

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
 CLEAN WATER ADVISORY COMMITTEE – **DRAFT** MINUTES

DATE: **Tuesday, February 7, 2017**
 TIME: 11:00 a.m. to 12:30 p.m.
 PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT
 DOCUMENTS: Minutes, documents, and presentations discussed accessible at:
<http://www.ccrpcvt.org/meetings/clean-water-advisory-committee/>

Committee Members in Attendance		
Bolton: Deb Shelby	Hinesburg:	St. George:
Buels Gore:	Huntington: Darlene Palola	Underhill: Brian Bigelow
Burlington: Jenna Calvi	Jericho:	Westford: Dave Tilton
Charlotte:	Milton: Jeff Castle	Williston: James Sherrard
Colchester: Warner Rackley	Richmond:	Winooski: John Choate
Essex: Annie Costandi	Shelburne: Chris Robinson	VAOT:
Essex Junction: Chelsea Mandigo	South Burlington: Tom DiPietro	VANR:
Burlington Airport:	University of VT: Lani Ravin	CCRPC Board: Don Meals
Other Attendees: VT-DEC: Jim Ryan; LC International: Hilary Kirchner		
CCRPC Staff: Dan Albrecht; Charlie Baker; Regina Mahony		

1. Welcome: Don Meals called the meeting to order at 11:00 a.m. No changes were made to the agenda.

2. Review and action on draft minutes of January 3, 2017 (Action):

After a brief recap by Dan Albrecht, Chris Robinson *made a motion, seconded by Darlene Palola to approve the January 3, 2017 minutes. No further discussion. MOTION PASSED. Don Meals abstained.*

3. DEC Presentation on Municipal Roads General Permit

Jim Ryan provided a presentation on the draft Municipal Roads General Permit (MRGP). Jim provided background on the wide variety of water quality issues facing the state – from phosphorus to floodplain encroachment. The BMPs in the MRGP will help address these issues, but also road maintenance costs and efforts. Jim provided some of the specifics from Act 64 regarding the MRGP including dates and the associated timeline. They are currently accepting comments on the first draft MRGP until 4/1st. Coverage will begin in July 2018 however the first deliverables (the inventory and the submission of Road Stormwater Management Plan listing planned projects for the first 5 years will be due Fall, 2020; implementing the plan will start in 2021. Jim encouraged towns to work with their relevant DEC Basin Planners as road projects that are consistent with action items in the Basin Plans have a higher likelihood of funding. The MRGP covers “hydrologically-connected” road segments. Jim went over the inventory template and explained that the inventory will need to be updated every five years. The inventory template will be updated this winter based on the trial run last summer. A lot of the standards are related to slope, so road slope is a component of the inventory. Jim went over the ‘implementation plan and schedule’ – the inventory information can be transferred to this implementation plan. The Plan will identify the percentage of road segments that don’t meet the standard, municipalities will need to get to 100% of the road segments up to standard by the end of the permit (the General Permit will be for 20 years, with 5 year re-authorizations). Updating this simple implementation plan spreadsheet is all that will be required for the 6 month reporting. The existing Road and Bridge Standards are all one-size fits all, but the MRGP standards are more customized for paved & curbed, paved not curbed, gravel (not class 4), and class 4. The MRGP will require gully erosion identification and stabilization on Class 4 roads. These requirements are less stringent than other non-Class 4 roads. Jim described the “triggers” – there are baseline standards needed for road segments whether erosion is happening or not, and requirements for road segments when significant erosion is present. Currently intermittent stream culverts do not need a permit unless it is in a wetland, however the MRGP will require 18” culverts for

1 intermittent streams. Jim went over a variety of erosion problems and how to fix them. Jim went over the
2 permit fees.

3

4 Comments and questions raised by the Committee included:

5 -Reporting should just be on an Annual basis with April being the preferred month as that matches the MS-4
6 permit report deadline and is just after Town budgets for the ensuing fiscal year are voted on in March. Jim
7 Ryan indicated that they established it this way based on the NPDES reporting requirements of every 9
8 months. Jim also added that MS4 municipalities are not required to pay for any new fees associated with the
9 MRGP permit. They do not yet know if the MS4's will need to report twice annually, or can just stick with the
10 annual reporting as it currently exists.

11 -Who determines if the road is meeting the standards? It is self-reporting. Many municipalities are looking to
12 the Regional Planning Commissions to help with this. There is also grant funding to help with the inventory
13 and implementation.

14 - What if there is not enough room to manage the drainage (for example Duxbury Road in Bolton right along
15 the Winooski River)? Jim Ryan stated that the majority of the BMPs are relatively inexpensive and simple,
16 but the municipalities will have 20 years to address all of the problems. Though the most egregious problems
17 will need to be addressed first. Jim Ryan suggested that it may make sense to look further upstream to prevent
18 water from getting to Duxbury Road.

19 - Will the municipalities be held responsible for addressing private driveway culverts? Yes, if the culverts are
20 within the ROW the municipalities will be responsible for these and we are encouraging Town's to adopt
21 culvert standards/specifications.

22 - Culverts are generally defined as drainage culverts (e.g. cross-culverts) and driveway culverts. Do the
23 standards cover stream crossing culverts? Jim Ryan indicated that they are not covered.

24 - Question about the fee for MS4s. MS4s will be billed based on impervious surface (based on \$10/acre) and
25 it could be much more than \$2,000/year.

26 -Can the permit be re-opened if and when the State brings on other regulations, for example salt application on
27 roads. Salt is not included in the MRGP currently.

28 -Impact to the non-traditional MS4s (airport and UVM)? They will fall under the MS4.

29 -Is there any monitoring associated with this permit; it doesn't appear to be performance based?

30 -Will phosphorus control credits be issued? If we do X, will this help us satisfy other requirements within this
31 permit? Currently there isn't any connection.

32 -What about big trees? Extremely challenging sites (historic walls, trees, excessive ledge, etc.) are identified
33 in the permits. Municipalities will just need to document these issues in the implementation plan.

34 -What point in time do we start tracking phosphorus reduction? Will there be a credit system for projects
35 going back 5 to 10 years. Jim explained that there will be some retroactive crediting that goes back 2 years,
36 which essentially means the project being done between now and the issuance of the permit. They are
37 establishing phosphorus reduction amounts for road segments that come into compliance.

38 - Williston received a letter that the retrofits that go back to 2002 will be counted. Jim Pease explained that
39 this is for stormwater permits – not sure that is the same for the road permits. James Sherrard suggested that
40 we should be consistent across programs.

41

42 **4. Review and Comment on Water Quality financing letter for action by CCRPC Board**

43 Don Meals provided an introduction to this topic. Charlie Baker asked for comments on the draft comment
44 letter. These comments are essentially on the methods and process for collecting the fee; there are no actual
45 fees on the table at the moment. There was some discussion about ultimately moving to an impervious fee,
46 and the need for a Statewide data set in order to determine the impervious surface. Lani Ravin suggestion to
47 add more clarification about more municipal utilities, and how they are going to relate to the Statewide parcel
48 fee. Property owners should not be double-charged if they are in a municipality with a utility. Are town

1 highways going to be assessed and be asked to contribute to this? At a minimum, the municipalities should be
2 given a similar rate reduction such as VTrans has been provided for doing the work directly. Jim Pease asked
3 who we are submitting this letter to; we are submitting this to the Legislature.
4

5 Chris Robinson made a motion, seconded by Jenna Calvi, to recommend these comments as amended to the
6 CCRPC Board for approval. No further discussion. MOTION PASSED. Jeff Castle abstained.
7

8 **5. Items for March meeting agenda**

- 9 • Dan stated that he had received a request from VTRANS for staff of the Municipal Assistance Bureau to
10 present at our next meeting regarding FY 18 potential water quality / stormwater funding for
11 municipalities.
12 • Municipal Roads General Permit comments.
13

14 **6. Brief Updates (as needed)**

- 15 • Charlie Baker explained that there are some federal funding opportunities for transportation project
16 scoping.
17 • Jim Pease explained that there is a new public notice procedure (as applied to wastewater as well). It goes
18 for MS4s as well – Christy needs to be notified within 4 hours. Christy would then log it in to the public
19 website. If exceeded the standard of what constitutes a health threat. There is some guidance on how you
20 determine if there is a health threat. This is news to some of the Committee and asked Jim Pease to send
21 an email out to the MS4s.
22

23 **7. Adjournment**

24 The meeting adjourned at 12:33 p.m.
25

Respectfully submitted, Regina Mahony & Dan Albrecht