

**Lake Champlain Basin Program
Steering Committee Meeting
Tuesday, January 30th & Wednesday, January 31st 2007
Auberge du Chateau Bromont, Quebec**

Tuesday, January 30th

Members Present: Daniel Leblanc, Chair, Stu Buchanan, Canute Dalmasse, Gerald Potamis, Buzz Hoerr, Dave Tilton, Bob Reinhardt, Ron Jackson, Larry Forcier, Judy Doerner, David Lane, Mike Latham, Mario Delvicario, Pierre Leduc, Pierre Bilodeau (for Jean-Pierre Laniel), Kenny Miller, Randy Beach, Bruce Hyde, Réal Pelletier, Gina Campoli, Celine Paquette, Mary Watzin.

Guests: George Crombie, Dawn Callahan, Rich Wagner, Chantal d'Auteuil, Steve Mahoney, Therese Lacombe, Tom Berry. **Staff:** Bill Howland, Michaela Stickney, Art Stemp, Molly Michaud, Kris Joppe-Mercure, Meg Modley, Nicole Ballinger, Kathy Jarvis, Erik Beck, Mario Paula, Beth Card, Martin Mimeault

10:00 AM Convened Daniel Leblanc, Chair, opened the meeting and welcomed members and guests. Canute introduced Secretary George Crombie, VT Agency of Natural Resources.

Public Comments None

ACTION ITEM Canute moved to accept the October 2006 Steering Committee Meeting Minutes with two corrections: the list of federal partners was corrected and on page one, the name Lewis Creek is replaced to Otter Creek. Stu seconded the motion. The motion passed with unanimous approval.

Brief News from the Regions

Vermont: Canute reported that the Governor's budget for SFY'08 has continued emphasis on water quality through Clean and Clear funding, and he circulated a budget spreadsheet. VT has completed 2 new waste water treatment plant upgrades and will fund four more upgrades this year. The new budget includes increased funding for the Better Backroads Program and a new stormwater position. Funding for the phosphorus accounting program at UVM is continued at \$75,000. David reported that the budget also includes a 2nd year of funding for the Farmer's Watershed Alliance in Grand Isle/Franklin County, to expand best management practices

New York, Stu reported that NY is moving through a transition in government under new Governor Spitzer, who will release his budget message today. The Governor has indicated that NYS DEC needs more resources and has nominated Alexander "Pete" Grannis, a legislator from Manhattan having a long history working on water quality issues, for DEC Commissioner. Several waste water treatment upgrades are in progress: Port Henry/Moriah construction is expected to be online this year, and the Westport upgrade is completed and online. Prior to stepping down, former Governor Pataki announced new \$1 million grants for waste water infrastructure in Essex, Elizabethtown and Ticonderoga; and \$200,000 each for Moriah and Black Brook Rd. The Crown Point lighthouse renovation project is underway and the pier next to the lighthouse will be upgraded in time for its 150 year anniversary.

Quebec: Daniel reported that the new Quebec Provincial budgets are still under development. Three wastewater treatment plants are being upgraded and a septic tank inspection program in small municipalities, including individual and rural septic tanks, is underway.

US Federal Workgroup: Erik reported that the Federal Workgroup has been developing a composite workplan for federal agencies to describe how each is working toward priorities on Lake Champlain. Kip Potter (NRCS) will be the new chair of the workgroup in March. A collaborative fish passage project, coordinated by Dave Tilton, will examine fish passage impediments in NY and VT. The FY07 budget is not in place yet, though the fiscal year started in October. Dave Tilton thanked Erik for chairing committee through the past year.

Committee Reports

Executive Committee: Canute reported that the Executive Committee approved a Record of Decision to award \$200,000 in funds from the IJC to Bordeau Bros for nutrient management plan development in the Missisquoi Bay watershed on small farms. One favorable aspect of the successful application was its focus on assisting the farms with implementation efforts after the development of plans. The Executive Committee also acted on local grants for up to \$200,000 subject to the LCBP receiving level funding in the current year budget. LCBP will defer awarding any of these potential grants until we know what we get for a budget. The Committee also has worked on development of the Phase II budget proposal to be considered later in this meeting.

CHRAC: Celine circulated a report of CHRAC actions and noted that the main work of the committee has been the preparation of budget proposals for FY07. CHRAC recommended that the highest priority task be continuing support for the Quadricentennial Commissions and collaboration with Quebec for 2008 and 2009. The VT Quadricentennial Commission has developed a draft final version of its Strategic Plan. The Hudson Fulton Champlain Commission is developing a subcommittee to better address the needs of the Lake Champlain region and to better collaborate with the Vermont Commission. The Heritage Partnership authorization for \$1 million each year for 10 years has resulted in several steps to develop relationships with National Park Service partners.

E&O: Buzz reported that the lawn care initiative is a new task priority for the next year, and will develop in collaboration with Sea Grant and other groups interested in this phosphorus reduction program. Buzz described an initiative by the lawn care chemical manufacturer, Scotts, to reduce P by 35% in its marketed products and services in other parts of the country. The LCBP Resource Room and ECHO attendance has moved "off the charts". About 16% of all visitors go into the Resource Room. Buzz described the process of selection of the farms for the agriculture award and referenced the signs reproduced in the last page of the binder. Nicole noted that LCBP is sending invitations to teachers in VT, NY, and QC for the "Watershed for Every Classroom" development.

VT CAC: Buzz distributed a written summary of CAC priorities. He reported that the CAC has participated in many meetings in watershed this year with local stakeholders, located in the south lake, NY, north lake, QC. Joint CAC interests and connections are very strong. The CAC has assisted and supported the development of the Farmers Watershed Alliance and is pleased to see them work on their own and take charge. Developing nutrient management plans on all farms in the Basin regardless of size will be a key recommendation of the Action Plan. The CAC met with Dave Lane and Secretary Roger Allbee and they are committed to getting this work done.

NY CAC: Ron reported that the NY CAC has worked closely with the VT CAC this year. Among the highest priorities of the NY CAC is development of streamside buffers. The NY CAC coordinated two meetings on waste water treatment for congressional staff, one in August and another in December. The latter meeting was the first time in history that the staff of all four reps for LC Basin participated in such a meeting. Ron thanked Bill for facilitating both meetings and thanked CWICNY for its assistance in developing the funding priority list. He reported that nearly \$8,000,000 in support has since been received in the NY sector of the Basin as state and federal water quality initiatives. Ron noted the

CAC's sympathies for long time CAC member and Assemblywoman, Teresa Sayward, whose youngest son died this week in Florida in a motorcycle accident. The CAC also is encouraging another meeting with the Canal Corporation on possibilities of a canal barrier.

QC CAC: A handout describing recent activity was distributed. Kenny Miller, Mayor of Clarenceville, spoke regarding issues on the western side of Missisquoi Bay, and Réal Pelletier, spoke about the eastern side of Missisquoi Bay. Rock River, in St Armand is a special concern regarding phosphorus contamination and Réal described recent progress on strategic plan implementation. Eleven priority actions are identified. One, the *La Lisiere Verte* project is a very important pilot project for Canadian Agriculture in which farmers are able to develop wider buffer strips but also are allowed to harvest the hay that grows on it, so there is economic benefit while the environmental benefit of a no-till buffer zone is retained. There are new efforts to manage surface water flow by grading the field so that flow does not cut into the buffer zone; this requires underground drainage in some areas.

TAC: Mary distributed a TAC handout and summarized the work of the committee. TAC reviewed and ranked nutrient management planning proposals (for IJC funds) and provided a recommendation for that award. Several meetings have focused on the development of budget priorities, with a significant focus on developing the data required for the Ecosystem Indicators program. The Toxics workgroup has met once and the ANS subcommittee is proceeding with rapid response planning. The VT DEC Water Chestnut management effort reported on the work of the last year. USGS reported on two BMP projects, Little Otter Creek where effort was terminated, and the Englesby project which is being continued and enhanced. Pierre Bilodeau discussed the spiny soft shell turtle project in Missisquoi Bay, and the report on this species related to bridge construction. The construction is taking place on the main wintering habitat of the turtle. In 2007 the new bridge will be open and the old bridge will be removed. The turtles will face intense disturbance and permanent modification in their habitat. This study will continue over the next 3 years. Dave Tilton noted that on April 11th at Sheraton in South Burlington there will be a LC Sea Lamprey Summit to consider how we deal with sea lamprey now and how we can improve that in the future.

US Legislative Report

Tom is working for Senator Sanders through his transition period, helping inform about the work of the LCBP and other environmental programs and issues. Congress only has been in session 3 weeks, so there is not much to report on water quality or recreation issues which affect the LCBP. Bill noted that last night the Continuing Resolution was filed for funding in FY 07 with level-funding with FY 06, and without the usual earmarks but with a block of additional funds to address legislative priorities yet to be released. The agencies have 30 days to file how they plan to spend funds including increased funds. Headquarters will ask regions for budget recommendations. Jerry noted that the most probable course of action is that funding items like the LCBP will continue. Bill noted that level funding has been the operative assumption in setting the budget to date, and can guide the budget decisions tomorrow. If we discover that funding is reduced, the next Steering Committee meeting will need to recast the budget within available funding. If earmarks disappear, it may be that the LCBP will receive some heritage area funding for cultural heritage and water quality programs. Mario asked if the program was prepared to say where cuts should be made if only the president's line item is appropriated. Bill responded yes, he and the advisory committees have prioritized tasks.

Manager's Report

Bill reported on the status of tasks in progress, including the Land Use/Land Cover project funded by VT and contracted with UVM. The first illustration in the briefing book is a preprint of the new land use classification map for the Basin. The last several months have been focused on budget

development. A draft Phase II budget was presented to the Executive Committee and is being presented to the Steering Committee tomorrow.

Army Corps Program Update

The General Management Plan approved 2 years ago is due for an update and a revision is in preparation for Executive Committee review in March and Steering Committee action in April. This plan governs the disposition of Army Corps support for programs to implement *Opportunities for Action*. Army Corps does not distribute money for projects; they pay for the work that is done for communities. LCBP recommends projects to be funded, the selected communities come up with matching funds, and the Army Corps makes sure the project gets done. The City of Burlington, College Street Stormwater Outflow project was recommended this past year. Projects ready for support in Keene, NY (Rivermeade), Plattsburgh, St. Albans, and South Burlington are all moving forward. The Lake George pilot project has been completed.

Ecosystem Indicators, LCBP Scorecard, and Long Term Monitoring

Mary distributed a handout of her PowerPoint presentation. She spoke about the work of the TAC response to the Steering Committee's charge that it places a high priority on the development and implementation of the Ecosystem Indicators Program. This program will develop and monitor indicators to track the condition of the lake, what management actions are required to remedy the undesirable conditions, and how the conditions change in response to the management actions. This model comprises a Pressure-State-Response indicators system, and requires appropriate indicators to measure for each aspect, pressures, states, and responses.

Mary reported the development of indicators in issue areas of greatest public interest. For every indicator we determine how it should be measured, if it's currently collected, who should collect it if it is not now being collected, the spatial resolution we want the data in, how often data should be collected, and how often it should be reported. For example, P load in tributaries may be collected at 20 samples per year, but reported only every 2 years, due to fluctuations in water level, etc.

An extensive table in the meeting binder summarized the Pressure-State-Response indicators, and Mary reviewed how they would be considered. There is a bulleted list of LTMP data responsibilities to support the Indicators Program. The LTMP staff also will collect state/provincial data on population, land use, waste water treatment plants etc. It will be essential for Basin Program staff to retrieve and assemble other existing information to support the LTMP.

Special data issues remain to be solved, such as bacterial contamination in recreational waters. We know the kind of information we need is not currently being assembled in a systematic way. We also need an appropriate monitoring program for mercury in fish tissue, which is not currently funded. Also, sampling protocol and timing is not consistent between the jurisdictions. The history of the Water Chestnut management is a well known success story; there is a nice data set. Between VT DEC, NYS DEC and TNC we have data to support many of the indicators. The state of the ecosystem also includes the state of the economy. Water quality improvements have a cost, impairments have a cost, and improvements or other priority LCBP actions may stimulate the economy.

Mary concluded noting that there is a lot of data out there, but no one is pulling it all together, and no one has been looking at the small steps needed to make data consistent in all three jurisdictions. The single greatest requirement to make the Indicators Program successful is for the Steering Committee partners commit to actively support its development and to participate in the collection of the data. Mary and the LCBP staff have had several discussions about what a Scorecard for Lake Champlain should look like, and are continually reviewing models from other areas.

Stu thanked Mary for her presentation and the significant progress. He noted the need to ensure that the scorecard is connected to things the public cares about. He asked Mary to be sure the partners on the Steering Committee understand exactly what she needs help with. Mary responded that for the agencies to direct staff to spend some time to support the indicators program would be a great help. Dave Tilton noted that the Fisheries Technical Committee includes experts needed to provide indicators information regarding fisheries. But there could be a concern that it may turn into new projects they don't have time for. If they have not had the word from the agencies that they need to contribute to this effort, there may be a problem.

Champlain Quadricentennial Commissions Updates

Vermont 2009: Bruce reported that the strategic plan is being finalized in the next few weeks. The strategic plan proposes a series of signature events the week after July 4th, 2009, in coordination with other jurisdictions. Plans now include a pageant, commemoration events, and celebrations to rival the 300th celebration. One option is to piggyback many events in all jurisdictions, through a yearlong series of events. The Commission is trademarking its logo and plans to provide it for communities to adapt for their uses. Bruce thanked Jim especially for his staff support for the Commission's work.

New York 2009: Celine reported that the Hudson-Fulton-Champlain Quadricentennial Commission is regionalizing its structure in view of the need for a stronger focus on Champlain. The new Champlain Quadricentennial Subcommittee is looking forward to collaborating with Vermont on event scheduling. The subcommittee is looking for signature events for Champlain. The Commission as a whole has a logo, website and a strategic plan, and has hired a media firm to promote the events being planned.

Quebec 2008/2009: In the absence of a representative, Jim reported that Quebec has hired consultants from Montreal to coordinate a strategic plan for the Richelieu valley region. LCBP is working to ensure that VT and NY Commissions and the program in QC are communicating well. Tom noted that this is one area in which LCBP has really stepped forward and played facilitator role, and has added a great deal of value to the program.

VT Agricultural Phosphorus Reduction

Dave Lane presented a PowerPoint program describing the history of phosphorus use and management in Vermont since the 1700's. He recounted how super phosphate was applied to Vermont farmland regularly since 1936, in the interest of soil fertility. His presentation detailed the history of Vermont's programs to eliminate discharges from agricultural production areas, protect ground water and reduce sediment and nutrient losses from cropland; and to provide financial and technical assistance to farmers in order to achieve regulatory compliance.

Dave Lane reviewed the federal CAFO rules for farms of all sizes, and the related management tools and regulatory standards. Since 1995, the Large Farm Operations (LFO) program has required permitting and two years ago permits became required for Medium Farming Operations (MFO). 200 MFO's have been identified - all dairy farms. The Agency of Agriculture has visited each MFO during the past two years. About 300 Small Farm Operations (SFO) also have been surveyed, categorized, and some field assessments done. As of April 2006, Acceptable Agricultural Practices (AAP), the most basic level of management standards, are now required for farms of all sizes.

MFO's have been issued a general permit. Nutrient management plans are required appropriate to the size of the operation, and no dirty water is to be discharged from production areas. No-harvest buffers are required for all farms in Vermont. Flood chutes up to 100 ft wide are harvestable grassed waterways acceptable under VT's agricultural buffer program.

Dave Lane noted that enforcement is complaint-driven. Technicians are dispatched in response to complaints, to review the farm and if a violation is found, the farm has an opportunity to remedy the problem or be fined. Pierre asked what EPA farm inspections look at. Jerry responded that a checklist is being developed now for federal inspectors to work from. The EPA is concerned with discharges and whether or not they should trigger enforcement actions.

ANS Management Update

Bill and Meg reported on the work of LCBP, the National (US) Aquatic Nuisance Species Task Force, and the Northeast Regional Panel. They provided a PowerPoint presentation describing the growing problem of ANS in the Lake Champlain Basin and the pressures of potential invading species from adjacent areas. The Champlain Canal, the Richelieu River, boater traffic and angler habits are of particular concern as pathways for new invaders. The LCBP staff participated in an effective rapid response team to eliminate a new water chestnut population discovered in the Missisquoi Delta during summer of 2006. Bill is a member of the national task force and Meg is a member of the regional panel.

Stu emphasized the seriousness of some of these invasive species and their impacts on the Lake ecosystem. He thanked Meg for her efforts in helping the Adirondack Park partners develop a new management plan recently approved by the national task force. Bill thanked Dave for his continuing commitment to ANS management and his support of the LCBP on the TAC as well as the national task force, which is coordinated by the USFWS. Bill also noted the strong collaboration LCBP has developed with Mark Malchoff of Sea Grant in ANS programs. Mario spoke of the serious ANS problems faced in Lake Ontario.

At dinner, the LCBP presented the **2007 Jim Connolly Staff Award** to Art Stemp. The **1st Annual LCBP Staff Worldwide Slide Competition** also was held after dinner, on the theme of *Water in the Environment*.

Wednesday, January 30th

Draft FY'07 EPA Phase-II Budget Discussion and Presentation

The Steering Committee discussed the draft Phase II EPA budget based recommended by the Executive Committee on the assumption of level funding, because the LCBP appropriation may not be known for another month or more. Bill, Mary, Celine and Buzz reviewed the draft budget line by line, explaining the anticipated outcome and cost of each task.

- The importance of continuing support for the blue-green algae monitoring and alert system was discussed at length. The Committee generally considered this to be a human health issue that is a direct responsibility of the states and in need of leadership by the Health Departments, but decided to fund it in FY'07 in view of the likelihood that it would not otherwise be done.
- The water chestnut management task was discussed at length, and the Committee determined it was still a priority to provide support for aspects of the program that are not eligible for support through the Army Corps grant. The increased support by NYS DEC was also noted, and the involvement of Quebec in the northern part of the Basin, and the rapid response for the Missisquoi Delta invasion demonstrated a strong collaborative commitment to management of this species.
- Cultural heritage and recreation tasks included an increased focus on LCBP's supporting role for the quadricentennial, and reduced support for the clearinghouse, which is becoming self-sufficient. Because FY06 funds have only been available for a little more than two months, several tasks are ongoing but do not require additional funds this year.

The Committee discussed the advantages of including funding levels and supported tasks from all agencies in a comprehensive budget in future years, so that a broader picture of actions is available when deliberating the priorities for spending EPA funds. For future years, the draft budget can include ANS Task Force funds, IJC and NPS funds that may become available, and Army Corps support. Randy noted that the economic section of OFA remains important and it would be helpful to include this task area in the budget even if the line item has a zero balance, so it stays on the radar screen.

ACTION ITEM - Canute moved to adopt the proposed FY'07 EPA Phase-II budget with reinsertion of an Economics Task Area, subject to final FY'07 budget allocations. Stu seconded the motion. The motion passed by unanimous approval.

Opportunities for Action High Priority Actions: Annual Review

Bill distributed a table indicating the status of key implementation tasks in *Opportunities for Action*. This was followed by a review of the work of LCBP and both the accomplishments and the challenges that remain were discussed. The importance of an annual report, such as is now presented in *State of the Lake* or the *Progress 2006* report was affirmed. The Ecosystem Indicators and the Scorecard will provide the next level in reporting, both to the Steering Committee and to the public

Draft Timelines

The next *State of the Lake* report will include the first *Eco-indicators Scorecard*, and is planned for release in summer of 2008 to set the stage for the revision of *Opportunities for Action* in 2009. Martin noted that this lead time should provide the opportunity to have a French translation.

Opportunities for Action 2009

The wholesale reworking that was needed for the 2003 version is thought not to be needed for the 2009 revision. The Steering Committee should set and charge committees and workgroups beginning in the summer 2007 meeting. The MOU is due to be resigned in 2008 but could be signed in 2009, at the same time as the plan.

LCBP Visioning and Planning

The Steering Committee reviewed the LCBP Vision Statement and discussed how to better implement this vision and the role of staff, partners, local grants, monitoring, and funded tasks. The Committee addressed two basic questions in both plenary and breakout groups.

- What should LCBP be doing better?
- What compelling arguments justify allocating resources for plan implementation?

Flip charts for breakout groups, while not part of the meeting minutes, have been transcribed and are available. The transcribed flipcharts will be reviewed at the next visioning activity of the Steering Committee, in conjunction with the revision of *Opportunities for Action*.

Following breakout sessions, the Committee reassembled in a concluding discussion. Themes that emerged included the necessity to support the partnerships among jurisdictions that have become established in the LCBP. Dave Lane cited the need for "in-reach" to address tasks such as data challenges within agencies at the table, in addition to outreach to other organizations. Jerry spoke of the need to ensure that long term monitoring be structured to support the Indicators Program and provide for base documents that enable the LCBP to explain the state of the Lake to the public. Larry noted the importance of the Resource Room for continuing outreach. There was strong continuing support for scorecard development, and Mary emphasized the need for the partners to be actively supportive. Canute summarized the dialogue on long term monitoring noting that it needs to be responsive to the needs of the program as a whole, and that means it should continue to follow coordinated workplans established by the LCBP as a group, and not be left to the states to design, fund

and implement separately or piecemeal. Stu summarized the groups intent to look at the whole Basin and figure out where want to be 10 years from now as we revise *Opportunities for Action*.

Other Business

The Steering Committee will meet in March or April in NY to adjust the budget if needed and to act on the revised LCBP-Army Corps General Management Plan. The July meeting in VT will address the Phase 1 budget and *Opportunities for Action* revisions. The September/October meeting will be in Quebec. Daniel thanked the staff for preparing the meeting well.

ACTION ITEM - *Canute moved to adjourn. Jerry seconded. The meeting adjourned at 1 pm.*