DATE: Wednesday, March 4, 2020
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: Joss Besse | Hinesburg: Merrily Lovell | St. George: |
| Buels Gore: James Sherrard | Huntington: Darlene Palola | Underhill: |
| Charlotte: Milton: Dave Allerton, Ashley Jackson | Williston: Christine Dougherty |
| Colchester: Richmond: Ravi Venkataraman, arr. 11:10 | Winooski: Ryan Lambert |
| Essex: Shelburne: Chris Robinson, arr. 11:12 | VAOT: |
| Essex Junction: Chelsea Mandigo | South Burlington: Tom DiPietro | VANR: Christy Witters |
| Burlington Airport: Polly Harris (Stantec) | University of VT: Lani Ravin | CCRPC Board: Don Meals, CO-CHAIR |
| Friends of the Winooski River: Lewis Creek Assoc: Kate Kelly | Winooski NRCD: |

**Other Attendees:** DEC: Karen Bates; CCRPC Staff: Dan Albrecht, Chris Dubin, Charlie Baker

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

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

3. **Review and action on draft minutes of February 4, 2020**

   After a brief recap by Dan Albrecht, Tom DiPietro made a motion, seconded by Chelsea Mandigo to approve the minutes as drafted. Minor correction made with Allerton noted he was not present at that meeting. MOTION PASSED with abstentions by Meals, Allerton and Harris.

4. **Review “partner working draft” & timeline for draft Basin 5 Northern Lake Champlain Direct Drainage Tactical Basin Plan**

   Karen Bates recapped key elements of this “partner” draft. First, she outlined the Top Ten Objectives:
   1. Protect river corridors and floodplains
   2. Increase knowledge of water quality conditions
   3. Implement agricultural Best Management Practices
   4. Resolve E. coli impairments
   5. Manage stormwater from developed areas.
   6. Improve littoral zone habitat
   7. Inventory and prioritize municipal road erosion features that discharge into surface water and implement
   8. Provide technical and as available, financial assistance to wastewater treatment facilities
   9. Prioritize wetland and floodplain restoration projects
   10. Prioritize remediation of forest roads and logging landings

   Next, she outlined Surface Waters which the draft proposes for improved protection via Reclassification. In Chittenden County these included:
   - Trout Brook (Milton): Candidate for Aquatic Life Use Reclassification from Class B2 to Class B1
   - Mallets Creek, Tributary 7 (Milton): Potential Aquatic Life Use Reclassification
   - Sandbar Wetlands (Milton): Class 1 Wetland
With regards to proposed zoning/LDR changes for municipalities, Karen noted that Dan had provided her a Table showing various protections put in place by municipalities in the Basin (cf. Appendix C). Zoning bylaws are by and large robust with regards to water quality protections and related measures such as floodplain protections. Dan recommended that two municipalities explore further protections. Burlington could expand protections within its Special Flood Hazard Areas (it still allows some uses in the floodplain along the lakeshore) while Westford is actively considering adoption of River Corridor bylaws.

Karen recapped some of the primary Strategies in the Plan. (These can be seen in the “Implementation” table. These included:

- Support Equine manure management workshops
- Help municipalities control runoff from gravel and paved roads: provide technical and financial resources to assist with implementation of work to meet Municipal Roads General Permit*
- Provide technical assistance to promote best winter management practices on public and private roads and parking lots
- Support implementation of projects identified in water quality plans (e.g., stormwater master plans and Phosphorus and Flow Reduction Plans)*
- Promote adoption of residential practices to protect surface waters
- Implement “Three-acre” permit. *
- Support municipals’ efforts to protect and improve surface water quality and decrease fluvial erosion (Functioning Floodplain Initiative for this and following strategies?) *
- Increase the number of river and floodplain restoration projects Re-establish connections to floodplains. Includes two-tiered ditch*
- Replace geomorphologically incompatible culvert and bridges: RPCs work with towns to identify, add to capital budget, seek additional funding sources*
- Increase River Conservation Easements: support projects which incorporate channel management and riparian buffer*
- Support studies to investigate benefits of removal of dams listed in Table X*

Lastly, Karen presented an extensive list of streams on page 97 that could benefit from improved monitoring. In Chittenden County these included:

<table>
<thead>
<tr>
<th>Watershed</th>
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<th>Watershed</th>
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<tr>
<td>Malletts Bay</td>
<td>Mallets Creek Trib crossing 480 Duffy road</td>
<td>Shelburne Bay</td>
<td>Potash Brook (others?)</td>
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<tr>
<td>Mallets creek</td>
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<tr>
<td>Mallets Creek Main trib</td>
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<td>Upper LaPlatte</td>
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<td>Allen Brook</td>
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<td>Mud Hollow</td>
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<td>Crooked Creek</td>
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<td>McCabes</td>
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<td>Smith Hollow Brook</td>
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<td>Charlotte</td>
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<td>Englesby Brook</td>
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Members discussed the difference between “surveillance” stream sampling which is done every four year on each stream vs. “attainment” sampling which needs to be more intensive. Some members encouraged DEC to reexamine some of the streams (e.g. Allen Brook in Williston) as the towns have done a lot of
projects over the last several years and in some cases flow targets are being met (e.g. Sunderland Brook).
Don Meals noted that data may not show conclusively that targets have been attained. In conclusion, Karen
urged the members to review the draft Plan including the Appendices and send comments through Dan.

Dan concluded the discussion by noting the anticipated timeline for CCRPC input/review of the draft Plan.
Tuesday, April 7th, CCRPC CWAC
- reviews and approves draft of formal staff and Committee comments on “partner” draft for submission to DEC
- review and approve draft staff opinion on conformance with regional plan
Wednesday, April 15, CCRPC Board
- review the CWAC comments with an overview of the plan done by CCRPC staff.
- review and approve draft STAFF opinion on conformance with regional plan
Tuesday, May 5th, CCRPC CWAC
- Dan briefs CWAC on schedule for remaining 4 months

5. **Discuss issues with providing a proposal for CCRPC to serve as the Clean Water Service Provider for Basin 5 pursuant to Act 76, including issues such as potential conflicts of interest and the flow of funds**

Charlie asked for input from the members with regards to various issues being discussed as the Act 76 Advisory Group (which he and Dan participate in) as they provide input into the drafting of Rules and Guidance that DEC will issue addressing operations of Clean Water Service Providers and Basin Water Quality Councils.

With regards to issues of conflict of interest of CWSPs or BWQC members, the consensus of members was as follows: persons should not be “scoring” their own organization’s proposals; however, if projects are presented as part of a package or list of projects, then CWSPs or BWQC members should be able to participate in discussion and votes on advancing/funding a set of projects similar to the way municipalities currently vote on an annual basis on projects in CCRPC’s Unified Planning Work Program. Members also stressed the need for flexible guidelines as Vermont is such a small state and some level of overlapping interest is almost unavoidable.

With regards to project funding and the flow of funds, the consensus was that some sort of start-up funds or down payment needs to be provided. This is especially needed if project implementor is a small non-profit that has few cash reserves.

Don Meals asked what would be the role of the CWAC after BWQC is up and running? Charlie said that the BWQC would do project prioritization of non-regulatory projects but that CWAC would continue as a communications forum and as a forum to discuss water quality issues and policy in general. Dan stressed that the CWSP and BWQC only deals with the non-regulatory phosphorus reduction realm. He noted that the CWAC could serve as useful mechanism for input into the BWQC and that it will still have a strong role in Basin planning.

6. **Updates**

a. Development of FY2021 Unified Planning Work Program (UPWP) Dan Albrecht noted that CCRPC staff and the UPWP Committee continue to work on developing the programming for FY21 with formal action scheduled for the May Board meeting. At this point, it looks as if all the water quality project should
be able to be funded but some may be funded at reduced levels. Marshall Distel will provide a more
comprehensive update at our April meeting.

b. Municipal Roads General Permit  Chris Dubin provided an update regarding annual reporting by
municipalities. For non-MS4 towns, you just need to repeat the form you filed last year and noting the
month and year (either 2016 or 2017) your inventory was completed by CCRPC. Contact him if you need
that date. For MS4 towns, your Road Erosion Inventory report (as noted by Christy Witters) is part of your
Notice of Intent. As discussed at prior meetings, the MS4 submission also must contain your formal Road
Erosion Inventory dataset as well as a notation on which segments in which year you plan to bring to
standards between now and summer 2023 when your current MS4 permit ends. This planned work gets
reported in the Annual Report Excel workbook in the tab regarding Phosphorus Control Plan development

Chris noted that he has completed the datasets for three of the nine MS4s and he plans to have the
remaining ones completed in the next few weeks. He also noted that for MS4 outlets, they are either ranked
as Fully Meets (up to 11 inches of erosion, aka “rill erosion” or Does Not Meet (over 11 inches of erosion,
aka “gully erosion”). There is no “Partially Meets” rating for these outfalls Tom DiPietro noted that the
reporting form should not just list Remedy 1,2,3, 4 but also, for clarity, state on the form what those
remedies are so people don’t have to track down the DEC guidance document..

7. Items for Tuesday, April 7th meeting agenda.
   a) Continued review/action on CW Service Providers RFP
   b) FY21 UPWP: update on proposed water quality projects

8. Adjournment. The meeting adjourned at 12:38 p.m.

Respectfully submitted, Dan Albrecht