

Missisquoi Basin Water Quality Council (BWQC)

Wednesday, August 6, 2025

11:00 AM -1:00 PM

Hybrid Meeting

In-Person at the Enosburg Emergency Services Building
83 Sampsonville Rd, Enosburg Falls, VT 05450

Meeting video posted at <https://youtu.be/-NTZHzOelac?si=pz-QN3mugFZyXdaU>

**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), Lindsey Wight (Q), Heidi Britch-Valenta (Q), Bridget Butler (Q), Beth Torpey (Q), Tucker Malone (Q), Ted Sedell (Q), Ellen Fox

Q= towards quorum

Staff: Dean Pierce, Cliff Jenkins, Nora Brown

Others present: Jim Pease, Josh Serpe (Friends of Northern Lake Champlain), Peter Benevento (Franklin Watershed Committee/Lake Carmi Campers Association), Alison Spasyk (Lake Champlain Sea Grant), 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 meeting protocols and norms.

3. Conflict of interest declarations, if any

No conflict of interest declarations were made.

4. Review/adjust and approve agenda

Lauren Weston motioned to approve the agenda. Bridget Butler seconded. Motion carried unanimously.

5. Approval of minutes

Lauren Weston motioned to approve the minutes. Heidi Britch-Valenta 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

Dean Pierce reported on the following budget adjustments:

- There was an 8.7% increase to the previously approved budget for the Franklin County NRCD's Missisquoi Basin riparian buffer planting scoping study. As this falls under the 10% threshold, the CWSP was able to approve this increase administratively.
- An additional amendment was made to the Franklin County NRCD's final design project for a dam removal in Enosburgh. There was an initial increase in the budget, which was followed by a second increase that drew funds from the already approved implementation phase for the dam removal. The first of these adjustments fell under the threshold for the CWSP to handle them administratively. The second was not a new allocation but rather a transfer of funds from the implementation phase to the final design phase.

Dean also shared that an expedited project development application from Friends of Northern Lake Champlain was approved for a total of \$10,000.

Dean also noted that three additional PD applications have been received but not yet processed: one from Vermont Land Trust and two from the Franklin County NRCD.

8. Seating of new RPC Representative, if any

Dean Pierce shared that Abbey Miller, Village of Enosburgh Falls assistant manager, has indicated interest in joining the council as an additional municipal alternate and will propose to do so at the council's next meeting. He also noted that Dave Allerton, a current municipal alternate from St. Albans Town, has retired. Dean is waiting to hear whether this means he would also like to step down from the council, and if he would, Dean has begun conversations with his successor, Kevin McAleer.

9. Election of Officers

Dean reviewed the protocols for the election of officers and took over for election procedures. He solicited nominations from the floor.

Lauren Weston nominated Lindsey Wight to be Chair. Heidi Britch-Valenta seconded. Lindsey accepted the nomination. Heidi Britch-Valenta, Bridget Butler, Beth Torpey, Lauren Weston, and Lindsey Wight voted in favor. Lindsey Wight was elected Chair for the next fiscal year.

Lindsey Wight solicited nominations for Vice Chair. Heidi Britch-Valenta nominated Kent Henderson to be Vice Chair. Lauren Weston seconded. Kent was not in attendance, but Dean Pierce shared that he had expressed willingness to continue his role. Heidi Britch-Valenta, Bridget Butler, Beth Torpey, Lauren Weston, Tucker Malone, and Lindsey Wight voted in favor. Kent Henderson was re-elected Vice Chair for the next fiscal year.

Lindsey Wight suggested that the council consider moving its annual meeting to a different time of year to better align with DEC budgeting processes.

10. Presentation

Alison Spasyk, Flood Resilience Educator at Lake Champlain Sea Grant, presented on Act 121 (The Flood Safety Act). She is doing education and outreach about the law in conjunction with The Nature Conservancy in support of DEC and presented the following:

- Act 121 was passed in response to the 2023 flooding, taking a “watershed-wide” approach to protect upstream and downstream equally and supersede town and county boundaries. It gives DEC authority to limit new development in river corridors statewide, strengthens oversight and maintenance of dams to allow for strategic removal of derelict dams, and protects/restores wetlands.
- Vermont is uniquely susceptible to flooding and flood damage due to development patterns, topography, and increased precipitation. There is a difference between inundation and erosion-related damages—75% of monetary damages are from erosion, which is more costly. Historic practices like straightening or dredging rivers increase water velocity and reduce floodplain connectivity.
- Historically, Vermont has relied on the National Flood Insurance Program (NFIP), which only addresses inundation damage, not erosion hazards. People can choose to enroll in flood insurance, but often are unaware of risk, especially since floodplain maps are outdated. NFIP participation is expensive. ANR’s river corridor areas also need protection; they often overlap with NFIP zones but sometimes do not.
- Many towns have municipal river corridor bylaws, but they form a patchwork without statewide impact. Education and outreach for Act 121 began January 1, 2024, and will continue through 2026. By 2028, the law will require permits for all new development in river corridors. Some downtowns where the river is “locked” in place will be mapped and exempted.

Discussion followed. Heidi Britch-Valenta asked whether allowing continued development in certain downtowns would increase costs in case of inundation flooding. Alison answered that it depends on whether new structures are in the floodplain, as towns enrolled in the NFIP already have certain building standards for the 100-year floodplain.

Lauren Weston asked who is making the maps of exempt areas. Alison answered that a consultant like SLR may be contracted to develop methodology; they have already completed some pilot towns completed. The Nature Conservancy is also involved. Work is ongoing.

Lauren asked whether full river corridor maps will be updated or just settlement areas. Alison said infrastructure that won't realistically be removed (such as highways) will be exempted without redoing the entire corridor.

Lauren asked about reevaluation of 50 ft headwater stream corridors. Alison said the statewide minimum applies to rivers with watersheds over 2 square miles; towns can then choose to regulate smaller streams. The incentive for additional protections is access to higher ERAF disaster relief reimbursement (from 7.5% to 17.5%).

Jim Pease raised a question about delegation of permitting to towns, comparing it to wastewater permitting. Alison said process for determining towns with capacity to permit is TBD. Alison said towns could share authority with DEC if capable, but details are still pending. Ellen noted potential equity issues where economically stronger towns may be more likely to have exemptions. Alison said there will be public input as mapping rolls out due to impacts on economically important areas.

Lauren asked about dam and wetland provisions. Alison said outreach is currently focused on river corridors, though they are beginning to coordinate with wetlands and dams programs. Wetland mapping is being updated, adding more areas; public input will be collected by watershed. Goal is net gain in wetlands.

Lauren asked if the goal is new rules or funding. Alison said the emphasis is on safety and preventing future losses, avoiding "regulation" language but acknowledging it's part of it. For dams, the focus is removing or fixing old structures, not building new ones. Act 121 could open more funding for dam removal. Heidi shared that Highgate Falls Dam flooding was caused mainly by ice jams. Alison said ice jams are a unique case, sometimes addressed by physical removal or other methods.

Lauren questioned why dredging isn't considered as a one-time action. Alison said it would have to be continuous in many cases, and that it's difficult to determine how far upstream to stop dredging. Alison agreed that upstream actions affect downstream areas; dredging can cause upstream headcutting and can't realistically protect against large storms.

Bridget pointed out that inundation is often seen as wholly negative, even though floodplains need to inundate. Alison agreed, saying the goal is to provide more floodable areas without infrastructure damage, not to prevent flooding entirely.

Ellen noted that this contradicts dominant mindsets that believe humans should control the landscape, rather than respecting rivers as the dynamic systems they are. A mindset shift is needed for this work to take hold in communities.

Ted Sedell noted that the Army Corps of Engineers rarely permits dredging except for major economic waterways. He has had similar conversations about dredging repeatedly with landowners.

Lindsey announced an August 12 meeting with the National Weather Service in St. Albans, with John Goff presenting new flood inundation mapping at city hall. This is separate from FEMA mapping.

Alison shared the timeline for Act 121 rollout, with education and outreach continuing until 2027 and administration of new development rules for river corridors beginning in 2028.

11. Updates/Future Meeting topics

Cliff Jenkins, project manager for water quality at NRPC, and Dean Pierce updated members on the so-called "causeway projects" list. They began by providing context for the list, noting that in the 1990s, VTrans began to plan for a replacement structure in the location of the bridge and causeway constructed in the 1930s to connect Swanton and Alburg.

There was considerable controversy about the design of a new structure. Some in the area supported complete removal of the causeway to increase lake circulation and improve water quality in Missisquoi Bay. Others favored retaining the causeway because it provided vital habitat for an endangered species of turtle. Ultimately, a new bridge was built, while the causeway was retained .

Funding for the project was provided by a large congressional earmark. Because the project was completed under budget, officials were faced with questions about use of the unspent funds. These funds had to be used in a manner consistent with the intent of the original appropriation, which was tied to transportation infrastructure in the Missisquoi bay area.

A decision was made to redirect unexpended funds to other projects in the Missisquoi Bay watershed. But, to be eligible, those projects must have a direct connection to both transportation and water quality. Much time passed. Eventually, as part of its state-funded transportation planning duties, Northwest RPC worked with local communities to develop a list of 10 priority projects considered suitable for the funding.

After further delay, 9 of these projects were deemed viable by DEC. NRPC staff began working with VTrans on a “project management” proposal to move forward with the 9 projects. More recently, however, VTrans informed NRPC that certain technical questions have been raised by Federal Highway Administration officials. Work on the project management agreement has been put on hold until issues are resolved. Some projects may be cut depending on the outcomes of funding discussions, or there may be more room to identify additional projects.

Shifting to a different update topic Dean Pierce notified members that the comment period on DEC’s Funding Policy is now open. Dean also mentioned an interest in inviting speakers representing the Quebec portion of the Missisquoi Bay to a future meeting. Jim Pease recommended representatives from Sutton, St. Armand, or the Organisme de bassin versant de la baie Missisquoi (OBVBM).

12. Conclusion

The next meeting of the Missisquoi BWQC will take place on October 1.

Funding round 9 will open on August 13 and close on September 17. Round 10 will then open on December 17 and close on January 21.

Lauren Weston requested that future funding rounds beyond the next two be made available on the CWSP’s website. Dean agreed to add this information.

Dean Pierce shared that the CWSP had recently approved an O&M plan for Franklin County NRCD’s buffer planting along Giddings Brook that contains language allowing maintainers to begin using herbicides if DEC’s policy banning the practice is changed. He is waiting for an update from Rachel Buchanan, which he is hoping to have by December.

13. Adjourn/Recess for project site tour at Reservoir Rd

Lauren Weston motioned to adjourn the meeting for a site visit to Franklin County NRCD’s upcoming dam removal project in Enosburgh. Bridget Butler seconded. Motion carried. Meeting adjourned at 12:49pm.