

Missisquoi Basin Water Quality Council (BWQC)

Thursday, December 18, 2025

2:25 PM to 3:45 PM

Virtual Meeting

Meeting video posted at <https://www.youtube.com/watch?v=5CEwdWJJ48A>

**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: Chair Lindsey Wight (Q), Vice Chair Kent Henderson (Q), Lauren Weston (Q), Ted Sedell (Q), Heidi Britch-Valenta (Q), Allaire Diamond (Q), Beth Torpey (Q), Dan Seeley (Q), Sarah Downes (Q),

Q= towards quorum q= towards quorum when representative has recused

NRPC Staff: Dean Pierce, Nora Brown

Others present: Alternate Mel Auffredou (FCNRCD), Jim Pease, Chris Rottler (DEC), Karen Bates (DEC), Jim's AI Notetaker, Dan's AI Notetaker

1. Welcome and introductions

Lindsey Wight opened the meeting at 2:47 PM.

2. Meeting protocols

Lindsey Wight reviewed norms for meeting on Zoom.

3. Conflict of interest declarations, if any

Lauren Weston has a conflict of interest, as it is her project up for review. This conflict of interest also applies to her alternate, Mel Auffredou.

4. Review/adjust agenda

Kent Henderson motioned to approve the agenda. Dan Seeley seconded. Agenda approved.

5. Approval of minutes

Sarah Downes motioned to approve the minutes. Kent Henderson seconded. Minutes were approved.

6. Public comment not related to items on agenda

None.

7. Consideration of budget adjustment request

Staff introduced a request by Franklin County NRCO for an additional \$226,000 for FCNRCO's Trout Brook Reservoir Dam Removal project. The increase exceeds the 20% administrative approval threshold and therefore required Board approval. Because the next regular meeting was nearly two months away and the contractor had already invoiced for cost overruns, a special meeting was requested.

Lauren Weston reviewed the implementation process and the reasons for cost overruns. Once construction began, the site proved to be more challenging than anticipated. Work continued five weeks longer than planned before state regulators required work to stop for the winter, meaning remaining work will resume in the spring. The additional request represents approximately 30% of the current budget, bringing total project costs to just over \$1 million. Lauren noted that while the dam has been removed, upstream sediment remains, which must be addressed in the spring.

Ted asked what measures were in place to mitigate sediment over the winter and into spring.

Lauren explained that a pilot channel was constructed through the sediment to promote drying of material that could not be moved. Two filter berms remain in place near an undersized culvert, and a high level of erosion mitigation was implemented in compliance with the individual construction stormwater permit.

Ted commented that the lessons learned from this project will be invaluable for future dam removal projects.

Allaire asked for more detail on what was unexpected and what changed during implementation.

Lauren explained that the Army Corps permit was not received until August, delaying construction by approximately six weeks and causing the project to miss the driest part of summer. In addition, the sediment was much wetter than anticipated, and the dam was approximately 1.5 times larger than expected, requiring additional concrete removal. Heavy rains in October along with other site constraints like locations of trees further limited access. A

pilot channel had to be dug in a suboptimal location due to conditions and will need to be redone in the spring, but it is allowing dewatering through the winter.

Lauren said the experience supports a strong case for phased dam removal, lowering dams over two to three years, and for starting in-stream work earlier during drought conditions when possible. She also noted the need for more staffing capacity at the Army Corps.

Kent asked whether a regulator stopped the project.

Lauren confirmed that around November 5, a regulator visited the site. Although an extension had been granted from October 1 to October 24 to complete work under the stream alteration permit, staff were told they had done what they could and needed to exit the stream for winter. Given how wet conditions were, Lauren stated that an additional week or two would not have made a meaningful difference.

Lindsey asked for a review of the financials.

Lauren reviewed the original budget categories and amounts, contractor costs by phase, and the amount requested from CWSP. The request includes costs for five additional weeks of work this fall and anticipated work in the spring. Lauren noted that the contractor has already invoiced approximately \$200,000 in cost overruns, which is why the request could not be delayed.

Jim Pease asked whether \$57,000 was strictly for engineering oversight.

Lauren clarified that this includes oversight as well as documentation requested by permittees to record site conditions as left for the winter and to assess any changes over the winter. Engineers are also required to conduct monthly site visits under the individual construction stormwater permit.

Jim asked whether regulators view this as an insurance measure in case of heavy spring rain and sediment movement.

Lauren said yes, and noted that engineers are billing based on actual time and expenses rather than fixed deliverables.

Sarah stated that it appeared there was no viable alternative, as stopping the project would negate prior work.

Lauren agreed, stating that while there is a due diligence obligation to explain the cost overrun for transparency and accountability, she was unsure what would happen if the request were denied.

Sarah moved to approve the request. Ted seconded.

Dean asked if the floor might be yielded to Chris Rottler, who had joined late. There were no objections.

Allaire asked Chris about the state's responsibility in situations like this, expressing interest in a broader discussion about how CWSP and the state should handle inevitable project overruns. Allaire stated support for the request but wanted to ensure the project is wrapped up successfully.

Chris noted that there was a motion on the table and limited his comments to asking about cost effectiveness given the changes. He added that a more appropriate time for a broader discussion might be after the vote or at another meeting. He asked about the project's cost effectiveness given the budget changes.

Dean stated that from CWSP's perspective, cost effectiveness remains acceptable. He noted the cost per kilogram increased from approximately \$19,400 to \$24,200, which is still on the low side for a dam removal project. He added that there is no realistic alternative given the size of the phosphorus credit and that the project cannot be abandoned at this stage.

Allaire asked what would happen if cost effectiveness did become unacceptable in a future case.

Kent stated support for moving forward and commended the district, characterizing the situation as largely due to acts of nature. He emphasized the importance of state agencies working together and clarified that he did not view the permitting process as working against the project.

Lauren stated that regulators were supportive, helped staff do what they could under the circumstances, and were willing to assist with restarting work earlier than typical in-stream windows in the spring.

All council members present (Sarah, Kent, Lindsey, Ted, Dan, Heidi, Beth, and Allaire) voted in favor of the budget adjustment. Lauren abstained. Motion carried.

8. Conclusion

Chris Rottler noted that CWSPs must balance risk, which is why cost-efficiency thresholds are important. However, BWQCs may sometimes encounter important or larger projects with unanticipated costs that can reduce cost efficiency, and that this is a normal part of project implementation. Chris said this raises questions about when it is appropriate to take on additional risk to fund larger projects.

He noted that tools such as performance bonds can help mitigate risk, though they are not applicable in every situation. Chris acknowledged the need for additional training and support,

but stated that there is currently limited capacity to provide it. He expressed enthusiasm for the projects underway and the quality of the work being done, and said he would like to continue the conversation in the future.

Dean reminded those present that the deadline for current open funding round is January 21st.

Meeting adjourned at 3:28 PM.