



Memphremagog Basin Water Quality Council

Tuesday, August 23rd 8-10am

Zoom: <https://us02web.zoom.us/j/88364660311>

Meeting Minutes

Present

Basin Water Quality Council (BWQC)

Officers

Beth Torpey Northeastern Vermont Development Association (NVDA) - BWQC Chair
Kerry O'Brien Vermont Land Trust (VLT) - BWQC Vice Chair

Members

Thomas Bernier City of Newport
Meghann Carter NorthWoods Stewardship Center
Patrick Hurley Memphremagog Watershed Association (MWA)
Heather Johnson Essex County Natural Resources Conservation District (ECNRCD)
(joined at 8:50)
Eric Pope Town of Morgan

Basin Water Quality Council (BWQC) alternates

Jessica Colby NorthWoods Stewardship Center

Clean Water Service Provider (CWSP) staff

Trey Martin Vermont Housing & Conservation Board (VHCB)
Kendall Lambert Vermont Housing & Conservation Board (VHCB)

Vermont Department of Environmental Conservation (DEC)

Ben Copans

Members of the public



Welcome & Review Agenda

Beth Torpey opened the meeting at 8:08. The agenda was reviewed with no additions.

Roundtable Introductions

All participants introduced themselves with name and organization.

Public Comment

There were no members of the public present.

Review and approval of meeting minutes

Motion (Patrick Hurley) Seconded (Meg Carter) to adopt 7.1.22 meeting minutes. Approved.

CWSP & GLFC Update

Kendall provided an update on CWSP program deliverables and timeline. PowerPoint Slides are available here: <https://vhcb.org/our-programs/conservation/memphremagog-basin-clean-water-service-provider>.

Kendall presented the draft of the VHCB CWSP specific procurement policy, indicating that this policy was to go before the VHCB Board for approval at the next meeting on September 28th. Once approved, VHCB will be able to start the prequalification process. Kendall asked if there were any questions on this document as it will affect BWQC members who wish to be prequalified, and any prequalified Project Manager must also adopt a procurement policy that is consistent with the CWSP procurement. Patrick asked for clarification around competitive RFQs, if there were any guidelines regarding who is solicited for three bids, and if Task Orders are competitive. Kendall responded that Project Managers will have access to VHCB list of prequalified subcontractors and may solicit three bids from that list or do a broader RFP, but there was no requirements on who is solicited. She also said that Task Orders are essentially the outcome of the competitive bidding process.

Beth asked if they were required to obtain three bids or just solicit. Kendall indicated and Eric confirmed that soliciting three sources was sufficient.

Kendall also presented documents from the Vermont Agency of Agriculture, Food, and Markets (VAAFAM) on agricultural project eligibility. She asked the BWQC members compile any questions and send them to her by Wednesday, August 31st, and she will pass those questions along to VAAFAM. The current process for project screening is that natural resource projects on jurisdictional farms need to be review by VAAFAM before applications are submitted to the CWSP for approval.

Kerry asked if we knew how in depth the project review process by VAAFAM was going to be, would it include a site visit or more along the lines of email review. Ben responded that it would likely depend- some projects might be straight forward enough to just be a desk review, while



others would necessitate a site visit and additional information. He also indicated that the review process and requirements would likely develop as this program gets off the ground, but this is needed to make clear when NRCS funding should be used for projects. He advised anyone with a potential natural resource project on-farm to begin the screening process early to provide time for all those involved to work through this new process. Patrick asked if a homesteading farm he was working with would be considered jurisdictional, and Kendall advised him to review the VAAFM guidance documents and hyper links.

Kendall continued through describing the details on the slides. Meg Carter added that she will be conducting an on-site test of the survey verification tool for clean water projects on the following Monday, August 29th, and if anyone is interested in joining her, to please reach out.

Kendall gave a brief update on the Great Lakes Fisheries Commission funding, indicating that VHCB staff was meeting with GLFC staff in the coming week to discuss program details and they were in communication with Leahy's office about putting together a press event and release. Details on both of those topics are still to come.

Beth asked about VHCB staffing, and Trey indicated that VHCB still looking for staff to fill the Clean Water Program Manager role and is still accepting applications.

Review and adoption

BWQC Meeting Rules

Kendall presented meeting rules to the group and highlighted the changes that had been made per conversations at the last meeting. No one had any additions or changes.

Motion (Eric Pope) Seconded (Kerry O'Brien) to adopt BWQC Meeting Rules. Approved.

BWQC Public Participation Procedures

Kendall presented the public participation procedures to the group and highlighted the changes that had been made per conversations at the last meeting. No one had any additions or changes.

Motion (Meg Carter) Seconded (Eric Pope) to adopt BWQC Public Participation Procedures. Approved.

Kendall explained that these documents will be posted on VHCB CWSP website and that as this program develops, they can be amended at any time. Kendall also reminded everyone that Chapter 4 of DEC Guidance contains additional information on BWQC functions and she will send around that draft for their information.

Meg asked about expulsion of members and the impact this would have on the watershed because there are only a few organizations in the watershed that can fill the statutory roles. Kendall indicated that if a member is removed, it is the individual and not the organization that is removed from the council, so other people from the same organization could then be nominated. A bigger concern for this watershed is if an organization does not have capacity to serve on the



BWQC, then we might have troubling filling the seats. Ben also indicated that if a member misses two meetings without cause, it is not automatic removal from the council, but just constitutes grounds for removal. Kendall also reminded folks that if there were going to miss meetings, then they just need to let VHCB and the Chair know ahead of time, and we can always find alternates as back ups for seats if meetings become onerous.

Co-Benefit Scoring

Kendall presented the straw man Co-Benefits Scoring Matrix. Each project will be scored using the DEC Interim Phosphorus Reduction Tool and a Co-benefits Scoring Matrix. Each BWQC has the flexibility to develop their own matrix to determine how the co-benefits will be scored and also how the aggregate co-benefits score will be weighed as a function of total project score. An initial number that has been suggested is for co-benefits to make up 20% of total project score, but this is not set in stone. To aid in the development of these scoring matrixes, DEC commissioned a study from UVM on co-benefits, and there are co-benefits listed in the definition in the Act 76 Rule. Kendall used both the study and the Rule Definition to develop the strawman matrix.

Beth suggested that the group walk through the matrix. As discussion began, it became clear that the group preferred a more simple scoring system, with each category of co-benefit receiving a score of 1 or 0, and the specific benefits listed in each category become examples for applicants to use to explain the co-benefits of their projects. Kerry suggested that this matrix needs to be simple and efficient for both the BWQC to use for scoring and for applicants to fill out. The group suggested formatting the scoring matrix in such a way that applicants can check off their project's co-benefits and provide a few word explanation of relevance, along with an overarching short co-benefits description.

The group worked through each category of co-benefits, making suggestions for additions and changes. Kendall will make those changes, as well as update the scoring system. The BWQC will review again and discuss at the next meeting. The discussion on how co-benefits fits into each project scoring system will wait until Guidance Chapter 6 has been released.

Update DEIJ conversation

Karen Freeman was unable to make the meeting today and had more to update on this topic. Beth indicated that she had spoken to Karen about reaching out to Chief Don of the Nulhegan Abenaki to see what kind of inclusion they would like, and that meeting is still pending.

Tactical Basin Planning update

Ben Copans gave TBP update on the process. Draft strategies with TBP have been shared with the group and with this time, Ben wanted to flag a few of the strategies that tie into the BWQC work.



In the agricultural sector, one TBP draft strategy is working to identify projects on non-jurisdictional farms and developing a program to find and execute these projects. Ben will be holding a farmer meeting in early September with Sarah Damsell to dive into this topic with local stakeholders.

In the developed land sector, strategies include clarifying what private roads projects would be eligible for CWSP funding in part by conducting on-site assessments. Ben also anticipates that gully restoration projects will be coming before the BWQC for funding. Patrick has input about 50 gullies into WPD and now work needs to be done to determine which of these have high phosphorus reduction values and would be good fits for Formula Grants.

Ben indicated that there will likely be stream restoration work to be completed with CSWP funding. The Lake Champlain Basin has the functioning flood plain initiative which allows them to estimate phosphorus reduction values for these projects. In the Interim Phosphorus Calculator Tool, DEC has begun to put together a similar tool for in the Memphremagog, but over the next year, he hopes they can more effectively replicate this for Memphremagog.

Wetland restoration project are also anticipated to be a major project category for CWSP funding. NRCS funds a fair amount of restoration work, but he anticipates that we will be looking at smaller scale restoration projects for CWSP funding. DEC is also working to figure out how to calculate phosphorus reduction for these projects.

Questions, discussion, open conversation, set next meeting

Kendall asked if Beth would be willing to reach out with her to Memphremagog Conservation Inc. to make sure staff is aware of the progress of the council and to invite Quebec stakeholders to meetings.

Next meeting was set for Tuesday October 4th, 9-11 am, on Zoom. Kendall to send out link.

Adjourn

Motion (Thomas Bernier) Seconded (Heather Johnson) to adjourn. Approved.

Meeting adjourned at 10:42 am.

Respectfully Submitted,

Kendall Lambert