

PRELIMINARY MINUTES

TOWN OF LUDLOW - BOARD OF SELECTMEN

PUBLIC HEARING

February 6, 2023

BOARD MEMBERS PRESENT:

Bruce Schmidt, Chairman
Scott Baitz

Bob Brandt
Justin Hyjek

Brett Sanderson

STAFF PRESENT:

Scott Murphy

Rose Goings

OTHERS PRESENT:

Eric Alden
Courtney Buckley

Robert Thompson
Jeff Tucker

Leslie Wright

The USDA – Natural Resources Conservation Service is seeking Public Comment on a Draft Watershed Project Plan – Environmental Assessment for the Jewell Brook Watershed Dam Sites #1, #2, #3 NS #5 in Ludlow, Vt. The purpose of this project is to maintain an optimum level of flood control benefits and comply with the current performances and safety standards.

**Monday, February 6, 2023
5:30 – 6:15 P.M.**

1. Bruce Schmidt opened this meeting at 5:30 p.m.
2. Scott Murphy advised that they have been working with the State for a couple of years regarding the repair/replacement/rehabilitation of the dams.
3. Robert Thompson said that the dam were built in the 1960's – 1970's and were designed for a 50 year life. In 2015, an assessment of the conditions was done. The dams were in good condition, well maintained, and working well. They do not meet all of the current standards, codes or regulations. With the environmental assessment, we look at: do nothing, remove or alternates for remediation. Dubois-King is the engineer. NCRS pays 100% for engineering phase and 100% for the design phase. For the construction, NCRS pays 65% of the costs, with 35% the responsibility of the town (plus costs of easements and land rights.)
4. Scott Baitz asked if they are considering removal.
5. Robert Thompson said no, but that the federal government requires that alternate, with alternatives for assessments, economic, social and environmental impacts. We have had 3 previous hearings. The preferred alternate is rehabilitation. What will be needed to bring the dams up to current standards? A report was sent out in mid-January. We will receive all public comments. He said that the deadline for public comments is February 20, 2023. It will take several years for the design phase.
6. Scott Baitz asked if construction is about 5 years out.
7. Jeff Tucker said possibly sooner for the first dam.
8. Robert Thompson said the funds are there. These are high hazard dams with top priority.
9. Justin Hyjek asked the estimated town share.
10. Jeff Tucker said about \$10,000,000.
11. Justin Hyjek asked if there are any state funds available to help alleviate the town share.
12. Jeff Tucker said there haven't been any discussions about that yet.

13. Robert Thompson said the next phase, #2 is design and after that about 2 years out for construction. The town has to look for funding sources.
14. Justin Hyjek asked if the project can still move forward into design without commitment for construction.
15. Robert Thompson said yes.
16. Jeff Tucker said if the town and the NRCS decide to advance, at the end of about 2 years, the design and permitting may be complete. You do have time to find funding. He said that the construction time for each dam is about 1 to 2 years.
17. Justin Hyjek asked what other communities are doing for the funding.
18. Jeff Tucker said that there are only 4 dams of this type in the state and they are all in Ludlow.
19. Robert Thompson said the rules have changed for sediment and the auxiliary spillways are vulnerable. He said that if there were a storm such as Irene today, probably all 4 would breach. The spillways would wash out.
20. Jeff Tucker said there would be full breaches of the dams.
21. Scott Baitz asked how long the designs would be after the permits.
22. Jeff Tucker said that the designs would be good with a reasonably long shelf-life. The shelf-lives of the permits would be shorter. He said that the standards don't change as frequently as the permits. The NRCS is far-sighted and measures in years.
23. Scott Baitz asked if the dams would be down during construction.
24. Jeff Tucker said we build into the design specific steps – Emergency Action plans.
25. Robert Thompson said that the dams would stay in place.
26. Scott Baitz asked if they would hold water.
27. Jeff Tucker said yes.
28. Bruce Schmidt asked if they would replace the structure.
29. Jeff Tucker said partially. They would enlarge the orifices and concrete bases would be pushed downstream and would be removed and replaced with the same style bases.
30. Bruce Schmidt asked about different covering as the town has to mow. He added that the town also wants to use West Hill for more recreation and swimming.
31. Jeff Tucker said yes, we will work with the town in the design phase.
32. Bruce Schmidt asked if with the new regulations would there be changes to the properties or any issues.
33. Jeff Tucker said he is not sure.
34. Bruce Schmidt asked about the spillway for dam #3. He said the property was okay in 1972.
35. Jeff Tucker said dam #3 would not be impacted. He said that site #5 has 2 big spillways. They will look at the options as they are full of sediment, and possibly dispose of the sediment into the right spillway.
36. Scott Baitz asked which dam they would do first.
37. Robert Thompson said it depends on the town and the NRCS, but there are no plans at this time.
38. Jeff Tucker said they are open to and available for any questions,
39. Bruce Schmidt asked for comments from the board or public. There were none.
40. Bruce Schmidt closed the public hearing at 5:59 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt., Chairman

Justin Hyjek

Scott Baitz

Brett Sanderson

Bob Brandt