

Winooski Basin Water Quality Commission

Meeting Minutes – February 16, 2023

Winooski Basin Water Quality Council Members:

NRCDs		RPCs	
✓	Peter Danforth, Lamoille NRCD	✓	Darlene Palola, CCRPC
✓	Emily Porter-Goff, Alternate		Garret Mott, CCRPC, Alternate
	Remy Crettol, Winooski NRCD	✓	Alan Quackenbush, CVRPC
✓	Russ Barret, Alternate		Robert Wernecke, CVRPC, Alternate
Land Conservation Organizations		Municipalities	
✓	Erin De Vries, VT River Conservancy	✓	Annie Costandi, Essex
	Vacant, Alternate		Sarah McShane, Stowe, Alternate
Watershed Protection Organizations			Nigel Hicks-Tibbles, Northfield
✓	Michele Braun, Friends of the Winooski River		Alice Peal, Waitsfield, Alternate
	Shawn White, Alternate		
✓	Ira Shadis, Friends of the Mad River		
	Brian Shupe, Alternate		
✓	Kinny Perot, Alternate		

CVRPC Staff: Brian Voigt

Guests: Karen Bates (VT Department of Environmental Conservation)

Meeting called to order: 1:05 PM

Updates to the agenda: None

Public comment: None

Review & Approve minutes from January 19, 2022 meeting

P. Danforth moved to approve the minutes of the January 19, 2023 meeting. R. Barret seconded. No discussion. Motion carried unanimously.

CWSP Updates

B. Voigt noted that the CVRPC recently released a job posting for a Natural Resources Planner whose primary responsibility will be to support water-related initiatives, including the CWSP / BWQC. He anticipates a new hire coming onboard in approximately two months. In terms of policy updates, B. Voigt indicated that he would present amended policies to the CVRPC Board at their March 2023 meeting.

Lastly, he presented a timeline for releasing Requests for Qualifications for Project Implementors (release 22 February, due 5 April) and Engineering & Construction contractors (release 29 February, due 12 April). A review of submitted qualifications will commence three weeks after each call is released (15 March for Project Implementors and 22 March for Engineering & Construction contractors) with weekly reviews of additional submissions (as needed) through the RFQ deadlines. In order to reach the broadest possible applicant pool, the CWSP will host an informational session for potential respondents during the open period. D. Palola asked if a respondent can submit qualifications to more than one basin. B. Voigt replied that there are no restrictions precluding an applicant from submitting materials to qualify in more than one basin. D. Palola suggested the CWSP reach out to entities that applied for pre-qualification in other basins.

Adopting a Co-Benefits Scoring Matrix & Methodology

B. Voigt started the conversation by noting that he received questions from I. Shadis and K. Perot regarding the use of buffers around critical habitat and the inclusion of the [Social Vulnerability Index](#) in the Environmental Justice co-benefit, respectively. B. Voigt responded that buffers around critical habitat were not being proposed at this time. In the example that I. Shadis asked about ([see slide 23](#)), the symbol used to identify the location of a project was so large that it covered a small Rare, Threatened or Endangered species site. The Social Vulnerability Index was considered for use in identifying environmental justice target populations, but ultimately it was decided that the specifications of Act 154 would suffice.

P. Danforth discussed his participation on two BWQCs and the differences in their approaches to considering co-benefits. He noted that the Winooski BWQC has spent considerably more time discussing their approach to evaluating co-benefits and that at this point he is ready to move forward with the methods as proposed. K. Perot, I. Shadis, E. De Vries concurred. E. De Vries further noted that we can adapt our procedures for subsequent project solicitation rounds.

P. Danforth moved to adopt the co-benefits scoring matrix and methodology as proposed. D. Palola seconded. No discussion. Motion carried unanimously.

Project Solicitation

B. Voigt proposed a schedule for soliciting projects. He reminded the BWQC that State Fiscal Year 2023 funding includes \$57,737 for project identification and development and \$827,068 for design, engineering and construction projects. Next, he described a budget and timeline for the first project solicitation round. Under this proposal, project solicitation would begin on March 29 and continue through April 26. There would be a soft cap on the amount of funding made available (\$35,000 for project identification

and development and \$500,000 for design, engineering and construction projects) so that funds remain available for subsequent project solicitation rounds. Project solicitation would open prior to the conclusion of the RFQ period for Project Implementors to encourage early submissions of statements of qualifications. The CWSP will review and score projects from the first solicitation round between April 26 – May 22. The BWQC will review the CWSP scoring for these project during the period May 23 – June 14 and will then convene during its regular meeting time on the third Thursday of June (June 15).

He asked the BWQC for input on the following: 1) whether there should be separate solicitations based on the project type; 2) whether to accept proposals on a rolling basis until funding has been exhausted; and 3) whether proposals should be reviewed quarterly in alignment with the current BWQC meeting schedule or if there should be periods of the year with more / less frequent meetings at certain times of the year.

D. Palola asked about the review process. B. Voigt responded that the BWQC will have the opportunity to review the CWSP project scores and that during the June 15 meeting the BWQC will discuss each of the proposed projects and their CWSP scores. The outcome of that discussion will be a list of ranked projects defining funding priorities. D. Palola noted concern about how the BWQC would score ecological benefits, noting that it might require additional input. B. Voigt responded that the CWSP will score the projects according to the methods that have been discussed. He continued by suggesting that the time the CWSP and BWQC spent discussing co-benefits evaluation should simplify the process of project scoring. B. Voigt asked P. Danforth if the Lamoille BWQC is taking a similar approach. P. Danforth responded that generally speaking there is overlap in the two approaches, but the Lamoille BWQC has not discussed the process at this level of detail.

E. De Vries asked about the Formula Grant funding – specifically, what the advantage is of capping available funds in the first project solicitation round and how much of that money would be withheld for administrative expenses. B. Voigt responded that the administrative monies are separate from the project funding he noted earlier. P. Danforth replied that the proposed process seems similar to the Block Grant process where it's difficult to allocate all the money in a single round. By holding money back, they are better able to accommodate subsequent solicitation rounds. He was in favor of the approach that was proposed. B. Voigt responded that it's important to consider the proposed allocation as a soft cap because it's possible that every proposal submitted in the first solicitation round meets cost-efficiency requirements while providing ample co-benefits. Assuming sufficient money, these projects should all be prioritized for funding. At the same time, the soft cap reinforces the notion that the BWQC shouldn't feel obligated to "allocate" the available funding in a single project

solicitation round. By holding funding back, that allows Project Implementors to apply for funding in subsequent rounds for projects that may not have been ready at the conclusion of the first project solicitation round. Lastly, he noted that projects not funded in one solicitation round could be considered in future rounds so that if “better” projects (e.g. more cost-efficient) don’t materialize in the interim, progress is still being made towards phosphorous reduction targets. M. Braun noted that Friends of the Winooski River has project development funding currently and that they are working to develop a project through the Spring and Summer and that it would be nice to be able to apply for Formula Grant funding later in the year. If all the funds are expended in the first round, her organization would have to wait until the next fiscal year to apply for funding.

M. Braun agreed that it makes sense to cap funding in the first project solicitation round because priorities may shift from one funding round to the next. She asked if the CWSP was required to allocate funds a certain way (e.g. for project identification and development versus design, engineering and construction or a specific allocation of funds for design projects, engineering projects and constructions projects). B. Voigt responded that the funding breakdown he described earlier comes from the Formula Grant that CVRPC has with the DEC. Beyond that, there is not a prescribed spending approach. However, it is in the best interest of the CWSP and the BWQC to ensure there are a sufficient number of projects in various phases to enable continued progress towards the phosphorous reduction target.

E. De Vries noted her appreciation for the discussion and better understands the proposed approach. She offered a hypothetical where a high-quality proposal requests \$525,000 (i.e. more than the allocation for the funding round) and wondered if the CWSP would still be able to fund that project. B. Voigt responded in the affirmative and noted that is why he considers what is being proposed a soft cap. He also suggested that for a project of that size, the CWSP and BWQC may ask the Project Implementor to split the project into phases and when substantive progress has been made on one phase the BWQC will consider funding for subsequent phases with minimal application requirements.

K. Perot asked if there was a time-limit on expending the funds. B. Voigt responded that the funds can be held over from one fiscal year to another and that the CWSP might be required to apply for an extension to the Formula Grant.

A. Quackenbush asked if there was an action to be taken. B. Voigt responded that the BWQC could adopt the proposed project solicitation schedule. I. Shadis asked if that meant adopting the schedule for just the first round. B. Voigt responded that if the BWQC wants to continue to receive proposals on a rolling basis, that it makes sense to

coordinate the process with quarterly meetings of the BWQC. I. Shadis asked how long a Project Implementor would have to expend an award. B. Voigt responded that with extensions, that awards could be allowed to extend for more than three years. E. De Vries asked if the project solicitation timeline would be included in the RFQ. B. Voigt responded that the CWSP was planning to include that information in the Request for Proposals that would be issued in March, but that it makes sense to include that information in the RFQ in hopes of motivating early submissions.

E. De Vries moved to adopt the project solicitation schedule as proposed. P. Danforth seconded. No discussion. Motion carried unanimously.

BWQC Meeting Schedule

B. Voigt recommended the BWQC meet in March 2023 to engage a project scoring, ranking and prioritization exercise before transitioning to a quarterly meeting schedule. He proposed generalized agendas for BWQC meetings through the end of the calendar year, including electing a Chair and Vice-Chair at the September meeting and reviewing lessons learned and BWQC policies to consider changes in the way the BWQC operates. A. Quackenbush agreed that a March meeting is a good idea and D. Palola and I. Shadis supported the project review exercise. M. Braun offered to share applications from past projects to help facilitate the exercise.

Announcements: None

Agenda Items for Next Meeting (March 16, 2023)

A. Quackenbush supported the agenda items proposed by B. Voigt. P. Danforth suggested that in addition to reviewing and scoring project(s) during the March meeting, that the BWQC hear an informal presentation from Project Implementors about the life of water quality improvement project. B. Voigt asked M. Braun if that would be possible without too much additional effort. She responded that she will share several project proposals and the CWSP can select from the range of options. M. Braun also encouraged other Project Implementors to contribute to this effort. D. Palola asked if there is a matching funds requirement for projects. B. Voigt responded that this is not required, but that projects with matching funds can communicate this information via the project proposal.

Adjourn

D. Palola moved to adjourn the meeting at 2:09 PM. E. De Vries seconded. Motion carried unanimously.