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

DATE: Tuesday, April 2, 2019
SCHEDULED TIME: 11 a.m. to 12:15 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: Hinesburg: Merrily Lovell
- Buels Gore: Huntingdon: Underhill:
- Burlington: Jenna Olson Jericho: Westford:
- Charlotte: Milton: Dave Allerton Williston: James Sherrard
- Colchester: Karen Adams, Andrew Douglas Richmond: Jessica Draper (dep. 12:01 p.m.) Winooski: Ryan Lambert
- Essex: Shelburne: Chris Robinson VAOT: Jennifer Callahan
- Essex Junction: Chelsea Mandigo South Burlington: Tom DiPietro VANR:
- Burlington Airport: Polly Harris (Stantec) University of VT: Lani Ravin (arr. 11:06 p.m) CCRPC Board: Don Meals
- Friends of the Winooski River: Lewis Creek Assoe: Winooski NRCD:

### Other Attendees:
- CCRPC Staff: Dan Albrecht, Charlie Baker, Kathryn Koberna (CCRPC UVM intern, departed after introductions)

1. **Call to Order.** The meeting was called to order by Don Meals at 11:00 a.m. Introductions were made.

2. **Changes to the Agenda and public comments on items not on the agenda** None.

3. **Review and action on draft minutes of March 6, 2019.**

   After a brief recap by Dan Albrecht, James Sherrard made a motion, seconded by Chelsea Mandigo to approve the minutes as drafted. MOTION PASSED with abstention by Meals, Harris and Lovell.

4. **Road and Bridge Standards Synchronization**

   Jim Ryan explained how the VTRANS “Town Road and Bridge Standards” are being updated especially via incorporation of various standards from DEC’s Municipal Roads General Permit. There are seven different sections as follows:

<table>
<thead>
<tr>
<th>Road and Bridge Standards Sections</th>
<th>Hydrologically-connected road segments*</th>
<th>Non-hydrologically-connected road segments**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 1 – Municipal Road Standards</td>
<td>YES (Required by Act 64)</td>
<td>YES NO</td>
</tr>
<tr>
<td>Section 2 – Class 4 Road Standards</td>
<td>YES (Required by Act 64)</td>
<td>YES NO</td>
</tr>
<tr>
<td>Town wide</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 3 - Perennial stream- bridge and culvert standards</td>
<td>YES (Required by DEC Stream Alteration Standard)</td>
<td></td>
</tr>
<tr>
<td>Section 4 – Intermittent stream crossings</td>
<td></td>
<td>YES NO</td>
</tr>
<tr>
<td>Section 5 - Roadway construction standards</td>
<td></td>
<td>YES NO</td>
</tr>
<tr>
<td>Section 6 - Guardrail standard</td>
<td></td>
<td>YES NO</td>
</tr>
<tr>
<td>Section 7 - Driveway access standard</td>
<td></td>
<td>YES NO</td>
</tr>
</tbody>
</table>

To qualify as meeting one of the four mitigation measures for achieving a favorable amount of State match from the Emergency Relief and Assistance Fund (ERAF), municipalities will need to adopt Sections 1 through 4 plus Section 7. Jim and Dan noted upcoming opportunities to learn more in detail about the proposed update to the Standards. These include: a VTRANS Local Roads “Road Roundtable” in Lincoln (editor’s note: this is on May 13th at 3 p.m.) and a CCRPC Road Foremen’s meeting here at CCRPC at 8 a.m. on April 24th. Jim concluded noting that DEC has recently announced the “Grants-in-Aid” allocation for the next fiscal year to be $3.2 Million which is slightly higher than last year.
5. **Draft CCRPC recommendations on S.96**

Charlie briefed the committee on the proposed CCRPC comments on S.96 which is scheduled for a 3rd reading today in the Senate. After the CWAC and Executive Committee reviews the draft letter the full CCRPC Board will act on the final version of the letter at its April 17th meeting. CWAC suggested edits were as follows:

Sec. 3 10 VSA § 1387: strengthen the language to emphasize that a long-term funding solution is needed soon otherwise EPA will impose penalties such as requiring even more cost-inefficient upgrades to sewer plants;

Sec. 1, 10 VSA § 922: change to read “….allocating grant funding based upon pollution reduction need.

§ 923: add language to improve how “design life” issues are addressed. Members noted that design life depends upon maintenance; best available science should be used to determine design life; efficacy drops over time but does not drop precipitously after design life is exceeded.

§ 924: this is the most complicated part. The overall concept of the bill was originally to set up a regional structure for subgranting and project administration but now its morphing into a permit program where a “clean water service provider” (an RPC) would be responsible for maintenance to assure pollution reduction targets are met and could be subject to an enforcement action by the ANR Secretary if it failed to do so. Members supported the proposed comments to soften these requirements but still have “providers” responsible for reporting on project implementation and maintenance practices.

§ 925: by and large, members agreed with the proposed comments. James Sherrard noted that in the end establishment of this new regional program would divert a finite amount of money needed for permit-regulated obligations to new, non-obligatory programs. Don Meals disagreed saying that argument seems a little bit like “turf-protection” for municipalities. Tom DiPietro said that it is somewhat the case but for him its about making sure funds are allocated towards projects that get the most efficient pollution reduction per dollar spent.

Sec. 1, 10 VSA §926, Sec. 6, 24 VSA §4345a. and Sec. 7, 24 VSA §4353: Members agreed with these comments. Clean water service providers should work off of standardized partner and maintenance agreements, basin water quality advisory councils should be the ones prioritizing projects and allocating funding to partners. Dan Albrecht noted that RPCs are well suited to handle sub-grants for projects as well as project tracking and annual reporting as it is similar to their work with CWBG grants and tracking progress on the Municipal Roads General Permit.

Charlie indicated he would incorporate the suggested revisions into an updated draft.

6. **Updates.**

Dan noted the following:

April 24th Road Foremen’s meeting here

April 11th webinar by DEC on the (editor’s note: see info here:

https://dec.vermont.gov/watershed/cwi/outreach/lecture-series

The Basin 5 (Direct-to-Lake) TBP update process is underway. Dan will be reaching out soon to gather info on town input on new water quality concerns, problem sites, etc.

7. **Items for May 7th meeting agenda.**

- Chairman Meals asked members to contact Dan if they have agenda items for consideration.
- Legislative update will likely be on the agenda

8. **Adjournment.** The meeting adjourned at 12:11 p.m.

Respectfully submitted, Dan Albrecht