

Most likely you have already listened to officials at the Agency of Natural Resources (ANR), the Department of Environmental Conservation (DEC) plus Towns and Cities impacted by this law. What we hope to bring to you today is some of the landowner's perspective.

We live in the Town of Barre at 107 Valley View Rd, also known as Maple Ridge Common. We are 22 homes on 57 acres, each home is in the middle of a sea of grass, our landscaping was designed to direct runoff into the grass, bushes and trees. We also have a wetland that filters the runoff before it reaches Gunner Brook. The Storm Water Implementation Manual states that wetlands filter and store silt and nutrients. We have yet to have this fact recognized.

The 3 acre rule is designed to remove the phosphorous from the light rains of 1 inch over 24 hours. It does not mitigate heavy rains or floods. There are seven hundred 3 acre projects in Vermont which affect 8000 landowners. The project for Maple Ridge Common (Valley View Circle) is estimated to cost a total of 1 million dollars, which when divided by 22 homes equals \$45, 000 per household. Multiply 700 projects by 1 million dollars each totals 700 million dollars. The Town of Barre has seven 3 acre projects with an estimated total cost of 8 million dollars.

The 3 acre rule is based upon the fact that if you had a storm water permit that you need a storm water permit, plus it totally discounts the possibility of existing storm water management features. Our development needs a permit but the development next to us does not. Remember we are the landowners and not the developer who made millions of dollars on the development.

Implementation of the 3 acre rule by the DEC is based upon a series of assumptions. Starting with that we have or can form a Home Owners Association (HOA). Please note that typically HOAs are set up by the developer and are included in the deed prior to purchasing the property. Additional assumptions include that homeowners can understand the regulations, can negotiate the bureaucratic maze, hire a consultant, negotiate a contract, and be able to pay for all of it without significant state funding. Currently, projects are not prioritized where the ones with the most benefit or greatest reduction of phosphorous are completed first. If projects were ranked 10 most benefit to 0 least benefit our project would be a 0 or 1.

The original plan for Valley View Circle installed 7 storm water features. This was based on the soil type as indicated by the Department of Agriculture map that indicated soils with poor drainage. The original plan also assumed the direction of the run off. After the site visit by the consultants. The soil was tested. It was discovered that the soil was more absorbent than what the map indicated. Plus the direction of runoff was different than assumed. The revised plan installs 4 bioretention ponds. Two will be built on private property. Valley View Circle has no common land. It is difficult for me to understand how this extremely expensive project will reduce the phosphorous that enters Gunner Brook from our unnamed tributary any more than our existing storm water management features of grass, bushes, trees and wetland. The only thing that it will accomplish is to produce a check mark on a bureaucratic form at the DEC. Additionally we have been told by DEC that we will need to form, an HOA for the sole purpose of being "administratively correct".

Our questions regarding effect upon our home values, safety, liability, and maintenance of these new features go unanswered.

Plus the current permit lists our private home address, 107 Valley View Circle, as the permittee. We purchased this home from Marcel and Rose Roy in 2007. Marcel used his home address on the permit. Marcel dissolve the corporation, Maple Ridge Common in 2005. To date we have been unable to correct this error, to get our private home address removed from the permit.

All 3 acre projects are treated as if they are parking lots that drain directly into Lake Champlain. We have been told that this is a solution looking for a problem. The 2024 Lake Champlain Basin Report indicated that major flooding events deposit 50% of the annual amount of phosphorous per flood into Lake Champlain. This was the flood of 2023. In 2024 we had 2 more floods. During these floods the sewage treatment plants are overwhelmed and dump raw sewage into the rivers.

Possible remedies: 1. Prioritize projects; 2. Apply only to new developments and redevelopments; 3. Visit site to determine if the maps used to make determinations are accurate; 4. Visit site to evaluate it for existing storm water management features; 5. Remove the statement that cost should not be considered; 6. Use cost verses benefit based strategy; 7. Remove best management practices language; 8. Mitigate floods; 9. Upgrade sewage treatment plants; 10. Remove landowners' responsibility language.

The 3 acre rule does not increase Lake turn over and circulation nor does it add 50 foot riparian buffers along our streams and lakes. It does not address other sources of phosphorous such as antique septic systems and the discharge of

human waste into the lake from boats. The 3 acre rule is a simplistic approach to an extremely complex problem.

Maple Ridge Common is in the final planning phase. We might see bulldozers arrive in 2025. We hope you will act so that we do not become one of the first expensive unnecessary projects.

Thank you for your time. Are there any questions?