



**Vermont Department of Environmental Conservation**

*Agency of Natural Resources*

**EC7** Water Investment Division

1 National Life Drive, Davis 3  
Montpelier, VT 05620

Holly Delisle, Town Administrator  
Westford Town Office  
1713 Vermont Route 128  
Westford, VT 05494

March 19, 2024

Re: Recission of Grant # 06140-2022-ARPA-VWWW-01  
Project Anticipated to Miss Permit Submittal Deadline

Dear Holly:

Vermont Department of Environmental Conservation (DEC) is writing regarding Westford's Village Water and Wastewater Program award provided with American Rescue Plan Act (ARPA) funding. DEC recognizes the transformative potential this project presents for the residents of Westford and has been pleased to partner on this project for a number of years. The Department also recognizes the concurrent interest of the Agency of Commerce and Community Development in your project as well, and we remain in open dialogue with ACCD leadership on this matter.

In light of recent events and media coverage, we are concerned that the **Town of Westford is not on track to meet the Permit Submittal deliverable deadline of September 30, 2024**. We are also concerned that the Town has not obtained the required public approval should additional financing be needed for the project beyond your current awards. The purpose of this letter is to communicate that the Department may need to rescind the unspent portion of your ARPA award should the project not proceed at a pace that will allow full expenditure of Westford's ARPA award by the Department's deadline of September 30, 2026.

Our understanding is that because of the failed bond vote, the Town has stopped work on the engineering for the selected project and is contemplating other alternatives through a Town-appointed committee. It is also our understanding that this committee may be working without specific deadlines and the work product of the committee may not result in an ARPA-fundable project (DEC reminds the Town that all ARPA grant expenses have to be eligible for the Clean Water State Revolving Fund and the State's ARPA authorization for this grant).

To meet the deadlines required by your project, **Westford must complete the engineering required for the permit deadline and must submit an administratively complete permit application for the selected project no later than 9/30/24**. We are committed to funding your project. However, we are also mindful that any funds that are unused for the initial awarded intent after the obligation deadline of 12/31/24 **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 funds to communities that will use them in a timely and eligible manner.

The last project deliverable submitted to DEC was the 30% design deliverable on August 25, 2023. At this point in the process we would expect to have seen and commented on the 60% plans and that the 90% that are nearly ready to submit for permitting.

**Town of Westford  
Westford Village, Community Wastewater Project  
Rescission of Grant # 06140-2022-ARPA-VWWW-01  
March 19, 2024**

At present, and given the tight timelines involved, DEC can continue to fund the selected wastewater project as defined by the grant agreement if Westford re-authorizes your eligible contracted engineer to complete the final design and permitting for the project and provides:

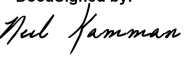
1. A detailed schedule that demonstrates that Westford can provide the deliverables for design and permitting requirements before September 30, 2024. Please submit this schedule to DEC by April 19, 2024.
2. A stated commitment to achieve all other required deliverables outlined in your grant award by June 1, 2024.

**We regret that we will terminate the current \$2.37M award on or after April 19, 2024, unless the Department receives confirmation that the Town intends to proceed in the manner outlined above.**

We have always understood, and shared, your goal of the project to be a fully constructed wastewater system. However, if the town desires to complete only “Final Design” and not pursue construction with ARPA funds, we request to be notified by the April 19 deadline, so that the Department can consider this revised outcome in light of the needs of other municipalities that are pursuing funding.

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

Cc: Jason Batchelder, Commissioner, Department of Environmental Conservation, ANR  
Joan Goldstein, Commissioner, Department of Economic Development, ACCD  
Brett Long, Deputy Commissioner, Department of Economic Development, ACCD  
Heather Pembroke, Deputy Commissioner, Department of Environmental Conservation, ANR  
Renee Miller, Grants Management Specialist, AID-DEC  
Tom Brown, CWSRF Project Lead, WID-DEC  
Achouak Arfaoui, Nate Kie, and Bruce Douglas, PE, Indirect Discharge Program, DWGPD-DEC  
Emily Hackett, EI, & Lynnette Claudon, PE, VWWW ARPA Initiative, WID-DEC