

**RESPONSE SUMMARY FOR
DRAFT STATE STORMWATER GENERAL PERMIT 3-9015**

**Re: New Stormwater Discharges to Waters That Are Not Principally
Impaired By Regulated Stormwater Runoff
March 20, 2013**

The above referenced draft permit authorizes the discharge of regulated stormwater runoff from new development and redevelopment to waters that are not principally impaired by regulated stormwater runoff. This permit replaces the existing General Permit 3-9015 that was issued March 24, 2003.

The draft permit was placed on public notice for comment from January 30 through March 1, 2013. The Stormwater Management Program received public comments on the draft discharge permit referenced above.

The following is a summary of the public comments received relevant to the above-referenced draft stormwater discharge permit and the Department's responses to those comments. Where appropriate, comments have been paraphrased for clarity.

1. COMMENT

SACC has been involved in protecting water quality in the West River Basin and Ball Mt Brook in particular since 1984 and it has been frustrating. The cumulative impacts from ongoing development in our watershed are becoming unsustainable. It is not clear to me how 3-9015 will improve the ecosystem or restore water quality standards.

RESPONSE

General Permit 3-9015 is used to implement the requirements of the Vermont Stormwater Management Rule, including the requirement to design projects to meet the Vermont Stormwater Management Manual. The primary goal of the Stormwater Rule is to assure compliance with the Vermont Water Quality Standards. This is achieved through implementation of the technically sounds best management practices required by Stormwater Rule, combined with ongoing assessment of surface waters.

2. COMMENT

By exempting farms and silviculture there will be little improvement, if any, in receiving waters from such activities. SACC's experience with logging activities for ski areas lead us to believe that even with Ski Trail BMPs, the cumulative impacts eventually affect water quality. I find it unconscionable that most farms and logging are exempt.

RESPONSE

Farms subject the Acceptable Agricultural Practice, and silvicultural activities subject to the Acceptable Management Practices, are statutorily exempt from the requirement to obtain a state stormwater permit per 10 V.S.A. §1264(e)2(A) and (C), respectively. It is

the expressed interest of the Vermont State Legislature that these activities be managed to comply with the Vermont Water Quality Standards through implementation of these requirements as implemented by the Agency of Agriculture, Food and Markets, and the Agency of Natural Resource's Department of Forests, Parks and Recreation.

3. **COMMENT**

The proposed CAFO for large feeding lots does not appear to go far enough.

RESPONSE

The Stormwater Program of the Watershed Management Division is currently accepting public comment on the draft CAFO permit and will be responding to CAFO-related comments as part of that effort.

4. **COMMENT**

Another issue SACC has always had for ANR permits is the short time we have to respond. Ten (10) days from the time the draft is released is not adequate for a citizen or a volunteer organization to review and comment.

RESPONSE

The comment is acknowledged. The Department believes the ten-day comment period is an appropriate compromise between the goal of receiving public comment, and the goal of allowing for the processing of applications in a reasonable time frame. The public is entitled to request a public hearing for any given draft authorization if additional time is needed for review of an application.