



Central Vermont Regional Planning Commission

## CVRPC Clean Water Advisory Committee (CWAC) Meeting Minutes – 13 November 2025

### CWAC Members:

Commissioner Representatives	
<input checked="" type="checkbox"/>	John Brabant
<input checked="" type="checkbox"/>	Mitch Osieki
<input checked="" type="checkbox"/>	Ron Krauth
<input checked="" type="checkbox"/>	Rich Turner
<input checked="" type="checkbox"/>	Alice Peal (Chair)

Municipal Representatives	
<input checked="" type="checkbox"/>	Clark Amadon
<input checked="" type="checkbox"/>	Joyce Manchester
	Emily Ruff
	Jeff Schulz
<input checked="" type="checkbox"/>	Chris Owen
<input checked="" type="checkbox"/>	Warren Coleman (Vice Chair & interested stakeholder)

**CVRPC Staff:** Brian Voigt, Lincoln Frasca, Lorraine Banbury

### Other Attendees:

Name	Town	Affiliation	In person	Online
Alison Spasyk		Lake Champlain Se Grant		<input checked="" type="checkbox"/>
Shayne Jaquith		The Nature Conservancy	<input checked="" type="checkbox"/>	
Ned Swanberg		VT Department of Environmental Conservation		<input checked="" type="checkbox"/>
Peter Carbee	Washington	CVRPC Board Chair		<input checked="" type="checkbox"/>
Brandon Garbacik	Town of Barre	Municipal Planner & Zoning Administrator	<input checked="" type="checkbox"/>	
Amy Marshall-Carney	Waterbury	Conservation Commission Chair		<input checked="" type="checkbox"/>
David John Specht	Duxbury	Interim Duxbury Zoning Administrator	<input checked="" type="checkbox"/>	
Daniel Koenemann	Montpelier	District Manager, Winooski Natural Resources Conservation District		<input checked="" type="checkbox"/>

Keith Fritschie	White River Junction	VT Department of Environmental Conservation		<input checked="" type="checkbox"/>
David Ellenbogen	Calais	TAC representative and Lakes and Streams Committee member		<input checked="" type="checkbox"/>
Gary Gulka	Cabot	Flood Resiliency Task Force		<input checked="" type="checkbox"/>
Laura Arnesen	Fayston, Moretown, Waitsfield and Warren	Ex. Director Mad River Valley Recreation District		<input checked="" type="checkbox"/>
Ethan Swift	Westmore	planning commission		<input checked="" type="checkbox"/>
Kirsten Tyler	Westford	Westford Conservation Commission; Chair		<input checked="" type="checkbox"/>
John Kaeding	Worcester	Selectboard		<input checked="" type="checkbox"/>
Susan Stasny	Monkton, VT	Conservation Commission member		<input checked="" type="checkbox"/>
Kip Potter	Montgomery	Conservation Commission		<input checked="" type="checkbox"/>
Debra Sprague	Monkton	Conservation Commission and Conservation Commission		<input checked="" type="checkbox"/>
Renee Carpenter	East Montpelier	Planning Commissioner		<input checked="" type="checkbox"/>
Thomas Weiss		Resident of the region	<input checked="" type="checkbox"/>	

## **Call to Order, Introductions**

B. Voigt called the meeting to order at 4:04 PM.

**Updates to agenda:** N/A

**Public Comment:** N/A

**Approval of 11 September minutes:** M. Osieki made a motion to approve both the 11 September 2025 minutes, R. Turner seconded, all in were favor, the motion passed.

## **River Corridor Planning and Vermont's Flood Safety Act (see slides)**

A. Spasyk with the Lake Champlain Sea Grant and S. Jaquith from The Nature Conservancy have partnered with the DEC on outreach and education leading up to the implementation of Vermont's Flood Safety Act 121. Act 121 passed in 2024 in response to the flooding of 2023. They explained that the Act aims to regulate development in river corridors, establish state standards for flood insurance program towns, strengthen dam safety, and promote wetland floodwater storage. The presentation covered the timeline for implementing these changes, with rules for river corridor development expected by 2027 and administration beginning in 2028. They discussed the increasing risk of flooding due to extreme precipitation, topography, and risky development patterns, emphasizing the need for watershed-scale solutions to

improve flood resilience. According to the State Hazard Mitigation Plan over 75% of monetary flooding damages are due to fluvial erosion in Vermont, particularly road repairs and bridge replacements.

S. Jaquith explained how historical flood control methods like dredging, channel straightening, and armoring have increased erosion hazards, as deeper channels and steeper slopes amplify waterpower and lead to channel instability. The presentation highlighted limitations of the National Flood Insurance Program, noting that while FEMA maps cover only a small percentage of Vermont's streams and rivers, the program does not address erosion risks, creating challenges for floodplain management and recovery programs. When the FEMA floodplain maps are used in combination with the state's river corridor map we get more comprehensive protection from flooding risks.

Act 121 will only apply to rivers draining more than 2 square miles. Rivers with drainage areas smaller than 2 miles may still be regulated by municipalities. Development in certain infill or redevelopment areas will also be exempt from the act due to protections already taken to protect infrastructure in these areas.

#### Act 121 Timeline:

- Conduct 2-yr. education and outreach effort and collect input from the public (Jan. 1, 2025 – Jan. 1, 2027)
- Update River Corridor map to ID areas in existing settlements that will not increase fluvial erosion hazards (Jan. 1, 2026)
- Submit a report to legislature summarizing public input (Jan. 15, 2027)
- Adopt rules to limit new development in the mapped river corridors (July 1, 2027)
- Begin administration of the rules (Jan. 1, 2028)

#### Considerations for municipalities:

- All river corridor maps can be found on the ANR atlas or Flood Ready Atlas.
- The act only addresses **new** development in river corridors. DEC will begin requiring permits for development in river corridors starting in 2028.
- Municipalities may choose to regulate development along smaller streams (less than 2 sq. mil. watersheds).
- The Emergency Relief Assistance Fund incentive structure after 2028 is yet to be determined.
- The Act provides for the opportunity to delegate regulation of mapped river corridors to municipalities. The specifics will be determined during the rulemaking process.

Public Comments can be submitted directly to DEC using The Flood Safety Act Comment Form: <https://bit.ly/fsa-comment>

More information about the Flood Safety Act is available on the Flood Ready website: [bit.ly/flood-safety-act](https://bit.ly/flood-safety-act)

### **Presenter Q&A**

C. Amadon asked about infill development and why certain areas would be exempt in certain areas. S. Jaquith explained that many designated centers contain river corridors. This is a conflict between limiting building in river corridors and the need to develop densely in designated downtown areas and villages. The goal is to identify the areas that we have already protected with rip-rap or other stabilization methods and where additional buildings would not require new channel management activities. No permit would be required to develop in these areas.

C. Amadon asked if there is proposed development in the river corridor what would the application process be and whether certain types of development be discouraged. S. Jaquith responded the permitting would be both through the town for local zoning and NFIP approval and from the state for building within the river corridor. The goal is to limit all development in the river corridor. The specific permit criteria will be developed in the rule making process. The infill areas will not need a state permit.

K. Tyler asked about proposed changes to the wetland rule to allow for housing development without a wetland permit in certain areas. She asked what role this act will take in protecting wetland protection and what can municipalities do to protect wetlands. A. Peal spoke to changes in the wetland rules made by the governor requiring 25-foot buffers rather than 50-feet and excluding certain housing projects from the permitting process. She added that ANR has stated that predesignated wetlands will keep their 50-foot buffer requirements, but new wetlands will not be as protected. Towns will need to consider what level of development is appropriate and where is the best place to build while also mitigating flooding and protecting wetlands.

A. Peal asked about recreation trail development within or alongside the boundary river corridors. Erosion for these trails is an issue. S. Jaquith responded that there are acceptable land uses in the river corridor, such as agriculture, but we have to be prepared to move these land uses with the river. Moving recreation paths as the river moves would be the best-case scenario. By trying to armor or rip-rap one area you are initiating erosion downstream.

A. Marshall-Carney asked if municipal bylaws could supersede state's requirements in the case of wetland protections? S. Jaquith responded that if the town's bylaws are more restrictive than the state's regulations the developer may need to abide by the municipal bylaws. B. Voigt will follow up on the feasibility of adopting stricter regulations than the state. D. Specht referenced cases where state regulations could not be superseded by municipal bylaws.

A. Marshall-Carney asked what the notification system would be for permit obtainment, and how development applicants will be made aware of this new requirement? S. Jaquith spoke to the feedback that DEC received from towns regarding the lack of capacity to administer river corridor regulations. The intent of this Act is to take the burden off the town and put it on the state. Municipalities may be expected to direct applicants to the state's river corridor map to determine whether their project falls within the permitted corridor. N. Swanberg mentioned that state permit specialists have limitations. The new system being used is called [permit navigator](#) and helps guide you to the required permits. When applying for permits you may have to show the results from the permit navigator site.

C. Owen asked if the Flood Safety Act will limit tree cutting and vegetation management in the river corridor? S. Jaquith believes the 50-foot buffer is to allow for vegetation and slope stabilization but is not aware that this area must be kept in a natural state except from prohibiting the building of new structures. N. Swanberg mentioned the Act encourages towns to protect river corridor buffers. A. Spasyk mentioned how agriculture is allowed in the river corridor. It is only new development that will be regulated. Swanberg state is not regulating small streams and this is an opportunity for municipal protection of small stream set backs and riparian vegetation. G. Gulka asked if the municipality was interested in regulating smaller streams whether these areas have mapped river corridor data. N. Swanberg said that information is already available, and the state recommends a 50-foot buffer from top of bank. D. Specht asked if the river corridor maps will be revised? N. Swanberg mentioned the mapping update process is underway using new Lidar data. You can reach out to your [regional floodplain manager](#) to look at the specific area. For the North/Central Region the floodplain manager is Rose Watts , [802-522-5386](tel:802-522-5386), [rose.watts@vermont.gov](mailto:rose.watts@vermont.gov)

J. Brabant referenced a [Manchester development project](#) within a flood hazard zone that was approved for a permit for a low income housing development. C. Amadon commented that housing is needed in Moretown and could happen in the corridor if the right precautions were taken. He is concerned with the increasing restrictions on where we may be able to build for affordable housing. S. Jaquith responded that the ability to mitigate inundation hazards may be possible to accommodate affordable housing. However, erosion hazards are different and really can't be mitigated as we have seen statewide with severe infrastructure damages. A. Spasyk mentioned the consideration of not just the risk to each individual structure but also the resulting impact on downstream areas when developing.

### **FEMA Flood Bylaw Update Assistance (see slides)**

L. Frasca and B. Voigt presented on flood bylaw and river corridor updates. They offered CVRPC [municipal consultations](#) to help towns prepare for and comply with new FEMA maps and new statewide river corridor regulations. When the new maps go into

effect, town bylaws must meet current standards for participation in the National Flood Insurance Program (NFIP). Even if the municipality does not have zoning or other land use regulations standalone flood hazard area regulations are still required. NFIP is necessary but does not address erosion or the impact of development on other structures in the River Corridor. To maximize the State's Emergency Relief & Assistance Funding municipalities must be up to date with the following programs and plans: NFIP, Local Emergency Management Plan, Local Hazard Mitigation Plan, Road & Bridge Standards, and River Corridor Protection. By meeting all these criteria your town can qualify for a combined 92.5% in federal and state match following a federally declared disaster. CVRPC offers hazard mitigation mapping services to help municipalities understand the number and cost of structures in the floodway, flood hazard area, and river corridor. These maps should be used as planning tool to identify which assets are most at risk.

#### Key Takeaways:

**Vermont:** will require bylaws meet the minimum standards specified in the Department of Environmental Conservation Model Flood Hazard Bylaws,

**FEMA:** is updating the maps and reviewing bylaws to ensure compliance,

**CVRPC:** is here to support your community, ensure towns meet minimum NFIP requirements and are eligible for maximum relief assistance,

**FEMA:** is updating the maps and reviewing bylaws to ensure compliance,

**NFIP:** necessary, but not enough to guarantee safety and maximize financial assistance, and

**Timelines:** Bylaw updates can be a long process, start now to ensure adequate time to engage public participation and complete required administrative steps.

#### **Upcoming Meetings**

L. Frasca introduced the topic for the 8 January 2026 meeting on *Winter Road Maintenance Strategies for Municipalities*. Kristine Stepenuck from UVM Extension will be presenting. Contact CVRPC if you have a road commissioner or foreman in mind who may be interested in presenting as well.

#### **Announcements**

- ❖ [Edits to the Vermont Wetland Rules](#) are now posted for public comment through January 14<sup>th</sup>.
  - ❖ The edits allow for the implementation of the wetland modification portion of the [Executive Order 06-25](#) and would allow certain residential housing projects in designated areas to proceed without a wetlands permit. The following meeting is open to anyone who wants to learn more or to provide a comment:
    - ❖ Tuesday, December 16 at 1pm, Dewey 1<sup>st</sup> Floor Conference Room, 1 National Life Drive, Montpelier, VT or Virtual. [Register Here](#)

- ❖ Send comments to [WetlandsRulemakingComment@vermont.gov](mailto:WetlandsRulemakingComment@vermont.gov) before January 15, 2026.
- Contact CVRPC for Act 121 and FEMA Flood Bylaw Assistance
  - Book a meeting [here](#) or email [frasca@cvregion.com](mailto:frasca@cvregion.com) and [Voigt@cvregion.com](mailto:Voigt@cvregion.com)
- Winooski Clean Water Service Provider Updates
  - 4 buffer plantings were awarded at the last Basin Water Quality Council meeting.
  - CVRPC closed out project development in Waitsfield and there are some promising floodplain restoration projects identified.
- M. Osieki announced a grant that was awarded through the Lake Champlain Basin Program for scoping & engineering services to develop river access at Walter Kelly Municipal Park in Middlesex.

**Adjourn:** *J. Brabant moved to adjourn the meeting at 5:50 PM. M. Osieki seconded. Motion carried unanimously.*

The next meeting is scheduled for 8 January 2026.

*Minutes submitted by CVRPC staff member Lincoln Frasca*