



## AGENDA

### Clean Water Advisory Committee

Thursday April 11<sup>th</sup> 4:00 – 6:00 PM

Central Vermont Regional Planning Commission,  
29 Main St., Suite 4, Montpelier, VT

- 4:00 PM: Welcome and Introductions  
Public Comments
- 4:05 PM: Changes to agenda
- 4:10 PM: Open Meeting Law, CWAC Chair Nominations?
- 4:30 PM: Continuation of discussion - CWAC Purpose and Direction  
CVRPC CWAC Rules of Procedure  
Public process: Phase 1 TMDL  
Basin Plan and Implementation of Projects  
Project prioritization  
Education of changes in water quality projects, funding, laws, policies, research and facts
- 5:30 PM: CVRPC Code of Conduct & Conflict of Interest Policy Acknowledgement
- 5:40 PM: Approval 2/21/19 minutes (enclosed)
- 5:45 PM: Approval 3/14/19 minutes (enclosed)
- 5:50 PM: Wrap-up. Should we go to every other month this summer? Skip July and August? Next Meeting Date 5/9/19?

## VLCT MUNICIPAL ASSISTANCE CENTER: OPEN MEETING LAW FAQs

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## THE LAW

### What is the Open Meeting Law?

The Open Meeting Law provides that “[a]ll meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title [on executive sessions].” 1 V.S.A. § 312(a). The intent of the law is to create transparency in government by requiring advance public notice and an opportunity for public participation in governmental decisions. The law is found in 1 V.S.A. §§ 310-314.

### What are the requirements of the Open Meeting Law?

- a. Provide advance notice of meetings. 1 V.S.A. §§ 312(c), 310(4);
- b. Create and post an agenda for all regular and special meetings. 1 V.S.A. § 312(d);
- c. Conduct all business in an open meeting (unless an exemption applies). 1 V.S.A. §§ 312(a); 313(a);
- d. Vote by roll call when there is electronic participation. 1 V.S.A. § 312(a)(2)(B);
- e. Allow public comment at meetings. 1 V.S.A. § 312(h);
- f. Take and post minutes. 1 V.S.A. § 312(b); and
- g. Respond to complaints of violation. 1 V.S.A. § 314(b)(2).

### To whom does the law apply?

The law applies to every “public body” of a municipality. A public body is any board, council, commission, committee, or subcommittee of a municipality. 1 V.S.A. § 310(3). This includes bodies that are specifically mentioned in state statute and municipal charter such as selectboards, prudential committees, planning commissions, conservation commissions, cemetery commissions, development review boards, boards of civil authority, boards of health, zoning boards of adjustment, etc. It also includes committees and subcommittees of those groups. The law does not apply to community justice boards or community justice centers. 24 V.S.A. § 1964(b).

### When does the law apply?

The requirements of the law are triggered whenever a “quorum” of the body is “meeting.” A quorum is a majority of the total members of the body. Quorum is determined based on the number of positions on the body, not the number of persons occupying those positions. Therefore, quorum does not change when there is a recusal or a vacancy. "Meeting" is defined as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the body or for the purpose of taking any action. 1 V.S.A. § 310(2). “Business of the public body” is defined as the public body’s governmental functions, including any matter over which it has supervision, control, jurisdiction, or advisory power. 1 V.S.A. § 310(1).

The Law applies regardless of the physical location of the members; the members don’t all have to be in the same room at the same time for it to be considered a "meeting" under the Law. Therefore, a phone conversation between a quorum of the members is a "meeting" for purposes of the law. Furthermore, time likely is also not a factor. If a conversation occurs over a period of time (for instance in a string of emails) that conversation may still amount to a "meeting" under the Law. This is why public bodies should generally avoid the use of group emails.

- a. Does this mean that we can never be in the same room at the same time unless we are in a meeting?
- b. Not necessarily. The law does not prohibit members of a public body from assembling at social functions, conventions, conferences, training programs, press conferences, media events, or otherwise gathers, provided that the members refrain from discussing specific business of the public body that they expect to take up at a later time. 1 V.S.A. § 310(3)(C). The Law also allows a quorum of the members of a public body to talk about routine administrative matters (such as scheduling meetings) outside of a meeting.

- c. The following does not constitute a "meeting" for purposes of the law: "any communication, including in person or through e-mail, telephone, or teleconferencing, between members of a public body for the purpose of scheduling a meeting, organizing an agenda, or distributing materials to discuss at a meeting, provided that: (i) no other business of the public body is discussed or conducted; and (ii) such communication that results in written or recorded information shall be available for inspection and copying under the Public Records Act." 1 V.S.A. § 310(2).
- d. Can a quorum of one public body attend the meeting of another?
- e. Yes. A gathering of a quorum of a public body at a duly warned meeting of another public body is not considered to be a "meeting," provided that the attending public body does not take action on its own business. 1 V.S.A. § 310(3)(D).

What are the different types of meetings and why does it matter?

There are three types of meetings under the Law. The Law imposes different requirements for notices and agendas depending on the type of meeting that is being held.

- "Regular meetings" are meetings that take place at a regularly occurring, pre-arranged time and day.
- "Special meetings" are meetings that take place at any time or date outside of the "regular" meeting schedule.
- "Emergency meetings" may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body. 1 V.S.A. § 312(c)(3).

## **EMAIL, PHONE, AND OTHER ELECTRONIC COMMUNICATION**

Do group emails violate the Law?

Not necessarily. Group emails may be used to schedule a meeting, create an agenda, or to distribute materials to discuss at a meeting. Group emails should never be used for discussion purposes (which is why you should avoid hitting the "Reply All" button). Emails must generally be available for copying and inspection as public records. 1 V.S.A. § 310(2).

In addition, email may be used in instances where a public body is engaged in a quasi-judicial deliberation – for instance, when a development review board is in the midst of drafting the written decision on a permit application. 1 V.S.A. § 312(e). Before taking advantage of this exception to the Law, the public body must have conducted a quasi-judicial hearing in public session, and then entered into deliberative session to discuss the evidence and decide how to proceed. (See #20-21.)



## Code of Conduct and Conflict of Interest Policy

Adopted by the Board of Commissioners on 12/11/18

### Preamble

A public official must exercise his or her authority solely for the benefit of the public and, in fact, stand in a fiduciary relationship to the public. He or she is held to a most rigid standard with respect to any activity which places his or her individual interest in a position where collision with public responsibility becomes possible. Not only must public officials actually separate private interests from public responsibility, but must also give every appearance of this separation.

### Definition

Commissioner. “Commissioner” means a member of the Central Vermont Regional Planning Commission’s Board of Commissioners. Alternate Commissioners are considered “Commissioners” for purposes of this Policy.

Agent. An “Agent” is a party that has express (oral or written) or implied authority to act for the Commission so as to bring the Commission into a contractual relationship with another party. An agency is under the control (is obligated to) the Commission, and when acting within the scope of his or her authority delegated by the Commission binds the Commission with his or her acts.

Committee Member. “Committee Member” means a member of a committee formed by the Central Vermont Regional Planning Commission and under its authority via adopted Rules of Procedure. “Committee Member” also means a member of a project-based committee formed by the Commission to provide advice or recommendations to the Commission.

### Applicability

This Policy applies in the event a Commissioner, employee, agent, or Committee member (collectively as “Party”) of the Central Vermont Regional Planning Commission (Commission), whether or not the Committee member is a Commissioner:

1. has a personal or fiduciary relationship with any individual, partnership, firm or corporation seeking to contract with the Commission, or to provide materials or labor thereto;
2. has a personal or fiduciary interest in a project of the Commission or in a project before Act 250 or other regulatory board where the Commission is a party; or
3. is involved in any action or circumstance which might result in, or create the appearance of, undermining their independence or impartiality of action.

Commissioners are appointed by a municipal elected body to represent the interests of that municipality. Once appointed to the Board, Commissioners have a legal obligation to make decisions in the best interest of the Commission. A Commissioner's municipal perspective is an important part of those decisions. The Board of Commissioners has determined that Commissioners participating in discussions or decisions regarding the municipalities they represent does not constitute a conflict of interest because the Commissioner role functions in the public interest rather than a personal interest.

## **Code of Conduct**

Parties of the Commission must take all reasonable steps to avoid any action or circumstance, whether or not strictly prohibited by this code, which might result in, or create the appearance of:

1. undermining their independence or impartiality of action;
2. taking official action on the basis of unfair considerations, unrelated to the merits of the matter;
3. giving preferential treatment to any interest on the basis of unfair considerations, unrelated to the merits of the matter;
4. using public office for the advancement of personal financial interests;
5. using public office to secure special privileges or exemptions; or
6. affecting adversely the confidence of the public in the integrity of affairs of the Commission.

This Code applies whether the Party's conduct would have a positive or negative effect on the action.

Party's of both the Commission and the Commission's sub-grantees will neither solicit nor accept gratuities, favors, or anything of monetary value (excluding calendars, pens, and other nominal items) from contractors, potential contractors, or parties to sub-agreements. In these cases, the gift must be disclosed to the Commission's Executive Director, or in the case of the Executive Director, to the Commission Chair.

## **Conflict of Interest**

"Conflict of interest" means a personal or pecuniary interest of a Party. Such a conflict would arise when:

1. a Party of the Commission,
2. any member of his or her immediate family,
3. his or her partner, or
4. an organization which employs or is about to employ any of (1) through (3) above,

have a financial or other interest in or a tangible personal benefit in the outcome of any particular matter pending before the Commission, including the award of contracts and sub-contracts.

A real conflict of interest exists when a private interest exists leading to a personal benefit or gain. An apparent conflict of interest exists when there is a perception that a conflict of interest exists leading to a personal benefit or gain. An apparent conflict of interest is one in which a reasonable person would think that the individual's judgment is likely to be compromised. A conflict of interest implies only the potential for bias, not a likelihood.

## **Party Actions**

Upon joining the Commission or its committees, Parties will review and sign this Policy to indicate that they have read, understood, and agree to comply with it.

In the event a real or apparent conflict of interest, as herein defined, or a situation involving real or apparent impartiality does or would result, the Party must act as follows:

1. Prior to taking an official act or action or participating in any official act or action on the matter, publicly disclose at a public meeting or public hearing that s/he has an actual or perceived conflict of interest in the matter under consideration and disclose the nature of the actual or perceived conflict of interest.
2. Once there has been a disclosure of an actual or perceived conflict of interest, other public officers must be afforded an opportunity to ask questions or make comments about the situation.
3. A public officer who has recused himself or herself from participating in an official act or action by a public body shall not sit with the public body, deliberate with the public body, or participate in the discussions about that official act or action in any manner in his or her capacity as a public officer, though such member may still participate as a member of the public or private party, if applicable.

Employee disclosure, actions, and sanctions are governed by the Commission's Personnel Policies. Agents must disclose such interest to the Executive Director immediately, either verbally or in writing, and must not be involved further in the question of the contract issuance.

No Party of the Commission may participate in the selection, award, or administration of a contract supported by a Federal or State award if he or she has a real or apparent conflict of interest. The Commission must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

## **Resolving Conflicting Interests and Situations Involving Impartiality**

In the event a Commissioner or member of a Commission committee or workgroup is uncertain whether he or she has a conflict of interest in any matter or is challenged in any matter, the Board of Commissioners or the Committee or workgroup in which the Party is involved, must state for the record its position as determined by roll call vote.

The Board of Commissioners has the ultimate authority over conflict of interest and situations involving impartiality decisions for the Commission's committees and workgroups. It may negate a decision made by a committee or workgroup if it votes to override a conflict of interest decision made by those groups at the Commission's next meeting. Staff must apprise the Commission of any conflict of interest decisions made by a committee or workgroup.

The Commission's Personnel Policies govern resolution of conflict of interests regarding employees. In the event an Agent is uncertain or is challenged, the Executive Director must determine whether a conflict of interest exists.



## Sanctions

Failure of a Party to sign the Policy will result in the individual or organization being barred from voting on Commission business and/or other sanctions imposed by the Commission. If the Party has been appointed to the Board of Commissioners or a committee by a municipality, the appointee's municipality also will be notified.

If a Party subject to this Code of Conduct and Conflict of Interest Policy violates the Policy, the following sanctions will apply:

1. Commissioner. Violations of this policy by a Commissioner will result in the Commission making a written report of the violation to the governing body of the municipality the Commissioner represents. The Commission must make written report of a violation of this Policy to the governing body of the municipality the Commissioner represents. Additionally, the Commissioner may be removed temporarily or barred permanently from participating in the committee, project workgroup, or other Commission interest related to the conflict.
2. Employee. All employees are subject to the Commission's Personnel Policies. The Policies may provide additional guidance and standards for employee conduct in regards to conflicts of interest. Violations of this Policy or supplemental conflict of interest and code of conduct information in the Personnel Policies by employees will result in disciplinary actions as described in the Commission's Personnel Policies.
3. Agent. Violations of this Policy by an agent may result in removal from agent status. The Commission will document the violation in writing and maintain such documentation in the organization's files for future reference. Depending on the nature and extent of violation, an agent may be removed temporarily or barred permanently from acting on the Commission's behalf.
4. Committee Member. Violations of this Policy by a committee member may result in the committee member being removed temporarily or barred permanently from participating in the committee, project workgroup, or other Commission interest related to the conflict, or may result in the committee member being removed from the committee.

## Acknowledgement

I acknowledge that I have read, understand, and agree to comply with this Policy.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

1                                   **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
2                                   **CLEAN WATER ADVISORY COMMITTEE**  
3                                   **FEBRUARY 21, 2019**  
4                                   **Meeting Notes**

5  
6 A meeting of the Central Vermont Regional Planning Commission’s Clean Water Advisory Committee  
7 was held on Thursday, February 21, 2019 in the Central Vermont Regional Planning Commission  
8 Office.

9  
10 Committee Members Present:

- 11 Stewart Clark – Worcester Planning Commission  
12 Michele Braun – Friends of Winooski River  
13 Ron Krauth – Middlesex/Board of Commissioners  
14 Joyce Manchester – Moretown TAC  
15 Amy Hornblas – Cabot/Board of Commissioners  
16 John Hoogenboom – Moretown Selectboard  
17 Larry Becker- Middlesex Conservation Commission  
18 Gianna Petito - Winooski Natural Resources Conservation District

19  
20 Committee Members Absent:

- 21 Dona Bate – Montpelier City Council  
22 Russ Barrett – Northfield Conservation Commission  
23 Karen Bates – ANR  
24 John Brabant – Calais/Board of Commissioners  
25 Corrie Miller – Friends of the Mad River  
26 Brian Shupe – Friends of the Mad River

27  
28 Others Present:

- 29 Bonnie Waninger, CVRPC Executive Director  
30

31 **CALL TO ORDER**

32 Pam DeAndrea called the meeting to order at 4:07 PM.  
33 Welcome and introductions  
34

35 **CHANGES OR AMENDMENTS TO THE AGENDA**

36 Move minutes approval to when Joyce Manchester gets here so we can have a quorum.  
37 Move discussion of surface water reclassification to after Clean Water District.  
38

39 **PUBLIC COMMENTS**

40 Amy – felt a bit manipulated after the last meeting since it seemed like glyphosate just got glossed over.  
41 Under the framework of no till but it can’t be organic. As a team, we are being asked to blame the  
42 farming community while Cabot is able to spray wastewater.  
43 Stew – frustrated – Patti said that phosphorus is trapped in the soil. But roundup is adding extra  
44 phosphorus to the soil that could be eroded into the streams.  
45 Ron – No till farming - no one thought that weed control is needed in the past and that’s how roundup is  
46 used so much.  
47 Amy – wanted a voice for concerns and feels that her concerns are not being heard.  
48 Pam – understand concerns, what would you like me to ask? Do you want me to ask Patti is there  
49 phosphorus enrichment of soils and can that contribute to increase P to the streams and ultimately Lake  
50 Champlain?  
51

1 Pam and Michele – Workshop announcement - Water Wise Woodlands – Caring for Your Woods  
2 Pancake Breakfast. Twinfiels School, Marshfield, Saturday March 30, 9 am – 1 pm.  
3 Learn about woods, wildlife & water with hands on workshops.  
4

#### 5 **WINOOSKI TACTICAL BASIN PLAN RESPONSIVENESS SUMMARY**

6 Group discussed responsive summary.

7 Comment 5:

8 Is macroinvertebrate sampling required in agricultural areas? Michele looked it up and saw that it is  
9 sporadically over time throughout the watershed. But are spots targeted where there is ag work.

10 Comment 7: Yes it is federally regulated but still things occur like some commercial entities being  
11 allowed discharge things.

12 Comment 11: Lay person language – maybe another format in the future.

13 Comment 26: Answer did not address concern.

14 Comment 27: Gianna – LaRosa just announced that they will release an RFP to monitor pre-BMP  
15 baseline monitoring and then post as well. Upstream/downstream with reference sites.

16 Comment 28: The answer missed the delivery of the question that is it a concern from a water quality  
17 perspective.  
18

#### 19 **CLEAN WATER IMPLEMENTATION PROPOSED LEGISLATION**

20 Bonnie gave a background of ANR’s regulatory authority was thought to achieve 90% CW goals. This  
21 year they said that they are only going to be able to achieve 80% through regulation. To get the 20%,  
22 they proposed that municipalities would have to form a utility to be eligible for funding for future  
23 projects.  
24

25 VAPDA was concerned about the utility idea not being uniform across state. They proposed an  
26 alternative similar to a block grant that brought in all partners. Use the CWAC as a convening model  
27 and that some groups would have to be represented. Use the group to prioritize projects for  
28 implementation. RPCs have the capacity to manage such a project.  
29

30 Latest proposed legislation – enable a block grant through RPCs, but it is still very regulatory.  
31 Responsible for O&M into the future. Would impose penalties upon the RPC if O&M was not  
32 followed. Monitoring, inspection – how would we be funded for that? Annual report. Still takes non-  
33 regulatory activities and puts them in a regulatory framework, so it still really does not work. Should it  
34 be regulatory or non-regulatory? If the ANR needs it to be regulatory, this will probably not work to  
35 have the RPCs manage it.  
36

37 Larry – where is this coming from? Agency or public?

38 Bonnie and Michele – this is coming from an agency and science perspective.  
39

40 Joyce – TAC prioritizes, who inspects?

41 Bonnie – Vtrans inspects and town can request inspection.  
42

43 Michele – limits it to impaired waters.

44 Gianna – Block grants? CWAC did give feedback during TBP process.

45 Michele – DEC is having a hard time managing grants, but they cannot hire staff.

46 Stew – maybe we need “friends” of the tributaries. Groups like the VRC would love to monitor  
47 activities along the tributaries.

1  
2 RPCs will be testifying next Wednesday. RPCs did testify to the clean water board that \$75,000 be in  
3 there for watershed groups to participate.  
4

5 **APPROVAL OF JANUARY 10 MINUTES**  
6

7 No change but comment.

8 John moved to approve the minutes. Michele seconded. Minutes approved.  
9

10 **ERP GRANTS**

11 Pam went over ERP grants to be submitted by CVRPC next month: Stormwater final designs for  
12 Woodbury Elementary School, Moretown Elementary School, and Duxbury Ward Hill Road.  
13

14 FWR: Michele went over ERP grants she is trying to submit:

15 Hubbard Park

16 Camp Wihawi – dam removal - \$450,000 – put it on the Whisper list – if a municipality has a project on  
17 the revolving loan fund. Interest difference pays for the natural resources.

18 If that doesn't come through, will ask ERP.

19 Richmond School, Camels Hump Elementary School – CCRPC SWMP – 3 projects – big gullies.  
20

21 WNRCD: Gianna said they are not submitting grant applications this round.  
22

23 **SURFACE WATER RECLASSIFICATION OUTREACH**

24 Did not have time to talk about this. Will talk about another time.  
25

26 **SCHEDULE**

27 Next meeting: Thursday, March 14.

1 **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
2 **CLEAN WATER ADVISORY COMMITTEE**  
3 **March 14, 2019**  
4 **Meeting Notes**  
5

6 A meeting of the Central Vermont Regional Planning Commission's Clean Water Advisory Committee  
7 was held on Thursday, March 14, 2019 in the Central Vermont Regional Planning Commission Office.  
8

9 Committee Members Present:

10 Stewart Clark – Worcester Planning Commission  
11 Ron Krauth – Middlesex/Board of Commissioners  
12 Joyce Manchester – Moretown TAC  
13 Amy Hornblas – Cabot/Board of Commissioners  
14 John Hoogenboom – Moretown Selectboard  
15

16 Committee Members Absent:

17 Michele Braun – Friends of Winooski River  
18 Dona Bate – Montpelier City Council  
19 Russ Barrett – Northfield Conservation Commission  
20 Karen Bates – ANR  
21 John Brabant – Calais/Board of Commissioners  
22 Corrie Miller – Friends of the Mad River  
23 Brian Shupe – Friends of the Mad River  
24 Larry Becker- Middlesex Conservation Commission  
25 Gianna Petito - Winooski Natural Resources Conservation District  
26

27 Others Present:

28 Padraic Monks, DEC Stormwater Program Manager  
29

30 **CALL TO ORDER**

31 Pam DeAndrea called the meeting to order at 4:05 PM.  
32 Welcome and introductions  
33

34 **CHANGES OR AMENDMENTS TO THE AGENDA**

35 None.  
36

37 **PUBLIC COMMENTS**  
38

39 Pam – Reminder on Water Wise Woodlands Workshop – Caring for Your Woods Pancake Breakfast.  
40 Twinfield School, Marshfield, Saturday March 30, 9 am – 1 pm.  
41 Learn about woods, wildlife & water with hands on workshops. Spread the word!  
42

43 **3 ACRE GENERAL STORMWATER PERMIT**

44 Padraic Monks from DEC presented on the 3 acre general stormwater permit.  
45

46 Operational permit >1 acre impervious surface  
47

48 Impervious surfaces in Vermont:

49 60,000 acres statewide

50 <10% is regulated  
51

1 TMDL – target 21% reduction of phosphorus from developed lands  
2 Padraic went over the various permits to meet TMDL requirements – new stormwater rule “Stormwater  
3 Permitting Rule. Chapter 22” –goes into effect 3/15/19. – includes the 3 acre general permit and offsets  
4 and impact fees.

5  
6 3 acre General Permit: from Act 64: dictated that all 3 acre sites require a permit. Rule defines a 3 acre  
7 sites as parcels with > 3 acres impervious surfaces that were either permitted before 2002 or never had a  
8 permit.

9  
10 Roughly 1,000 3 acre sites statewide; 2/3 most likely in Champlain basin. List of sites is not out yet, but  
11 will be soon.

12  
13 General permit due in 4 months  
14 Permits for sites in Champlain and Memphremagog are due by 2023  
15 The rest of state is due by 2033

16  
17 Enforcement will be upon DEC Stormwater program. The General Permit will have the dates that  
18 landowners need to apply by to meet the 2023 and 2033 due dates.

19  
20 3 acre requirements include retrofit stormwater site, maximize treatment on site per the VT SW  
21 Management manual.

22 Don't have the flexibility as a new site would – need an Engineering Feasibility Analysis. Don't need to  
23 purchase additional land, pump stormwater, constrict in flood plains or wetlands.

24  
25 Impact fees are included in the rule – this allows for incentives to do the best you can on your site and  
26 pay if you can't treat; provides for equity – everyone contributes.

27  
28 More of the rule:

29 Stormwater impaired waters must meet channel protection volume – fee = \$35,000 per acre of  
30 impervious surface

31 Redevelopment standard (50% water quality volume) – new projects have to treat 100% WQV

32 One-time fee =  $25,000/\text{acre} (\text{required volume} - \text{actual volume})$

33 =  $\$25,000/\text{acre} (50\% - 0\%) = \$12,500/\text{acre}$

34  
35 Stew – is there any opportunity to forbid activities as opposed to permit activities that increase  
36 stormwater?

37 Padraic – they are forbidden in the sense that if they don't meet the standards, they pay. Also new  
38 development have stricter standards.

39  
40 Impact fees go unto a fund if standards not met. Then those fees can be dispersed to those landowners  
41 that exceed the standards. For instance, if you treat more than 3 acres, you can get paid for that acre of  
42 extra treatment through the fund.

43  
44 Impact fees eligible projects – stormwater only; permit obtained.

45  
46 General permit will be due by the DEC 7/1/19 – draft for public comment will be out soon.

47

1 For 3 acre sites: “isolated impervious surfaces” <400 ft<sup>2</sup> – can use BMPs instead of having them  
2 connect to large stormwater system.

3 Same for isolated roads for 3 acre sites. Can follow BMPs in Municipal Road General Permit standards.  
4

5 Rule information: <https://dec.vermont.gov/watershed/stormwater/stormwater-rule-update>

6 Distribution list: DEC will send updates on the rule – Pam will send a request to Padraic to get on the  
7 distribution list.

8  
9 Questions:

10  
11 Ron – what about sites that get cleared and sit and are not actually developed?

12 Padraic – we can only regulate what we have jurisdiction over. They need to have a construction permit  
13 for clearing and need to follow erosion control standards. If it discharges to water quality then we do  
14 have jurisdiction.

15  
16 Padraic - Schools – many of them will be 3 acre sites and DEC will support schools with funding for  
17 meeting the standards.

18  
19 Amy – can you talk about the cost of this and possible bankrupting of businesses?

20 They will have 5 years to comply, so the burden can be spread out over time to help.

21 It will be a difficult conversation with landowners that they will have to pay thousands of dollars if they  
22 cannot treat.

23  
24 Farms are exempt from the 3 acre rule – they are regulated through the Department of Agriculture.  
25

26 Pam – what about 3 acre sites within the river corridor? If the landowner has to treat per the permit but  
27 are in the river corridor, will there be flexibility with the rivers program?

28 Padraic - No, they will have to pay impact fees – won't be able to install stormwater infrastructure in  
29 river corridor.

30  
31 **APPROVAL OF FEBRUARY 21 MINUTES**

32  
33 No quorum could not approve, but will edit Amy's comment.  
34

35 **CWAC – WHERE ARE WE GOING?**

36 **SELECT A COMMITTEE CHAIR?**

37 Pam went over the purpose of the CWAC and what we should be doing here, eg. Basin planning, project  
38 prioritization, education to bring back to other town representatives.

39  
40 Stew – we have been talking about a number of issues, neonics, stormwater, etc. We are taking in a lot  
41 of information but could we be more effective?  
42

43 Ron – this committee is very informative and to the point. How much of this gets beyond us? How much  
44 gets beyond the RPC? Ron thinks this should get beyond our meetings to others. Can we write a  
45 commentary that gets published in media outlets like VT Digger?  
46

1 Pam – you should really think about who your audience is before you would publish something. Is it the  
2 Towns, the state, everyone?

3  
4 John – Town selectboard members should hear about these issues as well and he has been bringing  
5 information to his selectboard.

6  
7 The group continued to discuss its purpose and direction as well as wanting to come up with a document  
8 that communicates its position on several topics. Stew agreed to circulate his original email that brought  
9 this discussion out and to work with others to come up with issues and action items.

10  
11 Pam reminded everyone that the Basin Planning process itself was a big effort that has led us into the  
12 phase of project implementation where we can now put projects on the ground. The CWAC was  
13 instrumental in the development of the plan and can serve as the place for prioritizing those projects for  
14 the region, especially if the recently proposed Clean Water Legislation that was talked about in the last  
15 meeting goes through.

16  
17 The CWAC tabled this discussion until the next meeting.

18  
19 **CVRPC CODE OF CONDUCT & CONFLICT OF INTEREST POLICY**

20 **ACKNOWLEDGEMENT**

21 All committee members present signed the acknowledgement form.

22  
23 **SCHEDULE**

24 Next meeting: Thursday, April 11.