



BASIN WATER QUALITY COUNCIL

SEPTEMBER 24, 2026, 3:00 PM

MEETING DETAILS

Virtual: [Microsoft Teams](#), ID: 275 588 800 369 327, Pass: tF37i6TA

In-Person: RRPC, 16 Evelyn Street, Second Floor, Rutland, VT 05701

MEETING ATTENDANCE

Members: Mary Ann Goulette, Shayne Jaquith, Sarah Pelkey, Dan Redondo, Erin Rodgers, Rob Terry, Mike Winslow

Other: Angie Allen (DEC), Zapata Courage (DEC), Diane DeBella (Elm Point Landowner), Paul Donaldson (Poultney - Alternate), Emily Friedman (RRPC), Erica Harris (Otter Creek NRCD), Phil McGovern (Trout Unlimited – Alternate), Devon Neary (RRPC), Chris Rottler (DEC), Hilary Solomon (PMNRCD)

WELCOME & INTRODUCTIONS

The meeting was called to order by Erin Rodgers at 3:05 PM.

APPROVAL OF SEPTEMBER 24, 2026 AGENDA

Motion to approve the September 24, 2026, agenda by Mike Winslow. Seconded by Dan Redondo. Approved by voice vote.

APPROVAL OF APRIL 30, 2026 MINUTES

Motion to approve the April 30, 2026 minutes by Sarah Pelkey. Seconded by Dan Redondo. Approved by voice vote.

APPROVAL OF JANUARY 29, 2026 MINUTES AND SEPTEMBER 18, 2025

Motion to approve both the January 29, 2026 and September 18, 2025 minutes by Mike Winslow. Seconded by Sarah Pelkey. Approved by voice vote.

OPEN TO THE PUBLIC

No public comment at this time.

REVIEW OF NEW PROJECTS

Elm Point Road Rain Garden – Preliminary and Final Design – Addison

Friedman introduced the rain garden project, which emerged from the Tri-Town Project Development Scoping Study (another CWSP-funded project). The project type is stormwater in a developed area. Estimated cost for final design is \$17,250 including CWSP project management costs. Estimated phosphorous reduction is 2.02 kg per year. The CWSP Staff Review assigned a total project score of 79.

Winslow first asked for clarification around the total cost. Solomon and Friedman revisited the slides and confirmed that \$57,250 was the correct total cost estimate, including estimated implementation. Winslow then shared concerns around the estimated 90% efficiency included in the phosphorous calculations. Solomon confirmed that Fuss and O'Neill utilized the DEC calculator to get these numbers, but CWSP staff had not done independent verification. Solomon also explained that the average cost for this sector has gone up substantially, which is challenging for calculations. While this project falls below the DEC-wide sector average, it is above the South Lake CWSP average. McGovern asked about the capacity for the rain garden and specifically questioned whether the size would account for wetter storms in the future. Winslow contributed information from the report: 51,064 cubic feet of treatment volume with a treatment capacity of 3.91 inches. Redondo posed a last question about maintenance. Solomon shared that this would be a commitment between the CWSP and the landowner to ensure long-term maintenance. The specifics of that O&M agreement would be settled once final design was completed. In closing, private landowner Diane DeBella shared that she is extremely committed to this project and envisions the property staying in family hands long-term.

Motion by Dan Redondo to approve project. Seconded by MaryAnn Goulette. Approved by voice vote.

Following the vote, Winslow expressed general concerns around investing significant public funds into private property projects with limited perceived benefits. This concern applied to the CWSP program as a whole, rather than this project specifically.

Mud Brook North Tributary – Final Design and Implementation – Fair Haven

Solomon introduced the first of two proposed tributary restoration projects located on the same property. The proposed projects are along tributaries that have lost some of their natural function. A preliminary design was completed this summer. While that design initially aimed to target two sections of the south tributary, this project on the north tributary was added into the scope after the second proposed project on the south tributary was rendered infeasible because the landowner chose not to acquire the property. A site visit is planned for October 9th to ensure DEC staff have adequate review. The project type is stream/wetland restoration on agricultural land. The estimated cost of final design and implementation is \$40,400 with an estimated phosphorous reduction of 4.1 kg per year. The CWSP Staff Review assigned a total project score of 73, with relatively low co-benefits scoring.

Courage added that there are unaddressed co-benefits because this project would function as both a stream and pseudo-wetland restoration. Courage confirmed that DEC Wetlands would support the project and appreciated the use of soft techniques, as opposed to hard techniques. Courage also felt phosphorous reductions could be higher than estimated due to mitigating head-cutting and erosion of associated side drainages.

Jaquith expressed concerns around the language and terminology used for this project. While it was presented as a strategic wood addition, Jacquith felt the project description (including costs, level of engineering, and phasing) did not align with that term. Solomon asked if she should consider removing strategic wood addition from the project name but wondered how crediting would work

in that scenario. Winslow added that phosphorous was calculated based on raising the channel, which requires different calculations. Solomon committed to circling back with FEA about preferred naming. Rodgers mentioned that some folks at DEC don't see SWA as a capable strategy for raising the channel and felt this project might help demonstrate that ability. Winslow asked that the South Lake CWSP report back to other CWSPs about crediting for this project.

Both Rodgers and Jaquith were concerned about setting precedents around design phases and funding levels for future SWA projects. Rodgers wondered whether the project could be submitted for implementation only (rather than including final design). Winslow emphasized that the project could not move to implementation until it was shown to be permissible, which would happen in final design. Rottler offered that DEC is aware of certain project types that do not require a comprehensive design phase and are having conversations about guidance for that. At the conclusion of this conversation, **Solomon agreed to remove mentions of strategic wood addition from the project, if appropriate, and to figure out the most appropriate terminology.** Solomon mentioned that the farmer/landowner is trying to coordinate this project around other practice implementation at the farm and was aiming for work in the fall but recognized this might not be feasible.

Motion by Shayne Jaquith to approve the project. Seconded by Dan Redondo. Approved by voice vote.

Mud Brook South Tributary – Final Design and Implementation – Fair Haven

Solomon introduced the second Mud Brook tributary project, which is located south of the previously discussed project. This tributary is very unstable, with headcuts that continue to migrate. Solomon shared concern that if the CWSP is unable to get involved to ensure the tributary is managed in a sustainable way, the farmer may choose to stabilize the tributary without our input. Techniques utilized in this project would include creating a flood bench, stabilizing headcuts, and planting a riparian buffer (the farmer would expand exclusion fencing to protect new plantings). DEC staff had reserved commenting on the project until the site visit on October 9th. The estimated cost of final design and implementation is \$92,380. The estimated phosphorous reduction is 10 kg per year. The CWSP Staff assigned this project a total score of 74.

Jaquith shared that construction of rock grade control and rock weir structures used to be common practice at DEC, especially in farm fields and at culvert outlets. Jaquith felt it was a sound approach for this location, if not a preferred approach in general. Jaquith's primary concern was around the width of the proposed flood bench and didn't feel it was enough to reduce the power of the flow. However, Jaquith recognized this was likely an issue with the amount of space offered by the landowner and did not have major opposition to the project. Winslow offered that even if the in-stream structures are not accepted by DEC as part of this project, over 7 kg of the 10 kg phosphorous reduction is owed to the riparian plantings, so it would be a worthwhile project even if limited to that practice. Jaquith added that if the headcuts are downstream of the proposed riparian planting, in-stream structures are all the more essential to ensure longevity of the planting.

Courage agreed that FEA is a good and competent firm but questioned whether the project was over-engineered. Courage wondered whether there are other, stackable techniques that may be more sustainable long-term. The in-stream additions also pose questions around maintenance. If the structures flood out, does the CWSP intend to reconstruct them? Courage added historical context

that the headcuts formed as a result of denuding the land, so this restoration project is not returning the land to its original state. Overall, Courage had questions for the engineer about the different factors to understand why these methods were selected over others.

Jaquith agreed that this project did not reflect true restoration, so much as slowing and mitigating degradation. However, Jaquith again mentioned constraints on the land because of its agricultural use and felt stone weirs or engineered solutions were a way to accommodate those limitations. Courage stated she would still struggle to assess it as a restoration project with an allowed use and might instead need a wetland permit. This would mean the project is still permissible, but through a different process.

Winslow felt that it ultimately was not the BWQC's responsibility to make decisions based on factors like the specifics of restoration. The CWSP has a foremost obligation to reduce phosphorous and other impediments need to be addressed by others outside of the BWQC. Winslow felt the BWQC must assume projects are permissible (or will not move forward) when presented. In closing, Courage shared that one reason to consider permitting needs was related to cost and efficiency analysis. Permitting can extend a project's timeframe, may require additional data or assessment, and could have fees associated with it. Those costs would need to be incorporated into the overall efficiency assessment.

*Motion by Mike Winslow to move forward with the project so long as it remains permissible.
Seconded by Shayne Jacquith. Approved by voice vote.*

After voting, Rottler suggested this caveat be attached to every BWQC vote on a project. Courage also provided more information about possible permitting fees (maximum fee of \$200 with a \$240 admin fee) and Jacquith specified data acquisition would be an additional cost on top of that. Solomon asked if this would be an agricultural wetlands permit and Courage said it would likely be determined after completion of final design. The area would no longer be used for farming, so it would probably be assessed as restoration through the lens of a water quality project.

CWSP UPDATES

Rottler recounted some key takeaways from a recent Clean Water Board meeting. DEC staff believe the state legislature is likely to look at CWSP balances during the session. However, Rottler felt there was a compelling story around why the CWSP is holding substantial funds, including the timeline around project development and the need for liquidity. Rottler also mentioned that some funding has been transferred from the Mississquoi Basin to the Lamoille and the Memphremagog. The program does not intend to do this often but saw that there was demonstrated need in the other Basins. Rottler also shared that there are ongoing conversations around doing additional projects on agricultural lands, if/how landowners could be compensated, and opportunities for property acquisition as a CWSP project (easements, fee simple, etc).

For the South Lake CWSP, Solomon and Friedman shared positive feedback about working together thus far. They look forward to closing out a number of projects and returning to a more proactive position. Solomon said the CWSP would welcome project applications from folks in

advance of the December BWQC meeting.

Before closing, Redondo had follow-up questions about water quality issues on Sunset Lake and the need to mitigate erosion along the road. Solomon and Friedman confirmed this had been pursued initially by the BWQC, but when determined to be cost-inefficient, was transitioned to another funding source. Friedman committed to speaking with Neary to get an update for the December meeting.

ADJOURN

Meeting adjourned at 4:33 PM.