

## DRAFT Clean Water Initiative: Major Statutory and Lake Champlain Phosphorus TMDL Phase 1 Plan Deliverables

*\*\* The light blue-shaded tasks are milestones specified in the Lake Champlain TMDLs Accountability Framework – the guide containing required tasks for monitoring progress in the restoration of Lake Champlain*

Agency	KEY TASK	DEADLINE	UPDATE	RECURRING?
DEC, AAFM, VTrans, ACCD, Administration	Establish a Clean Water Fund	Act 64: 06/16/2015	Fund Completed; Requires legislative action to sustain fund beyond 6/30/2017 New Target Date: 6/30/2017	No
DEC	Develop funding proposal with other agencies and Convene Clean Water Fund Board	September	FY16 & FY17 appropriated; FY18 Clean Water Fund Board Meeting scheduled	Annually
DEC	Recommend allocation of Clean Water Fund as part of state budget	November	On track	Annually
DEC	Develop Stormwater Management Practices Handbook for sub-jurisdictional activities	Act 64: 1/1/2016	Completed web-based materials; New target date for hard-copy handbook: 2/1/2017	No
DEC, AAFM	ANR and AAFM shall each develop 3 performance measures relating to MOU	Act 64: 7/1/2016	Part of MOU update process and based on Results Based Accountability measures that are under development; New Target Date: 12/31/2016	No
DEC, AAFM	Develop ANR/AAFM MOU regarding the concentrated animal feeding operation (CAFO) program and relationship with state large, medium and small farm operations (LFO, MFO and SMO, respectively), enforcement and implementation	Act 64: 7/1/2016	Schedule for revision and MOU under development; New Target Date: 12/31/2016	No
DEC, AAFM	Develop ANR/AAFM MOU relating to AAFMS's request to ANR to take enforcement action to enforce 6 V.S.A. Ch. 215.	Act 64: 7/1/2016	Schedule for revision and MOU under development; New Target Date: 12/31/2016	No
DEC, AAFM	Update Water Quality Standards Anti-Degradation Implementation Rule	Act 64: 7/1/2016	VT Water Quality Standards rule under development; anti-degradation rule to follow; Champlain TMDL deadline: 12/30/2017	No

Agency	KEY TASK	DEADLINE	UPDATE	RECURRING?
DEC, AAFM, VTrans, FPR	Update Phase 1 Plan to reflect final Lake Champlain Phosphorus TMDL and how basin plans will be used for TMDL implementation and hold 30-day public comment period	Act 64: Three months following release of final TMDL; Deadline: 9/15/2016	TMDL finalized; anticipate release of final draft Phase I Plan for public notice on August 5, 2016; public meetings scheduled for 8/29 (Burlington & St. Albans) and 8/30 (Rutland)	September 15, 2016
DEC, AAFM, VTrans	Develop databases to consistently track TMDL implementation activities achieved through regulatory and funding programs across agencies, and link databases with DEC TMDL implementation tracking system	Champlain TMDL deadline: 12/30/2016	Databases complete; Testing data transfer between DEC and AAFM systems; New Target Date: 12/30/2016	No
DEC, AAFM	Agency technical staff develop accounting and tracking protocol to document methods for estimating phosphorus load reductions achieved by TMDL implementation activities at the BMP level	Champlain TMDL deadline: 12/30/2016	On track	No
DEC	Update Combined Sewer Overflow (CSO) Rule	Champlain TMDL deadline: 12/30/2016	Formal rule-making is under way; rule will replace former policy	No
DEC	Prepare and maintain management plan to assure that the State is meeting water quality standards and include a schedule for updating basin plans	On-going	Tactical basin plans scheduled for 2015 and 2016 on-schedule. Chapter 4 (basin planning process) of Statewide Strategy undergoing revision; Lake TMDL Phase 1 plan includes release schedule of tactical basin plans	Schedule for issuance of tactical basin plans in Lake TMDL Phase 1 Plan
FPR	Revise by rule the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs (Act 64, Sec. 49)	Champlain TMDL deadline: 12/30/2016	Undergoing formal rulemaking; rescheduled from 9/1/2016 to 11/1/2016	No
AAFM	As part of revisions to Required Agricultural Practices (RAP; formerly "Accepted agricultural practices or AAP), adopt by rule requirements for training classes or programs for farmers	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No
AAFM	As part of RAP revisions, adopt by rule a custom applicator certification program for operating in VT (Act 64, Sec. 16)	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No

Agency	KEY TASK	DEADLINE	UPDATE	RECURRING?
AAFM	Adopt small farm certification program	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No
AAFM	Revise AAPs to improve water quality in the state and implement the small farm certification program	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No
AAFM	Develop a matrix and small farm template for nutrient management planning	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No
AAFM	Establish a livestock exclusion incentive program (Act 64, Sec. 4)	Champlain TMDL deadline: 12/30/2016	--	No
DEC, AAFM	Revise DEC/AAFM MOU for the agricultural nonpoint source program	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; Schedule for revision and MOU under development; New Target Date: 12/31/2016	No
AAFM	Establish a training program and schedule for all farmers to complete training	Champlain TMDL deadline: 12/30/2016	Act 64 deadline: 7/1/2016; RAP rule-making under way; New deadline: 9/15/2016	No
DEC	Update Vermont Stormwater Management Manual	Champlain TMDL deadline: 12/30/2016	Underway	No
DEC	Complete Update of Tactical Basin Plans (Phase 2 Implementation Plans) for Lamoille and Missisquoi basins	Champlain TMDL deadline: 12/30/2016	On Track	To be updated using Tactical Basin Planning five year cycles
DEC	Issue TS4 Permit for State Roads System	Champlain TMDL deadline: 12/30/2016	Under development	No
DEC, Office of the State Treasurer	Report to the Legislature on Financing of Statewide Clean Water Improvement (in partnership with Office of State Treasurer, Dept. of Taxes, AAFM, VTrans, ACCD)	Act 64: 1/15/2017	Under development; Held a series of six stakeholder meetings in Spring, 2016; Target deadline 12/2016	No
AAFM, DEC	Report to Legislature on meeting agricultural nonpoint source pollution MOU performance measures	Act 64: 1/15/2017	Will integrate this report in the Clean Water Initiative Annual Performance Report	1/15/2017 and annually thereafter

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AAFM, DEC	Submit report to legislature on current scientific research and recommendations to amend RAPs to reduce nutrient contributions from tile drainage	Act 64: 1/15/2017	Champlain TMDL deadline: 12/30/2017	No
DEC, AAFM	Report to Legislature on the execution of the Phase I Implementation Plan for the Lake Champlain TMDL	Act 64: 1/15/2017	Will integrate this report in the Clean Water Initiative Annual Performance Report	1/15/2017, and every four years thereafter
AAFM	As part of the Small Farm Certification Program, Farms are to certify for compliance with RAPs	Act 64: 7/1/2017	--	7/1/2017 and annually thereafter
DEC	Issue Municipal Roads General Permit	Champlain TMDL deadline: 12/30/2017	Outreach to municipalities under way; issued "Interim Guidance for completing municipal road erosion inventories and capital budget;" Issued "Road Erosion Risk Ranking Layer" on ANR Atlas	No
DEC	Adopt rules to manage stormwater runoff, including technical standards and BMPs	12/31/2017	Internal discussions underway	No
DEC	Issue Stormwater general permit for impervious surfaces equal to or greater than 3 acres	Champlain TMDL deadline: 12/30/2017	Under development	No
DEC	Complete Update of Tactical Basin Plans (Phase 2 Implementation Plans) for Poultney, Mettowee and Lower Lake Champlain basins	Champlain TMDL deadline: 12/30/2017	--	To be updated using Tactical Basin Planning five year cycles
DEC	Update existing regulated municipal MS4 permits to include Phosphorus Control Plan requirements that are consistent with the TMDLs' targets	Champlain TMDL deadline: 12/30/2017	Internal discussions underway	No
AAFM	Target funding for agricultural BMP and Nutrient Management Plan implementation for Missisquoi Bay, St. Albans Bay & South Lake	Champlain TMDL deadline: 12/30/2017	Underway	Likely; Need remains
AAFM	Complete education, outreach & compliance activities with farms in the Missisquoi Bay watershed per Section II,6 of Secretary of AAFM 2/3/2016 Decision	Champlain TMDL deadline: 12/30/2017	Underway	No
AAFM	Commence notification of affected farms about the Assessment and Plan process, per Section II,6 of Secretary of AAFM 2/3/2016 Decision	Champlain TMDL deadline: 12/30/2017	--	No

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DEC, AAFM, VTrans, ACCD, Administration	Establish long-term revenue source to support water quality improvement via the Clean Water Fund	Champlain TMDL deadline: 12/30/2017	Legislative Report underway; will require legislative decision-making in Leg. Session 2017 to establish revenue source	No
AAFM	Revise RAPs to include requirements to reduce nutrient pollution from tile drains and other priority actions (Act 64, Sec. 4)	Act 64: 1/15/2018	--	No

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## COMPLETED Clean Water Initiative Deliverables

Agency	KEY TASK	DEADLINE	UPDATE	RECURRING?
AAFM, DEC	Submit interim progress report to legislature on impacts from tile drainage	Act 64: 1/15/2016	Progress report completed	No
DEC	Report on lowering the impervious surface regulatory permitting threshold from once acre to 1/2 acre	Act 64: 1/15/2016	Report completed	No
DEC	Report to Legislature on Basin Planning Progress	Act 64: 1/15/2016	Report completed	1/15/2016 and annually thereafter
DEC	Report to Legislature on land application of septage and sludge	Act 64: 1/15/2016	Report completed	No
FPR	Report to legislature on recommendation on how to implement forestry AMPs as mandatory practices, how to enforce AMPs, whether maple syrup production should be enrolled in UVA as managed forestland	Act 64: 1/15/2016	Report completed	No
DEC	Report on activities and progress of water quality ecosystem restoration programs	Act 64: 2/1/2016	Report completed	2/1/2016 and annually thereafter
DEC	Develop TMDL implementation tracking system at DEC with ability to estimate phosphorus load reductions achieved by TMDL implementation activities	Act 64: 6/1/2016	Complete	No