

REGULAR MEETING AGENDA

Wednesday, July 15, 2020 - **6:00 p.m.**



Remote Access Meeting Only

Please join the meeting by clicking <https://www.gotomeet.me/CCRPCVT/ccrpc-july-2020-board-meeting>

For those who would prefer to join by phone or those without a microphone on your computer, please dial in using your phone.

Call: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 604-059-293

When participating remotely, please wait until you are recognized by the Chair before you speak. For each agenda item, the Chair will make sure to ask if anyone participating remotely would like to speak.

- a. Use the "chat" feature, raise your hand if on video, or ask the Chair to request to speak. To ensure everyone is heard, only one person should speak at a time.*
- b. When recognized by the Chair, introduce yourself each time.*
- c. Speak up so everyone in person and on the phone can hear clearly.*
- d. When participating remotely, take steps to avoid background noise, and make sure your microphone/phone is muted when you are not speaking.*

CONSENT AGENDA – none

DELIBERATIVE AGENDA

1. Call to Order; Attendance; Changes to the Agenda (Action; 1 minute)
2. Public Comment Period on Items NOT on the Agenda (Discussion; 5 minutes)
3. Action on Consent Agenda (MPO Action, if needed; 1 minute)
4. Approve Minutes of June 17, 2020 Meeting* (Action; 1 minute)
5. FY21-24 Transportation Improvement Program (TIP)* (MPO Business)
 - a. Public Hearing (MPO Action & Discussion; 10 minutes)
 - b. Approval of the TIP (Action; 5 minutes)
 - c. Certification of the Planning Program (Action; 2 minutes)
6. Draft Basin 5 Tactical Basin Plan: Northern Lake Champlain Direct Drainages (Action: 15 minutes)

View the DEC press release regarding planned review meetings, how to submit comments and a related StoryMap here: <https://dec.vermont.gov/water-investment/watershed-planning/tactical-basin-planning/basin5>. You can download the Plan at this link or on the CCRPC Board meeting webpage.

 - a. Brief overview of Plan
 - b. Public Comment
 - c. Tactical Basin Plan Conformance Letter*
7. Committee member review/volunteers* (Discussion; 5 minutes)
8. Potential Policy Participation Topics* (Discussion; 15 minutes)
9. Racial Justice Discussion (Discussion; 15 minutes)
10. Chair/Executive Director Report (Discussion; 5 minutes)

*In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext. *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.*

- a. CCRPC Budget and Operations
11. Committee/Liaison Activities & Reports* (Information, 2 minutes)
- a. Executive Committee (draft minutes July 1, 2020)*
- i. Act 250 Sec 248 letters
- b. Planning Advisory Committee (draft minutes June 10, 2020)*
- c. Clean Water Advisory Committee (draft minutes July 7, 2020)*
12. Future Agenda Topics (Discussion; 10 minutes)
13. Members' Items, Other Business (Information; 5 minutes)
14. Adjourn

The June 17, 2020 Chittenden County RPC streams LIVE on YouTube at https://www.youtube.com/playlist?list=PLIjLFn4BZd2O0l4hJU_nJ9q0l3PdQR0Pp. The meeting will air Sunday, July 19, 2020 at 1 p.m. and is available on the web at <https://www.cctv.org/watch-tv/series/chittenden-county-regional-planning-commission>.

Upcoming Meetings - Unless otherwise noted, all meetings are held at our offices:

- Transportation Advisory Committee – Tuesday, August 4, 2020, 9am
- Clean Water Advisory Committee - Tuesday, August 4, 2020, ~11am
- CWAC MS4 Subcommittee - Tuesday, August 4, 2020, ~12:30pm
- Executive Committee – Wednesday, August 5, 2020, 5:45pm if needed
- Executive Committee – Wednesday, September 2, 2020, 5:45pm
- Transportation Advisory Committee – Tuesday, September 1, 2020, 9am
- Clean Water Advisory Committee - Tuesday, September 1, 2020, ~11am
- CWAC MS4 Subcommittee - Tuesday, September 1, 2020, ~12:30pm
- Planning Advisory Committee – Wednesday, September 9, 2020, 2:30pm
- CCRPC Board Meeting - Wednesday, September 16, 2020 6:00pm

Tentative future Board agenda items:

August	NO MEETING
September 16, 2020	Secretary Flynn? Committee member appointment Annual gathering?
October 21, 2020	

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING MINUTES
DRAFT

DATE: Wednesday, June 17, 2020

TIME: 6:00 PM

PLACE: REMOTE ATTENDANCE VIA GO-TO-MEETING VIDEO

PRESENT:	Bolton:	Sharon Murray	Buel's Gore:	Garret Mott
	Burlington:	Andy Montroll	Charlotte:	Jim Donovan
	Colchester:	Jacki Murphy	Essex:	Jeff Carr
	Essex Junction:	Jeff Carr (Alt.)	Hinesburg:	Michael Bissonette
	Huntington:	Barbara Elliott	Jericho:	Catherine McMains
	Milton:	Tony Micklus	Richmond:	Bard Hill
	St. George:	Absent	Shelburne:	John Zicconi
	So. Burlington:	Chris Shaw	Underhill:	Absent
	Westford:	Absent	Williston:	Chris Roy (6:41PM)
	Winooski:	Michael O'Brien	Cons/Env.:	Don Meals
	VTrans:	Amy Bell	Bus/Ind:	Tim Baechle
	GMT :	Absent	Agriculture:	Absent
	Socio/Econ/Housing:	Absent		

Others: Matthew Langham, VTrans Meghan O'Rourke, CCTV

Staff: Charlie Baker, Executive Director Regina Mahony, Planning Prgm Mgr.
Eleni Churchill, Trans. Prgm Mgr. Christine Forde, Senior Planner
Taylor Newton, Senior Planner Jason Charest, Senior Planner
Amy Irvin Witham, Business Office Associate

1. Call to order; Roll Call Attendance; Changes to the agenda. The meeting was called to order at 6:01PM by the Chair, Michael O'Brien. Jeff Carr noted he is representing both Essex and Essex Junction.
2. Public Comment Period on Items NOT on the Agenda. There were none.
3. Action on Consent Agenda (MPO Business). There were none.
4. Approve Minutes of May 20, 2020 board meeting. GARRET MOTT MADE A MOTION, SECONDED BY JEFF CARR TO APPROVE THE MAY 20, 2020 CCRPC BOARD MEETING MINUTES WITH EDITS. MOTION CARRIED UNANIMOUSLY.
 - Edit page 1, line 46: Add possessive to Garrett Mott's and Jeff Carr's names.
5. Warn Public Hearing for the FY21-24 Transportation Improvement Program (TIP) MPO Business Christine Forde referred members to the memo and the Transportation Improvement Program, FY2021-2024 document included with the agenda packet. She explained the TIP is a prioritized, fiscally constrained, and multi-year list of federally funded, multimodal transportation projects and operations within the Chittenden County Regional Planning Commission region. As a federally designated Metropolitan Planning Organization (MPO), the CCRPC must prepare a TIP that covers at least 4-years of projects. The TIP must be prioritized at the regional level and have clearly identified

1 funding sources. All transportation projects, programs and operations receiving federal funds must
2 be authorized through the CCRPC TIP process. The exceptions are federal airport funds for
3 Burlington International Airport, which are listed in the TIP for informational purposes only.
4 Christine reviewed funding levels and referred members to the TIP Funding table. She noted the
5 table displays the variation from year to year, as the TIP follows a project's readiness to move
6 forward. Members asked for clarification on the acronym BIA; Christine explained this is a reference
7 to the Burlington International Airport and should be updated to BTV. She moved on to review
8 tables and graphs; FY2021-2024 TIP Funding by Project Use Category, Federal Funds Programmed by
9 Project Use Category and Federal Funds Actually Obligated in Chittenden County. These provide
10 details on funding and budget percentages between years on various projects categorized by: New
11 Facilities and Major Roadway Upgrades, Transit, Safety-Traffic Operations-ITS, Paving, Bridge
12 Preservation, Roadway Corridor Improvements, Sidewalks, Intermodal, Stormwater and
13 Environmental, and Rail Grade Crossings. She pointed out the New Facility and Major Roadway
14 upgrade makes up 24% of the TIP this year. Christine also reviewed funding present for the Circ
15 Alternative Projects. Christine noted the TAC and CCRPC staff recommends the board warn a public
16 hearing for the July 15, 2020 Board Meeting on the FY2021-2024 TIP.
17

18 AT 6:16PM P.M. JEFF CARR MADE A MOTION, SECONDED BY GARRET MOTT, TO RECOMMEND THE
19 BOARD WARN AND HOLD THE PUBLIC HEARING AT THE JULY 15, 2020 BOARD MEETING. MOTION
20 CARRIED UNANIMOUSLY.
21

22 6. Election of Officers and Executive Committee for FY21

23 Mike stated the Board Development Committee recommends the following slate of officers for
24 FY21. He asked if there were any other nominations. There were none.

- 25 • Mike O'Brien, Chair
- 26 • Catherine McMains, Vice-Chair
- 27 • John Zicconi, Secretary/Treasurer
- 28 • Chris Shaw, At-large for Towns over 5,000
- 29 • Bard Hill, At-large for Towns under 5,000
- 30 • Andy Montroll, Immediate Past Chair

31
32 GARRET MOTT MADE A MOTION, SECONDED BY BARBARA ELLIOTT, TO ELECT THE SLATE OF
33 OFFICERS AS PRESENTED. MOTION CARRIED UNANIMOUSLY.
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35 7. FY21 Calendar of Meeting dates

36 Charlie referred members to the Memo with the proposed FY21 schedule of meetings for the
37 Commission and Committees covering July 2020 through June 2021. Jeff wondered, since we are
38 unable to hold an annual meeting this year, if there will be other meeting and socializing
39 opportunities to have interactions with our stakeholders; he feels it is vital to the success of our
40 organization. Charlie stated we will try to hold an annual in-person gathering in September, and if it
41 is not possible to be in-person, we can explore a virtual option. Charlie also explained tonight serves
42 as our annual meeting in accordance with our bylaws, as we are holding the election of officers and
43 a vote on the meeting calendar dates.

44 ANDY MONTROLL MADE A MOTION, SECONDED BY BARBARA ELLIOTT, TO RECOMMEND THE
45 MEETING SCHEDULE AS PRESENTED TO THE BOARD. MOTION CARRIED UNANIMOUSLY.
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2 8. Interstate 89 Study Update

3 Eleni Churchill referred members to the Interstate I-89 Study presentation document included with
4 the agenda packet. She explained the first round of public engagement meetings wrapped up in
5 March, just prior to the COVID-19 social distancing mandates. There were three public meetings
6 (South Burlington in January, Williston in February, and Winooski in March) and 309 individual
7 comments were received during these meetings, through a web survey and the project website
8 (<https://envision89.com/>). Eleni provided a brief summary of the public comments and pointed out
9 that a summary document is posted on the website. She also noted that the project team will
10 continue to take public input into account as this study moves forward. Eleni reviewed the study
11 area for this project which includes the entire I-89 Corridor (37 miles) in Chittenden County and its 7
12 interchanges, and discussed the Project Overview graphic, which breaks the project into a total of 7
13 tasks. She explained the project is currently moving out of Task 3 “Corridor Vision and Goals” which
14 should be finalized by June 30, 2020. The first round of “Interchange Evaluation” under Task 4 has
15 been completed and the second round will occur over the summer and fall. The project’s Draft
16 Vision Statement reads: “The 2050 Vision for the I-89 Corridor through Chittenden County is an
17 interstate system (mainline and interchanges) that is safe, resilient and provides for reliable and
18 efficient movement of people and goods in support of state, regional, and municipal plans and
19 goals.” Eleni went on to discuss the eight I-89 project goals on Safety, Livable, Sustainable and
20 Healthy Communities, Mobility & Efficiency, Environmental Stewardship & Resilience, Economic
21 Access & Vitality, and System Preservation. She explained the first round of the interchange
22 screening metrics and discuss the evaluation results for 8 different new or significant interchange
23 improvements. The findings yielded total scores and a recommendation from the project’s Technical
24 Committee to move Exits 12B, 13 (hybrid), and 14 into the next round of interchange evaluation.
25 The I-89 Advisory Committee, at their June 30th meeting, will review the first round of the
26 interchange evaluation results as well as the Technical Committee’s recommendation and decide
27 which interchanges should move forward for further evaluation. Member discussion ensued. John
28 Zicconi asked about incident response time and when an accident occurs, if a plan to keep the flow
29 of traffic moving can be explored. Eleni stated, yes, they are working with Emergency Management
30 personnel to gather input on how to best accommodate this. John also asked if residents from
31 neighboring counties, had been considered, since they are traveling in and out of Chittenden county.
32 Charlie explained yes, they did reach out to neighboring RPCs and visited both the Central Vermont
33 and Addison County RPCs to present the I-89 Study. Jeff Carr expressed concerns that the
34 projections have been based on information gathered prior to COVID-19, and wonders if there will
35 be a shift in travel behavior and how is that going to be considered. Eleni explained that the
36 pandemic impact on travel behavior is still unknown and the way the project team is prepared to
37 deal with this and other uncertainties (such as the impact of Autonomous Vehicles) is to develop
38 capacity, delay and other thresholds that will act as triggers for specific roadway improvements. The
39 transportation system will be monitored, and an improvement will only move forward when the
40 specific threshold is reached. Jeff indicated that we don’t want to invest in costly improvement if we
41 don’t have to and Eleni agreed. Charlie explained there will be additional public engagement efforts,
42 including with underserved populations, over the next few months. Sharon Murray expressed her
43 thanks to Charlie, Eleni, and Jason for their attendance at the Bolton Select Board meeting to
44 provide information regarding the I-89 Study.

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1 Chair/Executive Director Report.

2 a. **Legislative Update**

3 Regina referred members to the Memo and Draft Comments on S.237 document included with
4 the agenda packet. The Senate is working on S.237, a housing bill that is intended to increase
5 housing production in the State. Some of the Act 250 changes that have been worked on over
6 the last 2 years are being incorporated into this bill. The Planning Advisory Committee reviewed
7 these proposed comments, particularly the comments on Section 2, which address municipal
8 zoning. The draft comments reflect the consensus reached. Many of the other comments touch
9 on things we have discussed before regarding Act 250. Regina explained the bill has been
10 amended by various Senate committees and will continue to change moving forward when it
11 goes over to the House. S.237 started as a housing bill with several different funding pieces, and
12 specific housing components that would amend the municipal zoning enabling statute. The
13 changes would make it easier to implement and build Accessory Dwelling Units and suggests
14 other specific baseline zoning measures to address density in areas with water and sewer (e.g.
15 duplexes allowed where all single family homes are allowed). Regina states this is trying to
16 address the housing shortage and correct the inequities that have been the result of zoning.
17 Regina said it includes a lot of very specific details; what we are ultimately asking the board is if
18 members are generally comfortable with the comments and, since things are moving and
19 changing so fast, if the direction of the comments on S.237 are acceptable. Jim Donovan voiced
20 some concerns with a few of the comments; regarding comment number 5, he feels it might be
21 better to recommend performance based criteria as opposed to specific implementation tools.
22 Jim stated, in theory there was a lot of discussion with planners, however there may not have
23 been enough attention paid to the details. Member discussion ensued. Jeff Carr had concerns
24 with comment number 4 and is worried this could create too much new construction versus
25 looking at ways to make existing housing more affordable. Members continued to discuss the
26 nuances. Sharon thanked Regina for doing a great job with her summary on a moving target.
27 Mike asked if members were comfortable with the comments. Jim Donovan asked if this is
28 currently on the Senate floor and the comments will go before the House? Charlie stated yes,
29 he is looking for some direction and guidance to share the comments. Jim stated he was
30 comfortable; members agreed.

31
32 b. **CCRPC Budget and Operations**

33 Charlie explained there have been no significant budget impacts for FY20, however, we will have
34 to wait to see what happens in FY21. The administration proposed full funding for the Regional
35 Planning Grant, and we don't think there will be any cuts to MPO funding, but there are no
36 guarantees how this will end up. CCRPC staff continues to be resilient in dealing with the
37 changes and most people continue to work remotely. The office is slowly opening with a few
38 staff going in each week and we have developed strict safety protocols that follow the guidance
39 and recommendations from State and CDC officials.

40
41 9. Committee/Liaison Activities & Reports. Minutes for various meeting were included in the packet
42 (Executive Committee, TAC, PAC, Brownfields, and CWAC).

43
44 10. Future Agenda Topics: Mike asked if there were any suggestions for upcoming meeting topics.
45 Charlie said next month we will have the TIP Hearing, discussions on Basin Plan Direct to Lake, and
46 conversations for committee membership. There were no other suggestions.
47

11. Members' Items, Other business. Mike O'Brien wanted to recognize Chris Roy; after 8 years of service, tonight was Chris's last CCRPC Board meeting. Members thanked Chris for his many years of work on the CCRPC Board and Executive Committee. Chris thanked everyone and said the people are what make an organization great, and this has been a great group of people to work with.

12. Adjournment. CHRIS ROY MADE A MOTION, SECONDED BY JEFF CARR, TO ADJOURN THE MEETING AT 7:33 PM.

Respectfully submitted,
Amy Irvin Witham

DRAFT



Chittenden County Regional Planning Commission

July 15, 2020

Agenda Item 5a: Action Item

FY2021-2024 Transportation Improvement Program

Issues:

Federal regulations require the Chittenden County Regional Planning Commission (CCRPC), as the designated Metropolitan Planning Organization (MPO) for Chittenden County, to develop and maintain a Transportation Improvement Program (TIP). The TIP contains funding information for transportation projects proposed to spend federal transportation funds in Chittenden County. Projects must be listed in the TIP to spend federal transportation funds. The TIP includes all modes of transportation including highways, bicycle and pedestrian facilities and transit.

The FY21-24 TIP includes \$248.2 million in federal funds for transportation projects in Chittenden County. Projects funded advance transportation performance goals set by FHWA, VTrans and CCRPC as detailed below.

- Safety - Includes over \$80 million for improvements at 14 High Crash Locations in the county. The TIP also includes over \$4.9 million for separated paths and sidewalk projects that will improve safety for pedestrian and bicyclists.
- Infrastructure Condition - Includes over \$41 million for paving projects and \$16.3 million for bridge preservation projects.
- Transit Reliability - Includes \$55 million for transit projects including bus and van replacements, bus facility upgrades and transit services.
- National Highway System Reliability - Includes projects in the categories of intelligent transportation systems and traffic operations that improve the operations of existing infrastructure. It also includes improvements at four interstate interchanges, Exit 12, Exit 14, Exit 16 and Exit 17, to improve access in the vicinity of I-89.

The Draft Fiscal Year 2021–2024 TIP is available on at <http://www.ccrpcvt.org/our-work/our-plans/transportation-improvement-program/>.

**Executive
Committee/TAC/
Staff**

Hold a Public Hearing on July 15, 2020 on the FY2021–2024 Transportation Improvement Program for Chittenden County and approve the TIP.

Recommendation:

**For more
information
contact:**

Christine Forde
846-4490 ext. *13 or cforde@ccrpcvt.org



Chittenden County Regional Planning Commission

July 15, 2020

Agenda Item 5c: Action Item

Transportation Planning Process Certification

Background: Concurrent with the submittal of the proposed Transportation Improvement Program to Federal Highway Administration and Federal Transit Administration the CCRPC must certify that the metropolitan transportation planning process is being carried out in accordance with all federal requirements. The certification, which is attached to this item, lists the federal requirements CCRPC must follow.

To the right of each item in the certification is a brief explanation of the content of that item.

Also attached to this item as Table 1 is a more detailed summary of each legal citation listed in the certification.

Staff Recommendation: That the CCRPC Board authorizes the chair to sign the Certification of the Planning Process and forward it to the Secretary of Transportation with the adopted FY2021-2024 TIP.

For more information contact: Christine Forde
846-4490, ext. *13 or cforde@ccrpcvt.org

Attachments: Certification document
Table 1: Federal Regulations that MPOs Must comply with in the Planning Process

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
TRANSPORTATION PLANNING PROCESS CERTIFICATION
(To be submitted with each TIP)

In accordance with 23 CFR 450.336, the Vermont Agency of Transportation and the Chittenden County Regional Planning Commission, the designated MPO for the Burlington urbanized area, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements including:

1. The metropolitan planning requirements identified in 23 U.S.C. 134 and 49 U.S.C. 5303;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;
3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) of the FAST Act (Public Law 114-357) and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and the regulations found in "Transportation for Individuals with Disabilities" (49 C.F.R. Parts 27, 37, and 38).
7. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

- ← *Defines the metropolitan planning process.*
- ← *CCRPC may not discriminate against any person under any program or activity receiving federal financial assistance. Protected categories include race, color, creed, national origin, sex or age.*
- ← *CCRPC must ensure nondiscrimination in the award and administration of Department of Transportation (DOT)-assisted contracts and create a level playing field on which Disadvantaged Business Enterprises can compete for DOT-assisted contracts.*
- ← *Equal employment opportunity requirements for highway construction contracts. CCRPC does not award or oversee construction contracts.*
- ← *CCRPC may not exclude any qualified handicapped person, solely by reason of his disability, from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance administered by the DOT.*
- ← *CCRPC may not discriminate on the basis of age in programs and activities receiving Federal financial assistance.*
- ← *CCRPC may not exclude any person on the grounds of sex from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.*
- ← *Pertains to discrimination for programs or activities conducted by any Executive agency.*

Table 1
Transportation Planning Process Certification:
Federal Regulations that MPOs Must Comply with in the Planning Processes

Code of Federal Regulations

23 C.F.R. Part 230	Implementation of Specific Equal Employment Opportunity Requirements Equal employment opportunity requirements must be included in advertising, award and contract administration procedures for Federal highway construction contracts.
23 C.F.R. 450.336	Self-certification and Federal certifications Concurrent with the submittal of the proposed TIP to the FHWA and FTA the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including all regulations listed in this table.
49 C.F.R. Part 21	Nondiscrimination in Federally-Assisted Programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964 No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation.
49 C.F.R. Part 26	Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs Ensure nondiscrimination in the award and administration of DOT-assisted contracts and create a level playing field on which DBEs can compete for DOT-assisted contracts.
49 C.F.R. Part 27	Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance administered by the Department of Transportation.
49 C.F.R. Part 37	Transportation Services for Individuals with Disabilities Implement the transportation and related provisions of titles II and III of the Americans with Disabilities Act of 1990 including standards for accessible vehicles and transportation facilities.
49 C.F.R. Part 38	Americans with Disabilities Act Accessibility Specifications for Transit Vehicles Provides minimum guidelines and requirements for accessibility standards for transportation vehicles required to be accessible by the Americans with Disabilities Act of 1990.

FAST Act

Section 1101(b) of FAST Act (Public Law 114-357)	Authorization of Appropriations - Disadvantaged Business Enterprise Establishes guidelines for a portion of expenditures under the FAST Act to be directed to small business concerns owned and controlled by socially and economically disadvantaged individuals.
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Table 1 cont.
Transportation Planning Process Certification:
Federal Regulations that MPOs Must Comply With in the Planning Processes

United States Code

23 U.S.C. 134

Metropolitan Planning

It is in the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between states and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes.

This section includes the following:

- General requirements
- Designation of Metropolitan Planning Organizations
- Metropolitan Planning Area boundaries
- MPO consultation in plan and TIP coordination
- Scope of planning process
- Development of Long-Range Transportation Plan
- Metropolitan Transportation Improvement Program
- Report on performance-based planning processes
- Funding

23 U.S.C. 324

Prohibition of Discrimination on the Basis of Sex

No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title.

29 U.S.C. 794

Nondiscrimination Under Federal Grants and Programs

No otherwise qualified individual with a disability in the United States, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

42 U.S.C. 6101

Age Discrimination in Federally Assisted Programs

It is the purpose of this chapter to prohibit discrimination on the basis of age in programs and activities receiving Federal financial assistance.

42 U.S.C. 2000d-1

Civil Rights - Federally Assisted Programs

Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title. (See below)

Sec. 2000d: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Table 1 cont.
Transportation Planning Process Certification:
Federal Regulations that MPOs Must Comply With in the Planning Processes

**42 U.S.C. 12101 et
seq**

Equal Opportunity for Individuals with Disabilities

To provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

To provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.

To ensure that the Federal Government plays a central role in enforcing the standards established in this chapter on behalf of individuals with disabilities.

To invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.

49 U.S.C. 5303

Metropolitan Planning

Defines the Metropolitan Planning process, including the following:

- General requirements
- Designating Metropolitan Planning Organizations
- Metropolitan Planning Area Boundaries
- MPO Consultation in Plan and TIP Coordination
- Scope of the planning process
- Developing Long-Range Transportation Plans
- Metropolitan TIP
- Report on Performance-based Planning Processes

49 U.S.C. 5332

Nondiscrimination

A person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, creed, national origin, sex, or age.

Chittenden County Regional Planning Commission
July 15, 2020

Agenda Item 6: Final Action: Northern Lake Champlain Direct Drainages Basin
(Basin 5) Tactical Basin Plan - Comment Letter

Issues: As directed in its FY20 RPC Tactical Basin Planning Support grant from DEC, the CCRPC assists the DEC by facilitating municipal and CCRPC input into both an early “partner draft” of the Tactical Basin Plan as well as formal “public review draft.” Staff and the CWAC have been reviewing the “partner draft” provided to us in late February and again in June as well as the formal “public review draft” released earlier this month.

The grant agreement notes that the CCRPC shall “(p)rovide a written analysis and formal recommendation(s) (including comments) from their Board of Commissioners on conformance of the draft Tactical Basin Plan(s) with the goals and objectives of applicable regional plans to each relevant Basin Planner.10 VSA Sec. 1253(d)(2)(g).”

The Clean Water Advisory Committee, the Executive Committee and the Board have reviewed prior drafts of the letter at their May meetings and the former two Committees have reviewed the latest draft at their July 2nd and July 7th meetings, respectively.

The CCRPC Board is asked to review and authorize final submission of this letter to DEC.

Staff Recommendation: Review and vote to approve submission of letter to DEC.

Executive Committee Recommendation: Review and vote to approve submission of letter to DEC.

Clean Water Advisory Committee (CWAC) Recommendation: Review and vote to approve submission of letter to DEC.

Staff Contact: Contact Charlie Baker or Dan Albrecht with any questions:
cbaker@ccrpcvt.org, 735-3500 or dalbrecht@ccrpcvt.org, 324-4642



Date: July 16, 2020

To: Vermont Agency of Natural Resources, Department of Environmental Conservation

From: Chittenden County Regional Planning Commission

**Re: RECOMMENDATIONS REGARDING CONFORMANCE OF THE DRAFT NORTHERN LAKE
CHAMPLAIN DIRECT DRAINAGES TACTICAL BASIN PLAN WITH THE 2018 CHITTENDEN COUNTY
ECOS PLAN**

The CCRPC would like to commend Department of Environmental Conservation (DEC) Watershed Planner Karen Bates, on the comprehensive presentation and analysis contained in the *Draft Northern Lake Champlain Direct Drainages Tactical Basin Plan (TBP)*. We appreciate the opportunity to work with her and other DEC staff to strengthen municipal and public participation in TBP development. We look forward to continued cooperation with DEC and with the Agency of Natural Resources on future TBPs, as well as water quality outreach and education and other activities.

The purpose of this memorandum is to analyze the relative conformance of the *Draft Northern Lake Champlain Direct Drainages Tactical Basin Plan* with the relevant Goals, Strategies and Recommended Actions of the *ECOS Plan* and to provide recommendations regarding project prioritization.

BACKGROUND

CCRPC has the opportunity to provide recommendations to the Agency of Natural Resources regarding tactical basin plans pursuant to the following sections of Vermont Statutes Title 10, Chapter 47, §1253(d)

- (2)(G) ... *the Secretary [of Natural Resources] shall: develop, in consultation with the regional planning commission, an analysis and formal recommendation on conformance with the goals and objectives of applicable regional plans.*
- (3)(D) ... *[the regional planning commissions are to] assist the Secretary in implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of State and federal funds.*

The CCRPC reviewed the *Draft Northern Lake Champlain Direct Tactical Basin Plan* that was issued for RPC review in February 2020 and the formal draft issued on July 3, 2020. The Basin includes major portions of the Chittenden County municipalities of Burlington, Charlotte, Colchester, Hinesburg, Milton, Shelburne and small portions of Essex, Essex Junction, Richmond, Saint George and Williston.

The *2018 Chittenden County ECOS Plan* serves as the County's Regional Plan. The *ECOS Plan* also serves as the Metropolitan Transportation Plan (MTP) and the Comprehensive Economic Development Strategy (CEDS) for the County.

CONFORMANCE WITH THE REGIONAL PLAN

The draft *Northern Lake Champlain Direct Drainages Tactical Basin Plan* is in conformance with and supportive of the *2018 Chittenden County ECOS Plan*, specifically with the following ECOS Plan Goals and Strategies:

Goals:

Natural Systems – Design and maintain a strategically planned and managed green infrastructure network composed of natural lands, working landscapes, and open spaces that conserve ecosystem values and functions, and provide associated benefits to our community.

Built Environment - Make public and private investments in the built environment to minimize environmental impact, maximize financial efficiency, optimize social equity and benefits, and improve public health.

1. *Ecological Systems (Habitats, Water Quality, Air Quality)* - Conserve, protect and improve the health of native species habitats, water quality and quantity, and air quality.

12. *Working Lands* - Support the growth and vitality of working farms and managed forests; and sustainably manage sand and gravel extraction operations.

16. *Infrastructure* - Ensure adequate infrastructure and facilities (i.e. water supply, wastewater treatment, stormwater treatment, broadband coverage and solid waste recovery and recycling) to support areas planned for growth while conserving resources.

Strategies:

#2: Strive for 80% of new development in areas planned for growth, which amounts to 15% of our land area.

#3: Improve the safety, water quality, and habitat of our rivers, streams, wetlands and lakes in each watershed.

#4 Increase investment in and decrease subdivision of working lands and significant habitats, and support local food systems.

The following table details how the *Basin Plan's* Objectives by Sector are in conformance with and supportive of specific Actions of the *ECOS Plan*.

Draft Northern Lake Champlain Direct Drainages Tactical Basin Plan, Objectives	Conformance with select Actions of 2018 Chittenden County ECOS Plan (cf. applicable section)
<i>AGRICULTURE: Conservation Practices that reduce sources of pollution from farm production areas and farm fields.</i>	Strategy 3. Action 2.b. includes "Incentivize best management practices for agricultural uses; and encourage the Agency of Agriculture to better enforce their required agricultural practices. "
<i>DEVELOPED LANDS – STORMWATER: Practices that reduce or treat polluted stormwater runoff from developed lands such as parking lots, sidewalks and rooftops.</i>	Strategy 3. and all Action 2. sub-actions which include data collection of areas producing water quality pollutants, help municipalities with regulatory measures (i.e. MRGP, developed lands permit, etc.), and help municipalities and partners with non-regulatory approaches (financial assistance for stormwater facility improvements).
<i>DEVELOPED LANDS – ROADS: Stormwater and roadside erosion control practices that prevent erosion and treat road-related sources of</i>	Strategy 3. and all Action 2. sub-actions which include data collection of areas producing water quality pollutants, help municipalities with regulatory

pollution.	measures (i.e. MRGP, developed lands permit, etc.), and help municipalities and partners with non-regulatory approaches (financial assistance for stormwater facility improvements).
WASTEWATER: Improvements to municipal wastewater infrastructure that decrease pollution from municipal wastewater systems through treatment upgrades, combined sewer overflow (CSA) abatement, and refurbishment of aging infrastructure.	Strategy 3. Action 3 discusses needed wastewater treatment plant upgrades. In addition, the Comprehensive Economic Development Strategies list includes specific wastewater treatment plant projects.
NATURAL RESOURCE RESTORATION: Restoration of "natural infrastructure" functions that prevent and abate pollution. Natural infrastructure includes: floodplains, river channels, lakeshores, wetlands, and forest lands.	<p>Strategy 3. Action 1. River Hazard Protection. And multiple sub-actions.</p> <p>Strategy 3, Action 1.d. "Support non-regulatory conservation and/or preservation of vulnerable areas through public and land trust investments, including identification of repetitively damaged structures and provide assistance to elevate, relocate or buy out structures, and identify where flood storage capacity may be restored and conserved."</p> <p>Strategy 3. Action 1.f. - "To protect water quality, development should be located to avoid state and local known constraints that have been field verified, and to minimize impacts to state and local possible constraints that have been field verified." These constraints include floodplains, municipal surface water setbacks, riparian areas and wildlife connectivity resources.</p> <p>Strategy 4. "Increase investment in and decrease subdivision of working lands and significant habitats, and support local food systems."</p> <p>Strategy 4. Action 1. Protect forest blocks, wildlife connectivity resources and crossings, surface waters, riparian areas and other significant habitats (e.g. wetlands) from development and fragmentation."</p>

PLAN CONFORMANCE CONCLUSION

The draft 2020 Northern Lake Champlain Tactical Basin Plan is in conformance with and supportive of the 2018 Chittenden County ECOS Plan.

ADDITIONAL RECOMMENDATIONS

1. CCRPC recommends that RPCs, through their Clean Water Advisory Committee be allowed to provide input to DEC's prioritization scoring system as intended by statute: Title 10, Chapter 47,

§1253(d)(3)(D) ... [the regional planning commissions are to] *assist the Secretary in implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of State and federal funds.* As projects are developed, DEC and other agencies and organizations that provide funding, or implement projects directly, should prioritize projects that achieve a high phosphorus removed benefit per cost ratio. Additionally, projects that also provide co-benefits such as other TMDLs (i.e. Flow Restoration Plans, *e.coli*, mercury, etc.), hazard mitigation, transportation improvement, aquatic organism passage, and/or listed in municipal comprehensive plans and capital plans should also receive additional consideration in making funding decisions. We look forward to being able to participate more fully as a partner in evaluating and scoring projects as required in Chapter 47 §1253(d)(3)(D).

2. We wish to restate the concern of several of CCRPC's member municipalities that requiring municipal wastewater treatment plants to engage in costly upgrades at poor Phosphorus Reduction Benefit to Cost Ratio will make it a challenge for Chittenden County to achieve key strategies of the ECOS Plan, namely:
 - *Strategy 2 [Strive for 80% of new development in areas planned for growth]*
 - *Strategy 7 [Develop financing and governance systems to make the most efficient use of taxpayer dollars and reduce costs]*

It is estimated that the Capital expenses alone for the required upgrades to municipal wastewater treatment to achieve phosphorus reduction optimization in Chittenden County alone would be in the tens of million dollars for relatively low amounts of additional phosphorus removal. Increasing these municipal operating costs will increase already high housing costs in Chittenden County, make it more difficult to build via infill or on brownfields, and drive development away from areas planned for growth. As the ECOS Plan notes: *Considering development and growth comes with both costs and benefits, this Plan attempts to reach a balance by directing growth in such a way that new infrastructure and long-term maintenance costs are minimized. For example: Promotion of and incentives for compact development in areas planned for growth will help keep rural areas open; this can also minimize stormwater problems and prevent new watersheds from becoming impaired.*

In the 2016 Lake Champlain TMDL, DEC estimated costs of \$4,000 per kilo of phosphorus removed via upgrades to wastewater treatment facilities. Therefore, mechanisms need to be developed for municipalities and other property owners with permits to invest in Natural Resource or Agriculture sector phosphorus reduction projects. As documented in DEC's own 2019 Clean Water Performance Report, forested riparian buffer restoration projects and agricultural pollution prevention projects have cost estimates per kilogram of phosphorus reduced of only about \$100 per kilo and \$200-\$600 per kilo, respectively. Developing a process for municipalities to invest in these types of projects would clearly provide much more phosphorus reduction per dollar spent as well as facilitate more appropriate housing and commercial development in line with the ECOS Plan.

3. Finally, we would like to support the concerns raised by our MS4 permittee municipalities and organizations that the 50% match requirement imposed by the DEC for use of State grant funds is unfair and counterproductive. Depending upon the grant source, DEC is requiring only a 0% to 20% match for other municipalities. Additionally, as DEC is aware, much of the needed total phosphorous (TP) load reduction originates in these MS4s. Many MS4s have identified and scoped numerous TP-reduction projects in their Flow Restoration Plans and pending Phosphorous Control

Plans and are eager to move forward with these projects to stay in permit compliance. Requiring a 50% match on both Design and Implementation projects seems arbitrary and ultimately slows progress towards meeting the Lake Champlain phosphorus TMDL.

Thank you for your consideration of our recommendations. If you desire clarification on this letter, please do not hesitate to contact Dan Albrecht, dalbrecht@ccrpcvt.org or 802-861-0133. Please note that the CCRPC will provide additional staff level comments once the formal public review draft is issued.

DRAFT



Chittenden County Regional Planning Commission

July 15, 2020

Agenda Item 7: Discussion Item

FY2021 Committee Appointments/Volunteers

Committee Appointments per the Bylaws: Article VII.B. "The Chair shall ... with concurrence of the Chittenden County Regional Planning Commission, establish and appoint committees and their members." Article XI: "All Chittenden County Regional Planning Commission Board members are encouraged to participate in a minimum of at least one standing committee. The Chair may appoint ad hoc committees for a specific purpose with the approval of the Chittenden County Regional Planning Commission. Committees should include subject matter experts as needed to provide advice to the Chittenden County Regional Planning Commission Board."

Finance Committee (Secretary/Treasurer, Vice Chair and 1 other board member): John Zicconi, Shelburne (Chair); Catherine McMains, Jericho; and Jeff Carr, Essex

Board Development Committee (past Chair and up to 4 other board members): Andy Montroll, Burlington (Chair); Dan Kerin, Essex Junction; Catherine McMains, Jericho; Jeff Carr, Essex;

Unified Planning Work Program Committee (3-5 board members Catherine McMains, Jericho (Chair); John Zicconi, Shelburne; Michael Bissonette, Hinesburg; Jacqueline Murphy, Colchester; and Sharon Murray, Bolton.

Transportation Advisory Committee (1 board member): Barbara Elliott, Huntington

TAC Interest Group Reps: Elderly - Bob Henneberger; Bike/Ped - Allegra Williams; Rail - Mary Anne Michaels; Environmental - Richard Watts; Disabled - _____; Business – Seth Bowden

Planning Advisory Committee (1 board member): Wayne Howe, Jericho

Long Range Planning Committee (3-6 board members, one of them to be Chair of the LRPC): Appointments to be determined when the committee is needed again.

Clean Water Advisory Committee: (1 board member) Don Meals, Conservation/Environment; and Tom Eaton as alternate

ad hoc Brownfields Advisory Committee: Curt Carter, GBIC (Chair); Matt Vaughn, LCBP (Vice Chair); vacant, Burlington CEDO; Heather Carrington; City of Winooski; Dr. Pablo Bose, UVM; vacant; VT Dept of Health; Brett Long, VT Dept of Economic Development (ex officio); Patricia Coppolino, VT DEC (ex officio); Marcel Beaudin, AIA Emiritus; Justin Dextradeur, Socio/Econ/Housing seat, CCRPC Board

ad hoc All Hazards Mitigation Plan Update Committee: Chris Shaw, So. Burlington.

ad hoc Committee on Act 250 Commission: Justin Dextradeur, Socio/Econ/Housing; Jim Donovan, Charlotte, Tony Micklus, Milton; and Andy Montroll, Burlington

VAPDA representative: Andy Montroll, Burlington; _____ (Alt.)

For questions, contact Charlie Baker, 735-3500 or cbaker@ccrpcvt.org

Chittenden County Regional Planning Commission

July 15, 2020

Agenda Item 8:

Potential Policy Participation Topics

Issues

This is our second annual agenda item to discuss relevant policy issues and our interest, ability, and need to engage in those issues. This will allow for a discussion with the full board to decide when and how to engage on various topics that we can anticipate. We may still have issues that come up on an ad hoc basis, but hopefully this process will effectively identify the major issues to engage in.

Attached you will find a draft list of policy topics, with a Staff recommendation on CCRPC's participation or not. We've identified the relevancy to CCRPC by indicating the ECOS Strategy and Top 10 Action Item numbers. We've attempted to identify whether we have the staff capacity by indicating whether this work is in the current UPWP or not. Also, we've included the Committee that we'd ask to work on this policy topic before bringing a recommendation to the full Board.

**Executive Comm.
Recommendation:**

The Executive Committee reviewed this list at their meeting on July 1st and concurred with Staff's recommendations.

**Staff
Recommendation:**

To discuss and review this draft list of policy topics and provide direction to staff.

**For more
information,
contact:**

Charlie Baker cbaker@ccrpcvt.org or 735-3500

DRAFT – Potential Policy Participation Topics for CCRPC Board - July 2020

It is important to note that normally July would be a good time to prepare for the following legislative session; however, this is an exceptionally unusual year. The State Legislature promptly moved to COVID-19 response in mid-March; and is still in session now (the plan is to break at the end of June and return in August). While they have picked up a few of the non-COVID related bills most of them will be put off until the 2021 session.

	Topic – click on links for more detailed info in this document	ECOS Plan Strategy	ECOS Plan Top 10 Action	Included in FY21 UPWP?	CCRPC Committee	Staff Recommendation
1.	Clean Water Act 76 (2019 Act 76, S.96)	#3 – water quality	#5 – water quality	Yes	CWAC	Yes, work with CWAC to provide comments on Clean Water Service Provider rulemaking and funding.
2.	Automated Vehicle Testing (2019 Act 60, S.149)	#2 – smart growth	#2 – transportation and #8 autonomous vehicles	Yes	TAC	Yes, Staff recommends that CCRPC work with both the TAC and directly with municipalities to decide whether they would like to pre-approve automated vehicle testing on their roads.
3.	Promoting the Ownership and Use of Electric Vehicles	#2 – smart growth	#4 – energy planning	Yes	TAC, Energy	Yes, Staff recommends that CCRPC continue to monitor legislation and policies related to EVs and continue to work with Drive Electric Vermont on these issues.
4.	VTrans' Project Selection & Prioritization Processes	#2 – smart growth	#2 - transportation	Yes	TAC	Yes, Staff recommends that CCRPC continue to assist VTrans in this effort and bring drafts to the TAC and Board for review.
5.	Transportation Climate Initiative	#2 – smart growth	#2 - transportation	Yes generally	TAC	Yes, CCRPC assisted VTrans with regional workshops in the Fall of 2019. Continue to follow and assist as needed and appropriate.
6.	Rail Service Study	#2 – smart growth	#1, #2, & #4	No	TAC	Yes, CCRPC Staff recommends we manage the federal planning grant, if awarded.
7.	Act 250 Reform (H.926) & Housing (S.237)	#2 – smart growth	#1 – land use/smart growth	Yes	ad hoc Act 250, PAC	Yes, CCRPC Staff recommends that we continue with this work.
8.	Broadband Deployment throughout Vermont (H.513)	#1 – economic development	Not specifically included	No	PAC	Yes, Staff recommends that we assist in the latest expansion efforts as requested.
9.	Climate Change – Global Warming Solutions	#2 – smart growth	#4 – energy planning	No	Executive	No, but monitor.

10.	Proposed Changes to PUC Rule 5.100 (19-0855-RULE)	#2 – smart growth	#4 – energy planning	Yes		Yes, Staff recommends that CCRPC continue to monitor and participate in this rulemaking process, with a particular focus on the issue of preferred sites.
11.	Community Justice Centers Regional Workshop			No	Executive	Yes, Staff recommends continuing to work with involved parties to develop options for consideration by the state and municipalities including a final regional workshop this fall.
12.	Chittenden Accountable Community for Health (CACH (ACO))	#5 – health and safety		Not specifically	Executive	Yes, Staff recommends continuing engagement as needed to make sure municipal interests are represented in the work of the Population Health Alliance
13.	Climate Change Response Plan and Public Health	#5 – health and safety	#7 - population health	Not specifically		Yes, Staff recommends continuing engagement as needed on the bill itself, and continue to work with our public health partners on this work in the future.
14.	Marijuana/cannabis taxation and regulation (S.54)			No	PAC	No, but monitor.
15.	Transportation Bill (2019 Act 59, H.529) – multiple studies	#2 – smart growth	#2 - transportation	Yes	TAC	These studies have been completed by VTrans and were submitted to the Legislature. Links for these studies are provided below.
16.	Project Specific TIF (2020 H.642)	#2 – smart growth	#1 – land use/smart growth	Yes	PAC	Yes, Staff recommends that CCRPC monitor and support this bill if it moves.

1. Clean Water (2019 Act 76, S.96)

Act 76, the 2019 Clean Water Bill that was the brainchild of the Agency of Natural Resources (ANR), establishes a new structure for improving water quality throughout Vermont. It should also better achieve the clean water goals established in total maximum daily load (TMDL) plans that have been approved by the federal Environmental Protection Agency. The concept is to devolve responsibility for administering non-regulatory clean water programs to entities other than ANR, which is not well suited to implementing them. CCRPC applied to be the Clean Water Service Provider for the Direct to Lake Basin in May, 2020. There will be rulemaking to address the specifics of how the Clean Water Service Providers will operate. CCRPC will remain heavily involved in this process.

Staff Recommendation to the CCRPC Board: CCRPC Staff recommends that we continue to work with the CWAC to provide comments on Clean Water Service Provider rules and funding.

2. Automated Vehicle Testing (2019 Act 60, S.149)

Act 60 includes Vermont's first attempt to address the testing of automated vehicles traveling state roads and creates a new section of law, the Automated Vehicles Testing Act. The rules are out for public comment at this time. Once the rules are established, municipal legislative bodies can opt to have their Class 2 and 3 roads used for testing. CCRPC will continue to provide the TAC with this information, and talk with legislative bodies as requested.

Staff Recommendation to the CCRPC Board: Staff recommends that CCRPC work with both the TAC and directly with municipalities to decide whether they would like to pre-approve automated vehicle testing on their roads.

3. Promoting the Ownership and Use of Electric Vehicles

FY2021 Transportation Bill – H 942 - <https://legislature.vermont.gov/bill/status/2020/H.942>

- Includes \$750,000 for continuing State funding for EV charging.
- Ongoing support for State EV incentive program to continue spending down funds appropriated last session. Placeholder to add more funds to the program if federal COVID relief funds are available to support other critical transportation infrastructure investments. We may not know for several months whether additional funds are likely.
- Draft bill includes study for manufacturer direct vehicle sales and service, which could lead to a proposal that would allow Tesla, Rivian and other EV manufacturers to operate service centers in Vermont.
- The original bill called for a pilot EV fee program to work with the PUC and electric utilities on a per kWh fee similar to a gasoline tax on EV use. This is removed in the current version of the bill as it was not deemed critical after COVID-related disruptions.
- This is related to an ongoing VT PUC investigation on EV fees that stemmed from the FY19 investigation (#18-2660-INV):
 - 19-3009-INV Electric Vehicle Fees Investigation pursuant to Act 59 <https://epuc.vermont.gov/?q=node/64/143513>

Energy Efficiency Modernization Act – S 337 - <https://legislature.vermont.gov/bill/status/2020/S.337>

- Would allow Efficiency Vermont and Burlington Electric Dept to expand electric efficiency program spending to include transportation and thermal programs. Could provide additional support for EV dealer engagement, consumer education, and other activities to be determined through a stakeholder engagement process.
- Bill under consideration could provide up to \$2 million per year for three years (2021-2023) on these types of programs.
- Related to ongoing VT PUC investigation that informed legislative deliberations and may continue to support implementation if the bill passes:
 - 19-2956-INV Investigation pursuant to Act 62 re: all-fuels energy efficiency program <https://epuc.vermont.gov/?q=node/64/143416>

Building Energy Code: The new code will be in effect as of 9/1/2020. This new code includes provisions for electric vehicles in the base code and more stringent requirements for EVs in the stretch code. Here is the webpage with more details: <https://publicservice.vermont.gov/content/building-energy-standards-update>.

Staff Recommendation to the CCRPC Board: Staff recommends that CCRPC continue to monitor legislation and policies related to EVs and comment as necessary. Staff also recommends that CCRPC continue its longstanding work with Drive Electric Vermont.

4. VTrans' Project Selection & Prioritization Processes

VTrans is in the process of updating its project selection and prioritization processes. They are seeking to improve the performance-based and data driven project selection and prioritization framework. They intend to review/revamp/revise the current processes to: identify and define how ideas for transportation improvements can become transportation projects; and, take advantage of “harmonization” opportunities to address transportation needs to deliver increased value through our transportation projects. VTrans has been seeking RPC input throughout the process. Christine has been serving on the technical advisory committee.

Staff Recommendation to the CCRPC Board: Continue to assist VTrans in this effort and bring drafts to the TAC and Board for review.

5. Transportation Climate Initiative

The [Transportation and Climate Initiative](#) (TCI) is a regional collaboration of 12 Northeast and Mid-Atlantic states and the District of Columbia that seeks to improve transportation, develop the clean energy economy and reduce carbon emissions from the transportation sector. The participating states are: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia.

Recognizing that more than one third of all carbon emissions come from the transportation sector, participating states started taking action through working groups focused on regional priorities, such as [clean vehicles and fuels](#). Several TCI states are also now working together to explore potential regional policies to improve transportation systems and reduce pollution.

In Vermont, ANR and VTrans are working together on this initiative. CCRPC assisted by supporting regional workshops to discuss rural transportation options in the Fall of 2019.

Staff Recommendation to the CCRPC Board: Staff recommends continuing to support this work as it directly ties into our transportation and energy work.

6. Rail Service Study

As we know from the media, several years ago AllEarth Rail acquired low cost diesel mobile unit passenger rail cars. It is now time to have a planning process to determine if it is financially feasible to operate passenger rail service in Northwestern Vermont without significant public subsidies. We applied for a USDOT BUILD planning grant to explore the feasibility of this service in 2019 that was not funded. We will continue to apply for federal funding and seek private sector matching funds to fund a feasibility study. The concept would rely heavily on developing properties adjacent to the rail stations and using that revenue to support the rail service. One possible site that may be explored for redevelopment is the Burlington Railyard, so this study will also examine opportunities to relocate the Railyard. A large, public planning process will be necessary to explore the concept, determine public and municipal support, and determine fiscal feasibility.

Staff Recommendation to the CCRPC Board: This work ties directly into our transportation, land use, and energy work so we recommend supporting the effort by managing a federal planning grant, if awarded.

7. Act 250 Reform (H.962) and Housing Bill (S.237)

The House voted out an Act 250 reform bill (H.926) in 2019. The bill is now in the Senate, but this work was put on hold due to COVID-19. However, as the Senate worked on the housing bill (S.237) some pieces of H.926 are being considered as additions to S.237. This should get resolved in the August session.

Staff Recommendation to the CCRPC Board: CCRPC has been working with our municipalities and regional partners on this Act 250 reform effort and housing initiatives for the past three years. CCRPC Staff recommends that we continue in this work in line with ECOS Plan Strategy #2; and Top 10 Action #1.

8. Broadband Deployment throughout Vermont (H.513)

Excerpt from VLCT's 2019 Legislative Wrap-up

“Reaching the last mile,” says the Findings section in the as-passed version of H.513, “will require a grassroots approach that is founded on input from and support of local communities, whose residents are best situated to decide which broadband solution fits their needs. ... As we expand our access and reliance on the Internet, we need to be intentional in supporting rural communities and town centers.” The Connectivity Initiative (of 2018) is now designed to provide internet service to each address in Vermont that has a speed of at least 25 Mbps download and 3 Mbps upload. See the rest of the summary on page 11: https://www.vlct.org/sites/default/files/2019_wrap-up_web.pdf.

With COVID-19 there has been an increased effort to expand broadband in the state, including a couple of new bills. CCRPC will assist as requested in ensuring broadband expansion in the region.

Staff Recommendation to the CCRPC Board: While there is no direct role for CCRPC in the 2019 bill, CCRPC will assist in the latest expansion efforts as requested.

9. Climate Change – Global Warming Solutions

H.688 of 2020, known as the Vermont Global Warming Solutions Act of 2020, proposes to create a legally enforceable system by which Vermont will reduce its statewide greenhouse gas emissions and establish strategies to mitigate climate risks and build resiliency to climate change. There were a few carbon tax or climate change bills introduced in this session. This bill passed the House on 2/21/2020 and is moving through the Senate Committees. Monitor this bill, including the potentially problematic citizen right to sue provision.

Staff Recommendation to the CCRPC Board: We recommend monitoring the status of this bill.

10. Proposed Changes to Vermont’s Net Metering Rules (PUC Case 19-0855-RULE)

The Public Utilities Commission began an investigation regarding the biennial update of Vermont’s net metering rules in March 2019. The net metering rules cover a number of topics, including electric rates, grid constraints, caps on renewable energy utilities by individuals and businesses, and siting. Siting issues, particularly the definition of “preferred sites” for net metering solar and wind facilities, are an important component of energy planning work at the regional and local level. VAPDA provided comments on this in the Fall of 2019; and it appears that the case is still open.

Staff Recommendation to the CCRPC Board: Staff recommends that CCRPC continue to monitor and participate in this rulemaking process, with a particular focus on the issue of preferred sites. Energy siting on preferred sites is highly encouraged in the ECOS Plan and it is important that these sites remain viable for energy development.

11. Community Justice Center Regional Workshop

Our municipalities that manage Community Justice Centers and the Vermont Department of Corrections asked us to host a regional workshop in Fall 2019 to discuss service models, staffing and work distribution need to be evaluated from a region-wide standpoint to determine a financially sustainable model.

Staff Recommendation to the CCRPC Board: We recommend supporting the effort by continuing to follow-up on the regional workshop held in the Fall of 2019 and develop options for all parties this summer with a final workshop in Fall 2020.

12. Chittenden Accountable Community for Health (CACH (ACO))

Vermont continues to move forward with implementing an accountable care organizational structure for health care that will shift the focus more towards public health initiatives. Some of this work will intersect with our work in the areas of developing walkable communities and transportation services (especially for elderly and disabled). Staff has been monitoring this effort and providing some level of assistance as they work to develop a

functional organizational structure. We helped the Chittenden County Opioid Alliance evolve into the Chittenden County Population Health Alliance in early 2020 to foster this work.

Staff Recommendation to the CCRPC Board: We recommend continuing engagement as needed to make sure municipal interests are represented in the work of the Population Health Alliance.

13. Climate Change Response Plan – Public Health

S.185 of 2020 proposes to require the Department of Health to develop and adopt a statewide climate change response plan. It further proposes to require regional planning commissions to develop a communications plan for the purpose of mitigating and responding to climate change related public health risks. This bill passed the Senate on 5/19/2020.

Staff Recommendation to the CCRPC Board: We recommend continuing engagement as needed on the bill itself, and continue to work with our public health partners on this work in the future.

14. Marijuana/cannabis taxation and regulation (S.54)

Excerpt from VPA's 2019 Legislative Summary in May

This bill has passed the Senate and is now in the House Ways and Means committee to deal with the taxation side of the bill. The version that came out of the House Government Operations committee changed the municipal opt out option for any and all establishments (e.g., growing, testing, retail sales) to a municipal opt in system for retail establishments, and a requirement that growing and testing facilities be allowed. In other words, municipalities would NOT be able to prohibit grow and testing operations, but could prohibit retail establishments. This version still has language that prevents municipalities from using zoning or ordinance powers to create a blanket prohibition on cannabis establishments. In other words, everything other than retail sales must be allowed somewhere in every municipality, and a blanket prohibition on retail sales is the default until a municipality votes to allow it – not via zoning, but via a town-wide vote as described in the bill. Local zoning can still regulate cannabis establishments, but only in coordination with a local cannabis control commission – similar to liquor control boards.

To see the version that passed out of the House Government Operations Committee, go to the May 3 House Calendar and search for S. 54 - <https://legislature.vermont.gov/Documents/2020/Docs/CALENDAR/hc190503.pdf> To see the version that passed the Senate, and the status of the bill, see <https://legislature.vermont.gov/bill/status/2020/S.54>.

On March 13, 2020, a Committee of Conference was appointed due to disagreeing votes of the two Houses on the Senate bill. Staff is unaware if any movement has been made on this bill since COVID-19.

Staff Recommendation to the CCRPC Board: We recommend monitoring the status of this bill.

15. Transportation Bill (2019 Act 59, H.529)

All VTrans legislative studies have been completed and submitted to the Legislature. Here are the links:

- Methods to Increase Public Transit - <https://legislature.vermont.gov/assets/Legislative-Reports/Section-20-Report-01-07-20-FINAL.pdf>
- Barre-Montpelier Commuter Rail Study - <https://legislature.vermont.gov/assets/Legislative-Reports/WACR-MB-Freight-Corridor-Commuter-Rail-Study.pdf>
- Feebate Report - <https://legislature.vermont.gov/assets/Legislative-Reports/Feebate-Study-Report-10-15-2019-Final.pdf>
- Weight-Based Vehicle Registration - <https://legislature.vermont.gov/assets/Legislative-Reports/Weight-Based-Registration-Legislative-Report-12-13-2019-Final.pdf>

16. Project Specific TIF (2020 H.642)

House bill 642 proposes to allow a municipality to use tax increment financing to develop a project. The intention is to simplify the process and program for small infrastructure projects in rural communities like municipal wastewater. It was introduced in January 2020, but hasn't moved.

Staff Recommendation to the CCRPC Board: Staff recommends that CCRPC monitor and support this bill if it moves.

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
JOINT EXECUTIVE COMMITTEE MEETING MINUTES
DRAFT

DATE: Wednesday July 1, 2020

TIME: 5:45 PM

PLACE: REMOTE ATTENDANCE VIA GOTOMEETING

PRESENT: Mike O'Brien, Chair Catherine McMains, Vice Chair
John Zicconi, Treasurer Bard Hill, At Large <5000 (5:48 PM)
Andy Montroll, Immediate Past Chair Chris Shaw, At Large >5000 (5:50 PM)

ABSENT: Charlie Baker, Executive Director

STAFF/OTHER: Regina Mahony, Planning Mgr. Eleni Churchill, Transportation Program Mgr.
Forest Cohen, Senior Business Mgr. Amy Irvin Witham, Business Office Mgr.

1. Call to Order, Attendance. The meeting was called to order at 5:45 PM by Mike O'Brien.
2. Changes to the Agenda, Members' Items. There was one change to the agenda: Item #4, the addition of a Section 248 Application.
3. Approval of June 3, 2020 Executive Committee Minutes
CATHERINE MCMAINS MADE A MOTION, SECONDED BY JOHN ZICCONI TO APPROVE THE JUNE 3, 2020 EXECUTIVE COMMITTEE MINUTES. NO EDITS NEEDED. MOTION CARRIED WITH ONE ABSTENTION FROM ANDY MONTROLL.
4. Act 250 & Section 248 Applications.
 - a. Regina noted this project application was seen previously. It is located at the Shelburne Museum in the same location as proposed before; this proposal just includes a change to the interconnect with the transmission line on Bostwick Road. The CCRPC received a 45-day notice of a Section 248 petition to be filed with the VT Public Utility Commission for a 150kW solar project located at 6000 Shelburne Road in Shelburne. CCRPC Staff finds that this project meets the suitability policies of the ECOS Plan. Constraints exist; statewide agricultural soils will be impacted by the project. CCRPC will continue to defer to the Vermont Agency of Agriculture, Food and Markets in determining the impact of development on agricultural soils, and currently requests no further information. Additionally, CCRPC is aware the project is located near a local possible constraint (significant view areas), however the project appears to avoid the constraint. The CCRPC will review the project location again after the final application is submitted to confirm our initial findings.
JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL TO APPROVE THE LETTER TO ENCORE RENEWABLE ENERGY. MOTION CARRIED UNANIMOUSLY.
5. Financial Update – FY20 Forest Cohen provided members with a financial overview covering the period from July 1, 2019 through May 31, 2020 and referred members to the Income Statement they received in the packet. Forest stated May was another positive income month. He noted ACCD revenue was billed out as of May and at 98.1% and the MPO transportation staff billing was at 86.6% of budget, almost through the budget year. All in all, this was another good revenue month.

Forest moved on to discuss expenses; he explained we are in decent shape with one month left in the fiscal year and unless something unexpected happens in June, we will end FY20 year very close to the budgeted amounts. Members were pleased.

6. Basin 5 – Direct to Lake Tactical Basin Plan Regional Plan Conformance Letter.

Regina explained this letter serves to analyze and determine the relative conformance of the Draft Northern Lake Champlain Direct Drainages Tactical Basin Plan with the relevant goals, strategies, and recommended actions of our Regional ECOS Plan. The purpose of the letter is also to provide recommendations regarding project prioritization to the Agency of Natural Resources for tactical basin plans, and the letter provides recommendations for draft Plan improvement:

- The CCRPC recommends that RPCs, through their Clean Water Advisory Committee be allowed to provide input to DEC's prioritization scoring system as intended by statute.
- We wish to restate the concern of several of CCRPC's member municipalities that requiring municipal wastewater treatment plants to engage in costly upgrades at poor Phosphorus Reduction Benefit to Cost Ratio will make it a challenge for Chittenden County to achieve key strategies of the ECOS Plan, namely:
 - *Strategy 2 [Strive for 80% of new development in areas planned for growth]*
 - *Strategy 7 [Develop financing and governance systems to make the most efficient use of taxpayer dollars and reduce costs]*
- Finally, we would like to support the concerns raised by our MS4 permittee municipalities and organizations that the 50% match requirement imposed by the DEC for use of State grant funds is unfair and counterproductive.

Mike asked why the city of Winooski is not named; Regina explained this is specific to Direct to Lake Basin, and this basin does not include the Winooski or Lamoille basins. The City of Winooski drains into the Winooski Basin. Similarly, John asked if Shelburne is included in this Basin; Regina will check on that because she believes it should be included. Catherine McMains asked why MS4 towns would be paying higher match amounts; Regina explained that this is likely because the state believes larger towns are typically better resourced than smaller towns; and there are limited state funds to address all of these impairments. Members discussed the draft letter and suggested a few minor edits. ANDY MONTROLL MADE A MOTION, SECONDED BY JOHN ZICCONI, TO RECOMMEND THE DRAFT LETTER, WITH REQUESTED MINOR EDITS, BE PRESENTED TO THE BOARD FOR APPROVAL. MOTION CARRIED UNANIMOUSLY.

7. FY2021-24 TIP.

Eleni referred members to the TIP memo in the packet. She reminded members the FY21-24 TIP has been warned for public hearing after a presentation was made to the full Board in June and requested the Executive Committee to recommend board approval. JOHN ZICCONI MADE A MOTION, SECONDED BY CHRIS SHAW, TO RECOMMEND THE FY21-24 TIP TO THE BOARD FOR APPROVAL. MOTION CARRIED UNANIMOUSLY.

8. Legislative Priority Check in

Regina referred members to the Potential Policy Participation Topics handout included in the packet and provided an overview. Members expressed appreciation for the chart and discussion ensued. The following two topics presented noteworthy interest to members:

- #11. Community Justice Centers Regional Workshop - Regina explained the CCRPC was asked by the Department of Corrections and the Chittenden County member municipalities

with Community Justice Centers (CJCs) to facilitate a conversation on funding and management of the CJCs. This is similar to unbiased facilitation roles we've played in the past. CCRPC started this work last Fall.

- **#8. Broadband deployment throughout Vermont** - Andy Montroll said there are currently significant Regional Planning Commission led efforts going on statewide to identify and pinpoint the areas of concern. He said, due to COVID and schools having to create distance and online learning plans, this topic has been at the forefront in recent months. Members discussed the gaps in coverage within Chittenden County and Vermont as a whole and agreed this is an important item to work on.

9. Chair/Executive Director Report

- a. **Clean Water Service Provider update:** Regina explained the proposal has been submitted and there are no specific updates. There will be more information to come after the next meeting scheduled for July 14, 2020.
- b. **EDA and EPA Grant updates:** We have been working on securing funds from these two grants, the EDA (Comprehensive Economic Development Strategy) and the EPA (weatherization in Winooski). We do not know if we have received funding yet.
- c. **CHAMP P3 update:** Eleni explained that this is the organization that we partnered with last year to apply for a DOT BUILD Grant to investigate the feasibility of commuter rail in Chittenden and surrounding counties and determining the real estate development opportunities adjacent to certain rail stations (Transit Oriented Developments). The CCRPC did not get the BUILD Grant and we are once again partnering with CHAMP P3 to apply for a 350K EDA Grant with similar scope. We will be reaching out to other RPC's and stakeholders to coordinate the effort.
- d. **Budget and Operations updates:** Regina explained our FY21 budget is currently as expected; ACCD funds remain the same, VTRANS funding was approved and is moving forward with the FY21-UPWP, and our Municipalities are planning to pay the dues as committed to in the FY21 UPWP. In terms of CCRPC operations, staff continues to work mostly from home and the staff who do come into the office are working under the Safety Plan we have in place. The plan follows State guidance for cleaning protocols, wearing masks, and distancing, never having more than 4-5 people at the office at the same time.

10. CCRPC Board Meeting July 15, 2020 Agenda review.

Regina reviewed the July 15, 2020 Board Agenda with members. An edit was requested: replace "Annual Meeting" with "Regular Meeting".

11. Other Business, future topics: Mike O'Brien asked members to think about the role the RPC has in a regional discussion regarding racial and social justice. He asked members to consider this for future discussions. Andy Montroll felt this topic should be listed as a board agenda item. Members discussed if we are an appropriate venue and if our staff needs more experience and/or expertise in the area. Members agreed it should be listed as a board item because is an important topic that does fall under our mission as it relates to transportation and land use, and so many other topics that we cover. Bard stated this is not only a regional issue, but a national issue and it is important to be involved and engaged. Members agreed.

12. Executive Session: None needed.

- 1 13. Adjournment: CHRIS SHAW MADE A MOTION, SECONDED BY BARD HILL, TO ADJOURN THE
2 EXECUTIVE COMMITTEE MEETING AT 6:33 PM. MOTION CARRIED UNANIMOUSLY.

3
4 Respectfully submitted,
5 Amy Irvin Witham

DRAFT

July 1, 2020

Phillip D. Foy
General Counsel
Encore Renewable Energy
110 Main Street, Suite 2E
Burlington, VT 05401

RE: Advance Notice of Petition for ER Steamboat Solar LLC's Proposed 150kW Project in Shelburne, VT – 6000 Shelburne Road (Case #20-1543-AN)

Dear Mr. Foy:

Chittenden County Regional Planning Commission has received the 45-day notice of a Section 248 Petition to be filed with the Vermont Public Utility Commission for a 150kW solar project at 6000 Shelburne Road in Shelburne, VT. We have reviewed this project in light of CCRPC's *2018 Chittenden County ECOS Plan*, which gained a Determination of Energy Compliance from the Vermont Department of Public Service on August 9, 2018.

ECOS Energy Goal

CCRPC finds that this project meets the intent of the Energy Goal (Goal #17) of the *2018 ECOS Plan*: "Move Chittenden County's energy system toward a cleaner, more efficient and renewable system that benefits health, economic development, and the local/global climate by working towards the State's Comprehensive Energy Plan goals."

Strategy 2, Action 4b of the ECOS Plan states "CCRPC supports the generation of new renewable energy in the County to meet the Vermont Comprehensive Energy Plan's goals of using 90% renewable energy by 2050, in a manner that is cost effective and respects the natural environment." Development of this solar facility helps implement this action. The Plan's suitability policies help determine whether projects are cost effective, and the Plan's constraint policies help determine whether projects respect the natural environment.

Suitability Policies

The *2018 ECOS Plan* recommends the location of renewable energy generation facilities in appropriate locations, as defined by the policies in Strategy 2, Action 4b. The project as proposed meets the following suitability policies:

- The project is located in an area proximate to existing distribution and transmission infrastructure with adequate grid capacity.
- The project will provide more than 50% of energy produced to the Shelburne Museum. It is therefore a preferred site as defined in the Vermont Public Utility Commission's Net Metering Rule (Rule 5.100).
- The project is located in one of Chittenden County's areas planned for growth (Metro Planning Area).
- The project is outside of any state designated centers or historic districts.

CCRPC finds that the location of this project meets the suitability policies of the *2018 ECOS Plan*.

Constraints

The 2018 *ECOS Plan* states that development should be located to avoid state and local known constraints that have been field verified, and to minimize impacts to state and local possible constraints that have been field verified (Strategy 3, Action 1.f and Strategy 4, Action 1.f and Action 2.e). Our review indicates that some constraints may be impacted by the project:

- Agricultural Soils: Based on the agricultural soils layer shown on the ANR Natural Resources Atlas, it appears that statewide agricultural soils will be impacted by this project. CCRPC will defer to the Vermont Agency of Agriculture, Food and Markets in determining the impact of development on agricultural soils. **CCRPC is not requesting further information or action related to this constraint at this time.**

Additionally, we are aware that this project is located near a local possible constraint (significant view areas), but the project appears to avoid the constraint. Further, CCRPC understands that the Town does not anticipate commenting during the 45-day notice period and therefore CCRPC is not requesting further information or action related to this constraint at this time.

These comments are based on information currently available; we may have additional comments as the process continues. We understand that the project may change between the advance notice and the final application. CCRPC will review the project location again after the final application is submitted to confirm our initial findings above.

Please feel free to contact me with any questions.

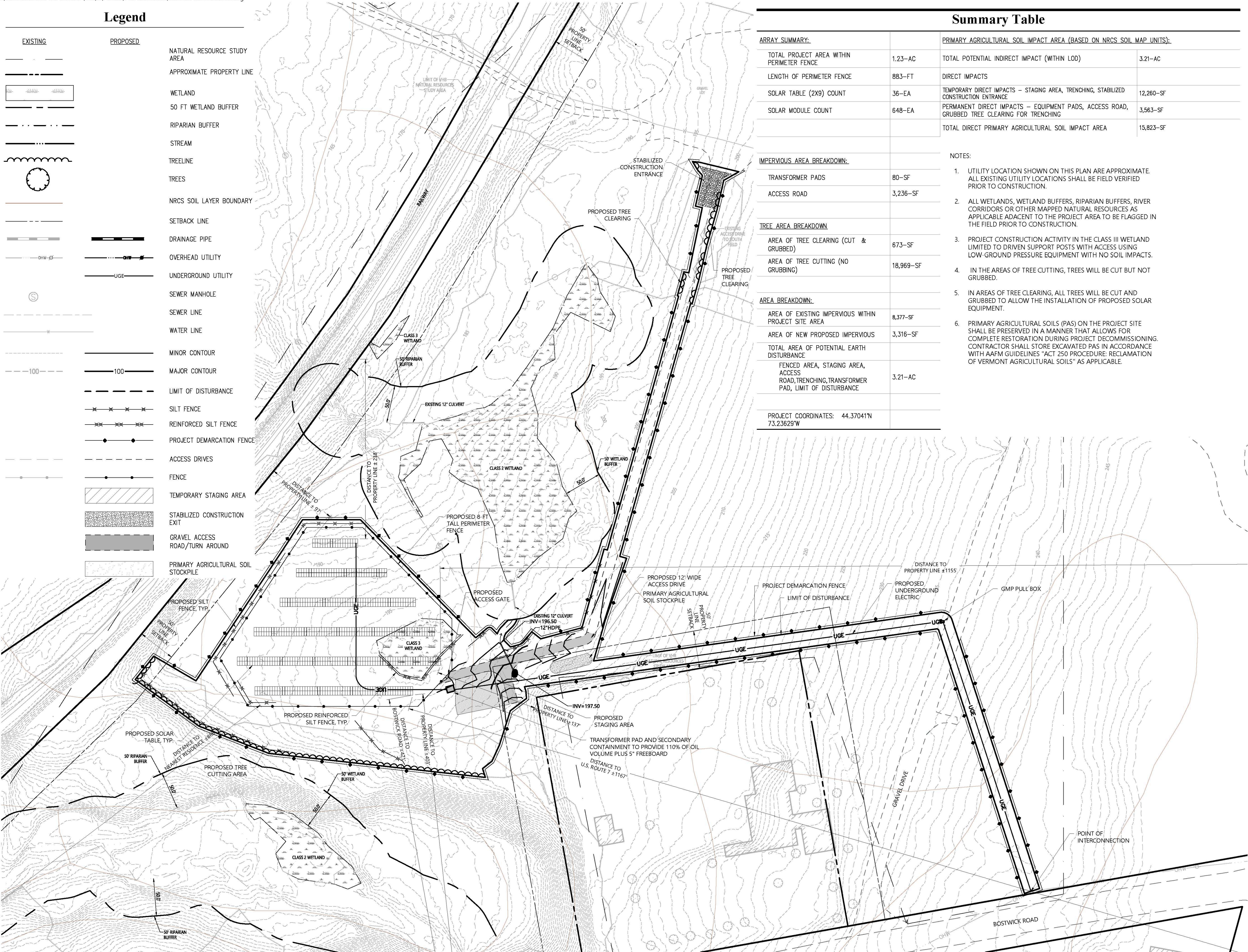
Sincerely,

Charlie Baker
Executive Director

cc: CCRPC Board
Dean Pierce, Director of Planning & Zoning, Town of Shelburne

Legend

EXISTING	PROPOSED	
		NATURAL RESOURCE STUDY AREA
		APPROXIMATE PROPERTY LINE
		WETLAND
		50 FT WETLAND BUFFER
		RIPARIAN BUFFER
		STREAM
		TREELINE
		TREES
		NRCS SOIL LAYER BOUNDARY
		SETBACK LINE
		DRAINAGE PIPE
		OVERHEAD UTILITY
		UNDERGROUND UTILITY
		SEWER MANHOLE
		SEWER LINE
		WATER LINE
		MINOR CONTOUR
		MAJOR CONTOUR
		LIMIT OF DISTURBANCE
		SILT FENCE
		REINFORCED SILT FENCE
		PROJECT DEMARCATION FENCE
		ACCESS DRIVES
		FENCE
		TEMPORARY STAGING AREA
		STABILIZED CONSTRUCTION EXIT
		GRAVEL ACCESS ROAD/TURN AROUND
		PRIMARY AGRICULTURAL SOIL STOCKPILE



Summary Table

ARRAY SUMMARY:		PRIMARY AGRICULTURAL SOIL IMPACT AREA (BASED ON NRCS SOIL MAP UNITS):	
TOTAL PROJECT AREA WITHIN PERIMETER FENCE	1.23-AC	TOTAL POTENTIAL INDIRECT IMPACT (WITHIN LOD)	3.21-AC
LENGTH OF PERIMETER FENCE	883-FT	DIRECT IMPACTS	
SOLAR TABLE (2X9) COUNT	36-EA	TEMPORARY DIRECT IMPACTS – STAGING AREA, TRENCHING, STABILIZED CONSTRUCTION ENTRANCE	12,260-SF
SOLAR MODULE COUNT	648-EA	PERMANENT DIRECT IMPACTS – EQUIPMENT PADS, ACCESS ROAD, GRUBBED TREE CLEARING FOR TRENCHING	3,563-SF
		TOTAL DIRECT PRIMARY AGRICULTURAL SOIL IMPACT AREA	15,823-SF
IMPERVIOUS AREA BREAKDOWN:		NOTES:	
TRANSFORMER PADS	80-SF	1. UTILITY LOCATION SHOWN ON THIS PLAN ARE APPROXIMATE. ALL EXISTING UTILITY LOCATIONS SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.	
ACCESS ROAD	3,236-SF	2. ALL WETLANDS, WETLAND BUFFERS, RIPARIAN BUFFERS, RIVER CORRIDORS OR OTHER MAPPED NATURAL RESOURCES AS APPLICABLE ADACENT TO THE PROJECT AREA TO BE FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION.	
TREE AREA BREAKDOWN		3. PROJECT CONSTRUCTION ACTIVITY IN THE CLASS III WETLAND LIMITED TO DRIVEN SUPPORT POSTS WITH ACCESS USING LOW-GROUND PRESSURE EQUIPMENT WITH NO SOIL IMPACTS.	
AREA OF TREE CLEARING (CUT & GRUBBED)	673-SF	4. IN THE AREAS OF TREE CUTTING, TREES WILL BE CUT BUT NOT GRUBBED.	
AREA OF TREE CUTTING (NO GRUBBING)	18,969-SF	5. IN AREAS OF TREE CLEARING, ALL TREES WILL BE CUT AND GRUBBED TO ALLOW THE INSTALLATION OF PROPOSED SOLAR EQUIPMENT.	
AREA BREAKDOWN:		6. PRIMARY AGRICULTURAL SOILS (PAS) ON THE PROJECT SITE SHALL BE PRESERVED IN A MANNER THAT ALLOWS FOR COMPLETE RESTORATION DURING PROJECT DECOMMISSIONING. CONTRACTOR SHALL STORE EXCAVATED PAS IN ACCORDANCE WITH AAFM GUIDELINES "ACT 250 PROCEDURE: RECLAMATION OF VERMONT AGRICULTURAL SOILS" AS APPLICABLE.	
AREA OF EXISTING IMPERVIOUS WITHIN PROJECT SITE AREA	8,377-SF		
AREA OF NEW PROPOSED IMPERVIOUS	3,316-SF		
TOTAL AREA OF POTENTIAL EARTH DISTURBANCE			
FENCED AREA, STAGING AREA, ACCESS ROAD, TRENCHING, TRANSFORMER PAD, LIMIT OF DISTURBANCE	3.21-AC		
PROJECT COORDINATES: 44.37041N 73.23629W			

40 IDX Dr
Building 100 Suite 200
South Burlington, VT 05403
802.497.6100

DRAFT

ER Steamboat Solar, LLC
150kW(AC)

Shelburne, Vermont

No.	Revision	Date	Appr'd
1	Updated Electrical Connection	06/10/2020	AGM

Designed by SMW
Issued for

Checked by AGM
Date
Sept. 20, 2019

Not Approved for Construction

Proposed Conditions
Site Plan

Drawing Number

C1.02

P:\Active Projects\Encore Renewable Energy\ER Steamboat Solar 1923\Drawg\6-18-2019 ER Steamboat Solar TJBA.dwg, 6/18/2019 4:22:53 PM, DWG To PDF.pc3

LEGEND

DECIDUOUS TREES

DECIDUOUS SMALL TREES

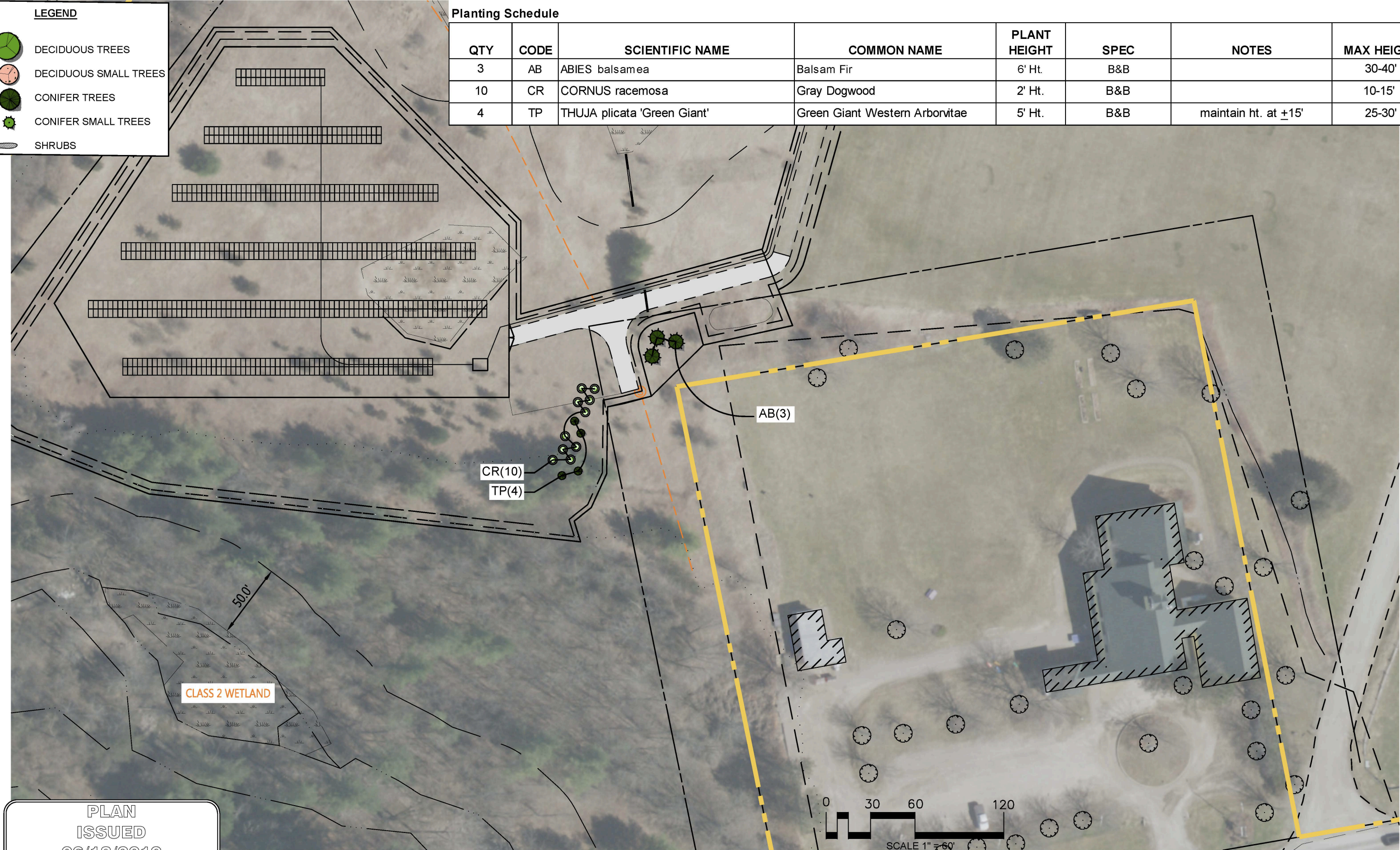
CONIFER TREES

CONIFER SMALL TREES

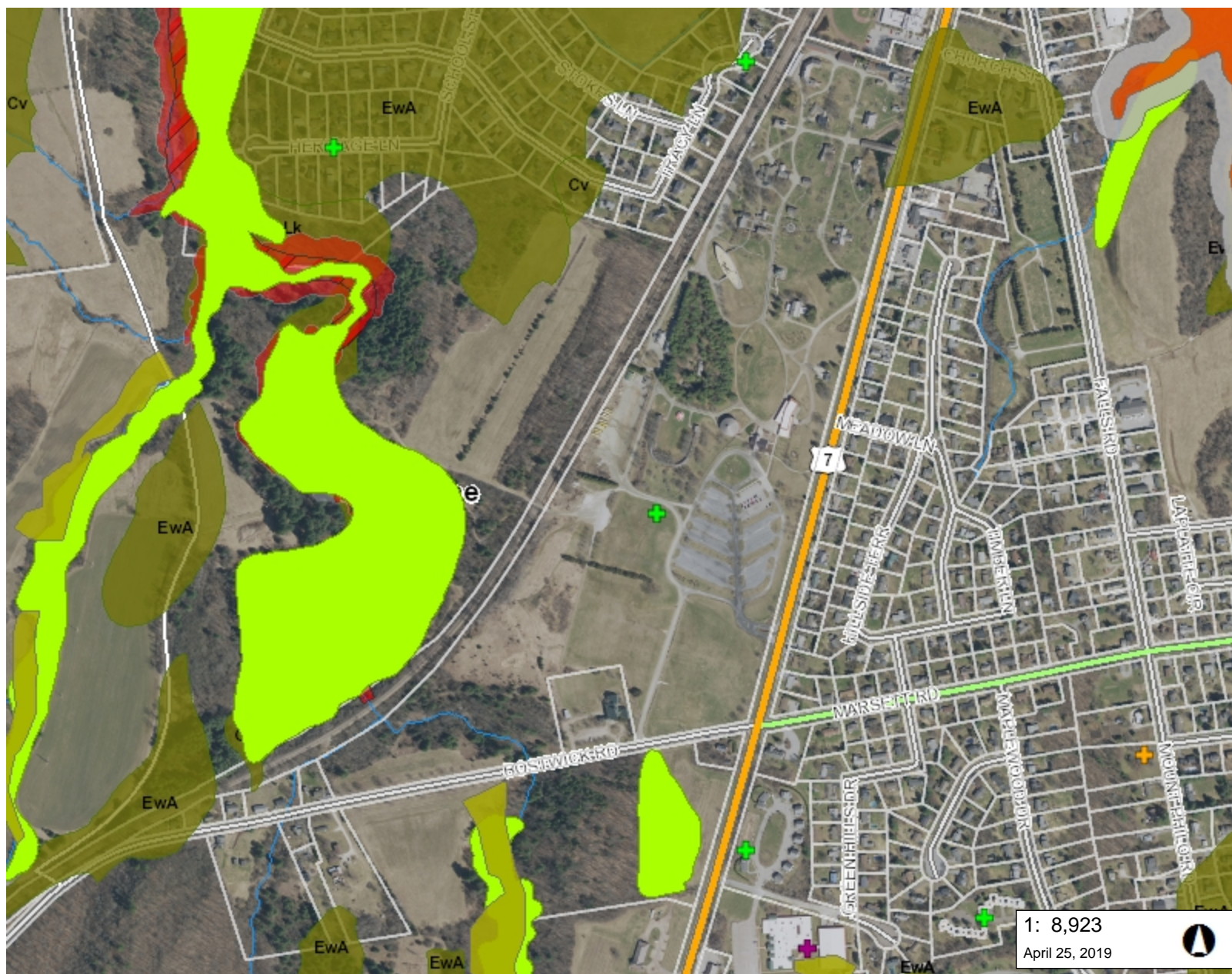
SHRUBS

Planting Schedule
























QTY	CODE	SCIENTIFIC NAME	COMMON NAME	PLANT HEIGHT	SPEC	NOTES	MAX HEIGHT
3	AB	ABIES balsamea	Balsam Fir	6' Ht.	B&B		30-40'
10	CR	CORNUS racemosa	Gray Dogwood	2' Ht.	B&B		10-15'
4	TP	THUJA plicata 'Green Giant'	Green Giant Western Arborvitae	5' Ht.	B&B	maintain ht. at \pm 15'	25-30'



PLAN
ISSUED
06/18/2019



LEGEND

-  Vernal Pools Confirmed – AE/A
- Wetland - VSWI**
 -  Class 1 Wetland
 -  Class 2 Wetland
 -  Buffer
-  Wetlands Advisory Layer
- Stormwater Permits (Issued)**
 -  Operational
 -  Construction
 -  Industrial - NOI
 -  Industrial - NOX
 -  Other
-  DFIRM - Letter of Map Revisio
-  DFIRM Floodways
- Flood Hazard Areas (Only FEM)**
 -  AE (1-percent annual chance flood)
 -  A (1-percent annual chance flood)
 -  AO (1-percent annual chance zone feet)
 -  0.2-percent annual chance flood ha
-  Soils - Hydric
-  Parcels (standardized)
-  Parcels (non-standardized)
- Roads**
 -  Interstate
 -  Principal Arterial
 -  Minor Arterial
 -  Major Collector

1: 8,923

April 25, 2019



NOTES

Map created using ANR's Natural Resources Atlas

453.0 0 226.00 453.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere

© Vermont Agency of Natural Resources

1" = 744 Ft. 1cm = 89 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
PLANNING ADVISORY COMMITTEE - MINUTES

DATE: Wednesday, June 10, 2020
TIME: 2:30 p.m. to 4:30 p.m.
PLACE: Virtual Meeting via GoToMeeting with link as published on the agenda

Members Present:

Joss Besse, Bolton
Garret Mott, Buels Gore
Eric Vorwald, Winooski
Matt Boulanger, Williston
Larry Lewack, Bolton
Paul Conner, South Burlington
Darren Schibler, Essex
Owiso Makuku, Essex
Ravi Venkataraman, Richmond
Alex Weinhausen, Hinesburg
Dean Pierce, Shelburne
Meagan Tuttle, Burlington
David White, Burlington
Sarah Hadd, Colchester (left at 3:30pm)

Staff:

Regina Mahony, Planning Program Manager
Melanie Needle, Senior Planner
Taylor Newton, Senior Planner
Eleni Churchill, Transportation Program Manager
Charlie Baker, Executive Director

Other:

Caroline Reynolds, Burlington Intern (left after
CENSUS training)

1. Welcome and Introductions

Joss Besse called the meeting to order at 2:34 p.m.

2. Approval of April 8, 2020 Minutes

David White made a motion, seconded by Ravi Venkataraman, to approve the April 8, 2020 minutes. No further discussion. MOTION PASSED. Garret Mott abstained.

3. Census Website Training

Melanie Needle shared tips and tricks on using the Census' new website: data.census.gov, since American Factfinder was decommissioned as of March 2020. Melanie also stated that the Center for Rural Studies will host a training on Wednesday, June 24th at 2:30pm; and that Chrome is the preferred browser for data.census.gov

Melanie provided tutorials on the following:

Geographic Profile

Comparative Profiles – compares data over time and runs statistical significance tests for you;

Searching for tables – advanced search and browse through the filters. Recommend starting with Geography. A municipality is a County Subdivision: Vermont: Chittenden County: Charlotte. Filter first to your town (you'll see this filter at the bottom) and then go to the topic you want.

Customizing/filtering tables - You can download, map the data and customize/filter the tables.

Exporting

4. I-89 Study

Eleni Churchill provided a presentation on the I-89 study. Eleni stated that Task 3: *Corridor Vision and Goals* has been completed, and an initial evaluation of the intersections has been completed. As a result of this initial evaluation Exits 12B, 13 & 14 will move forward for further evaluation. However, that does not mean the Study will necessarily call for improvements at those exits. Further evaluation will be done before a set of actions/strategies can be recommended. And these actions could include improvements in a variety of areas: increased transit, technology improvements, etc. Discussion from the PAC included questions about what the Study says about the other exits that

are not moving forward for evaluation (Exit 10A and 17N – while there are local economic benefits, these won't appear to address the future regional capacity challenges); data; how the first round of exit evaluations met the ECOS Plan (this was simply a determination of what percentage of land area within 1 mile buffer of the exit is within the planned for growth); and what the 12B hybrid looks like. Eleni showed the image of Exit 13 hybrid. Staff will email the powerpoint to the PAC.

5. Funding Directory Review

Taylor Newton provided the PAC with a funding directory spreadsheet that he put together as a resource. The intent is to ultimately get this on CCRPC's website in a searchable way. This will be updated annually. Darren Schibler indicated that this is a helpful resource, and asked if it is on the web site yet. The spreadsheet will automatically download from the link on the PAC page (<https://www.ccrpcvt.org/about-us/committees/planning-advisory-committee/>). However, that isn't yet in the final form.

6. S.237 Comments

This item was added to the agenda. Regina Mahony apologized for sending this out at such short notice, and then revising the comments again at 11:30am. Regina stated that the draft comments regarding Section 2 of this bill that includes amendments to the zoning enabling statute are going beyond what VPA decided on Monday afternoon. Regina indicated that she is feeling personally obligated to set the bar higher for our zoning in order to right some of the inequities that zoning has perpetuated. Regina added that she knows there is some discomfort in the specificity of Section 2. Beyond the Section 2 comments the other statements are fairly similar to comments we've discussed regarding Act 250 in the past. Lastly, Regina stated that Staff is planning to bring the comments to the Board for their meeting next week, and would like to gauge the PAC's comfort level with it.

The PAC had a lengthy discussion that included:

- Timing of the bill, and whether comments coming out of the Board will be soon enough for the Senate. It may be that CCRPC provides comments when this bill gets over to the House.
- Whether duplexes should be held to the same standard as single family homes in all regards. While there was a bit of debate on this because this isn't necessarily happening now, ultimately there was general agreement that this should be the standard.
- Some members expressed challenges with water and wastewater areas in systems that don't have a lot of capacity; or in areas where a transmission line is going through but doesn't actually serve the geographic area the lines go through (some CWD lines). There was general agreement to highlight these issues in the comments, as reasons why a municipality could opt for the off-ramp as contemplated in the bill.
- There was quite a bit of discussion about how conditions in existing Act 250 permits should be handled in the newly exempt Designated Downtowns and Neighborhood Development Areas. There was general agreement on the comments as drafted on this point.

7. Regional Act 250/Section 248 Projects on the Horizon.

Regina asked the PAC to email Regina and Taylor any Act 250/Section 248 updates.

8. Other Business

- a. Forest Integrity Plan Assistance* – The packet includes an opportunity for a small amount of CCRPC assistance with forest integrity planning. If any towns are interested, please tell Regina ASAP.
- b. New member Land Use Essentials Training – CCRPC can host a virtual training on this since this is so easy to do now. Please let Regina know if you have some new members (PC or DRB) that might be interested.
- c. EDA - Four Region CEDS - CCRPC is cooperating with regional partners to submit an application to EDA to develop a multi-region CEDS (Addison, Chittenden, Rutland and Central VT (Washington/part of Orange).

9. Adjourn

Meeting adjourned at 4:30pm.

Respectfully submitted, Regina Mahony

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

DATE: **Tuesday, July 7, 2020**
SCHEDULED TIME: 11 a.m. to 12:15 p.m.
PLACE: ONLINE
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:	Huntington: Darlene Palola	Underhill:
Burlington: James Sherrard	Jericho:	Westford:
Charlotte:	Milton: Dave Allerton	Williston: Christine Dougherty
Colchester: Amanda Clayton	Richmond: Ravi Venkataraman	Winooski: Ryan Lambert
Essex: Annie Costandi, Co-Chair	Shelburne: Chris Robinson	VAOT: Jennifer Callahan
Essex Junction:	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:	Winooski NRCD:
Other Attendees: DEC: Danielle Owczarski, Jim Ryan; Fitzgerald Environmental Associates, Inc: Evan Fitzgerald and Evelyn Boardman; Salix Solutions: Juliana Dixon; Blue© Stormwater: Drew Bissell; Stone Environmental: Amy Macrelis		
CCRPC Staff: Dan Albrecht, Chris Dubin, Eleni Churchill, Sai Sarapelli, Regina Mahony		

- 1. Call to Order.** With the consent of the co-chairs, it was agreed to have Dan Albrecht run the meeting since it was all online. The meeting was called to order by Dan Albrecht at 11:05 a.m. Introductions were made.
- 2. Changes to the Agenda and public comments on items not on the agenda** Chris Dubin asked for and was granted time to provide a brief update on the Grants-in-Aid program.
- 3. Review and action on draft minutes of May 5, 2020** After a brief recap by Dan Albrecht, *Darlene Palola made a motion, seconded by James Sherrard to approve the minutes as drafted. MOTION PASSED with abstention by Polly Harris.*
- 4. Case Study: Preparation of Jericho MRGP Implementation Plan: Fitzgerald Environmental**
Chris Dubin explained that this project was requested by Jericho for the CCRPC FY20 UPWP. Evelyn from Fitzgerald Environmental Associates provided an overview of the project. The project included development of cost assumptions for types of improvements. These were applied to each of the road segments that need improvement. The total cost of improvements is estimated at approximately \$495,000 over 10 years. These were planned out over that ten-year period based on the amount of resources the Town will be able to provide to this work (both from funding and staffing perspective). Chris Dubin explained the timing of how this fit within MRGP requirements.

Questions/Discussions: Amanda Clayton also asked about requirements for improving percentages of road segments versus those partially meets (50%), does not meet (100% corrected). Culverts are included in this scope of work, are these actual culvert numbers or an assumed number of culverts per segment? The data includes actual number of culverts and quality. All outfalls have been inventoried and submitted to the state with the REI data on April 1st. Has there been any high-level work done on cost estimates for non-compliant outfalls? Fitzgerald does have some data associated with amount of erosion loss that could be used for order of magnitude. Chris Dubin added that outfall locations vary so much that it may be difficult to set a standard cost, a point with which Amanda concurred based upon Colchester's experience as well.

Northwest RPC also has some great data from the Grants in Aid project on standardized costs per type of project that can be used for long-term capital planning as well. This Jericho project will also be repeated for Huntington for FY21, so more data will be developed from that project as well.

5. Draft 2020 Basin 5 Tactical Basin Plan

a. Comments on recently released public draft

Dan Albrecht showed the CWAC where the draft plan can be found on the website and provided the CWAC with the planned schedule for public meetings namely the July 15th CCRPC Board meeting and a July 20th online public forum hosted by DEC and a late July Northwest RPC Board meeting. Final comments are due to DEC by August 3rd. The CCRPC Board will review the conformance letter next Wednesday on July 15th. Dan asked the CWAC if any members have had a chance to review the Plan and have any concerns that the Board should be aware of. No members expressed any concerns. Dan asked folks to email him if they have any comments.

Dan reviewed the draft conformance letter that was in the packet. The letter compares the conformance of the Basin Plan with our 2018 ECOS Plan. The letter also makes three additional comments:

- The CCRPC recommends that RPCs, through their Clean Water Advisory Committee be allowed to provide input to DEC's prioritization scoring system as intended by statute.
- We wish to restate the concern of several of CCRPC's member municipalities that requiring municipal wastewater treatment plants to engage in costly upgrades at poor Phosphorus Reduction Benefit to Cost Ratio will make it a challenge for Chittenden County to achieve key strategies of the ECOS Plan. This version of the letter includes more detail on cost per kilo of phosphorus reduction.
- Finally, we would like to support the concerns raised by our MS4 permittee municipalities and organizations that the 50% match requirement imposed by the DEC for use of State grant funds is unfair and counterproductive.

6. Updates

- a. Dan Albrecht provided a brief update on CCRPC's application for designation as the Clean Water Service Provider for Basin 5. CCRPC was the only applicant. Dan explained who applied for the other six basins. DEC is expected to send out a letter next week on the CWSP's and begin the rule-making process. The rule-making process should be done by December. Project funds won't flow until Fall 2021.
- b. Chris Dubin provided a Grants in Aid update. There is an extension until October 15th on the construction.
- c. Eleni Churchill noted that staff is working on FY21 UPWP contracts. They will consult with each Town to make sure that they are comfortable with the proposed contractor to be assigned the work.

7. Items for Tuesday, August 4th meeting agenda.

- a) May not need a meeting.

8. Adjournment. The meeting adjourned at 12:00 p.m.

Respectfully submitted, Regina Mahony & Dan Albrecht