



2024-01-24 Otter Creek Basin Water Quality Council Agenda

Present: Arabella Holzapfel (ACRPC-chair), Ellen Cronan (ACRWC), Nanci McGuire (RNCD), Kate Kelly (LCA), Barbara Noyes-Pulling (RRPC), Adam Piper (VLT), Pam Stefanek (OCNRCD)

Absent: Hilda Haines (Danby), Gioia Kuss (Weybridge)

Public: Chris Robbins (ACRWC), David Brynn (VFF), Sandra Murphy (VFF), Angie Allen (DEC), Kyle Birrer (VLT), Erin Rodgers (TU)

Staff: Mike Winslow, Deron Rixon, Carissa Finnerty, Andrew L'Roe, Adam Lougee

1. Call to Order 2PM
2. Amendments to the Agenda - Ellen asked to add a notice about the summit
3. Approve [Minutes](#) of October meeting. Ellen moved to approve. Pam seconded. All in favor. Barbara abstained.
4. Review of [Round 3 Project Proposals](#)
 - a. Vermont Land Trust - riparian plantings and wetland restoration. Kyle Birrer gave an overview of the project.
 - i. Ellen commented that the BWQC would like better QC of documents provided, particularly the P reduction calculations.
 - ii. Barbara noted that this looks like a great project and asked about the WPD-ID. She asked about VLT's procurement policy for the project. They solicited quotes from Redstart and the Intervale. Barbara expressed concern about only contacting two nurseries.
 - iii. Adam noted that VLT chose to put two projects together as one, consistent with how a previous contract between the CWSP and VLT was handled. This decision led to many documents within the one application.
 - iv. Kate asked about P reduction calculations. Deron used the FFI tool for planting along the Otter Creek. The other plantings were in an area without floodplain units, so he used the interim P tool for those calculations. Kate would like confirmation from someone about how the tools should be used.
 - v. Kate asked if this is a 50 foot buffer. Kyle affirmed.



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- vi. Barbara asked if the scope of work included everything in Appendix B: Project Types Table deliverables. VLT is amenable to including any that may not already be included.
- vii. Pam moved to approve with a clarification about how P reductions were calculated. Ellen seconded. All in favor. Adam abstained..
- b. Vermont Family Forests - erosion control on logging roads. David Brynn gave an overview of the project. The plan is to remediate about 600' of steep sections of old roads.
 - i. Pam asked who would do the work. VFF has not yet selected an operator and would solicit bids from three different operators.
 - ii. Ellen asked what types of vehicles might be using the property recreationally. David said ideally none, and any recreation would not be on roads being closed. The woods would still be used for sugaring, with most access on Forest Service roads or else under frozen winter conditions.
 - iii. Kate asked about confidence in the budget estimates, and if there was an educational component to the project. VFF has done similar projects in other places recently and they did increase their estimate as a result of that.
 - 1. Kate suggested adding co-benefit points for the education piece.
 - iv. Barbara asked if everything in Appendix B: Project Types Table deliverables was included. Adam is confident that ACRPC can write a contract that satisfies DEC's needs.
 - v. Kate moved to approve funding. Pam seconded. All in favor.
- c. ACRPC - New Haven River berm. Mike gave a quick background on how this came to the BWQC. Andrew went over the project application. The purpose of the funding would be to identify a path forward to implementation.
 - i. Pam asked for clarification on the outcomes of this project. Andrew noted it would be development of options and a 30% design for a preferred option.
 - ii. Kate asked about land owner outreach and involvement. Is enough time built in for the needed outreach? Andrew noted that some of the outreach has been done and there are only two property owners involved.
 - iii. Barbara asked if Shannon Pytlik has been involved. Not yet.
 - iv. Pam asked who's doing the modelling. ACRPC said that would be determined as part of the project
 - v. Pam moved to accept the project. Kate seconded.



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1. Ellen asked for clarification about what project approval meant with regard to future funding. Mike said that BWQC approval indicates that the BWQC believes this is worthwhile project based on current estimates of cost and P reduction. Both those estimates will be refined as the project moves through preliminary design, final design, and implementation. If the estimates hold, there's a presumption that the BWQC would continue to fund subsequent stages, however the BWQC will have opportunities to review any revisions in the estimates between stages.
 2. Barbara suggested an amendment that Shannon Pytlick needs to be consulted before work is begun. The amendment was accepted by Pam and Kate.
 3. All in favor. No abstentions.
- d. Trout Unlimited - Baker Brook floodplain restoration. Erin gave an overview of the project, which is more of a floodplain restoration than a berm removal. The project would involve reshaping and sloping the river bank, using large wood to enhance and aggrade the river bed, and replant with trees.
- i. Pam asked what town the project was in: Answer - Danby, VT
 - ii. Kate recommended that mention of any specific Rare, Threatened, or Endangered species be removed from public facing documents to protect from poaching
 - iii. Kate asked if any initial design had been done. Erin mentioned DEMs of the area have been completed, but no real design work. DEC would be involved in design discussions.
 - iv. Barbara asked about the WPD ID and it has been obtained.
 - v. Barbare moved to approve the project. Pam seconded. All in favor, no abstentions.
- e. Rutland NRC - Sargent Brook berm removal. Nanci gave an overview of the project. They would hire an engineering consultant for conceptual design work. DEC assisted in application development. The project had been identified in a corridor action plan.
- i. Kate was surprised that the estimated P reduction wasn't higher.
 - ii. Ellen asked about the corridor action plan. She was surprised that there were 29 projects in that report, but they weren't included in the Basin Plan and database. Angie said the plan precedes her time at DEC and the use of the WPD



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has changed over time. DEC is working to add such projects, or at least the plans they are based on. They should be entered into the database within a year or so.

- iii. Barbara moved to approve the project. Pam seconded. All in favor. No opposition. Nanci abstained
- f. Lake Dunmore/Fern Lake Assoc. - culvert development. Mike noted that the project was more of development than design work. As such, ACRPC has shifted the application to the Project Development Block Grant and CWSP funding would not be needed. The project could still come back to the CWSP once it is ready for design work.
 - i. Barbara asked what advantages this approach presented. Mike observed that the development work would not lead directly to P reductions, which is the focus of CWSP funding, whereas that is the purpose of the Project Development Block grant.
- 5. Establishing a project cost efficiency threshold. According to DEC guidance: *"CWSPs and BWQCs, are strongly encouraged to identify and publicize a minimum acceptable phosphorus reduction cost effectiveness for projects they are willing to entertain"*. Guidance [Chapter 6, Footnote 3, Pg. 5.](#) DEC has been pushing CWSPs to set a rate so that they can know when to direct projects to CWSPs as opposed to other grant programs.
 - a. Ellen asked if DEC has provided sufficient data for the BWQCs to identify such a threshold. - have they given us data? [Mike will share the documentation DEC has provided.](#)
 - b. Arabell requested time for the BWQC to think on the issue.
 - c. Angie shared that a threshold should be viewed as a starting point given the paucity of data most CWSPs have currently, but it can change over time.
 - d. Barbara noted that the south lake BWQC was willing to push the decision off for a year.
 - e. Kate supports having a number, but feels we don't have enough data. We don't have many construction projects that we've even considered yet. The BWQC needs to see projects in different categories before making this decision. It is too early to be restrictive
 - f. Ellen moved to continue discussion at the next meeting. Pam seconded. All in favor no opposed no abstension.
- 6. Funded Projects Status update
 - a. Three projects have been completed - riparian tree plantings funded in the first round to VLT and ACRWC



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- b. Lake Dunmore/Fern Lake Association - field work was completed over the summer and updated designs are anticipated in spring of this year.
 - c. Rutland NRCD assessment progressing on pace with a Watershed Data Library anticipated for sharing this month
 - d. Middlebury College has drafted plans and engineering designs and are in the process of procuring consulting services to further the work
 - e. Shoreham and Vergennes assessments in the process of hiring contractors to complete the work
 - f. West Rutland wetland restoration I have not received a quarterly report
 - g. Youngs Brook Dam contract was signed within the last quarter
7. CWSP Summit update
- a. Friday April 5, 2024 St. Leo's Hall (109 Main Street, Waterbury, VT 05676), from 9:00 AM to around 3:30 PM.
 - b. Purpose: To bring together clean water practitioners who work closely with Formula Grants, to share experiences and discuss challenges and opportunities going forward
 - c. Ellen asked BWQC member who might attend. Three or four members plan to be there. She reviewed the draft agenda items. There are opportunities for folks to discuss their projects.
8. Next Meeting - April 24, 2023 at 2PM. Nanci will not be able to attend.
- a. Kate suggested discussing rolling applications
 - b. Arabella suggested discussing P reduction calculations (after the meeting Kate suggested inviting a DEC training on the topic)
9. Pam moved to adjourn. Adam seconded. Adjourn at 3:21PM