

1 **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**
2 **CLEAN WATER ADVISORY COMMITTEE**
3 **January 14, 2021**

4
5 A meeting of the Central Vermont Regional Planning Commission's Clean Water Advisory
6 Committee was held remotely on January 14, 2021 via GoToMeeting due to the COVID-19
7 pandemic and adhering to social distancing guidelines by the State of Vermont.

8
9 Committee Members Present:

10 Dona Bate – Montpelier City Council
11 Larry Becker, CWAC Vice Chair - Middlesex Conservation Commission
12 Joyce Manchester – Moretown TAC
13 Ron Krauth – Middlesex/Board of Commissioners
14 Rich Turner – Williamstown Planning Commission/Board of Commissioners
15 John Hoogenboom – Moretown Selectboard
16 Russ Barrett – Northfield Conservation Commission

17
18 Committee Members Absent:

19 Karen Bates – ANR
20 John Brabant – Calais/Board of Commissioners
21 Amy Hornblas – CWAC Chair, Cabot/Board of Commissioners

22
23 Others Present:

24 CVRPC Staff: Pam DeAndrea, Bonnie Waninger, Grace Vinson

25
26 **CALL TO ORDER**

27 Larry Becker called the meeting to order at 4:04 PM.

28
29 **PUBLIC COMMENTS**

30 None.

31
32 **CHANGES OR AMENDMENTS TO THE AGENDA**

33 None.

34 **APPROVAL OF OCTOBER 8 MINUTES**

35 Dona motioned to accept October minutes as written. Ron seconded. Motion carried.

36
37 **APPROVAL OF NOVEMBER 12 MINUTES**

38 Rich made a motion to approve the November minutes as written. Russ seconded. Motion
39 carried.

40
41 **UPDATED CLEAN WATER SERVICE PROVIDER RULE**

42 Grace went over the rule summary by chapter via a summary table. She explained each chapter
43 and what is included in each chapter in general. Purpose, Definitions, CWSPs, Technical

1 Implementation, BWQC, Conflicts of Interest, Review of Adequate Progress & Maintenance,
2 CAPs, Renewal of CWSP Term.

3
4 Joyce question: Has very much changed since October?

5 Grace – more detailed and more information on what the guidance would include. Pam –
6 CCRPC crosswalk can show some of the differences.

7 Larry – how formal will the guidance be? Will be there a lot of technical information in there?

8 Grace – we don't have a lot of detail on that, but there is some info on the ANR website.

9

10 Grace shared the CWAC's comments from October.

11 Subchapter 3 of the rule – design life and maintenance addresses that.

12 Funding will be addressed in the guidance

13 Pollution reduction cost will be addressed in the guidance.

14 Leftover funds – in the updated rule that yes leftover funds can be used.

15 BWQC comment – in the rule section 39-501 – BWQC rule states that members shall be
16 knowledgeable – how knowledgeable is not spelled out

17 Larry – How is the provider being seen in terms of expertise?

18 Bonnie – laid out in our proposal that we would solicit an RFP/RFQ for technical expertise when
19 needed.

20

21 Grace went over the crosswalk from the CCRPC on changes in the rule addressed/not addressed.

22 Conflict of interest. RPCs have concern that a member of the BWQC may have a conflict of
23 interest at some point. The way the conflict of interest language is written, a member has to
24 recuse themselves if one of their projects is in the slate of project. If there was a slate of projects
25 and members could not vote on the package, it would be very difficult to have quorum to vote on
26 a packet.

27 Bonnie - ANR may not be able to remedy this and it may have to be resolved legislatively.

28

29 Pam went through process in terms of compiling comments from the CWAC on the updated rule.

30 Public comment is open until Feb. 19th and we won't be meeting again.

31

32 Grace went over the previous comments from October again in terms of shall we keep them to
33 submit to the ANR or shall we remove them.

34 Joyce had a question about the standard cost.

35 Bonnie – the standard cost is based on the type of project. For example, stream buffer
36 restoration.

37 Joyce – Does it not matter whether the project is near the road or not? Will costs be updated over
38 time?

39 Bonnie – the cost would be the same no matter where. There is no plan to update at this point.

40 Joyce - We should comment on the guidance that the standard costs should be reviewed
41 periodically.

42 Bonnie – we could put it in a letter to the ANR that this should be considered in the guidance.

43 Ron – we should have some reference of where the standard costs and benefits come from and
44 what they are basing it on

45 Pam – The ANR is working on this but the details are unknown.

46

1 Grace – summary – to summarize we should put in guidance comments both Joyce and Ron’s
2 comments but we will not include them in the Rule comments. I
3 Joyce- if there is a review of the standard costs every 5 years or so, make sure that expected costs
4 of future projects are incorporated and not just the cost of past projects?
5 Projects for future years comment? – don’t need to include it.
6 Bid comment, can remove
7 Comment on 39-404.
8 Joyce – how is CWSP evaluated?
9 Grace – guidance will have more detailed on the CWSP evaluation. We can include this
10 comment in the guidance comments.
11 Larry – what if a project is not working and you have to put more money into it? When do you
12 stop?
13 Joyce – that addresses marginal costs.
14 Grace – there is going to be a lot of trust in CWSPs to manage this program. DEC would also
15 say that the CWSP has been selected and that they can manage these projects. Do we need to
16 keep this comment in there?
17 Joyce – no, seems like it is addressed, though not perfectly
18 Grace – BWQC technical expertise comment?
19 Larry – technical expertise existing in appointed members is good. Would be good to members
20 on the BWQC that could address specific types of projects. Guidance show say that BWQC
21 members have expertise on the types of projects. Make comment that guidance should lay out
22 what “knowledgeable” in the rule refers to.
23 Ron – BWQC members should understand whether projects are feasible and reasonable from a
24 cost-benefit perspective.
25
26 Grace – are there any additional comments for the actual Rule?
27
28 Larry – question on conflict of interest? What would a reasonable lumping of projects? Would
29 the y be lumped on type?
30 Bonnie – It would be a slate of projects. They would be ranked and the BWQC would move
31 them forward based on how much funding for a quarter.
32 Pam – had questions about design life. Does O&M commitment need to align with design life? It
33 would be nice for this to be spelled out in the guidance.
34

35 **LAMOILLE TACTICAL BASIN PLAN**

36 Pam went over the Lamoille Tactical Basin Plan story map briefly with the CWAC and mostly
37 focused on the timeline as well as letting the CWAC know what they should focus on when it
38 comes time to review.

39 **OTHER ANNOUNCEMENTS**

40 Pam mentioned how she met with DEC Stormwater, LCBP, Andres from WCA to address the
41 Vermont Shopping Center (a 3-acre parcel) stormwater design not funded and how in our grant
42 applications, we that the feedback was that we need to be more specific on how we will address
43 natural resource conflicts such as floodplains.
44
45

1 Pam mentioned that she will be putting in another grant application for a 3-acre parcel in
2 Waterbury to the DIBG program this week.

3

4 Pam also mentioned that an RFP will be released soon on the Green Schools program to fund
5 schools for design and implementation for stormwater projects for schools that will be required
6 to meet the 3-acre permit.

7

8 **SCHEDULE**

9 Next meeting: March 11, 2021.

10 Larry motioned that we adjourn. Joyce seconded.

11 Meeting adjourned at 5:45 pm.