

Northern Lake Champlain Basin Water Quality Council Regular Meeting, November 16, 2022 10 a.m. (Online) 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>
	Andreas Morgante, Lewis Creek Association	<i>Roger Crouse, Lake Iroquois Association</i>
NRCDs (2)	Remy Crettol, Winooski NRCD	
	Molly Varner, Grand Isle NRCD, VICE-CHAIR	
Municipalities (2)	Ken Mirvis, Grand Isle, CHAIR	
	Dave Wheeler, South Burlington	
RPCs (2)	Dean Pierce, Northwest RPC	
	Karen Adams, Chittenden County RPC	
Land Conservation Organizations (1)	Emily Alger, South Hero Land Trust	
Primary Clean Water Service Provider Staff		Secondary CWSP Staff
<i>Dan Albrecht, Manager</i>		<i>Chris Dubin</i>
Guests		
<i>None in attendance.</i>		

By unanimous consent, *the draft agenda was approved unanimously*. No public comments were made on items not on the agenda.

2) Review and approval of Minutes for Meeting of October 19, 2022

After a brief recap by Albrecht, on a motion by Wheeler, with a second by Alger, the 10/19/2022 draft minutes were approved unanimously.

3) Review and comment on planned pre-application solicitation & response form

Albrecht walked through a rough draft of the proposed form. He is not looking for edits as some BWQC members may be responding to the application and it would be inappropriate to modify the form based upon their input. Categories of information that will be solicited include Applicant Information, Eligibility Screening, Watershed Projects Database #, Project Description, Estimated annual average total phosphorus load reduction (kg/yr), Funds requested and match provided, Co-benefits and Other Considerations.

Comments made by members included the following: the language about including Other Considerations is not as a prescriptive as it sounds...it is just an option, some of the project Standard Operating Procedures and p-reduction estimates mechanisms are up in the air such as for wetlands restoration, doing this form may be somewhat duplicative of the eventual application,

Dan reminded potential applicants that when they start down the process of putting together an application they will need to demonstrate that the engineers were procure competitively (i.e. you will need to send the solicitation to at least three firms). He hopes to get the draft forms out to all prequalified orgs by November 28th so groups can bring their pre-applications for consideration at our December meeting so we can have a good dialogue about the relative readiness of a project. There won't be a vote.

Members indicated that they were in favor of eventually phasing out this Pre-Application process once a project scoring mechanism is finalized but to keep a Pre-Application process could still be an option for

applicants so they can get more feedback. The eventual goal would be to have Dan do the pre-screening so that the workload of the BWQC is reviewing applications.

4) Set preliminary relative weighting of Phosphorus Reduction Benefits vs. Co-Benefits/Other Considerations

Albrecht noted that all the CWSPs are struggling with this issue. A few years ago there seemed to be a consensus that a project's phosphorus reduction score should constitute 80% of overall scoring. However, now that CWSPs have received their Formula Grant awards and seen the requirements there in there is some thinking that given that P-reduction is the main metric that counts, that maybe that number should be 85% or 90% or even 95%. Albrecht indicated that he is in favor of an 85%-15% split.

Wheeler supported 85-15. Pierce is in the neighborhood of 80-85 vs 15-20. He also thinks the BWQC may want to consider this is a preliminary weighting. Wheeler thought it would be good to do a dry run of scoring for discussion. Varner thought it would be good to test it out on an existing or prior project. Pierce noted that the initial scoring of both P-reduction and Co-benefits is done by staff in the end, the BWQC is allowed to adjust a project's co-benefits score. For example, if Dan says the co-benefit score is 10 points out of 15 points the BWQC can change that to 0 out of 15 or 15 of 15. However, if a project scores 85 out of 85 points, that number is inviolate as that number is supposed to be objective and scientific whereas co-benefits are somewhat subjective.

Mirvis pointed out that he and others are a bit uncomfortable locking in a process. Albrecht noted that the CWSPs are in agreement that there should be a threshold of at least 80 out of 100 points scored on the basis of P-reduction. Crettol noted he was originally thinking of 80-20 but can support 85-15. Varner, Mirvis and Henderson said they supported a range of 80-85 to 15-20. Henderson endorsed Varner's ideas of doing some practice scoring runs. Varner indicated eventually she wants to land on a final number between 80-85. Albrecht noted that he is still trying to figure out how to come up with a p-reduction scoring rubric and what makes a project scores 85 out of 85 points for example. He also noted that some projects may be very efficient but have a high administrative burden.

Pierce moved that that the preliminary weighting of co benefits be between 15 and 20 percent, with the final number determined upon the adoption of the project scoring rubric used by staff to prepare a preliminary prioritized list of projects. *Henderson made a friendly amendment which was accepted by Pierce to have the motion read the preliminary weighting of co benefits be between 5 percent and 20 percent, with the final number determined upon the adoption of the project scoring rubric used by staff to prepare a preliminary prioritized list of projects whereupon the motion was seconded by Henderson. The motion was approved on a vote of 8 to 1 with a Nay by Wheeler.*

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

For the record we need a replacement from Chittenden County to be the new Alternate for Wheeler. Wheeler indicates he has some new staff who could fill in but deferred to Albrecht reaching out to Nicholas Prussock who is the Town Engineer for the Town of Milton.

6) Move date of December meeting to earlier in the month and determine agenda items

By unanimous consent, the December meeting was moved to December 14th at 10 a.m. Agenda items will include pre-application reviews. Please contact the chair if you have additional items for the agenda.

7) Adjournment

On a motion by Pierce, seconded by Wheeler, a motion to adjourn at 11:04 a.m. was passed unanimously.