

# Northern Lake Champlain Basin Water Quality Council Regular Meeting, April 18<sup>th</sup> 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 10:03 a.m. by Chair Molly Varner. A quorum of 7 seats out of 9 were represented as noted in Bold. The meeting was held virtually via Zoom. No changes to draft agenda. No public comment on items not on agenda.

(# seats)	Members Present	Alternates Present
<b>Watershed Protection Organizations (2)</b>	<b>Kent Henderson, Friends of Northern Lake Champlain (arrived 10:10)</b>	<i>Don McFeeters, Friends of Northern Lake Champlain</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 – City of South Burlington (arr. 10:15)</b>	<i>Lisa Schaeffler, Town of Milton</i>
<b>RPCs (2)</b>	<b>Dean Pierce, Northwest RPC</b>	<i>Catherine Dimitruk, Northwest RPC</i>
	<b>Brett McCreary, Chittenden County RPC</b>	
<b>Land Conservation Organizations (1)</b>		
<b>Clean Water Service Provider Staff</b>		
<i>Dan Albrecht (at CCRPC offices), Chris Dubin</i>		
<b>Guests</b>		
<i>Arianna Porter - SWCA</i>		<i>Nick Warner – Winooski Valley Parks District</i>
<i>Caroline Foley - FNLC</i>		<i>Adam Frazier - UVM</i>
<i>Karen Bates - DEC</i>		<i>July Medina – Town of St. Albans</i>

## 2) Review and Approval of Minutes for Meeting of March 21, 2024

Dan A. reviewed the minutes from the March meeting. *Briselden made a motion to approve minutes. Schaeffler seconded and the minutes as drafted were approved unanimously.*

## 3) Consideration of Proposal

### **Wolcott Family Natural Area –Floodplain Reconnection-Prelim. Design. -WVPD (\$8,000)**

#### Overview of proposal by WVPD and CWSP staff comment

Nick Warner – we received one response from FEA that was within budget. Dan A added that the WVPD RFP referenced Prelim Design Work plus Final Design and Construction Oversight services so that WVPD can then retain the same consultant moving forward and not have to issue RFPs for next steps. Nick continued saying they want to do more of these projects in the future and are excited about working through this process. After the site visit, its striking how much erosion has occurred. This waterway feeds into Colchester Pond brook which is an impaired waterway. Dan A – this project was identified as a spin off from the 4 streams project identification effort. From a staff standpoint the screening has already been conducted. This is a tough one because it is pushing the boundary of what is fundable from an efficiency standpoint. We really don't know what the construction costs will be, but there is likely a range of \$10,000 depending upon whether it is low-tech

and can be done by volunteers and WVPD staff or whether professional labor is required. The state also says this project only has a design life of 12 years, but we really just don't know yet. Decent co-benefits – good opportunities for education, and strong community support. Nick is not going to seek any reimbursement for this phase for them to administer the grant. Dan is recommending to fund this. While its not super efficient – its high visibility to the public and we have a good willing partner. Dan is recommending that we as a BWQC encourage Nick W to ask the consultant for cheaper construction methods.

#### Deliberation and Action by Council

Caroline Foley – we had FEA come back with some construction numbers on another project and it was quite expensive. Also – was the P number calculated using the FFI tool? Dan – yes. Cost wise – it comes down to either needing big machines and expensive labor or not, so we will see. Andrea M – will FEA look at locations of trails and whether they are in the right place and/or are contributing to the erosion. Will FEA look at the bridge? Dan – that really didn't come up during the site visit. Nick – in general, we are doing more trail relocation and are always open to it. The bridge went through a pretty rigorous trail design. If FEA recommends moving the trail, we would take that into consideration. Tom – how much confidence do we have in this P/ kg number? Nick – I don't know – we will see what FEA says, but its just such an easy site to work on. We use volunteer work to subsidize costs of projects. It's a good connection to WQ for our parks and what we are trying to do as an organization. Tom B – are there more projects within the park that we can use as further demonstration? Nick W – what's interesting about this is the combination of technical and informal. There may be some other opportunities in this park, and others. Dan A – this is a good learning opportunity to see how things hold up in performance. We can continue to hammer home to the consultant to focus on low-cost construction techniques. Andrea M – I think this is a great opportunity, I hope there could be some good signage for informational purposes to the public so landowners could address similar issues on their own land. I would support this project, seeing what the final design cost is. Nick W – yes – signage and web resources will have a great impact. Andrea M – there is no reason from a design perspective – the P number really wouldn't change, right? Dan – based on how the FFI tool works, no. Albrecht noted that the winning quote WVPD received for Preliminary Design came in below \$7,000 so the subgrant, if approved, would reflect that cost not the \$8,000 put forth in the proposal.

*Morgante made a motion to approve the subgrant application, and Schaeffler seconded the motion. The motion was approved unanimously, 7-0.*

#### **4) Consideration of Budget Amendment**

##### **UVM – Horticultural Farm Floodplain Reconnection-Implementation -UVM (\$30,600)**

#### Overview of proposal by UVM and staff comments

Dan gave a background on this project and how the BWQC carried it through to this point. We approved this project before at \$54,000 at \$15,000/kg. Adam F – As it stands – we have made progress on this project for getting ready for construction. Just looking for an increase in funding now that the efficiency threshold has changed. Dan A – explained why the cost increase is being requested, and the high scores on the co-benefits.

#### Deliberation and Action by Council

Andrea M – there is a great opportunity for UVM PSS or hort students to do this work. Adam – too much of a risk for UVM. Its just a total silo. Andrea M – its hard to hear that we can't bring students in. Adam – this is a \$700k project – this is outside the scope of volunteers. Tom B – the efficiency changed, but not the amount of P reduced/claimed. Karen B – could we use the intervale for plantings, etc? Adam F – we simply went out to bid and this was the cheapest. Andrea M – I would hope there would be some signage and publicity. Adam F – if we are looking for more of a permanent sign – could we get some sort of template? Dan A – we could do some sort of press event or ribbon cutting. Dean - we could use clean water project signs. Andrea M – we need a QR code on signs. Dean – I am going to vote in favor of this but it's a bit weird because the original request was limited because of P efficiency. Dan A – it would change things slightly but the overall efficiency of our portfolio is

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driven by another project. I still feel safe with it at its updated P efficiency score. Tom B – because of some other big projects coming down the pike I am not going to vote for this. I like the original project. Adam F – if we just stuck with the original amount – wouldn't it drive up the average P efficiency cost? Dan A – Yes. Caroline F – I want to support Adams point. We have all been in a position where P values for various projects are going down because of what a P calculator determines. Karen B – right now we are hashing out HOW p reductions would be assigned to projects. Stay tuned on when and why we make these decisions. Sometimes we need to apply them to real life situations. We are constantly learning and revising as we go. If the CWSP don't meet targets, there has to be room to re-negotiate or change. Don't worry too much about hitting home runs. Let's just get projects in the ground. We will have a clearer methodology soon. Andrea M – I can appreciate that we want CWSPs to survive but I am apprehensive we will meet our goals. We need to evaluate whether this idea of Non-regulatory efforts is actually a great idea. We have to be able to evaluate the success of these policies. Karen B – the clean water fund board is where should direct these comments. Dean P – DEC shouldn't develop P reduction methodologies in a vacuum without CWSPs.

*Pierce moved to approve the requested budget amendment, with a second from Briselden. The motion carried 6 to 1 with Briselden opposed. (Pierce left the meeting and Dimitruk became the voting member.)*

## 5) Updates

### Observations on April 5<sup>th</sup> CWSP Network Summit

Andrea M – the CWSPs need to push the state for more technical support. Level of staffing at DEC needs to increase. Dave W – we need to create more exemptions for certain projects like the wetland permit. Let's expand our thresholds so more stuff would fit into the bucket of non-reg. A lot of cost prohibitive projects due to so much admin and bureaucracy. Molly V – it was a good meeting and hearing from other CWSPs. Nothing too surprising. We can learn a lot from one another. Catherine D – I wasn't happy to hear some of the same concerns. I was surprised to learn that some of the block grant holders have more flexibility than CWSPs. Arianna P – I will loop back with my team and send an email (from consultant perspective). Dan A – the DIBG would go from soup to nuts, versus the phase approach with CWSP is really clunky and slow. The ARA will likely be applied to nearly all projects, which costs money. You can't excavate in wet weather and therefore it creates some slow down. We have to open up the clean water policy to build in flexibility. Another take home is also the capacity issue of organizations to do the work. Kent H – due to the status of my recovery, I didn't get to go. Can I get access to a record of the meeting. It's concerning to this process where bona fide groups are getting projects declined.

### Updates on current projects

#### **i) Falls Trail Gully – Final Design**

Dan – Archeo (Phase I field test pits) will be done next week.

#### **ii) Mil River SE – Final Design**

Caroline – waiting on Archeo. 100% design is pretty much completed, and we hope to bring it to implementation. Dan A – can you send along the updated P reduction number? Caroline – yes. Archeo didn't add any cost.

#### **iii) McCabe's Brook – Prelim Design**

Andrea – we are moving forward. We are waiting on the ARA (desktop assessment\_). Moving towards submitting application for Final design, knowing the impact of Archeo. Dan A – on the positive side, the P reduction numbers (based on floodplain area) have DRASTICALLY increased from the initial estimate of about 7 kilograms.

#### **iv) Fairfax St. Culvert**

July M-T – did meeting kick off with FEA and Dan A earlier this week. next steps will be survey for stream in advance of Prelim design.

#### **v) Project Decision Tree – Project Development**

Dean noted earlier in the meeting that efforts will resume shortly as the primary employee on this project will return soon from maternity leave.

**vi) Colchester Pond Natural Area – Project Development**

Dan and Chris noted that the consultant completed the site visit and submitted a memo regarding possible projects.

**6) Affirm schedule of upcoming meetings & subgrant application deadlines**

Dan gave a reminder on these calendar dates and deadlines.

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

Following meeting scheduled for June 20; subgrant applications for that meeting due by June 10

He reminded all that the grant process is collaborative. He can provide feedbacks on draft, help craft RFPs for consultants and also distribute the Natural Resources Screening Form.

Karen B – we need to talk about how to include the BWQC in providing feedback on the update of the Basin tactical basin plan. Dan A – let us know if you want time on a future agenda. Karen – June meeting would be fine!

Dave W – I would like to step back down from my role. I could just not show up and Lisa S would take over as my alternate. Dan – we can bring up recruitment at the next meeting. Kent H – We brought up officer selections. I have lost track of the terms – where are we all at? Dan A – I believe everyone was appointed to a 2 or 2.5 year term. Everyone’s term is up at the end of this fiscal year. We can get this on the agenda for the May meeting.

**7) Adjournment**

*Morgante made a motion to adjourn that was seconded by Dave Wheeler and the meeting was adjourned at 11:30 a.m.*

*Respectfully submitted by Chris Dubin and Dan Albrecht.*