

**CRJC Wantastiquet Subcommittee  
Minutes**

Thursday, April 27, 2023 at 7:00PM

Hybrid Meeting – Windham Regional Commission, 139 Main St, Brattleboro, VT

**Attendees**

Walpole	Samantha Loch	P	Westminster		
Walpole			Westminster	Jim Calchera	P
Westmoreland	Perry Sawyer	P	Putney	Heidi Henkel	V
Westmoreland			Putney		
Chesterfield	Roland Volbehr	P	Dummerston		
Chesterfield			Dummerston		
Hinsdale	Mike Darcy	V	Brattleboro	Kathy Urffer	P
Hinsdale			Brattleboro	Michael Fairchild	X
Vernon	Andy White	P			
Vernon					

*Note: P = present in person; V = present over remote virtual platform; X = not present*

Attending Virtually:

Attending In Person: Margo Ghia (Natural Resources Planner, Windham Regional Commission; CRJC Commissioner); Jeff Miller (Walpole; CRJC Commissioner), Olivia Uyizeye (UVLSRPC Staff)

**Minutes**

**1. Welcome and Introductions**

Chair Sawyer called the meeting to order at 7PM.

**2. Meeting Minutes from August for approval**

*The August minutes pass unanimously without edits by motion of Urffer/Calchera.*

**3. Permit Reviews**

**a. New England Power (NEP), Alteration of Terrain, Hinsdale, NH (#20230303-049)**

This permit is specific to the transmission line as it runs through NH, although the work extends into Vermont. Reference to New England grids best management practices.

Darcy is familiar with the area – hikes and sees folks out along the transmission line working quite a lot. Recently, seen some trees being removed. Management of areas with invasives, such as Japanese knotweed and autumn olive, are taking place at different times to reduce spread.

Due to wetlands impact, there is a mitigation fee of \$3,262 to the ARM fund for 56,000 temporary wetlands impact. The work being done is to replace and repair what is already there. This calculation confused many members who interpreted the monetary amount as low for the extent of impact.

The question is raised on whether sites are monitored for implementation of construction best practices. Calchera has worked on one similar project in Vermont, and no one visited the work site.

Sawyer indicates that is something the state seems to do in New Hampshire.

Urffer requests that the mitigation fund calculations be checked. The most concerning location is right along the brook in Winchester where timber mats will be in use. Members express concern for a

situation where something breaks and the extent of the impact, such as an spill, where haz mit would have to be involved. Calchera asks more broadly about the brook, and whether anything else can be done to improve conditions, Pauchaug Brook. Henkel emphasizes this point of keeping any pollution from vehicles out of the brook. Urffer poses the question on whether options to allow for the corridor to be moved to a less impactful location have been considered. White indicates this is the bare minimum of what will be disturbed.

#### Questions

- How was the mitigation fund amount calculated? The amount, just over 3K, seems low for the extent of impact. Can the company offer to provide more than what is required to the mitigation fund?
- Might alternative scenarios be considered to reduce impacts?
- What invasives management practices will be utilized?
- What is the oversight for the construction process? And any possible spill prevention, such as vehicle maintenance?

*The submission of the questions listed above are approved by Urffer/Volbehr. Henkel abstains.*

#### **b. VT River Conservancy, Stream Alteration, Brattleboro, VT (#3181)**

Urffer explains the parcel. It has floodplain access and a brownfield. It is a 12-acre parcel that will become open space for the Town of Brattleboro. The parcel will include signage and education as part of the public access on the parcel. Contaminated soil will need to be sent to a special processing location. The project has been under development for many years.

#### **c. Wetlands, Middle Rd Dummerston (in Headwaters of Whetstone), VT (#2022-0950)**

The permit relates to an expanded use for an existing carriage road to a paved private driveway. The impact will be 280 sqft plus buffer impacts for \$11,000+ for mitigation. Permit not yet open for comment or with draft decision. Part of the purpose is believed to be related to planned logging on the interior portion of the parcel. Members do not appreciate the planned location, however nothing legal seems amiss. Concerns are raised for the proximity of the road to a wetland and concern for runoff to the waterbody. Members notice the higher mitigation fee for the impacts on this permit versus the NH NEP permit.

### **4. Updates & Other Business**

#### **a. Biosolids in proximity to the River**

Sawyer reviews a concern that came to the attention of the LRS this Spring, related to the use of biosolids in proximity to the River for use by a Farm. In regards to biosolids, initial problems were related to sludge, concerns for pathogens, then metals, now PFAS. It was determined that the biosolids used at this site are of minimal concern. They are Class A biosolids where corn is growing. Corn use is of lesser concern than grass for grazing, especially as it relates to PFAS. When biosolids are in use in proximity to the River, it is recommended to use best management practices. In general members were interested to hear more about what's happening with PFAS and how it relates to the Connecticut River Valley. It would help to better understand the concerns and where the regulations are at in development.

The following is a summary of email correspondence with information on the topic:

**From Chris Campany, Windham Regional Commission.**

Here's a Vermont Public story on the larger issue. <https://www.vermontpublic.org/local-news/2023-04-10/our-sewage-often-becomes-fertilizer-problem-is-its-tainted-with-pfas>

**From Kate Buckman, Connecticut River Conservancy.**

The currently available ways to dispose of biosolids are agricultural applications, landfills, and burning them. All of those methods have implications for contaminant dispersal.

Regardless, he said many of the same things as the cooperative extension regarding best practices, transfer to ground and surface water, and that we still are learning, etc. He also indicated that in NH, there are two classes of biosolids, with class A having undergone additional treatment to reduce pathogens. Class B agricultural application requires a permit with a public hearing etc, but Class A application does not. All biosolid generators/deliverers have to be registered with the state and the biosolids tested regularly for a number of things...and NH will be requiring that all biosolids are below a certain level for PFAS (which doesn't eliminate the issue of precursors, breakdown products, and ones we can't currently quantify well).

**From Carl Majewski, NH Cooperative Extension.**

It's difficult to say how much concern there should be regarding a particular application, because there are a lot of factors involved. It can certainly be done responsibly; if a farm does regular soil testing and the results indicate the need for nutrients, biosolids are a good source to meet those requirements. However, that also assumes that the farm follows other best management practices, such as not using excessive application rates if certain nutrient levels are already high, following setback distances from all water sources (which vary based on slope and ground cover, but you're usually talking about a distance of 100-200 feet from surface waters), and using cover crops to prevent leaching and runoff of nutrients off the site.

Following all these recommendations does not totally eliminate the risk of PFAS contamination, because these compounds seem to be just about everywhere. NH Cooperative Extension does have some [publications](#) that could provide additional guidance. These haven't yet been updated to reflect concerns over PFAS, but they do discuss BMP's regarding application rates, setbacks, etc. Rick Kersbergen, a colleague of mine formerly with UMaine Extension, has done a lot of work in this area this [article](#) provides some good background. I hope this helps.

**From Marie Caduto, VT Agency of Natural Resources.**

From Vermont regulations. [PFAS Road Map](#) p. 6 - 8

*Excerpt*

*In response to discovering PFAS in biosolids and in soils and groundwater at land application sites, DEC is:*

- 1. maintaining land application prohibitions for those sites with confirmed groundwater standard exceedances and working with these permittees to develop site-specific corrective action plans via the Groundwater Protection Rule and Strategy;*
- 2. implementing additional institutional controls over biosolids management in Vermont via updated Solid Waste Rules (10/31/2020) that include PFAS monitoring requirements for all importers of biosolids to Vermont and for all permittees generating biosolids in Vermont for distribution or land application, including routine testing for soils, groundwater, and crops at land application sites;*

3. focusing on reducing PFAS before it gets into the waste stream via pretreatment and pollution prevention efforts. Specifically, in 2020, DEC was awarded two grants to address PFAS before it enters a POTW and contaminates effluent and biosolids quality; and

4. coordinating with the Agency of Agriculture, Food & Markets (VAAFAM) to identify any potential adverse PFAS-impacts to agriculture and the food supply resulting from land application of biosolids and septage. To date, DEC testing has shown that no animal drinking water has reached or exceeded the groundwater enforcement standard at land application sites. Because of this, VAAFAM has been focusing on risks in the soil-to-cropto-animal pathway. Limited data exists on the movement of PFAS compounds in agricultural commodities, including animal feed and forage, and the risks they may pose. There are no federal standards for agricultural soil or animal feed and forage; several states have developed relevant guidance values and the VAAFAM has been working with those states.

## **b. Member/Town updates**

### **i. Paper Plants**

Urffer raises concern for long falls paper board facility on the Connecticut River. Urffer received several calls/reports just north of the confluence with the West River. Bubbling a lot. Several people sent pictures of what looked like shredded pieces of plastic into the effluent. Putting the word out that anyone who is out there on the River to keep a look at what is happening on that outflow, whether its clear or not to document. Pictures with date/time. Can be sent to Urffer.

There are 4 paper plants in the state of Vermont, 3 in the Connecticut River Valley – Putney, Brattleboro, St Johnsbury, and another on the Lake Champlain side. Some of the permits have expired. Urffer expresses interest in developing a general permit for these 4 plants. Standards under the EPA that are not as stringent as the state would like to see.

### **ii. Petition to re-classify the Whetstone Brook**

Whetstone Brook identified as a trout brook. Big brown trout that come out. White, Urffer and Calchera have also seen these fish on the brook. There is a push to re-classify a large section of the brook. This effort can be supported by data that can be collected in part by electrofishing, suggested by Fisheries biologist in Vermont. Flooding events can be particularly effective. White indicates the big trout swim up during flooding to feed and then come back down to the mainstem.

### **iii. NH Alteration of Terrain permit rules**

Sawyer indicates that NH is rewriting some of the alteration of terrain rules. Typically there is a lot of input into the process before they get to the hearing.

### **iv. Dam removal**

Fiske mill dam on Ashuelot river is to be removed through purchase and planning by the Nature Conservancy. An article discusses this in the Keene Sentinel - [https://www.sentinelsource.com/news/local/nature-conservancy-studying-removal-of-fiske-mill-dam-in-hinsdale/article\\_edd7f0a3-f4dc-59f9-a5b7-ed092ebefa9c.html](https://www.sentinelsource.com/news/local/nature-conservancy-studying-removal-of-fiske-mill-dam-in-hinsdale/article_edd7f0a3-f4dc-59f9-a5b7-ed092ebefa9c.html)

### **v. Root wads**

Members discuss the use of root wads for bank stabilization. An installation on the Ashuelot was ripped out. Another on the Cold River has worked. Urffer says this is a method commonly used by CRC, and explains some site conditions that made the Ashuelot site fail.

## **c. LRS Survey summary and proposed actions**

Uyizeye updates members on actions to be taken by Commissioners based on their feedback this Winter. This includes an effort to attend meetings, confirmation of 2 riverwide speaker events and 1 social for all Commissioners and LRS. Also, an effort to explore priority projects. A few topics that came up that may inform priority projects

- Better understand the history of CRJC and what might be appropriate types of priority projects.
- Amplify understanding of the River as a designated river.
- Legislative engagement
- Earmark for certain projects if able to work in the funding for the future.

## **5. Adjourn**

*The meeting is adjourned by motion of Calchera/White.*

## **Next Meeting**

July 20, 2023 @ 7pm – tentative

*Minutes respectfully submitted by Olivia Uyizeye.*