

Implementation and Interpretation of the 2017 Vermont Stormwater Management Manual VT DEC Stormwater Program Update

Chittenden County Regional Planning Commission
Clean Water Advisory Committee (CWAC)

June 5, 2018

Implementation Highlights/Discussion

1. Water Quality Practice Selection
2. Changes/Expansions to Previously Permitted Projects
3. Pervious Surfaces
4. Net Reduction
5. 2017 VSMM: Subchapter 6: Public Transportation
6. Post-Construction Soil Depth and Quality Standard
7. Application Materials
8. Act 150 Implications on Application/Permitting Process

1. Water Quality Practice Selection

Tiered Practice Approach

Initial project design must consider ability to utilize treatment that achieves runoff reduction (Tier 1):

- Infiltration
- Disconnection

Designs Post July 1, 2017:

- Disconnections (Tier 1)
- Infiltrating Swales (Tier 1)
- Infiltration Basins (Tier 1)
- Gravel Wetlands (Tier 2)
- Non-Infiltrating Bioretention (Tier 2)

WQ Practice Submittals

Application submittals that have proposed the use of a Tier 3 Practice; such as a wet pond, have required additional justification for proposed design. This can lengthen application review time and may require substantial project changes.

When Tier1 and Tier 2 practices are an after-thought in the design process, both space and cost appear to enter into the *proposed* justification.

- Design constraints constitute justification, not cost.
- Space may be a justified constraint, in consideration of other factors, with detailed supporting documentation.

2. Changes/Expansions to Previously Permitted Projects

No significant change to impervious (i.e. no expansion)

No change in the type or nature of treatment

—————→ May allow for amendment under the 2002 VSMM

Expansions and changes in the type and nature of treatment subject to new/amended application under the standards of the 2017 VSMM.

Applicants/designers urged to contact SW Program in advance.

3. Pervious Surfaces

2017 VSMM incorporated the definition previously established in the Stormwater Rules on what constitutes a pervious surface; including considerations for asphalt, concrete, and paver type surfaces.

2017 VSMM does not specify a determination is required, however strongly advised, particularly for permitted sites or sites looking to construct without a permit.

Stormwater Program expects more guidance soon related to the information necessary to provide a determination, if requested. Municipalities should not assume a surface or design proposal is pervious based on manufacturers or installers claim.

4. “Net Reduction” Design Strategy

“Net Reduction,” a new design option for crediting redevelopment/expansion projects that result in an overall net reduction.

Thus far in 2017, there have been some designers that are misinterpreting or not fully reading the VSMM, and have suggested this has bearing on permit jurisdiction. A net reduction in impervious is not exempt from permit coverage.

Jurisdiction is still set forth in statute/rules for new impervious, expansion, and redevelopment.

5. 2017 VSMM: Subchapter 6: Public Transportation

Expected that most projects permitted under Public Transportation will be state AOT projects, however municipal projects that meet definition, are eligible to apply the design elements of this section. These projects however may also choose to utilize the remainder of the VSMM practices.

Updates to application materials forthcoming to better address the three types of projects established under this section:

Redevelopment – Major Maintenance

Redevelopment with Expansion

New Construction

6. Post-Construction Soil Depth and Quality Standard

Several permits issued that require adherence to this Standard under the 2017 VSMM.

SW Program has reached out to some designers to get a better sense of field implementation of this new requirement.

SW Program will also be working with DEC Solid Waste Management Division and Composting Association of Vermont to better understand product availability, nutrient and organic matter content, and soil testing avenues.

7. Application Materials

Application Materials may continuously be updated to reflect identified issues and feedback from the design community.

Applications are being reviewed to ensure designers have utilized the most current materials.

Applicants urged to download forms at all times from the SW Program website prior to completion and not rely upon desktop copies or through revision of saved copies.

Revised Application Materials

Standards Compliance Workbook

STP Worksheets

NOI/INDS Application/Renewal Forms

- Numerous revisions since June 2017
- Feedback has been generally positive from designers
- Challenges remain for projects involving permit amendments and use of Site Balancing design strategy
- Little to no feedback received from the general public or municipalities

Questions/Discussion

Vermont DEC Stormwater Program

<http://dec.vermont.gov/watershed/stormwater>

<http://dec.vermont.gov/watershed/stormwater/contacts>