

**White River Partnership testimony to the Vermont Senate Natural Resources Committee
February 13, 2019**

Thank you Senator Bray and Committee members for this opportunity to provide testimony on Vermont's Clean Water Fund.

My name is Mary Russ. I live with my family in Sharon, Vermont. I am the Executive Director of the White River Partnership, a community-based, non-profit organization operating to protect and improve the long-term health of central Vermont's White River watershed. I am also the current Board Chair for Watersheds United Vermont, the association working on behalf of Vermont's watershed groups. I am passionate about clean water and would be pleased to be a resource to the Senate Natural Resources Committee as this important conversation continues in the weeks and months ahead.

I want to start with a few key points:

- Vermont's watershed groups (WGs) exist to protect and improve water quality and watershed health in all areas of state.
- WG constituents include everyone in the state – all landowners across all sectors. We work with anyone and everyone interested in helping achieve our clean water goals.
- Each WG's work is specialized, reflecting the issues and priorities within their home watersheds. However all WGs share common core functions:
 - All WGs collect scientific assessment and monitoring data to keep tabs on the health of their home rivers and watersheds – from Phase 2 stream geomorphic assessments to stream-crossing culvert inventories to water quality monitoring data at swimming holes and more. WGs work with technical partners to analyze this data in order to identify issues and opportunities and to prioritize on-the-ground clean water projects.
 - WGs also actively cultivate relationships among their diverse watershed constituencies, enabling them to act as a liaison between individuals and groups as opportunities arise – from responding to immediate needs – like flood recovery work following Tropical Storm Irene – to gathering community input on strategic opportunities – like Tactical Basin Planning priorities – to garnering landowner support for priority clean water projects.
 - Finally WGs routinely implement complex, on-the-ground restoration projects – including aquatic organism passage, floodplain conservation, habitat restoration, green stormwater infrastructure projects, and more. WGs engage multiple community stakeholders in all phases of project implementation and effectiveness monitoring, including volunteers, teachers and students, and other local groups like conservation, planning, and recreation commissions to expand the education and stewardship benefits these clean water projects provide.
- To accomplish this important work WGs rely on a diverse mix of federal, state, local, and private funding, leveraging each funding source to raise necessary dollars to accomplish on-the-ground objectives.
- As a result WGs support the development of a secure, long-term Clean Water Fund (CWF) that is administered effectively and efficiently and is tied to on-the-ground, clean water outcomes state-wide.

About the White River Partnership

Vermont's White River is unique. You can paddle and swim and fish – and more – in the White River. Its water is cold and clean; it's free-flowing; it's accessible; and people who live in the valley value the river. In fact it was a group of local people who came together 23 years ago to figure out how to keep the White River healthy – and that discussion led to the creation of the organization I work for: the White River Partnership.

Since then the Partnership team – 3 paid staff and 7 volunteer Board members – has worked with our technical and community partners to identify the threats to a healthy White River: eroding river banks degrade water quality; undersized culverts block fish passage; and development right along the river means homes and businesses are vulnerable to flood damages. We've also identified solutions and together we've completed hundreds of on-the-ground projects designed to address those threats.

For example we plant thousands of trees along the river each year to keep the river cold and clean; we monitor water quality at a swimming hole in every town to let communities know whether it's safe to swim; we replace undersized culverts to reconnect habitat and conserve floodplains to improve flood resilience; and we engage community members in all of these activities – hundreds of volunteers help plant trees, grab water samples, and visit restoration sites before and after the work is completed. And we partner with hundreds of students and teachers to use the river as an outdoor classroom, teaching the next generation about watershed issues and solutions.

Together we're making a difference. And that's the key: working together to improve the long-term health of the river. We're all part of one of Vermont's watersheds – when a watershed is healthy, we all benefit.

But despite our successes, the White River watershed faces significant obstacles. Climate change means more rain, more often in New England and we experienced what that means first hand when Tropical Storm Irene flooding devastated the White River valley in 2011. (As you know) thousands of homes and businesses and hundreds of miles of roads were damaged or washed-away.

The Partnership responded immediately, helping communities rebuild in a way that better prepares us for the future: trees along the river slow down floodwaters and keep riverbanks in place; larger culverts mean roads don't wash away; protected floodplains mean homes and businesses aren't in flood waters' path.

The need to do more is immense and the White River Partnership is committed to addressing these needs.

Clean Water Fund criteria

As I mentioned before, WGs like the WRP rely on a diverse mix of funds to plan, design, and implement a spectrum of clean water projects in all of Vermont's watersheds – including critical state funding sources like the long-standing Ecosystem Restoration Program and newer Clean Water Fund programs like the Buffer Block Grant, River Corridor Easement Block Grant, Project Development and Project Implementation Block Grants, and more.

WGs understand that Vermonters value clean water and are willing to pay for the benefits clean water provides. We also know that Vermonters need to know that clean water funding is being spent responsibly and is accomplishing measurable clean water goals now and into the future. We agree that transparency and accountability are crucial elements to any clean water funding structure in order to insure clean water goals are being met in all parts of the state. As a result we support the development of a secure, long-term Clean Water Fund (CWF) that is administered effectively and efficiently and is tied to on-the-ground, clean water outcomes state-wide.

I believe ANR's proposed Clean Water Fund bill does not meet the above criteria for a variety of reasons:

1. The CWF should be available for clean water work in **all areas of the state**. ANR's proposed bill does not apply to the whole state, instead focusing all Clean Water Funds on Lake Champlain and Lake Memphremagog.
 - a. All areas of the state would include:
 - i. All watersheds – 15 basins
 - ii. All sectors – private landowners, ag/forest producers, businesses, towns
 - iii. All land (public or private) that can provide clean water benefits
2. The CWF should apply to **all types of waters**. ANR's proposed bill only applies to impaired waters with associated TMDLs.
 - a. All types of waters include:
 - i. Waters that exceed Water Quality Standards
 - ii. Waters that meet Water Quality Standards
 - iii. Stressed waters
 - iv. Impaired waters without TMDLs
 - v. Impaired waters with TMDLs
3. The CWF should apply to **all clean water issues** – like aquatic organism passage, floodplain access, habitat function, flood resilience, pollutant reduction, and more – and **all clean water projects** designed to address these issues – like dam removals, floodplain restoration, riparian buffer plantings, river corridor easements, stormwater projects, and more. ANR's proposed bill applies only to phosphorus and projects designed to achieve TMDL-specific pollutant reduction targets.
4. The CWF should **support all project phases**, including strategic assessments, education & outreach, project development, design & permitting, implementation, operations & maintenance, and effectiveness monitoring. ANR's proposed bill may only support

implementation projects, which would provide the most “bang for your buck” related to pollutant reduction.

5. The CWF should maintain integration with **existing technical expertise at VT DEC**. Prioritizing projects and providing accountability oversight are key roles DEC should continue to play with respect to the CWF. ANR’s proposed bill shifts project prioritization/project selection/accountability oversight to regional entities without sufficient technical expertise to insure all projects are accomplishing clean water goals.
6. The CWF should **strengthen existing, watershed-based, basin planning work**. Basin planning is a requirement of the federal Clean Water Act and Tactical Basin Plans (TBP) are developed for all 15 Vermont basins every 5 years. ANR’s proposed bill would duplicate existing “regional” collaborations.
 - a. DEC should have adequate funding to support Basin Planners in order to develop TBP priority project lists that accomplish measurable clean water goals.
 - b. All community-based project implementers, including watershed groups, should participate and receive funds to participate in Tactical Basin Planning.
 - i. We’d like to request adding “watershed groups” to 26 VSA §1253 (d)(1).
7. The CWF should **engage state-wide and regional partners efficiently**. These clean water partners include TNC, VACD, VLT, VRC, VYCC, WUV, and others. ANR’s proposed bill decentralizes engagement for key state-wide clean water partners, reducing their capacity to be involved in a meaningful way.
8. The CWF should **insure local implementers have equal access to funding**. ANR’s proposed bill introduces a clear conflict of interest – a local implementer could be the regional utility, assuming responsibility for funding administration, prioritization, and project selection while also receiving funding for project implementation.
9. Finally the CWF should **reflect the obligations outlined in Vermont’s Clean Water Act** (Act 64 Section 1 Subsection a):
 - (9) To protect the waters of the State and preserve the quality of life of the citizens of Vermont, the State of Vermont should:
 - (A) fully implement the antidegradation implementation policy in the Vermont Water Quality Standards;
 - (B) enhance, implement, and enforce regulatory requirements for water quality; and
 - (C) sufficiently and sustainably finance all water quality programs within the State.

In summary I believe the recently-introduced bill S.96, rather than ANR’s proposed bill, embodies the CWF criteria listed above. I look forward to following its progress through the Senate and House – and providing testimony if/as needed – this session.

I am grateful the Senate Natural Resource Committee is taking action on the Clean Water Fund this session. Thank you again for this opportunity to provide testimony.