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U.S. Environmental Protection Agency, Region 1 - New England  
Attention: Stephen Perkins, Lake Champlain TMDL Project Manager  
5 Post Office Square, Suite 100 Mail Code OEP06-3  
Boston, MA 02109-3912

Mr. Perkins,

Thanks to US EPA Region 1 for allowing VRWA the opportunity to comment on the plan recently released by your office, "Phosphorus TMDLs for Vermont Segments of Lake Champlain – August 14, 2015." Several comments listed below for your consideration.

- VRWA appreciates the point your office has made that indicates the State of Vermont is in charge of determining how to best achieve phosphorus-loading reductions to Lake Champlain.
- The approach to divide Lake Champlain into segments and give the details on given segments is right on target. It is known there are distinct differences in the lake quality in given areas and by dividing into segments a one size fits all tactic will be avoided. Given one pollution reduction approach may work in one watershed does not mean it will work in another; it is good Vermont will be given authority to figure this out at the local watershed level.
- VRWA requests EPA Region1 support any future efforts by the state for phosphorus trading initiatives. We understand the state has the flexibility to offer trading and is now exploring this concept within watersheds and between similar phosphorus source discharges. VRWA will continue to advocate for trading options across sectors as well. There are examples to show efforts across sectors leads to cost effective measures to reduce phosphorous discharges and the clean up dollars get stretched further.
- EPA Region 1 has clearly noted Vermont will need to demonstrate reasonable assurance on clean up initiatives and make some progress. This being noted VRWA hopes all involved with these clean up efforts recognize it will take some time for measurable improvements to lake water quality. This is partly due to the legacy load issues as phosphorus is already deposited in the sediment in many locations. In addition it will take some time for implementation of new regulations, practices, and grassroots start up. VRWA supports the implementation timeline flexibility EPA Region 1 has noted in the plan.
- It is good that a reasonable amount of time to implement stricter discharge standards for certain direct NPDES permit holders is noted in the plan. The data clearly shows for those with lower future discharge standards a significant amount of capital will be needed. The most recent survey on upgrade costs (VT ANR FED -Lake Champlain TMDL: 2014 Cost Estimate Analysis for Vermont Wastewater Treatment Facilities – April 2015) shows numbers approaching a hundred million dollars. This amount of capital, even with the many sources of funds available, is not on hand in Vermont in a given year.
- VRWA recognizes EPA Region 1 has no authority over New York and Quebec but the lack of requirement for them to reduce discharges is problematic. It needs to be recognized no reduction in their loading and or an unanticipated increase will negatively impact Lake Champlain quality. Poor performance by New York and Quebec will only result in a penalty situation for Vermont.
- Given increasingly tight budgets for communities with NPDES permits the TMDL plan should address the issue that improvement costs cannot be absorbed on the backs of local users alone. As an example the City of Montpelier upgrade to meet the TMDL plan guidance is estimated to cost \$20 million. City ratepayers would not be able to cover this cost via user fees alone.
- To repeat a point VRWA made early in the stakeholder process for the Lake Champlain TMDL topic, "the detailed costs associated with all possible strategies to reduce phosphorus loading should be included in the final tmdl plan. This information needs to illustrate what the costs for any given strategy will be and also what that given investment will provide in regards to total benefit, in this case reduction in phosphorus

loading. This information could then be used to target and prioritize investments (using a cost-benefit analysis). For each dollar invested it should be made clear which investments provide the most reduction in phosphorus loading.” It is our understanding the state has the control on this item now and VRWA encourages EPA Region 1 to direct the state to dedicate funding toward those projects that will yield the most phosphorous load reduction per dollar invested.

- The data available does demonstrate focusing efforts in areas other than point source will lead to more significant phosphorus loading reductions. Without clearly defined direction to prioritize investments in non-point source, an unsustainable economic situation could be created for direct discharges and for the state collectively in the future. Without getting into the exact financial details, ratcheting down discharge standards toward zero via enforcement tactics and not focusing efforts in other non-point source areas would cost hundreds of millions of dollars. Since the direct discharges only account for approximately 3 percent of the total load to Lake Champlain overall this would not be a wise investment. Tying up the hundreds of millions, a majority of capital available, to reduce the 3 percent would prevent any chance of hitting the required 34 percent reduction of phosphorus loading to Lake Champlain.

VRWA is prepared to continue to assist communities and continue partnerships with systems, communities, and state and federal partners with the overall goal of insuring systems have the resources needed to both promote public health and protect the environment. Again thanks for all your efforts developing the Lake Champlain TMDL plan and for allowing VRWA the opportunity to provide feedback on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaun Fielder". The signature is fluid and cursive, with the first name being more prominent.

Shaun Fielder  
Executive Director