



VT DEC Stormwater Program

Stormwater Program Update
New Rule and General Permit



Stormwater Program

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

Authorities

Federal Clean Water Act.

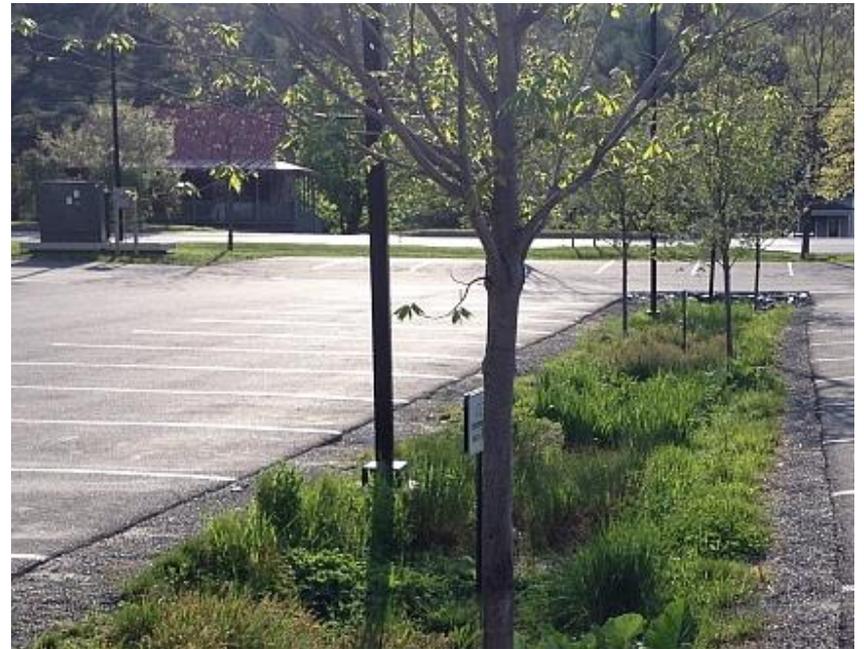


Vermont Statute



Operational Permitting

- * Impervious Surface > 1 acre





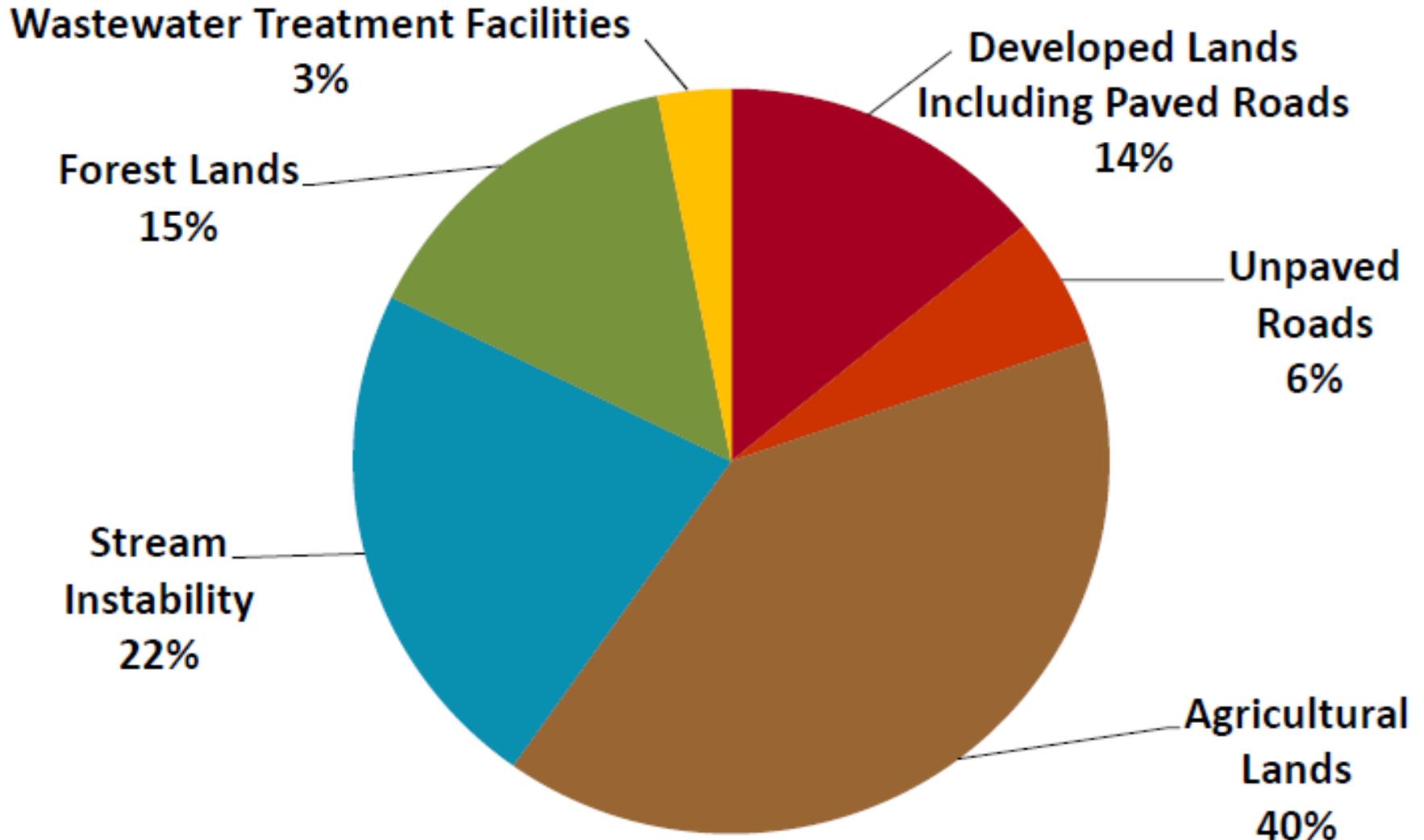
Impervious Surfaces

- 60,000 acres, statewide –roughly
- < 10% are currently regulated

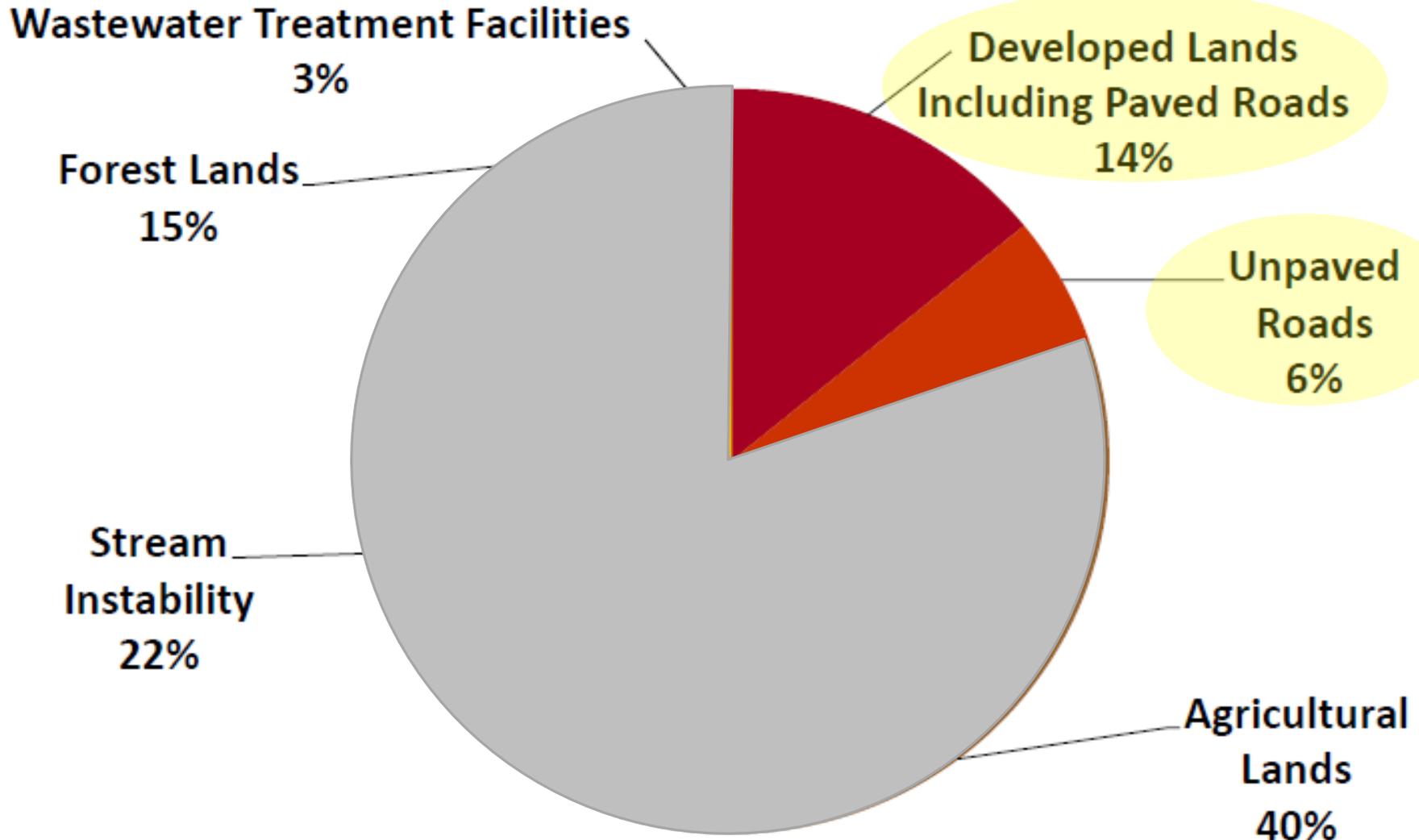
Lake Champlain Phosphorus TMDLs



Sources of phosphorus in the Vermont portion of the Lake Champlain Basin (Preliminary estimates from Tetra Tech, 2013)



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Stormwater Pollutant Loading

- Champlain TMDLs require a 21% reduction from “Developed Lands”
- How achieved?



Act 64 and Champlain TMDLs Requirements

- Municipal Roads General Permit
- MS4 General Permit
- TS4 General Permit
- New Stormwater Permitting Rule
- “3-Acre General Permit”



Stormwater Rule

- Adopted
- Went into effect on 3/15/2019

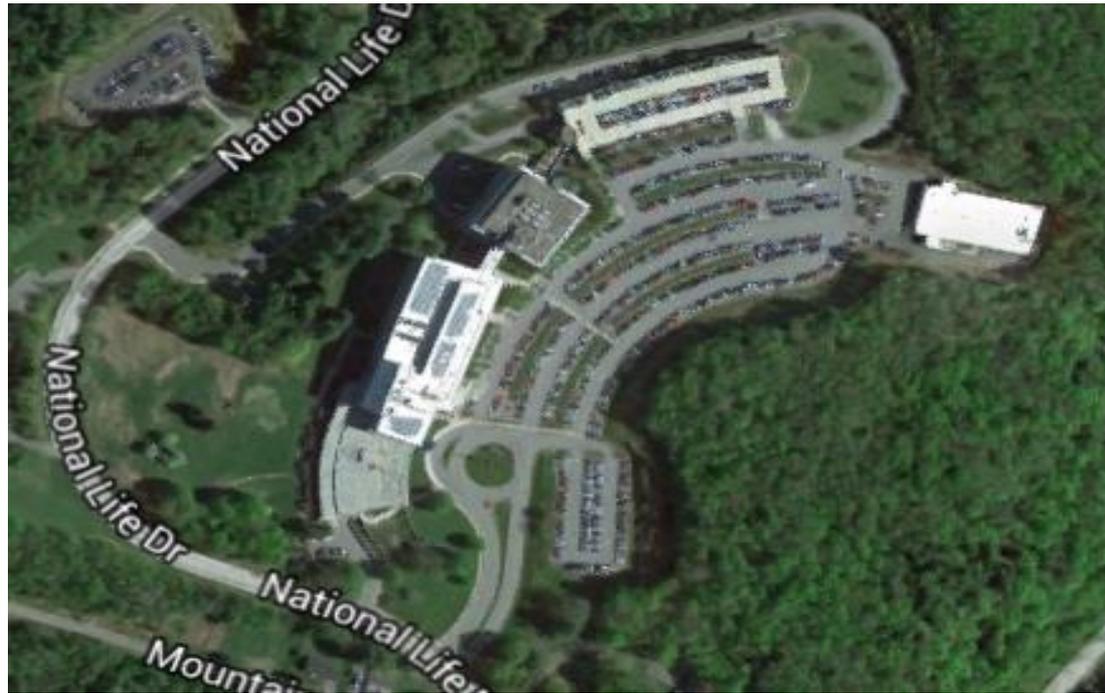


Stormwater Rule

- Covers all stormwater permit programs
- Includes requirements for “3-acre sites”



3-Acre General Permit





3-Acre Site

- Single tract with ≥ 3 acres of impervious surface with no permit, or a pre-2002 permit; or,
- A multi-lot project with a pre-2002 stormwater permit for ≥ 3 acres of impervious surface;
- And, adjacent impervious surfaces where part of a related operation, e.g. a campus



3-Acre General Permit

- Roughly 1,000 sites statewide
- Half are previously permitted



3-Acre General Permit

- General Permit - due 4 months after Rule
- Permit Coverage **No Later Than:**
 - 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



Engineering Feasibility Analysis (EFA)

- For example, don't need to:
 - Purchase additional land
 - Pump stormwater
 - Construct in flood plains or wetlands



Stormwater Impact Fees

- Stormwater rule and 3-Acre GP
 - “shall allow use of”
 - Offsets
 - Impact fees
 - Trading



Impact Fees

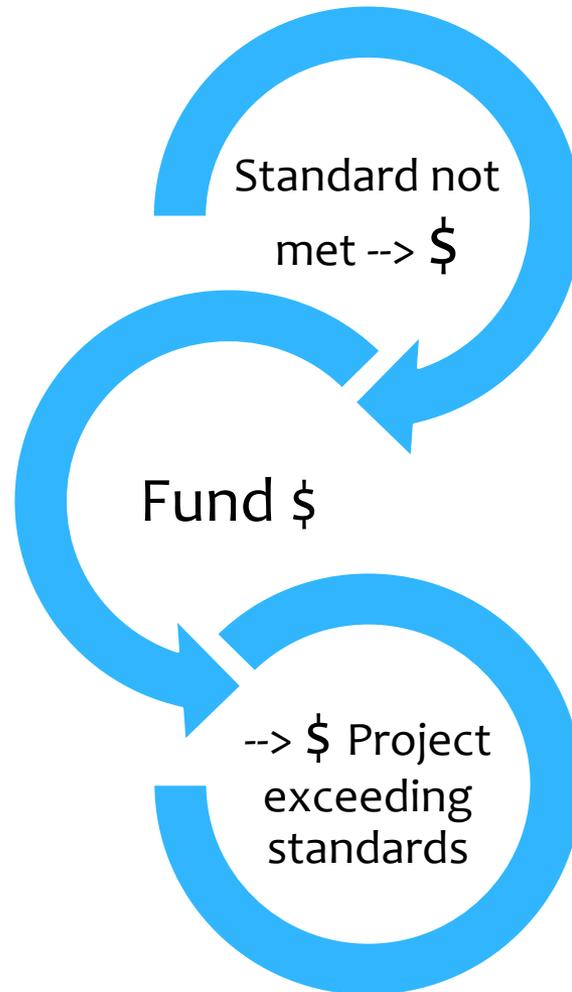
- Incentives - pay if you can't treat
- Equity – everyone contributes



Impact Fees

- Channel Protection Volume
 - \$25,000 per acre of impervious Surface
- Redevelopment Standard (50% of Water Quality Volume)
 - $\$25,000/\text{acre} * (\text{required volume} - \text{actual volume})$
 - $\$25,000/\text{acre} * (50\% - 0\%) = \$12,500/\text{acre}$

Impact Fees





Impact Fees Eligible Projects

- Stormwater Only
- Permit obtained



Rule and General Permit Timing

- Rule
 - Effective March 15, 2019
- General Permit
 - Due July 2019
 - Draft for public comment – soon



Key General Permit Decisions

- Schedule for 3-Acre Sites
- BMPs for “isolated impervious surfaces”
 - <400 ft²
- BMPs for isolated roads
 - Same as municipal roads



Rule Information

- <http://dec.vermont.gov/watershed/stormwater/stormwater-rule-2017-update>
- E-mail Distribution List

Questions?

