

# Winooski Basin Water Quality Council (BWQC) Meeting Minutes – 18 July 2024

**Winooski Basin Water Quality Council Members: ✓**

<b>NRCDS</b>		<b>RPCs</b>	
✓	Peter Danforth, Lamoille NRCD	✓	Garret Mott, CCRPC
	Emily Porter-Goff, Alternate		Vacant, CCRPC alternate
	Vacant, Winooski NRCD	✓	Royal DeLegge, CVRPC
	Vacant, Alternate		Rich Turner, CVRPC alternate
<b>Land Conservation Organizations</b>		<b>Municipalities</b>	
✓	Erin De Vries, VT River Conservancy		Annie Costandi, Essex
	Remy Crettol, Alternate	✓	Sarah McShane, Stowe, Alternate
<b>Watershed Protection Organizations</b>		✓	Alice Peal, Waitsfield
	Michele Braun, Friends of the Winooski River		Vacant, Alternate
	Taylor Litwin, Alternate		
✓	Sam Puddicombe, Alternate		
✓	Ira Shadis, Friends of the Mad River		
	B. Shupe, Alternate		
✓	Kinny Perot, Alternate		

**CVRPC Staff:** Brian Voigt, Lincoln Frasca

**Guests:** Keith Fritschie and Chris Rottler (Department of Environmental Conservation)

**Call to order & Roll call:** B. Voigt called the meeting to order at 1:02 PM.

**Updates to agenda:** none

**Public comment:** none

**Review & Approve minutes from 20 June 2024 meeting**

*P. Danforth moved to approve the minutes of the 20 June 2024 meeting. E. De Vries seconded. G. Mott Abstained. Motion carried.*

**Elections of Officers:**

*G. Mott nominated himself as chair, P. Danforth seconded. All other in favor, none opposed.*

*A. Peal nominated herself as vice chair, P. Danforth seconded. All in favor, none opposed.*

**Bylaws & Policies Review: (see slides)**

B. Voigt gave a background of the history and purpose of the BWQC bylaws. He asked for comments on the current bylaws and explained the amendment process which requires a two-thirds vote by the BWQC. The following ARTICLES were described in greater detail:

- III Purpose
- IV Membership
- VII Duties
- IX Rules of Procedure
- X Conflict of Interest

E. De Vries asked for clarification on ARTICLE VII Duties, Section 701: "Each BWQC member shall make annual and periodic reports of the activities of the BWQC to the sector they represent."

B. Voigt explained that individuals on the BWQC are representing entire sectors such as the case for Vermont River Conservancy representing land conservation groups in the Winooski Basin as a whole. To fulfill this duty BWQC members may provide a high-level overview of completed work and voting decisions to the organizations that make up their sector.

E. De Vries asked if this had to be a formal meeting?

B. Voigt responded that this doesn't have to be a meeting but could be a report made available to other organizations. This is a way to ensure that you are truly representing the members of the seat you occupy on the BWQC.

G. Mott gave the example of how he reports back to CCRPC with an overview of the projects they reviewed and voting outcomes. He asked if CVRPC could generate an annual report for BWQC members to distribute to their respective sectors?

B. Voigt responded yes, the CWSP can provide a template annual report for the BWQC to use in its outreach.

A. Peal mentioned potential projects in Waitsfield being discussed that may be brought to the Selectboard in order to help garner support for Phosphorus reduction and flood mitigation co-benefits. She advised that adding potential projects to an annual report could increase projects in the pipeline while providing municipalities with an overview of the BWQC's accomplishment.

G Mott asked if we needed a motion to approve the bylaws. B. Voigt responded no and that this was just a discussion. If the BWQC wishes at any time to amend the bylaws they would need a two-thirds vote.

## **Outreach Policy Review: (see slides)**

The Outreach Policy was reviewed in accordance with the policy's Amendment & Refinement section which states: "This policy shall be reviewed by the Clean Water Service Provider and Basin Water Quality Council at their **annual meeting**. It may be amended as deemed appropriate by the Clean Water Service Provider, in concurrence with the Basin Water Quality Council."

Topics discussed from the Outreach Policy included strengthening project solicitation, promoting the program, and expanding technical assistance. The CWSP has been increasing the assistance offered for proposal preparation to prevent barriers to application and minimize the amount of time project implementors need to spend on information gathering. As was the case in working with the town of Huntington and CCRPC to prepare their proposal for project development along the Huntington River.

B. Voigt asked member for examples, thoughts, and success stories related to outreach aimed at broadening awareness of the CWSP program.

E. De Vries with the Vermont River Conservancy created a [Landowner Toolbox](#) with an outreach webinar where the CWSP program was mentioned as a funding source for conservation work.

B. Voigt asked how we may reach contacts / organizations that have relationships with landowners rather than going directly to landowners.

E. De Vries acknowledged the outreach work the CWSP is engaged in with municipalities and recommending including public works staff.

C. Rottler commented in the chat that looking for existing Phosphorus-reduction projects that need Operation & Maintenance help may be a good outreach strategy.

A. Peal spoke about synergistic conservation efforts and presented the idea of hosting a symposium outreach event to engage a wide range of stakeholders. She asked whether or not there is a way to measure Phosphorus reduction potential before deciding which projects or river segments to target?

S. Puddicombe mentioned outreach work Friends of the Winooski is engaged in with Conservation Commissions to see if there are potential projects they can help implement. This outreach has turned into informational sessions on the work they do and can lead to Conservation Commission's becoming project implementors themselves.

B. Voigt asked BWQC members to let the CWSP know which Planning Commissions and Conservation Commissions your organizations are talking to increase collaboration and prevent duplicating efforts.

S. Puddicombe mentioned Northfield and Richmond Conservation Commissions are the ones they have been in the most contact with.

B. Voigt mentioned the idea of creating a how-to guide outlining the steps to fund a clean water project.

K. Fritschie responded to A. Peal that if there are questions about Phosphorus reduction for a specific project feel free to reach out to him ([Keith.Fritschie@vermont.gov](mailto:Keith.Fritschie@vermont.gov)).

**Public Participation Policy Review: (see slides)**

The current Public Participation Policy was reviewed and ideas for broadening public participation were discussed. The current policy states: "Within 6 months of adoption of this Policy, the BWQC shall solicit input on the policy from BWQC partners and the public." The idea of a BWQC sub-committee to solicit public input was introduced.

B. Voigt asked if anyone has brought this policy to the public to solicit input and if not, what are some ideas for collecting public comments.

I. Shadis has not shared this policy publicly but supports the formation of a sub-committee to share this more broadly accompanied by accessible meetings to discuss this policy and clean water projects in general.

A. Peal has discussed the work of the BWQC generally with the Waitsfield Planning Commission but hasn't shared the Public Participation Policy specifically. Waitsfield is finishing their Local Hazard Mitigation Plan and thinking about additional mitigation actions. Potential clean water projects she has in mind could be brought to the town's attention.

B. Voigt reiterated that what we need through increased public participation is willing landowners and project ideas. A. Peal responded that communicating with Conservation Commissions is a good strategy.

P. Danforth supports I. Shadis' idea for a public forum and also integrating this information into outreach that watershed groups and Natural Resource Conservation Districts are already doing. Community Resilience Forums would be a good place to represent the CWSP.

L. Frasca will share a one-page flyer promoting the CWSP and that could be used to start outreach.

A. Peal expressed the sentiment in towns that there isn't any money available and it's our responsibility to get this funding in front of municipal leaders.

K. Perot asked how to reach farmers? Farms in Huntington were deeply impacted from this flood and the rate of flooding is increasing so the need is greater now more than ever. B. Voigt mentioned that CWSP funding on farm land needs to be coordinated with the VT Agency of Agriculture and Food Markets and their programs assisting with farm conservation.

B. Voigt will reach out to I. Shadis about possibly forming a sub-committee to solicit input on Public Participation Policy.

**Final Proposal Review: Project Development in Huntington: (see slides)**

The Chittenden County Regional Planning Commission (CCRPC) in partnership with the Town of Huntington submitted a proposal to scope and develop projects along the Huntington River with cost-efficient phosphorus reductions and flood mitigation co-benefits. This proposal was reviewed at the June BWQC meeting. The funding request for this proposal has since dropped from \$36,000 to \$20,058 for project development. This was due to a cost-estimate received from a sub-contractor's response to CCRPC's RFP that closed 20 June 2024.

E. De Vries asked if this work will be done by a consultant or if CCRPC will be doing the work? B. Voigt clarified that CCRPC is the project implementor and a sub-contractor will be hired to perform the work.

S. Puddicombe asked if the list of projects will be shared out ahead of time.

L. Frasca responded that the fifteen projects are from the River Corridor Plan and listed in the project proposal.

*E. De Vries made a motion to prioritize funding for project development in Huntington, P. Danforth seconded, G. Mott abstained, all others in favor, none opposed, and the motion carried.*

**Budget Amendment Request: John Fowler Road – Winooski Berm Removal: (see slides)**

The previous phases of this project have already been approved by the BWQC. Since then the archeological review as increased from the original budgeted amount of \$7,500 to \$16,000. All project details remain the same but the budget for Final Design has increased to \$35,674 reflecting this change. The total cost of this project is now \$152,877 with a \$10,260 per kilogram Phosphorus cost efficiency.

G. Mott noted the Preliminary Design cost that decreased by \$13,104 and asked if this unspent money could be used to compensate for the increase in Final Design costs. B. Voigt informed that funding is approved by phase and any unspent funds stays with the CWSP. Furthermore, when the Preliminary Design was approved we did not have an implementation cost.

*G. Mott made a motion to approve the Budget Amendment Request for the John Fowler Road Winooski Berm Removal Project, I. Shadis seconded. All in favor.*

**Budget Amendment Policy: (see slides)**

A Budget Amendment Policy could help prevent interruptions in work flow when minor or moderate increases in costs are necessary. As of now budget amendments must be brought to the full BWQC for approval. After which CVRPC has to bring the amendment before their Executive Committee and this could delay work for up to two

months in some cases. An example Budget Amendment Policy from the Basin 7 Lamoille River BWQC was introduced and discussed. CVRPC is working with their Executive Committee to develop a similar policy amendment that would allow for minor / moderate fluctuations in budgets without having to seek approval.

G. Mott supports this concept. However, he is concerned about potential issues with public perception. If two BWQC members are working with the CWSP to decide on budget adjustments this could lead to a variance in opinion based on who the two BWQC members are. He suggested removing BWQC involvement and allowing the CWSP to approve increases up to 15% of the original budget. Any budget adjustments greater than 15% would trigger the proposal to go back to the full BWQC.

B. Voigt responded that we operate with a finite amount of money and the overarching assumption in this policy is that the project must continue to be cost-efficient in order for the CWSP to approve a budget amendment without a vote by the BWQC. Budget increases that would exceed the cost efficiency threshold would automatically return to the BWQC.

G. Mott said this should be included in the policy.

B. Voigt responded that in the case of the example policy the BWQC members would ideally be the Chair and Vice Chair unless there was a conflict of interest.

P. Danforth is the Chair of Lamoille BWQC and spoke to the breakdown of budget percent increases that can be approved by the CWSP alone, the CWSP & two BWQC members, and lastly the full BWQC. This three-step process was adopted in part to address the public perception concern. It would be great if there was a uniform Budget Amendment Policy amongst the CWSPs to make it easier for implementors working across basins. As a project implementor he believes it is important to have a Budget Amendment Policy in place to prevent work stoppages.

E. De Vries also sits on Lamoille BWQC, and supports all BWQCs having the same budget amendment policy and supports drafting a policy for the Winooski Basin.

C. Rottler did not know the Lamoille had adopted this policy and this is his first time seeing it. He thinks making a contingency policy like this, and doing it up front is best practice. Typically, infrastructure projects have a similar 10% threshold for budget increases. This would be a good thing to bring back to all the CWSPs. He doesn't care what the threshold is but if it was over 20% he may caution against that. In general, he is in favor of the idea.

B. Voigt knows of four Basins that have adopted a similar policy.

A. Peal believes having a policy makes sense. She hasn't yet seen a project that doesn't need some adjustment in cost as it moves through phases. The archeological assessment could vary a lot or may not be needed at all. She may be in favor of expanding the dollar threshold.

S. Puddicombe asked if other BWQCs are more or less flexible in dollar amounts or percent.

B. Voigt stated that this is the Basin 7 and Basin 6 policy that are both served by one CWSP. Basin 5's policy doesn't use dollar amounts but rather has a fixed percentage threshold for all project phases.

C. Rottler mentioned infrastructure projects usually just use a percent threshold. It may also be worth considering cost creep and additional guidelines for when a budget amendment would be brought back to the full BWQC.

The CWSP will put together a draft Budget Amendment Policy to share with BWQC before the August meeting,

### **Announcements (see slides)**

Project implementors are encouraged to [book a one-on-one meeting](#) with the CWSP to discuss project ideas and any barriers to submitting proposals.

L. Frasca gave an overview of project development work and general CWSP outreach that CVRPC is engaged with. CVRPC in partnership with the Berlin Conservation Commission will be submitting a project development proposal for Riparian Buffer Plantings on the Dog River before the August BWQC meeting.

Proposals are accepted on a rolling basis. Proposals to be considered at the 15 August 2024 BWQC meeting should be submitted by **8 August 2024**.

### **Adjourn**

*P. Danforth made a motion to adjourn the meeting at 2:49 PM. E. De Vries seconded. Motion carried unanimously.*

Next meeting scheduled 15 August 2024.