



AGENDA

Clean Water Advisory Committee

Thursday April 9th 4:00 – 6:00 PM

Central Vermont Regional Planning Commission

29 Main St., Suite 4, Montpelier, VT

REMOTE MEETING via computer, smartphone, or dial-in:

<https://global.gotomeeting.com/join/879272421>

Dial in option by phone **+1 (872) 240-3311**

Access Code: 879-272-421

- 4:00 PM: Welcome and Introductions
Public Comments
- 4:05 PM: Changes to agenda
- 4:10 PM: Approval 2/13/20 minutes (enclosed)
- 4:15 PM: Approval 3/12/20 minutes (enclosed)
- 4:20 PM: Vote on CWAC Letter Staff Revision (enclosed) – Amy Hornblas, Chair
- 4:30 PM: CWAC Rules of Procedure Revision
- 5:50 PM: Other Announcements?
- 5:55 PM: Wrap-up. Next Meeting Date 5/14/20? Presentation by Jon Kim, Vermont Geological Survey on PFOAS monitoring in May. Will check on Remote option.

Persons with disabilities who require assistance or special arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or chartrand@cvregion.com at least 3 business days prior to the meeting for which services are requested.

1 **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**
2 **CLEAN WATER ADVISORY COMMITTEE**
3 **February 13, 2020**
4 **Meeting Notes**

5
6 A meeting of the Central Vermont Regional Planning Commission’s Clean Water Advisory
7 Committee was held on February 13, 2020 in the Central Vermont Regional Planning Commission
8 Office.
9

10 Committee Members Present:

11 Amy Hornblas – CWAC Chair, Cabot/Board of Commissioners
12 Stewart Clark – Worcester Planning Commission
13 Larry Becker- Middlesex Conservation Commission
14 Dona Bate – Montpelier City Council
15 Karen Bates – ANR
16 Rich Turner – Williamstown/Board of Commissioners
17 John Brabant – Calais/Board of Commissioners
18 Joyce Manchester – Moretown TAC
19 John Hoogenboom – Moretown Selectboard
20

21 Committee Members Absent:

22 Russ Barrett – Northfield Conservation Commission
23 Ron Krauth – Middlesex/Board of Commissioners
24 Michele Braun – Friends of Winooski River
25 Corrie Miller – Friends of the Mad River
26 Brian Shupe – Friends of the Mad River
27 Gianna Petito – Winooski Natural Resources Conservation District
28

29 Others Present:

30 CVRPC staff present: Bonnie Waninger, Pam DeAndrea, & Grace Vinson
31

32 **CALL TO ORDER**

33 Amy Hornblas called the meeting to order at 4:04 PM.
34

35 **PUBLIC COMMENTS**

36 None.
37

38 **CHANGES OR AMENDMENTS TO THE AGENDA**

39 None.

40 **APPROVAL OF JANUARY 9 MINUTES**

41 Remove John Brabant from attending list.
42 Edit line 19 to say- “Staff memo to the Board”.
43 Dona- motion to approve as amended. Stewart- seconded. Motion carried.
44

45 **BASIN PLANNING DISCUSSION – Karen Bates, ANR**

1 Karen Bates gave an overview of the Basin Plan process: to meet legislative requirements to
2 protect and remediate waters in the state to levels in state water quality standards. Basin Plans
3 talk about what ANR does, how ANR works with partners, and facilitating regulation through
4 education and outreach. The plans focus on nonpoint source pollution because that's what a lot
5 of partners are working on. Plans are completed every 5 years; the first step in the process is
6 monitoring and assessment which is going on now for the Winooski Basin Plan. The second step
7 is writing the plan; the planning process for the Winooski Basin Plan starts in 2 years.

8
9 Karen explained the difference between Basin Plans and the Surface Water Management
10 Strategy, which looks at water resource protection through the lens of stressors (things on the
11 landscape that cause pollution).

12
13 Larry asked if the Basin Plans can be used to lead to a regulatory framework and if the plan
14 includes action items. Karen explained that regulations are done at a higher level, and the plan
15 includes strategies that ANR uses with partners.

16
17 Karen posed a question to the group on whether there are specific locations where ANR should
18 do monitoring and assessment for glyphosate. She said the discussion of glyphosate should be
19 within the context of the state's goal of wanting to increase healthy soils.

20
21 Amy asked whether ANR was moving into the enforcement stage for Act 64 (Clean Water Act).
22 Karen said yes, and the Agency of Agriculture has done a lot of work helping farms with nutrient
23 management plans.

24
25 Larry asked whether the Basin Plan can expand on things like ground water/surface water
26 interaction, and healthy soils, or whether ANR was constrained in what the plan covers. Karen
27 answered that Act 64 has healthy soils as a goal so it will be discussed in the plan. Also,
28 Vermont Geologic Survey is conducting studies on groundwater/surface water interaction and
29 information can be fed into the next plan.

30
31 There was a discussion about emergency spreading of manure and wastewater treatment facility
32 technology and discharge. Karen said winter pasturing practices is a strategy incorporated into
33 the Basin 5 plan.

34 35 **UPDATE ON BOARD MEETING AND CWAC LETTER**

36 Pam asked the group if they wanted to revise the letter to present to the Board. The group
37 discussed revising the content of the letter to be clearer about the problem and
38 solutions/recommendations and connect the recommendations directly to the Basin Plan.

39
40 The Committee discussed moving away from specific solutions in the letter, and thinking about
41 who concerns should be targeted in the ANR structure of water quality. Pam will use a
42 recommendation letter and blank letterhead as a template, edit the introductory paragraph to add
43 sentence showing thanks and appreciation, and address the letter to the Commissioner of ANR.
44 Karen and Pam will work together on identifying who the letter recommendations should be
45 targeted to (what agencies/entities (Clean Water Board for example) each concerns could be
46 addressed to in the ANR structure.

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CLEAN WATER SERVICE PROVIDER DRAFT RFP

Pam provided an overview of the Clean Water Service Providers (CSWP) RFP. Act 76 establishes Clean Water Service Providers. The Executive Committee has approved CVRPC to draft a proposal for the Winooski Basin CWSP; the proposal will need to be approved by the Executive Committee before submitting to ANR. Pam is convening a meeting with watershed partners to see what role they would play in the Basin Water Quality Council established by Act 76. Pam will send out information to town managers and town administrators. She explained that the purpose and charge of the Basin Water Quality Council is to identify and prioritize projects that would get funded through the CWSP; the idea for CSWPs is a program delivery system which is different from CWAC. She asked the Committee to read the RFP and be aware CVRPC is considering submitting a proposal for approval.

OTHER ANNOUNCEMENTS

None

SCHEDULE

Next meeting 3/12/20. More on CWSP RFP. Finalize changes to rules of procedure recommendations for Board. Jon Kim of VT Geological Survey.
Meeting adjourned at 6:10 pm.

Stewart- item for the next agenda: points in the meeting minutes about CWAC Rules of Procedure. I think we need to wrap up what we're going to say.

1 **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**
2 **CLEAN WATER ADVISORY COMMITTEE**
3 **March 12, 2020**

4
5 A meeting of the Central Vermont Regional Planning Commission's Clean Water Advisory
6 Committee was held on March 12, 2020 in the Central Vermont Regional Planning Commission
7 Office.

8
9 Committee Members Present:

10 Amy Hornblas – CWAC Chair, Cabot/Board of Commissioners
11 Larry Becker- Middlesex Conservation Commission
12 Dona Bate – Montpelier City Council
13 Rich Turner – Williamstown Planning Commission/Board of Commissioners
14 John Hoogenboom – Moretown Selectboard (on phone)
15 Joyce Manchester – Moretown TAC (on phone)

16
17 Committee Members Absent:

18 Ron Krauth – Middlesex/Board of Commissioners
19 Stewart Clark – Worcester Planning Commission
20 John Brabant – Calais/Board of Commissioners
21 Russ Barrett – Northfield Conservation Commission
22 Michele Braun – Friends of Winooski River
23 Karen Bates – ANR
24 Corrie Miller – Friends of the Mad River
25 Brian Shupe – Friends of the Mad River
26 Gianna Petito - Winooski Natural Resources Conservation District

27
28 Others Present:

29 CVRPC Staff: Pam DeAndrea (by phone) & Grace Vinson

30
31 **CALL TO ORDER**

32 Amy Hornblas called the meeting to order at 4:04 PM.

33
34 **PUBLIC COMMENTS**

35 None.

36
37 **CHANGES OR AMENDMENTS TO THE AGENDA**

38 None.

39 **APPROVAL OF FEBRUARY 13 MINUTES**

40 Postponed due to lack of quorum.

41
42 **CWAC LETTER STAFF REVISION – Amy Hornblas, Chair and Pam DeAndrea**

43 Members said they liked the new format. Pam said she basically took the group's ideas and
44 framed the letter by topic; within the topics provided recommendations, and got rid of

1 “concerns” to put the letter in a more positive light. Members went over each topic listed to see if
2 they were any questions.
3

4 **Discussion of Municipal Roads General Permit (topic #1 under Policies and Regulation**
5 **category):** Members discussed that some towns think requirements and maintenance are too
6 expensive when compared to the payoff, and it’s difficult to assess whether it’s working. John
7 suggested that one recommendation could be to give towns more leeway with which road
8 segments should be improved and when they need to be done. Members said another
9 recommendation could be that the state should reassess permit requirements based on
10 effectiveness of the road BMPs.
11

12 **Discussion of the clean water funding topic:** Joyce suggested that funding “*based on the*
13 *phosphorus loading by sector and*” be removed–Discussion of whether to include this topic in
14 the letter. Amy made motion to cut the clean water funding topic. John seconded. Motion
15 carried. MOTION IS NOT VALID DUE TO A QUORUM NOT PRESENT.
16

17 **Discussion of forestry cutting regulations (topic #2 under Policies and Regulations):** John
18 suggested editing to remove “*indiscriminate*” because all forest cutting has water quality
19 impacts. There was discussion of reducing the threshold for intent to cut notifications from 40
20 acres, Joyce suggested that the threshold be the current use threshold. John suggested editing to
21 say “*require AMPs on all tree cutting.*” Rich pointed out that enforcement on less than 40 acres
22 could be difficult, but the Department of Forest Parks and Recreation could promote their
23 landowner education and outreach efforts. Amy and John suggested edited to say “*forestry heavy*
24 *cutting regulations are not strong enough.*”
25

26 **Discussion of small farms (topic #3 under Policies and Regulations):** Rich suggested editing
27 “*shift to from*” to “*shift from*”.
28

29 **Discussion of ground water (topic #2 under water quality monitoring):** discussion of Jon
30 Kim’s study on phosphorus and ground water in Lake Carmi.
31 Rich suggested changing the format to be more structured, saying “1A” for example.
32

33 Dona made motion to allow Pam to edit letter as amended and send to Commissioners for
34 consideration. Larry seconded. Joyce abstained. Motion carried. MOTION IS NOT VALID AS
35 THERE WAS NOT A QUORUM.
36

37 **CLEAN WATER SERVICE PROVIDER FINAL RFP COMMENTS/QUESTIONS**

38 Pam asked members if they had feedback/comments on the RFP. She noted that there is a
39 meeting scheduled to meet with the Winooski Basin partners on March 25, 2020 at 10am at the
40 Waterbury Town Offices, and there will be options to join remotely. CVPRC, Chittenden County
41 Regional Planning Commission (CCRPC), and Winooski Natural Resources Conservation
42 District (NRCD) could be potential providers. The purpose of the meeting is to see who would
43 want to be the provider for the Basin and who may want to serve on the Basin Water Quality
44 Council. CCRPC Water Quality planner and Gianna Petito from the Winooski NRCD will be at
45 the meeting- they are part of a guidance group that meets with DEC to hash out aspects of how
46 the program will work. The March 25 meeting is a first step to meet the partners and talk about

1 who would be on the Water Quality Council, then CVRPC will present the proposal before the
2 Executive Committee.

3
4 Larry pointed out that 15 points of the selection criteria is for “*ability to ensure development,*
5 *implementation, operation and maintenance*”, and wondered what the consequence for not
6 meeting targets set for each basin would be. There was discussion of the current operations and
7 maintenance process which is between the towns and the state, and how this RFP changes that.

8

9 **OTHER ANNOUNCEMENTS**

10 Rich announced he had been doing work with Gianna Petito on the emerald ash borer and joined
11 the Winooski NRCD Board, so can bring information back to CWAC.

12

13 **SCHEDULE**

14 Pam asked if the group was opposed to taking July and August off. Members were supportive.
15 Next meeting is scheduled for April 9.

16

17 Meeting adjourned at 5:46 pm.

DRAFT



MEMO

Date: April 9, 2020
To: Clean Water Advisory Committee
From: Pam DeAndrea, Senior Planner
Re: CWAC Rules of Procedure

CWAC Rules of Procedure

☒ **ACTION REQUESTED:** Review the Rules of Procedure and make recommendations for change for Board approval. Revise voting members if necessary, but do not remove members because they may reconvene with us if provided funding.

Staff: Pam DeAndrea

Notes: The CVRPC Board when it reconvenes will vote on approval of rules of procedure changes.



CLEAN WATER ADVISORY COMMITTEE (CWAC)

RULES OF PROCEDURE

PURPOSE: To oversee the Central Vermont Regional Planning Commission's (CVRPC) water quality planning program in accordance with CVRPC plans, policies, and procedures, to act as a liaison between local communities and the Vermont Agency of Natural Resources (ANR), and to provide local and regional input regarding water quality issues important to the region.

GENERAL ACTIVITIES:

1. Oversee programming related to the CVRPC's assistance to ANR with basin planning and surface water management, including but not limited to:
 - a. Development of tactical basin plans.
 - b. Technical assistance and data collection activities, including information from watershed organizations, to inform municipal officials and the State in making water quality investment decisions.
 - c. Coordinating municipal planning and adoption or implementation of municipal development regulations to meet State water quality policies and investment priorities.
 - d. Implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of State and federal funds.
 - e. Guidance for project prioritization for submittal of grant applications for water quality improvement or planning projects.
2. Undertake water quality related technical assistance and policy activities and coordinate activities with the Transportation Advisory Committee including but not limited to activities related to implementation of Municipal Roads Stormwater General Permits.
3. Participate in special studies conducted by the CVRPC.
4. Provide input and policy recommendations to the Board of Commissioners regarding pertinent water quality issues, including review of State plans, policies, and legislation.

ADVISORY ROLE: The CWAC shall be advisory to the Board of Commissioners. The advice of this committee should, where possible, be science-based, not opinion, whim, or personal attitude. At the very minimum the advice shall not be contrary to research-based water quality and water process facts. The CWAC will offer advice and input to ANR and other organizations and individuals as appropriate,

provided it is compatible with plans, policies, positions or resolutions adopted by the Board of Commissioners. CWAC advice and input may be reviewed, confirmed or reversed by the CVRPC Board of Commissioners at the Board's discretion. New or amended plans, policies, positions or resolutions shall be ratified/approved by the Board of Commissioners.

MEMBERSHIP: The Chair of the CWAC shall be a CWAC member elected by the CWAC or appointed by the Chair of the CVRPC. There shall be up to 13 members with representation as follows:

- 3 CVRPC Commissioners and 1 Alternate
- 5 Representatives of the region's municipalities
- 1 Representative of the Vermont Agency of Natural Resources (ex-officio, non-voting)
- 1 Representative of the Winooski Natural Resource Conservation District
- 1 Representative of the Friends of the Winooski River
- 1 Representative of the Friends of the Mad River
- 1 Interested stakeholder

For organizations, the organization may appoint its representative and may send an alternate as needed by the organization. Alternates may vote when an appointed representative is unable to make the meeting.

The CVRPC Board of Commissioners will make initial appointments to one and two year terms to create staggered terms. Membership term shall be two years thereafter. Appointments not associated with a named group above will be appointed by the CVRPC Board of Commissioners.

ATTENDANCE AND QUORUMS: A quorum shall consist of a majority of members (51%). Members are encouraged to attend all regular meetings and special meetings as they arise. Members with three consecutive unexplained absences will be contacted by the Chair to determine if they still wish to serve on the CWAC. The CWAC shall meet at least eight (8) times per year, or as determined by the Chair to be necessary to carry out the stated purpose.

COMMUNICATION, COORDINATION, AND EXPECTATIONS:

- Meetings shall be noticed and held in accordance with Vermont Open Meeting Law.
- Draft policies and resolutions shall be forwarded to CWAC members and interested/affected parties for comment before action by the CWAC, or final action/approval by the Board of Commissioners.
- Committee membership brings the expectation of active involvement outside of meeting time. CWAC members are expected to review shared materials in advance of meetings and to become knowledgeable concerning background facts and information regarding issues to be discussed.
- Minutes of all regular and special meetings will be prepared by staff, distributed to CWAC members and interested parties, and made available to the public in accordance with open meeting and public records laws described in 1 V.S.A.
- CWAC members are encouraged to serve as liaisons to their local legislative boards by facilitating communication and coordination on a regular basis.

- CWAC members are encouraged to offer input on all matters before the CWAC, and are encouraged to bring up items of local or regional concern for CWAC consideration.

CONFLICT OF INTEREST: In the event any CWAC member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the CVRPC, or to provide materials or labor thereto, or has a personal or financial interest in any project being considered by the CWAC, the member shall state on the record the nature of his or her interest. If the member feels this conflict interferes with his/her ability to be objective, the member shall not participate in any vote on any related motion. If the member is uncertain whether he/she should participate in the decision, the CWAC shall determine by vote whether the member should participate.

The Committee may also make a determination of conflict of interest and disallow voting by a member if the majority of voting Committee members in attendance at the meeting determine a conflict of interest exists.

ADOPTION OF ORGANIZATIONAL PROCEDURES: The CWAC may, at any time, vote to amend these procedures, upon 51% vote of the CWAC membership. Proposed amendments will be forwarded to CWAC members, chairs of local legislative boards, and interested parties before consideration at a regular CWAC meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

The CWAC is a special committee of the Regional Planning Commission, and is therefore subject to the Commission's bylaws. These Rules of Procedure, combined with Robert's Rules of Order, provide procedural and administrative guidance for the CWAC.

Recommended by the Clean Water Advisory Committee: 06/08/18

Adopted by the Board of Commissioners: 07/10/18

Julie Potter, Chair
CVRPC Board of Commissioners