

Vermont Sustainability Sub-Committee Meeting Minutes—October 6, 2021

Jacob Policzer calls to order meeting at 1:02 pm.

Attendees

Sub-Committee Members:

- Billy Coster
- Stephanie Smith

Cannabis Control Board:

- Kyle Harris

NACB:

- Jacob Policzer

1 Member of public

Technical Experts

Bruce Douglas

Dana Nagy

Ryan Patch

Cary Giguere

Amy Polaczyk

Minutes recorded by Tom Nolasco.

Jacob Policzer entertains a motion to approve the minutes for the September 27 meeting. Stephanie Smith motions to approve. Billy Coster seconds. All vote in favor of approving.

Notable comment(s):

1. Municipal Water Supply Capacity-estimating 250 farms coming on line

Dana Nagy-Water Supply capacity. Does each respective municipality have capacity?

Bruce-Waste water and Potable water supply (less than 25 people) under his auspices. Need permit.

Billy-Adequate regulations for water but need to know what municipality capacity is.

Steph-Can we see what capacity is right now?

Jacob-Make sense to recommend licensees ensure there's adequate capacity prior to applying or get a permit?

Dana-yes

Cary-1000 sq ft-will not notice.

Billy-Is there a gallon withdrawal threshold?

Dana-depends on municipality

Dana-Wastewater will be more of an issue

Steph-may be part of process already, but will investigate.

2. What does municipality provide for water analysis?

Dana-varies but inorganics, organics, bacteria, copper, heavy metals

3. Water Discharge

- a. Ryan Patch-author of RAP's, must keep records. Min threshold criteria-4 acres etc., soil loft rates, Most of program to prevent discharge of manure/animal waste
- b. Cary-Cannabis won't fall under RAP so need to mirror agronomic practices of RAP
- c. Jacob-Nutrient rich discharges a concern of Ag?
- d. Cary-need additional protocol for input management. Some fall outside of agency
- e. Jacob-how does RAP manage waste from small farm operations?
- f. Ryan-Not really collected and managed under RAP
- g. Bruce-non-sewage waste from indoor would likely trigger EPA regs so need to analyze nutrients
- h. Cary-Encourage facilities not to have direct discharges
- i. Bruce-Indirect discharge/non-point source have specific requirements to ensure properly dispersed
- j. Jacob-most grows using drip irrigation so limits discharge from fields.
- k. Stephanie-if indoor grow has leftover of nutrient mix, where does it go?
- l. Jacob- Indoor cultivation can use fertigation systems that dispense nutrients direct into drains.
- m. Bruce-no one size fits all, need to look at specifics
- n. Amy-direct discharge and pretreatment. Very site specific. Volumes will likely be low. If don't hit federal requirements, then up to municipality to decide
- o. Jacob-most of heavy load discharge would be high salinity and left over non-concentrated fertilizers.
- p. Amy-biggest concerns are sewer use and ability to take phosphorous loading
- q. Bruce-are facilities planning on recycling waste water?
- r. Jacob-up to the grower
- s. Billy-seems like it's all site specific that licenseholders won't nail down at beginning of process but find out later.
- t. Amy-maybe have information days like for brewers
- u. Kyle-ANR has some guidance and we need to all stay in contact to develop regs. Need to make it as easy as we can.
- v. Jacob-Michigan and Colorado have good checklists we could review.
- w. Jacob-water conservation perspective, does VT want to encourage?
- x. Billy-no targeted strategy but preferred
- y. John Beling-agree the need to be mindful
- z. Jacob-if have more farmers, need to address low flow policy?
- aa. Steph-groundwater/surface water diversion come into farming?
- bb. Billy-complex and not sure where it stands
- cc. John-concern if run out of water, then need to put policies in place. Have committee looking at it but fairly early on.
- dd. Ryan-Maybe something this Fall
- ee. Jacob-Title 6-shall educate farmers aspect. Nothing on cannabis cultivation. Is dept looking to develop educational materials?
- ff. Ryan-can share what we have on hemp side and hope CCB creates something.
- gg. Cary-statewide looking at only 10 acres that doesn't trip level for certified small farm
- hh. Jacob-250 cultivators and 100 trying for first time, need to educate

4. Manufacturing process
 - a. Contaminants-Ethanol, hydrocarbons
 - b. John-if wastestream with hazardous materials-state law applies-underground injection program
 - c. Jacob-so treated like any other industrial company and regs in place are adequate
 - d. John-yes
5. Questions
 - a. Steph-164 Section 6,8,12 are related to manure management. Any opinions on how CCB navigates on small scale?
 - i. Ryan-nutrient management section, erosion, surface water in ditches etc apply but some sections don't apply and he doesn't regulate small or backyard grows
 - ii. Cary-He doesn't think most apply because of scale. RAP's weren't meant to address something that small
 - iii. Jacob-that's what trying to figure out with "shall".
 - iv. Steph-should we ask legal to find flexibility and recommend what things apply
 - v. Kyle-small cultivator is defined as 1000 sq ft. Board can make some exceptions for small cultivator but not for environmental reasons
 - vi. Billy-gap in storeowner regs for sediment control.
 - vii. Kyle-will be doing Gap analysis
 - viii. Bruce-dairy processing waste analogy can be adapted for cannabis
 - ix. Jacob-those rules come into play for urban indoor grow
 - x. Kyle-could happen in specific scenarios
 - xi. Jacob-especially micro licenses
 - xii. Jacob-if apply RAPs, does manure waste apply in time periods?
 - xiii. Ryan-apply to specific flood zone
 - xiv. Billy-applicability of storm water regs?
 - xv. John-talk to program manager
6. Public comments-are there competitive disadvantages with federal legalization
 - a. Jacob-ensure cultivators have place in future market, building brands, etc.
 - i. Depends on taxes/fees
 - b. Steph-in hemp, heard complaints of operating under pilot program and limits market

Billy has air quality people lined up for next meeting.

Adjourned 2:23

Next Sustainability Subcommittee meeting is Thursday, October 14th.