

Northern Lake Champlain Basin Water Quality Council Regular Meeting, February 15, 2024, 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 & Public comment on items not on the agenda**

The meeting was called to order at 10:01 a.m. by Vice Chair Tom Briselden. As a point of information, it was affirmed that Rebecca Roman of VLT was now the Primary Member for the Land Conservation seat with Emily Alger moving into the Alternate role and that Brett McCreary is replacing Karen Adams in the Chittenden County RPC seat. A quorum of 8 seats out of 9 were represented as noted in Bold. The meeting was held virtually via Zoom. Attendees were introduced by Albrecht. *A motion to approve the agenda as drafted was made by Don McFeeters, was seconded by Brett McCreary and was approved unanimously.* There were no comments by the public on items not on the agenda.

(# seats)	Members Present	Alternates Present
Watershed Protection Organizations (2)		<<<<Don McFeeters, Friends of Northern Lake Champlain
NRCDs (2)	Molly Varner, Grand Isle NRCD, CHAIR Adelaide Dumm, Winooski NRCD	
Municipalities (2)	Tom Briselden, North Hero, VICE-CHAIR Dave Wheeler, South Burlington	<i>Lisa Schaeffler – Milton</i>
RPCs (2)	Brett McCreary – Chittenden County RPC Dean Pierce, Northwest RPC	
Land Conservation Organizations (1)	Rebecca Roman – Vermont Land Trust	<i>Emily Alger – South Hero Land Trust</i>
Primary Clean Water Service Provider Staff		Secondary CWSP Staff
<i>Dan Albrecht, Manager</i>		<i>Chris Dubin</i>
Guests		
<i>Shane Jaquith - TNC</i>		<i>Stacy Pomeroy - DEC</i>
<i>Shayne Geiger - Shelburne</i>		<i>Caroline Foley – FNLC</i>
<i>Adam Fraizer - UVM</i>		<i>Lisa Cicchetti - Williston</i>

1) **Review and Approval of Minutes for Meeting of January 18, 2024 (ACTION)**

Dan recapped the minutes of Jan 18th meeting. Lisa Schaeffler made a motion to approve the Jan 18th minutes, and it was seconded by Rebecca Roman. The motion passed unanimously.

2) **Grant expenditures and p-reduction cost-efficiency average: current and projected based upon portfolio of projects and overall 5-year p-reduction target (Information, see attached)**

Chris and Dan walked through a table that shows current and projected project expenditures and phosphorus reductions. Committed projects (3 design projects and 1 construction project) have an average efficiency of about \$8,000 per kg/yr assuming that construction costs and phosphorus reduction achieved come in as projected. That being the, the remaining phosphorus reduction can be much higher, at a rate of about \$43,000 per kg in order to meet the 41.9 kg/yr. We expect these numbers to change slightly due to increase and/or unforeseen costs associated with committed projects. On the flip side, however, we are already one year behind in terms of physically constructing projects. The overall 5-year target is that by the end of 2027, we need to have constructed projects achieving a total of about 210-220 kg. per year in phosphorus reduction.

3) Set p-reduction threshold efficiency for proposal consideration (ACTION)

DEC has requested CWSPs to set a threshold above which a proposal would not be considered and direct applicants to apply for an Enhancement Grant instead. Staff suggests \$50,000/kg for consideration.

- Don Mcfeeters – I’m not sure why we need to set a boundary or upper level. If it goes through the scoring process, it should define what projects are eligible.
- Dan ran through the scoring process.
- Tom Briselden – do we have a metric on “speed to implementation.”
- Dan – Yes, kind of, built into the scoring of the Other Considerations metric. For example, a Construction proposal gets 8 out of 10 points.
- Tom – we should weigh projects that may be more shovel ready, even if it’s not that efficient.
- Adam Frazier (via chat) - I apologize if I’m not following correctly, but I think I was, I believe the application i had submitted had about 23.5k per kilo and the efficiency conversation dictated the reduction to 15k per? I would have to review notes for exact. My question is, that If the board is considering raising the efficiency limit, could the UVM award be increased to the original applied for amount? (I wouldn't be doing my job if i didn't ask. Thanks.)
- Tom B – we sort of have this in our formula
- Dan A – yes – we do.
- Dean Pierce – I don’t think the prioritization system should impact the concept of a true threshold. In my two basins, the councils were not in a rush to come up with a threshold. The numbers may be based on old data and costs likely have increased. I’m not sure we should do this at all.
- Dan – part of my rationale is I don’t want to be in a situation where the exec committee would overrule the council should the council choose to fund a very cost-inefficient project.
- Tom B – in the position of CWSP managers – we are in a position to sway people towards enhancement grants. There are plenty of checkpoints.
- Dan – \$50,000 is rather generous. It would be a good idea to set a clear boundary. Or we say any project over this number has to have a pre-application meeting before going to the council.
- Tom – I am not seeing strong sentiment for doing this and the prioritization matrix seems like its doing its job.
- Rebecca – is the concern that the threshold is too high? Why would raising the threshold be not good?
- Dan – it would make more projects more tenable if we adjusted the scoring metric in light of the increased flexibility that we have.
- Dave Wheeler – I support putting a limit on cost. Our role is to fund cost-effective projects. I would rather not meet our targets but do it efficiently and use the leftover money in other cost effective programs.
- Don Mcfeeters – I support setting the upper limit.
- Tom B – now we are going to be voting on projects that could be much higher.
- Dean – This is a system based on assuming that costs won’t increase, but they likely will (think ARA). The CWSPs have the ultimate authority to simply say a project costs too much. Maybe we need to see if the BWQC wants to endorse the CWSPs decision. I’m not sure the prioritization needs to change – because all it does is rank projects, it’s not a yes/no for funding. DEC should never have asked the BWQCs to do this.
- MOTION made by Dave Wheeler – should we just vote on the 50,000 per kg threshold.
- Rebecca – I would like the motion to say that we can revisit this.
- Dan A – we could theoretically change these thresholds down the road.
- MOTION made by Dave Wheeler with a second by Rebecca Roman motion to set a limit of \$50,000 /kg threshold but may readjust as needed in the future. Discussion ensued.
- Dean - Is this only going to affect later stage projects?
- Dan – this will affect projects at any phase
- Dean – I am currently dealing with a project that there are so many unknowns on both cost AND P reduction calculation

- Tom B – I think we are doing a great job as is.
- Don – I am struggling with moving ahead with this.
- Brett M – I am in support of this limit.
- Molly V – I would prefer to abstain from this vote as I missed most of this conversation
- Rebecca – this cost of things is going up. Is that a factor that we should consider?
- Dan A – DEC could increase their grants. The hard part is few CWSPs have actually completed projects and have concrete numbers.
- Dean – in the analysis – was there any thought about set aside for O & M
- Dan A – no because we were going to get a second pot of funds
- Dean – I heard the opposite – and that it will come out of Formula funds.
- Dan A – regardless – I don't think the costs for O & M will be pricey
- Caroline – are grantees being directed to include ARAs into their projected costs?
- Dan – not currently, but it will be part of it in the future.
- Caroline – we haven't seen any projects come back with just an ARA, they have all had a phase 1, which could easily be an additional \$10,000.
- Don Mcfeeters – is this going to be put in place to make this process easier/more efficient?
- Dan A – yes, and its providing clear guidance to applicants.
- Dean – it may not be a bad idea, but the time may not be now. If the falls gully trail project didn't exist we wouldn't be having this conversation.
- All in favor – Rebecca Roman, Brett McCreary, David Wheeler
- All opposed – Dean Pierce, Don McFeeters, Tom Briselden
- Abstained – Molly Varner
- Not present – Adelaide Dumm

Motion falls 3-3.

Dan A – I will talk with DEC and if I have the authority to do this, I will set it myself at \$50,000 k.g.

4) Consider adjusting P-Reduction Scoring Matrix for Proposal Review

- Dan - With more efficient projects, we can increase our p reduction threshold. The co-benefits are under the purview of the Council. That being said, he would like to get concurrence from the council on tweaks to the scoring rubric.
- This proposed rubric would allow for less efficient projects still scoring better.
- Dan – I am asking if the scoring rubric should be changed to reflect our current portfolio.
- Tom B – it would be good to see the three hypothetical projects in this sheet
- Dan – if this is something we want to tinker with more, I suggest Tom B and a few others work outside of this meeting and try and get updated cost ranges in advance of the March meeting.
- Molly, Tom, and Rebecca volunteered to help out. Dan will work with them to try and get the rubric adjusted prior to the March meeting so it can be used on any projects then under consideration.

5) Potential Applications

- Wolcott Natural Area, Gully Restoration: Preliminary Design, Colchester
FEA identified this through the B5 streams project. It got an efficiency of \$10-\$12,000 per kg. Winooski Valley parks district is interested in this as they are the landowner. It is in limbo because it doesn't fit into the Stormwater Gully project type quite well. Waiting on DEC's determination for eligibility.
- Fairfax Street Culvert Replacement, Preliminary Design, Town of St. Albans
There is erosion upstream and downstream of the culvert. Erosion is NOT a result of roadway runoff. Town staff can do a lot of the design and construction. Still a lot of eligibility questions related to town's MS4 permit or is considered voluntary since erosion is caused by undersized culvert not road runoff. Waiting on DEC.
- Tom B – if you get project IDs for either of these, please let me know because I have similar projects.
- Emily Alger – we hope to get a project in soon from the keeler bay action plan.

- Dan – if you have a chance, firm up costs for engineers in advance of applications/council meeting. It can't hurt to fill out form for VDHP to determine if you may need to budget for an ARA.
- Tom B – the North Hero Town Hall project is moving and we do intend to submit an application but we are also waiting for a WPD#. At time of application we will be seeking funds for final design and implementation.
- Caroline – this project is being developed by a WUV development grant, there is some concern about runoff but that's why it's in conceptual planning.
- Dan A – we put emphasis on design and construction, but people can also apply for assessment efforts and development, as long as you have a WPID from DEC.

6) Updates from staff, members, DEC and guests

- Emily Alger – I am participating in the act 59 – community resilience and biodiversity bill project. Specific member of water group. Is conservation efficient in protecting aquatic systems, and we are arguing that it is not and providing recommendations. Public input meeting is next week. Platform to hear what our working group has come up with and provide input. Meeting is 2.21.2024 at 5:30 p.m. Dan will forward the notice to members.

7) Affirm schedule of upcoming meetings & subgrant application deadlines

- a) Next meeting scheduled for March 21; subgrant applications for that meeting due by March 11
- b) Following meeting scheduled for April 18; subgrant applications for that meeting due by April 8

8) Adjournment

Don Mcfeeters made a motion to adjourn, seconded by Tom Wheeler. The meeting adjourned at 11:27 a.m.

Respectfully submitted by Chris Dubin and Dan Albrecht.