

# Clean Water Service Delivery Act of 2019 (“Act 76”) Changing the Structure and Scale of Funding Opportunities for Riparian Restoration

Riparian Restoration Practitioner’s Conference

March 30, 2022

Gianna Petito, Grants Coordinator, Clean Water Initiative Program, VT DEC

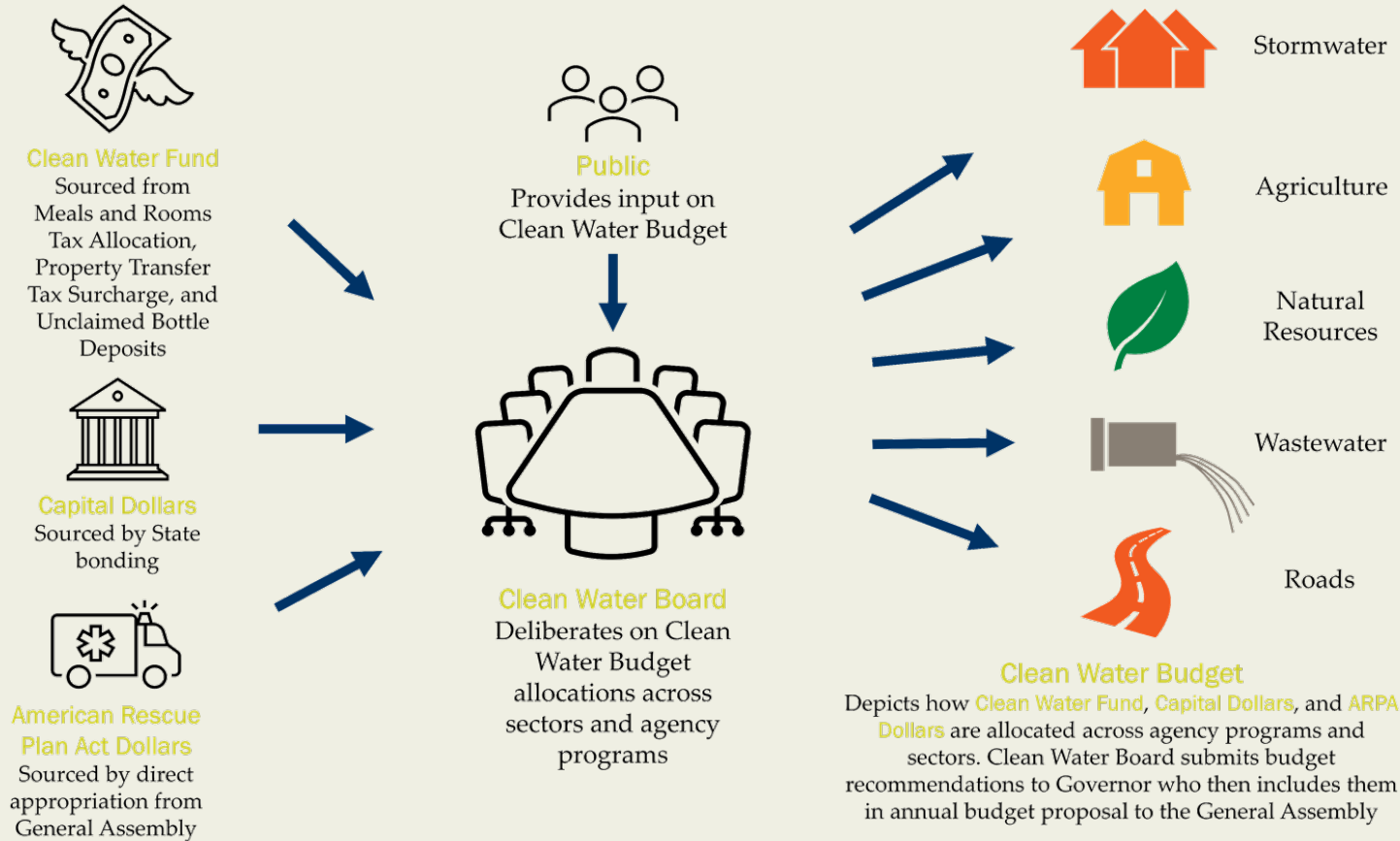
[Gianna.petito@vermont.gov](mailto:Gianna.petito@vermont.gov)



# Agenda

- **Current Riparian Restoration Funding Opportunities from DEC - Clean Water Initiative Program**
- How the Clean Water Service Delivery Act (Act 76) will change funding
- Timing for future grants
- Opportunities to engage and Key Takeaways

# Clean Water Budget Process



## STATE FISCAL YEAR (SFY) 2023 BUDGET PROCESS

**OCT 13, 2021\***  
Board approves draft SFY 2023 budget

**OCT 19-NOV 19, 2021**  
Public Comment Period

**NOV 4, 2021\***  
Board invites public to comment on draft SFY 2023 budget

**DEC 14, 2021\***  
Board reviews public comment and finalizes SFY 2023 budget recommendation

**JAN 2022**  
Governor proposes SFY 2023 budget to the Legislature

**JAN - APRIL 2022**  
Legislative review and testimony on SFY 2023 budget recommendations

CWIP drafts SFY23 Spending Plan

\*Clean Water Board Meeting

Learn more about the Clean Water Board and Budgeting Process here:  
[dec.vermont.gov/water-investment/cwi/board](https://dec.vermont.gov/water-investment/cwi/board)



# DEC Clean Water Initiative Program SFY 2022 Grant Programs

Program	Area of Focus	Block Grant/Master Contract Holder	Budget
Dam Removal Design/ Implementation Block Grant	Passthrough funds to entities to design and implement dam removal projects.	TBD	\$597,193
Design/ Implementation Block Grant	Passthrough funds to entities to host block grant program. Supports partners in managing stormwater and natural resource projects involving preliminary design, final design, and/or implementation. Individual projects are identified in Tactical Basin Plans and listed in DEC Watershed Projects Database.	Watersheds United Vermont, Mount Ascutney Regional Commission, Natural Resources Conservation Council	\$1,175,000 for natural resource projects
River Corridor Easement Master Contracts	Passthrough funds to entities to develop and implement River Corridor Conservation Easement projects. Funds target protection and restoration of critical river corridor and floodplain property.	Vermont Land Trust, Vermont River Conservancy, White River Partnership	\$1,645,743*
Woody Buffer Block Grant	Passthrough funds to entities to implement high priority, cost-effective, native riparian woody buffer plantings.	Watersheds United Vermont, Natural Resources Conservation Council	\$525,000*
Project Development Block Grant	Passthrough funds to entities to develop clean water project by performing the necessary research and community engagement to prepare projects for design and/or implementation phases.	Watersheds United Vermont, Natural Resources Conservation Council, Addison County Regional Planning Commission	\$491,855*

Funding Policy and Spending Plan:

[dec.vermont.gov/water-investment/cwi/grants](https://dec.vermont.gov/water-investment/cwi/grants)



# Clean Water Funding Purpose

10 V.S.A. Chapter 47 Water Pollution Control

- § 1387: Findings and Purpose; Clean Water Initiative
  - (a)(1)...to provide ...financing necessary to achieve and maintain compliance with the Vermont Water Quality Standards
- § 1389. Clean Water Board
  - (d)(1) ...All recommendations from the Board should be intended to achieve the greatest water quality gain for the investment.

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# § 1389. Clean Water Board

(e) ... the Board shall prioritize as follows

Tier 1: **Inspection, verification, operation, and maintenance\*\***

**Water Quality Restoration “Formula Grants”\***

Agency of Agriculture water quality programs

**Water Quality “Enhancement Grants”\***

Basin planning and basin water quality councils

Tier 2: Repair riparian conditions for flood resiliency

Education and outreach on forest AMPs

**Municipal Stormwater Implementation Grants\***

Innovative/alternative technologies or practices

Purchase agricultural land

Tier 3: **Developed Lands Implementation Grants\***



New Grant Programs\*

No.	Sector	Agency	Activity	Clean Water Fund (No Change)	Governor Recommended Capital Bill January 2022	Governor Recommended ARPA January 2022	Governor Recommended Total SFY 2023 January 2022
<b>Clean Water Budget Statutory Priority Tier 1 (Items of Equal Priority)</b>							
1.1	Multi-Sector	ANR-DEC (CWIP)	Water Quality Restoration Formula Grants to Clean Water Service Providers*	7,000,000			7,000,000
1.2	Multi-Sector	ANR-DEC (CWIP)	Water Quality Restoration Formula Grants to Clean Water Service Providers (O&M)*	210,000			210,000
1.3	Multi-Sector	ANR-DEC (CWIP)	Basin Planning, Basin Water Quality Council Participation, Education, and Outreach	650,000			650,000
1.4	<i>Water Quality Enhancement Grants</i>						
1.41	Multi-Sector	ANR-DEC (CWIP)	Statewide Non-regulatory Clean Water Projects (not to Overlap with Formula Grants)*	5,000,000			5,000,000
1.42	Natural Resources	VHCB	Land Conservation and Water Quality Projects		2,000,000		2,000,000
1.5	Agriculture	AAFAM	Water Quality Grants to Partners and Farmers	4,991,111	200,000	5,451,781	10,642,892
1.6	<i>Agency and Partner Operating Support</i>						
1.61	Agriculture	AAFAM	Program Support	825,000			825,000
1.62	Multi-Sector	ANR-DEC (CWIP)	Program and Partner Support	950,540			950,540
<b>Tier 1 SUBTOTAL</b>				<b>19,626,651</b>	<b>2,200,000</b>	<b>5,451,781</b>	<b>27,278,432</b>
<b>Tier 1 % of Total</b>				<b>76%</b>	<b>33%</b>	<b>38%</b>	<b>58%</b>
<b>Clean Water Budget Statutory Priority Tier 2 (Items of Equal Priority)</b>							
2.1	<i>Outreach and Implementation of Forestry Acceptable Management Practices for Maintaining Water Quality</i>						
2.11	Natural Resources	ANR-FPR	Forestry and Portable Skidder Bridges and Water Quality Practices	110,000			110,000
2.12	Natural Resources	ANR-FPR	Implement BMPs at State Forests, Parks, and Recreational Access Roads		-	700,000	700,000
2.2	<i>Municipal Stormwater Implementation</i>						
2.21	Roads	VTrans	Municipal Roads Grants-in-Aid (MRGP)	3,317,498			3,317,498
2.22	Roads	VTrans	Municipal Better Roads (MRGP)	1,000,000			1,000,000
2.23	Stormwater	ANR-DEC (WIFP & CWIP)	Municipal Three-Acre General Permit and MS4*	1,550,000		4,500,000	6,050,000
2.3	Agriculture	VHCB	Water Quality Farm Improvement and Retirement Projects		200,000	600,000	800,000
2.4	Multi-Sector	ANR-DEC (CWIP)	Innovative or Alternative Technologies or Practices to Improve Water Quality				
<b>Tier 2 WIFP Total</b>				<b>5,977,498</b>	<b>200,000</b>	<b>5,800,000</b>	<b>11,977,498</b>
<b>Tier 2 % of Total</b>				<b>23%</b>	<b>3%</b>	<b>10%</b>	<b>26%</b>
<b>Clean Water Budget Statutory Priority Tier 3</b>							
3.1	Stormwater	ANR-DEC (WIFP)	Developed Lands Implementation Grants*			2,500,000	2,500,000
<b>Tier 3 WIFP Total</b>				<b>-</b>	<b>0%</b>	<b>2,500,000</b>	<b>2,500,000</b>
<b>Tier 3 % of Total</b>				<b>0%</b>	<b>0%</b>	<b>17%</b>	<b>5%</b>
<b>Clean Water Budget Other Priorities</b>							
4.1	Multi-Sector	ANR-DEC (Lakes)	Lakes in Crisis Fund	50,000			50,000
4.2	Stormwater	AoA	Stormwater Utility Payments (\$25K each)	25,000			25,000
4.3	Stormwater	ACCD	Better Connections and Downtown Transportation Fund	200,000			200,000
<b>Capital Bill Priorities</b>							
4.4	Wastewater	ANR-DEC (WIFP)	State Match to Clean Water State Revolving Fund (CWSRF) Federal Grant***		1,548,219		1,548,219
4.5	Wastewater	ANR-DEC (WIFP)	Municipal Pollution Control Grants		2,715,000	585,000	3,300,000
<b>Other SUBTOTAL</b>				<b>275,000</b>	<b>4,263,219</b>	<b>585,000</b>	<b>5,123,219</b>
<b>Other % of Total</b>				<b>1%</b>	<b>64%</b>	<b>4%</b>	<b>11%</b>
<b>Total Requested</b>				<b>25,879,149</b>	<b>6,663,219</b>	<b>14,336,781</b>	<b>46,879,149</b>
<b>Anticipated SFY 2023 Revenue</b>				<b>25,879,149</b>			



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## Water Quality Restoration “Formula Grant” and O&M

- Funds distributed through formula based on non-regulatory phosphorus reduction target and cost/unit phosphorus reduced.
- Clean Water Service Providers, advised by Basin Water Quality Councils, may subgrant to project implementors.
- Funds non-regulatory clean water projects with phosphorus reduction value, such as floodplain or wetland restoration, rain gardens, tree buffer plantings, & natural lakeshore stabilization projects.
- Funds Project ID through Implementation. O&M is separate.



Before (top) & after (below) Beecher Hill Brook floodplain restoration by Lewis Creek Association. Project restored 1.3 acres of floodplain

# “Formula” Grants



Albs \* B\$/lb

+



Clbs \* D\$/lb

+

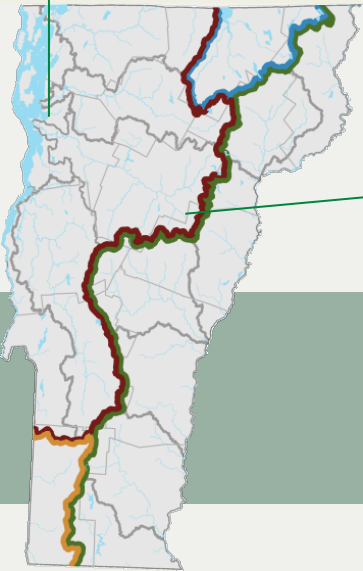


Elbs \* F\$/lb

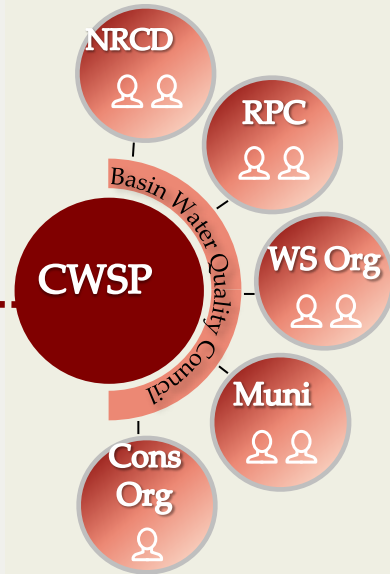
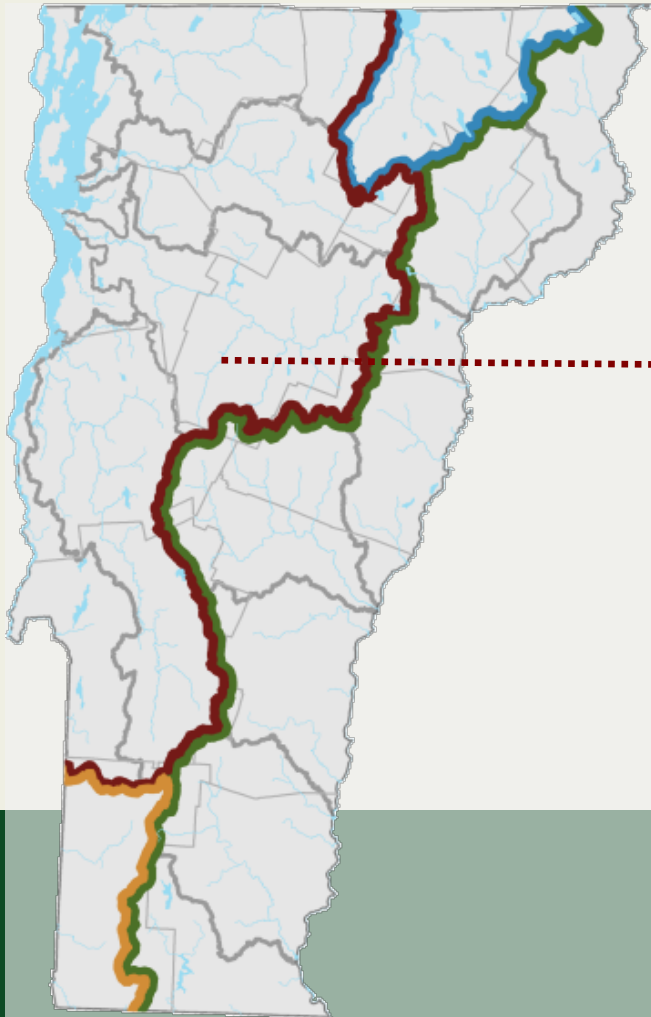
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Glbs \* H\$/lb



# “Formula” Grants



- **Clean Water Service Providers (CWSP)**
  - Receive and administer Formula Grants. Report Progress.
  - With Basin Water Quality Councils, identify, develop, construct, verify, inspect, operate, and maintain clean water projects.
- **Basin Water Quality Councils (BWQC)**
  - Provide localized water quality knowledge to establish policy and make decisions for the CWSP regarding the most significant water quality impairments.
  - Prioritize the projects.
  - Participate in the basin planning.
- **ANR-DEC**
  - Establish CWSP through rulemaking, Formula Grant guidelines and budget, oversee CWSP’s satisfactory progress.
  - Participate on BWQCs.
  - Provide technical assistance and tools.

# “Formula” Grants - Implications for Practitioners

Fund Administrators	Clean Water Service Providers (CWSP) advised by Basin Water Quality Councils.
Practitioner Considerations	Will need to apply to individual CWSPs based on location of proposed project. May have different solicitation timelines and processes. Pre-qualification process.
Geographic Focus	Lake Champlain and Lake Memphremagog basins by tactical basin planning watershed
Project Types	Non-regulatory clean water projects. <b>Heavily prioritized by phosphorus reduction potential.</b> Includes project identification (e.g. river corridor and lake watershed action plans) and development. Includes <u>O&amp;M</u> .
Funding Level	\$7,000,000 in SFY2023, includes administrative costs capped at 15% of total award. \$210,000 for <u>O&amp;M</u> .
Pending Tools and Trainings	Phosphorus Treatment Calculator, Practice Type Costing Rates, TMDL 101
Target timing	Grants executed with CWSPs by July 2022, solicitation of project proposals by CWSPs and BWQCs TBD, may vary by basin.

# Water Quality “Enhancement Grants”

- “This program shall be a competitive grant program to fund projects that protect high quality waters, maintain or improve water quality in all waters, restore degraded or stressed waters, create resilient watersheds and communities, and support the public’s use and enjoyment of the State’s waters.”
- Funds non-regulatory clean water projects statewide, such as floodplain or wetland restoration, rain gardens, tree buffer plantings, & natural lakeshore stabilization projects.



Before (top) & after (below) Norwich Reservoir dam removal by Connecticut River Conservancy; project reconnected 44 miles of river and planted 1.75 acres of buffer

# “Enhancement” Grants – Implications for Practitioners

Fund Administrators	Block grant and master contract holders.
Practitioner Considerations	Will need to follow block grant holder grant announcements or CWIP Grants Notification Listserv. May have different solicitation timelines and processes.
Geographic Focus	Statewide
Project Types	Non-regulatory clean water projects. <b>Prioritization and eligibility of projects TBD, may vary by basin.</b> Includes project identification (e.g. river corridor and lake watershed action plans) and development. Doesn't yet include O&M.
Funding Level	\$5,000,000 in SFY2023, includes administrative costs capped at 15% of total award.
Fund Dispersal	Competitive process. TBD, likely series of smaller block grants or master contracts by project type.
Pending Tools and Trainings	Identifying and accounting for “co-benefits”
Target timing	RFPs for block grants and master contracts to be drafted and released July – December 2022. Sub-grant application solicitations TBD by block grant holders.

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# Timeline

Woody Buffer Block Grant

Project Development Block Grant

Design Implementation Block Grant

Dam Removal Design Implementation Block Grant

March 2022

July 1, 2022

Fall 2022

December 31, 2023

July 1, 2024

December 31, 2024

“Formula” Grants

“Enhancement” Grants

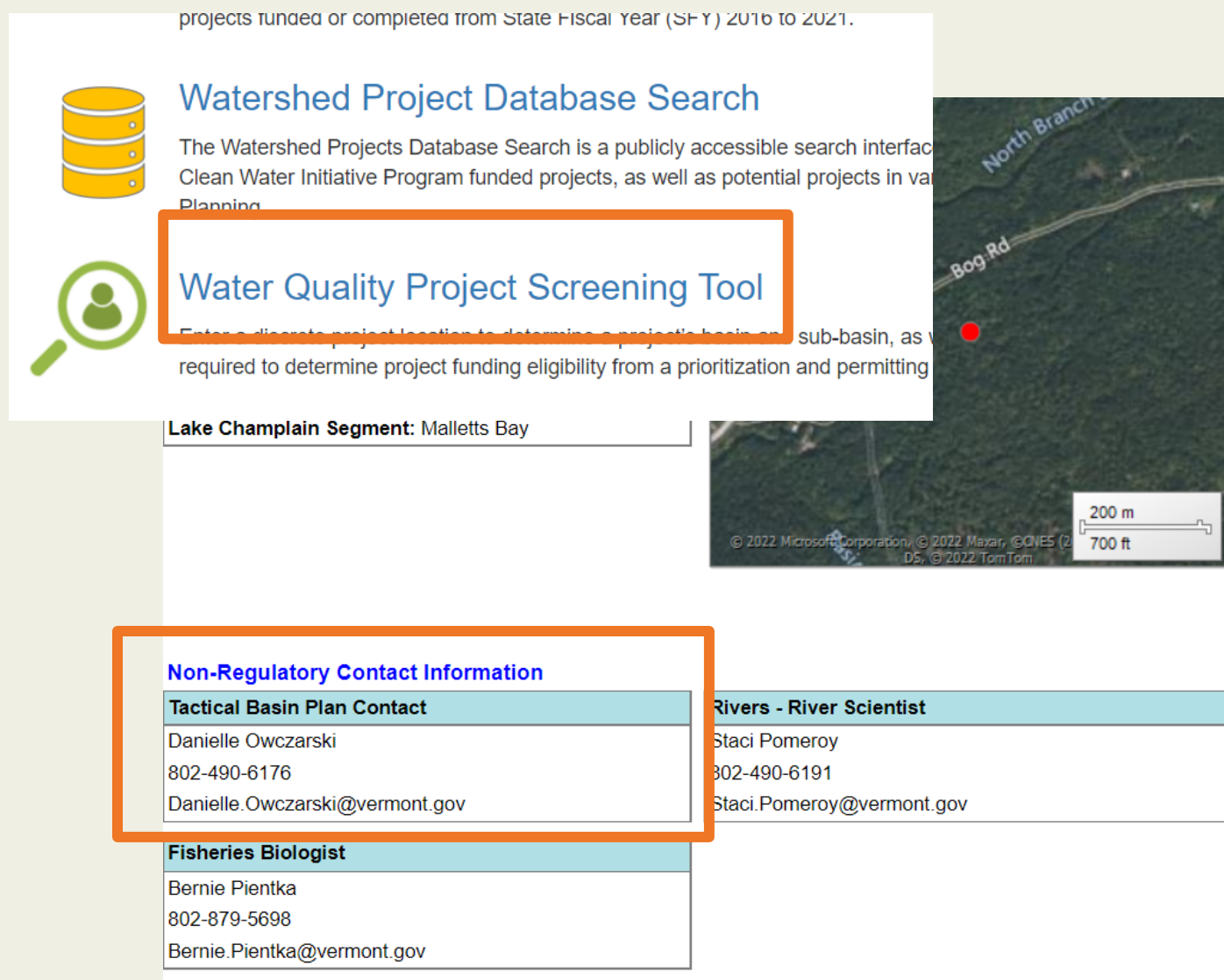
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# Opportunities for Engagement

- Basin Planning and [Watersheds Project Database](#)
- [Act 76](#) Guidance Advisory Group and [Sub-Groups](#)
- Formula Grant Methodology [Public Comment Period](#)
- [CWIP Listservs](#)

projects funded or completed from State Fiscal Year (SFY) 2016 to 2021.



## Watershed Project Database Search

The Watershed Projects Database Search is a publicly accessible search interface for Clean Water Initiative Program funded projects, as well as potential projects in various planning stages.

## Water Quality Project Screening Tool

Enter a discrete project location to determine a project's basin or sub-basin, as required to determine project funding eligibility from a prioritization and permitting process.

Lake Champlain Segment: Malletts Bay

### Non-Regulatory Contact Information

Tactical Basin Plan Contact	Rivers - River Scientist
Danielle Owczarski 802-490-6176 Danielle.Owczarski@vermont.gov	Staci Pomeroy 802-490-6191 Staci.Pomeroy@vermont.gov
<b>Fisheries Biologist</b> Bernie Pientka 802-879-5698 Bernie.Pientka@vermont.gov	

# Key Takeaways

- Existing grants to persist for a few years
- Launch of Formula and Enhancement grants means following new application procedures and tracking new partners
- O&M funding allows for new practitioner roles
- CWIP Listserv is a good way to stay up to date

# For more information:

Website: [cleanwater.vermont.gov](http://cleanwater.vermont.gov)

Gianna Petito, [gianna.petito@vermont.gov](mailto:gianna.petito@vermont.gov), 802-636-7547 (for Enhancement grant)

Emily Bird, [emily.bird@vermont.gov](mailto:emily.bird@vermont.gov), 802-490-4083 (for Formula grant)

Helen Carr, [helen.carr@vermont.gov](mailto:helen.carr@vermont.gov), 802-490-6115 (for O&M and tool development)

