Conservation District

50 South Main St., Suite B-20

St. Albans, VT 05478

802-528-4159

Mel@FranklinCountyNRCD.org

FranklinCountyNRCD.org

Project Details	
WPD ID	11715
Status	Proposed
Project Name	Marsh Brook Floodplain Restoration - Preliminary Design
Project Type	Floodplain/Stream Restoration - Preliminary Design
Sector	River
Lat/Long	44.96277, -72.87415
Stream Segment	04150408011057
Technical Project Manager	
Desciption	Increase Marsh Brook's access to floodplain near the mouth of the river before it reaches Lake Carmi within Lake Carmi State Park. Use methods such as, but not limited to, using strategic wood additions (BDAs, PALS, etc.) and/or potential floodplain lowering. Areas with existing healthy trees will not be disturbed. Expected project area is 50ft buffer from either side of the stream
Development Notes	

Town/County/Region
Franklin

Basin/Sub Basin
Lake Carmi Watershed

Potential Partners
Franklin Watershed Committee
Vermont Department of Forests Parks and Recreation
Vermont Department of Environmental Conservation

Potential Funding Source
Clean Water Fund

Event Date	Event Type	State Amount	Match	Grant Total	Funding Source	Grant Num	Funded Partner
12/18/2023	Project Created in Database						

Performance Measure	Value	Status

Related Projects

	Relationship	WPD ID	Project Name	Status

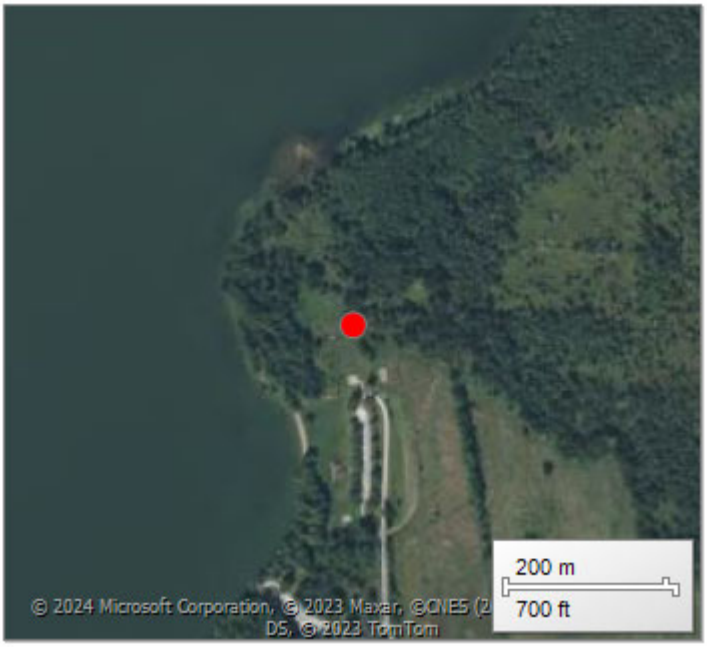
Records

	Date	Record Type	Record Title

Project Screening Report

Location
Coordinates: 44.9628, -72.8742
Town: Franklin
County: Franklin

Basin Information
Planning Basin: Missisquoi
Sub Basin: Pike River (VT05-02)
Drainage Area: Missisquoi Bay - DD
Lake Champlain Segment: Missisquoi Bay



Project
ID: 11715
Name: Marsh Brook Floodplain Restoration - Preliminary Design
Type: Floodplain/Stream Restoration - Preliminary Design

Non-Regulatory Contact Information

Tactical Basin Plan Contact
Karen Bates
802-490-6144
Karen.Bates@vermont.gov

Rivers - River Scientist
Staci Pomeroy
802-490-6191
Staci.Pomeroy@vermont.gov

Fisheries Biologist
Lee Simard
802-622-4017
Lee.Simard@vermont.gov

Natural Resource Regulatory Contact Information

Rivers - Floodplain Manager
Rebecca Pfeiffer
802-490-6157
Rebecca.Pfeiffer@vermont.gov

Rivers - Stream Alteration Engineer
Chris Brunelle
802-777-5328
Chris.Brunelle@vermont.gov

Stormwater - Stormwater Analyst

Act 250 Coordinators
Act 250 District 6
(802) 476-0185
NRB.Act250Barre@vermont.gov

Lakes & Ponds - Lake Shoreland Scientist
Laura Woods
802-490-6100
Laura.Woods@vermont.gov

Wetlands - Wetland Ecologist
Julie Follensbee
802-490-6175
Julie.Follensbee@vermont.gov

Confirming of Form: Policy on Budget Adjustments

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: CWSP STAFF
RE: CONFIRMING OF FORM OF POLICY ON BUDGET ADJUSTMENTS
DA: JANUARY 31, 2024

At the last meeting, the Basin Water Quality Council approved the framework for a policy that would simplify the process of amending already-approved project budgets. As noted in the minutes:

> Dean Pierce presented 3 different alternatives to the budget adjustments proposal that was discussed at the last meeting. The alternative proposals included caps on adjustment amounts and factored in adjustment rates according to different phases of project development.
> Discussion followed on the Alternative 3 option (found below).
>
> Ted Sedell shared that having a policy for adjusting budgets is beneficial because from his own experience, costs can balloon unexpectedly, and the additional costs can create a financial hardship to organizations.
>
> Kent Henderson felt that the proposed cap amounts were too low because he's had experiences with historical assessments costing much more than what was budgeted for, and suggested that the capped amounts be doubled; from $5,000 to $10,000 and from $10,000 to $20,000.
>
> Beth Torpey and Sarah Downes also expressed the need for budget adjustments and the need for the capped amounts to be higher to help ensure that unexpected costs do not become a burden to an organization.
>
> Alternative 3 was put to vote with the capped amounts being doubled. Beth Torpey motioned to approve and Sarah Downes seconded. Motion carried.

The approach adopted by the Council was not previously available in the form of "policy language." The policy language attached has been drafted for the Council's consideration, which includes formal adoption.

Missisquoi Basin CWSP/BWQC Project Budget Adjustment Policy

Adopted by BWQC: Adopted by CWSP:

Policy

It shall be the policy of the Missisquoi basin CWSP and BWQC to allow for modest adjustments to previously approved project budgets using a simplified process as described below.

Previously approved project budgets (eg., those approved as part previous funding rounds) shall be eligible for adjustment retroactively. Project budgets approved as part of future funding rounds will be approved with the understanding they are modifiable according this policy.

When a project sponsor proposes an amendment to a project budget for a good and valid reasons, the budget amendment may be authorized on an expedited basis as follows:

For Assessment/Identification/Development Projects

- Changes of up to 10% of the project budget and with an absolute value of $10,000 or less, may be approved at the descretion of CWSP staff;
- Changes of more than 10% but less than 20% of the project budget and with an absolute value of $20,000 or less, may be approved at the descretion of CWSP staff with concurrence of the BWQC Chair and Vice Chair (or in the event the Chair and/or Vice Chair have a conflict, with the concurrence at least two BWQC members without conflicts of interest);
- Changes of more than 20% of the project budget or with an absolute value of more than $20,000, may be approved only by a vote of the BWQC and will be scheduled as expeditiously as schedules allow.

For Design/Implementation Projects with estimated total project costs of less than $150,000.

- Changes of up to 10% of the project budget and with an absolute value of $20,000 or less, may be approved at the descretion of CWSP staff;
- Changes of more than 10% but less than 20% of the project budget and with an absolute value of $40,000 or less, may be approved at the descretion of CWSP staff with concurrence of the BWQC Chair and Vice Chair (or in the event the Chair and/or Vice Chair have a conflict, with the concurrence at least two BWQC members without conflicts of interest);
- Changes of more than 20% of the project budget or with an absolute value of more than $40,000, may be approved only by a vote of the BWQC and will be scheduled as expeditiously as schedules allow.

For Design/Implementation Projects with estimated total project costs of $150,000 or more.

- Changes of up to 10% of the project budget and with an absolute value of $30,000 or less, may be approved at the descretion of CWSP staff;
- Changes of more than 10% but less than 20% of the project budget and with an absolute value of $60,000 or less, may be approved at the descretion of CWSP staff with concurrence of the BWQC Chair and Vice Chair (or in the event the Chair and/or Vice Chair have a conflict, with the concurrence at least two BWQC members without conflicts of interest);
- Changes of more than 20% of the project budget or with an absolute value of more than $60,000, may be approved only by a vote of the BWQC and will be scheduled as expeditiously as schedules allow.

Any budget changes approved by CWSP staff and/or the Chair and Vice Chair shall be listed as information items on the meeting agenda subsequent to any approval.

Amendment

This policy may be amended by vote of the BWQC as deemed appropriate by the CWSP and BWQC.

Adoption

Adopted at _____ meeting of Missisquoi Basin Water Quality Council

Phosphorus Crediting

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: CWSP STAFF
RE: PHOSPHORUS CREDITING
DA: JANUARY 31, 2024

As noted in the transmittal memo, several months have passed since CWSP staff last provided BWQC members with information about phosphorus reduction calculations. Some project types (such as traditional stormwater projects) use well established estimation methods, while other types (such as floodplain restoration) use newly established techniques. Some project types do not yet have DEC-sanctioned methods. The material attached includes 1) emails from DEC staff which provide an update about the status of new methods, and 2) a synthetic summary of the email.

From:	Swift, Ethan
To:	Dan Albrecht; Petito, Gianna (she/her); Rottler, Chris; Madden, Claire; Copans, Ben; Bird, Emily; Wood, Rachel; Kamman, Neil; Rupe, Marli; Pomeroy, Staci
Cc:	Dean Pierce; n.johns; Brian Voigt; mwinslow@acrpc.org; Barbara Noyes-Pulling; Hilary Solomon; Chris Dubin
Subject:	Re: P-reduction value of large scale easements (besides river corridor)
Date:	Tuesday, January 30, 2024 7:18:02 AM

Good morning all

One point of clarification that we would like to provide on our response regarding the use of the FFI tool to calculate P-crediting values is that for RCE and/or other projects in the FFI p-crediting, the tool is providing accurate estimates for p-credits, we simply have not been dong these projects up to this point for p-crediting work. We have seen challenges with users being able to have consistency, for all FFI project types, in their projects over time as there is no current way of storing and recalling that information. The development of the User Management System for better recording, storing and tracking of those estimates will improve the project consistency in data inputs and p-credit estimates being calculated for a project over time (i.e., from preliminary design to fully implement project).

We hope that provides additional clarification regarding the FFI tool's current functionality, though please let us know if you have additional questions on this point.

Thanks!
Ethan

From: Swift, Ethan <Ethan.Swift@vermont.gov>
Sent: Friday, January 26, 2024 2:02 PM
To: Dan Albrecht <dalbrecht@ccrpcvt.org>; Petito, Gianna (she/her) <Gianna.Petito@vermont.gov>; Rottler, Chris <Chris.Rottler@vermont.gov>; Madden, Claire <Claire.Madden@vermont.gov>; Copans, Ben <Ben.Copans@vermont.gov>; Bird, Emily <Emily.Bird@vermont.gov>; Wood, Rachel <Rachel.Wood@vermont.gov>; Kamman, Neil <Neil.Kamman@vermont.gov>; Rupe, Marli <Marli.Rupe@vermont.gov>; Pomeroy, Staci <Staci.Pomeroy@vermont.gov>
Cc: dpierce <dpierce@nrpcvt.com>; n.johns <n.johns@vhcb.org>; Brian Voigt <voigt@cvregion.com>; mwinslow@acrpc.org <mwinslow@acrpc.org>; Barbara Noyes-Pulling <barbara@rutlandrpc.org>; Hilary Solomon <pmnrcd@gmail.com>; Chris Dubin <cdubin@ccrpcvt.org>
Subject: Re: P-reduction value of large scale easements (besides river corridor)

Good afternoon Dan and all,

Please find our collective comments here to the good questions that you posed, as we also very interested to further our mutual efforts on large, landscape-scale protection

efforts going forward. Our responses follow you questions in the same order -

1. There seems to be good clarity on River Corridor Easements such that using the FFI will generate a P-reduction estimate, correct, yes?

At a high level, project types eligible for Formula Grant funds are those that have "Formula" listed in Column B of the CWIP Project Types Table. These most often are clean water project types with approved phosphorus accounting methods although some, like wetlands restoration, have methodologies pending. There are also some P-reduction projects that have limited eligibility for Formula Grants because other agencies specialize in funding them (e.g., ag BMPs on RAP farms). The Project Types Table is the best resources for current project type eligibilities and will be updated to add new eligible project types as phosphorus accounting methods established.

River Corridor Easements (RCEs) are an eligible project type for CWSPs to fund and DEC is developing further guidance on the mechanics of that given the State's status as a third-party beneficiary. We ask CWSPs to wait to award or fund RCE projects until this guidance is provided. Guidance and related training(s) are under development (and the anticipated timeline to be completed is by the end of the calendar year). Additionally, DEC is working to improve FFI's User Management System and data saving functionality so that the River Management Program can better support FFI-generated p-reduction estimates. At this time, the FFI development team has not been able to accurately and/or consistently calculate p-reduction estimates for RCE projects with FFI. Going forward, the FFI tool will be the primary mechanism for estimating a P-reduction credit associated with a River Corridor Easement.

Since we have not had RCE projects as eligible for CWSP work heretofore, we have not had any partners look to use FFI to generate p-credits for RCE project types. However, the same basic parameters of "acres" and "incision ratio" (if changing), are all that is needed to generate a P-credit; and would be no harder to calculate than other project types. Based on a recent Basin 5 project (for project identification and development work for 3 streams in the Northern Lake Champlain drainages basin), RCEs may not show up as a good cost ratio benefit for the amount of credits the projects had compared to the overall cost of the project. Going forward, the FFI User Management System will provide the CWSPs, partners, and DEC staff with an improved format for data input/storage/tracking of all project types.

2. Where do things stand in terms of the current DEC and subcontractor work on valuing projects in the Forest Lands sector (especially easements)?

For example, if a conservation easement was purchased/implemented to say add 100 acres of currently/past logged lands to say a town forest or state forest and that easement prohibited all logging, etc., could a Formula Grant be used to help pay for that easement and if so, could a P-reduction value be assigned (e.g., 100 acres of forest land which included 5 linear river miles etc. + Easement = 1 kilogram of P-reduction and the CWSP provided $20,000 toward the purchase of that easement).

Land conservation/easements outside of RCEs are currently ineligible to receive Clean Water Funds. Please refer to the Appendix B: Project Types Table for the list of eligible project types by sector and phase for CWSPs. DEC has flagged the need to determine the water quality benefits associated with other land conservation and easement work but the timeline for that work is still to be determined and must be considered against other tracking and accounting priorities for the Department. Because conservation and easement work does not include a change in land use or management, it may not be a cost-effective priority for CWSPs, or a priority to fill this accounting gap ahead of more active forms of restoration.

We do not currently have methods to account for P-reduction associated with a conservation easement on forestland. Forestry related phosphorus accounting is currently limited in scope to what is compelled by the Acceptable Management Practices (AMPs) or equivalent level of compliance (non-regulatory). DEC already accounts for P-reduction on forestlands enrolled in the Use Value Appraisal (current use) program.

3. Is anyone working on estimating the p-reduction value of placing a conservation easement (which prevents all buildings, roads, ag, etc.) on agricultural lands or is that just captured as a big River Corridor / FFI project?

DEC does not currently have phosphorus accounting methods for conservation easements outside of River Corridor Easements. DEC has flagged the need to determine the water quality benefits associated with other land conservation and easement work but the timeline for that work is still to be determined and must be considered against other tracking and accounting priorities for the Department. Because conservation and easement work does not include a change in land use or management, it may not be a cost-effective priority for

CWSPs, or a priority to fill this accounting gap ahead of more active forms of restoration.

4. Where do things stand in terms of estimating p-reduction value of the purchase of easements protecting wetlands?

Currently, some of the River Corridor Easements administered by the DEC River Management Program are expanded to include portions of contiguous/riparian wetlands. Further guidance on whether this will be allowable under CWSP-funded RCEs is still to be determined. Phosphorus accounting for this type of project is currently limited to the capabilities of FFI.

The way that we've described wetland restoration/protection crediting in the FFI right now is simply to add those acres in the "storage" section of the project; so, areas within or outside the mapped corridor are able to be credited. As the Wetland Program continues to work on the project type and more information becomes available, this should be revisited again per the format to utilize for wetland crediting.

5. On a related note, where do things stand in terms of valuing p-reduction benefits of a wetland restoration project?

Research is currently underway to better understand p cycling in wetlands (both riparian and non-riparian) led by Eric Roy (UVM). Accounting methods are expected to be established based on the findings of this research once available. The FFI tool includes wetlands that are a component of floodplain restoration projects in P-reduction calculations, but only as it relates to floodplain restoration. DEC will continue to assess the potential for P-reduction in order to optimize wetland restoration projects.

6. Lastly, if DEC is still (understandably) two years from assigning a per-acre-p-reduction-value for large scale conservation easement projects, should we just point TNC, VLT, TBL, VRC, etc. to apply for Enhancement Grants?

As previously stated, conservation/easements outside of RCEs are currently ineligible to receive Clean Water Initiative Program funds (under both Formula and Enhancement grants). However, Vermont Housing and Conservation Board's Clean Water Budget line items fund some forest and agricultural land conservation. At the Clean Water Budget-level we avoid/minimize duplication of eligible activities across agencies/funding programs to minimize coordination/duplication challenges. WISPr could also be a potential funding source for land conservation projects.

It is also worth noting that there are several bills that have been proposed in this 2024 legislative session having to do with land conservation related to enhancing flood resilience efforts (e.g., H.586) as well as previously enacted legislation from the 2023 session (e.g., Act 59), and it will be interesting to see how these bills and Act 59 may influence large, landscape-scale protection efforts going forward.

We are happy to follow up on any of these responses and additional questions. Hopefully this provides a good insight on the status of these efforts to date.

Happy Friday and enjoy the weekend!

Ethan (on behalf of the DEC Team)

From: Dan Albrecht <dalbrecht@ccrpcvt.org>
Sent: Friday, January 19, 2024 2:03 PM
To: Petito, Gianna (she/her) <Gianna.Petito@vermont.gov>; Rottler, Chris <Chris.Rottler@vermont.gov>; Madden, Claire <Claire.Madden@vermont.gov>; Copans, Ben <Ben.Copans@vermont.gov>; Bird, Emily <Emily.Bird@vermont.gov>; Swift, Ethan <Ethan.Swift@vermont.gov>; Wood, Rachel <Rachel.Wood@vermont.gov>; Kamman, Neil <Neil.Kamman@vermont.gov>; Rupe, Marli <Marli.Rupe@vermont.gov>; Pomeroy, Staci <Staci.Pomeroy@vermont.gov>
Cc: dpierce <dpierce@nrpcvt.com>; n.johns <n.johns@vhcb.org>; Brian Voigt <voigt@cvregion.com>; mwinslow@acrpc.org <mwinslow@acrpc.org>; Barbara Noyes-Pulling <barbara@rutlandrpc.org>; Hilary Solomon <pmnrcd@gmail.com>; Chris Dubin <cdubin@ccrpcvt.org>
Subject: P-reduction value of large scale easements (besides river corridor)

Hi DEC folks,

Chris Dubin and I have been engaging in one-on-one video calls with current/potential Project Managers to improve collaboration and familiarity with their goals and our P-reduction goals. One question that is coming up in conversations with the land conservation organizations is whether using CWSP Formula Grants fits in with their typical types of projects which are often large, landscape-scale protection conversation easements rather than discrete physical projects such as floodplain restoration or tree planting (which they are aware of and are typically done by local partners in partnership with an easement).

Questions:

1. There seems to be good clarity on River Corridor Easements such that using the FFI will generate a P-reduction estimate, correct, yes?

2. where do things stand in terms of the current DEC and subcontractor work on valuing projects in the Forest Lands sector (especially easements)?

   For example, If a conservation easement was purchased/implemented to say add 100 acres of currently/past logged lands to say a town forest or state forest and that easement prohibited all logging, etc., could a Formula Grant be used to help pay for that easement and if so, could a P-reduction value be assigned. E.G., 100 acres of forest land which included 5 linear river miles etc + Easement = 1 kilogram of P-reduction and the CWSP provided $20,000 toward the purchase of that easement.

3. Is anyone working on estimating the p-reduction value of placing a conservation easement (which prevents all buildings, roads, ag, etc.) on agricultural lands or is that just captured as a big River Corridor / FFI project?

4. Where do things stand in terms of estimating p-reduction value of the purchase of easements protecting wetlands?

5. On a related note, where do things stand in terms of valuing p-reduction benefits of a wetland restoration project?

6. Lastly, if DEC is still (understandably) two years from assigning a per-acre-p-reduction-value for large scale conservation easement projects, should we just point TNC, VLT, TBL, VRC, etc. to apply for Enhancement Grants?

Thanks in advance for your consideration of these questions. -Dan

Dan Albrecht, CWSP Manager

NORTHERN LAKE CHAMPLAIN
Clean Water Service Provider

Clean Water Service Provider (CWSP): Northern Lake Champlain Direct Drainages (Basin 5)
c/o Chittenden County RPC 110 West Canal Street, Suite 202 Winooski, VT 05404
I am in the office most days and can be reached at 802-861-0133. Feel free to call my cell at 802-324-4642 if you don't hear back from me in a few hours

1. **River Corridor Easements (RCEs)**: RCEs can generate P-reduction estimates using the FFI tool, but DEC is developing further guidance on this. Until then, CWSPs are advised to wait before funding RCE projects.
2. **Forest Lands Sector Projects**: Currently, land conservation/easements outside RCEs are ineligible for Clean Water Funds. There's no established method for P-reduction accounting for conservation easements on forestland.
3. **Conservation Easements on Agricultural Lands**: DEC lacks methods for phosphorus accounting for conservation easements outside of RCEs. The need for determining water quality benefits of such easements is recognized but not yet actioned upon.
4. **Wetlands Protection and Restoration**: DEC is expanding some RCEs to include wetlands, but comprehensive guidance and phosphorus accounting for wetlands protection under CWSP-funded RCEs is pending. Ongoing research by UVM's Eric Roy might influence future methodologies.
5. **Funding and Legislative Considerations**: Conservation/easements outside of RCEs are ineligible for certain funds, but other funding options like the Vermont Housing and Conservation Board's budget and WISPr may be considered. Proposed legislative bills might influence future conservation efforts.

Clean Water Network Summit

MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: CWSP STAFF
RE: **Clean Water Summit**
DA: 1/31/24

==========

On Friday, April 5, Vermont DEC will be hosting what is being called a Clean Water Network Summit. The event will take place at St. Leo's Hall (109 Main Street) in Waterbury, starting at 9:00 AM. Per DEC staff, refreshments and lunch will be provided to the first 100 participants who register.

DEC intends to have a virtual option for those who cannot attend in-person, although in-person attention is strongly encouraged. A draft version of the agenda has been released. Please note that it includes time for each basin to provide an update on activities in their territory. Because NRPC serves two basins, CWSP Staff will be investigating options for the best way to provide such updates.

CWSP Staff have participated actively in a planning committee associated with the Summit. Despite occasional frustrations with the process, we are optimistic that it will be an event worth the participation of BWQC members and alternates. The CWSP may be able to help defray travel expenses if doing so enables your participation.

From:	Reed, Jack
To:	Reed, Jack
Cc:	Rottler, Chris; Swift, Ethan
Subject:	Watershed Planning Program Newsletter - January 2024
Date:	Friday, January 19, 2024 11:08:56 AM
Attachments:	image001.png WPP Newsletter - January.pdf

Hi people of the clean water world,

We're excited to release the January issue of Watershed Planning Program Newsletter out to you! You can find it attached to this email. In this issue, the Watershed Planning and the Clean Water Initiative Programs are excited to announce that the Clean Water Service Network Summit will take place on Friday, 5 April 2024 at St. Leo's Hall (109 Main Street, Waterbury, VT 05676), from 9:00 AM to around 3:30 PM. We have also included information on announcements, updates, projects, and more.

Thank you to everyone who provided information and photos, and, if you have any information or materials that you would like to present in a future newsletter, please reach out to Jack at Jack.Reed@Vermont.gov. Enjoy!

Kind regards,
Jack

VERMONT

Jack Reed, WPP Communications ECO (he/him)
Vermont Agency of Natural Resources | Department of Environmental Conservation
Water Investment Division
1 National Life, Davis 3 | Montpelier, Vermont 05620-3510
802-522-7232 office/cell

Updates and Conclusion

(Input on Cost effectiveness, Adoption of completed projects, and more)

Project Development Guidance[1]

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 process for securing a WPD-ID for the project development efforts. Guidance is subject to change and DEC will provide updated materials to partners as appropriate.

Contents

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 type[3] 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 Corridor Easements will be added as an eligible project type for DEC Block Grants to support. Project

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 activities are not linked to a specific project and result in a set of projects to develop. *General project scoping* support is an add-on to any applicable Project Development sub-grant. This support should lead to *specific project development* and submit project development findings for specific Child Projects 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 specifically identified project. Some projects may require revisions or updates. These communications and research activities between project phases may also be supported as Project Development.

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

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.

- 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 outlines 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 File~~[5] 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:

1. ANR Online Clean Water Project - New Project Form (once available) for any projects absent from the Watershed Projects Database

[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.

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 discovery 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 just 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, they should not add these to WPD. If these projects are already in WPD, DEC staff will review and consider the report provided by the subgrantee and may update Child project status and information in WPD.

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 permittable 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 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. Projects may still encounter potential barriers that make them feasible but 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 Child project might be considered "feasible" but not yet "ready to proceed," unless or until circumstances change.

[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.

Applicable Deliverable	1.	2.a.	2.b.	2.b.	2.c.
Child Project Finding	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?	Report reasoning in PD-FR?	Complete Project Eligibility Screening Form?
Found to be regulatory	N	Y	Y	Y	N
Found to be non-regulatory but infeasible	N	Y	Y	Y	N
Found to be non-regulatory and feasible but not yet ready to proceed	Y	Y	Y	Y	N
Found to be non-regulatory, feasible, and ready to proceed	Y	Y	Y	Y	Y

Data Management for Project Development: Watershed Projects Database

This section describes how project development projects are tracked in the Watershed Projects Database. 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 that support 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 unique 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 holistic "project development" effort undertaken by a specific subgrantee, over a specific timeframe, within a specific geographic region, to develop specific project types, and 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 holistic 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 could proceed now that 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 Parent "project development" ID to denote a phasing/progress relationship between the two.

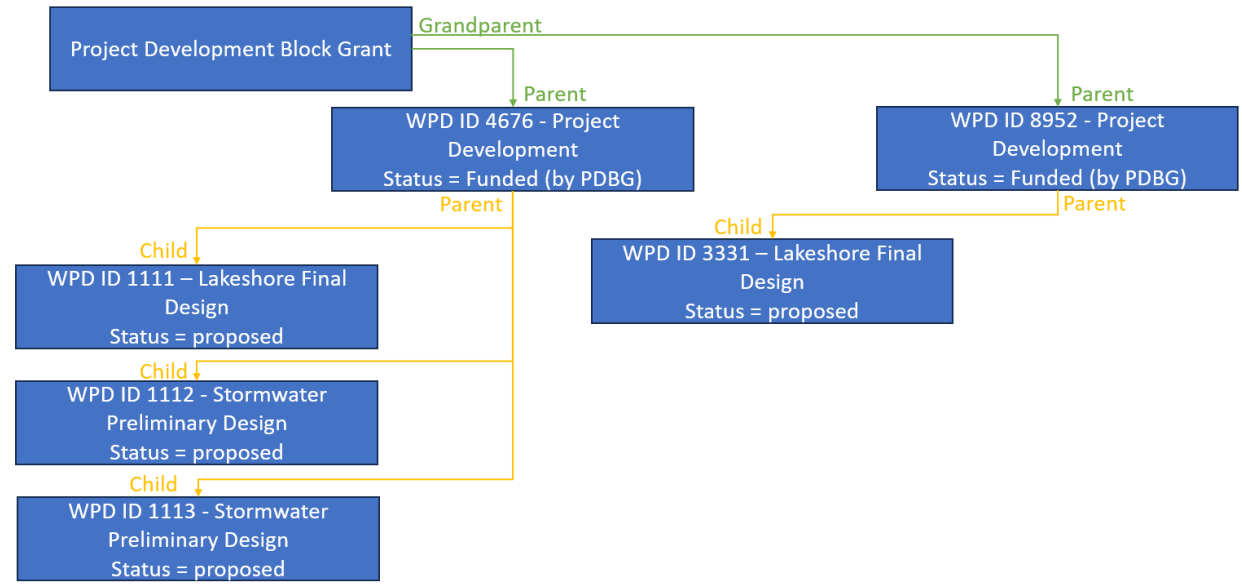


Figure 1. Figure above represents the relationship between Grandparent, Parent, and Child under Project Development efforts. Green lines denote a funding relationship. Orange lines denote a phasing/process relationship. Both types of relationships are acknowledged in WPD by linking project IDs through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

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**: Parent Project Development 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 add 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. Project proponents are automatically alerted via email when their New Project Form request has been approved and can then search the WPD for 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 nforms to discuss project development proposals especially for larger scale project development efforts. Watershed planners will review project development New Project nforms 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
- 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 for general project scoping or WPD IDs for specific project development efforts (if available).
- 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.

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 subgratees) 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 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 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 nForm	As part of eligibility screening step 3 – when seeking funding

Subgrant/Parent	Add subgrant funding grant component events	FPA	Update nForm (or quarterly report to TPM in the interim)	Quarterly
Subgrant/Parent	Closeout – refine spatial data, PMs,	FPA or subgrantee	Closeout form (or Final Performance Report in the interim)	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.

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

At the end of the Parent Project Development effort, the Parent Project Development WPD-ID should be linked as a parent to all Child projects "developed" through the course of the project supported by the Parent funding agreement. 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. This includes first submitting an ANR Online Project Update form to link the Parent WPD-ID to all applicable child projects and then submitting the ANR Online Project Closeout form to provide final reporting on the Project Development efforts completed under the initiative.

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 nForm	Some time before the Project Development/Parent Project closes out
Developed/Child project	Link "developed" projects to Parent Project	Current state: DEC	Current state: WPD	Current state: Annually upon

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

	Development project	Future State: FPA/subgrantee	Future State: Update nForm	review of sub-grantee 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 sub-grantee 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 uploaded as an attachment file to the Parent Project Development WPD-ID
4. Findings documented in the PD-FR should be exported to individual and respective Child Projects into a new text field on the Child Project summary page that specifically houses Project Development findings. This is pending the creation of an import script to automatically transfer PD-FRs appropriately.
5. Completed Project Eligibility Screening Forms should 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) should be made by DEC staff 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 though active workplans under Tactical Basin Planning contracts to statutory partners pursuant to10 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).