

TRANSMITTAL MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: MATERIALS FOR MEETING ON AUGUST 5
DA: JULY 29, 2026

Greetings, BWQC members and others. The next meeting is the annual meeting. The meeting will be in hybrid format, with the in-person portion taking place at the Enosburgh Emergency Services Building. Visits to two water quality project sites will follow. Meeting materials are attached.

Because this is the annual meeting, a highlight of the meeting is the annual election of officers. Other major agenda items include a request to amend an earlier project approval and an update on the process related to project legal expenses. Some notes on the agenda items are provided below.

Introductions/Meeting protocols/Conflict of interest disclosures, if any

As reminder, this is a standing agenda item that provides BWQC members and others opportunity to note possible conflicts of interest that could arise later in the meeting.

Approval of Minutes

Minutes are included in the meeting packet. Please let us know if you spot any parts of the minutes that need to be corrected.

Budget Adjustments

As of this writing, it doesn’t appear staff will have budget adjustments (pending and/or completed) to report at the meeting.

Seating of New BWQC Representative

This is a standing agenda item. Because the new term for BWQC members and alternates formally starts at the annual meeting, this will be acknowledged on August 5th

Election of Officers

The Missisquoi BWQC’s bylaws specify that the election of officers (the Chair and Vice Chair) will take place at the first meeting following the start of the fiscal year (July 1). Nominations will be made from the floor, as the Chair was not reminded in June of her ability to create (or forego creating) a Nominating Committee. (The Council also has be ability to waive the creation of a nominating committee.)

Consideration of request to Amend Prior Approval

The Council has received a request from the Franklin County Natural Resources Conservation District (FCNRCD) to revisit the previously approved Black Falls Brook Floodplain Restoration project. FCNRCD is seeking a budget amendment for the current Final Design phase and a commitment to convert the project into a multi-phase award to include the Implementation phase.

The primary driver for this request is a significant federal grant opportunity through the FEMA Building Resilient Infrastructure and Communities (BRIC) program. FCNRCD is facing a critical deadline to secure a required 25% non-federal match to maintain eligibility for this funding. Additional details are attached.

Legal Reviews Agenda item

Last October members of the BWQC discussed and approved a request for funding related to legal costs associated with a project. As a result of DEC policy, for projects with state investment of \$200,000 or more, a Site Access Easement is required. Legal review is necessary to ensure the validity of these documents. Although the easements must follow an established format, both deed research and legal drafting are required. These costs can be substantial, especially when a project involves multiple properties. CWSP staff are rolling out a procedure whereby applications for implementation projects requiring a Site Access Easement will now incorporate a request for BWQC approval for funds to cover costs of legal review. The cost of legal review associated with easements currently averages roughly \$ 2,500 per involved parcel.

Updates/Conclusion/Adjourn

If time allows, staff will provide a brief overview of the CWSP Reappointment process. (BWQC members were copied on a recent letter from NRPC to the Secretary of the Vermont Agency of Natural Resources.) Additional information can also be provided on request.

The next meeting after the August 5 Annual meeting will take place on October 7.

One certain agenda item is review of project funding requests. (The next funding round will open on August 19, with a deadline of September 23.)

A short list of other possible topics for the meeting includes the following:

- Progress toward P targets
- Update on Year 5 contract
- Update regarding of new/proposed to be revised DEC policies

AGENDA

Missisquoi Basin Water Quality Council (BWQC) MEETING
Wednesday, August 5, 2026
11:00 AM -1:00 PM

Hybrid meeting (in person and via Zoom)

(Zoom details below)

Enosburgh Emergency Services Building
83 Sampsonville Road

1. Welcome and introductions
2. Meeting protocols
3. Conflict of interest declarations (standing item)
4. Review/adjust and approve agenda
5. Approval of minutes
6. Public comment not related to items on agenda
7. Seating of members/alternates
8. Report on budget adjustments
- 9. Election of Officers**
- 10. Consideration of amendment for project**
- 11. BWQC approval of legal expenses**
12. Updates/In brief
13. Future Meeting topics /Conclusion
14. SITE TOURS

Please Note: The schedule for the upcoming application round in MISSISQUOI Basin is as follows:

Round #	Open	Deadline
12	August 19, 2026	September 23, 2026

Join Zoom Meeting

<https://us02web.zoom.us/j/81332571725?pwd=UktCekQ5R2ZSbVNtMXlUcUpYNVI3UT09>

Meeting ID: 813 3257 1725

Passcode: 103651

One tap mobile

+13052241968,,81332571725# US

+13092053325,,81332571725# US

Dial by your location

+1 309 205 3325 US

+1 646 558 8656 US (New York)

Staffing provided by Northwest Regional Planning Commission (NRPC), the Basin 6 Clean Water Service Provider. NRPC's physical / mailing address is 75 Fairfield Street, St. Albans, Vermont 05478.

In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, and Vermont's Open Meeting Law, the NRPC will ensure public meeting sites are accessible to all people or provide an opportunity to request accommodations. Requests for free interpretive or translation services, assistive devices, designation of a physical meeting location, electronic access to a meeting, or other requested accommodations, should be made to Amy Adams, NRPC Title VI Coordinator, at 802- 524-5958 or aadams@nrpcvt.com, no later than 2 business days prior to the meeting for which services are requested.

- Welcome and introductions
- Meeting protocols
- Conflict of interest declarations (standing item)

- Review/adjust and approve agenda

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- Approval of minutes

Missisquoi Basin Water Quality Council (BWQC)

Thursday, June 18, 2026

12:00 PM to 2:00 PM

Virtual Meeting

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

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: Lindsey Wright (Q), Lauren Weston (Q), Ted Sedell (Q), Heidi Britch-Valenta (Q), Lindsey Wight (Q), Beth Torpey (Q), Kent Henderson (Q), Dan Seeley (Q), Allaire Diamond (Q), July Medina-Triana (Q)

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

Staff: Dean Pierce, Lorna Peters, Nora Brown

Others present: Ben Machin (Redstart), Mel Auffredou (FCNRCD), Kerry Brosnan (FCNRCD), Chris Rottler (DEC), Sadie Preece (FCNRCD), James King (Redstart), Karen Bates (DEC),

1. Welcome and introductions

Lindsey opened the meeting at 12:02 as Chair. A round of introductions was made.

2. Meeting protocols

Lindsey reviewed norms for meeting on Zoom.

3. Conflict of interest declarations, if any

Lauren declared a conflict of interest and did not vote on proposed projects from FCNRCD.

4. Review/adjust and approve agenda

No changes to the agenda were made. Lauren motioned to approve. Ted seconded. Agenda was approved.

5. Approval of minutes

No changes were made. Ted motioned to approve. Dan seconded. Minutes were approved.

6. Public comment not related to items on agenda

No public comments were made.

7. Seating of members/alternates

July Medina-Triana with the Town of St. Albans will be taking over as Sarah Downes's alternate. She replaces Dave Allerton.

8. Report on budget adjustments/Budget adjustment request

A request for a budget adjustment of >20% was discussed. The request pertains to project development work for the Montgomery Flood Resilience Project. The project sponsor is with the FCNRCD. The project cost would increase from roughly \$14k to \$18k. Lauren explained that this portion of the project went over budget but has resulted in good outcomes for the project as a whole. Ted motioned to approve. Kent seconded. Lauren abstained. Motion carried.

9. Review of Applications

a. Design Projects

Lauren and Ben presented on the strategic wood addition project funding request. Preliminary design just wrapped up, and the funding request seeks around \$13,000 for final design. Ted commented on the high P-reduction for a strategic wood addition. Ben clarified that the wood addition is from on-site wood and the sections of the stream were selected for addition because of their high reduction potential through floodplain access. Allaire commented on her hopes for an increase in efficiency for securing design funding with strategic wood addition projects. Dean shared that P-reduction varies by basin for these projects, which is why the P-reduction for this project looked so high. **Allaire moved for approval of the request. Ted seconded. Lauren abstained. Motion carried.**

Kerry presented on the Trout River Floodplain Restoration project. This final design project is a combination of two projects studied in the Montgomery Flood Resiliency Study done by SLR. This project will restore floodplain access along the Trout River by collecting data and refining modeling to present to landowners. The NRCD will try to align work on the town-owned parcel with planned work being done in 2027, and the rest of the implementation

will hopefully be done in 2028. The NRCD is hoping to explore options for floodplain restoration along different sections of the river. Kerry shared a table of the final design timeline, with the town-owned parcel having a different timeline. The final design budget is \$231,270 for an overall estimated P credit of 13.5 kg/yr. Ted and Lauren commented on the success working with multiple landowners. Kent asked whether the project will retire any farmland. Kerry said that SLR's projection included some farmland but this could change depending on landowner permission and on-the-ground data points. Dean pointed out that P-reduction credits will potentially not be claimed until 2028 when the full project is completed and not when the work will be done on the town-owned portion in 2027. **Ted moved approval of the request. Allaire seconded. Lauren abstained. Motion carried.**

b. Adoption Projects

Mel presented on the Scott Property Riparian Buffer Planting project in Enosburg Falls. She explained that many of the original plantings suffered from significant deer browse and the follow-up plantings had a difficult time with wind. The estimated annual cost per kilogram is about \$3,000. Dean commented about the upfront investment exceeding ordinary maintenance, especially with past history of deer browse. Mel explained that issues with tree tubes were likely user error and they are hopeful that these will be more successful the second time around. The NRCD is hopeful that once the upfront costs are out of the way, the project will significantly decrease in cost annually. Lauren and Allaire wanted clarification on the 18-year cost estimate. Mel clarified that the 18 years came from 20 year implementation, minus 2 years since the project started in 2024. The budget came from an estimate of a few site visits and plantings per year. Dean clarified that question before the BWQC is whether or not it recommends adoption of the project, not a specific cost for the CWSP to spend. Allaire commented that the format of adoption with an open-ended O&M cost is difficult to get around. Chris replied that continuing projects is generally cheaper than starting new ones and that is the incentive with adopting projects. Allaire explained that her experience with tree plantings has shown that sometimes implementing and maintaining projects can far exceed initial cost estimates. Chris followed up by saying that the BWQC can always come back to a project and abandon it if costs become too high. Dean shared the calculations behind cost projections, and Lindsey asked if this money is set aside in case it is needed over the next 18 years. Dean said it is not. Dean also presented an alternative version of the cost projections for the BWQC to see what the cost could be like if there were minimal additional costs after 5 years as opposed to 18. Lauren asked about the process for abandoning a project if it does not work in the end and Dean briefly shared the process. Heidi asked why the site access agreement would auto-renew after 20 years. Dean explained that these commitments are not permanent, so the agreement renews until it is terminated by the landowner. Mel also clarified that the

agreement is only between the CWSP and the landowner, not the NRCD. Heidi asked how the CWSP would plan for an increase in adopted projects and Chris replied that only 15% of projects can be adopted. **Heidi motioned for the recommendation of project adoption. July seconded.** Kent shared that he would feel better about an annual review of the project. Chris asked questions about the cost effectiveness of the project to reassure the BWQC on adopting projects. Allaire shared that the skepticism around this process comes from the 20 year projections and confusion around what the vote is on. Chris emphasized that every riparian project that goes through the BWQC is approved for 20 years. **Dan and Lauren abstained. Motion passed.**

Kent requested that Chris's comment on DEC reviewing the adoption process as more of these project adoptions happen was included in the minutes as it influenced his vote. [automation based transcript is attached.] Mel shared that she would be happy to discuss this process with anyone as the NRCD goes through it.

10. Staggering of Member Terms

Dean explained how staggering of members would work. Half of the BWQC would be renewing their terms every other year to ensure that no more than half the BWQC would not be renewing. Kent added that this could help protect around a "clean sweep" and learning curve with so many new members. Lindsey shared that she was happy to have this be a smaller conversation between Dean, the chair, and the vice chair.

11. Updates

Dean shared a few updates. Invoices need to be in by June 30. There is a trending idea of approving multiple phases of a project at once and Dean asked that the BWQC be thinking about that. MRBA's work is featured in a video on Vermont Public. There is a Forest and Road Training on June 29th and a Three Acre Permit Info Session on the 23rd. The CWSP is also having internal conversations on Site Access Agreements and land with conservation easements.

12. Future Meeting topics/Conclusion

The next meeting is August 5th with an in-person option in Enosburgh at the Emergency Services Building. This meeting will include the election of officers but could also include project updates/site tour/other suggestions.

Lauren motioned to adjourn. Allaire seconded. Meeting adjourned at 1:44.

Chris.Rottler13:29:30

I put this in the chat, but just to emphasize, every single project that you vote, you are voting to commit to do O&M. This is a conversation not just for adoption, but for every single project you support.

...

Chris.Rottler13:29:44

because you are committing to do O&M.

for its design life, and so it is an open-ended commitment.

And the state.

Recognizes that dynamic, and early in the system.

Uh, the O&M costs are not clear to you, they're not actually totally clear to us, but we want to keep the system moving forward, and we don't want those costs to be a barrier to forward progress. So, if and when, in the next 3 to 5 years, he's...

O&M costs start to accumulate, we'll have more data, and we will adjust targets, and we'll tweak the policy so that it doesn't become a barrier to future progress.

We will incorporate this into the cost rate methodology so that, um.

It's a rational system. TBD how it looks, but yeah.

For what it's worth.

- Public comment not related to items on agenda
- Seating of members/alternates

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: SEATING OF NEW MEMBERS / ALTERNATES
DA: JULY 29, 2026

This memo pertains to a standing agenda item, but with a slight twist. At the moment I do not believe there are any new seatings to address. However, it should be noted that Basin Water Quality Council members and alternates typically serve two-year terms. Because the new term for BWQC members and alternates formally starts at the annual meeting, this will be acknowledged on August 5th.

By way of reminder, if a primary member must be replaced mid-cycle—due to resignation or removal for missing one-half or more of annual meetings—the successor is chosen using the same selection protocols as initial appointments. As has been reported at recent meetings, a replacement member serves only the unexpired portion of the original term. CWSPs are required to conduct an open process for vacancies.

Appointing entities may designate alternates whose terms must match those of the primary member to whom they are paired. Alternates are formally recognized at a BWQC meeting.

- Report on budget adjustments

MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: BUDGET ADJUSTMENTS
DA: JULY 29, 2026

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As of this writing, staff will not have any staff or staff and officer- authorized budget adjustments to report at the meeting.

Reports on budget adjustments are provided in accordance with the Basin Council’s adopted policy regarding administrative approval of modest changes in project costs.

- **Election of Officers**

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: ELECTION OF OFFICERS (CHAIR AND VICE CHAIR)
DA: JULY 29, 2026

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The Missisquoi BWQC's bylaws specify that the election of officers (the Chair and Vice Chair) will take place at the first meeting following the start of the fiscal year (July 1). Nominations will be made from the floor, as the Council was not reminded in June of its ability to create (or forego creating) a Nominating Committee.

Staff recommends that the elections be conducted separately (rather than as a slate). Staff will be prepared to hold the gavel during the election of a Chair (should the current Chair be nominated to continue and he does not wish to preside over a vote of which he is part). The Chair will then preside over the election of a Vice Chair.

Relevant excerpts from the BWQC's bylaws are provided below.

ARTICLE VI ELECTIONS

Section 601 Nominations

In support of elections, a Nominating Committee made up of three Council members may be appointed by the Chair at the regular meeting preceding the annual meeting. The Nominating Committee will prepare a slate of nominations for officers. This slate of nominations will be presented at the annual meeting. Additional nominations will be taken from the floor at the annual meeting.

Prior to the appointment of a Nominating Committee in any given year, the Council may vote to forego the establishment of a Nominating Committee in that year.

Section 602 Election of Officers

The officers shall be elected by the Council members present and voting at the annual meeting.

Section 702 Chair

The Chair of the Council shall guide the planning and facilitation of BWQC meetings in coordination with the CWSP. The Chair may perform such other duties as customary to the office. The Chair shall cast a vote on all issues voted on at a Council meeting, unless the Chair wishes to abstain or has a conflict of interest. Whenever possible, the Chair will pursue decision making by consensus.

Section 703 Vice Chair

The Vice Chair shall act as Chair in the absence, recusal, or incapacity of the Chair.

- **Consideration of amendment for project**

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: PROJECT AMENDMENT REQUEST
DA: JULY 29, 2026

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This memorandum informs the Council of a request from the Franklin County Natural Resources Conservation District (FCNRCD) to revisit the previously approved Black Falls Brook Floodplain Restoration project. FCNRCD is seeking a budget amendment for the current Final Design phase and a commitment to convert the project into a multi-phase award to include the Implementation phase.

The primary driver for this request is a significant federal grant opportunity through the FEMA Building Resilient Infrastructure and Communities (BRIC) program. FCNRCD is facing a critical deadline to secure a required 25% non-federal match to maintain eligibility for this funding.

Expanded Project Scope

FCNRCD proposes expanding the project scope to include an additional area of berm removal and floodplain restoration along a northern tributary of the Trout River. Based on survey work and FFI tool analysis, this expansion is estimated to:

- Increase Phosphorus (P) Reduction: Add an estimated 5.8 kg/yr, bringing the total project reduction from 16.1 kg/yr to 21.9 kg/yr.
- Enhance Co-benefits: Provide more complete restoration, improved flood storage, and greater cost efficiency per kilogram of phosphorus removed.

To accommodate this expansion, FCNRCD requests an increase of \$62,000 for the Final Design budget, raising the total design phase award from \$219,831 to \$281,831.

Cost-Effectiveness

As noted in the original Task Award issued for this project, and as part of the original approval, significant outside funding is absolutely required to make the project a cost-effective investment for the CWSP at the implementation stage. The FEMA BRIC program represents a major opportunity to fulfill this requirement.

As part of its request, FCNRCD is seeking another \$390,750 from the Missisquoi Bay Basin CWSP/BWQC to serve as the 25% match for a total implementation cost of approximately \$1.88 million. Leveraging these federal funds would significantly improve the project's cost-effectiveness for the CWSP, bringing the cost per kilogram of phosphorus to an estimated \$27,880.41/kg-P/yr.

But can Multi-phase projects be approved?

Approval for multi-phase projects is possible under Department of Environmental Conservation (DEC) guidelines when a Watershed Project Database (WPD) ID number is available for all phases. In this case, both IDs have been secured:

- Final Design WPD ID: 14161
- Implementation WPD ID: 14841

DEC staff, including River Scientist Staci Pomeroy and Basin Planner Karen Bates, have reviewed the project and approved the issuance of the implementation ID to help meet the FEMA grant deadlines. Furthermore, other Basin Water Quality Councils have established precedent by approving multi-phase projects even in instances where WPD IDs were not yet available for all phases.

Contingencies

FCNRCD's request for implementation funding is strictly contingent upon the successful award of the FEMA BRIC grant. Any Task Award be written so that if FCNRCD does not receive the federal grant, the CWSP would have no obligation to fund the implementation phase. A new funding strategy could be developed but would be evaluated on its merits. The bottom line is that by including a contingency the Council could support a high-impact project with limited financial risk while the federal application is pending.

FCNRCD expects to hear the results of their FEMA application in September 2026, but the date is uncertain.

Supporting materials

A memorandum from FCNRCD is attached.

Black Falls Brook Floodplain Restoration Amendment Request

This request refers to the Black Falls Brook Floodplain Restoration – Final Design – Montgomery – FCNRCD Subgrant Task Award 21, WPD ID 14161.

This is a request for a budget amendment and turning our current award into a multi-phase award, as has been preceded by other CWSPs for the above-mentioned project. We are requesting to (1) increase funds for the Final Design Phase to expand the project and increase P reduction and (2) convert our current agreement into a multi-phase task order in order to request contingency funds for Implementation pending potential funding from the FEMA BRIC program.

Project Summary

This project proposes to increase flood resilience and improve water quality in Montgomery, VT. The Montgomery community has experienced historic flooding in the past few decades, resulting in severe damages to infrastructure. Franklin County NRCD completed a flood study with SLR to identify projects that could increase flood resilience and reduce flood impacts. This project site at the confluence of Black Falls Brook and the Trout River was identified as part of this study. It is owned by the Town of Montgomery. The project includes lowering and restoration of 4.5 acres of floodplain, which would reduce channel velocities and flood hazards on the Route 118 bridge. As currently scoped, the project would result in an estimated 16.1 kg-P/yr reduction.

Request

(1) At the project kickoff, the Montgomery Conservation Commission indicated an interest in expanding the project to include an additional area of berm removal and floodplain restoration along a small tributary that feeds into the Trout River along the northern side of the parcel that hadn't originally been included in our scope of work/budget request. We've since worked with SLR, our engineering consultant, on the project, to better understand that area through survey and FFI tool to determine P reduction. Expanding the project would add an estimated 5.8 kg/yr of P reduction to the project (original project P reduction was 16.1 kg/yr) - making it a total of 21.9 kg/yr with the project expansion. For final design, this would mean increasing the budget for Final Design by \$62,000: from \$219,831 to \$281,831.

This expansion, plus potential federal funds explained in (2) below, would lead to an increased P reduction cost efficiency for the CWSP/BWQC and a more complete project for greater restoration and co-benefits.

(2) FCNRCD has applied to the FEMA Building Resilient Infrastructure and Communities (BRIC) program through Vermont Emergency Management for the Black Falls Floodplain Restoration Implementation project as a prioritized project. We should hear back about the results of that application in September 2026. Part of that award would call for 25% match from non-federal sources. We are requesting that match (\$390,750) from the Missisquoi Bay Basin CWSP and BWQC; these funds would be contingent upon a successful FEMA BRIC application – if we do NOT receive the FEMA BRIC award, these funds from the CWSP/BWQC would not be available for this project and we would work through a different fundraising strategy entirely for the implementation of this project. 14841 is the Implementation WPD ID for this project – Karen Bates and Staci Pomeroy have approved this project moving forward. The CWSP funds being used for Final Design are not eligible to be considered match towards implementation because the Final Design phase has already begun prior to potential execution of the FEMA BRIC Implementation funding.

Separately, we also have \$200,000 secured from the Lake Champlain Basin Program that would cover expenses beyond what's been requested to FEMA BRIC and the CWSP/BWQC to cover additional expenses, but the LCBP would not be considered match to FEMA BRIC because LCBP funds are originally federal funds and therefore not eligible.

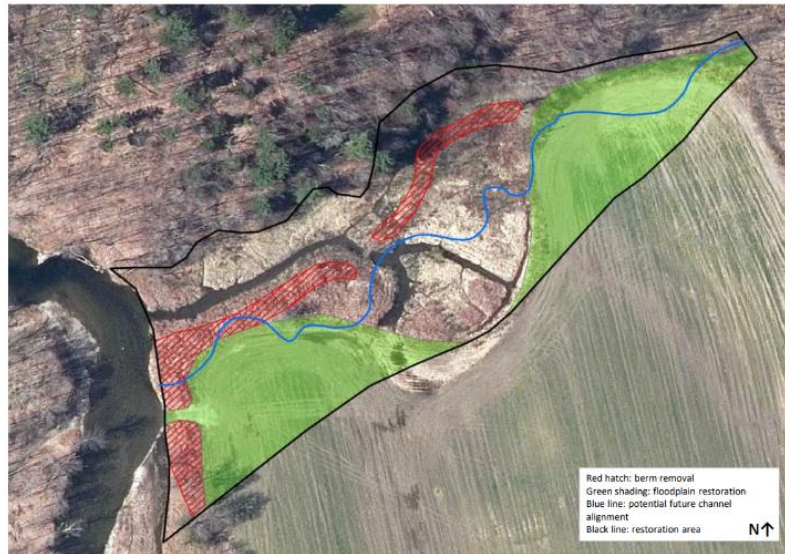
Due to the change in how DEC is counting “matching funds” this effort would allow the CWSP/BWQC to count all of the P credit for this project and make it cost effective within the CWSP's threshold.

	Current Project	Expansion Area	Current + Expansion
Final Design Phase			
Engineering/Design	\$177,920.00	\$37,000.00	\$214,920.00
Project Management	\$22,900.00	\$5,000.00	\$27,900.00
Cultural Resources	\$20,000.00	\$20,000.00	\$40,000.00
Implementation Phase			
Implementation	\$1,563,000.00	\$315,500.00	\$1,878,500.00
Total Project Costs:	\$1,783,820.00	\$377,500.00	\$2,161,320.00

Potential Funding Sources	Amount	Status
Final Design Phase		
Current CWSP FD	\$219,831.00	Secured
Implementation Phase		
LCBP	\$200,000.00	Secured
FEMA BRIC	\$1,172,250.00	Pursuing
CWSP Implementation Request	\$390,750	

	P Credit		
	Current	Expansion Area	Current + Expansion
	16.1	5.8	21.9
	Cost Effectiveness (\$/kg-P/yr)		
	Total	\$110,796.27	\$65,086.21
w/ FEMA BRIC match	\$37,924.29	N/A	\$27,880.41

Northern Tributary Restoration
251 Fuller Bridge Road
6/12/2026



Phosphorus crediting: FFI

Estimated Floodplain and Stream Connectivity Benefits and Phosphorus Credits

SubUnit(s) ID(s): 58_M02_B_CD0, UCorr_63102

Town: MONTGOMERY

Rivers Projects Included: Create Flood Bench, Lower Floodplain

Streams Projects Included:

Stream Names:

Project Area (acres): 2.19

Stream Stability and Storage Credit Summary

Annual Credit (kg/yr)

Floodplain Connectivity (Lateral - Vertical)	
Stream Stability	2.0
Storage	3.8
Stream Connectivity (Longitudinal - Temporal)	
Stream Stability	0.0
TOTAL	5.8

- **BWQC approval of legal expenses**

MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: LEGAL REVIEW AGENDA ITEM
DA: JULY 29, 2026

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Last **October** members of the BWQC discussed and approved a request for funding related to legal costs associated with a project. To recap, as a result of DEC policy, for projects with state investment of \$200,000 or more, a Site Access Easement is required.

These easements are legally recorded in municipal land records and are designed to "run with the land." They are structured to run for at least the project's design life and contain language for automatic renewal. Maintaining site control is essential for the project to continue contributing phosphorus reduction credits to the CWSP's running total.

Legal review is necessary to ensure the validity of the legal documents. Although the agreements must follow an established format, both deed research and legal drafting are required. These costs can be substantial, especially when a project involves multiple properties.

To reduce the need for stand alone BWQC actions on legal fees, CWSP staff are rolling out a procedure whereby applications for implementation projects requiring a Site Access Easement will now incorporate a request for BWQC approval for funds to cover costs of legal review.

Applicants are being notified about this when filling out the online application form, as illustrated below.

The screenshot shows a white application form centered on a dark blue background. The form has three main sections, each with a title and a dropdown menu. The first section is 'Project Schedule Uploaded' with a red asterisk, followed by the text 'Include a schedule covering the period of the project. Did you include?' and a dropdown menu. The second section is 'Cultural Resource Review' with a red asterisk, followed by a paragraph of text about Vermont Division for Historic Preservation (VDHP) Project Review Form, a link to a YouTube video, and a dropdown menu. The third section is 'LEGALCOSTS' with a paragraph of text about implementation phase projects requiring an Easement and a dropdown menu. Below these sections is a checkbox labeled 'Send me a copy of my responses' and a blue 'Submit' button. At the bottom of the form are links for 'Privacy Policy' and 'Report Abuse', and a small footer text: 'This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.'

Project Schedule Uploaded *

Include a schedule covering the period of the project. Did you include?

Cultural Resource Review *

Have you uploaded any the results of any prior cultural resource review? This could include a Vermont Division for Historic Preservation (VDHP) Project Review Form. This form is a required deliverable for all projects not exempt from project review by the Vermont Division for Historic Preservation. Learn more about VDHP review of CWIP Clean Water Projects here: <https://www.youtube.com/watch?v=96isiteAijUw>

LEGALCOSTS

If this is an Implementation phase project requiring an Easement (where implementation costs > \$200,000), legal costs associated with the title work will be incorporated into the budget reviewed by the BWQC

☐ Send me a copy of my responses

Submit

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This change will help the CWSP safeguard its investments and the long-term environmental benefits of these projects. The cost of legal review associated with easements currently averages roughly \$ 2,500 per involved parcel. Thus, the amount presented to the BWQC as an adjunct to the project budget will start at \$ 2,500 per parcel.

- Updates/In brief
- Future Meeting topics /Conclusion

MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: UPDATE ITEMS
DA: JULY 29, 2026

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Updates

Owing to the atypical agenda (the annual meeting and site tours), there will be limited time for project and other updates. Should you have topics to share as updates, please consider circulating materials via the CWSP staff.

Possible topics at next meeting (October 7)

Please share any suggestions you might have for agenda items for the October meeting. One certain agenda item is review of project funding requests.

A short list of other possible topics for the meeting includes the following:

- Progress toward P targets
- Update on Year 5 contract
- Update regarding of new/proposed to be revised DEC policies

- SITE TOURS

MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: SITE TOURS
DA: JULY 29, 2026

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Additional information about the stops on the planned site tour will be distributed in a follow up email.
Information will also be posted on the web site.