

## Northern Lake Champlain Basin Water Quality Council Regular Meeting, April 20, 2023 10 a.m. (Hybrid) Minutes

See 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 10:01 a.m. by Vice-Chair Molly Varner. A quorum of 7 seats out of 9 were represented as noted in Bold. All attendees attended virtually except where noted.*

(# seats)	Members Present	Alternates Present
<b>Watershed Protection Organizations (2)</b>	<b>Kent Henderson, Friends of Northern Lake Champlain</b>	<i>Don McFeeters, FNLC</i>
	<b>Andrea Morgante, Lewis Creek Association</b>	
<b>NRCDs (2)</b>		
	<b>Molly Varner, Grand Isle NRCD, CHAIR</b>	
<b>Municipalities (2)</b>	<b>Tom Briselden, North Hero, VICE-CHAIR</b>	<i>Ken Mirvis, Grand Isle</i>
	<b>Dave Wheeler, South Burlington</b>	<i>Lisa Schaeffler, Milton</i>
<b>RPCs (2)</b>	<b>Dean Pierce, Northwest RPC</b>	
<b>Land Conservation Organizations (1)</b>	<b>Emily Alger, South Hero Land Trust</b>	
<b>Primary Clean Water Service Provider Staff</b>		<b>Secondary CWSP Staff</b>
	<i>Dan Albrecht, Manager (at CCRPC offices)</i>	
<b>Guests</b>		
	<i>Nick Warner, Winooski Valley Parks District</i>	<i>Cathy Ainsworth, Town of Fairfield</i>
	<i>Tyler Knapp, Knapp Environmental</i>	<i>Casey Spencer, Winooski NRCD</i>

The draft agenda was adopted by unanimous consent. No public comments were made on non-agenda items.

**2) Review and approval of Minutes for Meeting of March 15, 2023**

*After a brief recap by Albrecht, on a motion by Pierce, with a second by Wheeler, the 1/18/2023 draft minutes were approved unanimously with a correction to the date to read March 15 not May 15.*

**3) Presentation & discussion on pre-applications received for 5/10/23 subgrant round**

Albrecht noted that the current call for proposals ends May 10<sup>th</sup> and does require submission of a pre-proposal. Three pre-proposals were received by the April 17<sup>th</sup> deadline. That requirement may change in future rounds.

Development, Savage Point Road, Isle LaMotte (Friends of Northern Lake Champlain)

Tom Briselden briefed the committee on the project. Savage Point Road is a private road with 33 homes. There is approximately 1,313 meters of drainage with segmented drainage ditches along the west (lakeside) of the road and wetland/ditch drainage along the east (non-lakeside) of the road. All the drainage leads to one culvert which then discharges directly into Pelots Bay. He displayed several photos and shared field data he collected on site. He thinks it contributes 5-15 kg of phosphorus. He shared a rough budget of \$50k in overall grant needed funds plus another \$8,700 in match. The lion's share would be for consultant services: \$2,500 for project i.d., \$10,000 for Design, \$2,500 for Construction Management and \$25,000 for construction. Albrecht provided some quick feedback and encouraged him to get a firm consultant competitively sourced so that can be included in your request and check in with Karen Bates about eligibility of certain practices given that it is a private road.

Morgante expressed her support for his commonsense approach. Pierce indicated that he is familiar with the project and has talked to Karen Bates about it. The project bridges the gap between assessment and development. He urged clarity in procurement, so it is clear how many projects they are identifying, how many designing, what projects are eligible. Henderson asked how many hours Tom has already put into working on this concept. He noted that his Board is always asking him if FNLC is being compensated for this investigatory work. Tom said he has put in 8 hours of both field time and putting together the pre-application. Albrecht said he can procure consultants before or after the grant application is due but beforehand is best as it firms up the actual grant request. As far as Henderson's question, Albrecht noted he can't cover pre-application costs. Pierce asked Briselden if he was looking to treat along the entire length? Briselden indicated, no, he is looking to have treatment concentrated at the culvert outfall immediately prior to the lake. He has identified a second location for filtration.

#### Preliminary Design, Colchester Pond, Colchester (Winooski Valley Parks District)

Nick Warner indicated he wants to apply for funds for Stormwater preliminary design work at the parking area and access road of Colchester Pond Natural Area. It is one of our most heavily used parks. The Town owns Colchester Pond Road and we own the access road and we know we need to coordinate with the town. The Pond is a backup water supply for the town. It is quite clean with very few invasives. The park is about 620 acres in size. Also, Pond Brook begins at the dam and is an impaired stream that goes through several neighborhoods. The water quality concern at hand is due to erosion that is occurring where the access road intersects Pond Brook Road and the area of the dam. One challenge is that it is archeologically sensitive. We recognize we will need to hire a professional to determine what kind of water quality work can be done there, time to work with the archeological issues and time to work with the time. Albrecht recommended that he only ask for Project Development funds at this time as there are lots of questions to get answered first before you are ready for design. He also recommended early consultations with VDHP. Warner noted they probably can identify numerous water quality projects across their system of properties. This particular project was recommended by their on-site caretaker, Remy Crettol. Lastly, Albrecht noted that WVPD would need to also submit a prequalification form with their application. In response to Briselden, Warner said it we are basically asking for funds for scoping /assessment.

#### Project Identification: Mill River, Stonebridge Brook, Mallets Creek, Allen Brook (CCRPC)

Albrecht stated as a CWSP we need more projects in the pipeline. He described how he checked in with DEC staff about prior stream geomorphic work and also checked in with GINRCD, FNLC, FCNRC to see if they were planning any work in the streams and also which areas might be problematic for projects due to presence in an MS4 town. He then issued an RFP to their 8 consultants to get proposals to both confirm projects previously identified as well as find new ones for work in the stream corridor, mostly stream/floodplain restoration projects as well as related projects like easements or streambank plantings. He walked through the elements of the RFP. If the Council were to approve the project and it was carried out, it would result in the identification and preliminary scoping of at least 20 projects which could then be carried out to the next phase either by CCRPC as CWSP or hopefully to a local project manager like a town or an NRCD or watershed group.

Albrecht noted that all three projects discussed today were in the realm of project identification. DEC assumes some of our budget (roughly 7%, although more can be spent) would be spent on work prior to Prelim. Design, Final Design and Construction. Since he is the applicant, he won't score the proposal. In response to Pierce, he noted that in the case of identification/assessment/development work there is no formal point scoring system. In the call for applications, the only rubric noted is "*likelihood of success in generating/developing non-regulatory water quality improvement projects.*" Pierce noted that we as a Council need to come up with a process for dealing with proposals from the CWSP itself. Albrecht agreed, noting that at the last Council meeting the idea was raised to have a subcommittee of BWQC members (whose projects were not under consideration) discuss the proposals ahead of time. He asked if it was okay if he prepared a recommendation regarding the FNLC and WVPD proposal and for his project he will submit a separate memo saying here is the project, here are

the proposed costs and that it is the Council's call whether to fund or not so that Varner, Bates and others can do a little homework before the meeting. In response to Briselden, he noted that DEC assumes that some money (roughly 7%) in a CWSP budget will be spent on i.d./assessment/development. There is no formal limit. Morgante asked what the capacity of consultants is to do project development. What happens if we spend too much on these types of tasks? This is something we as a Council should think about. Albrecht noted that these are good questions and we need to keep an eye on this as we start funding projects and yes, we are tracking these. For example, we have \$550k to spend and we already allocated about \$70k and they look like good p-reduction projects.

#### **4) Updates on upcoming trainings/seminars/related meetings**

Albrecht noted the prior wetlands training he noted in last month's meeting. The next FFI training is coming up in late May (editor's note: May 24<sup>th</sup>). Keep an eye for invites from Staci Pomeroy. May 5<sup>th</sup> is the deadline for proposals to Addison County RPC for Project Development proposals, i.e. all the work before Preliminary Design.

#### **5) Updates from staff, members and guests**

Albrecht stated he plans to issue a 3<sup>rd</sup> call with a deadline of late June or early July. He will work with the chairs to set a deadline date. He asked if we should still require pre-applications. Do we want to keep requiring either a presentation to Council or a conversation with me. Warner and Briselden noted that they both thought it was valuable as did Alger. Henderson noted it would have been better to get them with more lead time prior to the meeting. Morgante felt the conversation was very good. The effort of the pre-application could be shortened a bit so that it is presented to the council, i.e. it almost resembles the application. Albrecht indicated he can simply the form further. The reason I ask is that it does make a lot of work for you but on the other hand it has been great to see the Council and all of us working so well together, asking questions, etc. Pierce noted that we discussed 3 projects for explanatory work. He would favor finding a way to give money in categorical blocks. He does not want to give the CWSP a blank check but it should be simple for the CWSP or partners to access those funds so they can do some of the preliminary work to bring projects forward for formal consideration for funding of later phases.

Varner noted it would be good to circle back to the voting process question (individual vs. slate, conflict-of-interest, etc.). We don't have to do it at this meeting but perhaps at the beginning of next. Albrecht indicated he would work with the chair on a memo. In response to Briselden, yes, Ken Mirvis would fill in for him to vote on the FNLC proposal. All the Council will vote on the CCRPC proposal.

Spencer indicated that Adelaide Dumm's baby is expected in mid-June. Her last day is about June 4<sup>th</sup>.

Our next meeting is May 20<sup>th</sup>.

#### **6) Adjournment: *On a motion by Morgante with a second by Pierce, a motion to adjourn the meeting was approved unanimously at 11:31 a.m.***