

Lamoille Basin Water Quality Council (BWQC)

Thursday, January 23, 2025

9:00 -11:00 AM

Remote /Zoom meeting

Meeting video posted at <https://youtu.be/xQhS0Scrgew>

**A VIDEO RECORDING OF THE MEETING IS AVAILABLE THROUGH THE
NRPC YOUTUBE CHANNEL (Link above).**

**THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE MEETING.
MOTIONS ARE AS STATED. MINUTES WILL BE SUBJECT TO CORRECTION BY THE
COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT
MEETING OF THE COUNCIL**

Council Members: Lauren Weston (Q), Meghan Rodier (Q), Ken Minck (Q), Peter Danforth (Q), Christine Armstrong (Q), Richard Goff (Q), Remy Crettol, Daniel Koenemann, Brad Holden, Brent Sheets

Q= towards quorum

Staff: Dean Pierce, Cliff Jenkins, Nora Brown

Others present: Peter's AI Notetaker, Karen Bates (DEC), Sarah Hadd (Town of Fairfax; arrived 10:10 AM)

1. Welcome and introductions

Peter Danforth opened the meeting at 9:05 am as Chair.

A round of introductions was made.

2. Meeting protocols

Peter Danforth reviewed norms for meeting on Zoom.

3. Conflict of interest declarations, if any

No conflict-of-interest declarations were made.

4. Review/adjust and approve agenda

Lauren Weston motioned to approve the agenda. Ken Minck seconded. Motion carried.

5. Approval of minutes

Richard Goff requested an edit in the meeting notes be made to correct a typo which that referred to him as “she.”

Lauren Weston motioned to approve the minutes. Meghan Rodier seconded. Brad Holden abstained as he was not present at the last meeting Motion carried.

6. Public comment not related to items on agenda

No public comments were made.

7. Seating of members (if any)

No new members were seated.

8. Budget adjustment requests (if any)

Dean Pierce reported on one approved budget adjustment. He reminded members of the Basin Council process for amending budgets, which allows for adjustments of up to 10% of the overall budget to be handled administratively by the CWSP. The CWSP is then required to report the adjustment to the Council at its next meeting.

He shared that CWSP staff had approved an additional \$3,500 for Lamoille County Planning Commission’s Vermont Studio Center Floodplain Restoration—Preliminary Design project’s cultural review. The adjustment will cover a Phase 1 Archaeological Investigation as now required by the Vermont Division of Historic Preservation. Meghan Rodier added that the amount requested equals the difference in cost between the required investigation (phase 1) and the less extensive archaeological resource assessment (ARA) originally budgeted for.

9. Application filed in response to round 6 “Call for Projects” (tabled item)

Further discussion of the project application submitted to round 6 was tabled until the next meeting of the Council.

Meghan Rodier asked Dean Pierce if a difference exists between including ‘leveraged funds’ and including ‘match funds’ on an application to the CWSP. Dean Pierce answered by saying there is no match requirement associated with the “Formula” funds administered by the CWSP, so any difference is not pertinent when applying for financial support from the CWSP. He added that including match as part of applications increases complexity but understands there are reasons—related to indirect expenses and not to competitiveness of the application—organizations include match.

10. “Training Time,” starting with Site Access Agreements

Nora Brown was scheduled to hold a training on Site Access Agreements, but she had to leave the meeting early and suggested postponing the training to another meeting.

Brad Holden motioned to table discussion of training until the next meeting. Ken Minck seconded. Motion carried.

11. Project Sharing

Peter Danforth provided an update of two of Lamoille County NRCDC's completed projects. The first was the Church Street Post Office Stormwater Project—Preliminary Design. He presented the outcomes, including costs and estimated phosphorus reduction. He shared that Lamoille NRCDC is unsure about seeking CWSP funds for further phases but does intend to continue with the project.

He also provided an update on the 10 Bends Riparian Buffer Planting—Implementation project, which was completed in spring 2024. Dean Pierce noted that this project is the first completed implementation phase funded by the CWSP. He reminded that Operations & Maintenance is required for completed implementation projects going forward, and that O&M costs are eligible for CWSP funding, making upcoming O&M training pertinent.

Peter Danforth also provided an overview of two LCNRCDC projects in process: Rocky Woods Strategic Wood Additions—Final Design and West Loop Road Stormwater Improvements—Preliminary Design, the latter of which sparked a discussion about funding stormwater projects near/overlapping municipal roads.

Karen Bates noted that treatment of road runoff is not eligible for CWSP funding, and DEC does not yet have a methodology for calculating phosphorus reduction for secondary treatments next to roads, since road improvements are handled by MRGP unless a stream crossing is involved. Phosphorus reduction calculations only take into account whether the road meets MRGP standards.

Dean Pierce made clear the CWSP has not contemplated taking back funds in this situation, but as DEC continues to revise and clarify rules to avoid double-counting phosphorus credits, subsequent phases of the same project may become less easily funded.

Meghan Rodier expressed concern that this project double-counts P reduction between the town and LCNRCDC. Peter Danforth clarified that the road itself was removed from their calculations, since work funded by the CWSP will take place only outside of the right of way.

Brad Holden questioned why the town doesn't address the issues at the site itself. Peter Danforth explained that even if the town did bring the road segment up to MRGP standards, the remaining runoff would still be problematic to the surrounding area.

Karen Bates pointed out that, while there is no methodology to quantify reduction for this type of project, if the runoff is creating a gully, the stormwater road gully project type could be used. Peter Danforth noted that this seemed like a blind spot in DEC guidance. Karen Bates answered that DEC has to stick with its methodologies, but that Council members can request it take another look at them.

Remy Crettol asked Peter Danforth to share his experience navigating the CWSP funding process for the implementation of his riparian buffer planting project. Peter Danforth shared that the CWSP reporting process is much more thorough than other funding sources might be, but he appreciated this as a way to make sure all his bases were covered.

Discussion then moved on to the Town of Fairfax. Sarah Hadd shared updates following the completion of final design on the Bellows Free Academy East Stormwater project, which is intended to both capture runoff from the school and also help slow further erosion of Mill Brook. She shared that although this project is a major priority for the town, they may not be able to move forward with construction given how P reduction numbers are calculated and potential requirements for archaeological assessment.

Dean Pierce shared that he had been in close communication with the Town about this project. He noted that if it qualified as a gully, it might be more attractive to the CWSP, and that the project has already been substantially under budget, so further awards may not be necessary.

Karen Bates expressed approval of the project's treatment of stormwater but noted that bank stabilization on this scale would not be funded by the Clean Water Fund.

Sarah Hadd expressed frustration with what she viewed as a gap in funding availability for proactive action to prevent roads from washing away.

Lauren Weston suggested that a member of VTrans's staff might come to a future Council meeting to explain their funding process. Peter Danforth agreed. Brad Holden expressed a related interest in learning about alternative funding sources for situations like the one at BFA East.

12. Updates/Brief announcements

Dean Pierce reminded members that this is Sarah Hadd's last meeting, as she has been appointed to the state land use board by the governor. Members of the council expressed thanks for Sarah's time with the Council.

Dean Pierce then provided an overview of the Watershed Planning Program's recent newsletter and made members aware of an upcoming FFI Tool training being offered on January 30. He also directed their attention to the recently released CWIP Action Plan, which addresses challenges previously identified by CWSPs, BWQC members, project implementers, and other stakeholders and identifies current and planned actions aimed at addressing these concerns.

Ken Minck asked whether there is a protocol in place for evaluating projects partially completed elsewhere looking for CWSP funding for subsequent work. Dean Pierce shared that, while there is not a formal protocol in place, more questions must be asked of these projects to make sure they meet the formula fund's more detailed requirements.

Meghan Rodier asked whether the Council should consider adopting a bottom threshold for how little phosphorus reduction is acceptable for CWSP-funded projects. She felt this would help make sure BWQC evaluations are consistent. Alternatively, she suggested including recommendations for minimums in the application itself, including non-credit-sharing funding partners who might step in if a project gets only partial funding.

Lauren Weston agreed with this statement and felt the issue it highlighted is part of an overall lack of actual project approval power in the BWQC structure, since decisions are largely guided by phosphorus reduction targets. Dan Koenemann agreed but noted that the BWQC has some power to pick up the slack of less efficient projects by also funding more efficient ones.

Lauren Weston also asked for clarification on the structure of alternates, namely whether they are assigned to replace a specific member or may serve as a "pool" to step in and fill any missing seat. Dean Pierce clarified that

this issue is partially solved, in that multiple alternates representing different organizations have been picked for some council members. He felt the issue of filling Kent Henderson's former seat was more pressing.

Ken Minck asked whether, if a member recuses themselves due to a conflict of interest, their alternate must do so as well. Peter Danforth clarified this would only be necessary if the alternate represented the same organization as the member and thus had the same conflict of interest.

13. Conclusion

Next meeting March 27. Funding round 7 open February 5 – March 13. Round 8 April 3-May 8.

Brad Holden motioned to adjourn. Ken Minck seconded. Motion carried. Meeting adjourned at 10:49am.