

Building Strong Collaborative Relationships for a Sustainable Water Resources Future:

STATE OF VERMONT

SUMMARY OF STATE WATER PLANNING

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The findings contained in this report are based on the information collected from the literature search and interviews for this initiative and should not be construed as an official Department of the Army position, policy or decision unless so designated by other official documentation.

STATE OF VERMONT

1. STATE/REGIONAL WATER PLANNING STATUS

Vermont does not have a single, comprehensive statewide water plan. Rather, the state has a well-defined framework for a watershed-based planning process that is ultimately carried out by the state’s Department of Environmental Conservation (VTDEC) on behalf of the Vermont Agency of Natural Resources targeted (VANR) at the local level. Water planning in the state is accomplished within individual river basins, with guidance, legislation, and regulation coming from the state government. Vermont has been divided into 17 basins, shown in Figure 1, and there will be a basin plan developed for each. The VTDEC developed the *Vermont Watershed Initiative – Guidelines for Watershed Planning* document to provide a framework for how to prepare a basin plan and what it should include. The purpose of the basin plan is to help communities and the state decide how to restore impaired waters, protect threatened waters, and establish management goals for all waters through classification and other designations (Source [1]).

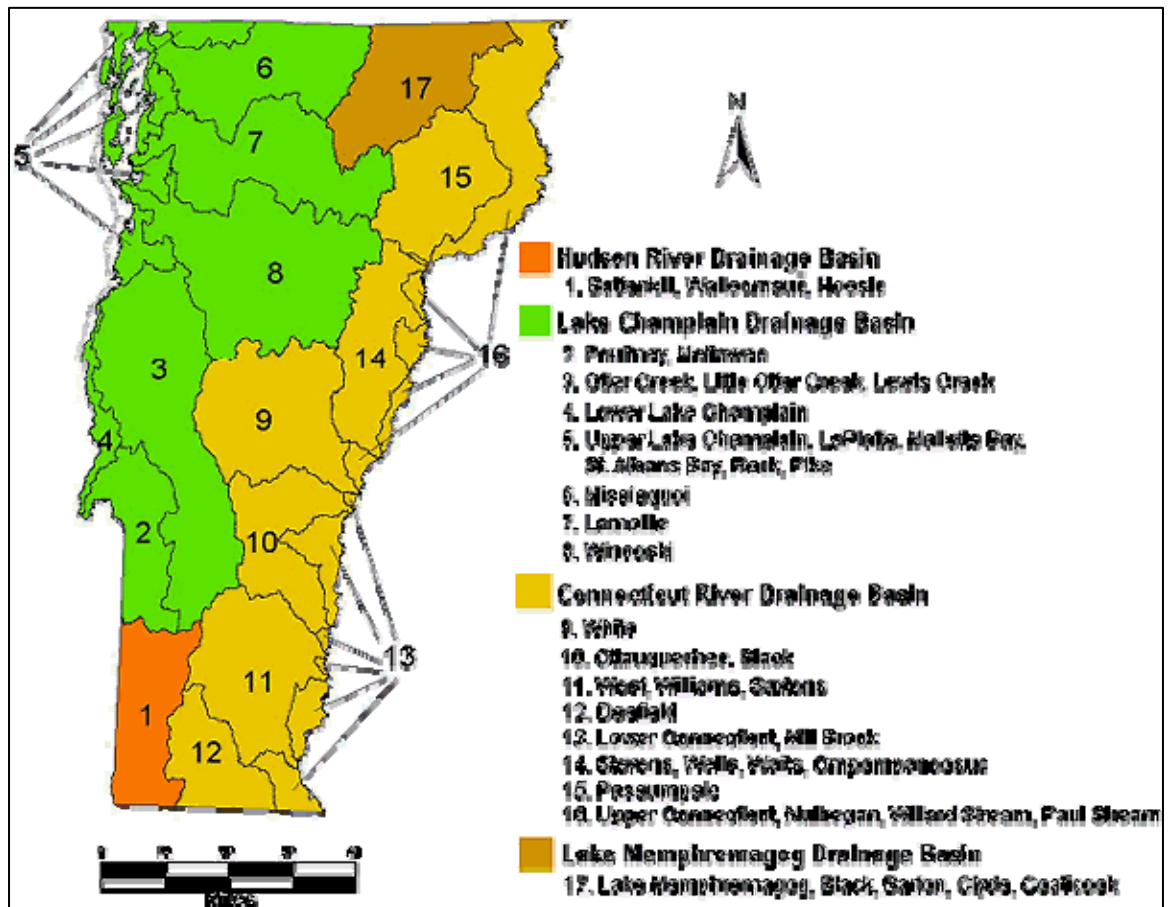


Figure 1. Vermont’s 17 Major Drainage Basins (Source [2])

River basin planning in Vermont is heavily focused on water quality and aquatic habitat, where the VTDEC identifies “pollutants washed from diffuse, nonpoint sources, cause the majority of Vermont’s current water-related problems” (Source [1]). However, while water quality and

aquatic habitat are the main issues in the state's surface water planning efforts, it is not to the exclusion of other management aspects such as flow and invasive species issues. The guidance document outlines a specific framework for the basin plan and processes for identifying interdependent issues.

The contents of the basin plans are based partially on state and federal legislation. There are several key points that a basin plan must include to be adopted by the Vermont Agency of Natural Resources (VANR), which come from the Vermont Water Quality Standards (Section 1-02 D Basin Planning) and federal regulations relating to Water Quality Management Plans (40 CFR, Part 130, Section 130.6).

While each plan for the state's 17 basins is intended to be unique in defining its own problem areas and management approaches, the following key strategies should be undertaken (Source [1]):

- *Address the major (most severe) water quality issues.*
- *Address the legal requirements for the basin plan.*
- *Define clear roles for each participant.*
- *Provide understandable connection between the roles of all participants and the environmental outcomes.*
- *Use a simple report card for tracking the outcomes and monitoring the commitments of the participants.*

The process for developing basin plans for each of Vermont's major watersheds is underway. The progress of each basin's watershed coordinator and watershed council can be tracked online through the VTDEC website. Currently (end of 2008), of the 17 defined basins in the state, 4 plans are complete and have been adopted by the VANR, 4 plans are in draft form, 4 basins have watershed coordinators and are in the early stages of developing a plan, and 5 basins do not have any information available on the website (Source [2]). Progress from the planning effort is also described in an annual report submitted to the Vermont state legislature. The legislative report can also be found on the Water Quality Division's website.

2. RESPONSIBLE STATE AGENCIES/REGIONAL ENTITIES

The state agency responsible for water resource planning in Vermont is the Agency of Natural Resources (VANR) and its Department of Environmental Conservation (VTDEC). The Secretary of VANR has the authority for final acceptance and adoption of the 17 individual basin plans. Within VANR is the Vermont Department of Environmental Conservation (VTDEC), which has primary responsibility for protecting and maintaining the quality of Vermont's water resources. VTDEC develops guidance for the preparation of basin plans, implements the water quality standards promulgated by the Vermont Water Resources Panel, and takes restoration actions following determination of total maximum daily loads (TMDLs). The Planning Section of the VTDEC's Water Quality Division houses the Watershed Coordinators for the 17 drainage basins within the state. The Watershed Coordinator is the primary and central contact between the state and the Watershed Councils – the group of volunteer watershed constituents who guide the basin planning process through public participation, research, and monitoring. The Watershed Coordinator chooses the Watershed Councils with the goal of having a group of representatives

for the different constituents of the watershed. The Water Coordinator organizes the Council, facilitates meetings, writes the draft and final basin plans, and facilitates implementation of the basin plan initiatives. The Water Coordinator and Council are the keystones of Vermont's statewide Watershed Initiative. While the state provides the driving force – the Water Coordinator – the Councils are comprised of local volunteers and are the primary resources for developing the planning process at the local level.

Separate from VANR is the Vermont Natural Resources Board, which was established by Act No. 115 of the Vermont General Assembly in 2004. The Natural Resources Board is divided into the Land Use Panel and the Water Resources Panel. Consisting of four citizen members and a chairperson, the Water Resources Panel is “responsible for the management and protection of Vermont's water resources, including significant wetlands” (Source [3]). The Panel develops statewide rules regarding water quality standards, water levels in lakes and rivers, classification, and water use, and identifies and makes rules regarding the state's significant wetlands. The state enforces the rules of the Water Resources Panel through VANR, and more specifically through programs within VTDEC.

The following contacts are pertinent to statewide water planning in the State of Vermont:

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3. WATER MANAGEMENT VISION AND GOALS

Vermont’s overarching water management goal at the state level is to provide direction and guidance, as well as key personnel (the VTDEC Watershed Coordinators), to individual watershed communities so that problems may be identified and solutions developed entirely at the local level. The state has identified water quality and ecosystem protection as the most prevalent water issues in the state, but it does not limit the scopes of the individual watershed plans. Each of the 17 basin plans will inherently have a different vision and set of goals tailored to its unique water resource issues.

While there is no published vision statement for statewide water planning in Vermont, there is a set of principles that are intended to guide the parties responsible for the 17 individual basin plans (Source [1]):

- 1. The purpose of the statewide effort is to provide an overall framework and inclusive process to guide each of the 17 individual plans in order to ensure a basic level of consistency.*
- 2. Plans should emphasize voluntary actions to solve identified problems.*
- 3. The completion of these 17 individual plans will be given the highest priority by the Agency and thus the Agency will seek and should be given the appropriate resources to ensure that all of the plans are completed by the statutory deadline of January 1, 2006.*
- 4. The process should be inclusive – maximize public participation and involvement in the local decision-making and action.*
- 5. The state program should both complement and support existing and new stewardship efforts in each watershed and be flexible and responsive to the needs and priorities of the people.*
- 6. Each of the 17 individual basin plans will contain objectives, policies, benchmarks and tasks in order to facilitate the implementation of the plans. The basin planning process will need to be action-oriented in order to maintain public enthusiasm and make real progress in improving the management of Vermont’s water resources.*
- 7. When completed, the 17 individual basin plans should act as guiding planning documents for water quality management in Vermont and resource documents for the respective regions and their municipalities.*

8. *Vermont by tradition has a working landscape. This process is committed to working together to achieve the public's water quality goals, while respecting the rights of landowners.*

4. SCOPE OF WATER RESOURCES PLANNING AND MANAGEMENT

The purpose of the watershed-based approach – soliciting input from local constituents and balancing that with state priorities – is to develop 17 unique watershed plans that address the different issues and resources of each individual drainage basin in the State of Vermont. However, the VDTEC's Guidelines for Watershed Planning document specifies a plan structure that will be followed by each of the Watershed Councils when developing their individual plans. The plans are organized into three parts: Action Plan, Essential Information, and Regulatory and Non-Regulatory Programs. Some plans may differ from this structure slightly, but the information and action requirements will be included in all plans adopted by VANR (1).

The Action Plan portion of the basin plan is intended to be the main communications piece and easily understood by the public. Here, a vision statement is defined and the planning process described. Following is an example of a basin plan vision statement, excerpted from the White River Management Plan (Source [4]):

The White River is the heart of a healthy watershed, comprised of livable communities surrounded by productive farms and healthy forest and timberlands. It is valued as the longest free flowing river in Vermont and has reached a stable platform, reducing rates of erosion, siltation and streambank failures. Loss of land to erosion has slowed and fish habitat has been improved significantly. Public access to the river has been secured throughout the watershed and basin residents are actively engaged in land use planning and restoration efforts to maintain and enhance the health of the water.

The general water issues that face the basin community are presented in this section, with reference to the Essential Information portion, which contains more detailed information on the state of the water resources within the basin¹. More specific concerns, such as impaired waters or those that are in need of further assessment are also identified. The following list summarizes the key issues facing the four watersheds that have completed basin plans:

- Stream channel instability and streambank erosion
- Lack of awareness of water quality problems
- Extent and quality of public access to recreational opportunities on the water
- Impacts to fisheries
- Thermal modification
- Sedimentation
- Habitat alteration
- Flow alterations
- Pathogens
- Nutrient enrichment.

¹ In a memorandum of understanding between VTDEC and the Vermont Agency of Agriculture that, in part, concerns the basin planning process, the agriculture agency is given the responsibility for preparing appropriate sections of each plan which relate to the implementation of controls and programs affecting agricultural waste and runoff.

- Elevated phosphorus
- Copper mine runoff
- Nonpoint Source Pollution
- Landfills and Salvage Yards
- Aquatic Nuisance Species
- Loss of the Working Landscape (farm and forestland)
- Public Outreach and Education
- Lakeshore Protection and Recreational Issues

Sources: [4], [5], [6], [7]

Coupled with the general and specific watershed concerns are the strategies, or actions, proposed for addressing them. This section establishes management goals for the surface waters in the basin, including recommendations for classification and water management typing, warm and cold water designations, and outstanding resource waters. The priority issues for each watershed are largely determined at the state level – based on watershed assessment studies and water quality monitoring – and communicated to the Watershed Councils and residents by the Watershed Coordinator. Recommendations along these lines appearing in finalized and adopted plans then can become petitions submitted to the Water Resources Panel, the quasi-judicial body charged with rulemaking.

The second piece of the basin plan, Essential Information, is a complete description of the basin, existing conditions, water uses, water quality and aquatic habitat concerns, regional and municipal plans, wastewater and stormwater treatment facilities, and detailed information on water classification and typing. The Essential Information is inherently different for each basin, and the watershed-based approach allows for a tailored basin plan that meets the needs of the particular local communities and issues that exist within a single drainage basin.

The White River Basin Plan, adopted in 2002, was the first plan completed as part of Vermont’s Watershed Initiative program, and is often referenced by the VTDEC as an example of how to structure a basin plan and what to include. Some of the other final basin plans have clearly followed the White River plan structure, thus it is worth noting the contents of that particular plan. The White River plan introduction includes:

- Statement of the purpose of the basin plan and the basin planning process
- Identification the water quality problems
- Description of planning at the watershed level across the state
- Description of the history of watershed planning in the basin
- Description of planning as a collaborative effort
- Identification of the partners in the planning process
- Intended uses of the basin plan

Following is a description of the drainage basin, including physical description, land use, and water-based resources. The general water quality problems are defined, with citations to relevant monitoring programs. Then, for each of the problems identified, there is a section describing the background and recommended actions for addressing the issue. For example, the general problems identified in the White River Basin were stream channel instability and stream bank erosion, improving water quality awareness, public access, fisheries, and dams’ influence on

various aspects of stream health. The plan then goes on to establish specific strategies to remediate impaired waters and strategies for waters in need of further assessment. Finally, management goals are established for the surface waters in the White River Basin, including typing and classification, designations, existing uses, outstanding resource waters, and recommendations for further action (Source [4]). The White River Basin Plan has devised a set of objectives and strategies for each of the issues identified as problem areas for the watershed. As an example, Table 1 summarizes the objectives and strategies developed to address stream channel instability and erosion.

The state has defined a very specific process for each basin to develop its plan and have it approved by the VANR over the course of 24 to 28 months. Figure 2 below shows the planning timeline as defined by the VTDEC in their guidance document.

5. PARTNERSHIPS, STAKEHOLDER, AND PUBLIC INVOLVEMENT

Vermont's watershed-based planning process relies heavily on public participation and involvement through the work of the 17 individual Watershed Councils. The councils are comprised of diverse groups of watershed constituents – landowners, business owners, farmers, foresters, environmental groups, watershed organizations, teachers, and regional planners. Each basin plan has a short introductory section explaining the process for engaging the watershed community in the plan development. The following excerpt from the Basin 14 “Little Rivers” Basin Plan captures the essence of what the state is attempting to achieve by filtering the planning process down to the local level (Source [5]):

The Agency's basin planning process helps advance existing efforts within the community as well as its own efforts by documenting community-voiced problems and solutions, facilitating the exchange of information among resource agencies, groups, and individual citizens, and finally, directing existing resources towards the priorities of active groups and landowners within the communities. Opening the basin planning process to the entire community also serves to increase public awareness of opportunities to promote and preserve water quality in the basin.

The state manages the public participation in the basin planning process through the Watershed Coordinators, who facilitate collaboration and consensus, engage the public early and often, and disseminate information on local water-related issues. The VTDEC guidance document includes a section on communication and public participation, promoting the notion that the people involved must feel as though they have a stake in their local water resources and a true role in the planning process (Source [1]).

Table 1. Summary of the Objectives and Strategies developed to address stream channel instability and erosion for the White River Basin Plan

GOAL: PROMOTE STABLE STREAMS AND RIVERS BY ENCOURAGING ACTIVITY THAT IS CONSISTENT WITH THE RIVER'S EFFORTS TO BECOME STABLE AND AT THE SAME TIME, WORK TO MINIMIZE CONFLICTS, AND BALANCE THE NEED TO PROTECT ECONOMIC INVESTMENTS IN INFRASTRUCTURE AND LAND.						
Objectives	Strategies	Lead Agency/Organization	Partners	Potential Funding Sources	Time-Frame	Benchmark
Protect stable reaches	Conduct DEC Phase I & II geomorphology assessments in subwatersheds throughout the basin	Water Resources Panel	DEC, FWD, USFWS, USFS, NRCS	WRP and state and federal programs	ongoing	Increase the linear miles of assessed streams over the next 5 years
Promote land use practices that enhance stream channel stability and improve riparian buffers	Encourage and support local efforts to protect river corridors: Expand riparian buffer protection programs including enhanced economic incentives to landowners; encourage landowners to voluntarily stabilize streambanks; use data developed for the hazard map for the Third Branch to identify areas where a vegetated streambank would be considered sufficient to reduce or eliminate erosion; work with willing landowners to establish trees and shrubs within the riparian buffer; and use as demonstration sites particular areas of channel that have been restored through these strategies. Distribute fact sheets written by the Connecticut River Joint Commissions (CRJC), DEC and others on riparian buffer protection Initiate and fund the Conservation Reserve Enhanced Program (CREP) for White River Basin landowners Develop and implement river corridor restoration projects on eroding streambanks that include structural protection using bioengineering techniques, e.g., tree revegetations	FWD, USFWS, WRP DAFM Water Resources Panel FWD, USFS	Chateaugay-No Town Committee, CRJC, DAFM, local residents, NRCS, National Wildlife Federation, RPC NRCD, USDA/FSA, EPA, NRCS NRCS, NRCD, towns, USFWS	DEC grant programs, other state and federal programs State and federal programs DEC grant programs, other state and federal programs State and federal programs	ongoing by 2005 Ongoing every spring Ongoing Ongoing	not applicable 300 acres of riparian buffer are enrolled in CREP Increase linear miles of riparian zones with trees and shrubs Increase miles of State and federally owned riparian zones that are vegetated with trees and shrubs Development and presentation of workshops on stream stabilization processes
Encourage increased participation of towns in stream corridor protection	Offer information and technical support to selectboards and planners on the local planning, zoning and regulatory opportunities that protect or enhance water quality, including the use of the hazard assessment for the Third Branch Develop criteria for allocating state river restoration funds and technical assistance that prioritize projects in watershed that have begun a geomorphic assessment and in towns with riparian buffer protection, including zoning set backs from water and shoreline management policies and road maintenance techniques	DEC DEC	FWD, VTTrans EPA, RPC, WRP DEC, Regional Planning Commissions	Clean Water Act Section 604(b) pass through funds, Federal Emergency Management Funds, other state and federal programs Clean Water Act Section 604(b) pass through funds, other State and federal programs	Ongoing by 2005	Language in town plans or zoning that promotes increased protection of water resources in the town Development of criteria for allocating river restoration funds and technical assistance
Develop and implement successful stream restoration projects that incorporate natural channel design to achieve stability	Leverage existing resources in implementing stream corridor restoration or protection projects. This may include meeting annually to develop a plan for ranking river corridor restoration Assess both morphological and ecological responses to restoration efforts. Comparisons then could be made with reference data and pre-treatment data to assess the success of restoration efforts. Purchase or receive donations of conservation easements or property along riparian corridors to conserve the property	Water Resources Panel Water Resources Panel ANR, USFS	DEC, FWD, RPC, USFS, USFWS DEC, FWD, USFS, USFWS	Disaster Mitigation Funding and other state and federal programs State and federal programs	Ongoing by 2005	River restoration projects that are supported by more than one resource agency A report assessing the morphological and ecological responses to restoration efforts Property along a riparian corridor bought by a land conservation organization or placed in a conservation easement
Increase awareness of the costs of replacing infrastructure that is in conflict with natural stream stabilization processes.	Hold Better Backroads and VTTrans workshops with town highway managers and crews to increase awareness of factors that affect natural stream processes and the cost of stabilizing rivers and streams Encourage joint projects between the Agency of Natural Resources River Restoration Teams and VTTrans and town road crews	DEC	VTTrans, town road crews, WRP, Regional Planning Commissions	Better Backroads Program, DEC grant programs	Ongoing	A series of workshops completed across towns in the watershed
Maintain and enhance relationships among partners	Encourage the application of Supplemental Environmental Project (SEP) funds towards community-led projects that improve water quality in the White River Basin	DEC	Town road crews, VTTrans, WRP	State and federal programs	Ongoing	Initiation of joint projects that improve riparian corridor management Water quality improvement projects in the White River Basin funded through SEP money

Appendix 5. Planning Timeline		Month																									
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
Organize Planning & Coordinate Council & Team(s)	Task																										
	Negotiate any contracts if necessary with any entities that may be helping with the effort (i.e. RPCs, RCDs, watershed associations, consultants, etc.)																										
	Hold as many planning strategy sessions as are necessary																										
	Identify potential council representatives and hold targeted outreach meetings(s) and establish watershed council																										
	Educate council members on history, evolution of process, state framework, objective of watershed plan, mandatory components of watershed plan, areas of flexibility in watershed plan, desired outcomes of watershed plan, etc.																										
	Prepare/conduct public forums and educate constituents																										
	Develop a vision for the watershed, identify issues and establish respective issue teams																										
	Identify and discuss issues of concern regarding the watershed / and special areas the plan should focus on																										
	Gather Information																										
	Inventory/document past and existing related efforts and products																										
	Understand watershed's current conditions																										
	Identify gaps in the existing data / information																										
	Identify and prioritize which gaps are to be filled first																										
	Issue teams' work with technical advisors to fully understand their issues and to develop recommended solutions																										
	Develop Watershed Plan																										
	Finish documenting current and desired conditions, vision and issues																										
	Draft plan - develop objectives, tasks, responsible parties, schedule, potential funding sources, benchmarks																										
	Plan Review and Approval Process																										
	Review of draft plan by state steering committee and public																										
	Revise draft plan based on feedback received																										
	Review semi-final plan by state steering committee ² and public																										
	Revise semi-final plan based on feedback received																										
	Submit final plan to VANDR's Secretary for approval																										
	Typing and Reclassification Petition Forwarded to WRB																										

Figure 2. Vermont Watershed-Based Planning Timeline (Source [1])

² This work may also be undertaken by the Watershed Council.

³ Statewide Steering Committee may be established by the Secretary.

6. PLAN IMPLEMENTATION STRATEGY

Each individual basin plan will have its own plan implementation strategy. The basin plans are intended to cover five year periods, after which a new basin assessment and set of recommendations will be developed for the next five year period. The individual basin plans that have been completed tend to be vague in their descriptions of the actual implementation process. The most recently developed basin plans indicate that the implementation will happen with a small amount of facilitation from VTDEC, citing the successful organization of several watershed stakeholders in creating the plan as a launch pad for plan implementation (Sources [5, 6]).

In the State of Vermont, there are employees of the VTDEC – the Watershed Coordinators – whose jobs are to facilitate and implement the watershed-based planning initiative. These state employees are responsible for ensuring that their assigned basins are organized and on track. This approach appears to keep ultimate responsibility for the implementation and maintenance of water management and planning with the state, even as the planning process is carried out at the local level. The state is also committed to providing technical expertise (through technical advisors) and available funding (through VTDEC grants and other state-level funding programs) to the initiatives proposed by the individual basin plans to ensure that they are carried through.

7. OUTCOMES ASSESSMENT PROCESS

The VTDEC Guidelines for Watershed Planning call for each basin to prepare a report card that lists measureable accomplishments that can be checked periodically against the actions an initiatives recommended by the basin plan. In the guidance document, there is indication that a Statewide Coordinating Council may be developed, if necessary, and will make yearly reports to the Secretary of VANR on the progress of the basin plan implementation. However, these steps have not yet been taken as the state focuses its attention on completing the 17 individual basin plans.

8. NEEDS, CHALLENGES AND CRITICAL PRIORITIES - INTERVIEW INSIGHTS

There are a few water bodies in the state that stand out as priority issues: Lake Champlain and the Connecticut River. Sixty percent of the land area of Vermont drains to Lake Champlain, and the water quality has been plagued with very high phosphorus, leading to eutrophication. The efforts to reduce nitrogen levels in the Connecticut River are reaching upstream to Vermont, as Massachusetts and Connecticut attempt to address the high levels of nutrients crossing state borders and entering the Long Island Sound. Also, the state is currently placing emphasis on riparian corridor management as a solution to pollution control and stream stability.

The state recognizes the effects of climate change on water issues, especially in terms of storm variability and the impacts on public health and safety. Vermont considers itself a leader on

climate change issues in general. Maintaining natural stream morphology is important in order to mitigate the impacts of climate change on the state's water resources.

Funding was identified as a water resources need, as it is most likely in every state. Lastly, the state recognizes the need to fully integrate their watershed based planning approach with other water resource related entities, such as wastewater treatment, drinking water supply and hazardous waste management. They are constantly aware of the imbalance between meeting local- and state-level needs and priorities.

First, the state needs more money and more people to fully realize visions of statewide integrated water planning. More specifically, permit compliance monitoring is lacking. The state issues countless permits for discharges and water quality compliance measures, but does not have the resources to follow through on whether the permittees are meeting their obligations. Additionally, the state water divisions can improve their ability to showcase new methods, philosophies, and technologies to local constituents who may not be comfortable trying new things that might help them better plan and manage their water resources, especially in the area of riparian corridor management.

The state is having a hard time maintaining its original schedule of basin plan development for the 17 individual basins because of a shortage in staff to perform the duty of Watershed Coordinator. They wanted to have 17 Coordinators, one for each basin, but have had to rely on much fewer coordinators, who are only able to complete one basin plan at a time, then more on to another basin. This has slowed down the process and caused them to miss their original target date for having the basin plans completed

Vermont has dealt with the EPA, USACE, FEMA, and USFWS on different water related programs and projects. Technical and financial assistance from the federal government are the best ways that it can help Vermont. The state would welcome federal agencies participating as stakeholders in the Watershed Councils' process of developing the basin plans.

9. REFERENCES

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