

**Date: May 17, 2024**

**Re: Falls Road Gully Repair**

## **Installing and Maintaining your Clean Water Project**

*Dear Mr. and Ms. Saunders and Town of Georgia*

Thank you for partnering with us to host a voluntary clean water project on your property. This project is intended to protect the quality of Vermont's rivers, lakes, streams, and wetlands. Your participation is a valuable contribution to Vermont's water quality goals. This cover letter provides an overview of the attached Site Access License Agreement and highlights some key aspects of how we will work together to help the project succeed. **Please read the Agreement carefully for the complete agreement terms.**

### **What is this Site License Agreement saying?**

#### *Introduction*

Page One describes the parties to the Agreement, the property, the general clean water project context (with reference to the state statute and rule that supports this project), and the parties' intent for access to the property and installation, maintenance, and inspection of the project.

#### *Project Description*

Pages Two and Three provide contact information as well as project details including location, expected "design life" (the number of years we expect that the project will protect water quality), maintenance activities needed to keep the project in good condition, and the frequency of those maintenance activities.

#### *Terms of Agreement*

After the project description topics, the document lists the terms of the Agreement—what the parties agree to, how long you're agreeing to it, and other expectations for both parties.

The Agreement allows staff of the Chittenden County Regional Planning Commission (as the Northern Lake Champlain Clean Water Service Provider or CWSP), its subcontractors, its sub grantees (the Town of Georgia) and staff from the Vermont Department of Environmental Conservation to access the project on your property for planned visits with necessary equipment for the following purposes:

- 1) to install the project,
- 2) to regularly inspect the project to ensure proper function, and
- 3) to conduct routine maintenance activities (e.g. removal of excess sediment, reseeding installed vegetation, etc.) to keep the project working properly.

We may also request to visit your property if damage is suspected (such as after a large storm) to inspect and possibly perform repairs. If you have concerns about damage to a project or if there is something you feel is not working properly, please contact us to request a site visit. All visits will be scheduled by the Town of Georgia Conservation Commission via phone or email with at least 48 hours' notice. Refer to the Operation and Maintenance Plan in the Agreement for more details.

Vermont Department of Environmental Conservation Clean Water Initiative Program

Form Updated 09-23

Project WPD ID: 11083

Note that the Agreement prevents you from making a trespass or similar claim against the parties that are being authorized to enter your property for the reasons listed, but you retain the right to make a claim for negligent acts or omissions by those parties.

*Agreement Duration*

The Site Access **License** Agreement will initially last for 15 years. This is the “design life” of the project, or the number of years we expect that the project will protect water quality, if properly maintained. At the end of the initial term, the license will automatically renew for consecutive 15 year terms. You or the Clean Water Service Provider (CWSP) can choose to cancel this agreement at any time following certain notice requirements. If you have concerns, the agreement requires you to inform the CWSP of these concerns at least 60 days before sending a termination notice. You can send the notice of concerns through your landowner liaison if preferred. The CWSP will work to address concerns where feasible. If you still wish to cancel, you can do so by sending written notice by Certified or Registered US Mail. This Site Access License Agreement will end 180 days after the termination notice is sent.

If you decide to transfer the property, please communicate this landowner change to the CWSP at least 30 days before the transfer and inform the new landowner about the clean water project and the terms of this site access agreement. In the event that the Department of Environmental Conservation re-assigns the CWSP role to a different entity, you will be notified.

*A note about maintenance activities*

We share a common goal of taking care of the land to ensure the project’s success. As part of this agreement, please do not conduct any maintenance activities yourself. We will implement the maintenance activities outlined in the Operation and Maintenance Plan and will minimize or restore (as reasonably practicable) any impacts that accessing the project site has on the rest of your property.

If you have any questions or concerns about site visits, maintenance activities, or the project itself, please contact Ken Minck of the Georgia Conservation Commission or Dan Albrecht of the CWSP and we will work with you. We appreciate your willingness to be a good steward of your property and working with us to carry out this project. This voluntary project on your land will help us all work towards clean water and healthy watersheds in Vermont. Thank you!

<b>Clean Water Project</b>	<b>Location: Falls Road Georgia, VT</b>	<b>Project Type: Gully Repair</b>	
<b>Landowner Liaison Organization:</b>	Town of Georgia Conservation Commission	Contact Person: Ken Minck	Phone: (802) 370-0765 Email: <a href="mailto:kcmminck@gmail.com">kcmminck@gmail.com</a>
<b>Landowner Name (private property)</b>	Adam T. Saunders, Emma M. Saunders	Contact Person: Adam Saunders	Phone: (802) 881-7498 Email: <a href="mailto:atsaunde@gmail.com">atsaunde@gmail.com</a>
<b>Landowner Name (Falls Road r.o.w.)</b>	Town of Georgia	Contact Person: Cheryl Letourneau	Phone: (802) 524-3524 Email: <a href="mailto:administrator@townofgeorgia.com">administrator@townofgeorgia.com</a>
<b>Clean Water Service Provider (CWSP):</b>	Chittenden County Regional Planning Commission	Contact Person: Dan Albrecht	Phone: (802) 861-0133 Email: <a href="mailto:dalbrecht@ccrpcvt.org">dalbrecht@ccrpcvt.org</a>