

Northern Lake Champlain Basin Water Quality Council Regular Meeting, March 21st, 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 10:02 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. New consultant teams recently qualified by CCRPC (SWCA, Gomez and Sullivan, Fuss & O’Neil and Dubois & King) took some time to introduce themselves.

(# seats)	Members Present	Alternates Present
Watershed Protection Organizations (2)	Kent Henderson, Friends of Northern Lake Champlain (arrived 10:10)	<i>Don McFeeters, Friends of Northern Lake Champlain</i>
	Andrea Morgante, Lewis Creek Association	
NRCDs (2)	Molly Varner, Grand Isle NRCD, CHAIR	
	Adelaide Dumm – Winooski NRCD	
Municipalities (2)	Tom Briselden, North Hero, VICE-CHAIR	
	Dave Wheeler – City of South Burlington	<i>Lisa Schaeffler, Town of Milton</i>
RPCs (2)	Dean Pierce, Northwest RPC	
	Brett McCreary, Chittenden County RPC	
Land Conservation Organizations (1)	Rebecca Roman, Vermont Land Trust (arrived 10:15)	
Clean Water Service Provider Staff		
<i>Dan Albrecht, Chris Dubin (at CCRPC offices)</i>		
Guests		
<i>Tony St. Aubin, Troy Barry, Arianna Porter, Steve Marks, Paula Green- SWCA</i>		<i>Matt Schley – Fuss & O’Neil</i>
<i>Caroline Foley - FNLC</i>		<i>Andy Hoak – Dubois & King</i>
<i>Adam Frazier - UVM</i>		<i>Nick Warner – Winooski Valley Parks District</i>
<i>Karen Bates - DEC</i>		<i>Jill Griffiths – Gomez and Sullivan Engineers</i>
<i>Dave Allerton, July Medina – Town of St. Albans</i>		<i>Lisa Cicchetti – Town of Williston</i>
<i>Shayne Geiger – Town of Shelburne</i>		

2) Review and Approval of Minutes for Meeting of February 15, 2024 (ACTION)

Dan reviewed the minutes from the Feb 15th meeting. *Dave Wheeler made a motion to approve with Tom Briselden seconding. The motion was approved unanimously with no abstentions.*

3) 10:05 – 10:15 Update on CWSP Staff Actions (Information)

a) **\$50,000 per kilogram-P-reduction threshold regarding grant applications, see description at:**
<https://www.ccrpcvt.org/northern-lake-champlain-cwsp/#funding>

Dan reviewed the new P reduction cost threshold. After the lack of consensus by the BWQC setting a threshold at its February, Dan stated he then conferred with DEC to confirm the CWSP’s role and then, acting as the CWSP, Dan described how he set a new threshold whereby projects above \$50,000-per-kilogram would generally not be funded and must undergo additional scrutiny via a pre-application discussion with the BWQC before further consideration. Dan added the new language on our website.

b) **Changes to P-Reduction Scoring Matrix for Proposal Review, effective March 1.**

Dan reviewed the tweaking of the rubric for scoring scale of P reduction projects. We have a new scoring scale to align with the new top threshold of \$50,000. Andrea Morgante asked if one can still apply for prelim design knowing it may not end up as fundable? Dan A – essentially, yes – it inherently will be part of the process that P-reduction estimating will change during the course of design and we will track that. Tom B to Karen B – when does the P efficiency come into play? Karen B – it can only be estimated even in project design. Once its completely finished, data is then collected and then added into the methodology and then a P credit is obtained. The project ID doesn't require a P reduction. Dan A - when we as CCRPC asked the Council to authorize us to do the 4 stream study, I put boundaries on that saying only dig into projects that will be under \$20,000. Caroline F – is there a plan in place for if a project slides out of that \$50,000 threshold? Dan A – no formal process. I am trying to check in to see if things fall out of the range during the design phase. If that were to occur, we would just go back to the council to inform them, but we wouldn't necessarily automatically pull the plug on the project. Andrea M – is the current situation that we have similar to other CWSPs that projects have not yet been implemented? Dan A – In general, yes, most all projects of other CWSPs are just in the design phase like us. Andrea – Does DEC know about this? Dan – well – we have until 2036 in the end to meet the TMDL targets. Andrea – We ought to be raising the red flag and we may need to re-evaluate our expectations. Dean P – Would it be fair to say that a project in progress may be capped and they may have to find additional money?

4) 10:15 – 11:00 Consideration of Proposals (ACTION)

a) Fairfax Street Culvert – Stream/Floodplain Restoration-Prelim. Design. -St. Albans Town

i) Overview of proposal by Town

Dave A – this project was initially identified in the 4 streams project by Fitzgerald Environmental Associates (FEA). Dan helped the Town to issue the RFP for Engineering Services for this project. Dan A – It's a floodplain stream restoration project via a culvert upsizing. This location is not in the river corridor. The reduction is 1.2 Kg/P annually. This number was estimated by FEA. Cost makes it relatively efficient. Town is going to take the co-lead in design as a shared endeavor with the consultant. Town is providing a match with staff hours. Future costs are ballparked. There is good community support for this. Some level of uncertainty as we are waiting on ANR hydrologic study. Project is in the ROW. Attached is the original project summary from FEA. We are only being asked for preliminary design – we are not asking for construction right now. Chris D – are we going to provide real costs to DEC? Dan A – yes – once the project is fully complete, we will also document matching contributions? Andrea M – Is this not an MRGP requirement? Chris D – no – no discrete erosion issues.

ii) Staff comments, DEC comments, public comment

Dave A – the project is going to progress and get more accurate costs as we move forward through this project. Dan A – Dan reviewed the memo that summarizes the projects we have done so far, and compared this new project to them, with all costs considered. This resulted in about \$33,000 per kg, with 30 out of 70 pts for phosphorus reduction. Dan went over additional notes related to co-benefits and hypothetical final design and construction costs depending upon how much the Town covers. It has the staff capability to install the culvert by themselves. The culvert has a very high design life.

iii) Deliberation by Council

Dan A – I would like to recommend funding this project. The consultant costs are still up in the air a little bit but it is a solid number. Kent H – I agree that this is a good project. On these

assessment type projects – we have had some surprises with historic preservation / archeological assessments. The mill river SE project has the lowest score but fortunately I was able to score a USDA representative via a grant which kept the cost down. When do we have to bring in information about the likelihood of ARA? Dan A – we need to track ARA costs for all projects to capture more of the real costs. Caroline F – so has that already been factored in for this project? Dan A – no – but I can expand to add that into the costs. Tom B – on the request – what is the deliverable? Dave A – it would be prelim design, refining P reduction cost, and construction estimate, to come back for a second proposal for final design. Dave A – the current culvert is 30” and we will at least put in a 6’ and because of that the construction cost may be low. Tom asked Dave Wheeler about the idea behind upsizing a culvert. General conversations ensued about its really about stream restoration. Dean P made a motion to provide \$7,775 in funds, with Brett seconding. The motion was approved unanimously with no abstentions.

b) Colchester Pond access road – Development/Scoping-CCRPC

i) Overview of proposal by CCRPC

Nick Warner of Winooski Valley Parks District (WVPD) talked about the history of this problematic area and described the goals of this funding. Dan and Chris added some additional context. Even though this is a small amount of memo, technically this is coming out of the “project completion” category of our grant rather than administrative costs and therefore the Council needs to vote on it. Essentially, our CCRPC consultant is already helping the Town to address MS4 permit required road improvements immediately adjacent to the parcel, so we asked the consultant to do some scoping of projects and costs for non-regulatory work on the WVPD parking lot and trails from the lot to the Pond.

ii) DEC comments, public comment

Karen B – we need to be sure the work/problem is eligible and part of the Town’s MS4 permit.. Dan A – small project and this is very much a discovery aspect. Once we have this scoping work done, we will check in with you. Tom B – Isn’t FNLC doing similar work under a WUV grant? Caroline – Yes – in the Islands but we are still defining the boundaries. Adelaide – I am supportive of this project, but we should connect (speaking @ nick warner) as Winooski NRCD wants to explore a partnership with WVPD to dust off on old grant proposal to the Basin Program regarding other water quality / natural resources work on the property.

iii) Deliberation by Council

Andrea M – motion to approve \$1,540 in funding for the CCRPC proposal. Seconded by Dave Wheeler. The motion was approved unanimously with no abstentions.

c) Falls Road Trail – Final Design --Town of Georgia

i) Add funds for required Phase I archeological (~\$10k for archeo + \$1,000 for WCA)

Dan A – if the additional funds needed for a project our CWSP policy is that if it is over 20% it would need council action as opposed to smaller increases up to 10% which he can approve on his own while requests of 10% to 20% can be done with the concurrence of the Chair and Vice-Chair. The ARA suggested and VDHP concurred that a full Phase I archaeological assessment is now required. Watershed Consulting Associates (WCA) put together an RFP to get bids and the cost is under \$7,000 for the winning bid. We need to have time for WCA to supervise the archeologist as well.

Andrea M made a motion to provide \$6,740 for the archeological work and an additional \$1,000 for WCA to supervise, with Kent Henderson seconded. Tom B – how does this change the P efficiency score? Dan A – its original efficiency was like \$2,000 / Kg. But nearly all projects are going to need ARAs at a minimum. Therefore, in essence all projects will see an increase in costs. Dan – for the next meeting I can capture all costs to date and come up with new calculations for all projects. Caroline – Were any of the bids closer to 9-10K? Dan A – yes. Caroline – who is the grantee? Dan A – town of Georgia conservation commission but in this case it was easier and faster for WCA just to seek a subcontracted archeologist. Caroline e. The motion was approved unanimously with no abstentions.

5) 11:00 – 11:15 Updates from staff, members, DEC and guests (Information)

a) Updates on current projects and Updates/information on potential projects

Caroline F – Just got final design report for Mill River SE. A USDA archeologist will prepare the required Phase I archeological field investigation pro bono. He will start when the ground is more workable and hopefully it won't impact the desig.

Adam F – UVM horticulture farm. Working through agreements. SD Ireland is still on schedule to start work in June. In light of the action to relax the phosphorus crediting scoring, can we apply for additional funds? Dan – please get us a memo by April 8th and then the full Council can consider it for the April 18th meeting.

Andrea M – we are working on another project that is too expensive for the CWSP, and also maybe too expensive for landowners, so it may actually go nowhere.

Dan A – McCabes Brook project. LCA is about to procure an archeologist for the ARA. This was likely because the moment you propose shaving down the floodplain that means there will be some ground disturbance. LCA will wait and see if they have to do a Phase I field investigation.

b) CWSP Network Summit: [register here](#)

Dan talked about the upcoming CSWP summit on April 5th.

c) Update from staff on grant consultation/submittal process

Dan gave an update on grant consultation processes. I am going to tweak some of the guidance to make it more of an iterative, collaborative process between us as the CWSP and project managers/implementers. I want to get good proposals to review and make it more like work plan development similar to what we do here at the CCRPC when we ask municipalities and partners to submit project ideas for inclusion in our annual work program.

11:25 – 11:30 Affirm schedule of upcoming meetings & subgrant application deadlines

Next meeting scheduled for April 18; subgrant applications for that meeting due by April 8

Following meeting scheduled for May 16; subgrant applications for that meeting due by May 6

Dan reviewed these dates.

6) Adjournment

Molly adjourned the meeting at 11:27 a.m.

Respectfully submitted by Chris Dubin and Dan Albrecht.