



COMMON SENSE SOLUTIONS
FOR A CHANGING VERMONT

April 15, 2016

Padraic Monks
Program Manager
Stormwater Program
Watershed Management Division
VT Dept. of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620-3520

Sent via electronic mail

Re: Comments on the draft Vermont Stormwater Management Manual

Dear Padraic:

The Vermont Natural Resources Council (VNRC) submits the following comments to the Department of Environmental Conservation (DEC) on the draft Vermont Stormwater Management Manual (draft VSMM).

VNRC appreciates the opportunity to comment on this first draft of amendments to the stormwater manual prior to commencement of the formal APA rule making process. VNRC notes that these are preliminary comments on a draft of the proposed amendments to the stormwater manual. We reserve the right to raise additional questions or concerns as future drafts of amendments of the manual are made available and VNRC continues to analyze the proposed amendments, their impact on water quality and compliance with applicable law.

VNRC supports and incorporates herein the comments submitted by Conservation Law Foundation (CLF) and a number of other environmental groups on this round of review of the draft VSMM. As noted in the CLF comments, stormwater runoff from rooftops, parking lots, and roadways is a major contributor to the degradation of water quality and increased flood risks across Vermont. Significant improvements in how stormwater is regulated is vital to ensuring that we protect Vermont's public trust waters from degradation, and that we are able to restore waters that do not meet the Vermont Water Quality Standards (VWQS).

Our specific comments are as follows:

Redevelopment

The draft VSMM allows an applicant to address stormwater runoff from redevelopment by either:

- Reducing the existing impervious surface by 25% and restore the area to meet the Soil Depth and Quality Standard (Section 3.1) where applicable; or
- Designing an STP to capture and treat 50% of the WQv from the redeveloped impervious area; or
- Implementing a combination of water quality treatment and impervious surface reduction proportional to the above options.

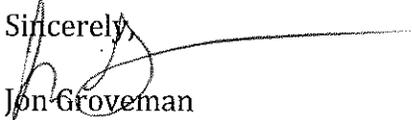
Existing sites with outdated and inadequate stormwater controls are a significant contributor of water pollution. It is crucial to update stormwater controls at these sites when they are redeveloped. In addition to increasing the percentage of stormwater that is captured and treated from the redeveloped area as suggested by CLF, DEC should require additional steps be taken to reduce stormwater runoff from the existing developed portion of a site. VNRC will work to develop specific recommendations for reducing stormwater runoff from the existing portion of previously developed sites for DEC to consider. At this time, VNRC requests that DEC indicate whether it has considered additional steps be taken to reduce stormwater runoff from the existing portion of developed sites, what requirements DEC has considered and why DEC decided not to move forward with these recommendations.

Water Supply and Groundwater Protection

VNRC is concerned about the setbacks proposed in Section 2.2.3 for water supplies and groundwater from infiltration of stormwater. VNRC requests that DEC provide the basis for why the setbacks provided are protective of water supplies and groundwater. In addition, we request that DEC explain how the manual amendments will assure that infiltration of stormwater will not violate applicable groundwater protection standards, including ANR's obligation to manage groundwater as a public trust resource.

Thank you for this opportunity to comment.

Sincerely,


Jon Groveman
Policy and Water Program Director