



## **Memphremagog Basin Water Quality Council**

**Friday July 1<sup>st</sup>, 10am-12noon**

**Zoom**

### **Meeting Minutes**

#### **Present**

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

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***

Jessica Colby	NorthWoods Stewardship Center
Laura Dolgin	City of Newport (arrived at 11:18am)

##### ***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**

Karen Freeman opened the meeting at 10:04am. The agenda was reviewed with no additions.

## **Roundtable Introductions**

All participants introduced themselves with name, organization, and brief update on relevant work.

Ben Copans indicated that there was a Memphremagog Tactical Basin Planning (TBP) public kick off meeting last month and on August 25<sup>th</sup> there will be a farmer TBP meeting hosted with OCNRCDD. TBP draft strategies are also online.

## **Public Comment**

No public comments were made.

## **Review and approval of meeting minutes**

Motion (Meg Carter) Seconded (Kerry O'Brien) to approve 4.6.22 meeting minutes. Approved.

Heather Johnson indicated that Hannah Fey is no longer with the ENCRCD and will no longer serve as BWQC alternate member. There will be upcoming staff changes at ENCRCD. Heather may move into alternate position with a new District Manager taking primary position. She will keep the BWQC apprised of any changes.

## **CWSP program and timeline update**

Karen opened with a few VHCB updates. VHCB is in the search process for a new Clean Water Program Manager. It is anticipated that interviews will be in the next two weeks and hope to on-board a new staff member in August.

Patrick Hurley asked how VHCB is recruiting for this position, and since both MWA and OCNRCDD will be hiring in the near future, if Karen could share where the job is posted. Karen and Patrick to share websites and locations for job positions.

Karen continued that VHCB is also involved in DEC Water Quality Reporting on a state side basis through Conservation and Farm Viability work. VHCB also has an unprecedented amount of resources for both conservation and housing. This other regular VHCB funding could be used to support and augment clean water work that is happening in the basin such as funding land conservation projects.

Karen is also waiting to hear back from Senator Leahy's office regarding final confirmation on Great Lakes Fisheries Commission money for Memphremagog Basin.

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



Patrick asked if there would be two separate Request for Qualifications (RFQs). Kendall responded that there was one for subcontractors, which are entities like engineering/designers, and one for subgrantees, which are project managers, like the entities on the BWQC. RFQ will be discussed later in the meeting.

Ben Copans gave update on Chapter 6 of Guidance process. He indicated that a draft of the chapter will be going to the Secretary of the Agency of Natural Resources soon. The draft would then be sent out to a new subgroup- DEC will reconstitute the Guidance Chapter 2/3/4 subgroup with new members. DEC hopes to get this out in the next couple of weeks and understands that it is a critical piece to this process. To answer questions about timeline, Ben indicated that there will probably not be any implementation projects funded with Formula Grants in 2022, perhaps some design projects can be started this year. Hopefully the first implementation projects can start in spring 2023. Groups can apply and use current design/implementation block grants to keep funding projects for this year.

### **Election of Chair and Vice Chair**

Karen brought forward the nominees. Once elected, chair and vice chair will start their duties at the next BWQC meeting.

Beth Torpey has been nominated for chair of the Memphremagog BWQC. Karen asked for nominations from the floor.

Hearing none, the vote was called. All voted in favor. Beth Torpey is the first chair of the Memphremagog BWQC.

Kerry O'Brien has been nominated for vice chair of the Memphremagog BWQC. Karen asked for nominations from the floor.

Hearing none, the vote was called. All voted in favor. Kerry O'Brien is the first vice chair of the Memphremagog BWQC.

### **DEIJ discussion**

Karen opened the discussion. On June 17<sup>th</sup> DEC held a meeting on Abenaki Perspective on Water for CWSPs and BWQCs. DEC has reached out to the leaders of the four recognized tribes of Abenaki, none have indicated that they would like to be at the BWQC, but some would be interested in other trainings, meetings, and opportunities, such as the June 17<sup>th</sup> meeting. Karen asked if Act 76 and the Rule provided the opportunity to add other seats on the council.

Ben said DEC has discussed this, and BWQCs can add an Abenaki member without changing the vote proportionality.

Karen asked if anyone who attended the meeting would like to speak. Beth attended and said she found the meeting incredibly interesting, especially the connection between water and



spirituality. She was not sure how it would apply to the projects that we are working on, but has already used the video in classes that she teaches at CCV.

Ben also attended the meeting and participated in couple of conversations with Abenaki leaders about the training. There were a lot of interesting ideas around land access. He said that leaders seemed very interested in the Act 76 work, wanted to engage, and were willing to come in and do trainings, but seemed like many do not have the capacity to join a BWQC.

Karen said that a big take away for her was broadening the way we think about project areas, that the Abenaki training showed the connection of the environmental systems, including what is above ground and below ground and the interconnectedness of land and water- this was also expressed in a spiritual way. She asked if the conservation districts were doing outreach to Tribes?

Sarah Damsell said that she was not the staff member leading the outreach-White River conservation district staff is. But there will be a meeting soon between Northeast Kingdom District Managers and local tribes.

Karen asked Ben if there would be other trainings related to DEIJ work in general. Ben said there were none that he knew of, but with the new Vermont EJ legislation and Title 6 focus, DEC will be more engaged in this conversation, though they are at the beginning of this process.

Beth asked if there have been any effort to identify people within the Memphremagog Basin to include in BWQC or CWSP work?

Patrick suggested the group approach the Nulhegan Tribal Council

Kendall asked if the BWQC wanted to invite the citizens of the Nulhegan Tibe to a BWQC meeting or have conversations with Tribal leaders about BWQC membership or participation? She also shared the Nulhegan Band website <https://abenakitribe.org/>

It was decided the Karen and Beth, as the new chair, will discuss and do outreach to Chief Don Stevens of the Nulhegan Band together.

## **Review and discussion of documents**

### *BWQC Meeting Rules*

Kendall presented the draft BWQC Meeting Rules for discussion and flagged priority sections. The following discussion and changes were agreed upon:

The Rules will contain a clause to allow for Ex Officio members. The BWQC indicated that this could be an option for professional advisors, international stakeholders, and presented as an option for Abenaki members if full BWQC membership is too time consuming. Kendall will find some stock language for this section, but it will be straight forward language.



It is too hard to determine specifics about subcommittees at this time, as the program is just starting. The group decided to add language that indicates that subcommittees cannot make binding decisions, there can be ad hoc or standing committees, and that the subcommittees will be made up of fewer than a majority of BWQC members (to avoid a quorum) and any number of stakeholders.

The BWQC agreed to remove sections on Conflict Resolution and Professional Conduct, understanding that these topics were covered in the Act and Rule.

The BWQC did not want to put any more details under Emergency Meetings.

Kendall will incorporate changes, ask DEC if they would like to review, review internally at VHCB and aim to have these finalized that the next BWQC meeting.

#### *BWQC Public Participation Procedures*

Kendall presented the draft BWQC Public Participation Procedures for discussion. There were no specific sections for review.

Meg Carter asked if we were able to translate documents into French upon request and if we could add some language about making those accommodations. Karen indicated that we could and would add that language.

Kendall will incorporate changes, ask DEC if they would like to review, review internally at VHCB and aim to have these finalized that the next BWQC meeting.

#### *Procurement and Prequalification*

Kendall presented the two draft request for qualifications (RFQ), the draft distribution plan for the RFQs, and contact list. She said that after the meeting, she would recirculate the contact list and ask for everyone to add any additional entities to the list.

Kendall took questions about the RFQ process and the RFQs. Meg asked about date discrepancies, and Kendall indicates that those were just typos, the results of the RFQ will be valid for three years, and the RFQ process will be opened annually. Patrick asked if they needed to respond to both the subcontractor and subgrantee RFQs, Kendall said they did not, as they any entity approved as a subgrantee is also approved as a subcontractor. Patrick also asked Ben if TBP grant could cover the time associated with replying to RFQs, Ben wasn't sure, but would look into it. Kerry asked if VLT, as a statewide entity, could just respond to one RFQ and be prequalified across all CWSPs. Kendall responded that this had been talked about among the CWSPs and with DEC, and it was decided that entities have to apply individually to each CWSP's RFQ out of fairness and because there are minor differences among RFQs. Kendall also indicated that the RFQs that VHCB was releasing were extremely similar to other CWSPs, so that would make it easier for folks responding to multiple RFQs.



Ben indicated that DEC is speaking internally about the possibility that municipalities would be automatically prequalified to do work on their own municipal land.

Co-Benefits

Kendall quickly presented the co-benefits matrix and UVM report. Due to time, the BWQC decided to spend 20 minutes on co-benefits at the next meeting, then decide how to move forward with developing the scoring matrix.

**Questions, discussion, open conversation, next meeting time**

Karen Freeman indicated that Senator Leahy's office has approved our request for funding for the Memphremagog Basin in the amount of \$3.1 million from the Great Lakes Fisheries Commission FY 22 funding. More details to come.

Kendall will send a Doodle Poll to schedule the next meeting for either the first or third week of August.

No additional topics were discussed

**Adjourn**

Meeting adjourned at 11:58am

Respectfully Submitted,

Kendall Lambert