Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

VERMONT

Vermont Department of Environmental Conservation *Agency of Natural Resources*
Water Investment Division
One National Life Drive, Davis 3 [phone] 802-828-1550
Montpelier, VT 05620--3510 [fax] 802-828-1552

MEMORANUM

To: Julie Moore, Secretary, Agency of Natural Resources (ANR)

Thru: Misty Sinsigalli, Commissioner, Department of Environmental Conservation (DEC)
Neil Kamman, Deputy Commissioner, DEC
Emily Bird, Director, Water Investment Division, DEC
Ethan Swift, Program Manager, Watershed Planning Program, DEC

From: Chris Rottler, Clean Water Service Provider Technical Project Manager; Karen Bates, Watershed Planner for the Northern Direct Basin (Basin 5); Ben Copans, Watershed Planning Supervisor

Date: November 25, 2025

Re: Reassignment Review and Recommendation – Basin 5 Clean Water Service Provider (CWSP)/Chittenden County Regional Planning Commission (CCRPC)

Cc: Sarah Coleman, Program Manager, Clean Water Initiative Program (CWIP), DEC

Chittenden County Regional Planning Commission (CCRPC) currently serves as the Clean Water Service Provider (CWSP) for the Northern Direct to Lake Champlain Watershed (also known as Basin 5). CCRPC's term started July 1, 2022 and runs through June 30, 2026. This is its first term of service as a CWSP. On August 6, 2025, CCRPC submitted to DEC its intent and request to be reassigned to another term as CWSP for the Northern Direct basin (see Attachment A.) The new term would run from July 1, 2026 for five years, through June 30, 2031.

Recommendation:

For the reasons noted below, we hereby recommend that CCRPC be reassigned to a second term of service as the CWSP for the Northern Direct Basin (Basin 5), which term shall run from July 1, 2026, through June 30, 2031.

DEC's Process to Review of Reassignment of a CWSP

The process for reappointing a CWSP to another term of service is governed by 10 V.S.A. §924, Act 76 (2019), Chapter 39 of Vermont's Environmental Protection Rule, and by the Clean Water Service Provider Guidance document, including in particular, Chapter 9 on Adequate Progress and Chapter 10 on Reassignment. Section 39-709 of the Rule states that when evaluating a CWSP's performance and request for reassignment, that: "…[t]he CWSP shall be subject to the Secretary's

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

review of adequate annual progress toward the CWSP's allocated pollution reductions and five-year target and adequate maintenance of clean water projects, pursuant to 10 V.S.A. §924(f)."

The reassignment process shall be initiated by the CWSP, who shall submit a request to DEC to be reassigned to another term by July 31 in its last year of service. DEC is required to publish this request to its website and provide an opportunity for the public to provide comment on the request. DEC published CCRPC's letter requesting reassignment to its website shortly after its receipt. DEC also created and distributed a survey to the public, to provide input on CCRPC's service as the CWSP for Basin 5. The survey was open in September and October 2025, and DEC received 13 responses (including a response from all 9 members of the Basin 5 Basin Water Quality Council, or "BWQC").

DEC staff then reviewed whether the applicant had achieved 'adequate annual progress,' using information gathered from CWSP reports, CWSP submissions, staff observations, and input from the public, as well as any other relevant sources of information. Evaluation of 'adequate annual progress' is both a quantitative standard and qualitative question, that involves a review of five distinct areas of service:

1. The CWSP's progress towards its assigned phosphorus reduction target;
2. Implementation of adequate operation and maintenance;
3. CWSP coordination of the Basin Water Quality Council;
4. CWSP administration of required program requirements (i.e. 'governance'), and
5. Project oversight.

As part of this review, the Basin 5 CWSP was asked to provide all relevant information and documents from two projects that were funded by the CWSP. DEC staff also reviewed the write-up from CCRPC's recent monitoring visit from DEC's Administration and Innovation Division (AID) grant monitoring team.

If the Secretary finds that the applicant's efforts as a CWSP have met the 'reasonableness' standard for the five areas of service that together comprise 'adequate annual progress', then the applicant shall be reappointed to another term. If a CWSP is reappointed to a new term, DEC has one more step to complete. Specifically, in the first twelve to eighteen months of the new term, DEC will 'look back' at the previous term to evaluate whether funded projects were in fact implemented to ensure that a CWSPs' grants were properly spent and closed out, and any other administrative wrap-up that may be required.

The Basin 5 target for phosphorus reductions in their first term is 71.2 kg/year of phosphorus.

DEC FINDINGS:

1. <u>Progress Towards Target</u>

CCRPC as the Basin 5 CWSP has made significant progress in funding projects to achieve their assigned phosphorus reduction target.

As of September 30th, 2025, and summarized in the table and figure below, the CWSP has nearly 8 kg/yr of annual phosphorus reductions that have been constructed and closed out and projected 26.4 kg/yr in construction phase projects, 36.5 kg/yr in final design phase projects, and 10.0 kg/yr

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

in preliminary design or development phase projects. In total, across all phases of projects, this totals over 80.8 kg/yr in phosphorus reduction potential if all these projects are implemented with the full expected phosphorus reductions. This is over 9 kg/yr above the first term target of 71.2 kg/yr.

It is possible that some projects at the preliminary and final design phase will not be implemented with the full expected phosphorus reduction that was estimated at the early phase by the end of the first CWSP term. On the other hand, there may also be additional implementation phase projects that may come to the CWSP directly that may add to the reduction potential as well as opportunities for the CWSP to achieve up to 15% of the target phosphorus reductions through adoption of operation and maintenance activities for prior-constructed projects that may assist the CWSP in meeting the target by the end of the term. The rate of progress in achieving phosphorus reduction targets over time can be shown in the graph below that shows the phosphorus reduction potential by stage and status, which shows that the CWSP is on track to make significant progress in meeting targets by the end of its term if projects in the design phase move along as expected.

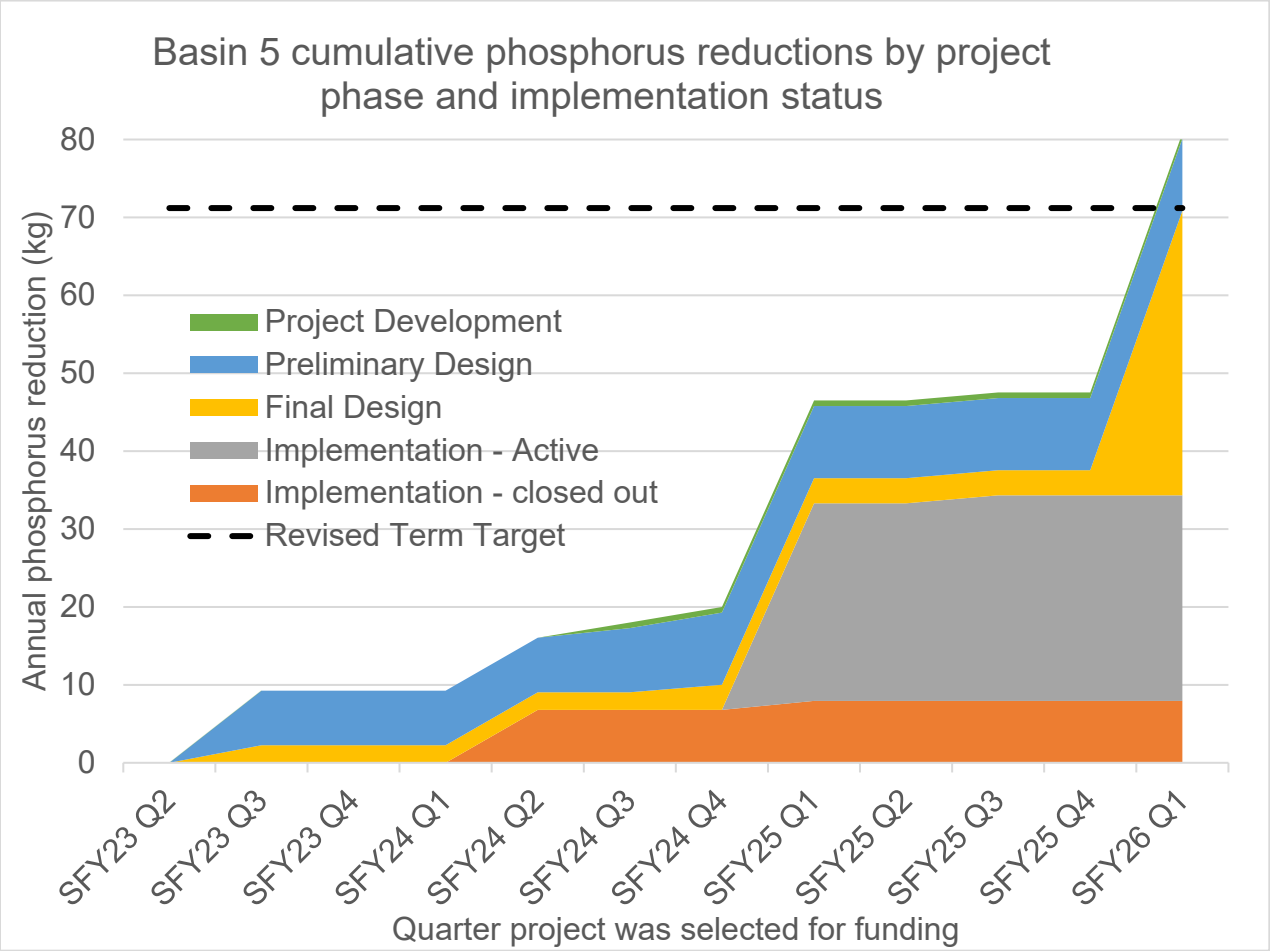

Figure 1. Cumulative estimated phosphorus reduction potential for projects at different project stages and implementation status along with the first term revised phosphorus reduction target.

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

Project stage and status	Phosphorus reduction (kg/yr)
Preliminary Design	10.0
Final Design	36.5
Implementation - Ongoing	26.4
Implementation - Closed	8.0
Total potential P reductions	80.8
Term P reduction target	71.2

Figure 2. List of phosphorus by project phase.

CCRPC as the Basin 5 CWSP has had to overcome many challenges in making this progress towards their phosphorus reduction targets including working under draft (or in certain cases, non-existent) guidance, steep learning curves with partners on phosphorus accounting methodologies, and has been limited in their ability to adopt some project types due to currently available project type verification checklists that are necessary for the adoption process. Currently available project type verification checklists include riparian buffer planting, stormwater, and lakeshore restoration practices. Furthermore, work in this basin is particularly challenging, as many of the communities and properties are governed by a Municipal Separate Storm Sewer System Permit (or MS4 permit), which limits the availability of stormwater 'non-regulatory' projects making project identification exponentially more time consuming and difficult. Yet, CCRPC has been working hard and effectively to make progress in meeting targets under these conditions. Despite these challenges, CCRPC has been entrepreneurial, proactive, and a leader in looking for projects and solutions for reducing phosphorus loading in their basin.

2. Implementation of Adequate Maintenance

Verification and Operation and Maintenance is a new program with tools and resources still in development to support this work, which limits what CWSPs can adopt and verify at this time. DEC recognizes navigating this is a challenge.

CCRPC submitted their first annual Verification and Operation and Maintenance report, as was required for the State Fiscal Year (SFY) 2025 grant year. The report indicates that verification visits were performed at four implemented management practices, at two distinct sites (2 BMPs at 2 different sites). One BMP required maintenance which was promptly addressed. DEC considers CCRPC in compliance with their Operations and Maintenance responsibilities and is therefore providing 'adequate maintenance' as required. The workload and demands associated with adequate maintenance are likely to increase in the next term as more projects are adopted and completed.

3. Coordination of the Basin Water Quality Council

Both DEC's watershed planner for Basin 5, as well as the Technical Project Manager for the Clean Water Service Providers, regularly attend the Basin 5 BWQC meetings. Both support the request for reappointment based on excellent coordination of the Basin 5 BWQC during their first service term.

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

CCRPC as the CWSP effectively established, maintained, and coordinated a BWQC during their first service term. Their dedicated focus on collaboration enabled them to set workable policies and procedures to support effective communication and decision-making of the CWSP and BWQC. The CWSP communicated via website updates, emails, and press releases. They host virtual Zoom meetings of the CWSP and BWQC each month, which is highest frequency meeting schedule of the BWQC in any basin. CCRPC as the CWSP is effective in supporting project reviews at BWQC meetings, and they support a rolling application process.

DEC also solicited input from the public, including BWQC members, through a survey that was made available for this purpose in the fall of 2025. As noted previously, thirteen people responded to the survey, including all nine of the BWQC members. Organizations that responded included watershed consultants, watershed groups, conservation districts, regional planning commission staff, and municipal representatives.

Responses to the survey provided favorable feedback on CCRPC's work. On their coordination with partners, respondents said the following:

> "CCRPC has long history of wide coordination with partners."
> "Seems good."
> "Doing a good job."
> "The CWSP plays a critical role in coordinating partners in the watershed."
> "CCRPC is attentive and fosters open discussion with watershed partners. It is evident that they really want to push meaningful projects forward."
> "Assistant with project phase management and P ID coordination with DEC, proposal development, contractor assistance."
> "I think CWSP has been very helpful in connecting partners together and assisting projects at all stages in the process."
> "From my seat as an alternate on the BWQC, I have been consistently impressed with the outreach to partners throughout the process."
> "Excellent support as we all navigate project ID, design and implementation."
> "The CWSP does a good job of coordinating with partners, and providing structure (but not too much)."

On CCRPC's facilitation of the BWQC, respondents said:

> "Very high level oversight provided."
> "Has always been good."
> "I'm on Basin 7 BWQC - Dan was very helpful on all aspects of the application, and construction and O&M."
> "Doing a good job."
> "The CWSP coordinates project scopes, fee modifications, and deliverables clearly and effectively with the BWQC."
> "The CWSP plays a critical role in coordinating partners in the watershed."
> "CCRPC is attentive and fosters open discussion with watershed partners. It is evident that they really want to push meaningful projects forward."
> "Assistant with project phase management and P ID coordination with DEC, proposal development, contractor assistance."

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

> "I think CWSP has been very helpful in connecting partners together and assisting projects at all stages in the process."
> "From my seat as an alternate on the BWQC, I have been consistently impressed with the outreach to partners throughout the process."
> "Excellent support as we all navigate project ID, design and implementation."
> "The CWSP does a good job of coordinating with partners, and providing structure (but not too much)."

It is clear from this feedback that CCRPC is working effectively with their BWQC and has the general support of their stakeholders.

4. Implementation of Requirements of CWSP Governance

a. General observations

DEC's Watershed Planning Program routinely interacts with CCRPC as the Basin 5 CWSP. DEC staff attend the Basin 5 BWQC meetings; DEC hosts a monthly check-in meeting attended by all the CWSPs where information is disseminated and process improvements are shared; quarterly, the CWSP TPM and watershed planner meet with the CWSP, and CWSP staff routinely send emails or request meetings to ask questions about projects, governance, or other topics as questions or challenges arise. DEC staff also receive quarterly reports that show the CWSP's pace of project implementation, as well as other data related to CWSP performance. DEC staff also receive updates on the CWSP informally through ad hoc emails, conversations, or meetings with BWQC members or other stakeholders that report on CWSP activity.

Through these interactions and touch points, DEC staff have monitored CCRPC's implementation of the CWSP program. Our observations match the feedback received from stakeholders through the survey, that despite structural challenges associated with implementing a new funding regime that represents a major change-management exercise, that CCRPC has done well with both quantitative and qualitative metrics for implementing the program. CCRPC has shown an entrepreneurial 'hustle' to think creatively, build relationships, and look for projects, as is their charge, all while minding the numerous requirements that must be adhered to. CCRPC has responded well to feedback. CCRPC demonstrates familiarity with program requirements and routinely provides feedback on opportunities to improve the program and increase efficiency.

b. File review

As part of the term-end review process, CCRPC was asked to submit documents from two separate projects that the CWSP funded, so that staff could conduct a program review of CCRPC's work. DEC staff reviewed the submissions and made the following observations:

1. The files show that CCRPC complied with required procurement rules for CWSPs,
2. The files show that CCRPC secured the required certificates of insurance from the subawardees,
3. The files show properly executed agreements with the subawardees,
4. The files show that CCRPC's invoices to DEC match the invoices they received for their project expenses,

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

5. All required project documents were eventually received.

DEC made the following observations on CCRPC's general CWSP operations:

1. CCRPC's required WPD reporting is timely and accurate, and/or promptly corrected when appropriate;
2. CCRPC's quarterly reporting has been submitted and/or is available on their website;
3. CCRPC appears to be in compliance with the requirements for CWSPs related to conflict of interest and open meeting law compliance;
4. CCRPC is solvent and has a designated CWSP Director;
5. Along with their BWQC, CCRPC has duly adopted a public participation policy that covers the CWSP, bylaws, and a co-benefits scoring policy. They have also adopted an innovative budget adjustment policy.

c. AID Monitoring Visit

In September 2023, DEC's AID conducted a monitoring visit with CCRPC and their implementation of the CWSP Formula Grant. This was the most recent monitoring visit by AID of CCRPC. The main purpose of the monitoring visit is: to review: "Chittenden Regional Planning Commission's fiscal, human resources and fiscal infrastructure to ensure that Chittenden County Regional Planning Commission administers DEC's funds in compliance with applicable federal and state laws, regulations, policies, and the provision of the Grant Agreement for Services.

AID conducts a review to identify risks and help improve grantee operations. As a result of AID's monitoring visit, they had no recommendations or findings on CCRPC operations.

d. Survey

CCRPC received positive comments on their management of procurement. Respondents said the following in response to the question:

> "Rock solid, no issues."
> "Seems good from what I can tell."
> "Doing a good job."
> "Easy working with them. We have not yet led a CWSP project but just received project development funding and the process was very easy."
> "Well drafted agreements and follow-up. Good management and help navigating DEC requirements. Very good effort in minimizing approvals for effective project mgt."
> "I have to confess I struggle with the technical side of the P calculations and other minutiae. Luckily we work closely with other partners (GICNRCD, FNLC) on projects, and they are able to help make up for my lack of knowledge on that front. I still feel that we tend to spend a little too much time on the technical side of things - I want this process to be streamlined so that the funds can go to good projects. However, I understand that with federal money there are strings attached, and hoops you have to jump through in terms of budgeting, accounting, reporting etc. So perhaps there isn't much else the CWSP can do.

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

Not being very knowledgeable on the back end myself means I don't really know. But I hope to be more helpful as I gain more knowledge.
Maybe one thing that could be helpful - since we only have limited time at meetings to go over projects. Could there be like a forum or chat page where CWSP members can ask questions we have about a project in writing, before the meeting. That way the presenters can see what people want to know in advance, and can tailor their talk to those questions. Also, if the same questions keep coming up, perhaps something can be changed in the way we are presented with info. And if some of the questions can be answered beforehand, then maybe in the meetings we can have more time for other things."
"Deliberate and thoughtful."
"Great support putting together scopes/understanding the process."
"The procurement process is smooth and quick; agreements do not require much tweaking (but they are open to doing so when necessary)."

5. Oversight of Clean Water Projects

During their 4 years of service, the CCRPC has made sufficient progress establishing and overseeing a diverse portfolio of clean water projects. They have been intentional in their efforts to establish a project pipeline, including various project types and phases, which will serve them well if reappointed. From FY 2023-2026, the CWSP annual awards have steadily increased, totaling $2,819,065.00.

In managing project deliverables and requirements, CCRPC staff are very responsive in addressing any questions or request for information. Although, the need for follow up is rare or involving minor items, as CCRPC is typically following along with program requirements and is often proactive in seeking advice should there be any questions.

CCRPC also received positive comments through the survey on their management of project administration, coordination with partners, on implementation of operation and maintenance requirements, and for general feedback.

Conclusion and Recommendations

In reviewing the work of CCRPC over the past 3.5 years, the results show that the applicant has met the standard for the reasonable implementation of the Clean Water Service Provider program in the Northern Direct Basin (Basin 5). Reviewing their efforts against both the qualitative and quantitative requirements of service, CCRPC has implemented the CWSP program for their first term, achieving 'adequate annual progress.'

In support of this conclusion, survey respondents made the following general comments at the end of the public survey, that are worth noting here:

1. Hoping that CCRPC continues as WQ provider
2. I think Dan and CCRPC do a great job and I cannot think of anyone better.
3. Overall CCRPC does an excellent job. I have no concerns or recommendations. I support their renewal as the CWSP.
4. Doing a good job.

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

5. Overall project work with the CWSP has been enjoyable and effective.
6. Nothing more. I enjoy working with them and see them as an effective CWSP.
7. Being part of the "start-up" was / is challenging and rewarding. With few exceptions, conflict was well managed between the CWSP and BWQC. Rules clarification was well managed. The entrepreneurial spirit of the CWSP team is greatly appreciated.
8. The model works well, and having a regional provider means access to information and support as well as institutional knowledge.
9. I recommend reappointing the CWSP - they do a good job and have managed the transition well.

DEC staff agrees and recommends that the Secretary (re)appoint Chittenden County Regional Planning Commission to another/second term of service as the Clean Water Service Provider for the Northern Direct Basin/Basin 5, for the term running from July 1, 2026 through June 30, 2031.

Secretary's Reappointment

For the reasons stated herein, Chittenden County Regional Planning Commission has made 'adequate annual progress' in their first term as Clean Water Service Provider for the Northern Direct Basin (aka Basin 5). Pursuant to Vermont Statute, 10 V.S.A. §924, and Environmental Protection Rule 39, I hereby appoint Chittenden County Regional Planning Commission to another term of service as the Clean Water Service Provider for the Northern Direct Basin (aka Basin 5), for the period running from July 1, 2026 through June 30, 2031.

Signed:

Signed by:
Misty Sinsigalli
7BCEC97CBCE4413...

Misty Sinsigalli, Department of Environmental Conservation Commissioner, on behalf of Julie Moore, Agency of Natural Resources Secretary

12/18/2025
Date

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

Attachment A

c/o Chittenden County RPC

110 West Canal Street, Suite 202

Winooski, VT 05404

www.ccrpcvt.org/northern-lake-champlain-cwsp/

July 26, 2025

Julie Moore, Secretary
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901

The Chittenden County Regional Planning Commission (CCRPC) has served as the Clean Water Service Provider (CWSP) for the Northern Lake Champlain Direct Drainages Basin (Basin 5) since the inception of the CWSP program in 2022. The CCRPC hereby requests reappointment to continue as the Basin 5 CWSP.

It is the track record of both our robust partnership with our Basin Water Quality Council (BWQC) and project managers and our project success that serve as the primary justification for reappointment. Renewal of our CWSP status is also warranted because we have squarely confronted and are working through the challenges inherent in a novel and complex program, some generic to all CWSPs and some unique to Basin 5.

Establishment of the CWSP and the BWQC

CCRPC was formally proposed for assignment as the Basin 5 CWSP in July 2020. Using a Start Up grant provided by the State starting in September 2021, and continuing through January 2024, the CCRPC established various processes to successfully launch the CWSP. These included developing a website for the CWSP, setting up grant/contract/project tracking systems, updating legal and accounting requirements and adopting or amending various policies and procedures governing subgrants, conflict of interest, personnel, internal controls and outreach-communications-calls for applications. The CCRPC also issued multiple rounds of Request for Qualifications for both organizations & municipalities to serve as Project Managers/Implementors and for engineering/consulting firms to assist the CCRPC as subcontractors and procured numerous such municipalities, organizations and firms with expertise in water quality improvement projects. The CCRPC also facilitated the establishment and empaneling of the Basin 5 Water Quality Council. Its inaugural meeting was held on March 17, 2022. Over the ensuing months the CCRPC provided guidance to the BWQC as they adopted rules and policies regarding conflict of interest, operations, procurement, public participation and the scoring of project co-benefits. During this “start-up” phase, CCRPC staff also participated in required trainings and the Secretary’s Act 76 Advisory Group.

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

A strong partnership with the Basin 5 Water Quality Council and Project Managers

One of our keys to success is our partnership with the Basin 5 Water Quality Council and the organizations and municipalities that serve as project managers to develop, design and implement various phosphorus-reduction projects. The BWQC consists of nine members representing the following types of organizations: watershed organizations, municipalities, natural resource conservation districts, regional planning commissions and land conservation organizations.

The Council members take their work seriously and have met regularly since their inception, first to develop responsible policies and procedures and then, most importantly, to review and score project proposals and allocate Basin 5 project completion dollars which the CWSP then issues as subgrants or subcontracts. The Council has met a total of 34 times (!) since their inception as follows:
FY2022: 4 meetings FY2023: 10 meetings FY2024: 10 meetings FY2025: 10 meetings
Each meeting typically lasted 90 minutes with robust attendance by the voting member or alternate (sometimes both) at most every meeting.

Once the CCRPC received its first Water Quality Restoration Formula Grant in September 2022, the lion's share of the Council's work has been to review proposals from prequalified managers and occasionally the CCRPC itself to fund various phases – development, preliminary design, final design and implementation- of phosphorus reduction projects. Through June 30, 2025, the Council has allocated project completion funds from CCRPC's two formula grants received to date as follows:

Project Awardee	**Total**	**Project Type (*) and #**
Town of Georgia	Two	FD-1, IMP-1
Lewis Creek Association	One	PD-1
Town of North Hero	One	PD-1
Town of Saint Albans	Two	FD-1, IMP-1
Winooski Valley Parks District	Three	PD-1, FD-1, IMP-1
Grand Isle County NRCD	Four	I/D-1, FD-1, IMP-1,
University of Vermont	One	IMP-1
Friends of Northern Lake Champlain	Four	I/D-2, FD-1, IMP-1
Lake Iroquois Recreation District	One	IMP-1
Northwest Regional Planning Commission	Two	I/D-2
Chittenden County Regional Planning Commission	Two	I/D-3

***** *I/D = Identification/Development, PD=Preliminary Design, FD= Final Design, IMP=Implementation*

Project Success

The CCRPC is proud to announce that the following projects have been or about to be fully implemented/constructed and are reducing annual Phosphorus (P) load significantly.

Project Manager	**Project Name and Month/Year implemented or Projected**	**Annual P reduction**
Town of Georgia	Falls Rd. Trail Gully Restoration (October 2024)	24.12 kilos
UVM	Hort Farm Stream Restoration (October 2024)	3.90 kilos
Lake Iroquois Recreation District	Beebe Lane Road Project (June 2025)	1.15 kilos

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

Town of Saint Albans	Fairfax Street Culvert Stream Restoration (projected August 2025)	1.23 kilos
Winooski Valley Parks District	Wolcott Family Natural Area Stream Restoration (projected October 2025)	1.09 kilos
Grand Isle County NRCD	Two Heroes Stream Restoration (projected October 2025)	1.66 kilos
Friends of Northern Lake Champlain	Mill River Road, SE, Infiltration Chambers and Plunge Pool (projected October 2025)	4.91 kilos
	Total >>>>>	38.06 kilos

Challenges: Programmatic and Basin-Specific

This reduction of 38.06 kilograms of phosphorus falls just short of reaching the target of 41.9 kilograms. Unfortunately, this target was to have been achieved by June 30, 2024. The reasons we were not able to get projects in the ground quickly enough are varied and can be broken down into challenges inherent in this newly constructed system and those that are unique to Basin 5. Finally, there are also some shortcomings on our end as well.

Programmatic challenges include (1) a lack of implementation-ready projects when Formula Grants became live in late 2022; (2) inadequate capacity among organizations and municipalities to take on a robust number of CWSP-funded projects while still maintaining their existing programs and mission; (3) the amount of time needed by project managers (organizations, municipalities or the CWSP) itself needed to develop relationships with landowners who might be able to host a non-regulatory project; (4) the complexity of moving non-regulatory projects forward when there is real or perceived interplay with assigning of the phosphorus credit to a regulatory sector, and lastly (5) the added cost and added time due to the oft-required Archeological Resource Assessments and Phase I field test pits even when projects have minimal ground disturbance.

Basin 5 specific challenges include (1) the large amount of land area subject to Municipal Separate Storm Sewer (MS-4) permits of Burlington, Colchester, Essex, Essex Junction, Milton, Shelburne, South Burlington, and Williston in Chittenden County and the City of Saint Albans and the Town of Saint Albans in Franklin County; (2) the large amount of parcels already subject to existing State stormwater permits and the recent 3-9020 permit (aka, 3-acre permit; (3) the relatively small size of streams in the basin which makes it a challenge to achieve significant phosphorus reduction for the common non-regulatory project type of stream/floodplain restoration, and finally (4) the lack of a watershed organization active in central and northern Chittenden County to develop and implement projects.

Lastly, we must acknowledge some of our shortcomings as well. In 2023 and 2024, we assumed that we would receive more project grant applications, and we did not invest enough effort in investigating projects on our own. Relatedly, we did not realize the time and effort needed to work with landowners to develop projects.

Current efforts

While the implementation projects noted above are wrapping up, the BWQC has voted to invest heavily in project development and adoption efforts. CCRPC has been awarded such funds and is currently exploring first, a stormwater pond project on the common land of a condominium association in Burlington which is estimated to reduce 33 kilograms of phosphorus and a gully restoration project off

Docusign Envelope ID: AA6CB9E9-D2F0-4211-BAC8-0DD9EA4EAE6D

Shelburne Road in South Burlington initially estimated to result in a 21 kilogram reduction. We have also identified the potential adoption of two floodplain restoration projects, one in Colchester and one in Hinesburg, which (once DEC approves of the methodology) will result in a crediting of 9+ kilograms of P-reduction. Lastly, several of our key partners – the Friends of Northern Lake Champlain, the Grand Isle County NRCD, the Town of North Hero, the Northwest Regional Planning Commission – are currently using BWQC-approved subgrants to identify and develop projects.

Moving forward into FY2026 and beyond

The first 2 ½ years of the CWSP program have proven to be quite the learning experience for CWSPs, DEC and partners. Indeed, it has often been remarked that DEC, the CWSPs and the on-the-ground implementors are building the plane while flying it. That being said, we now know more clearly how to proceed to develop, design and implement projects both more efficiently and faster.
Going forward, we intend to:

(1) work with the BWQC to invest more heavily in project identification/development efforts both of our partners and CCRPC itself;
(2) work with the BWQC invest more in the identification of older, pre-CWSP project for "adoption;"
(3) continue to refine project ranking methodology to only fund projects with reasonable dollar-per-kilogram phosphorus reduction ratios;
(4) collaborate more intensively with project partners to figure out which project phases are best managed directly by CCRPC and which by the partners, given the capacity and competing work priorities held by both CCRPC and partners, and lastly
(5) through collaboration with DEC, CWSP and partners conduct more outreach/advertising directed to town-based committees and landowners to find willing partners for project hosting.

In closing, we thank the Department of Environmental Conservation for the trust they have placed in the CCRPC as the Basin 5 CWSP. We would also like to recognize the professionalism of Chris Rottler, DEC Water Investment Coordinator and Karen Bates, DEC Watershed Coordinator who have served as invaluable guides to this new CWSP program while also recognizing the challenges unique to Basin 5. We look forward to engaging with our BWQC and the DEC during the reappointment process.

Sincerely,

Charles Baker, CWSP Director
CCRPC Executive Director

Daniel Albrecht, CWSP Manager
CCRPC Natural Resources Program Manager

Cc: Chris Rottler, CWSP Technical Project Manager
Karen Bates, Basin 5 Watershed Coordinator
Members and Alternates of Basin 5 Water Quality Council