

Memorandum

TO: Joint Stormwater Coordinating Committee Members

FROM: Annie Costandi, P.E., Town Director of Stormwater Operations/Staff Engineer
Chelsea Mandigo, Village Stormwater Coordinator/Wastewater Operator

DATE: April 22, 2021

SUBJECT: Flow Monitoring Status Update

Under the 2012 State Stormwater Permit, all MS4s were required to implement a program to monitor stream flows and precipitation in the stormwater impaired watersheds. In 2016, the MS4s entered into a 5-year Memorandum of Agreement (MOA) with the Department of Environmental Conservation (DEC) to provide funds to set up, collect and analyze flow and precipitation monitoring stations and data on each of the impaired streams. DEC contracted with Stone Environmental and Fitzgerald Environmental Associates to oversee this work. The goal of the monitoring program is to evaluate the progress MS4s are making towards implementing their FRPs and if it is helping achieve attainment of flow targets specified in the Total Maximum Daily Load (TMDL) for each stream.

On March 18, 2021, DEC sent an email (see attached) stating we were near completion of the existing flow monitoring contract. DEC believes that the requirements in the permit have been fulfilled at this time and that additional flow monitoring is not required.

DEC reasoning for this decision was largely based on their interpretation of the Water Resources Board Docket "Investigation into Developing Cleanup Plans for Stormwater Impaired Waters" which was used to develop the stormwater TMDLs for the impaired streams. DEC believes that the Docket findings anticipated being able to detect changes in the stream response in a much shorter time than is realistic, especially in terms of flow. Their current understanding is that it is unlikely that changes in flow can be detected with less than 10 years of flow data and to properly evaluate the effect of project implementation, it may be necessary to collect flow data for as long as 6 years post implementation. This can add up to significant costs to municipalities when the focus right now is still in the implementation stage of the FRPs.

Collecting additional flow data would be useful to assess compliance towards meeting the TMDLs once the FRP projects are implemented. DEC admitted there are some risks involved with discontinuing flow monitoring that may not be realized for a few years out.

At the April MS4 Subcommittee meeting, further discussions were had with DEC on how to move forward. A few communities like Winooski and South Burlington expressed interest in continuing flow monitoring in their watersheds since the stations are already in

place and numerous projects have already been implemented, but it depended on the cost. Others questioned what the long-term plan is for assessing impairment. DEC stated that ultimately biomonitoring is the main factor in the permit and that the Department is going to have an internal discussion about overall stream health because biomonitoring isn't the best indicator for overall impairment of the stream. DEC will present their findings to the MS4 Subcommittee meeting when more information is available as to the next steps for MS4s.

The purpose of this Memo and Committee discussion is to update the group and to receive input about how the Town and Village should move forward with flow monitoring.