



AGENDA

Clean Water Advisory Committee

Thursday August 12th 4:00 – 6:00 PM

Physical Location

Central VT Chamber of Commerce Conference Room, 963 Paine Turnpike North, Berlin
(Facial coverings are required for in-person participation)

Remote Participation via Zoom

<https://us02web.zoom.us/j/89417414388?pwd=NnZ5SUt5MHg3bkhoNnVPOWY0YkprZz09>

Via phone: +1 929 436 2866 (rates may apply); Meeting ID: 894 1741 4388; Passcode: 088229

Download the app at least 5 minutes prior to the meeting start: www.zoom.com

Problems with connection please call Pam DeAndrea at (802) 793-6043

- 4:00 PM: Welcome and Introductions, Public Comments
- 4:05 PM: Changes to agenda
- 4:10 PM: Approval 5/13/21 minutes (enclosed)
- 4:20 PM: Election of Officers
- 4:50 PM: Clean Water Service Provider Update – Grace Vinson (Memo enclosed)
- 5:30 PM: Preliminary DRAFT Lamoille Basin Plan – Pam DeAndrea (Memo enclosed)
- 5:50 PM: Other Announcements?
- 5:55 PM: Wrap-up. Next Meeting Date 10/14/21?

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 **May 13, 2021**

4
5 A meeting of the Central Vermont Regional Planning Commission's Clean Water Advisory
6 Committee was held remotely on March 11, 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 John Brabant – Calais/Board of Commissioners
11 Larry Becker, CWAC Vice Chair - Middlesex Conservation Commission
12 Joyce Manchester – Moretown TAC
13 Rich Turner – Williamstown Planning Commission/Board of Commissioners
14 Russ Barrett – Northfield Conservation Commission
15 Ron Krauth – Middlesex/Board of Commissioners
16 John Hoogenboom – Moretown Selectboard

17
18 Committee Members Absent:

19 Karen Bates – ANR
20 Amy Hornblas – CWAC Chair, Cabot/Board of Commissioners
21 Dona Bate – Montpelier City Council

22
23 Others Present:

24 CVRPC Staff: Pam DeAndrea

25
26 **CALL TO ORDER**

27 Amy Hornblas called the meeting to order at 4:05 PM.

28
29 **PUBLIC COMMENTS**

30 None.

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

33 Ron would like to talk about WDEV program.

34 Pam – Would like to share Lamoille Basin Plan Survey.

35 **APPROVAL OF MARCH 11 MINUTES**

36 Rich motioned to accept March minutes as amended. Joyce seconded. Motion carried.

37
38 **NEONICS ARTICLE DISCUSSION**

39 Larry Becker shared the following article

40 <https://civileats.com/2021/02/02/beyond-bees-neonics-damage-ecosystems-and-a-push-for-policy-change-is-coming/> for discussion.
41
42

1 Larry shared basically how neonics worked and a bit of the history of wondering about neonics
2 in the environment. Neonics can enter soil and groundwater. It is a coating on the seed that is
3 uptake on the plants. Impacts a bee's nervous system.

4
5 In dog flea treatment. Friends of the Earth reference in the article says that Vermont has banned
6 for restricts the use of neonic and does not make them widely available.

7
8 We discussed how we get this information to the State to request more research? What is our
9 action item? Bill passed in 2019. Should we still be concerned?

10
11 Ask DEC or AAFM if its still used at all in Vermont. We should also find out if it ubiquitous and
12 still around?

13 14 **H.439 FY22 APPROPRIATIONS ACT AND ARPA CLEAN WATER FUNDS**

15 Pam shared the most recent discussion of the Clean Water Board (CWB) regarding Clean Water
16 Funding and H.439 and ARPA. 6% Meals and Rooms Tax (MRT) will be removed temporarily
17 from CW funding and ARPA will add funds. The CWB may have to come up with other ways
18 to fund some projects since the ARPA funds will be more infrastructure based and that there may
19 be a gap in funding due to the ARPA funds needing to be spent by 2024. They will wait until the
20 US Treasury guidance before redoing any budgets.

21
22 Joyce mentioned that they bill is not final yet as it needs to go to the Senate and then the
23 Governor so things could change a lot. The legislature does not want any gaps to occur for
24 funds. She also mentioned that the property transfer tax will replace MRT and that due to
25 increased home ownership in Vermont from the COVID fall out, this may be higher than
26 previous years.

27 28 **CVRPC CLEAN WATER PROJECTS UPDATE**

29 Pam shared project updates for the Central Vermont Region that are in the pipeline in Barre City,
30 Berlin, Plainfield, Calais, East Montpelier, Woodbury, and Moretown. She shared her web map
31 of stormwater projects from stormwater master plans and the stage they are at 30%, final design,
32 or construction. By the end of this calendar year, many projects will be ready for funding for
33 construction.

34 35 **WDEV STATION PROGRAM**

36 Ron shared that he heard a program on WDEV about watershed research and he heard them
37 mention that people are not doing any research or planning. Ron wanted to have someone
38 contact the radio station and let them know that watershed groups, RPCs, and the state are doing
39 a lot of work. Pam said she would listen to the broadcast and share with Danielle what she hears.
40 Perhaps the station would be interested in talking to a Basin Planner.

41 42 **LAMOILLE BASIN PLAN SURVEY**

43 Pam shared the results of the Lamoille Basin Plan Survey. One interesting find is that many
44 people did not know about Basin Planning and that about half have property adjacent to surface
45 waters. Pam will email the survey to the CWAC.

46

1 **OTHER ANNOUNCEMENTS**

2 None

3

4 **SCHEDULE**

5 Next meeting: August 12, 2021.

6 Meeting adjourned at 5:50 pm.

DRAFT



MEMO

Date: July 28, 2021
To: Clean Water Advisory Committee
From: Grace Vinson, Planner
Re: CWSP Updates

Summary of CWSP Developments

On July 1, 2021, the Legislative Committee on Rules (LCAR) approved the Final [CWSP rule](#). CCVRPC is now officially designated as the CWSP for Basin 8 (see Appendix A of Final Rule). See below for information on revisions incorporated into the Final Rule. CVRPC is currently working with DEC to finalize a scope and budget for the CWSP Start Up Grant (more information below) which will fund costs through July 1, 2022. Additionally, DEC is continuing to develop guidance for CWSPs on 1) roles and responsibilities of CWSPs and BWQCs, 2) Operation & Maintenance Costs and Design Life Considerations for Water Quality Projects; and 3) Standard Cost Factors for Water Quality Projects.

Rule Updates

Revisions to procurement procedures

- Draft Rule said *“sole source agreements prohibited, except for those prequalified and selected by BWQC”*. DEC felt having BWQC approve contractors exacerbated the Conflict of Interest, so struck that clause.
- After discussion with Act 76 Advisory Group, DEC reinserted provision, but removed the BWQC prequalification approval step. Final Rule states *“Sub grantees and subcontractors may be pre-qualified through a request for qualifications process implemented by the CWSP”*.
 - CWSP will issue procurement for general buckets of work; similar to how RPCs execute transportation and stormwater work through Master Agreements. Prequalification process will be reopened on yearly basis.
 - Process in Final Rule: Project reviewed by BWQC → BWQC elects to advance project → Prequalified contractors bid on project → Contractor selected to do work.

Revisions that address CVRPC Comments on Draft Rule

- BWQC will now vote on individual projects, not a slate of projects. This should reduce frequency of conflict of interest concerns.
- Standard cost per unit of pollution reduction will include cost of project development, if known
- Definition of “co-benefit” revised to reference hazard mitigation, education
- CWSP permitted to assign site control to 3rd party
- Organized watershed groups that are not nonprofits may participate in BWQC
- Proposed language regarding proportionality revised

- DEC will provide information on project selection in Guidance

Other revisions

- Role of AAFM in agricultural projects clarified
 - For projects in agricultural sector proposed on farms subject to Required Agricultural Practices (RAP) Rule, CWSP required to consult with AAFM quarterly on project eligibility, selection, and project. AAFM has authority to determine eligibility. RAP or BMP are ineligible project types for CWSPs.

CWSP Start Up Grant

- Will fund CWSP start up, BWQC start up, and Project Selection start up activities.
- Period of performance through July 1, 2022; regular CWSP activities will be funded by separate grant
- Some uncertainty- guidance and other program information is still being defined by DEC (for example, scale of tracking and reporting system has not been defined)
- Currently: working with DEC to finalize start up grant scope and budget
- Phase 1: Start Up: tasks include but are not limited to
 - Develop website
 - Set up grant tracking, grant reporting, and project tracking system
 - Set up procurement/pre-qualification process
 - Develop CWSP policies including internal controls and public participation
- Phase 2: BWQC Start Up: tasks include but are not limited to
 - Establish BWQC (find/select members, capacity development, establish meeting rules, set policies/bylaws, develop sub grant/procurement policy, establish operational procedures)
 - BWQC meetings: Training on CWSP rule/guidance, meetings on BWQC bylaws, policies, and operating procedures, meeting on sub grant and procurement policies
- Phase 3: Post BWQC Formation: tasks include but are not limited to
 - Establishing project management tools (GIS dashboard, project data management system)
 - Local priority scoring policy development work



MEMO

Date: July 29, 2021
To: Clean Water Advisory Committee
From: Pam DeAndrea, Senior GIS Planner
Re: Lamoille Basin Plan

☒ ACTION REQUESTED: Provide come to meeting prepared to provide comments on the Preliminary Partner DRAFT of the Lamoille Tactical Basin Plan (attached with email).

Lamoille Tactical Basin Plan Update

Last March Danielle Owczarski from the DEC met with us and presented on the Lamoille Basin Plan Update. Here is the link to the [Lamoille Tactical Basin Plan Story Map](#) to refresh your memory. Danielle has provided the CVRPC with a Preliminary Partner Draft of the Lamoille TBP for comments from partners prior to finalizing the DRAFT that will go out for public comment sometime this fall. The CWAC will be reviewing the Final Draft in the fall and will need to provide the CVRPC Board with a recommendation comment letter for their signature.

For the CVRPC CWAC, the areas to focus on for review and comment are those strategies that involve the Town of Woodbury or our region as a whole. Woodbury is the only Town in the Basin in our Region and the review should focus on the parts of the plan that include Woodbury.

These sections include:

- Lakes and Ponds section (pages 16 – 18, and 56-58)
- Road Erosion Inventories (pages 43-44)
- Surface Water Classifications (pages 21-26)

Also please review the strategy table for strategies that include Woodbury or All Towns (pages 69 – 74)