The Honorable Patrick Leahy
437 Russell Senate Building
United States Senate
Washington, DC 20510

The Honorable Bernie Sanders
332 Dirksen Building
United States Senate
Washington, DC 205100

The Honorable Peter Welch
2187 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Via E-mail

February 13, 2021

Dear Senator Leahy, Senator Sanders, and Congressman Welch,

We are writing on behalf of the below-listed Vermont organizations, and the tens of thousands of Vermonters we represent, because we strongly believe that we can and must shape emergency response and relief measures that simultaneously address multiple challenges -- including a healthy environment and inequities embedded in our current systems. We are grateful for your leadership and vision during these deeply challenging times.

As Congress identifies funding priorities - in the Budget Reconciliation process, the FY22 budget, and any future stimulus bills - we have identified specific examples of investments that will help achieve concurrent economic and nature-based goals. By funding these programs now, as we rebuild the economy we can put people to work helping create a stronger and more resilient Vermont now and for the future.

Specific programs that we recommend increasing investments to include:

Investing in projects to improve water quality, restore habitats, and mitigate floods.

- **Fund the completion of updates to the National Wetlands Inventory (NWI) Plus mapping - $2 million**. There is a need to improve the National Wetlands Inventory (NWI) mapping in Vermont to provide a baseline understanding as to the actual extent of

wetlands and the ability to use this data to plan for their protection in the face of climate change. Currently only 30% of Vermont has been updated with current NWI Plus mapping technology and approximately 15 Tactical Basins (70% of the State) remain to be mapped using this new NWI Plus methodology.

- **Establish a fund for Free-Flowing Rivers - $20 million.** There are hundreds of dams on Vermont tributaries that serve no useful purpose and block aquatic organism passage. In addition, old dams are commonly in disrepair and pose safety risks to downstream communities in the case of failure. Although many of these dams were originally built for mechanical power or water supply, most are obsolete and create hazards to local communities. In addition, they block migration passage for important aquatic organisms. This fund would provide resources to remove high priority barriers. Prioritization work to identify dams with the greatest impact to aquatic habitat has already been conducted in Vermont. The National Fish Passage Program within the U.S. Fish & Wildlife Service and the USFWS Partners for Fish and Wildlife Program have provided help for dam removals. The USFWS National Fish Passage Program generally awards less than $100,000 to any one dam removal project, and funding is determined at the Regional Office level so that all proposed projects in the Northeast are competing against each other for a limited pot of funding. If additional funding were added to the program more projects could be completed in a shorter time frame, and we could put more people to work on these projects.
- **Make Dam Removal an eligible activity under the FEMA Hazard Mitigation Grant Program (HMGP)**. It has already been explicitly included as an eligible activity under the new Building Resilient Communities and Infrastructure (BRIC) program.
- **Fund the Connecticut River Atlantic Salmon Commission - $4 million.** Migratory fish have historically migrated throughout the Connecticut River watershed including Vermont. Vermont rivers support productive habitat for spawning of migratory fish including American shad, sea lamprey, and American eel. Connecting and restoring this habitat supports the rebuilding of regionally and nationally important fishery populations. Research and management actions taken to support migratory fish species have important co-benefits to other resident aquatic species including those in Vermont that support recreational fisheries. Expanded research, monitoring and conservation work by the Connecticut River Atlantic Salmon Commission, a Congressional compact, will support the restoration of migratory fish in the Connecticut River watershed.
- **Re-Start the EPA Section 314 Clean Lakes Program - $0.5 billion.** Results from the last three National Lakes Assessments conducted by the EPA demonstrate the declining water quality of lakes across the country and the need for restoration work in “clean” and “impaired” lakes. However, after a $145 million, 20-year investment in protecting clean lakes, the EPA re-directed all of this support into CWA Section 319 to restore impaired lakes, leaving a critical gap in funding to support clean lake assessment and restoration. If funded at $0.5 billion:

    - $10 million to EPA and the EPA regions to administer the program nationally, including new FTE support
    - $200 million for new lake assessments
    - $100 million for diagnostic/feasibility studies for lakes with completed assessments
    - $170 million for implementation of management practices to protect clean lakes
    - $20 million for post-restoration monitoring
- **Increase the authorization for Lake Champlain Basin Program funding through the Lake Champlain Special Designation Act (Section 120 of the Clean Water Act) to $25 million –** For 30 years, the Lake Champlain Basin Program (LCBP) has brought together jurisdictional partners from Vermont, New York, Quebec and numerous federal agencies to coordinate environmental management in the Lake Champlain Basin and implement the Lake Champlain restoration plan. LCBP provides critical funding to state agencies and nonprofit organizations to implement pollution prevention projects, undertake research and monitoring, and advance environmental stewardship to protect and restore water quality. Climate change and Basin population growth are increasing pressures on the Lake's ecosystem which require additional resources to monitor and mitigate impacts.
- **Reauthorize the Champlain Valley National Heritage Partnership for $1 million (National Heritage Areas Act of 2006, Public Law No: 109-338) –** The Champlain Valley National Heritage Partnership (CVNHP) provides key funding to carry out the cultural and recreational priorities of the Lake Champlain Special Designation Act that help connect people to the region's history and cultural, recreational, and ecological resources. Without re-authorization and a dedicated funding stream, financial support for the CVNHP may be drawn from other Lake Champlain sources, including the Great Lakes Fishery Commission and CWA Section 120, reducing resources available for water quality-related programming.
- **Fund for Lake Champlain public access, shoreline restoration, farm buyouts, and wetland acquisition - $10 million.** This fund will enhance the public's access to Lake Champlain by supporting acquisition and preservation of land along the lake and its tributaries. Remarkable and ecologically important parcels of land on Lake Champlain's shoreline and tributaries are held privately, and park visitation has increased in recent years. In addition, some shoreline farms have historically contributed large amounts of phosphorus, herbicides, pesticides, and other pollutants to the Lake. With sufficient resources, Lake Champlain Basin partners could open access to shoreline and tributary areas while simultaneously ensuring preservation and providing opportunities for restoration. The COVID-19 pandemic has highlighted the value of outdoor public space and public access to Lake Champlain. Parks and public spaces were used heavily, and were often overcrowded. Any additional points of access and enjoyment for Lake Champlain would be highly valuable assets, especially in densely populated regions of

the basin. This fund would be used to acquire and preserve high value land along Lake Champlain and its tributaries. This work will create co-benefits to Vermonters by simultaneously improving water quality, wildlife habitat, accessible public space, and new recreational opportunities.

- **Real-time environmental monitoring for Lake Champlain - $1.5 million.** Accurate water quality and biological data is critical to the effective management of Lake Champlain. The long-term monitoring program has provided high quality environmental data since 1990. This project would enhance and modernize the program by adding a network of data buoys to inform stakeholders in real-time.
- **Connecticut River Hydrilla Survey and Management Program - $2 million.** Funding will be used to conduct and evaluate a Connecticut River hydrilla survey and support treatment and containment where feasible. Hydrilla has not yet been detected in Vermont and preventing its spread upstream in the river is critical to minimizing the economic and ecological impact of this species introduction to Vermont and spread to inland lakes. Hydrilla, a very aggressive invasive aquatic plant, has been confirmed in the CT and southern MA sections of the CT River. Hydrilla poses a significant economic risk to Vermont and the surrounding Northeast region. The states of NH, VT, CT, and MA have worked together to conduct a preliminary survey of the river, collected samples, and have confirmed a unique genetic strain of hydrilla in the CT and southern MA sections of the river. The Northeast states require assistance and expertise from the USACE to help coordinate a response and determine how best to survey and contain hydrilla in the river. Resources needed include a total of $2,000,000:
    - $300,000 investment in survey monitoring and sample collection and analysis
    - $1,300,000 for hydrilla treatment/containment and management
    - $400,000 for outreach and spread prevention programming
- **Fund the completion of Vermont's Functioning Floodplains Initiative - $1 million.** This work would expand to the Memphremagog, Connecticut River and Hudson River basins in Vermont. The Functioning Floodplains Initiative is now underway in the Lake Champlain Basin of Vermont to identify nature-based projects through scoring, tracking, and mapping of floodplain and wetland functions and quantification of their social values in a publicly accessible web application. Opportunities to achieve Vermont's water quality standards, flood resilience, and ecosystem function are being identified by modelling the connectivity and natural processes that may need protection or that could be restored through re-connection projects, including dam removals, wetland restoration, river corridor easements and floodplain reforestation. Benefit-cost data will be used to prioritize sets of restoration and protection projects in the stream network and to support societal agreements for project implementation.
- **Increase funding for Vermont from the Forest Legacy and Land and Water Conservation Funds**. Further, given current funding constraints from other matching sources, it would be very helpful to at least temporarily waive or reduce the requirement

of a 50/50 match for LWCF stateside funds, and to make Forest Legacy and Land and Water Conservation Fund (LWCF) dollars explicitly available to serve as matching funds for FEMA HMA grants. This would support projects with "co-benefits," allowing for projects which meet the objectives of watershed and habitat protection to also leverage Hazard Mitigation funds because they provide flood mitigation benefits as well.

- **Make CDBG-DR a recovery tool for every federal disaster**. Not all federal grants can be used as matching funds for the 25% non-federal share of Hazard Mitigation Assistance (HMA) Grants. Community Development Block Grants tied to specific disasters (CDBG-DR) are explicitly listed as allowable for HMA match. This makes them particularly valuable to States recovering from disasters. CDBG-DR should be available automatically for every federal disaster on a formula basis. Currently CDBG-DR is not automatic and depends on magnitude and politics, and it is not predictable. But CDBG-DR is always helpful in economic recovery after a disaster. For example, after Tropical Storm Irene Vermont was able to use CDBG-DR as non-federal matching funds to buy out more than 100 destroyed homes in flood-prone locations.
- **Make management costs automatic within the Hazard Mitigation provisions of the Stafford Act** (currently up to 10% for grantees and 5% for subgrantees) and block-granted rather than based on laborious documentation of actual costs. This would reduce accounting requirements, eliminate the problem of "leaving management costs on the table", and allow States to budget predictably for future hazard mitigation capacity. Management costs should roll over beyond a specific disaster into general hazard mitigation program support. Furthermore, HMA grants should be managed by FEMA more as block grants to States and Tribes, with less micromanagement (particularly acute in Region 1).
- **Increase funding of the USFWS Partners for Fish and Wildlife Program to $16,000,000** for riparian buffer planting projects, culvert replacements, floodplain restoration, wetlands restoration, woody debris addition and other restoration projects. Funds would be available for distribution throughout all four major Vermont drainage basins (Hudson River, Lake Champlain, Connecticut River, and Lake Memphremagog). This would provide a timely ecological and economic boost to Vermont's communities.

Ensuring safe, clean drinking water, free of toxic contamination.

- **Contaminant Monitoring Program for Lake Champlain - $1.4 million.** Lake Champlain is invaluable to Vermont as a drinking water supply and recreational resource, and is central to a strong tourism economy. Pilot data indicates that a group of contaminants, including dioxins, furans, PBDEs, and HBCDs are all elevated in lake trout collected from Lake Champlain. This program will characterize legacy and emerging contaminants, identify sources of contaminants, and provide needed information to remediate their effects. With this information, Vermonters will benefit from a healthier Lake Champlain to enjoy, and a safer source for drinking water. Contaminant monitoring

is critical to ensure the safety of our drinking water supplies in Vermont and across the Nation, and to prevent contamination of the fish we enjoy as a food source. This concern has been elevated to the national level recently with the discovery of PFAS in many municipal water supplies in Vermont and nationally. Lake Champlain serves as a drinking water supply for hundreds of thousands of people and supports a strong fishery in Vermont. A long history of land use, industrial and agricultural activities, and consumer product disposal creates the potential for harmful contaminants to be present and unnoticed in the lake and its tributaries. Because there are many types of contaminants and testing can be labor intensive and expensive, testing for several types of contaminants in Lake Champlain water and wildlife has been out of reach with currently available resources. Resources needed include a total of $1,400,000:

    - $200,000 investment in monitoring and sample collection equipment (capital cost)
    - $500,000 for laboratory analytical services in Year 1, plus reduced annual analytical cost for 3-4 years
    - $300,000 for initial assessment for sample collection and processing, plus recurring sample events annually for 3-4 years
    - $300,000 for initial project implementation and outreach, plus recurring annual implementation and outreach for 3-4 years
    - Catalyzing rural revitalization, smart growth, and housing with appropriate infrastructure investments, particularly in innovative wastewater treatment systems and outdoor recreation.
- **Establish a pilot program within the Clean Water State Revolving Fund** that provides grants to rural communities pursuing economic development and housing opportunities in compact, smart growth locations. Grants rather than loans would help communities with a small user base develop infrastructure needed to grow housing and local business, without cost-burdening residents. The pilot program should explicitly allow the phased build-out of systems in order to make incremental development - the standard and appropriate type of development in Vermont's small communities - possible. It should also explicitly require that systems serve compact downtown and village areas to ensure that infrastructure development does not enable sprawl and fragmentation of resource lands.

Support Vermont's forest economy and outdoor recreation economy.

- **Direct that USDOT BUILD Program discretionary funds be used toward transformative multi-use recreational trail development** that demonstrates high environmental standards and is designed, proactively, to augment private land conservation and public lands creation or expansion opportunities.
- **Allocate funding for trail scoping and planning for Green Mountain National Forest Acquisitions** that offer new trail and trailhead infrastructure (White Rocks Gateway, Wallingford).

- **Add $20 million in funding to the Recreation Trails Funding Program** (Transportation) to create funds for planning, permitting and construction of statewide 485-mile Velomont Trail and 45 Huts and Vermont Youth Conservation Corps (VYCC) workforce training for hut construction.

While noted in several specific budget requests, we ask more broadly that the Federal match requirement be temporarily suspended or reduced for several years to allow for state agencies, municipalities, and private and nonprofit organizations to access federal funds unimpeded and allow for a speedier economic recovery. A significant barrier to the use of federal funds is the matching requirement. Even in better economic times, the state, local, or private matching funds needed to leverage and access federal funding can be challenging to procure. Today, this is more prevalent due to the impacts of COVID-19 on budgets. Because of this, an increase in federal funds alone may not be enough to help local economies, as a commensurate amount of state, local, private or nonprofit funding may not be available to fulfill the matching requirements.

As examples, the Clean Water State Revolving Loan Fund and the Drinking Water State Revolving Loan Fund are available to municipalities for low-interest loans to modernize wastewater and drinking systems. However, a 20% match is required from the state budget, which limits the federal funding that is accessible for these important programs. Similarly, the U.S. Fish & Wildlife Service's Wildlife Restoration Program requires a 25% non-federal match to access the federal funds needed for restoration and conservation of wildlife habitat. This is also the case with the recently reauthorized and permanently fully funded Land and Water Conservation Fund, which requires a 50% non-federal match for state-side investments. The Vermont Recreational Trails Program requires a 20% non-federal match, while U.S. Forest Service Grants require a non-federal match of 20% to 50% depending on the type of project.

It is not just state and local governments that cannot meet matching requirements, but also private and non-profit organizations. Non-profit watershed groups, for example, have state and federal grants that require non-federal matching funds. Sources of non-federal funding that may have been reliable in the past have shifted to meet other needs driven by unemployment and food insecurity resulting from the pandemic. Vermont organizations are challenged to implement programs using their Vermont State Wildlife Grants, Lake Champlain Basin Program grants, and subawards from Lake Champlain SeaGrant because of the difficulty of procuring non-federal match in this environment.

In conclusion, we strongly believe that any Budget Reconciliation, future stimulus bills, and the FY22 budget should work to proactively address ongoing environmental crises as we Build Back Better. Through strategic investments, such as in the programs highlighted in this letter, we can support an economic and public health recovery that puts people to work and rebuilds our local economies and communities in ways that makes them more resilient to current and future threats.

We greatly appreciate your ongoing leadership at this critical time. We look forward to working with you on these important initiatives. Please let us know if you have questions or other ideas for us to consider. Thank you again for all you are doing during these trying times.

Sincerely,

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Audubon Vermont

Kathy Urffer, River Steward
Connecticut River Conservancy

Jen Duggan, Vermont Director
Conservation Law Foundation

Lori Fisher, Executive Director
Lake Champlain Committee

Shelby Semmes, Northern New England Area Director
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Jordan Giaconia, Public Policy Manager
Vermont Businesses for Social Responsibility

Lauren Hierl, Executive Director
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Brian Shupe, Executive Director
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Steve Libby, Executive Director
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Lyn Munno, Director
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