



Memphremagog Basin Water Quality Council

February 9th, 2023 - 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)
Sam Mayne Essex County Natural Resources Conservation District (ECNRCD)
Doug Morton Northeastern Vermont Development Association (NVDA)
Eric Pope Town of Morgan

Basin Water Quality Council (BWQC) alternates

Jessica Colby NorthWoods Stewardship Center
Ted Sedell Orleans County Natural Resources Conservation District (OCNRCD)

Clean Water Service Provider (CWSP) staff

Karen Freeman Vermont Housing & Conservation Board (VHCB)

Vermont Department of Environmental Conservation (DEC)

Ben Copans

Members of the public

None

Welcome & Review Agenda

Beth opened the meeting at 10:00. The agenda was reviewed with no additions.

Roundtable Introductions

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

Public Comment

None

Review and approval of 11.14.22 Meeting Minutes



Motion by Patrick, seconded by Eric to adopt November 14, 2022 meeting minutes with no revisions. Approved unanimously.

CWSP Update

Karen and the other CWSP staff continue to work with DEC on CWSP guidance, and she has been focused on the RFQ process and drafting the application documents. VHCB is still seeking to fill the Clean Water Program Director position to oversee the CWSP work, she will remain the lead in the meantime. Tom Berry has taken a new role with Great Lakes Fishery Commission and has indicated additional GLFC support on top of the initial \$3.1 million award for activities that were not funded in the first GLFC award.

Project Scoring

The overall project scoring matrix was reviewed and discussed, including the proposed percentages. Those categories are: Phosphorus reduction/cost effectiveness (60%), co-benefits (20%), and other factors (20%) which include basin plan conformance, certainty of the viability/cost-effectiveness and O&M costs. The co-benefits score as a percentage of the total varies among the CWSPs from 10-20%, the Memphremagog BWQC had discussed 20% earlier and members still feel that is a good place to start for the initial rounds.

Co-Benefits Scoring Matrix

Members reviewed the revised co-benefits scoring matrix. The last draft was a binary (present/not present) scoring, Karen has revised with a 0-3 scoring scale. She also remove the redundant reference to carbon sequestration that was in two sections. Members suggested adding checkboxes to the menu of items as well as an “other” option for all the sections. The applicants will complete, CWSP staff will do initial scoring and BWQC will be able to provide additional insight and feedback at the meeting on the scoring. Members did not feel the need to weight the co-benefits at this time. Sam made a motion, seconded by Kerry to approve the co-benefits scoring matrix as further revised at the meeting. Motion passed unanimously.

Draft Application

The committee reviewed the first draft of the application and provided feedback. Members liked including a dropdown section for co-benefits, Meg suggested providing the DEC budget template and Patrick hoped the application could note that a detailed budget is not expected for early project phases. While the P reduction and cost effectiveness calculation is included as an attachment, Ben suggested including that earlier/prominently in the application. Kerry wondered about need for resumes since RFQ process will cover that, and Doug suggested a simplified process for scoping projects. There was a discussion on project phasing, could this be more similar to block granting process? Ben said that there is some latitude in guidance for the BWQC to approve early phases and then move along towards implementation with check-ins and not requiring a full application process if project is going well. More discussion on ID/Assessment projects: Get a sense of what is needed in the basin and do a separate round for those projects?



There was a lot of discussion about road projects. Doug asked about funding through the formula grants, noting that existing funding is inadequate. Ted pointed out that it is really hard to get funding for undersized culvert projects and many smaller grants have to be pulled together. Ben talked about the CWSP statute and said that if a CWSP has met its P reduction target that there's the opportunity to dive into projects required by the MRGP. He noted that the statute needs more clarity, but that he thinks it is possible to do a culvert retrofit with a significant geomorphic component that would increase floodplain access. He also noted that private roads are eligible for formula grant funding. Karen added that the GLFC money will provide an opportunity to help address gaps in funding for projects that have a serious impact on water quality. Doug hoped there could be collaboration on projects that impact public right of ways. Meg felt that the BWQC should consider any type of non-regulatory project that meets cost-effective P reduction criteria.

Beth asked if a subcommittee would be willing to meet to further review the draft project documents before the next meeting. Patrick, Meg, Ted and Ben agreed to be on the subcommittee and Karen will schedule for next week.

Project Manager and Subcontractor Procurement

Discussion about what seemed to members like an onerous risk assessment component of the procurement RFQ process, particularly for smaller organizations. Patrick noted that the risk assessment questionnaire was more extensive than DEC's and Kerry hoped there could be a streamlined path for existing basin planning partners with long standing DEC relationships and proven track records. She also noted that the pass/fail questions in the scoring matrix had different terminology. Patrick asked if the qualifications tracks with the organization or the person and said that the other CWSPs are accepting personal qualifications. Meg wondered about the lower point threshold for project managers. Ben responded that CWSPs were trying to provide for smaller organization participation in simpler projects like buffer plantings. He also noted that pre-qualification enables direct selection but there are still organizational review elements in the project selection process. Kerry pointed out that the grant application asks for demonstration of qualifications and wondered what was gained through the pre-qualification process. Ben said that because the rule enables the BWQC to prioritize projects that having the CWSPs pre-qualify was an administrative means to avoid conflict of interest. Kerry was still worried about the potential for conflict of interest impacting the work of the BWQC with so many members potentially applying for funding. Karen will make revisions to the RFQ documents and circulate the distribution list to the members to see if any potential project managers or subcontractors should be added.



Tactical Basin Plan & Functioning Floodplain Initiative Updates

Ben reported that the final internal reviews of the TBP are being completed and a final draft will be out for public comment end of March/early April. Public meetings to be held in April and he encouraged the BWQC members to participate in those public meetings.

FFI Tool -While the tool does not currently apply to the Memphremagog basin, the background/concepts and upcoming trainings will be valuable to members who will regularly be doing this analysis. The interim calculator tool might be close enough and just need some customizing for our basin vs needing to develop a whole other tool which will be quite costly.

Trainings/Presentations

DEC Wetland Desktop Training, February 23, 1-3pm

VT DHP Historic Preservation Review of Clean Water Projects, March 8, 2-3:30

Clean Water Initiative Abenaki Water is Life March 9, 12 - 12:45 pm

Ben stressed the importance of the SHPO training since the DHP review requirement is new.

Next meeting of BWQC

Thursday, April 6th 10:00am-12pm

Friday, June 9th 10:30am-12:30pm

Members discussed moving to regular quarterly after the summer and will talk about schedule at the April meeting.

Meeting adjourned at 12:00 pm

Respectfully Submitted,

Karen Freeman