

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING & PUBLIC HEARING
MINUTES

DATE: Wednesday, November 16, 2016
 TIME: 6:00 p.m.
 PLACE: CCRPC Offices; 110 W. Canal Street, Suite 202; Winooski, VT 05404
 PRESENT: Bolton: Absent Buel's Gore: Absent
 Burlington: Andy Montroll Charlotte: Jim Donovan
 Colchester: Marc Landry Essex: Irene Wrenner
 Essex Jct.: Dan Kerin Hinesburg: Andrea Morgante
 Huntington: Barbara Elliott Jericho: Catherine McMains
 Milton: Henry Bonges, Alt. Richmond: Absent
 St. George: Jeff Pillsbury Shelburne: Absent
 So. Burlington: Chris Shaw Underhill: Brian Bigelow
 Westford: Absent Williston: Chris Roy
 Winooski: Mike O'Brien VTrans: Amy Bell
 Env/Conser: Don Meals Socio/Econ/Housing: Justin Dextrateur
 Bus/Industry: Absent
 ExOfficio: CCTA: Karen Walton FHWA: Absent
 BIA: Absent
 Staff: Charlie Baker, Executive Director Dan Albrecht, Senior Planner
 Eleni Churchill, Trans. Program Mgr. Forest Cohen, Business Manager
 Bryan Davis, Sr. Trans. Planner Bernie Ferenc, Trans. Business Mgr.
 Regina Mahony, Planning Prog. Mgr.
 Others: Fred Duplessis, Sullivan Powers & Co. Don Sinex, Devonwood Investors (6:55 p.m.)

1. **Call to order; Changes to the agenda.** The meeting was called to order at 6:00 p.m. by the Chair, Chris Roy. There were two changes to the agenda. Item 6. FY16 Audit will be discussed before Item 5. Lamoille Tactical Basin Plan public hearing. Item 8, Burlington Town Center update is scheduled for 7 p.m., and we will interrupt the meeting whenever Mr. Sinex arrives.
2. **Public Comment Period on items NOT on the agenda.** There were none.
3. **Action on Consent Agenda.** (MPO Business.) There were amendments to the TIP to add 2015 bike/ped award projects on the consent agenda. MARC LANDRY MADE A MOTION, SECONDED BY JIM DONOVAN, TO APPROVE THE CONSENT AGENDA ITEMS. MOTION CARRIED UNANIMOUSLY.
4. **Approve Minutes of October 19th Board Minutes.** CATHERINE MCMAINS MADE A MOTION, SECONDED BY IRENE WRENNER, TO APPROVE THE MINUTES OF THE OCTOBER 19, 2016 CCRPC BOARD MEETING. MOTION CARRIED WITH ABSENTIONS FROM JIM DONOVAN AND DON MEALS.
5. **FY16 Audit Report.** Fred Duplessis, managing partner at Sullivan Powers & Company, presented the audit report for FY16. He met with the Executive & Finance Committees two weeks ago to review the report. He described what the audit contains. It goes to the federal government and is posted on their website. The auditor's opinion is on page 2, which states that our financial statements are in full conformance with generally accepted accounting principles. There were no changes in

regulations. Last year we had to include unfunded retirement amounts, and this year it was a larger number. There is nothing we can do about it and we're paying what we need to. VMERS is a very well-funded system, but we do have to document our share of the unfunded liability. He said the first thing they look at is Management Discussion and Analysis starting on page 4, which is management's comprehensive look at what happened during the year. Page 10 shows our net position of \$480,727 which stayed in line with last year. Page 11 shows changes in net position which indicates our operating income of \$41,945, with unfunded pension expense of (\$64,513), which shows a deficit of \$22,275. The notes to the financial statements then follow. Page 27 is a schedule of proportional share of net pension liability, which is \$77M vs. \$9M last year. It was noted that this is the Municipal Employees Pension fund as opposed to the State Employees or Teachers fund, which are both separate. Fred noted that this is the only one the State can raise the rate without raising taxes. He then reviewed the remaining Schedules showing budget vs. actual; indirect rate; ACCD funds and the schedule of federal awards. He directed member to the last page and noted that we had a clean audit which qualifies us to continue as a low-risk auditee, which means all federal regulations have been followed. Chris Shaw questioned the recommendation in the Management Letter about the Uniform Guidance allowing a non-Federal entity to delay implementation of the prescribed procurement standards for two fiscal years (or June 30, 2017). To delay implementation of the new standard CCRPC must document whether it is in compliance with the old or new standard. Chris Roy noted that the Executive Committee has already taken action to add this to the Administrative Policies, noting that we will amend the policies to conform to the new standards prior to that deadline. Chris Roy noted that a clean audit doesn't just happen and he thanked the staff involved in this. Board members applauded Forest and Bernie's efforts. DAN KERIN MADE A MOTION, SECONDED BY ANDY MONTROLL TO ACCEPT THE FY16 AUDIT REPORT AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

6. **A. Lamoille Tactical Basin Plan Public Hearing.** MIKE O'BRIEN MADE A MOTION TO OPEN THE PUBLIC HEARING AT 6:17 P.M. CHRIS SHAW SECONDED AND THE MOTION CARRIED UNANIMOUSLY. There were no members of the public present, but the hearing was kept open in case someone comes in late.

b. Tactical Basin Plan Recommendations. Charlie noted that this is a new process where ANR is asking for CCRPC comments. This is the first basin plan to go through this process. The State promised EPA they'd have this done by December and they want our comments by December 1st. He noted that we told them from the start that this was not enough time for a proper review. The CWAC has reviewed and discussed this letter. Our comments just review what's in our plan related to the basin plan. In some cases we suggest clarification. Charlie reviewed the letter item by item. Discussion ensued about river corridor protection areas. He noted that we really don't have a list of specific projects, but on page 6 it gives recommendations regarding project priorities. The table summarizes the cost by sector along with the required phosphorus load reduction. We are recommending that the State look for ways for phosphorus reduction investments to be made in the most cost effective manner possible. i.e. since municipal wastewater infrastructure is the most costly and only contributes 4% to the load, that might not be the most cost effective method to reduce phosphorus levels. Don Meals noted that there may be trading with municipalities within the same lake segment, so if one municipality needs more phosphorous reduction they can trade with a municipality in the same sub-watershed.

No members of the public came so JIM DONOVAN MADE A MOTION TO CLOSE THE PUBLIC HEARING AT 6:37 P.M. DAN KERIN SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

DON MEALS MADE A MOTION, SECONDED BY CATHERINE MCMAINS, THAT WE ACCEPT THIS LETTER WITH THE CORRECTIONS OF ADDING NUMBERS INSTEAD OF "xx" on page 6 of the letter. Jim Donovan thought changing the "xx" might confuse things because we had really only reviewed the

earlier draft of the plan and not the newest version. It was suggested to make a note that these comments are based upon the Oct 26th draft. DON AND CATHERINE AGREED TO THIS CHANGE. MOTION CARRIED UNANIMOUSLY. (VTrans did not vote.) (The approved letter is attached to these minutes.)

7. **BYLAW AMENDMENTS.** Andy Montroll reminded members that in the last legislative session, they adopted new legislation to allow RPCs to enter into inter-municipal agreements, but we have to amend our bylaws to allow that. The Board Development Committee (Andy, Catherine McMains and Jeff Carr) was charged with amending the bylaws. While doing that they reviewed other items in the bylaws. The packet contains the bylaws with suggested changes for the board to review and give feedback to the BDC. At the January board meeting we will warn a public hearing in March to allow a 30-day review of the bylaw amendments at the municipal level. He and Charlie walked members through the suggested changes:
 - a. Page 7, Terms of Office (under Executive Committee). He is recommending four year limits in each office, instead of two year limits in each office.
 - b. Page 11. Article XII. Committees. We recommend changing language that members and alternates be “expected” rather than “encouraged” to participate in at least one committee.
 - c. Page 16, adding Clean Water Advisory Committee (CWAC) as a standing committee.
 - d. Top of page 5, regarding voting on all business other than major transportation items (once a quorum has been established), to add language saying that “a majority of the members present is required to take action.”
 - e. Karen Walton pointed out that in their triennial review FTA brought up that the FAST Act requires that the transit authority be a voting member of the MPO.
 - f. Adding the Inter-municipal Services Agreements affects several articles:
 - i. Page 2, Article III Duties and Responsibilities of CCRPC add E. which is language taken from the legislation.
 - ii. Page 5, Article VI. Executive Director – add 7 to prepare recommendation to CCRPC.
 - iii. Page 8, under power and duties of Exec. Comm. – to make recommendation to the board.
 - iv. Page 10, Add new Article XI. Municipal Service Agreements. This was revised to add suggestions from Executive Committee and contains the real substance.

Charlie noted that we’ve been doing agreements with the Regional Stormwater Education Program (RSEP) and then the Stream Team for about 10 years. Earlier this year they worked on a joint agreement, but we need to have a bylaw provision before we can execute the agreement. Chris Roy said this is not meant to include everything, but to lay the framework for each individual agreement. [Meeting was interrupted at this point for the Burlington Town Center Update.]

8. **Burlington Town Center Update.** Don Sinex, owner of Devonwood Investments made a presentation of his proposal for the Burlington Town Center, showing how the project has changed from his first vision two years ago after he purchased the property to the current multi-use project with new downtown zoning. The project will include office space, 275 apartments, parking garage and retail space facing Cherry Street, Bank Street, as well as on what will be Pine Street and St. Paul Street that will connect again on the other side of this property. Andy Montroll talked about the importance of local municipal plans and how it can set up good development. He said planBTV was well under way before Devonwood came along, but because we had the vision we were able to get things that we wanted. Charlie noted that the housing is limited to 275 units which is the limit to not require Act 250 review. Members thanked Mr. Sinex for coming.

7. **BYLAW AMENDMENTS – CONTINUED.** Discussion continued on bylaw amendments regarding municipal service agreements. Chris asked members for additional comments for the BDC. Andrea Morgante said the idea of in-kind match for use of municipal personnel, equipment and office space – she wondered how that would be determined. Chris said they'd have to work that out in each agreement. He suggested we add this to the list to be addressed by each agreement. Value of service needs to be clearly documented. Jim Donovan suggested that we might want to put all paragraphs about withdrawal together. Chris directed members to the schedule on the back of the agenda, where we show when various topics might be addressed by the board.

9. **FY18 UPWP Priorities and Funding Amounts.** Charlie noted that the packet contained material that we typically send to towns for them to request projects for the next UPWP. It outlines requirements and gives guidance. Since it came up at a board meeting we wanted members to review the material. We'd like to send this to municipalities soon to get them returned by mid-January. We also wanted to make sure they understand that there is more emphasis on public engagement and the costs need to be considered in the scope and budget for each request. Members thought it was good to go.

10. **Executive Director Update:**
 - a. **Regional Dispatch study** is on track and we hope to have a recommendation in January or February. They are having discussions on technical and planning issues as well as governance. They've had pretty favorable feedback so far.
 - b. **Legislative Breakfast.** Invitations were mailed today to Chittenden County legislators and town managers. It will be held on Tuesday, December 13th at the Double Tree.
 - c. **Energy Standards.** The new energy standards have been received and we're having a public meeting here on December 8, 2016 from 6-8 p.m. The Energy Committee is doing a lot of hard work.
 - d. **Executive Director's Report** was sent out yesterday.

11. **Committee/Liaison Activities & Reports.** These were included in the packet.

12. **Members' Items.** There were none.

13. **Adjournment.** Chris wished everyone a Happy Thanksgiving and Happy Holidays since we won't meet until January. MIKE O'BRIEN MADE A MOTION, SECONDED BY MARC LANDRY, TO ADJOURN AT 8:18 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc



Date: November 21, 2016
To: Vermont Agency of Natural Resources
From: Chittenden County Regional Planning Commission
Re: RECOMMENDATIONS REGARDING CONFORMANCE OF THE DRAFT LAMOILLE TACTICAL BASIN PLAN WITH THE 2013 CHITTENDEN COUNTY ECOS PLAN AND PRIORITIZATION OF WATER QUALITY IMPROVEMENT PROJECTS

BACKGROUND

CCRPC has the opportunity to provide recommendations to the Agency of Natural Resources regarding tactical basin plans pursuant to the following sections of Vermont Statutes Title 10, Chapter 47, §1253(d)

- (2)(G) ... *the Secretary [of Natural Resources] shall: develop, in consultation with the regional planning commission, an analysis and formal recommendation on conformance with the goals and objectives of applicable regional plans.*
- (3)(D) ... [the regional planning commissions are to] *assist the Secretary in implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of State and federal funds.*

The CCRPC reviewed the Draft Lamoille Tactical Basin Plan that was issued for RPC review on October 26, 2016. The Lamoille Basin includes major portions of the Chittenden County towns of Milton, Westford, Jericho, Underhill and Essex and a small portion of the County's towns of Colchester and Bolton.

The *2013 Chittenden County ECOS Plan*, last amended in the spring of 2016, serves as the County's Regional Plan. The ECOS Plan, referred to hereinafter as the *Regional Plan*, also serves as the Metropolitan Transportation Plan (MTP) and the Comprehensive Economic Development Strategy (CEDS) for the County.

The purpose of this memorandum is to analyze the relative conformance of the *Draft Lamoille Tactical Basin Plan* with the relevant Goals, Strategies and Recommended Actions of the *Regional Plan* and to provide recommendations regarding project prioritization.

REGIONAL PLAN

This section reviews the relevant Goals, Strategies, and Actions from the *Regional Plan*.

To achieve **Broad Goal #1– Natural Systems:** Design and maintain a strategically planned and managed green infrastructure network composed of natural areas, working lands, wildlife habitat, scenic views and air quality that help to conserve ecosystem values and functions (including climate change adaptation and mitigation), and provide associated benefits to our community; the *Regional Plan* establishes various discrete goals including:

2.2.1 Ecological Systems Goal: Conserve, protect and improve the health of native species habitats, water quality and quantity, and air quality.

2.2.2 Scenic and Recreational Resources Goal: Conserve, protect and improve valued scenic, recreational, and historic resources and opportunities.

With respect to achieving these two goals, the *Regional Plan* notes some of the key issues and trends facing the County, including:

- **Water Quality:** Vermont water bodies continue to face mounting pressures from unsustainable development, farm and forest activities. Cumulative impacts from these land use activities have degraded water quality, aquatic habitat and altered the stability of river corridors and lakeshores. Issues that predominate in the County include disappearing wetlands, increasing impervious surfaces, steady high pollutant loads (mainly from nonpoint sources such as unmanaged stormwater), that result in nutrient enrichment and sedimentation, as well as other impairments. In addition, aquatic nuisance species continue to enter our waterways, contributing to the degradation of both habitat and recreational opportunities. Climate change is expected to bring us more intense storms at a higher frequency, which will only exacerbate the problem.
- The recreational value of our water bodies (swimming, fishing, boating, etc.) is critically dependent on water quality. E-coli and algal blooms lead to beach closures, while invasive species threaten our native fish populations. Events and encroachments such as these are exacerbated by the effects of climate change.

To achieve **Broad Goal #4– Built Environment:** Make public and private investments in the built environment to minimize environmental impact, maximize financial efficiency, optimize social equity and benefits, and improve public health; the *Regional Plan* establishes various discrete goals including:

2.5.4 Infrastructure & Facilities Goal: Ensure adequate infrastructure and facilities (i.e. water supply, wastewater treatment, stormwater treatment, broadband coverage and solid waste recovery and recycling) to support areas planned for growth while conserving resources.

With respect to achieving this Goal, the *Regional Plan* notes some of the key issues and trends facing the County, including:

- Currently, there are 12 municipal wastewater treatment plants in the County; together they have a treatment capacity of 21 million gallons per day (MGD) (Source: State of Vermont Wastewater Management Division). As of 2010, CCRPC estimated an aggregate reserve capacity of 9 MGD (this does not account for unconnected committed capacity and capacity limitations of individual facilities.). The estimated future demand for wastewater capacity in 2035 is 7 MGD. While these figures indicate that there is sufficient sewage treatment capacity to absorb anticipated growth in housing and employment county-wide, this does not account for location specific limitations. Colchester, Essex Junction, Huntington, Hinesburg, Westford, and Williston were among the municipalities in need of more wastewater capacity.
- Management of our storm water is critically important to maintaining and improving water quality throughout the County. Stormwater treatment is challenging in both urban and rural areas of the County for a variety of reasons: existing urban areas need to retrofit old infrastructure, financing new infrastructure in areas planned for growth when development is incremental, and impacts from agriculture and forestry practices that don't follow best management practices. Stormwater is managed at a variety of levels including EPA's National Pollutant Discharge Elimination System (NPDES) permits; VT's discharge permits; and some municipalities have additional stormwater regulations and programs. VT's discharge permits are structured to address site level development for projects over 1 acre of disturbance; therefore, incremental and cumulative impact of development is not addressed through this program. The municipalities are facing the challenges of dealing with the cumulative impact – and most are regulating stormwater through local regulations.

In addition, nine municipalities and three public entities are subject to MS4 permitting (a NPDES program) in Chittenden County: Burlington, Colchester, Essex, Essex Junction, Milton, Shelburne, South Burlington, Williston, Winooski, Burlington International Airport, UVM and VTrans. A new MS4 permit was issued by the State in December 2012. There are two additional requirements: each permittee/municipality must develop and implement a Flow Restoration Plan (FRP) for the stormwater impaired waters within their jurisdiction (current estimates for restoration of individual impaired streams ranges in the millions); and each permittee/municipality must now pay for the annual operation of stream flow gauges (formally funded by the State/UVM/USGS).

Further, the *Regional Plan* endorses eight Strategies to achieve the goals. Three strategies, and associated actions, most applicable for assessing conformance with the draft Lamoille Tactical Basin Plan are:

3.2.2 Concentrated Development Strategy: Strive for 80% of new development in areas planned for growth, which amounts to 15% of our land area. The introduction to Strategy 3.2.2 is as follows: Increasing investment in denser, mixed use growth areas will improve economic opportunities, housing options, transportation options and improve community health. Focusing growth in the appropriate planning areas is also a cost-effective approach to increasing the supply of affordable housing, reducing energy consumption and using existing infrastructure efficiently.

- We believe the draft Lamoille Tactical Basin Plan is in conformance with Strategy 3.2.2, but are asking for some clarity in the recommendations section below.

3.2.3 Water Quality Strategy: Improve the safety, water quality, and habitat of our rivers, streams, wetlands and lakes in each watershed. The introduction to Strategy 3.2.3 is as follows: While striving toward these ECOS strategies, and particularly Strategy #2 – 80% of growth in 15% of our land area, it is essential to do so in such a way that we do not impair our essential water resources (including potable water) and that we prepare ourselves for the impacts of a changing climate.

All actions are relevant under Strategy 3.2.3 and state, in part:

1. River Hazard Protection – Develop and implement adaptation strategies to reduce flooding and fluvial erosion hazards.
 - a. Identify problem locations - ...Revise bridge/culvert designs - ...
 - b. Protect river corridors–
 - c. Support non-regulatory conservation and/or preservation of vulnerable areas through public and land trust investments, including identification of repetitively damaged structures and provide assistance to elevate, relocate or buy out structures, and identify where flood storage capacity may be restored and conserved.
 - d. Participate in the development and implementation of the Lamoille, Winooski and Direct to Lake Tactical Basin Plans.
2. Non-point Source Pollution - While we have addressed point sources of pollution, non-point sources are still contributing pollutants to our water bodies.
 - a. Assemble data –
 - b. Revise Plans and Bylaws and Ensure Enforcement --
 - c. Implement Non-regulatory approaches -.....

3. Wastewater Treatment Plant Upgrades –...
 4. Support and promote the use of more holistic, less chemical dependent and less energy intensive effluent management efforts whenever possible
- We believe Strategy 3.2.3 and its associated actions directly correlate with many of the draft Lamoille Tactical Basin Plan’s objectives, priorities and projects.

3.2.7 Government Finance Strategy: Develop financing and governance systems to make the most efficient use of taxpayer dollars and reduce costs. The introduction to Strategy 3.2.7 is as follows: Considering development and growth comes with both costs and benefits, this Plan attempts to reach a balance by directing growth in such a way that new infrastructure and long-term maintenance costs are minimized. For example: Promotion of and incentives for compact development in areas planned for growth will help keep rural areas open; this can also minimize stormwater problems and prevent new watersheds from becoming impaired. Incentives and promotion for public transit can reduce the need for parking lots which will reduce stormwater impacts and costs. Compact development will make public transit more cost effective.

A relevant action under Strategy 3.2.7 states:

5. **Clean Water Financing** – *Monitor and participate in state financing reform such as the 2012 Vermont Legislatures Act 138 study which the Agency of Natural Resources is leading to make recommendations on how to implement and fund the remediation or improvement of water quality. Ensure that stormwater regulation and requirements do not financially burden or penalize dense and compact development in the areas planned for growth.*
- We believe the intent of implementing the draft Lamoille Tactical Basin Plan is in conformance with Strategy 3.2.7 and this Clean Water Financing action, however we recommend a clarification, in the recommendations section below, to ensure conformance with the Regional Plan.

RECOMMENDATIONS REGARDING PLAN CONFORMANCE

CCRPC would like to commend ANR staff on the excellent analysis and presentation of all the known water quality data in the Draft Lamoille Tactical Basin Plan. The CCRPC considers the draft Lamoille Tactical Basin Plan to be generally in conformance with the Regional Plan’s goals, strategies and actions listed above. We’d especially like to note the strong convergence between the Regional Plan Strategies 3.2.2 and 3.2.3 and several of the Basin Plan’s Top Objectives and Strategies (cf. page9-10) such as *“Protect very high quality surface waters....; Protect riparian areas from encroachment and increase flood resilience...; Protect river corridors and support stream equilibrium...; and Reduce nutrient inputs in villages and town centers.”*

However, we have the following recommendations to help improve conformance between the two plans:

Two of the Lamoille Tactical Basin Plan’s Top Objectives and Strategies listed are:

- *Protect riparian areas from encroachment and increase flood resilience through conservation easements, floodplain and wetland restoration, as well as encouraging towns to adopt*

appropriate ordinances with a focus on flood prone communities, such as Hardwick, Wolcott, Johnson, Cambridge, Jeffersonville, and Westford.

- *Protect river corridors and support stream equilibrium through active and passive stream channel restoration and conservation easements with a focus on Haynesville Brook, Tucker Brook, Stannard Brook, Bunker Brook, Kate Brook, Wild Branch, Elmore Branch, Ryder Brook, Brewster River, Browns River and the mainstem of the Lamoille.*

We are concerned that these objectives could be read too literally since we have several areas planned for growth in the *Regional Plan* that overlap with state-designated River Corridors which are larger areas than the Fluvial Erosion Hazard areas (now termed River Corridor Protection Areas) previously promulgated by the DEC. This overlap with River Corridors exists where existing and proposed development areas abut or overlap with the Lamoille River mainstem and/or its tributaries in Jericho (village), Underhill (village), Westford (village), Milton (town center), and to a lesser extent in Colchester and Essex. We know that this is not unusual considering we have historically settled near water resources; and it is not logical to pick-up our villages and move them elsewhere.

This need not be an actual conflict, provided the Basin Plan is not interpreted to prohibit development broadly in these Planning Areas. The Tactical Basin Plan is right to include a policy of river corridor protection for many important benefits; and most Chittenden County municipalities have zoning bylaws that protect the Fluvial Erosion Hazard areas (now termed River Corridor Protection Areas) to avoid impacts to riparian areas and reduce the likelihood of flood damage.

In practice, the State has worked collaboratively with municipalities to ensure the right level of stormwater and riparian area protections in these settlement areas. For example, during this past year the DEC has been working with the Town of Westford as they consider adoption of additional regulatory measures in River Corridors. Currently, the Town is considering adoption of a blended map wherein new restrictions would vary such that the narrower River Corridor Protection Area would be operative in the Town's Village Planning Area while outside that area the broader River Corridor would be applicable. This is a great example of the type of cooperative effort that is needed going forward.

- CCRPC recommends that the Basin Plan include a statement that the Plan does not preclude any development that is consistent with river corridor protection areas, municipal zoning, and applicable state and federal regulations.

The CCRPC feels that improvements could be made to the Basin Plan to improve conformance with Strategy 3.2.7 "*Develop financing and governance systems to make the most efficient use of taxpayer dollars and reduce costs.*" We recognize that while some specific projects have been identified in the Basin Plan, more work is needed to develop or scope specific projects to include the costs and benefits of these projects so that the cost per pound of phosphorus removed can be determined.

- CCRPC recommends the following addition at the end of the lead paragraph of "**Chapter 5, The Implementation Table: Protection and Remediation Actions**", as underlined below:

The tactical plan implementation table summaries . . . carry out the actions identified in the basin plan. As projects are developed, DEC and other agencies and organizations that provide funding, or implement projects directly, should prioritize projects that achieve a high phosphorus removed benefit per cost ratio. Additionally, projects that also provide co-benefits such as other TMDLs (i.e. Flow Restoration Plans, e.coli, mercury, etc.), hazard mitigation, transportation

improvement, aquatic organism passage, and/or listed in municipal comprehensive plans and capital plans should also receive additional consideration in making funding decisions.

RECOMMENDATIONS REGARDING PROJECT PRIORITIES

At this early stage of Basin Planning to achieve the Lake Champlain TMDL, we realize that there are a lot of projects that have not yet gone through project development and therefore do not have clear scopes, costs, or phosphorus reduction estimates. We would like to be able to offer more specific project priorities in future years, but without this data, we are unable to offer more specific recommendations at this time.

- CRPCC recommends that more funding be allocated towards project development at this early stage so that in subsequent years it will be easier to determine which projects reduce the most phosphorous per dollar. Development of projects in Critical Source Areas for phosphorus loading should receive priority.
- In general, CCRPC recommends that for project implementation, priority be given to those projects that reduce the most phosphorus per dollar spent. Additional weight should be given to projects located in Critical Source Areas as well as to projects that provide co-benefits such as other TMDLs (i.e. Flow Restoration Plans, e.coli, mercury, etc.),_hazard mitigation, transportation improvement, aquatic organism passage, and/or listed in municipal comprehensive plans and capital plans.

According to the most recent Vermont Water Quality Funding 20-Year Projection, below is a table that summarizes the cost by sector along with the required phosphorus load reduction:

Sector	20-Yr Cost (\$M)	P-Reduction (tons)	\$M/ton
Natural Resources	\$143	78	\$1.8M/ton
Agriculture	\$637	143	\$4.5 M/ton
Municipal Water Pollution Control Infrastructure	\$1,039	23	\$45.2 M/ton
Stormwater	\$708	24	\$29.5 M/ton
total	\$2,526	268	

- CCRPC recommends that the State looks for ways for phosphorus reduction investments to be made in the most cost effective manner possible. Providing mechanisms for municipalities and other property owners with permits to invest in Natural Resource or Agriculture sector phosphorus reduction would clearly provide for much more phosphorus reduction per dollar spent.

Thank you for your consideration of our recommendations. If you desire clarification on this letter, please do not hesitate to contact Dan Albrecht, dalbrecht@ccrpvt.org or 802-846-4490, Ext. *29.