

Administrative Procedures – Public Input Statement

Instructions:

In completing the public input statement, an agency describes what it did do, or will do to maximize the involvement of the public in the development of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

1. TITLE OF RULE FILING:

Stormwater Management Rule for Stormwater-Impaired Waters

2. ADOPTING AGENCY:

Agency of Natural Resources

3. PLEASE LIST THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE:

1. In 2012, the Department of Environmental Conservation (DEC) contracted with Stone Environmental Group to evaluate the state of current national stormwater practices compared to the 2002 VSMM.

2. From September 2013 to June 2014, DEC, in collaboration with Stone and Horsley Witten, convened a series of six public workshops focused on specific topic areas in the proposed update to the 2002 VSMM and obtained feedback from the design community on those topic areas. All minutes, presentations, and resources are maintained on DEC's public website.

3. At the conclusion of that process, the contractors prepared a draft updated VSMM which was edited for stakeholder review by DEC.

4. In early 2016, DEC distributed the draft of the updated VSMM for public comment. A public meeting was held on March 15, 2016 to present the proposed revisions, and provide an opportunity for stakeholders to ask questions and provide verbal comments on the draft. Multiple additional smaller meetings were held following the release of the draft VSMM, including with

the Conservation Law Foundation, American Council of Engineering Companies, the Vermont Department of Fish and Wildlife, and multiple environmental consulting companies.

5. Comments were accepted on the draft updated VSMM through June 15, 2016. The Agency reviewed those comments and made revisions, as appropriate. A response summary was prepared and is publically available.

6. After the proposed Rule was approved by the Interagency Committee on Administrative Rules (ICAR) and submitted to the Secretary of State, the Agency held a public comment period on the VSMM and this Rule from September 16, 2016 through November 1, 2016, as required as part of the formal rulemaking process.

7. During the public comment period, the Agency held a public meeting on October 25, 2016, at which it received multiple verbal comments from stakeholders and answered questions.

8. As a part of the VSMM filing, the Agency has provided a response to comments, which addresses all of the written and verbal comments received during the public comment period.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

The Stormwater Program notified hundreds of interested parties during the stakeholder process. The following individuals, organizations, and government entities have provided comments throughout this rulemaking process:

Legislators: Rep. David Deen & Rep. James McCullough.

State Agencies: Vermont Agency of Transportation; Vermont Agency of Commerce and Community Development; and the Vermont Agency of Natural Resources.

Non-governmental Organizations: Vermont Natural Resources Council; Conservation Law Foundation; and Composting Association of Vermont.

Municipalities: Village of Essex Junction; Town of Williston; City of South Burlington; the City of Burlington; and the Vermont League of Cities and Towns.

Engineers/Consultants: Stevens & Associates; Contech Engineered Solutions; Krebs & Lansing; and VHB.

Many other consulting companies and entities participated in the stakeholder process, but did not submit comments.