

Missisquoi Basin Water Quality Council (BWQC)

Wednesday, June 4, 2025

11:00 AM -1:00 PM

Remote /Zoom meeting

Meeting video posted at <https://youtu.be/yth1SBDSD98>

**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), Tucker Malone (Q), Beth Torpey (Q), Bridget Butler, Ellen Fox, Dorothy Kinney-Landis

Q= towards quorum

Staff: Dean Pierce, Cliff Jenkins, Nora Brown

Others present: Finley Link (Redstart), James King (Redstart), Josh Serpe (FNLC), Ben Machin, 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 11:00 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

Lindsey Wight has an application before the council on behalf of MRBA, so she will abstain from voting on it.

Lauren Weston has three applications before the council on behalf of FCNRCD, so she will be abstaining from those votes.

Tucker Malone shared that he had helped Lauren develop one of her projects for which she was seeking funding. This was determined not to be a conflict of interest, as he was not the applicant.

4. Review/adjust and approve agenda

Lauren Weston motioned to approve the agenda. Sarah Downes seconded. Motion carried unanimously.

5. Approval of minutes

Kent Henderson motioned to approve the minutes. Sarah Downes seconded. Motion carried unanimously.

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.

Dean Pierce proposed that Dorothy Kinney-Landis be formally named a second alternate for Lauren Weston.

Kent Henderson motioned to approve Dorothy as an alternate. Sarah Downes seconded. Lauren Weston abstained. All others voted in favor. Motion carried unanimously.

9. Application Review (4 applications received)

Dean Pierce reviewed four project applications requesting a total of \$403,000, with estimated implementation costs between \$1.1–1.6 million and an estimated total phosphorus (P) reduction of 74 kg/year. Dean recommended approving up to the requested amounts but noted the importance of considering future implementation costs. He also presented information on the basin's current funding allocations and future cost projections for projects in the design pipeline.

Heidi Britch-Valenta asked how future P reductions are calculated. Dean explained these values are assigned by DEC based on each funding award, and estimates for Years 4 and 5 were generated by him for planning purposes.

Chair Transition: At 11:21 AM, Kent Henderson assumed chair duties while Lindsey Wight presented her project.

Sleeper Dam Removal (Implementation)

Lindsey presented the project, which requests \$217,630 in CWSP funding. Total implementation cost is estimated to be \$757,000, with a projected P reduction of 30.28 kg/year. The project was identified using CWSP project development funding, and subsequent design work was privately funded and wrapped up in November 2024.

The dam is in Newport Center and owned by the town, and interest in removing it dates back a number of years, as it has been failing. Cultural resources review has been completed and final permitting is underway. Partial funding has been secured from FEMA's Flood Resilient Communities fund and WUV. The project eliminates the need for the dam by creating a new fire pond uphill.

Ellen Fox provided historical context, noting the dam was originally built as a fire pond and ice source. The project includes the creation of a new fire pond to account for this change.

Dean Pierce asked about the project timeline. Lindsey confirmed construction is planned to be completed by the end of the year, since that is when FEMA funds expire.

Dean asked whether historical preservation monitoring would be required. Ellen responded that concerns were minimal due to a tight project boundary and a focused sediment removal plan, though minor monitoring could occur as part of Army Corps permitting requirements.

Lauren expressed support for the project and noted that getting a signed site access easement can be a lengthy process. Dean mentioned a new DEC template is being released to address some concerns with agreement language, which may help streamline this process.

Lauren moved to approve the full funding request of up to \$217,630. Beth Torpey seconded. Lindsey Wight abstained. All others voted in favor. Motion carried unanimously.

Kent Henderson returned chair duties to Lindsey Wight at 11:35 AM.

West Hill Brook Strategic Wood Additions: Preliminary Design

Lauren Weston introduced the project with a request of \$6,904 (estimated total cost through implementation: \$55k–\$75k). Cultural resources review not anticipated, but design will confirm whether it is required. She shared that this project was developed by Redstart, who then came to FNRCF for funding. Now that the project has been redirected to the CWSP as a funding source, competitive procurement would take place before design work begins.

Finley Link of Redstart Consulting explained that the project entails adding coarse woody debris to reconnect floodplains. The proposal is based on desktop reviews and partial field data. The preliminary design would involve more thorough scoping of stream length and floodplain availability to inform final design.

Dean asked about the reliability of the P reduction estimate (4.81 kg/year). Finley shared that the estimate is based on desktop review and acknowledged that more field data is needed for confirmation, but he felt generally comfortable with the numbers. Future design will be able to refine/confirm that number with more ground scoping, particularly incision ratios.

Karen Bates cautioned against relying heavily on desktop-based incision estimates, citing past discrepancies. Finley agreed that field verification would be necessary.

Kent Henderson inquired about land use and ownership. Finley stated the project is on remote, privately owned forestland (approx. 2000 acres), managed for timber, habitat, and water quality.

Sarah Downes motioned to approve the request. Beth Torpey seconded. Lauren Weston abstained. All others voted in favor. Motion carried unanimously.

Marsh Brook Floodplain Restoration: Final Design

Lauren provided an overview of the project, which is located in the Lake Carmi watershed. She is requesting \$95,225 for final design (total cost through implementation estimated at \$536k, aiming for 2026 construction), with an estimated P reduction of 22.4 kg/year. The Agency of Agriculture has approved the project, since it is located on farmland.

She disclosed a potential conflict, that the landowner is an NRPC employee. Dean clarified the need for the motion to specifically acknowledge this conflict.

The project involves re-routing a section of Marsh Brook to its historic natural channel and adding woody debris for floodplain connectivity. Final design will also evaluate adjacent culverts for their impacts on the stream, and design may include redesign and replacement if deemed necessary. The estimated implementation costs include this culvert work, so they are likely on the higher end.

Karen Bates asked whether Lauren had consulted Staci Pomeroy about wood addition and its potential impacts on downstream infrastructure. Lauren replied that she had not yet contacted Staci but plans to.

Kent asked about land use; Lauren explained the fields are rented out and hayed, with no livestock access to the woodlot. She also shared that the budget includes a phase 1 cultural resource assessment, which an ARA deemed necessary.

Heidi Britch-Valenta moved to approve up to the full amount requested with conflict-of-interest acknowledgment. Sarah Downes seconded. Lauren Weston abstained. All others voted in favor. Motion carried unanimously.

Rock River Tributary Floodplain Restoration: Final Design

Lauren outlined this project requesting \$87,359 (total estimated cost through implementation \$230–250k, aiming for 2026 construction), with an estimated P reduction of 16.3 kg/year. The project is located on a conserved parcel under a VLT easement. It builds on a previous Agency of Agriculture and Friends of Northern Lake Champlain project from 2017, which installed a 2-tier channel along the stream.

Tucker and Lauren discussed the easement's terms and buffer flexibility.

Lindsey asked about the ditch width; Lauren confirmed it will be expanded to 50 feet on each side from 15 (including the 10 ft channel, total width is 110ft). Ellen inquired about potential sinuosity within the corridor. Tucker explained the buffer will not shift with the stream but allows for flexibility within that zone.

Kent raised concerns about a rock ledge at the site, which was identified during the previous project and prevented the project from extending beyond the ledge. Lauren noted design will assess if it limits restoration; if so, alternatives will be considered. Kent asked how the project would account for a loss of area due to this ledge. Tucker shared that the whole property is already conserved with VLT, but he didn't think the buffer could be extended further. He asked about chiseling away bedrock, but Lauren answered that that wouldn't be fundable under CWIP. Tucker also shared that recent work at the site indicated that the ledge may be less of an issue than originally thought.

Kent also questioned long-term Operations and Maintenance and emphasized the need to ensure projects aren't accidentally compromised or removed by landowners. Tucker answered that VLT must give its permission for any maintenance work occurring inside the buffer. Kent also asked whether tile drains were present and emptying into the section of stream. Tucker and Lauren answered that there were some present, but not all have been identified.

Dean emphasized the requirement for O&M agreements to ensure that CWSPs can continue to claim P credits. He also noted that all projects over \$200k will require a formal O&M agreement and site access easement, but DEC may be open to accepting existing conservation easements in certain cases.

Dean also noted 2-tiered ditches are considered a stormwater practice, rather than a riparian one. Lauren clarified that the project is a floodplain restoration project, as goes beyond a 2-tiered ditch by including strategic wood additions, wetland creation, and room for sinuosity.

Kent also highlighted the need to ensure design does not inadvertently increase stream velocity or sediment transport. Lauren assured that velocity increases are not part of the design intent and an alternatives analysis will address these issues.

Kent asked about Agency of Agriculture input on buffer widths and landowner willingness with recommendations. Lauren confirmed that AAFM has said the project is allowable, and CREP enrollment is planned.

Motion: Sarah Downes moved to approve the full request. Beth Torpey seconded. Lauren and Dan abstained. Kent opposed, citing unresolved concerns about the O&M agreement. Motion carried.

10. Expedited project development program

Dean Pierce provided an overview of the new expedited project development program, which was approved by the BWQC in August 2024. The program allows PD awards to pre-qualified partners using a simplified application process. Each organization may receive up to \$10,000 over the course of the year. A general WPD ID number (12697) has now been issued for this program—originally requested earlier in the year—which enables pre-qualified partners to apply for funding using the generic ID number if no other ID for the project exists. No action was required at this meeting, but Dean noted that requests for funding under this program may be brought to future meetings.

Lauren Weston asked for confirmation that accessing these funds simply involves contacting Dean for application information. Dean confirmed and noted that there is a link on the website for the ongoing project development funding solicitation, which directs applicants to the appropriate form. The general WPD ID number can be used if another project-specific ID is not available.

Lauren asked if invoicing would follow the standard process. Dean affirmed that a task awards and invoicing would proceed as usual; the program simply expedites the initial application and approval process.

11. O&M Program

Dean Pierce updated the council on the CWSP's O&M program, including project verification, survey results, and updates to the application process. NRPC is seeking approval from DEC to perform project verification as CWSP, but would not conduct verification on its own projects. A new question is being added to the funding application to determine whether applicant organizations are interested in performing their own O&M. For already implemented projects, a competitive procurement process requiring three bids is still necessary. As a result, some back-and-forth may occur during agreement development to finalize the O&M budget.

Lauren Weston asked if competitively procured O&M work could be paid as lump sum instead of reimbursement-based, given challenges in competing with for-profit contractors.

Dean replied that it depends, and suggested lump sums might work better in the private sector to avoid cost growth. He noted agreements would not cover the full design life—contractors wouldn't be committing to 10 years at once.

Lauren advocated for paying quoted prices for a set term (e.g., one year), regardless of efficiency, especially if private entities are competing. She emphasized the need for nonprofits to be treated similarly to for-profits in this process.

Dean acknowledged that estimating O&M costs has been difficult and that the issue of short project durations further complicates competitive bidding.

Lauren stressed that competitively procured contracts should clearly state that the quoted amount is the maximum paid. She shared that her organization is scheduled to begin O&M work (e.g., weed-whacking) imminently, so this is a timely concern.

Dean agreed and noted it's a top priority, even if it hasn't come up for many partners yet. He also confirmed that while NRPC sought permission to act as verifier under a tight deadline, they are not necessarily the verifier going forward.

Lauren asked about how cost range expectations for O&M work would be developed.

Dean responded that DEC is working on this, and that it will require additional data collection. Lauren noted that cost variability is especially relevant for tree maintenance, which may be more labor-intensive without herbicides.

Lauren emphasized that manual labor significantly increases costs, especially under restrictions on herbicide use.

Dean agreed, noting DEC policy currently discourages herbicide use in projects, although he is advocating to change this where limited use could improve project viability.

Dean also clarified the distinction between partners and contractors—partners have the right of first refusal for O&M work.

12. Updates, including public participation

Dean Pierce noted that the recent cost effectiveness policy is ready to be signed by NRPC's Executive Director.

Nora Brown updated council members on her work with a communications working group at DEC, including recently finished outreach materials. She also put out a call to members to recommend projects for her to highlight in an online map of completed projects.

Dean also updated members on the recent addition of forest road assessments as a newly eligible project type. These projects would inventory closed out forest roads for potential projects, an exception to the rule that CWSPs can't fund road erosion inventories.

Members discussed the upcoming annual meeting, scheduled for August 6th at 11am in Enosburgh. Suggestions were made for potential speakers, including a landowner of a successful project and Staci Pomeroy of DEC. Lauren Weston also suggested a site visit to FCNRCD's dam removal project, which will be in progress in Enosburgh.

The 8th funding round opens on August 13 and closes on September 17.

13. Conclusion

Sarah Downes motioned to adjourn. Lauren Weston seconded. Motion carried. Meeting adjourned at 1:02 pm.