

# Winooski River Basin Water Quality Commission Meeting Minutes – April 21, 2022

**BWQC Members:**

<b>NRCDS</b>		<b>RPCs</b>	
✓	Peter Danforth, Lamoille NRCDC	✓	Darlene Palola, CCRPC
	Vacant, Alternate	✓	Garret Mott, CCRPC, Alternate
✓	Remy Crettol, Winooski NRCDC	✓	Alan Quackenbush, CVRPC
✓	Russ Barret, Alternate		Robert Wernecke, CVRPC, Alternate
<b>Land Conservation Organizations</b>		<b>Municipalities</b>	
✓	Steve Libby, VT River Conservancy	✓	Annie Costandi, Essex
	Vacant, Alternate	✓	Darlene Palola, Huntington, Alternate
<b>Watershed Protection Organizations</b>		✓	Nigel Hicks-Tibbles, Northfield
✓	Michele Braun, Friends of the Winooski River	✓	Alice Peal, Waitsfield, Alternate
	Shawn White, Alternate		
✓	Corrie Miller, Friends of the Mad River		
	Brian Shupe, Alternate		

**CVRPC Staff:** Brian Voigt, Bonnie Waninger

**Guests:** Amy Grover (Bolton Town Clerk), Melinda Scott (Williston Conservation Planner), Lauren Chicote (Winooski Valley Park District Operations Manager), Dan Albrecht (CCRPC Senior Planner)

**Call to Order & Roll Call**

B. Voigt opened the meeting at 1:07 pm. A quorum was present to conduct business.

B. Waninger welcomed participants, and thanked them for dedicating their time to the Winooski River Basin Water Quality Council (BWQC).

**Public Comment**

None.

**Welcome & Introductions**

Participants introduced themselves and provided context for their participation.

## **Recognition of Alternate Representatives**

*A. Costandi moved to recognize the list of Alternate Representatives. S. Libby seconded. Motion carried.*

## **Meeting Ground Rules**

Voigt encouraged a culture of collaboration, recognized the broad range of expertise of the BWQC representatives and our ability to learn from one another. The primary goal for this meeting is to provide baseline information, develop a common understanding of guiding principles and set the stage for future meetings.

## **Context for Empaneling the Winooski River Basin Water Quality Council**

Voigt provided an overview of Act 76 – the Clean Water Service Delivery Act of 2019 and its implementing rule. He noted the Central Vermont Regional Planning Commission (CVRPC) is the Clean Water Service Provider (CWSP) for the Winooski River Basin, and that there was an eight-year agreement in place. He described the purpose of the implementing rule and the guidance it provides for dealing with conflicts of interest, reviewing progress and technical implementation.

Voigt discussed the roles of the CWSP and the BWQC. The CWSP receives funding to achieve Phosphorous reduction targets assigned by the state. The CWSP adopts a procurement policy and provides guidance for sub-grants and sub-contracts, pre-qualifies sub-grantees, engages the public and adheres to Vermont’s Open Meeting and Records Retention Laws.

CWSP supports BWQC, identifies and implements non-regulatory projects, establishes partnership and sub-contracts work, verifies and inspects projects over time, ensures project consistency with the Winooski Tactical Basin Plan, and helps the BWQC consider pollution reduction and project co-benefits.

The role of the BWQC is to provide local water quality knowledge. The BWQC establishes policies to guide the CWSP, makes decisions regarding the most significant water quality impairments in the basin, prioritizes projects that address these and participates in the basin planning process.

Voigt noted a quorum of BWQC members is required for an official meeting. A majority vote binds the result. The BWQC will meet at least four times per year, although Voigt recommended meeting monthly until the BWQC has established the required policies. Alternates must be recognized at a BWQC meeting. He discussed conflict of interest procedures. Voigt noted that members must recuse themselves if a project they are proposing is being discussed; however, the member may answer questions about the project.

A. Peal sought clarification of the roles of the CWSP and the BWQC. Voigt described the general process for how the BWQC and CWSP roles interact. He noted that the CWSP receives funding from DEC for projects. The BWQC prioritizes which projects should be funded.

D. Palola asked if the BWQC can identify as well as prioritize projects. Voigt said the CWSP will share identified projects with the BWQC, but that it is the BWQC's responsibility to identify projects too. The BWQC also votes to prioritize projects. The CWSP implements the procurement process to secure services required by a project.

C. Miller asked if the BWQC's primary job is to prioritize projects and whether project identification relies only on the Winooski Tactical Basin Plan. Voigt said projects may be in the Tactical Basin Plan, but might arise via other avenues. The goal is to ensure the type and location of projects are consistent with the Tactical Basin Plan.

M. Braun noted that the Watershed Projects Database isn't maintained on a regular basis. Many projects need further development before receiving funding. Braun also noted that state guidance regarding BWQCs should be available at the end of the month and that guidance on project selection will be developed in the coming months.

D. Albrecht noted the state has screened the data in the Watershed Projects database and established a query to allow users to view projects by basin. Albrecht provided the following URL to access the list of projects by basin:

<https://anrweb.vt.gov/DEC/cleanWaterDashboard/ReportViewer.aspx?Report=CWSPProjects&ViewParms=True>.

R. Crettol asked if there were funds available for project development. M. Braun responded that project development is eligible for funding.

Voigt discussed other participants in the process. DEC establishes Phosphorous reduction targets and the funding formula used to allocate money to achieve these targets, issues guidance materials and cost data, disburses funds and monitors CWSP progress. Local and regional partners propose and implement projects.

Voigt discussed funding sources: Clean Water Fund, Capital Dollars via State bonds, and American Rescue Plan Act. The SFY 2023 Clean Water Budget was reviewed. Voigt discussed eligible projects. Examples include floodplain and stream restorations, buffer plantings, stormwater management improvements, wetlands and lakeshore restorations and project development (e.g. assessments, master plans, geomorphic assessments, and lake watershed action plans).

Voigt reviewed regulatory and non-regulatory Phosphorus reductions targets and the budget allocated to achieve these reductions. He detailed Year 1 and total Phosphorous reduction for four sectors: Streams, Developed Lands, Farm Field, and Forest. He noted the modest Year 1 Phosphorous reduction targets compared to those required in subsequent years. Total Year 1 funding for project and administrative costs in the Winooski River Basin equal \$1,040,947. Based on Year 1 target reductions, anticipate spending \$14,953 per kilogram of Phosphorous reduction.

Voigt briefly reviewed Vermont's Open Meeting and Public Records Laws requirements and their role in promoting transparency and accountability. He discussed the definitions of a public body and a meeting as well as how to warn a meeting and the requirements of the agenda and meeting minutes. He noted that the CWSP will post meeting notices, develop meeting agendas and take meeting minutes. The BWQC will ensure the public has a right to comment. The CWSP will retain the official records and respond to public records request.

Voigt noted the slide deck and other resources will be posted to the CVRPC CWSP webpage.

Voigt discussed CWSP projects phases:

- Phase 1. Develop website, set up tracking and accounting system, develop policies, participate in meetings with the state
- Phase 2. Establish and empanel the BWQC, capacity development, meeting rules, policies and bylaws, prepare for procurement
- Phase 3. Project management and data tools, prepare for procurement, priority scoring and evaluation of co-benefits, legal expenses for site access, attending training and hosting BWQC meetings

Voigt reviewed short-, medium-, and long-term BWQC actions. Short-term actions include electing a Chair and Vice-Chair, reviewing and adopting bylaws, rules of procedure, and public participation policies and attending trainings (as necessary). He discussed roles of the Chair and Vice-Chair. Medium-term actions include providing guidance to CWSP on project identification and prioritization, establishing policies to achieve pollution reduction targets and providing guidance on project solicitation. Long-term actions include scoring and ranking projects and voting to fund them.

D. Palola asked whether ex-parte communications should be discussed. Voigt will verify and follow-up with the BWQC at the next meeting.

## Roundtable Discussion

<i>Member</i>	<i>Why I chose to serve on the BWQC</i>	<i>Training Ideas</i>
Remy Crettol	NRCD serves the basin.	Project scoring – understanding the data to be used, how it is collected, and how it should be used
Russ Barret	Remy asked! Worked with Winooski Tactical Basin Plan over the years; would be nice to use the plans.	
Steve Libby	P work is related to stream restoration, and Vermont River Conservancy has experience. Interested in keeping co-benefit discussion robust (e.g. climate change mitigation).	Landowner engagement
Michele Braun	FWR serves the Winooski basin.	
Corrie Miller	FMR serves the Mad River basin.	Open Meeting Law
Darlene Palola	Involved in protecting streams and forests from development; this supports those activities.	How to get landowners excited; Watershed database
Garret Mott	Serving is important. Understands the basics and wants to learn.	
Alan Quackenbush	Career in water quality issues: wetlands, toxics, lakes/ponds, acid rain. Has experience scoring projects previously.	
Annie Costandi	Stay informed – CWSP and perspectives of what other municipalities are doing. Have MS4 plan for P reduction, but lacks natural resource approaches.	Landowner engagement Lessons learned – Block Grants Indigenous perspectives
Nigel Hicks-Tibbles	Attorney and has studied water law and land use planning issues.	All listed ideas. Finance and science are most useful. Indigenous perspectives too.
Alice Peal	Corrie and Brian made me! Interested in all things water. Wetlands advocate in Waitsfield.	What is TMDL? Project identification & scoring Watershed database

## Council Administration Overview

Voigt reviewed required documents, including Bylaws/Rules of Procedures, public participation policy, procurement policy, and draft Request for Qualification. Voigt has

been working with other CWSPs to craft a uniform Request for Qualifications to simplify the application process for pre-qualification.

M. Braun asked if Watershed Groups, Land Protection Organizations and NRCDs need to apply for pre-qualification. Voigt responded yes.

**Timing to Elect Chair & Vice Chair**

Voigt reviewed elections. BWQC members interested in the Chair or Vice Chair position were asked to reach out to Voigt at [voigt@cvregion.com](mailto:voigt@cvregion.com).

**Establish Regular Meeting Schedule**

Voigt will send out a meeting poll.

**Adjourn**

*A. Quackenbush moved to adjourn at 3:01 pm; D. Palola seconded. Motion carried.*