

Waitsfield Wastewater Planning Project

Update #2

To: Waitsfield Selectboard
From: Joshua Schwartz, MRV Planning District
CC: Waitsfield Wastewater Planning Project Team Members
Annie Decker-Dell'Isola, Waitsfield Town Admin.
JB Weir, Waitsfield Planning & Zoning Admin.
Randy Brittingham, Waitsfield Town Treasurer/Grant Admin.
Bob Cook, Waitsfield Planning Commissioner
Chach Curtis, Waitsfield Selectboard Member
Robin Morris, Waitsfield Water Commissioner
Jon Ashley, DuBois & King
Date: May 5, 2023
Re: Waitsfield Wastewater Planning Project Update #2

This serves as the second regular update on the Waitsfield Wastewater Planning Project, a task I'm carrying out in my role as Planning Coordination Team Lead (as articulated in the *Memorandum of Understanding between the Town of Waitsfield and the Mad River Valley Planning District for the Waitsfield Wastewater Planning Project*). The purpose of these updates is to ensure the Waitsfield Selectboard and Waitsfield Wastewater Planning Project Team Members are abreast of project status and developments, summarizing activities over the preceding weeks. This update follows Update #1, dated 4.14, as well as the subsequent Joint Waitsfield Selectboard & Planning Commission Meeting of 4.17.

Recent Activities

Project Coordination Team (PCT)

- Meetings: 4.17, 4.26, 5.2 (upcoming: 5.8, 5.15)
- Activities:
 - Presented WW Planning Project Update #1 at 4.17 Joint Waitsfield SB & PC Mtg
 - Clarifying funding and timing strategy for Final Design stage with DEC. In order to meet the 6/30 CWSRF funding application deadline, it will need VT DEC certification, ESA agreement, project scope, etc. for Selectboard review at its 6/26 Meeting.

Engineering/Technical Team (ETT)

- Meetings: 4.20, 4.26 (upcoming: 5.11, 5.17)
- Activities:
 - Reviewed Jon Ashley's (D&K) preliminary engineering work on a potential disposal scenario within Waitsfield Village. Exploration led to the ETT unanimously agreeing to pause further exploration and explore alternatives.
 - Reviewed Jon Ashley's demand calculations, which indicate that Munn alone doesn't have sufficient disposal capacity to accommodate both current and estimated future needs. Work is needed to further analyze old systems, potential new businesses/residential, and other categories which will require an analysis of allocation options. This work is ongoing.
 - Explored possibility of an additional disposal option, which would require further engineering and site work. This would be explored outside of the scope of the existing PER. If work continues, it will likely be an addendum to the PER.

Funding Team (FT)

- Meetings: 4.17, 4.19
- Activities:
 - Clarified CWSRF funding opportunities & rules w/ DEC staff
 - Recent DEC rule clarified eligibility areas where subsidized (grants) CWSRF and ARPA funding can be used. (*Guidance for the Application of the Municipal Pollution Control Priority System Rule to New Soil-based Wastewater Systems*, [Guidance Document #38](#)). The rule limits such subsidized funding to state designated areas, a ¼ mile buffer around the designated area, conveyance, and disposal field. As such, the current area eligible is Waitsfield's Designated Village Center, a ¼ mile buffer, conveyance, and disposal field - leaving out subsidized funding options for Irasville beyond the conveyance pipe. This applies to both Design (Step 2) and Construction (Step 3) phases. However, for Waitsfield this really only applies to Step 3, Construction (due to the likelihood of hitting the annual subsidy \$125k threshold for area currently designated).
 - Related, Joshua attended a 4.20 meeting between Alice Peal, Waitsfield PC Chair, and DHCD staff (Jake Hemmerick & Amy Tomasso) focused on understanding the process and applicability of Neighborhood Development Area (NDA) designation for Irasville. DHCD staff highlighted that NDA may be applicable for Irasville if zoning bylaws are amended to meet program requirements. Alice shared the PC's current Bylaw Modernization effort and intention to discuss related NDA work with the broader PC.
 - **Recommendation:** The Town of Waitsfield apply for DHCD Neighborhood Designation Area status for Irasville, to be submitted once bylaws have been updated (designation requirement) via the PC's Bylaw Modernization Grant-funded effort.
 - Changes are in store for the Sec 106 (Archeology) process, likely to elongate the process timeline.
 - The State Historic Preservation Officer (SHPO) would like to make determinations later in the process.
 - SHPO will need to review previous archeological work (Munn had such work done in 2006, but likely will need to be redone)
 - All ESA agreements with the consulting engineer, towns, etc will need to be approved by SHPO - disposal field, conveyance, and all connections. They are interested in reviewing everything starting at the preliminary design stage (but don't want to make a determination until the very end).
 - Any building older than 50 years old requires a historic evaluation
 - Town Staff and Jon Ashley, D&K, have sent along historic archeological work to DEC and ultimately the SHPO.
 - The draft 2023 CWSRF Intended Use Plan (IUP), and its included Priority List (PList), is anticipated to be released during the month of May. The Waitsfield Wastewater Project is expected to be included. DEC staff recommend Waitsfield review and participate in the draft PList review process. A final version will be released in June.
 - Step 2 Funding: CWSRF - Final Design
 - 6.30 deadline
 - Have application to SB by 6.26, which requires Jon Ashley to create an ESA, project cost summary, DEC certification, funding application, and scope in advance.
 - Funding Avenues
 - Northern Borders Regional Commission's Catalyst Program
 - Letter of Interest (LOI) submitted on 4.21 and was notified on 5.5 that the Town of Waitsfield has been invited to submit a full Catalyst Program application (due 6.2).
 - Congressionally Directed Spending
 - Senator Sanders
 - The Waitsfield Wastewater Planning Project was included in the Senator's funding consideration (\$10.4 million).
 - <https://www.sanders.senate.gov/wp-content/uploads/FY24-Sanders-Interior-CDS-Disclosure-Form.pdf>

- Please note that this is the first of many steps, and it is not a guarantee of funding.
 - Anticipating formal letters soon with more details.
 - Senator Welch
 - Joshua, Randy, & Brian Shupe met with Sen. Welch staff (Michelle Monroe & Derrick Blackwell-Hunt) re: Congressionally Directed Spending on 4.25
 - Advised applying through Sen. Welch’s process next year for “last gap” funding, likely in the < \$2 million range.
 - Advised other “first-in” funding options: NBRC, USDA RD, CWSRF (all of which are being explored.
- Community Recovery and Revitalization Grant Program
 - Joshua & JB are meeting with Angie Farrington, VEPC Program Manager, on 5.5 to explore funding options
- Final Design Costs
 - Updated project costs, including Final Design costs, are currently being identified by D&K as part of its PER work.
 - Due to availability of funding and timing, it’s anticipated that subsidized funding is likely to cover only a portion of Final Design costs (resulting in the balance to be covered through CWSRF loans, requiring a municipal bond vote). More will be known about the cost of this phase of the project at the completion of the PER. The FT is actively exploring all funding options.

Public Outreach Team (POT)

- Meetings: 4.26, 5.1 (upcoming: 5.8)
- Activity:
 - Website Update
 - Annie is taking the lead on creating a new Wastewater Planning Project page, to include a narrative, project timeline, key meeting dates, etc.
 - 5.22 Selectboard Meeting
 - Will serve as both the required Finding of No Significant Impact (FNSI) Hearing as well as a Waitsfield Wastewater Planning Project Community Update Meeting. Timing of this meeting is to ensure broad project understanding in advance of the subsequent Final PER delivery and ETT Recommendation to the Selectboard at its meeting of 6.5.
 - Annie & Joshua are preparing outreach materials and a project update presentation.

Updated Timeline of Near-Term Activities

- 5.11 - ETT Mtg #3 w/ Jon Ashley
- 5.17 - ETT Mtg #4
- 5.22 - SB Mtg, FNSI Hearing + Project update/public element
- 5.23 - PER Draft from D&K
- 6.5 - PER Final Recommendation and amendments for Final PER
- 6.9 - Final PER Released
- 6.26 - SB Mtg, CWSRF Final Design application material review
- 6.30 - CWSRF funding request submission for Final Design

Feel free to reach out with any questions, thoughts, and/or ideas.