

**Testimony of Mary Russ, Executive Director, White River Partnership before the House  
Committee on Natural Resources, Fish and Wildlife on 1/26/17**

Thank you for the opportunity to testify today on H.53.

The White River Partnership is a community-based, nonprofit organization bringing people and communities together to improve the long-term health of the White River and its watershed in east-central Vermont. To accomplish our mission we work with individuals, businesses, schools, towns, local and regional organizations, and state and federal agencies to identify and implement on-the-ground projects that protect and restore water quality, habitat, river stability, flood resilience, and recreational river access.

One of our most impactful and cost-effective implementation projects is planting trees to restore riparian buffers. Each year we work with 500+ partners, funders, landowners, and volunteers to plant 3,000 – 4,000 native trees along the river. Since 2001 we've planted over 50,000 trees along the White River, restoring ~150 acres of riparian buffers. For all of these planting projects we raise funding to cover 100% of the costs. In exchange landowners sign a 20-year agreement to maintain the 35-foot-minimum-width buffer, which we monitor routinely to insure long-term success.

Planting trees provides a multitude of benefits to the environment and the community. Restoring riparian buffers:

- Improves water quality by filtering pollutants out of water running across the landscape before entering a surface water;
- Improves habitat by lowering water temperatures and providing food, cover, and travelways for all wildlife;
- Improves river stability by slowing the rate of natural erosion; and
- Improves flood resilience by holding soils in place and slowing floodwaters.

Last year we learned from the Floodplain Management Division that we should apply for local floodplain permits to implement riparian planting projects; we had not applied for permits to implement stand-alone planting projects up to that point. Since then we've researched the various bylaws in our watershed (there are 28 towns in our service area), and have learned 2 important things:

- 1) local floodplain bylaws are not explicit with respect to riparian plantings, and
- 2) floodplain administrators interpret the lack of guidance very differently.

For example one floodplain administrator may waive the need for a permit altogether because there is no guidance while another floodplain administrator may require a permit because riparian plantings technically fit within the standard definition of development: “any manmade change to improved or unimproved real estate...”

Unfortunately most riparian plantings are located in mapped floodways and most floodplain bylaws prohibit development in these areas “unless it has been demonstrated through hydrologic

and hydraulic analyses performed in accordance with standard engineering practice by a registered Vermont licensed engineer and certified that the proposed development will result in no increase in flood levels during the occurrence of the base flood.” A no-rise analysis can cost as much as \$10,000 per site; the WRP cannot afford to conduct this type of analysis for 1 riparian planting project let alone the 10-15 projects we complete each year. In this way the lack of clarity regarding the applicability of local floodplain bylaws to riparian plantings may result in fewer planting projects in the White River watershed, and perhaps across Vermont.

Because the proposed legislation recognizes the importance of riparian plantings to floodplain function and flood resilience and exempts these stand-alone plantings from local floodplain bylaws, the WRP strongly supports H.53.