Ray: My apologies that it has taken me some time to get back to you on your questions. You are correct that the notes and minutes on the Stormwater Study Group web page have gotten stale. We will try to address this before Christmas to get more recent information posted.

With regards to the 1 November 2006 meeting: Jeff Wennberg (Commissioner for the Environment) and Pete LaFlamme (Chief of the Stormwater Section at ANR) both attended. There were two primary objectives for this meeting. The first was to provide information to residents who had not been as involved in the process as the Stormwater Study Group has been and the second was to ensure that Jeff and Pete heard residents' concerns about the situation in Butler Farm and Oak Creek Village.

To address the first objective we did the following. Juli Beth took a few minutes to review the purpose and history of the Stormwater Study Group. In these remarks she reviewed our operating assumptions about the permit, required upgrade (i.e. 2002 best fix for the Utility to take over permit), and the likely requirements of the Potash Brook TMDL. Regarding this latter: The Potash Brook TMDL was recently transmitted to the EPA Region 1 office and was being considered at the time of the meeting. [We have no further information on this at the moment.] Questions were raised about whether there would be any "surprises" in the Potash Brook TMDL and how likely it was that the TMDL would be approved by EPA. Given that we (ANR, South Burlington, and UVM) have worked closely with EPA on this matter for over a year, we are hopeful that there will be no surprises and that the TMDL will be approved reasonably quickly.

After Juli Beth introduced the meeting we began to discuss the options for stormwater management, focusing on things that might be done at small, medium and large scales. Helena Vladich made a presentation regarding a Micro Stormwater Drainage Density (MSDD) assessment approach she has developed recently. This work is based on some unique, hi-resolution aerial imagery (LIDAR) that is available for most of Chittenden County through the combined efforts of several different towns and agencies. This imagery has many uses. Helena has used the data to identify very high resolution drainage paths for stormwater runoff. Everyone realizes that water seeks a path of least resistance and greatest slope (gradient or potential, as hydrologists refer to it). This is true at large as well as small scales. It's fairly easy to identify water flows at large scales (e.g. in a river valley) using a simple map. But it's harder to identify flow paths at small scales (e.g., a minor rivelet in your backyard). The LIDAR data is sufficiently detailed, however, to do this. Using this data, Helena has been able to identify areas where there are high densities of these small flow paths (i.e., water tends to congregate) versus areas where the density of flow paths is low. This is valuable because it provides a means to objectively and quantitatively identify priority areas for small-scale best management practices (BMPs), like rain gardens. One important bit of information that we did not have available at the meeting and that we are working on now, is how many such areas are there in the neighborhood and what benefit (i.e. cost reduction) might there be if these areas were treated before considering larger scale BMPs. We hope to have some estimates for this when we next meet.

Jack Meyers then reviewed his medium- and large-scale alternatives. These are essentially the same alternatives that Jack presented in July and at the Field Day in October. We will post the most recent files relevant to these options on the web page.

In the course of this discussion, several questions that have arisen before were raised and discussed again (e.g., need to correct the Golf Course contribution, need to account for the Marceau Farms input, need to minimize costs). There was then some discussion about how to cover the costs of the required fixes, whatever they are. Both Jeff and Pete became more involved in the discussion at this point.

The last part of the meeting yielded two very important suggestions. We are all aware (but Jeff and Pete were not) that there is no available mechanism for the Butler Farm and Oak Creek Village neighborhoods

to make a community-wide decision about a preferred stormwater management option (BMP or set of BMPs). Furthermore, in discussion it became clear that there could be some timing issues with respect to dates that EPA approves the Potash Brook TMDL and the state issues relevant General Permits. These dates would only be delayed if the TMDL or General Permits are challenged in court. This raises clear issues of concern with respect to residents, regarding when they might expect to be able to clear their titles with a valid stormwater permit. In the course of this discussion, two important suggestions emerged:

1. The generally stated position has been that the City would take over management of stormwater systems (via the Utility) only after the current holders had a valid discharge permit. Given the "gap" that might arise as noted above, Juli Beth indicated hat the City might be willing to accept a stormwater system (i.e., BF/OCV) into the utility if a) there was an engineering feasibility analysis in place that would clearly meet the 2002 best fix criteria and b) if there was a clear funding plan to implement the proposed engineering.

2. Jeff Wennberg mentioned that on several occasions in the past, municipalities have created "Special Benefit" districts that have the authority to a) seek consensus from the district members (i.e. hold a vote to make a decision) and b) collect funds to implement decisions made by the district members.

These are important developments that suggest a potential way forward. The steps in this process might include:

1. Complete an engineering feasibility analysis of the primary options (small-scale distributed system, mid-scale meso-systems, and super pond) including a cost analysis (construction and maintenance).

2. Create a "Special Benefits" district to vote on these options.

3. Obtain grant funds and/or access to state revolving funds to finance the selected project.

4. Approach the City/Utility to consider the engineering and funding plan as sufficient to take over the BF/OCV stormwater system.

The City, of course, would be a part of these discussions all along and so (presumable) the decision to take over the stormwater system would hopefully be assured. It would then be up to the Utility to contract for installation of the selected BMP and to manage the system thereafter. The Utility would also organize financing and would bill the Special Benefits District for that portion they had agreed to pay (on terms previous agreed to). With this plan in place, homeowner titles could be cleared.

It should be noted that this meeting was well attended, but largely by members who have been active in the Stormwater Working Group in the past. It is likely that the majority of residents in BF/OCV are still not aware of the important decisions that need to be made. The City, UVM, and members of the Stormwater Study Group should do what we can help inform the rest of the neighborhood about what is happening so that decisions can be made.