From: Moore, Julie
To: Monks, Padraic; Boedecker, Emily
Cc: LaFlamme, Pete; Borg, Mary
Subject: Re: stormwater rule and general permits schedule
Date: Monday, July 17, 2017 10:03:52 PM

Thanks, Padraic! This is helpful.

From: Monks, Padraic
Sent: Monday, July 17, 2017 11:38:39 AM
To: Moore, Julie; Boedecker, Emily
Cc: LaFlamme, Pete; Borg, Mary
Subject: FW: stormwater rule and general permits schedule

Julie, Emily- Please see below concerning the timing of our forthcoming rule and general permits. We promised Julie this evaluation, on the advisability of issuing draft general permits prior to rule completion, at our stormwater rule meeting on 7/10. Please let me know if you have any questions. Thank you. -Padraic

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From: Monks, Padraic
Sent: Wednesday, July 12, 2017 2:14 PM
To: LaFlamme, Pete <Pete.LaFlamme@vermont.gov>; Borg, Mary <Mary.Borg@vermont.gov>
Subject: stormwater rule and general permits schedule

Pete, Mary –

This is to follow up on our meeting with Julie regarding the proposed schedule for release of the stormwater rule and associated general permits. The following plan has been discussed with/approved by Legal. In general, Legal supports issuance of GPs prior to adoption of the rule, with specific recommendations as follows.

Stormwater Rule: (Act 64 deadline 1/1/18) The goal is to file with ICAR for the October agenda. This is ambitious, but if we meet the goad the rule could be final by 2/1, just 1 month post Act 64 deadline.

New Combined, Operational GP, including 3-acre requirements: (Act 64 and TMDL deadline 1/1/18) We will put the GP on public notice shortly after getting the rule to ICAR. The GP will be issued as final after the rule is adopted. Because the new GP relies heavily on elements that will be included in the rule (offsets, 3-acre requirements) we should not issue the final GP before the rule is final. This GP is due 1/1/18, as such waiting on the rule will cause us to -slightly- miss the deadline.

Municipal Roads General Permit (MRGP) (Act 64 and TMDL deadline 1/1/18) This GP does not cite to the proposed rule, and authority for the GP comes from statute. Consequently, we propose to issue the draft GP potentially before filing the rule with ICAR. We will also likely issue the final GP before the rule is final. However, we will have completed the rule public comment period prior to issuing the final GP, and as such can adjust accordingly if comment on the rule suggests we need significant

changes to the GP. We should be able to meet the 1/1/18 deadline.

MS4 GP: (Expiration date of 12/5/17, also a TMDL deadline). Because this is an existing GP, and because the rule will not contain elements that differ with the existing GP, we can proceed to put the GP on notice prior to finalization of the rule. Similar to the MRGP, we can decide closer to issuance date whether it is advisable to issue the final GP prior to completion of the rule.

Please let me know if you have any questions. Thank you. -Padraic

Padraic Monks
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