

Two Rivers-Ottauquechee Regional Commission Clean Water Advisory Committee

Monday, November 14, 2016 10:00 AM -12:00 PM
TRORC Office, 128 King Farm Road, Woodstock, Vermont

Attendees:

Steve Libby	Vermont River Conservancy
Jeff Goodrich	Town of Norwich
Amy Richardson	Connecticut River Watershed Farmers Alliance
Rose Hemond	Town of Royalton
Mardee Sanchez	Town of Randolph
Marina Welch	White River NRCD
Joan Allen	Town of Rochester
Vanessa Brown	Town of Bethel
Lori Hirschfield	Town of Hartford
Kevin Geiger	TRORC
Michael Storace	TRORC

Minutes:

- 1. Introductions:** Michael Storace introduced himself and asked attendees to introduce themselves and their role in the committee.
- 2. Introduction to Clean Water Advisory Committee:** The Clean Water Advisory Committee (CWAC) will address a number of water quality related projects in the TRORC region. Tasks of the committee include: assisting in the development and review of Tactical Basin Plans in coordination with Vermont Watershed Planners, evaluating and prioritizing potential water quality related projects, reviewing and providing input on water related policy changes, and coordinating planning efforts across sectors. The CWAC is intended to be a reciprocal platform upon which TRORC and committee members engage in open dialogue on any topics deemed important by either party. .
- 3. Tactical Basin Planning:** In 2017 two watersheds in the TRORC region will undergo planning and updates. Marie Caduto, the Watershed Coordinator for Basin 10, which involves the Ottauquechee and Black Rivers, will complete a final Plan for the watersheds. TRORC and the CWAC will participate in the review process and will provide input. Danielle Owczarski, the watershed planner for Basin 9 and the White River, will begin drafting its tactical basin plan in 2017. These tactical basin plans will feature dynamic implementation tables that are intended to fluctuate in priorities and will update to reflect completed projects.
- 4. Reclassification of Surface Waters:**
 - Rule Change:** Recent legislation redefined water classification in Vermont. This reclassification rule allowed for the establishment of classes for independent uses in Vermont surface waters. These independent uses include

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Peter G. Gregory, AICP, Executive Director

aquatic habitat, aquatic biota, aesthetics, boating, fishing, and swimming. Classes will now be established for each independent uses and can differ based on the quality of uses in specific surface waters. The initiation of this rule establishes all waters as B(2), the lowest water quality class, with upward reclassification needed to improve the water quality standards of state surface waters. TRORC advocates the widespread reclassification of waters based on surrounding land use to expedite the protection of waters, and strives to achieve the class of waters that are “reasonably attainable.”

- **Potential reclassification of waters in TRORC Region:** The Vermont Department of Environmental Conservation released a proposal regarding reclassification of specific surface waters. Their proposal identifies the following waters for A(1) class for all uses: Surface waters below 2,500 feet in wilderness areas, Bingo Brook, and Smith Brook (all of which are in the Upper White River Watershed). TRORC also supports the reclassification of Chittenden Brook, Corporation Brook, and Howe Brook in Basin 9 for A(1) reclassification. Land use changes associate with A(1) class include 100 foot stream buffers in the Act 250 process and maximum indirect discharge of no greater than 1,000 gallons per day. Other reclassification candidates include the North Branch of the Ottauquechee River as B(1) for fishing, aquatic biota, and aquatic habitat. The Eshqua Bog in Hartland is also a potential candidate for Class 1 wetlands. The process by which this can be attained from stakeholders outside of State agency is through reclassification by petition accompanied by a field visit by DEC wetlands staff. Discussion came up regarding vernal pools, which are treated in the permitting world effectively as Class 2 wetlands, requiring a 50 foot buffer. In specific circumstances under Act 250 or Act 248, a 100 foot buffer maybe required. Vernal pools are not protected from clearcutting or agricultural uses.

5. Required Agricultural Practices:

The Required Agricultural Practices (RAPs) are currently being reviewed by the Legislative Committee on Administrative Rulemaking (LCAR). Hearing was held on 11/3/2016 and LCAR has 45 days to review it. Specific RAP components are detailed in this Meeting’s Power Point and include: types of Farms that the RAPs apply to, Required Water Quality Training, Manure Stacking Prohibitions, Manure Spreading Prohibitions, Nutrient Management Planning, Cover Crop requirements, Perennial Vegetation Buffer provisions, and Livestock exclusion from surface waters. General consensus from Committee attendees is that there is a large lack of knowledge by community members, especially those who would be affects by these rules, about the RAPs and specifics on when compliance will be required by law. Outreach surrounding RAPs must continue.

6. Drought in East Central Vermont:

Orange and Windsor County are currently in drought status, and some areas are from 4-8 inches below precipitation averages. Orange County is in moderate drought, and most of Windsor County is in Severe Drought. Report dry wells in your community here

(<https://anrmaps.vermont.gov/websites/droughtreporter/>). Individuals should take steps to conserve water to preserve the long-term functionality of their wells through the winter season.

7. Connecticut River Dams purchase and relicensing

The Wilder, Bellows Falls, and Vernon dams on the Connecticut River were sold in November from TransCanada to ArcLight Capital Partners. The dams will need to be relicensed with the Federal Energy Regulatory Commission (FERC) in April 2018 when their current licenses expire. They are currently in the relicensing process through the Integrated Licensing Project (ILP). Committee members and water quality organizations would like to see the institution of a ramping rate that sets a certain standard for how quickly the gates may be opened and the impoundment water can be raised and lowered. The institution of a ramping rate will reduce soil piping in riverbanks of impoundments

and will reduce negative effects on aquatic and riparian habitat. Meeting members are interested in more information about a formal dam committee to provide input in the relicensing process. The Committee also would like to see the relicensing process feature a contribution to the Upper Connecticut River Mitigation and Enhancement Fund.

8. Potential future meeting topics: Please contact Michael Storace (mstorace@trorc.org) if you have any topics you would like the CWAC to address in future meetings.

- Municipal Roads General Permit (MRGP): Draft Permit available for review and comment
- More information on Connecticut River Dam Relicensing Process, including opportunity for public input and committee participation
- Todd Menees from DEC River Staff and Emergency Protection Measures Reporting in the next flooding event
- River Corridor Mapping/Regulations, discrepancies, and flexibilities in urban areas/villages
- Tactical Basin Planning in Basin 10 and Basin 9
 - i. Implementation Tables and Projects
 - ii. Natural Resources Funding opportunities

9. Meeting adjourned at 11:40 AM