

**Missisquoi Basin Water Quality Council (BWQC)**

**Wednesday, April 2, 2025**

**11:00 AM -1:00 PM**

**Remote /Zoom meeting**

Meeting video posted at <https://youtu.be/yKf1n7hfTjg>

**A VIDEO RECORDING OF THE MEETING IS AVAILABLE THROUGH THE  
NRPC YOUTUBE CHANNEL (Link above).**

**THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE MEETING.  
MOTIONS ARE AS STATED. MINUTES WILL BE SUBJECT TO CORRECTION BY THE  
COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT  
MEETING OF THE COUNCIL**

Council Members: Lauren Weston (Q), Heidi Britch-Valenta (Q), Lindsey Wight (Q), Kent Henderson (Q), Dan Seeley (Q), Sarah Downes (Q), Allaire Diamond (Q), Ted Sedell(Q\*), Beth Torpey(Q\*), Bridget Butler, Mel Auffredou

Q= towards quorum    \*=arrived after start

Staff: Dean Pierce, Cliff Jenkins, Nora Brown

Others present: Josh Serpe (FNLC), Chris Rottler (DEC), Karen Bates (DEC), Jim Pease, Jim's AI Notetaker, Daniel's AI Notetaker

**1. Welcome and introductions**

Lindsey Wight opened the meeting at 11:02 as Chair. A round of introductions was made.

**2. Meeting protocols**

Lindsey Wight reviewed the norms for meeting on Zoom.

**3. Conflict of interest declarations, if any**

No conflict of interest declarations were made.

**4. Review/adjust and approve agenda**

Sarah Downes motioned to approve the agenda. Dan Seeley seconded. Motion carried.

## **5. Approval of minutes**

Sarah Downes motioned to approve the minutes. Dan Seeley seconded. Motion carried.

## **6. Public comment not related to items on agenda**

No public comments were made.

## **7. Report on budget adjustments, if any**

No budget adjustments were reported.

## **8. Seating of new RPC Representative, if any**

No new representatives were seated.

## **9. NRPC Private Roads Study**

Cliff Jenkins provided an overview of NRPC's upcoming private roads study, which was awarded by DEC based on NRPC's previous work developing a road erosion inventory methodology for private roads around Lake Carmi. The study developed a methodology for identifying and prioritizing private road segments for remediation, drawing on DEC's MRGP standards, which proved difficult to adapt to private property. NRPC also developed outreach materials to promote landowner buy-in to the identified projects. The goal of the upcoming study is to adapt this methodology to the entire Champlain Basin and identify private road phosphorus reduction projects eligible for CWSP funding. These unregulated, often unpaved roads are a major source of phosphorus runoff.

The project timeline includes two phases. Phase I (Fall/Winter 2025) will focus on technical resource development, including GIS mapping of private roads, identification of priority HUC-12s, and creation of landowner communication materials. Phase II (Spring 2026 onward, expected multi-year effort) will involve program management and implementation, monitoring of subcontracts, reporting, and stakeholder communication. The private roads REI methodology will then come online following the rollout of the forest road REI methodology.

Jim Pease asked whether the study applies to paved private roads as well, and Cliff Jenkins clarified that it does. Jim Pease then asked about how this project overlaps with the 3 acre permit requirement for developed lands. Dean Pierce clarified that since CWSPs may only fund non-regulatory activities, the results of the study won't directly overlap with 3 acre requirements.

Kent Henderson asked about the prioritization criteria, and Cliff Jenkins answered that prioritization explained that existing MRGP standards and landowner cooperation would guide decisions, but that determining these criteria is one of the goals of the study. Projects with higher landowner willingness will receive higher priority scores.

Kent Henderson then asked about whether these projects would be entirely or conditionally exempt from cultural resource review requirements. Dean Pierce answered that, per his reading of the policy, they would be

conditionally exempt, and that he would ask DEC to whether level of review might change in the next update of its funding policy.

Heidi Britch-Valenta asked about operations and maintenance (O&M) agreements with landowners and whether they would require an HOA or other cooperative entity. Cliff Jenkins noted that determining the requirements is part of Phase I. Dean added that projects involving organized entities like HOAs would be easier to manage and in his opinion more likely to be pursued for implementation.

Jim Pease asked whether CWSP funds can be used for private road maintenance. Dean Pierce answered that CWSP funds cannot pay for normal maintenance activities. But, the boundary between normal road maintenance and maintenance of water quality improvements might not always be clear. So determining exactly what work can be covered by CWSPs will be complicated.

## **10. Training on O&M**

Nora Brown provided training on Operations and Maintenance. She went over the basic requirements for implementer organizations and recent updates to the Site Access License/Easement Agreement templates shared in October 2024 by DEC, which included the addition of a plain-language cover letter and a designated “landowner liaison” role. She noted DEC funding policy states that easements are required for projects receiving over \$200,000 in state investment for the implementation phase only.

Lauren Weston asked about adopting old projects and whether CWSP funding could be used for related O&M activities. Dean Pierce answered that CWSPs can achieve some of their P reduction targets through adoption and offered to include this as an agenda item at a future meeting.

Allaire Diamond asked about projects hosted on land with an existing conservation easement including language about access and whether these agreements could replace fill the CWSP requirement for site access licenses/easements, helping minimize potential points of conflict with landowners. Chris Rottler offered to bring this issue to the O&M team at DEC.

Jim Pease expressed concern with the ability of landowners to terminate site access easements with 180 days of notice. Dean Pierce agreed that this could be an issue, particularly if a cancellation made the CWSP less eager to fund larger projects. Chris Rottler shared that the cancellable easement was meant to be a middle ground between more restrictive language to protect investments and the willingness of landowners to sign on.

## **11. Project Sharing (Round Table)**

Lauren Weston reported successes in landowner outreach for tree plantings. She provided updates on several projects, including the Trout Brook Reservoir dam removal final design, where most permit applications are now submitted. The Marsh Brook Floodplain Restoration is progressing with Fitzgerald Environmental, and the Sandy Bay SWA project will also involve Fitzgerald. The Montgomery flood resilience development is continuing to progress, albeit slowly. FCNRCD is also working to streamline final design requirements for the Black Woods lakeshore bioengineering project and is hosting multiple tree plantings this spring that community members can sign up for.

Dean Pierce thanked everyone for their ongoing project work and noted that partner organizations are essential. He provided an update on project development work using the FFI tool that had been split between NRPC and

MRBA. Progress has been slow due to staffing changes and waiting for FFI tool enhancements. Lindsey Wight shared that MRBA has been using the FFI tool to identify projects, and they plan to ground truth probable sites by the end of summer. She also shared that MRBA will be delaying implementation of its Trout River stream restoration project to next year due to limited capacity. Two other projects, project development in North Troy and for the Sleeper Dam Removal, are moving along, with dam removal permits hopefully being signed this week.

Allaire Diamond asked about trends and challenges related to permitting, especially wetlands and historic preservation. Ted Sedell shared that for one of his projects, early coordination involving site visits with wetlands staff helped smooth the process. Lauren Weston noted that some dam removal projects unexpectedly required individual permits.

Karen Bates pointed out that process changes often happen without clear communication, making it difficult to stay updated. Allaire Diamond expressed a desire for DEC staff to be on the same page to help implement more projects.

Lauren suggested adding information about recent regulatory changes to project screening forms to help track updates. Dean agreed, emphasizing that it would be useful if DEC could communicate changes more proactively during project screening.

Jim Pease announced that Watershed Consulting recently signed a contract with LCBP to conduct stormwater and illicit discharge work in St. Armand, Quebec, on the Rock River.

## **12. Introduction to WISPr funding (12:30 start)**

Katherine King of DEC provided the council with an overview of the WISPr program (Water Infrastructure Sponsorship Program), which allows municipalities to use the Clean Water State Revolving Fund (CWSRF) in a unique way to fund natural resource projects without incurring costs.

She explained that WISPr allows municipalities with CWSRF loans for water pollution and abatement projects to sponsor natural resource projects that improve water quality. Eligible project types include dam removal, floodplain and stream restoration, land conservation, river corridor and wetland easements, riparian buffers, wetland restoration, and lakeshore erosion repair. Projects must provide a water quality benefit either by restoring or protecting a natural resource in perpetuity.

The program allows for up to 10% of the base loan cost to be directed to funding a natural resource project or projects. The administrative rate on the loan would then be reduced, which can produce savings for municipalities. Municipalities can either implement their own projects or partner with a third-party implementer, such as a nonprofit, RPC, conservation district, watershed group, or another municipality.

Katherine noted that WISPr only funds implementation and construction, not planning or design. Timing is crucial, as the loan application should align with the design and construction phases of the CWSRF-funded project. She also highlighted that WISPr is well-suited for costly projects with low phosphorus reduction potential since it isn't focused on P credits. Operations and maintenance can be adopted by CWSPs, potentially earning credits.

Heidi asked for clarification on project eligibility, particularly concerning natural resource protection, as some stormwater projects do not qualify. Katherine explained that projects focused on bioengineering and natural resource restoration are prioritized, while hard infrastructure is automatically disqualified.

Dean asked how eligibility can be determined as early as possible, and Katherine replied that watershed planners, in coordination with the rivers program, assess eligibility, especially for GSI-related stormwater projects. Having projects listed in basin plans is beneficial but not mandatory.

### **13. Updates:**

Kent Henderson took over as chair at 10:45 when Lindsey Wight departed the meeting.

Dean Pierce shared that NRPC is about to formally adopt cost effectiveness thresholds projects in both of its basins. These thresholds are \$50,000/kg for stormwater projects and \$30,000/kg for all other project types. He noted that this policy is in response to a DEC request intended to help guide where applicants seek funding, whether from the CWSP or another source. This policy would allow for both partial funding and special exceptions in exceptional circumstances.

Dean Pierce then turned council members' attention to a recent DEC memo summarizing the evaluation process recently undergone by Addison County RPC ahead of its renewal as Otter Creek CWSP. He noted that all CWSPs must undergo this process before their assignments expire in June 2027, but this process has been staggered, and NRPC's re-assignment will take place in roughly one year.

Nora Brown provided an update on the CWSP communications working group that she is participating in, including the group's plans to create fact sheets for use by watershed organizations to familiarize landowners with the funding program. She also shared that the group had met with Rebecca Kelley, Chief Communications Officer for the state, to discuss tying this work to an overarching cultural campaign to foster environmental stewardship related to water quality.

Dean Pierce then shared that NRPC's Public Participation Policy, which was adopted on October 30 of last year, will be shared with council members as part of its rollout to all NRPC committees. Catherine Dimitruk, Executive Director of NRPC, encourages recipients of CWSP funds to consider the policy's recommendations in putting together projects and determining level of participation to include.

Lauren Weston notified members that she will be submitting a project to the upcoming funding round hosted on property owned by an NRPC staff member. Dean Pierce added that additional language will be required as part of the approval motion when the project is presented to BWQC members for a vote.

The next meeting of the council will take place on June 4, with the next funding round opening on April 16.

### **14. Conclusion**

Dan Seeley motioned to adjourn. Ted Sedell seconded. Motion carried. Meeting adjourned at 1:01pm.