

Winooski Basin Water Quality Council (BWQC)

Meeting Minutes – 18 January 2024

Winooski Basin Water Quality Council Members:

| NRCDs | | RPCs | |
|------------------------------------|--|----------------|-----------------------------------|
| ✓ | Peter Danforth, Lamoille NRCD | | Darlene Palola, CCRPC |
| | Emily Porter-Goff, Alternate | ✓ | Garret Mott, CCRPC, Alternate |
| | Adelaide Dumm, 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 |
| | Vacant, Alternate | | |
| ✓ | Ira Shadis, Friends of the Mad River | | |
| | B. Shupe, Alternate | | |
| ✓ | Kinny Perot, Alternate | | |

CVRPC Staff: B. Voigt, L. Frasca

Guests: John Brabant (CVRPC), Keith Fritschie (Department of Environmental Conservation)

Call to order & Roll call: A. Quackenbush called the meeting to order at 1:05 PM.

Updates to agenda: none

Public comment: none

Review & Approve minutes from 21 December 2023 meeting (action)

I. Shadis moved to approve the minutes of the 21 December 2023 meeting. P. Danforth seconded. Seven in favor. G. Mott abstained. Motion carried.

Project Ranking & Prioritization – FY24 Round 2 Project Solicitation (action)

(See Presentation)

B. Voigt introduced the topic and reminded members of the Staff Memo which details the project scores and provides the Clean Water Service Provider Staff recommendation for each project. He described the voting process, noting that M.

Braun would abstain from voting on the proposals submitted by Friends of the Winooski River.

Caledonia County Natural Resources Conservation District Peacham Pond Department of Fish and Wildlife Access – Stormwater Implementation:

A. Peal asked about the impact of this project and noted that right now the result would not be a large phosphorus reduction. She asked if the project would result in a cleaner, more user-friendly parking area. B. Voigt responded that the project proposes to treat a portion of the existing parking area, not create new parking. K. Perot asked if the measured phosphorus was flowing into the pond or flowing out of the pond into the Winooski River Basin. B. Voigt responded that the project would decrease phosphorus inputs to the pond which in turn would decrease phosphorous export from the pond.

Friends of the Winooski River – Nantanna Mill Stormwater Project:

B. Voigt noted the cost-effectiveness of this project is quite low compared to the average value per kilogram the Clean Water Service Provider can afford.

E. De Vries asked who funded the previous design phase of this project. M. Braun responded that Department of Environmental Conservation Clean Water Block Grant funded the 30% design. E. De Vries asked if Friends of the Winooski River intended to apply for Formula Grant funding for project implementation. M. Braun said she is working with the Town of Northfield to see how much they are able to contribute. The project is not large enough to require a 3-acre permit. B. Voigt noted the cost of the project, reminding the Basin Water Quality Council that design cost alone exceeds the average cost per kilogram the Clean Water Service Provider can afford for all project phases, including Project Implementation.

A. Peal asked if the source of the phosphorus is known. M. Braun stated that it is from a residential area on the West side of Route 12.

J. Brabant mentioned Barre City's ongoing wastewater violations. There is an immediate need for \$48,000 to meet compliance regulations. He does not understand spending this amount of money for such a small nutrient management benefit if the money could be better spent on larger wastewater issues. A. Quackenbush responded that J. Brabant's point was off topic and would be better addressed by the CVRPC Clean Water Advisory Committee. Additionally, Barre City's wastewater problem is a regulatory issue. Formula Grant funds can only be used for non-regulatory projects.

B. Voigt noted that \$703,296 does not represent the amount of funding requested by Friends of the Winooski River for this project. Instead, it represents the normalized

cost per kilogram of phosphorous removal, allowing for a direct comparison of phosphorous-reduction cost-efficiency among proposals. Because this project was expected to yield less than 1 kg phosphorous reduction, the cost effectiveness value will be greater than the amount requested.

M. Braun asked where to find the project risk scoring criteria? B. Voigt reminded the Basin Water Quality Council that links to the scoring methodology were included in the Staff Memo.

E. De Vries asked if there is a possibility of the phosphorus-reduction estimate increasing during implementation. She does not see a problem with funding Final Design with Formula Grant funds and then seeking other funding for Project Implementation. B. Voigt responded that based on CVRPC's Formula Grant award and the phosphorous-reduction target established by the Secretary of the Agency of Natural Resources, the average amount of money spent per kilogram of phosphorous reduction should be about \$15,000. The design phase of a project does not result in a phosphorous-reduction credit. A phosphorous-reduction credit is not earned until a project has been implemented. He went on to note that even if the Town of Northfield paid the full cost of implementation, this project would still be cost-inefficient. There are certain projects that will never be a good fit for the Formula Grant funding program because they do not produce the necessary phosphorous reduction. Stormwater projects are a prime example of this. However, if the Clean Water Service Provider is able to achieve its phosphorous-reduction target for the year without spending down its annual Formula Grant allocation, the Basin Water Quality Council might want to consider these types of projects at that time.

Friends of the Winooski River – Bull Run Tributary Restoration:

B. Voigt noted the cost-effectiveness of this project is quite low compared to the average value per kilogram the Clean Water Service Provider can afford.

A. Peal asked where the project is located. M. Braun responded that the project is in Northfield just south of the village. This stream is in the forest and there is not a planting aspect being proposed. This is a strategic woody addition project which is a low-tech restoration technique that uses nearby timber and logs to hold back the sediment and prevent erosion.

E. De Vries asked if the project being proposed would increase flood resilience, noting the destruction caused by summer flooding. M. Braun responded in the affirmative. The project should improve flood resilience by lowering the flood plain before the tributary flows into the Dog River.

E. De Vries asked why this project didn't receive any Ecological Co-benefits points. B. Voigt requested members refer back to the agreed upon co-benefits definitions.

Friends of the Winooski River – Coburn Road Floodplain Restoration Final Design:

B. Voigt introduced the project, noting that it appears to be a cost-effective project (according to the preliminary design). Assuming any future funding request is less than \$300,000, the project would still meet the \$15,000 / kg spending target. He also recommended that the Basin Water Quality Council prioritize any design-phase projects with a Total Project Score greater than 50.

G. Mott asked where the project is located. M. Braun replied the property is bisected by East Montpelier and Plainfield town line. A. Peal has seen this project site and what needs to be restored. J. Brabant commented that anything we can do to stabilize that area would be helpful and that it recently flooded.

Friends of the Winooski River – Strategic Woody Additions:

B. Voigt introduced the project, noting that it is an extremely cost-effective project. He also recommended that the Basin Water Quality Council prioritize any design-phase projects with a Total Project Score greater than 50.

K. Perot asked if an archeological review will be required for this project. There is not a definitive answer to this question at this time.

I. Shadis asked M. Braun to compare this proposal with the Bull Run project proposal. In particular, he was interested in hearing about how the phosphorus calculations were derived for each project. M. Braun responded that the method for estimating the phosphorous-reduction potential for the two proposals was the same. The Bull Run proposal was for a single site, while this proposal was for four sites. Preliminary work to get the projects through Preliminary Design was not funded with Department of Environmental Clean Water Funds. Bull Run is a new project. M. Braun is working with SLR because they designed the dam removal for Bull Run. They are a high-quality engineering firm and have higher rates compared to a consulting forester such as Redstart. K. Fritschie noted the phosphorus calculation for this proposal was actually different than the Bull Run project because the Bull Run project was evaluated as a headcut stabilization project while this proposal was evaluated as a strategic woody addition project. The decision to classify the Bull Run project as a headcut vs. Strategic Wood Addition was made by the Department of Environmental Conservation River Scientist.

Following the conclusion of the proposal evaluation conversation, G. Mott commented that when funding projects the public will be looking for the best bang for the buck.

He thinks all of these projects would be great to fund. However, until the Clean Water Service Provider has met its target and has funds remaining, only projects with the best bang for the buck should be funded. B. Voigt agreed. A. Peal asked if the Basin Water Quality Council would vote on projects individually or collectively. B. Voigt responded that proposals would be voted on individually.

G. Mott made a motion to fund the Peacham Pond Department of Fish and Wildlife Access – Stormwater Implementation project. A. Peal seconded the motion. None in favor. Eight opposed. No abstentions. The motion was denied.

G. Mott made a motion to fund the Friends of the Winooski River – Nantanna Mill Stormwater Project. A. Peal Seconded. None in favor. Seven opposed. M. Braun abstained. The motion was denied.

G. Mott mad a motion to fund the Friends of the Winooski River – Bull Run Tributary Restoration project. E. De Vries seconded. A. Peal, E. De Vries, P. Danforth, and I. Shadis were in favor. A. Quackenbush, A. Costandi, and G. Mott were opposed. M. Braun abstained. The motion carried by a vote of 4 to 3.

G. Mott made a motion to fund the Friends of the Winooski River – Coburn Road Floodplain Restoration Project. E. De Vries seconded. Seven in favor. None opposed. M. Braun abstained. Motion carried.

G. Mott made a motion to fund the Friends of the Winooski River – Strategic Woody Addition Project. A. Peal seconded. Seven in favor. None opposed. M. Braun abstained. Motion carried.

Outreach & Communications Policy (action)

B. Voigt detailed updates to the policy document since the last meeting, including a clause stating that the policy should be reviewed at the Basin Water Quality Council Annual Meeting.

A. Peal asked if there were any listservs included on the distribution list and if there were any that should be added. B. Voigt responded there are not, and that he cannot think of any to add. A. Peal suggested the floodplain listserv.

I. Shadis made a motion to approve the CWSP Outreach & Communication Policy. P. Danforth seconded. Discussion – G. Mott asked about the floodplain listserv question. B. Voigt questioned whether this actually helps reach the target audience. I. Shadis noted the policy does not prevent anyone from posting Formula Grant funding

opportunities to listservs they subscribe to. A. Quackenbush called the vote. Motion carried unanimously.

Phosphorus Efficiency Threshold (discussion)

The Department of Environmental Conservation asked each Clean Water Service Provider to engage their Basin Water Quality Council to develop a cost per kilogram of phosphorous removed threshold above which a project will not be considered for Formula Grant funds. B. Voigt provided background on Basin 8 Formula Grant funding, average cost per kilogram of phosphorus reduction by land use sector (streams, developed lands, farm field and forest) and the Basin 8 annual phosphorous-reduction target (69.6 kg / yr). He noted that if the Basin Water Quality Council prioritizes projects whose cost-efficiency exceeds \$15,000 per kilogram of phosphorous, that increases the risk of running out of money before the pollution reduction target has been reached. Responding to the request for a cost threshold does not commit the Basin Water Quality Council to fund / not fund a proposal. Rather, if a proposal exceeds the cost threshold, the Clean Water Service Provider will recommend the project proponent seek other funding, including through Enhancement Grants. B. Voigt described the fund allocation methodology used to derive the Formula Grant award amounts for each basin, highlighting its methodological limitations, including the limited pool of completed projects to analyze and the lack of accounting for inflation. Nevertheless, this represents a good starting point for the conversation. He went on to describe the Basin Water Quality Council Cost-Effectiveness Scoring table that was adopted as part of the proposal scoring methodology.

P. Danforth has experience with the development of four stormwater master plans. He expressed frustration that most of the projects identified through this process are not cost-efficient from a phosphorous-reduction perspective. He suggested a more holistic look at stormwater projects throughout the state that results in a ranked list of projects that could be prioritized for Formula Grant funding.

B. Voigt restated the Clean Water Service Provider offer to engage project proponents prior to completing an application, steering projects do not match Formula Grant funding priorities to other funding resources (like Enhancement Grants). He emphasized that Formula Grant funding was allocated by the State to help meet the Total Maximum Daily Load requirement for the Lake Champlain Basin. M. Braun agrees stormwater projects are going to be a challenge.

A. Quackenbush noted the challenge(s) with deriving a threshold value and indicated he trusts the current proposal evaluation process even though a majority of the Basin Water Quality just voted to prioritize funding for an inefficient project. G. Mott commented that the Basin Water Quality Council just funded a project for

approximately \$100,000 / kg and he questioned whether the cost-efficiency threshold could be set below that. He was not confident the Basin Water Quality Council can provide a value at this time.

K. Perot asked what impact the vote on the Bull Run project would have on considering future proposals. She wondered if the result of the Bull Run vote would limit the Basin Water Quality Council's consideration of future proposals to only those that are extremely cost-effective. B. Voigt answered that the Basin Water Quality Council just prioritized 12% of project implementation funding to achieve 2% of the phosphorous-reduction target. Prioritizing inefficient projects increases the likelihood that the phosphorous-reduction target for the basin will not be met with available funds. K. Perot asked about the implications of not achieving the phosphorous-reduction target. B. Voigt responded that this could result in CVRPC losing its appointment as the Clean Water Service Provider for the Winooski River Basin.

E. De Vries requested an update on progress towards meeting the phosphorous-reduction target. B. Voigt responded that no phosphorous reduction credit has been awarded because no implementation-phase projects have been completed. The Vermont Land Trust berm-removal project represents approximately 120 kilograms of phosphorous reduction, but that project is in the Preliminary Design phase. E. De Vries noted the challenges working within the Formula Grant funding parameters. She does not think the Basin Water Quality Council is ready to provide a cost threshold.

P. Danforth does not think the Basin Water Quality Council will be ready to determine a cost-efficiency threshold until more projects have been implemented. A. Quackenbush agrees.

B. Voigt will report back to Department of Environmental Conservation that the Basin Water Quality Council is not ready to establish a cost-efficiency threshold at this time.

Project Development funding (discussion)

B. Voigt described a meeting between Clean Water Service Provider Staff and Department of Environmental Conservation Staff (Chris Rottler, Technical Project Manager and Keith Fritschie, Winooski Basin Planner) to discuss options for simplifying the distribution of project assessment, identification and development funds. He noted Department of Environmental Conservation Staff concern that Formula Grant funds would be disbursed without being tied to a specific project. Clean Water Service Provider Staff will continue to engage the Department of Environmental Conservation on this topic in an effort to develop a simplified process for pre-qualified Project Implementors to access these funds.

B. Voigt presented the revised draft of the application form and detailed outstanding questions, including:

- Should the simplified proposal be used for individual projects or a collection of projects? The approach so far seems better suited to one-off, individual projects. The Basin Water Quality Council would vote to allocate some amount of money for each pre-qualified Project Implementor, but in order to access fund a proposal would still need to be submitted. He recommended that a full proposal be required for Project Implementors seeking funds to complete larger assessments (e.g. stream segment(s)).
- What level of funding should be provided per project development activity? He offered the example of the Lake Wise program where assessments under that program are eligible for up to \$500 each. Basin Water Quality Council input on the appropriate amount was requested.
- How long should a Project Implementor have to complete the work?
- What options exist to ensure that projects identified / developed with these funds request additional Formula Grant funds to advance cost-effective projects through implementation?

E. De Vries asked if other basins are considering awarding Project Development funding? B. Voigt responded that every Formula Grant includes money for Project Development, but none have proposed to treat their Project Development funds this way. He also noted that the money should only be used to develop projects that are known to be a good fit with the Formula Grant program, with the ultimate goal of earning credit for phosphorous reduction.

K. Fritschie mentioned an upcoming Department of Environmental Conservation Funding Program Administers meeting to discuss Project Development. Questions should be shared with Clean Water Service Provider Staff in advance of the meeting.

A. Quackenbush asked B. Voigt about next steps. B. Voigt asked the Basin Water Quality Council for feedback on the ideas that were just presented. He scrolled through the draft proposal and described the reasoning for the information being requested. He reminded the Basin Water Quality Council that Clean Water Service Provider Staff envision this form being used for one-off projects. Clean Water Service Provider Staff will follow up with Department of Environmental Conservation Staff to determine whether the Basin Water Quality Council can approve up to some fixed amount (e.g. \$10,000) for each pre-qualified Project Implementor and that project-level proposals would be evaluated by Clean Water Service Provider Staff for consistency with established goals and requirements. He indicated that it is not certain this will be acceptable to Department of Environmental Conservation Staff and wondered if the Basin Water Quality Council supported the proposed approach.

P. Danforth expressed support for expediting Project Development funds through the Clean Water Service Provider without seeking Basin Water Quality Council approval for individual projects. I. Shadis supports this approach as well. I. Shadis asked if Project Development can be engaged prior to approval. B. Voigt responded that work on a project cannot commence until an Addendum to a Project Implementor Master Agreement has been issued.

M. Braun noted this arrangement is similar to an agreement Friends of the Winooski River have with the VT Department of Fish & Wildlife which provides them with a fixed amount of funding for specific types of work. M. Braun contacts the grant manager to request permission to use the funds in advance of engaging any work. She asked if this is the intention of the proposed approach. B. Voigt responded in the affirmative, but reiterated that a proposal would still be required. Clean Water Service Provider Staff will review each proposal. Those that meet minimum requirements will be presented to the Central Vermont Regional Planning Commission Executive Committee to request authorization to issue a Master Agreement Addendum. He noted the distinction between the scenario M. Braun presented ~ where the Grant Administrator has the authority to approve ~ and the level of oversight exercised by the Central Vermont Regional Planning Commission Executive Committee.

Announcements (discussion)

B. Voigt noted that the 2024 Winooski River Tactical Basin Plan has been approved. The full Plan and Responsiveness Summary are available on the Department of Environmental Conservation website.

B. Voigt provided an overview of the project solicitation timeline through the end of State Fiscal year 2024.

E. De Vries asked whether the pre-qualification application form available on the Clean Water Service Provider website. The dates on the form have all passed. B. Voigt responded that Clean Water Service Provider Staff will update the forms, but that E. De Vries should proceed with her application on the existing form and ignore the dates.

Adjourn

P. Danforth made a motion to adjourn the meeting at 2:58 PM. G. Mott seconded. Motion carried unanimously.

Next meeting scheduled 15 February 2024