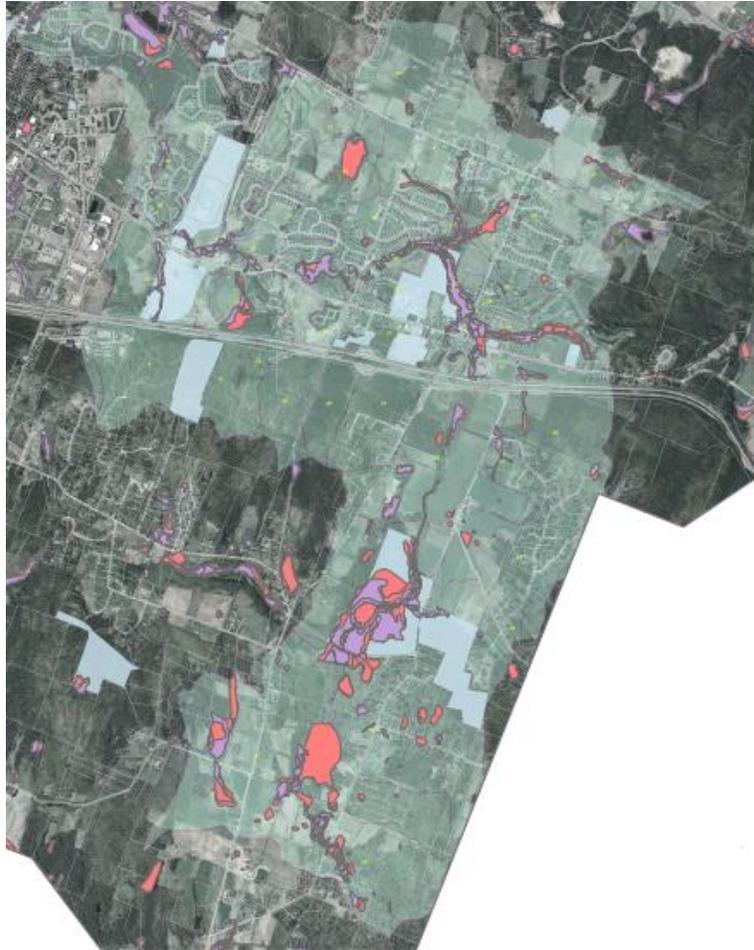


TOWN OF WILLISTON
ALLEN BROOK FLOW RESTORATION PLAN



September 2016
Rev 2. 04-11-17

Prepared for:



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I. INTRODUCTION

The State of Vermont Agency of Natural Resources Department of Environmental Conservation (VTDEC) has issued a National Pollutant Discharge Elimination System (NPDES) General Permit 3-9014 for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4). The permit requires MS4 communities, such as the Town of Williston, whose stormwater runoff drains to waters that are impaired to develop a Flow Restoration Plan (FRP) for these waters. Allen Brook is currently included on the Vermont Agency of Natural Resources (VANR) Stormwater Impaired List (EPA's approved 303(d) List). The Town of Williston and the Vermont Agency of Transportation (VTrans) have been working cooperatively to develop an Allen Brook FRP with the goal of identifying best management practices (BMP's) that will achieve compliance with the flow targets set forth in the VTDEC report, *Total Maximum Daily Load to Address Biological Impairment in Allen Brook* (September 2008).

II. BACKGROUND

The purpose of the FRP is to identify stormwater BMP's (including retrofits to existing practices) that will be recommended for implementation in an effort to achieve established EPA approved Total Maximum Daily Load (TMDL) Targets for Allen Brook and eventually allow Allen Brook to be removed from the State's Stormwater Impaired List.

In doing so, MS4 Permittees discharging to Allen Brook will be working towards compliance with the NPDES General Permit FRP requirements. The permit requirement states that all MS4 Permittees (Municipal and Non-Traditional MS4's) create an FRP for all stormwater impaired waters within their jurisdiction. The Allen Brook Impaired Watershed is located entirely within the Williston Municipal limits and is the only Stormwater Impaired Waterway needing an FRP in Williston.

Understanding that the Vermont Agency of Transportation (VTrans) has been designated a Non-Traditional MS4 and that VTrans Highway right-of-way (I-89, US 2 & US 2A) and facilities (I-89 Welcome Centers) comprise approximately 16% (63 acres) of the impervious surface within the Allen Brook Watershed, the development of this FRP includes coordination with VTrans as a partner in this FRP effort. In doing so, VTrans and the Town of Williston have entered into a Memorandum of Understanding to jointly develop and implement the Allen Brook FRP.

The Town of Williston has been focused on progressing improvements and maintenance of existing stormwater systems in support of the FRP targets over the last few years. This FRP and the Town's development of a Stormwater Management Program (SWMP) will intensify the process to educate and inform the community of the importance of water quality in the Allen Brook watershed as well as other important waterways throughout the Town.

The Vermont Department of Environmental Conservation (VTDEC) has EPA approved stormwater TMDL's for the Allen Brook impaired waters. This TMDL includes an aggregate waste load allocation (WLA) which applies to numerous watershed sources. No specific WLA's were specified in the MS4 General Permit. The flow targets were set forth in the *Total Maximum Daily Load to Address Biological Impairment in Allen Brook* (September 2008).

The flow targets were set based upon the exceedance flow where the percentage (%) designates the percentage (%) of time that stream flows are equal to or greater than the flow targets. For the Allen Brook watershed the high flow (Q0.3%) and low flow (Q95%) values were evaluated for the TMDL

targets. The TMDL incorporated a reduction FRP regulatory target for only the Q0.3 value. This was set in consultation with the EPA since it was determined that it was not appropriate to include low flow targets (Q95) as an actual allocation in the TMDL.

However, the restoration of base flows is important to the health of the biological communities and thus it is a VTDEC management objective to increase the low flow Q95. This management objective is not being addressed as part of the FRP, but the associated results have been included for use in future SWMP planning and updates to the expired permits. The use of infiltration and other BMP practices which improve the Q95 will be encouraged by the Town of Williston and VTrans during implementation of the FRP practices where practical. Additionally, the Town of Williston has enacted Planning & Zoning requirements unrelated to the FRP which provide for development practices which would improve these flows.

Table 1: Allen Brook TMDL Target Percentages

TMDL Target (Waste Load Allocation including future growth)	Q0.3	Q95
	-3.30%	7.40%

III. IDENTIFICATION OF REQUIRED CONTROLS

A. Stormwater Discharge Permit Sites

VTDEC provided a current listing of expired stormwater discharge permits that discharged to the impaired Allen Brook. These sites are comprised of a mix of residential and commercial developments throughout the watershed. As developed parcels, these locations have significant impervious areas and the potential to negatively contribute to the Allen Brook Q0.3 high flow volumes. Each of these sites was previously permitted under VTDEC stormwater discharge regulations, which required various BMP's to be implemented as conditions of construction. These BMP's, however, would not meet current 2002 Vermont Stormwater Manual requirements and in some cases were never built.

To bring these permits into compliance, these sites would need to meet current 2002 standards through the completion of a Town approved engineering feasibility analysis (EFA) or through the Residual Designation Authority of VTDEC. In either event, these expired permit sites are stormwater runoff contributors to Allen Brook and should be addressed as part of this FRP. The Town and VTrans agreed that these developments should bear the initial burden of their permit requirements. The ancillary benefit that these upgrades have on the FRP targets would then be reviewed, and any shortfall in meeting the targets would be addressed in the development of other BMP's by the Town or VTrans.

In conjunction with these individual stormwater permit owners, the Town of Williston has assisted with the implementation of EFA's to determine BMP upgrades and measures necessary to bring these permits up to date. The resulting designs for the BMP's were provided to the DEC's

Stormwater Analyst for inclusion in the State Hydrologic Analysis Model as well as their Allen Brook Best Management Practice Support System (BMPDSS) model to determine their affect in meeting the high flow TMDL target. These model runs are summarized in Section D.

Table 2 outlines the discharge permit sites in which BMP’s were designed to meet current 2002 Vermont Stormwater Manual requirements. As the FRP is implemented, this listing of EFA and/or BMP upgrades will be reviewed annually to review their construction status and to determine if there are additional upgrades that should be incorporated. Any additional sites shall be identified in the SWMP annual report. The Town has reached agreements with the residential property/development owners from Table 2 to obtain responsibility of the new BMP’s and stormwater permits once they are constructed and inspected. Incrementally, as these residential sites are adopted, they will be incorporated into the MS4 General Permit and identified in the SWMP. Once adopted, the expired permit holders for the residential sites will not be held to any additional requirements above what has been included in their individual agreements. All further improvements will be at the cost of the Town.

Table 2: Stormwater Discharge Permit Sites

Permit No	Permittee	Development Name	Location	BMP Type	Drainage Area (acre)
1-0513/ 1-1275	Taft Farms	Lots A-B	Talcott Rd	Ponds(2)	8.61
1-0513	Taft Farms	Condo Pond	Talcott Rd	Pond	4.72
1-0513	Taft Farms	Lots C-D	Talcott Rd	Pond	1.45
1-0513	Taft Farms	Lots F-G, Respite House Pond	Talcott Rd	Pond	4.36
1-0513	Taft Farms	Lot H	Talcott Rd	Pond	2.41
1-0664	South Ridge Homeowners Association	South Ridge Estates	South Ridge Rd	Ponds	68.74
1-0792	Sterling Construction Inc.	Turtle Crossing	Brookside Dr	Dry Swale	2.64
1-0963	Williston Elder Housing Inc.	Whitney Hill	Whitney Hill Rd	Pond/ Disconnection	8.18
1-1052	Retrovest Associates	Williston Commons Indian Ridge	Commons Rd/Isham Circle	Pond	23.82
1-1217	Taft Farms - Indian Ridge	Indian Ridge	Isham Circle	Pond	16.69
1-1258	Heritage Meadows Homeowner Association	Heritage Meadows	Old Stage Rd	Pond	16.79
1-1272 s/n 2	Brennan Woods	Brennan Woods	Hanon Dr	Pond	71.41
1-1507	Andre & Patricia Martel	Coyote Run	Coyote La/Raven Circle	Pond	20.5
2-0231	Leo Compagna & Thomas Blanchette	Pleasant Acres	Pleasant Acres Dr	Dry Swale	10.69

Permit No	Permittee	Development Name	Location	BMP Type	Drainage Area (acre)
2-0954	Allenbrook Meadows	Allenbrook Meadows	LeFebvre Lane	Infiltration Beds, Dry Wells, Infiltration Pipe, Rain Garden	4.03
2-1107	Meadow Ridge Homeowners Association	Meadow Ridge	Meadow Ridge Rd	Ponds (3)	219.93
2-1146	Hickock & Boardman Referral Services Inc.	Old Stage Estates Golf Links	Southfield Dr/Paddock Lane	Ponds (2)	30.21
2-1180	Ralph Goodrich	Golf Links	Tamarack Dr/Hillcrest La	Multi Cell Ponds	57.23
2-1190	Meadowrun Homeowners Association	Meadowrun-Forest Run	Meadowrun Rd	Dry Swale/ Ponds (2)	17.65
2-1191	Sterling Construction	Turtle Pond	Turtle Pond Rd	Pond	11.01
1-1078	Hillside East Commercial Park	Lots 10, 11, 15	Hurricane Lane	Pond	2.42
1-1205	Hillside East Commercial Park	Lot 7	Hurricane Lane	Pond	2.1
1-1245	Hillside East Commercial Park	Lots 16 & 17	Hurricane Lane	Pond	5.41
1-1301	Hillside East Commercial Park	Lots 12, 13, 13A	Hurricane Lane	Pond	8.07
2-1172	Hillside East Commercial Park	Access Road	Hurricane Lane	Pond	2.23

B. Town of Williston Parcel Best Management Practices

The Town of Williston, as the MS4 permittee for the Allen Brook watershed, has also identified parcels which would have the potential for the installation of stormwater best management practices. These parcels were chosen based upon the ownership of the property by the Town, location within Allen Brook subwatersheds, space available for a BMP practice, and ability to capture larger drainage areas.

The first location identified for a BMP was to the south of U.S. Route 2 behind the Town offices. This parcel location is currently undeveloped meadowland which is occasionally hayed. The proposed BMP practice is two separate retention ponds near the south side of the parcel where it abuts Interstate I-89. From this location the BMP's are situated to capture the drainage area of a portion of I-89 and the wooded areas to the south. The runoff from this drainage area enters the site via two I-89 culvert crossings.



Figure 1: Williston Parcel Behind Town Offices

The second location identified for a BMP was for a parcel located between U.S. Route 2 and Interstate I-89. This parcel location is currently undeveloped and for portions it is utilized as farmland. The BMP practice is intended to be installed near the south side of the parcel where it abuts Interstate I-89. From this location the BMP is situated to capture the drainage area of a portion of I-89, Hurricane Lane and the wooded areas to the south. The runoff from this drainage area enters the site via multiple I-89 culvert crossings. Implementation of this BMP would potentially require collaboration with VTrans for work within the Interstate Right-of-Way to direct stormwater flows to the practice.

This BMP location has been modeled as a detention/retention pond with a 2.40 acre-feet of storage at the 1 year 24-hour rainfall event flows.



Figure 2: Williston Parcel between US Route 2 and I-89

C. VTrans Interstate 89 Best Management Practices

VTrans as the non-traditional MS4 permittee in the Allen Brook watershed has chosen five sites to construct new BMP's and one site to upgrade an existing pond to meet VTDEC's 2002 Stormwater Manual requirements. These locations were chosen based upon being in the I-89 ROW, location within Allen Brook subwatersheds, space available for a BMP practice, and ability to capture larger drainage areas.

The proposed upgraded retention pond treats and retains stormwater from the Interstate I-89 Welcome Center, just west of the Town Offices parcel shown in Figure 1. This location was developed by the Vermont Department of Buildings and General Services under a land lease from VTrans. The development was covered by stormwater discharge general permit No. 1-1401 which had an expiration date of March 31, 2005.

The remaining median BMP locations that VTrans identified are located in Interstate I-89's median (between the northbound and southbound lanes).

The resulting designs for the BMP's were provided to the DEC's Stormwater Analyst for inclusion in the State Hydrologic Analysis Model as well as their Allen Brook Best Management

Practice Support System (BMPDSS) model to determine their affect in meeting the high flow TMDL target. These model runs are summarized in Section D.

As the FRP is implemented and the VTrans BMP's are constructed they will be incorporated into the MS4 General Permit and identified in the SWMP. In addition to the six above VTrans sites included in the State's Hydrologic Analysis Model, seven additional BMP's are proposed to be implemented and added to the model at a later date.

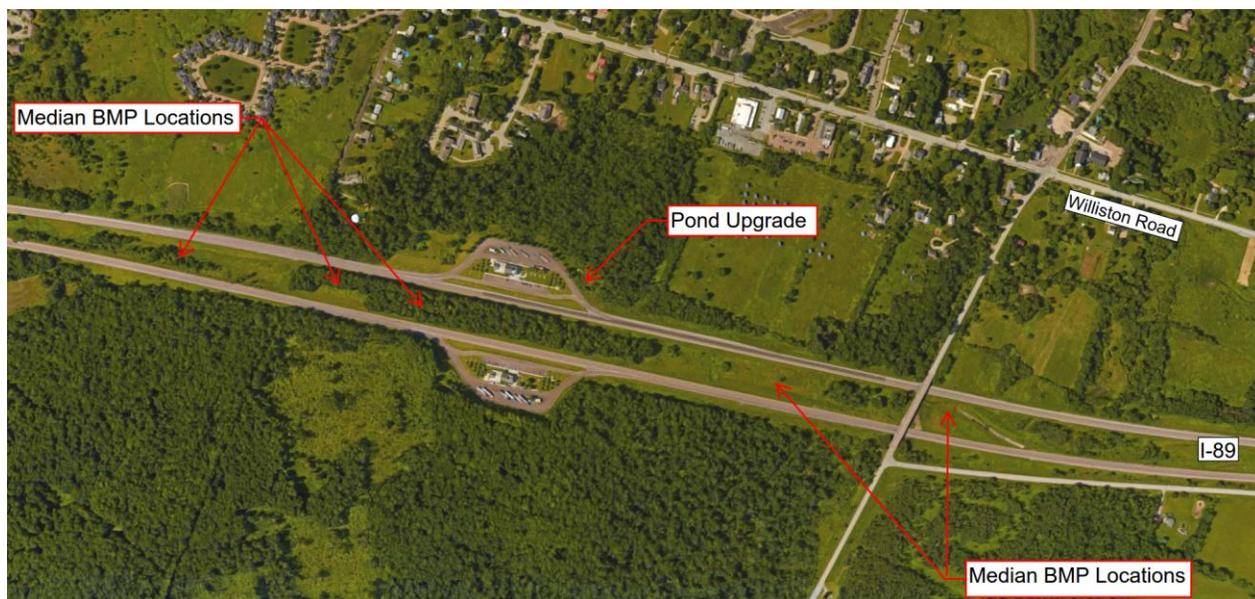


Figure 3: VTrans BMP Locations

D. VTDEC BMP'S Watershed Model Runs

The flow targets for Allen Brook (Table 1) were set forth in the *Total Maximum Daily Load to Address Biological Impairment in Allen Brook* (September 2008). As described above the Allen Brook TMDL target for high flow is $Q_{0.3} = -3.30\%$. The management objective for low flow $Q_{95} = 7.40\%$.

TMDL targets are expressed in percent (%) change in flow. To assess the effects of various management options on watershed flow, the Vermont Department of Environmental Conservation (VTDEC) has developed a watershed model for the Allen Brook watershed using the Vermont Best Management Practice Decision Support System (BMPDSS). For modeling purposes, percent reductions in flow are compared to the flow under base conditions, which for the purpose of this exercise are considered to be the conditions of the watershed prior to the adoption of the 2002 Vermont Stormwater Management Manual. Therefore, any BMP's that were built prior to the adoption of the manual are included in the base scenario.

In addition to a “base scenario” model run, VTDEC has updated the Allen Brook watershed model to reflect development and BMP’s that have been built since the adoption of the 2002 manual. The hydrologic benefits from these BMP’s are counted as credit towards the TMDL target.

Dubois & King, Inc., representing the Town of Williston and VTrans, provided VTDEC with preliminary designs for upgraded and new BMP’s. VTDEC then added these treatment practices to the BMPDSS to assess the change in flows (Table 3).

Table 3: VTDEC BMPDSS Model Results

Model Run	Q0.3		Q95	
	Cumulative% Change in flow	% of TMDL FRP target	Cumulative % Change in flow	% of TMDL management objective
Current Development	-0.62%	18.8%	0.49%	6.6%
Expired Permit Site Upgrades & Proposed BMP’s for MS4 owned properties (VTrans & Town Parcels)*	-3.67%	111.1%	0.00%	0%

*Vermont VTDEC BMPDSS does not incorporate reduction of the Town Hall parcel BMP from three ponds to two.

Explanation of VTDEC Model Results:

- Current Development: This model scenario represents the current development of the watershed, based on best available information.
- Expired Permit Upgrades: This model iteration includes upgrades to expired permitted systems, as provided to the Town of Williston by the permit holder’s consultants.
- Proposed BMP’s for MS4 owned properties (VTrans & Town Parcels) – Proposed BMP’s described above for the Town of Williston and VTrans properties. These were incorporated since the expired permit upgrades failed to meet the TMDL target.

The above VTDEC model results for the identified BMP’s exceed the Q0.3 target of -3.30% by approximately 2.7%. This factor of safety has been utilized for this FRP to address unknowns at the identified BMP locations which may reduce the affect that they would have on the high flow Q0.3 model results once designed and fully implemented. With the current factor of safety, it may be necessary to identify additional potential sites through the annual FRP review process if constructed BMP’s cannot meet modeled specifications.

As described previously, the above results for the low flow Q95 have been shown for SWMP planning purposes only since the current Allen Brook TMDL does not have a Q95 FRP target requirement.

IV. DESIGN, CONSTRUCTION & FRP INCORPORATION SCHEDULE

In accordance with the MS4 permit, an FRP requires a design and construction schedule for the identified BMP's. This schedule must provide for implementation of the BMP's as soon as possible, but longer than 20 years from the effective date (12/5/12) of the MS4 General Permit re-issuance. The permittees will implement the identified BMP's upon the schedule as set forth in the Final MS4 General Permit once issued.

The Town has reached agreements with the expired permit owners which are part of residential properties/developments to obtain responsibility of the new BMP's and stormwater permits as listed in Table 4. On an incremental basis, once the upgrades have been constructed and inspected, the FRP Incorporation Forms for these permits will be submitted to the VTDEC. The Stormwater Agreements for these residential properties are included as Appendix G.

Table 4: VTDEC Permit Status

Expired Permit Holders	Permit #	Permit Entity	Construct By Date	Permit Flow Restoration Plan Designation	
				To Be Incorporated into MS4 General Permit Upon Completion	Permit Retained by Permit Holder
Allen Brook School	1-1230	School	Pending		X
Allenbrook Meadows	2-0954	Residential	December, 2020	X	
Brennan Woods Neighborhood	1-1272	Residential	October, 2022	X	
Coyote Run	1-1507	Residential	September, 2021	X	
Golf Links Neighborhood	2-1180	Residential	December, 2021	X	
Hampton Direct (KBA-Planeta)	1-1078	Commercial	October, 2026		X
Heritage Meadows	1-1258	Residential	July, 2026	X	
Hillside East Lot 14	1-0754	Commercial	October, 2021		X
Hillside East Lot 16 17 (Industrial Park)	1-1245	Commercial	October, 2026		X
Hillside East Lot 5	1-0530	Commercial	October, 2026		X
Hillside East Lot 7 (Commercial Park)	1-1205	Commercial	October, 2026		X
Hillside East Lots 12 13 13A	1-1301	Commercial	October, 2026		X
Taft Farms - Indian Ridge	1-1217	Residential	June, 2023	X	
Meadow Run and Forest Run Neighborhood	2-1190	Residential	December, 2024	X	
Meadowridge Neighborhood	2-1107	Residential	October, 2026	X	
Old Stage Estates	2-1146	Residential	August, 2026	X	
Pleasant Acres	2-0231	Residential	December, 2019	X	
South Ridge Neighborhood	1-0664	Residential	October, 2026	X	

Expired Permit Holders	Permit #	Permit Entity	Construct By Date	Permit Flow Restoration Plan Designation	
				To Be Incorporated into MS4 General Permit Upon Completion	Permit Retained by Permit Holder
Tafts Farms Lots A & B	1-0513 & 1-1275	Commercial	Pending		X
Tafts Farms Lots - Condominiums	1-0513	Residential	June, 2023	X	
Tafts Farms Lots C & D	1-0513 1-0792	Commercial	October, 2026		X
Tafts Farms Lots F & G		Commercial	October, 2026		X
Tafts Farms Lot H		Commercial	October, 2021		X
Turtle Crossing		Residential	October, 2021	X	
Turtle Pond	2-1191	Residential	September, 2021	X	
Whitney Hill	1-0963	Residential	October, 2021	X	
Williston Central School	1-0932	School	Pending		X
Williston Commons	1-1052	Residential	October, 2026	X	
Town Hall Fields		Town Owned	October, 2021	X	
Mahan Farms		Town Owned	October, 2026	X	

V. FINANCIAL PLAN

In accordance with the MS4 permit, an FRP requires a financing plan that estimates the costs for implementing the FRP and describes a strategy for financing the plan.

The implementation costs for the proposed BMP's for the Allen Brook FRP have been calculated utilizing the VTDEC BMPDSS planning cost rates as outlined in a memorandum from Tetra Tech, Inc. dated October 30, 2007. These cost rates are at a base year 2000 and have been updated to account for inflation to year 2016 utilizing a 2.5% rate of inflation. This calculation incorporates the following for calculation of the construction costs for BMP's

Total Cost = Installation Cost [I] + Land Cost [L] + Fixed Cost [F]

Detention BMP

I = \$5 per ft³ which inflated at 2.5% to year 2016 rates = \$7.42 per ft³

I = \$323,325 per acre-foot

Infiltration BMP

I = \$6 per ft³ which inflated at 2.5% to year 2016 rates = \$8.91 per ft³

I = \$387,990 per acre-foot

L = \$0 for our BMP's since no property is anticipated to be purchased

F = \$2000 for design & permitting

Table 5: Projected BMP Implementation Costs

TOWN PARCELS			
Permit #	BMP Location	Volume, Acre-ft	Installation Cost
	Town Offices Fields	1.5	\$486,988
	North of I-89	2.4	\$777,980
TOTAL WILLISTON PARCEL BMP'S			\$1,264,968

The above construction cost estimates provide a planning level estimate for overall FRP planning. Individual sites and BMP's will require additional review through design and engineering feasibility analysis to confirm if their costs are higher or lower than these. For instance, many of the expired permitted sites already have structural practices that may make implementation easier (or potentially harder). The MS4 SWMP annual report should look to update these costs periodically based on additional available information.

Funding for the implementation of the FRP will be addressed by the Town and VTrans for their individual identified BMP's only. For Town parcel BMP's, funding will be evaluated as part of the Williston Town General Fund. For VTrans I-89 BMP's, funding will be incorporated as part of the State Transportation budget, which also has the potential for Federal Aid Highway funding. As private entities, the controlling interests at the expired permit sites would primarily be responsible for funding their stormwater improvements. However, if grants become available, these will be utilized to provide funding for any of the above as able.

VI. REGULATORY ANALYSIS

In accordance with the MS4 permit, an FRP requires a regulatory analysis that identifies and describes what, if any, additional regulatory authorities, including authority to require low impact development BMP's, that the permittees (Williston and VTrans) will need to effectively implement the FRP.

Currently, stormwater runoff within the Allen Brook watershed is regulated primarily by the VTDEC, Town of Williston, and VTrans. VTDEC regulates new developments through issuance of Stormwater Discharge Permits with technical requirements as outlined in the 2002 Vermont Stormwater Manual. The Town of Williston requires improved stormwater practices and low impact development for new developments through the Town bylaws. VTrans regulates stormwater discharges to the state Right of Way through 19V.S.A.1111 "Permitted use of the right-of-way".

The implementation of the Allen Brook FRP does not require a modification to the above current regulatory framework. Since the Town and VTrans have identified BMP's for the expired permit sites, Town parcels, and VTrans I-89 locations which reduce Allen Brook flows beyond the TMDL target, no additional regulatory authority would be required as part of this FRP.

VII. IDENTIFICATION OF REGULATORY ASSISTANCE

In accordance with the MS4 permit, an FRP requires an identification of regulatory assistance the permittees (Williston and VTrans) will need in order to effectively implement the FRP (e.g. use of residual designation authority by the Secretary). Stormwater discharges that the permitting authority determines requires stormwater controls based on waste load allocations that are part of TMDL's that address the pollutants of concern is a discharge category that may be residually designated under 40 CFR 122.26 (a)(9)).

Since the Town and VTrans have identified BMP's for the stormwater permit sites, Town parcels, and VTrans I-89 locations which reduce Allen Brook flows beyond the TMDL reduction threshold, no additional regulatory assistance would be required as part of this FRP.

VIII. THIRD PARTY IMPLEMENTATION

In accordance with the MS4 permit, an FRP requires identification of the name of any party, other than the permittee, that is responsible for implementing any portion of the FRP.

The controlling interest for each of the above listed stormwater permit sites will need to implement the identified BMP practices to meet their current VTDEC permit requirements. This in turn, will address a component of the TMDL target reductions as described in this FRP. To ensure the compliance of these expired permit sites, the MS4 permittees request that the VTDEC utilize its current residual designation authority (RDA) to enforce these permit requirements. Given the progress made in upgrading these expired permit sites, the MS4 will only request RDA if the agreed upon improvements are not implemented in accordance with agreements and EFA's.

The Town of Williston has come to agreement with the residential properties from the above listed permit sites that upon completion of construction and certification by a Vermont licensed professional engineer that the BMP was constructed as permitted and designed the Town will take on responsibility of the stormwater permit and all responsibilities associated with the permit, such as maintenance and future improvements.

IX. SUMMARY

The Town of Williston and VTrans as the MS4 permittees, have developed the foregoing Flow Restoration Plan for the impaired Allen Brook Watershed under a Memorandum of Understanding. This agreement was developed to provide for the development of a shared plan within the watershed. The resulting Best Management Practices that constitute the Allen Brook FRP are as follows:

- Update of above listed VTDEC expired stormwater discharge permit properties by the individual property controlling interests.

- Town of Williston to implement BMP practices at the following locations
 - Parcel between U.S. Route 2 & Interstate I-89
 - Parcel behind Town Offices

- VTrans to implement BMP practices within the Interstate I-89 corridor at the following locations
 - Williston Welcome Center
 - Five Median Areas

Upon approval by the Secretary, this Flow Restoration Plan shall be part of the permittee's SWMP. The permittee shall estimate and discuss in its annual report any progress towards meeting the flow restoration target from its MS4 in the previous year. The permittee shall base the estimate on quantifiable measures attributable to implementation of its FRP and its overall SWMP. The permittee shall submit to the Secretary the status of completion and implementation of stormwater BMP's identified in the FRP in the SWMP annual report.