

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

DATE: **Tuesday, August 2, 2016**  
 SCHEDULED TIME: 11:00 a.m. to 12 Noon  
 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/>

<b>Committee Members in Attendance</b>		
Bolton: Deb Shelby	Hinesburg:	St. George:
Buels Gore	Huntington:	Underhill: Brian Bigelow
Burlington:	Jericho:	Westford:
Charlotte:	Milton: Jeff Castle	Williston:
Colchester:	Richmond:	Winooski:
Essex: Annie Costandi	Shelburne: Chris Robinson	VAOT:
Essex Junction: Chelsea Mandigo	South Burlington: Tom Dipietro	VANR: Jim Pease
Burlington Airport: Amanda Hanaway-Corrente; Anna Stern	University of VT: Lani Ravin (arr. 11:20)	CCRPC Board: Don Meals
<b>Other Attendees:</b> VT-DEC: Neil Kamman, Jim Pease, Jesse Baum, Intern; UVM-SeaGrant: Rebecca Tharp;		
<b>CCRPC Staff:</b> Dan Albrecht; Regina Mahony; Charlie Baker		

**1. Welcome:** The meeting was called to order at 11:04 a.m.

**2. Review and approval of minutes:**

Albrecht recapped the minutes of July 5<sup>th</sup>. *On a motion made by Chris Robinson, seconded by Chelsea Mandigo, the Subcommittee unanimously approved the minutes of July 5<sup>th</sup>.*

**3. Presentation on draft Water Quality Standards: Neil Kamman, VT-DEC**

[ The details of his presentation can be viewed in his Powerpoint available at the CCRPC weblink above. ]  
 Highlights, especially as relates to Chittenden County, were as follows:

Act 79 includes the following language: *“This law amends the classes of waters in the State. The law provides that the Secretary may, by rule, reclassify one or more uses of all or any portion of an affected water. In addition, the law indicates that when the Secretary of Natural Resources develops a basin plan, the Secretary shall identify waters that should have one or more uses reclassified as Class A(1) or Class B(1).”*

Most notably a new class, B(1) was created:

*Class A(1): Waters in a natural condition that have significant ecological value... OR*

*Class A(2): Waters that are suitable for a public water source with filtration and disinfection or other required treatment; character uniformly excellent.*

***Class B(1): Waters in which one or more uses are of demonstrably and consistently higher quality than Class B(2) waters;***

*Class B(2): Waters that are suitable for bathing, swimming and other primary contact recreation; irrigation and agricultural uses; aquatic biota and aquatic habitat; good aesthetic value; boating, fishing, and other recreational uses and suitable for public water source with filtration and disinfection or other required treatment.*

DEC has “opened the rule for revision” which can be done periodically as needed. Revisions proposed in the draft rule include: restructure existing criteria using aquatic biota and aquatic habitat uses; stream equilibrium standard into management objectives; improved the temperature criteria for class B(1) waters for fishing; incorporation of biological assessment procedures into appendix; another update to appendix c (toxic criteria); proposed reclassification of certain surface waters to A(1) and antidegradation policy.

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2 With regards to biological assessment procedures, the language indicating that the secretary may adopt  
3 procedures to assess biological integrity and habitat remain unchanged. The new appendix will include a  
4 streamlined version of the DEC “pink-Book” procedure for biological assessment. This will codify the scoring  
5 algorithms to makes clear the procedures parties should use when conducting biological assessments. Notably  
6 adds a new stream type FOR SOFT BOTTOM STREAMS for macroinvertebrate assessments has been added.  
7 Most of the area’s “impaired streams” fit this classification. The impairment determination won’t change  
8 however the biological assessment would be more appropriately scored given that soft bottom, warm water  
9 streams have different biota than other stream types.

10  
11 With regards to anti-degradation, the current policy indicates no lowering of water quality can be allowed,  
12 unless not lowering results in widespread social and economic impact to citizens of Vermont. The proposed  
13 new policy will reflect federal requirements while retaining important attributes of Vermont language.  
14 We are posing to replace the “statewide” test for Socioeconomic justifiability with “area in which the waters  
15 are located.” There will also be a new requirement for a public process in determination of lowerin and a  
16 proposed new requirement for alternatives analysis within antidegradation procedure. The creation of the new  
17 class B (1) waters makes “existing use” a real and workable concept in Vermont. “Lowering” would now be  
18 measured against baseline of Class A(1) or B. The “existing condition” now becomes the “existing use.”  
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20 Meals asked if the standards would be updated to address intermittent streams as other states have done.  
21 Kamman responded that for the time being they would not.  
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23 Neil noted that final comments are due to DEC by September 7<sup>th</sup>. Several public hearings are planned for late  
24 August including one here at the CCRPC offices.  
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#### 27 **4. Updates**

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29 Albrecht noted the following: Danielle from VT-DEC is working hard on the first draft of the Lamoille  
30 Tactical Basin Plan. She hopes to release a “pre-draft” document soon for review; Charlie has been working to  
31 finalize a new Clean Water Act outreach contract between DEC and the RPCs which CCRPC will again  
32 administer. The contract value was boosted from \$300,000 to \$330,000 and will go from July 1, 2016 through  
33 September 30, 2017.

34 Charlie noted that the ad hoc committee on Clean Water financing options will meet in September. Members  
35 include Don Meals, James Sherrard, Megan Moir, Jim Jutras and Brian Bigelow. CCRPC’s Board  
36 Development Committee will work over the fall to amend the CCRPC’s bylaws to allow for intermunicipal  
37 services agreement. A vote by the CCRPC Board is anticipated in January 2017.  
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#### 39 **5. Next meeting items**

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41 The next meeting will be held on September 6<sup>th</sup>. Items will include a discussion of the Lamoille Tactical Basin  
42 Plan and the Lake Champlain TMDL.  
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44 **The meeting item was adjourned at 12:11 p.m.**  
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*Respectfully submitted, Dan Albrecht*