

**Vermont Department of Environmental Conservation****EC7** Water Investment Division1 National Life Drive, Davis 3
Montpelier, VT 05620*Agency of Natural Resources*Thomas Martin, Authorized Representative
Town of Moretown
79 School Street
Moretown, Vermont 05660

April 26, 2024

**Re: Potential Recission of Grant 06140-2023-ARPA-VWWW-04
Missed Final PER Deadline**

Dear Mr. Martin:

Vermont Department of Environmental Conservation (DEC) is writing regarding Moretown's Village Water and Wastewater Program grant award with American Rescue Plan Act (ARPA) funding and is concerned your municipality is not on track to meet required deliverable deadlines. The Town of Moretown continues to work hard to find a community wastewater solution for the village area. However, DEC recognizes securing a suitable land for a soil-based disposal field has been challenging for the project.

The Town of Moretown has not been able to obtain an agreement to secure the land needed for the disposal field. The Department understands that this due to circumstances out of the Town's control and can extend the deadline to obtain the agreement to July 30, 2024, and encourages as an interim step that the Town to get a letter of commitment from a willing landowner with suitable soils.

Additionally, the Town of Moretown was unable to meet the Final Preliminary Engineering Report (PER) deliverable deadline of April 15, 2024, and ultimately the Permit Submittal deliverable deadline of September 30, 2024. The last project deliverable submitted to DEC was the 60% PER in later December 2023. To meet the Final PER deadline, the community must have submitted the 90% PER, received review comments from DEC, and be responsive to all DEC comments, incorporated any changes into the Final PER, and electronically submit the Final PER to the Department.

Vermont DEC is committed to the transformational opportunity represented by this award. However, the Department is mindful that any funds that are unused for the initial awarded intent after December 31, 2024, **shall be forfeited to the US Treasury.** As such, the Department will need to rescind dollars that are identified as likely to go unused to re-award the fund to communities that will use them in a timely and eligible manner.

In considering options to optimize the use of ARPA funds for the highest and best use for Vermont, DEC may allow communities to complete Planning under current approved contracts and proceed with Design efforts even if construction money is rescinded, if the town submits DEC with the following:

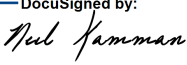
1. A schedule demonstrating that the municipality can meet the deliverables for design and permitting requirements before September 2026.
2. A draft Engineering Services Agreement for the Design and Permitting services required.
3. Agree to a firm deadline of July 30, 2024, for securing suitable land where: a) suitable soils have been found and both archeological and wastewater test pits have been performed; and b) the land is either town-owned or the town has a signed purchase and sales agreement for the land. If the land is not secured, the grant needs recission.
4. An itemized project budget (WID PCS format).

Town of Moretown
Moretown Village Community Wastewater Project
Recission of Grant #01640-2023-ARPA-VWWW-04
April 26, 2024

The Department's preference is that ARPA Village Water and Wastewater grant awards be used as originally outlined in your award. However, we recognize that circumstances beyond the control of your municipality may dictate otherwise. So that the Department can consider re-obligation of funds that are likely to go unused while also meeting the needs of your town, please respond to this letter in writing by May 28, 2024.

Correspondence regarding this award should be made to the attention of Emily Hackett, EI, who is the technical project manager for your award.

Sincerely,

DocuSigned by:


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Neil Kamman, Director
Water Investment Division
Department of Environmental Conservation
Agency of Natural Resources

Cc: Jason Batchelder, Commissioner, Department of Environmental Conservation, ANR
Heather Pembroke, Deputy Commissioner, DEC-ANR
Renee Miller, Grants Management Specialist, AID-DEC
Tom Brown, CWSRF Project Developer, Water Infrastructure Finance Program, WID-DEC
Bruce Douglas, PE, Wastewater Program Manager, Indirect Discharge Program, DWGPD-DEC
Nate Kie, Supervisor, Indirect Discharge Program, DWGPD-DEC
Achouak Arfaoui, Environmental Analyst, Indirect Discharge Program, DWGPD-DEC
Town of Moretown Clean Water Committee
Robert Clark, PE, Consulting Engineer, Otter Creek Engineering
Lynnette Claudon, PE, VWWW ARPA, WID-DEC
Emily Hackett, EI, VWWW ARPA, WID-DEC