



## **Memphremagog Basin Water Quality Council**

**Wednesday, April 6<sup>th</sup>, 3pm-5pm**

**Location: Zoom**

**Meeting Minutes**

### **Present**

#### ***Basin Water Quality Council (BWQC) members***

Thomas Bernier	City of Newport
Meghann Carter	NorthWoods Stewardship Center
Sarah Damsell	Orleans County Natural Resources Conservation District (OCNRCD)
Patrick Hurley	Memphremagog Watershed Association (MWA)
Heather Johnson	Essex County Natural Resources Conservation District (ECNRCD)
Doug Morton	Northeastern Vermont Development Association (NVDA)
Kerry O'Brien	Vermont Land Trust (VLT)
Eric Pope	Town of Morgan
Beth Torpey	Northeastern Vermont Development Association (NVDA)

#### ***Basin Water Quality Council (BWQC) alternates***

Abraham Ames	Orleans County Natural Resources Conservation District (OCNRCD)
Laura Dolgin	City of Newport
Hannah Fay	Essex County Natural Resources Conservation District (ECNRCD)
Mary Pat Goulding	Memphremagog Watershed Association (MWA)

#### ***Clean Water Service Provider (CWSP) staff***

Karen Freeman	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**

Kendall Lambert opened the meeting at 3:02pm. The agenda was reviewed with no additions.

## **Roundtable Introductions**

All participants introduced themselves with name, organization, and role on the council.

**CWSP program update** Presented by Kendall Lambert, PowerPoint slides available here:

<https://vhcb.org/our-programs/conservation/memphremagog-basin-clean-water-service-provider>

Kendall used the slide show to provide a CWSP program overview. The BWQC members then discussed the identification of potential projects for funding. Patrick Hurley noted that we need to flag high priority projects that are ready for funding so we are prepared when Formula Grant funding becomes available. Beth Torpey asked if we already had lists of potential projects in Stream Geomorphic Assessments (SGA) done by NorthWoods or other reports? Meg Carter answered that the SGAs were done a long time ago and may not be relevant. Ben Copans indicated that there are potential projects being identified in the Riparian Lands Program, Stormwater Master Plans, and DEC's Watershed Projects Database. Patrick mentioned that both MWA and OCNRCD have funding currently for capacity and project identification, and he is actively thinking about projects that can be brought forward to the CWSP. He is also interested in identifying funding for lakeshore project identification and LakeWise assessments. Kendall indicated that it is part of the CWSP's responsibility to identify projects.

Meg asked about CWSP phosphorus reduction targets and funding project development. Kendall responded that Formula Grants can be used to fund project development, but existing Project Development Block Grants will still be available for the next 2 years. Ben confirmed this. Kendall also indicated that CWSPs will not be held to phosphorus targets on an annual basis and are encouraged to think about these as 5-year targets, which gives the CWSPs flexibility to fund more project development/design in one year to then focus more on implementation in the following years.

Karen Freeman asked if the partners had any thoughts or concerns about internal capacity to meet our targets.

Sarah Damsell explained that OCNRCD is utilizing Great Lakes Fisheries Commission money to build up a project queue. They are hoping to hire staff to support this work, though that work may be a year or two down the road. They do have some initiatives that are shorter term within existing funding structures.



Meg mentioned that NorthWoods still has funding through to spring 2023 from CWIP block grants and will be focused on using that funding first before utilizing CWSP funding. She asked if unused CWSPs funding for the basin could roll over into the next year?

Ben indicated that DEC is still working on answering that question. If we are meeting our phosphorus reduction targets, there is language in the Rule about flexibility in use of extra dollars.

Eric Pope asked if there is maximum amount allowed for individual projects. Ben responded that a maximum had not yet been identified in the Rule or Guidance.

Meg asked if land conservation and management projects for water quality were allowable projects. Ben responded that only projects that have a phosphorus reduction potential are generally allowed so potentially a floodplain or river corridor protection project may work, possibly if there is a land use conversion to a lower phosphorus export land use - but not likely to support upland forest conservation projects.

Kendall to send CWSP website link to BWQC.

## **Business**

### **Discussion: Meeting Rules**

Kendall shared a draft of the BWQC Meeting Rules and highlighted areas of interest or for input including:

- Removal replacement for Chair/vice chair
- Ex officio members
- Sub committees - not a lot of guidance
- Professional conduct
- Conflict resolution
- Removal if missing 50% of meetings without good cause

Kerry O'Brien suggested that some stock language is provided regarding removal/replacement of Chair/Vice Chair and that more details about participation in Tactical Basin Planning are provided. Laura Dolgin suggested that it be made clear that if an individual is removed from the BWQC, it does not affect the organization's ability to have representatives on the council.

Meg brought up the concern of conflict of interest and that there may be instances where the majority of members need to recuse themselves. She brought up the Prouty Beach project as an example of a past project where up to five BWQC members would have to be recused. She asked if ex officio members could vote or how this could be handled? Kendall responded that ex officio members could not vote. Ben indicated that this is something that DEC is aware of, that it is a challenging question, and currently there is no final answer.



BWQC members were asked to review the Draft Meeting Rules after this meeting and send comments via email and/or be ready to discuss at the June BWQC meeting.

**Discussion: Public Participation Guidelines**

In the interest of time, Kendall asked BWQC members to review after the Draft Public Participation Guidelines after this meeting and send comments via email and/or be ready to discuss at the June BWQC meeting.

Kendall will find a method to share the documents with the BWQC via Google or another platform for easy editing and sharing.

**Discussion: Election of chair and vice chair**

Kendall presented options to the BWQC that the group could elect a chair and vice chair at today's meeting, if everyone felt ready. The chair and vice chair would likely be interim and would need to be re-elected at the first meeting of the planning year (after July 1). The group could hold off with the election until the next meeting or even until after July 1. The duties of the chair are to facilitate meetings, assist the CWSP with agenda setting, and BWQC communications. Kendall is happy to facilitate meetings, set agendas, etc. until a chair is elected. The group unanimously decided to wait to elect a chair and vice chair.

**Appointment of alternates**

Kendall presented the slate of alternates for appointment:

Abraham Ames	Orleans County Natural Resources Conservation District (OCNRCD)
Jessica Colby	NorthWoods Stewardship Center
Laura Dolgin	City of Newport
Hannah Fay	Essex County Natural Resources Conservation District (ECNRCD)
Mary Pat Goulding	Memphremagog Watershed Association (MWA)

Motion (Eric Pope), Seconded (Beth Torpey) to appoint all alternates as presented. Approved.

**Adoption of member terms**

Each BWQC member will eventually have a 2-year term, but to ensure that not all seats become vacant at the same time, it has been recommended that beginning terms are staggered within each membership type so that one person starts with a 1-year term and the other has a 2-year term. Kendall reminded the group that members can be reappointed, so that the person who starts with the 1-year term, should they want to continue to serve, can be reappointed after that first year and would then have a 2-year term. The group agreed that they wanted to adopt staggered terms. Before the June BWQC meeting, each BWQC member type (watershed groups, conservation



districts, municipal representatives, and NVDA) will decide amongst themselves who takes the 1-year or 2-year term and will let Kendall know. Kerry from VLT will start with a 2-year term.

### **Selection of next meeting time**

Thursday June 9<sup>th</sup>, 3-5pm was selected as the next meeting time. The group will plan to meet on Zoom, but will hold the option open to meet in person at Work Commons in Newport, in the Newport City Municipal Building, or even outside at Prouty Beach or the Gateway Center, depending on the comfortability of the group. Final location TDB closer to the meeting date.

Laura Dolgin mentioned that June 15<sup>th</sup> is the next Newport Community Summit update. She thinks the meeting would be a great opportunity to introduce the BWQC and explain this work to the community. Kendall and newly elected Chair could present about the program. Laura to send email to group with more information.

### **Tactical Basin Planning Update**

Presented by Ben Copans. PowerPoint slides available here: <https://vhcb.org/our-programs/conservation/memphremagog-basin-clean-water-service-provider>

Ben used the slide show to provide an overview of the Tactical Basin Planning (TBP) process and how the BWQC might be involved in that process. One challenge for this basin is that the preliminary draft of the TBP is slated to be released in August-September of this year, with the final plan released in December 2022. This does not leave much time for the BWQC to get involved in this process.

The TBP provides strategic guidelines for how to protect water in a given basin; the intention is for the TBP to guide the work of BWQCs.

The question for discussion is how the BWQC engages in the TBP process. Many of the BWQC members already participate in TBP process, and they are expected to continue that engagement outside of the BWQC. Non-statutory partners, including municipal representatives and land conservation organizations, are not currently engaged in the TBP process. The goal is to have all members engaged and make sure members can use the plan for decision-making.

Ben proposed, since there are only a few months before the plan is completed, that the BWQC engage in three ways: this initial meeting, meeting (as needed) to understand gaps in capacity that need to be filled to meet our clean water goals- these can be incorporated into the TBP to open up funding opportunities to fill those gaps- and lastly, meeting to review the preliminary or draft plan. These meetings could be part of BWQC meetings or separate meetings.

Patrick asked if TBP support grants could be extended other orgs to have them involved in this process?



Ben indicated that land conservation organizations and municipal member support is coming through CWSPs, not through TBP planning grants. No funding yet for them to do this outside of the BWQC process.

Karen asked if Ben or Kendall had talked about how to balance time spent on BWQC business and TBP process, especially given that the BWQC is very engaged in start-up work for the foreseeable future.

Ben said we had discussed this. Perhaps we need a specific BWQC meeting focused on this plan? Also open to suggestions on how to be engaged in this process.

Laura asked if there could be a subcommittee established for this? Ben offered that it is probably too late to establish a subcommittee, given the TBP timeline.

No conclusion was reached.

### **Update on BWQC trainings**

Presented by Ben Copans. Slides available here: <https://vhcb.org/our-programs/conservation/memphremagog-basin-clean-water-service-provider>

Ben indicated that there is a training video available now on clean water service provider target setting. There is also a survey for BWQC members to help determine which trainings are most urgent and interesting. Ben will work with Kendall to send those out to the group.

### **Questions, discussion, open conversation**

No additional topics were discussed

### **Adjourn**

Motion (Beth Torpey) Seconded (Patrick Hurley) to adjourn. Approved.

Meeting adjourned at 5:01pm.

Respectfully Submitted,

Kendall Lambert