Overview

- Stormwater Program
- Lake Champlain TMDL
- Stormwater Rule
  - 3-acre sites
Stormwater Program

- 13 staff
- Several permit programs
- > 4,000 regulated sites
Authorities


Vermont Statute
Post - Construction/Operational

* Impervious Surface > 1 acre
Multi-Sector General Permit

* "MSGP"
* Industrial
Construction

* > 1 Acre Earth Disturbance
MS4 General Permit

- 12 municipalities
- VTrans
- BTV
- UVM
- Comprehensive plan
Stormwater Rule – Why Update?

- Required by Act 64
  - Vermont Clean Water Act 2015
Lake Champlain Phosphorus TMDLs
Sources of phosphorus in the Vermont portion of the Lake Champlain Basin (Preliminary estimates from Tetra Tech, 2013)

- Wastewater Treatment Facilities: 3%
- Forest Lands: 15%
- Stream Instability: 22%
- Developed Lands Including Paved Roads: 14%
- Unpaved Roads: 6%
- Agricultural Lands: 40%
Sources of phosphorus in the Vermont portion of the Lake Champlain Basin (Preliminary estimates from Tetra Tech, 2013)

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- Agricultural Lands: 40%
• 60,000 acres – roughly
• < 10% is currently regulated

• Champlain: 20% reduction in P
Implementing Champlain TMDLs

- New:
  - Municipal Roads
  - 3-Acre Sites
  - TS4
  - MS4 - Phosphorus Control
Municipal Roads General Permit

* Issued December 2017
* All towns
  * Except MS4s
TS4 General Permit

- Issued 12/2016
- VTrans
- Highways and Facilities
- Phosphorus Control Plans
What’s Left?

- Stormwater Rule
- 3-Acre General Permit
Stormwater Rule

• Due January, 2018
Revised Rule – What Is Accomplished?

- One Rule for:
  - Operational
  - Construction
  - Industrial
  - Municipal Roads
  - MS4
  - Designation Authority
Stormwater Rule-
New:

• 3- Acre Site Requirements
• Offsets and impact fees
3-Acre General Permit
• Roughly 1,000 sites statewide
3-Acre General Permit

- Due 3 months after Rule
- Permit Coverage By:
  - Champlain and Memphremagog - 2023
  - Rest of the State – 2033
3-Acre General Permit

• Requirements
  • Retrofit Stormwater System
  • Maximize treatment on site
    • Vermont Stormwater Management Manual
For example, don’t need to:

- Purchase additional land
- Pump stormwater
- Construct in flood plains or wetlands
• Stormwater rule and 3-Acre GP
  • “shall allow use of”
    • Offsets
    • Impact fees
    • Trading
Impact Fees

• Incentives – pay if you can’t treat

• Equity – everyone contributes
Impact Fees

• Treatment < target = pay impact fee

• Treatment > target = receive fees
Impact Fees

- Up to $50,000 per Acre
- Based on $30,000
- Adjusting for inflation
Impact Fees

- Stormwater Impaired Waters
  - up to $50,000

- Lake Champlain, Not Stormwater-Impaired
  - up to $25,000
Impact Fees

Standard not met → $

Fund $

--> $ Project exceeding standards
Example Site
4 Acres Impervious Surface

• Fee Target: 50% of Site, or 2-Acres
  • 2 ac. Treated
  • 2 ac. Not treated

• Pay $0
Example Site
4 Acres Impervious Surface

- Fee Target: 50% of Site, or 2-Acres
- Champlain Basin: Fee is $25,000 per Acre
  - 1 acre treated
  - 3 acres not treated

- Pay 1 acre x $25,000/acre = $25,000
Example Site

4 Acres Impervious Surface

- Fee Target: 50% of Site, or 2-Acres
- Champlain Basin: Fee is $25,000 per Acre
  - 4 acres treated

- Get paid: 2 acres x $25,000/acre = $50,000
Example Site
Offset/ Voluntary Project
1 Acre Site

- No Fee Target
- Champlain Basin: Fee is $25,000 per Acre
  - ½-acre treated  ½-acre not treated

  Get paid 0.5 acre x $25,000/acre = $12,500
Rule – Process and Timing

- (Over) Due January 2018
- Process
  - Stakeholder outreach – now
  - Draft Rule Summer 2018
  - Extended Public Comment
Rule – Key Decision Points

- 3-Acre sites – treatment requirements

- Impact fees
  - Applicability – impaired waters only?
  - Level of fees
  - Ability to receive fees
Rule Information


- Distribution List
New Legislation

• H.576 2018
  • ½ acre - 2022
  • Impact fees – statewide
  • 3-acre sites: 2023 and 2033
Questions?