

Northern Lake Champlain Basin Water Quality Council Regular Meeting, July 20, 2022 10 a.m. (Online) **APPROVED** Minutes

See meeting recording & meeting materials at:

<https://www.ccrpcvt.org/northern-lake-champlain-basin-water-quality-council/>

1) Introductions, Changes to the Agenda and Public comment on items not on the agenda

The meeting was called to order at 10:02 a.m. by Chair Ken Mirvis. A quorum of 9 seats out of 9 were represented as noted in Bold.

(# seats)	Members Present	Alternates Present
Watershed Protection Organizations (2)	Kent Henderson, Friends of Northern Lake Champlain	<i>Don McFeeters, Friends of Northern Lake Champlain</i>
		Roger Crouse, Lake Iroquois Association
NRCDs (2)	Remy Crettol, Winooski NRCD	
	Molly Varner, Grand Isle NRCD, VICE-CHAIR	
Municipalities (2)	Ken Mirvis, Grand Isle, CHAIR	<i>Tom Briselden, North Hero</i>
	Dave Wheeler, South Burlington	<i>Dave Allerton, Milton</i>
RPCs (2)	Dean Pierce, Northwest RPC	
	Karen Adams, Chittenden County RPC	
Land Conservation Organizations (1)	Emily Alger, South Hero Land Trust	<i>Tucker Malone, Vermont Land Trust</i>
Clean Water Service Provider Staff		Secondary CWSP Staff
	<i>Charlie Baker, Director Dan Albrecht, Manager</i>	<i>Chris Dubin</i>
Guests		
	<i>Dea Devlin, Northwest RPC</i>	<i>Kate Kelly, Lewis Creek Association</i>
	<i>DEC: Staci Pomeroy</i>	<i>Jared Carpenter, Lake Champlain Committee</i>
	<i>Kerri Garvey, Watershed Consulting Associates</i>	<i>Ben Machin, Redstart Consulting</i>
	<i>Tyler Knapp, Knapp Environmental Solutions</i>	<i>Jessica Louisos, SLR</i>
	<i>Patrick Hurley, Windenwater</i>	<i>Joe Bartlett, Fitzgerald Environmental</i>

On a motion by Crettol, with a second by Varner, the draft agenda was approved unanimously. No public comment was made on items not on the agenda.

2) Review and approval of Minutes for Meeting of May 18, 2022

On a motion by Varner, with a second by Henderson, the draft minutes of May 18, 2022, were approved unanimously, with the following edit on page 3

Bates noted that stream projects would be identified in the Tactical Basin Plan. ~~and that for now projects on the stormwater impaired streams are not highlighted in the TBP due to the focus on getting stormwater under control first~~ Flood mitigation projects included in municipal hazard mitigation plans are not always included in the WPD because the main purpose of the project is infrastructure protection rather than supporting the river's movement towards equilibrium.

3) Update on results of CCRPC RFQ for Water Quality Project Subcontractors

Albrecht reported that 9 nine firms had responded to the RFQ and 8 were selected. Representatives of 6 of the firms were present introduced themselves and talked about some of their capabilities. [Note: See attendance list above. Representatives from Stone Environmental and Fluid State Consulting were unable to attend.]

4) Update on CCRPC RFQ for Project Manager/Implementor Subgrantees

Albrecht reported that on July 18th the CCRPC issued an RFQ targeted towards Municipalities & Organizations to serve as Project Managers/Implementors for water quality projects. Applications are due no later than August 31, 2022, but will be accepted early and evaluated on a rolling basis.

5) Incorporation of analysis of co-benefits when scoring a water quality project application

- a) UVM study: Assessing Phosphorus Reduction Co-Benefits of Watershed Restoration Projects
- b) Memphremagog BWQC Co-benefit scoring example
- c) Draft Basin 5 co-benefit scoring options, 1st review

Albrecht asked for comments from members on the UVM study. Mirvis, Pierce, Wheeler and Henderson described it as “excellent... helpful...provides a solid foundation...interesting...comprehensive.” Mirvis added that it is central to why the Council exists in that the Council can tweak and vote on a project’s co-benefit scoring.

Albrecht compared the two co-benefit scoring models. The Memphremagog example attempts to include all the metrics used noted in the UVM study. Pierce noted the main question is how co-benefits scoring fits within the larger project prioritization effort. He also noted that in his mind, applicants should provide their own information as to how they think their projects scores on co-benefits and then CWSP staff can review them. His bias is towards using a simple co-benefit rubric to start and only use a more complex one when it really matters, i.e., there is not enough funding to go around.

The Draft Basin 5 example was prepared by Albrecht and uses only those metrics specifically mentioned in the rule. Wheeler liked the format and tying into existing documents like Hazard Mitigation Plans makes sense. Regarding public involvement, the ribbon cutting seems not too strong, he likes the idea of demonstrated partnership with a school group or a workshop as noted in the UVM document. Regarding the 4th metric, too many items are lumped together. It should have opportunity to get points for many different items. Aquatic organism passage is really key to me. For example, until we restore AOP we are not going to see fish upstream of certain culverts. Regarding open space, I think that should get more points in urban areas where it is needed more than in a rural area. Also, points for groundwater recharge should be added as a priority. Also, the UVM document noted food production., e.g. using captured stormwater for agricultural use. Also, there should be a separate line for any bike pedestrian connectivity or creates a community gathering space. He described two examples from his work in South Burlington. Involving Native groups is important and perhaps instead of giving money to land trust and European-descent-origin groups the land should be given back to Natives. Albrecht noted that each CWSP region wants the flexibility to weight each criterion differently, e.g. different scores in an urban context vs. one in a rural context.

Alger agreed with Wheeler’s point about Native populations. additionally with regards to environmental justice that could be weighted more heavily. is there a way we can ask BIPOC populations to weigh in on our scoring system.? Are our EJ efforts meeting those communities’ needs? Albrecht indicated he could send the metric to some EJ constituencies and could ask Council members to do the same.

Mirvis noted that we could change the metric to have suggested maximums instead, so it is a Council exercise not a numeric exercise.

Pierce reiterated we need clarity on how co-benefit scoring fits within overall prioritization. He added that the more elements/criteria we add the less impact any one single criterion has. Based upon what he is hearing today, maybe we need to add Environmental Justice to Albrecht’s minimalist model. Albrecht noted that our primary responsibility as a CWSP is phosphorus reduction. In last few years the unwritten but much discussed “agreement” is that a projects P-reduction benefits is 80% of its overall score while co-benefits should only be 20%. Pierce noted it may be best to be less specific and just keep broad categories of co-benefits rather than detailing all hypothetical benefits. Alger noted we may just want to lay out a large list of co-benefits but not assign values and keep flexibility. Wheeler added he does not want to create a system where two projects might be weighted equally even though one project only addresses one co-benefit while another provides many co-

benefits. P-reduction must remain the focus and if two projects score equally on p-reduction than the one with more co-benefits would win out. Albrecht ruminated on whether the cost of an interpretive panel for a gravel wetland (or other co-benefits) should be covered by the grant. Kelly noted that for her ecosystem services are really important to her. It seems to be missing wildlife connectivity/habitat and that should be fleshed out more. She also thinks non-human benefits should be weighted more heavily than human benefits. Also, to her, benefits for a project that helps to meet a permit does not make sense given that our priority is non-regulatory projects. Albrecht agreed but a permit held by a municipality benefits the larger public whereas a 3-acre permit held by a private party only benefits that party. Albrecht indicated he would come up with a 2nd version to incorporate the feedback he has heard today.

6) Additional updates as needed from CWSP staff, DEC, BWQC Members and Guests

Albrecht noted we will get subgrantees qualified. We anticipate getting our Water Quality Formula Restoration grant in the coming weeks. He will also start working on a project prioritization process and how we want to do a call for proposals so some work can get done this fall. He noted that project prioritization is a key part of what a Council does but we need to get a handle on which projects are ripe for consideration and we have not seen our Formula grant yet so don't know what processes we have to follow. Potentially, we could just push out a portion of our funds this fall, for example, design only projects.

Albrecht noted that with start of a new fiscal year we and others can no longer compensate Alternates unless they are filling for their designated member. Adams noted she will check back in with Town of Colchester to see if they want to be compensated for her time. Tucker Malone introduced himself, he is new in Franklin County and new with VLT and comes from having worked for NRCS.

7) Items for draft agenda for meeting of August 17th

- a) potential final action on Council policies & procedures, conflict of interest policy, public participation policy
- b) discussion on how BWQC can prioritize projects
- c) discussion and/or action process on how projects apply for funds & how BWQC scores co-benefits

8) Adjournment

On a motion by Pierce, seconded by Henderson a motion to adjourn at 11:09 a.m. was passed unanimously.