

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

DATE: **Tuesday, November 5, 2019**
 SCHEDULED TIME: 11 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: Joss Besse	Hinesburg:	St. George:
Buels Gore:	Huntington: Darlene Palola	Underhill: Brian Bigelow
Burlington:	Jericho: Katherine Sonnick	Westford:
Charlotte:	Milton: Dave Allerton, Ashley Toof	Williston: Christine Dougherty
Colchester: Karen Adams	Richmond: Josh Arneson	Winooski: Ryan Lambert
Essex: Annie Costandi	Shelburne: Chris Robinson	VAOT:
Essex Junction: Chelsea Mandigo	South Burlington: Tom DiPietro;	VANR:
Burlington Airport: Polly Harris (Stantec)	University of VT: Michael Richards	CCRPC Board: Don Meals
Friends of the Winooski River:	Lewis Creek Assoc: Kate Kelly; Andrea Morgante	Winooski NRCD:
Other Attendees: DEC: Karen Bates; Blue@ Stormwater: Sarah Coleman		
CCRPC Staff: Dan Albrecht, Chris Dubin, Charlie Baker		

1. **Call to Order.** The meeting was called to order by Annie Costandi 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 October 1, 2019**

After a brief recap by Dan Albrecht, *Tom DiPietro made a motion, seconded by Chelsea Mandigo to approve the minutes as drafted. MOTION PASSED with abstentions by various members who were not present at 10/1/19 meeting.* Andrea Morgante asked and staff agreed to have draft minutes for prior meeting posted under the current meeting date.

4. **Act 176 & State development of RFP for Clean Water Service Providers**

Dan walked through documents prepared by DEC ---with Charlie highlighting key aspects--- describing elements of Act 176 and the current process DEC is using to develop a formal RFP to designate Clean Water Service Providers for each of the DEC-designated basins in Vermont. The two of them are part of an advisory group created by DEC to inform the RFP development process. Key points to note are:

- DEC will issue an RFP in early 2020 to solicit proposals from entities to act as Clean Water Service Providers and a provider would then be designated for each Basin by late 2020;
- phosphorus reduction “non-regulatory” targets will be assigned to each CWSP to achieve for their responsible basin. These targets are set based upon the estimated needed reductions from various sectors that would not be addressed through regulatory programs (e.g. agriculture, MS4, MRGP, TS4, pending General Permit 3-9050 For Operational Stormwater Discharges, wastewater, etc). Generally speaking, DEC’s current estimate is that 20% of the needed reductions overall for each basin would have to come from the non-regulatory sector such as natural resources restoration, wetlands, etc.
- DEC would then disperse funds, via “Water Quality Restoration Formula Grants” based upon the targeted load reduction factoring an average cost per project per pound of phosphorus removed.
- CWSPs would be responsible for developing projects in consultation with a Basin Water Quality Councils consisting of (at a minimum) persons representing municipalities (two persons), regional planning commissions (two), natural resource conservation districts (two), local watershed protection

1 organizations (two) and local or state land conservation organization (one). The Councils would
2 prioritize projects.

- 3 • After identification and prioritization, the CWSP would then develop and implement the non-
4 regulatory projects to meet the target. CWSPs would develop partnerships and subcontract/subgrant
5 work. CWSPs would have the overall responsibility to assure that projects are operated and
6 maintained as required.
- 7 • In response to questions from members, Charlie noted that it is possible that CCRPC, if the Board so
8 authorized, would submit a proposal to be a CWSP. There are portions of three basins that are within
9 Chittenden County: the Lamoille River, the Winooski River and the Northern Lake Champlain Direct-
10 to-Lake drainages. Dan added that in some respects the CCRPC is well-suited to be a CWSP given its
11 administrative and managerial capabilities and day-to-day familiarity with subgrants/subcontracting.
- 12 • Starting in November 2021 there is the potential for reformulated grant programs (Municipal
13 Stormwater Implementation and Developed Lands Implementation) to assist municipalities and private
14 landowners, respectively. However, these grants would only be available if DEC determines that the
15 applicable CWSP is making satisfactory progress.
- 16 • Currently, grant funds for phosphorus-reduction projects are available through Clean Water Block
17 Grants, DEC Grants-in-Aid and VTRANS (Better Roads, Transportation Alternatives, and Municipal
18 Highway and Stormwater Mitigation Program grants).

19 20 **5. Updates**

21 Chris Dubin demonstrated CCRPC's on-line Road Erosion Inventory Segment Compliance dashboard (see:
22 <http://map.ccrpcvt.org/reidashboard>). Key points he made included:

- 23 • Overall, our towns are making good progress towards achieving the interim targets (i.e. bringing non-
24 compliant road segments up to standards) set forth in the Municipal Roads General Permit. These
25 include the target of 15% of the non-compliant segments brought to standard by January 2023 and the
26 other "Very High Priority" target that all segments on slopes greater than 10% that "Do Not Meet"
27 standards be made compliant by January 2026.
- 28 • The inventories were done in 2016 and 2017. In 2018 and 2019, we focused on gathering info from
29 towns on what road work was done in each summer/fall and then CCRPC updated the dataset
30 accordingly to indicate if a non-compliant segment was brought up to standard
- 31 • Town staff should take a deep dive into the dashboard and in particular look at each segment that is
32 labelled as Does Not Meet or Partially Does Not Meet and let Chris know if the Town actually did
33 restore it up to standard.
- 34 • The CCRPC will assist Towns with completion of the formal Road Erosion Implementation Table. At
35 the request of Karen Adams, Chris will be in contact with MS4 communities as they have an earlier
36 deadline of April 1, 2020.

37 Dan Albrecht provided information on the pending General Permit 3-9050 For Operational Stormwater
38 Discharges. Key points he made included:

- 39 • He distributed copies of comments made by the Lamoille County Planning Commission which were
40 quite extensive. Members may wish to see if these comments resonate with their own concerns.
- 41 • He reported that he attended the public meeting on October 31st. Many attendees expressed concerns
42 about the cost of compliance. Dan recommended that, similar to the MRGP, DEC determines which
43 parcels should be addressed first and which parcels, if they have minimal runoff, could be brought up
44 to standard on a later schedule.
- 45 • Lastly, Dan noted that the deadline for comments has been extended to November 25th.

46 47 **6. 2020 Update to Basin 5 (Direct-to-Lake) Tactical Basin Plan**

48 Karen Bates of DEC briefed the committee members on the development of the update to the Plan scheduled
49 to be completed by late summer 2020. Right now, DEC is in the data-gathering and input-gathering phase
50 prior to her finalizing a "partner-review" draft by late January for RPCs, Natural Resource Conservation
51 Districts and other groups to look over.

- 1 Karen noted that at this time the proposed broad objectives are:
 2 Implement Agricultural BMPs Manage Stormwater Protect and remediate river corridors
 3 Remediate logging roads and landings Restore wetlands Protect and remediate lake shorelands
 4 Reduce and manage the spread of Aquatic Invasive Species
 5 Increase knowledge of water quality conditions in the Basin Address Toxics
 6 Identify streams for reclassification
 7

8 Karen noted the following waterbodies in Chittenden County from north-to-south with resource concerns
 9 Allen Brook Smith Hollow Crooked Creek Monument Brook Pond Brook
 10 Indian Brook Englesby Brook Bartlett Brook Potash Brook Munroe Brook
 11 McCabe’s Brook Laplatte River Lake Iroquois Holmes Creek Kimball Brook Thorp Brook
 12

13 The stressors vary for each waterbody but include urban development, chlorides, pathogens, geomorphic
 14 instability, agricultural runoff, temperatures, aquatic nuisance species (ANS), shoreline encroachment, road
 15 runoff.
 16

17 The strategies endorsed to combat these stressors include winter road management, stormwater management,
 18 education/outreach on septic management, manure management, wetland restoration, support for MS4
 19 permittees, education/outreach on driveway construction, ANS management, agricultural BMPs, river corridor
 20 protection
 21

22 The timeline for completion of the formal update is as follows:

- | | | |
|----|-------------------------|--|
| 23 | October – December 2019 | community meetings input |
| 24 | September – December | DEC meets with partners |
| 25 | September – December | Agriculture meetings |
| 26 | January – February 2020 | Working draft distributed to partners and reviewed by same |
| 27 | March | Agency Review |
| 28 | April-May | EPA review and RPC Board review |
| 29 | June | Revisions |
| 30 | July | Final draft posted for 30-day public comment and public meetings |
| 31 | August | Complete responsiveness summary and signature by ANR Secretary |

33 **7. Items for December 3rd meeting agenda.** To be determined through staff consultation with the co-
 34 chairs.
 35

36 **8. Adjournment.** The meeting adjourned at 12:37 p.m.
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Respectfully submitted, Dan Albrecht