

Northern Lake Champlain Basin Water Quality Council Regular Meeting, November 16, 2023 10 a.m. (Virtual) **APPROVED** 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 Chair Molly Varner. A quorum of 9 seats out of 9 were represented as noted in Bold. The meeting was held virtually via Zoom.

(# 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>
	Andrea Morgante, Lewis Creek Association	
NRCDS (2)	Adelaide Dumm, Winooski NRC	
	Molly Varner, Grand Isle NRC, CHAIR	
Municipalities (2)	Tom Briselden, North Hero, VICE-CHAIR	<i>Ken Mirvis – Grand Isle</i>
	Dave Wheeler – South Burlington	<i>Lisa Schaeffler, Milton</i>
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>Adam Frazier – UVM, project applicant</i>		<i>Karen Bates - DEC</i>
<i>Bridget Butler – FNLC Executive Director</i>		<i>July Medina-Trina – St. Albans Town, Stormwater Coordinator</i>

2) **Introductions, Changes to & Approval of Draft Agenda, Public comment on items not on the agenda**

Ms. Butler and Ms. Medina-Trina introduced themselves and Albrecht introduced members, staff and other attendees. Albrecht walked through the agenda. The agenda was approved as drafted and there were no public comments.

3) **Review and approval of Minutes for Meeting of September 21, 2023**

After a brief recap by Albrecht, on a motion by D. Pierce with a second by L. Schaeffler the 9/21/2023 draft minutes were approved unanimously with no abstentions.

4) **Project Application: UVM Horticultural Farm, Floodplain Restoration, Construction**

Adam Frazier from UVM gave a recap of this application which seeks to re-establish the floodplain by removing a dam, installing a new box culvert, dredging out material, and installing floodplain stabilization controls. Adam showed some maps and images of what it looked like before the breach. Tree harvesting can happen on site to meet roughness plans. They have all the necessary permits as the application suggests. Dan asked – what did the Dam Safety people say about the project. Adam – re-establishing the connection is important. Kent Henderson – where is this stormwater/drainage coming from? Are there other land uses other than ag that are contributing to this? Adam – there is about 240 acre drainage area, and two discharges into this area. Right now SB and UVM is seeking to build a retention facility to serve a lot of the 240 acres. Kent – We are addressing water from a lot more than the Hort farm. Adelaide – we have two WQ monitoring sites on this farm. Do you have pre and post monitoring in your restoration plans? Adam – I don't think so. It wasn't considered a permit condition. But we could! Adelaide- do you have sediment control? Adam – The plans do have a de-watering and control of flow plan. Adelaide – we may have volunteers to help with tree planting. A. Morgante – Could be a good learning experience for relevant students/classes. It's a great place to demonstrate what floodplain

restoration is all about. From a procedural perspective – we need to be sure the check box for rare threatened endangered species is OK. D. Pierce – nothing like this project is contained in the SB PCP or FRP? Dave – correct, not required by permit. Dave Wheeler explained some planned SW improvements on 3 acre sites in the neighborhoods outside of the Farm. None of these sites are benefiting from this floodplain restoration.

Dan walked through his memo/recommendation supporting the funding of this project based on the true floodplain restoration costs. The P reduction is 3.6 kg/yr. Dan walked through the rest of the scoring and how this project compares to others in both cost and preparedness. D. Pierce – working up docs with UVM can be complication. They would have to sign an O and M doc. There is an incentive to fund this, but do you have anything explicit that says UVM were to turn over all the P credits even though we only fund part of them. Adam F – from UVM perspective – we don't have any interest in getting credit so the CWSP can have it. Pierce – we need an indication of landowner agreement – where does this stand? Dan A – we would not award funding unless it was consistent with all the CWSP policies. Andrea M – Is there going to be so much staff time to work out these details on the CSWPs part that it's not worth it? Dan – we should be fine – other projects are smaller in terms of efforts, and we have \$90k in administrative funding. Dean P – if you think it's not going to be an administrative burden, I won't question it. While cost effectiveness is not necessarily amazing – lets get a project going that is shovel ready and has many co-benefits. Adam – if it does get approved, the grants dept can develop further agreements/commitments. Kent H. – as a participant who had a grant that was rescinded, I am ready to vote for this project but will be curious how we navigate a drainage area that has permits. Because of this – it is an important project from a precedence perspective. Tom B – Do you feel that when we start this project there will be a re-accounting of this project in terms of phosphorus reduction? Adam F – I would have to look into the consultant's work again. Dan A – I feel confidence in that number developed by Evan Fitzgerald as he is well versed in the methodology.

Wheeler made a motion to support this project with a contribution of \$54,000 as per the staff recommendation with a second by Briselden. D Pierce – I would generally not support a project that we could just pay 1 dollar and claim all the credit, however I am fine with this vote. Motion carries unanimously, 9-0

5) CWSP Outreach & Communications Policy, consider approval

Dean – motion to approve policy but give it another name? Dan – I got the name from our grant reporting documents. Dan walked through this policy. Andrea M – I would agree that this is good for sending out public notice, but we need more work on better outreach materials. Tom B – Is there a rule that we can only promote to eligible entities? Could we promote to non-eligible entities with the caveat they would have to work with another entity. Dean P – can you confirm the status of this policy that I thought had already been adopted? Dan – they are different docs, the other one is related to Public Participation. Dean P – when this latest policy came up I questioned the need for it. But if Dan feels its necessary, then I will support it. Dan A – the genesis comes from the grant agreement.

Morgante made a motion to adopt the proposed policy with the addition of language referencing the Applications Process, with a second by Varner. Motion carries unanimously, 9-0

6) Updates from staff, members, DEC and guests (INFORMATION)

Based upon posts on Facebook, Dan noted that NRPC is getting great buy-in from landowners for sites visits to private roads.

Dan noted that the Falls River project had to re-bid for a different archeologist firm (as the first one selected lacked needed insurance). The revised extra cost does not require Council approval.

Kent Henderson – For the Mill River Southeast Project, they may find some cost savings for site visits for historic preservation/archaeology.

Dan noted that NWRPC asked for a budget increase to accommodate increased consultant costs and since it is below the threshold of 10%, he will sign off on it.

7) **Affirm schedule of upcoming meetings and project solicitations**

- Dan – no meeting in December.
- Will meet Jan 18th.
- The CWSP will move to a Rolling applications format with proposals required to be received at least two weeks prior to a BWQC meeting.
- They will no longer require pre-proposals but will encourage them.

8) **Adjournment:**

Molly Varner ended the meeting at 11:30.

Respectfully submitted by Chris Dubin and Dan Albrecht.