

Testimony Summary of Chris Company, Executive Director, Windham Regional Commission, January 5, 2023

Submitted to: Joint meeting of the House Committee on Transportation & House Committee on Environment and Energy

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In-person testimony provided January 5, 2023. Written comments submitted January 10, 2023.

Municipal Road Maintenance Realities & Climate Change

- Frequency and severity of both rain, snow, ice, and wind storms has markedly changed maintenance and cost dynamics. Towns are increasingly in a condition of perpetual response. Regular maintenance work that would normally occur in summers may not be possible if road crews have to respond to damage done by successive rounds of summer storms or a few major storms (what much of the state went through this year was experienced by southeast Vermont in 2021 as well). Roads not freezing in winter can result in the plowing up of the roadbeds themselves, as well as more frequent “mud season” periods throughout winter. Heavier snow and ice loads result in more downed trees to clear, and the need for better coordination between electrical utilities and road crews.
- Need to ensure the Municipal Roads General Permit (MRGP) requirements are in line with new road maintenance realities so towns can achieve the MRGP goals. This includes compliance timetables, maintenance of improvements under the MRGP (including maintenance of rip rap in ditches that may have become more quickly embedded with sediment than anticipated), and the support towns will need for updated road erosion inventories.
- Need to ensure that programs that support municipal transportation, especially rural roads, align with emerging realities and trends. This includes grant programs through not only VTrans, but also Vermont Emergency Management and the Agency of Natural Resources.
- As towns have to rebuild after a disaster, while often having the ability to incorporate mitigation measures when repairing or replacing infrastructure, it can reduce their capacity to pursue other needs.

River – and Stream – Corridor Planning

- Recognize that watersheds don't stop at town boundaries, and that river corridor planning – and project implementation – are inherently intermunicipal in nature. Need to objectively assess most efficacious approach, which may require more leadership and coordination at the state level working with regions and towns.
- Project scoping and development should be supported on an ongoing basis. Taking an “opportunistic” approach based in part upon towns with capacity to develop and implement projects over years is not the comprehensive planning and implementation approach that is needed.
- Floodplain protection and access involves both land use policy and regulation, and project development and implementation. As a state we need to develop an approach that can create outcomes that protect life and property, recognize the dynamic nature of river and stream systems, and the importance of riparian ecosystem vitality as a flood mitigation strategy.
- Is it possible to consider a holistic “waters” strategy? Rather than having a stratified approach that addresses flood and river corridor hazards, water quality, and ecosystem health separately, could the state pursue a strategy that recognizes the interrelationships among these aquatic system dynamics and policy areas?
- Headwaters protection is essential to both buffer floodwaters and to recognize the changing dynamic of smaller headwaters streams as intense rainfall events increase in both frequency and intensity. These smaller tributaries are carrying more water and debris resulting in damage to transportation infrastructure and property. We need to do more planning around these systems and consider possible regulatory tools to maintain headwaters ecosystem functions and reduce future damage.

Compact Settlement Planning

- The state must invest in the infrastructure necessary to make compact settlement possible, and to grow it away from river and stream flooding impacts. This requires investment in wastewater and water systems, but also roads, bicycle and pedestrian infrastructure, stormwater systems, streetscapes, parks, civic uses – everything that makes for a livable place.
- Master planning compact settlements is essential to understand what development is possible and appropriate and what investments it will take to make compact settlement a reality. Plan policies and zoning bylaws are necessary but insufficient, and physical master plans can help inform both.
- River and stream corridor planning upstream and downstream of compact settlements, including floodplain access and other mitigation strategies, is essential.
- The effect that state highways have on the quality of life of the communities through which they run cannot be underestimated. This must be taken into account as VTrans updates the state's design standards.

- The current all or nothing approach to towns assuming all maintenance of state highways – the adoption of state highways as Class 1 town highways – in order to improve neighborhood livability and bicycle, pedestrian, and transit safety and mobility should be revisited. Towns should have the option of maintaining traffic calming and bicycle and pedestrian infrastructure rather than assuming all maintenance of a state highway.

*“Such pondering on the facts of gravity and the fluidity of water shows us that the golden rule speaks to a condition of absolute interdependency and obligation. People who live on rivers – or, in fact, anywhere in a watershed – might rephrase the rule in this way: **Do unto those downstream as you’d have those upstream do unto you.**” - Wendell Berry from “Watershed and Commonwealth” in *The Citizenship Papers*.*