



South Lake Champlain Basin Water Quality Council (BWQC)

June 20, 2025, 3:00 pm

Online and in-person at the Rutland Regional Planning Commission offices.

MEETING MINUTES

Council Members present: Erin Rodgers, chair (TU); Adam Piper (VLT); Mike Winslow (ACRPC); Katy Crumley (PMNRCD); Sarah Pelkey (RRPC); Paul Donaldson (Town of Poultney); Shayne Jaquith (TNC); Dan Redondo (Town of Orwell).

Staff present: Hilary Solomon (PMNRCD/CWSP); Barbara Noyes Pulling (RRPC/CWSP).

VTDEC present: Angie Allen, Basin Planner; Zapata Courage, District Wetland Ecologist.

Public present: Ryan Davenport, Davenport Excavation

CALL TO ORDER

The meeting was called to order at 3:02 pm by Erin Rodgers.

APPROVE AGENDA

Dan made a motion to approve the agenda. Seconded by Mike. The motion was approved unanimously.

APPROVE MINUTES

Mike made a motion to approve the minutes of March 6, 2025, with the following changes: all spellings of Jaquith will be corrected and the program update on Forest Roads on page five will be reworded. There was a short discussion about Mike's request at that meeting for staff to present the completed matrix for scoring co-benefits. Hilary and Barbara agreed to present it for upcoming projects. The motion to approve the minutes was seconded by Sarah. The motion was approved unanimously.

BUDGET ADJUSTMENT FOR FAIR HAVEN PARK STORMWATER IMPLEMENTATION PROJECT (FHV-06)

CWSP staff compiled information in a memo explaining the need for increased funds for the Fair Haven Town Park Stormwater Project. Ryan Davenport of Davenport Excavation, the firm that won the bid through the RFP process, was present to answer questions. Hilary explained that one of the reasons for the budget increase is that the town prefers a more expensive method of routing stormwater under 22A in front of the town office (directional boring versus cutting the road and repaving). She explained that all the contractors who visited the site and bid on the project stated that directional boring would ultimately result in ripping up so much of the adjacent streets that it wouldn't yield any savings. Discussions continue with the town on this. The funding request is being increased from \$236,000 to \$300,000 explained Hilary and will most likely cost between \$250,000 - \$280,000. Construction oversight of \$10,000 is included as are CWSP management costs.

Ryan Davenport indicated there were a couple of issues with directional boring: it would require opening a large area near an existing manhole at the junction of Park and Caernarvon St to accommodate the 80 feet of pipe needed to cross the road and would result in dips and sags in the piping. An alternative that costs more is to install a steel sleeve that slides in once an auger extracts the dirt across the road. Shims are used to achieve the correct pitch, and the only excavation would be in front of the manhole. This would meet the town's desire not to cut the road, but would add \$25,000 to the project cost.

Katy asked if we have any leverage with the town to pick the option. Hilary said there is some hesitation from the town to dig up the road and that we need to have another conversation with Fair Haven staff in order to reach a decision. Hilary indicated that regardless, even the lowest price option is above our original budget.

Mike said the initial request exceeded the Formula Grant cost efficiency and as long as the CWSP is comfortable with the phosphorus reductions to develop that efficiency, there's not much of a difference in the price here from a phosphorus reduction standpoint. So if the CWSP is recommending an increase, then he suggested to move forward with it. Hilary explained that this is the best efficiency project of the 200 that were scoped in stormwater master plans for the region and that the resulting phosphorus reduction would be helpful to us.

Shayne asked if our threshold for projects is \$9,800 per kilogram. Hilary explained that is roughly our average (averaging each sector together at the amount they are allocated in the formula) and the average for stormwater projects is \$15,500 per kilogram (but stormwater is only 11% of our formula). To date, we have not officially assigned an upper threshold of cost/efficiency, but we've been using 2x the stormwater average cost as our unofficial threshold. Hilary said the original request of \$236,000 had a (roughly) \$20,000/kg efficiency, and increased \$300,000 potential cost would total roughly \$25,000/kg efficiency (including prior design costs).

Shayne commented that this project was an interesting scenario where the landowner is agreeable to a project but has opinions about how it's installed. He indicated that he's in favor of the project, but noted that we are now negotiating with a landowner.

Sarah asked about the town's commitment to maintenance and whether that was part of the easement. Hilary responded that there is a signed Operations & Maintenance agreement with the town and a Site Access Easement, which will be added to the deed.

Mike moved to approve the budget amendment request of up to \$300,000 as requested by the CWSP. Katy seconded the motion. It passed unanimously.

REVIEW OF FAIR HAVEN SETTLING POND (FHV-04) 60% DESIGN

Hilary explained that this potential project is in Fair Haven, as well, and was identified during the 2020 Poultney River Stormwater Master Plan. It has a relatively high phosphorus reduction of 2.84 kilograms compared to the other projects from the SWMP. The project area collects stormwater from just over 10 acres in Fair Haven. It appears to be a former stormwater pond, but the dam breached at some point (and is currently rebuilt by the homeowners). Potential issues include that it is in or near a wetland and is probably in the floodplain. The CWSP is looking for funds to flesh out whether it can move forward. The project, as budgeted, does not meet our phosphorus efficiency goals. It might eventually be a candidate for an Enhancement Grant.

Dan asked if it was on private land; Hilary said yes.

Mike asked if it was a permitted stormwater pond. Hilary replied that it is grandfathered in. Zapata indicated that she thought the pond had been expanded recently. If that is the case, the landowners could be considered out of compliance with the wetland rules because they expanded the pond within the buffer and did not have a permit on file. If CWSP wanted to pursue this project and apply for an after-the-fact permit you could bring the property back into compliance. Zapata said she would tentatively support the project, but details would need to be fleshed out.

Dan asked about freeboard on the dam and berm; Hilary said there was no freeboard.

Mike indicated that for the cost and lack of efficiency, the risk at this site seemed to outweigh any potential phosphorus remediation.

Katy said she was worried about the O&M risk for the CWSP, and Sarah said there are many permitting questions to answer before developing to a 60% project.

Katy advocated for tabling this project, and if we get new information, return to considering it. Dan agreed. Zapata offered that this would benefit from a site visit.

Katy reiterated that her motion was to table the project until a later date. The motion was seconded by Dan. The motion passed unanimously.

OVERVIEW OF RUTLAND REGIONAL PLAN'S NATURAL RESOURCES CHAPTER

Barbara shared with the group that the Rutland Regional Planning Commission was redoing its regional plan and natural resources was one of the chapters. She showed the group how to navigate the draft plan from the RRPC website landing page, as well as the chapter summaries, and the most recent public

feedback poll. She walked the group through the natural resources summary that includes the statutory goal. She previewed the section on healthy, equitable, and resilient communities which is an overriding theme for all chapters, and the specific current conditions and future trends sections. She also introduced the draft policies and actions for the chapter. She encouraged the group to check out the draft plan, this chapter in particular, and to take the poll.

ANNUAL ELECTION OF CHAIR AND VICE CHAIR

Zapata requested that before the election, she have a few minutes to describe a situation where someone recently bought a property over the winter and did not realize that it included an old large dumping ground along a stream. He asked if the group knew of any funding. Mike suggested trying to get on the town's Green-Up Day list.

Sarah asked if it was near their drinking water supply or well? Zapata did not think so. She mentioned looking for a wildlife and fish habitat enhancement grant.

Erin then opened the floor to nominations for chair and vice chair of the BWQC. Mike asked who the vice chair was; Barbara answered Shayne. Mike then moved to nominate Erin as chair and Shayne as vice chair. Dan seconded the motion, which passed unanimously. Hilary said we were very appreciative of the officers. Erin asked if there was a statute of limitations; Barbara indicated there were no term limits but that the group could change the bylaws to add some.

PUBLIC COMMENT

None.

NEXT MEETING

TBD in September. A poll will be sent out by Barbara to schedule the date and time.

ADJOURNMENT

A motion was made to adjourn by Mike and seconded by Shayne. The meeting adjourned at 4:10 pm.