



# LAKE CHAMPLAIN STEERING COMMITTEE MEETING SUMMARY

**APRIL 12-13, 2022, 8:45AM - 3:30PM**

(VIA WEBINAR/TELECONFERENCE)

## DAY 1 ATTENDANCE:

**STEERING COMMITTEE MEMBERS:** Nathalie Provost (Meeting Chair, Quebec MELCC), Julie Moore (VTANR), Joe Zalewski (NYS DEC), Vic Putman (Chair, NY CAC), Pierre Leduc (Chair, Quebec CAC), Mark Naud (Chair, VT CAC), Buzz Hoerr (Chair, E&O Committee), John Krueger (Chair, HAPAC), Neil Kamman (Chair, TAC), Mel Cote (EPA R1), Antony Tseng (EPA R2 for Rick Balla), Maya Dehner (USACE), Andrew Milliken (USFWS), Kris Stepenuck (Lake Champlain Sea Grant for Breck Bowden), Travis Thomason (NRCS VT), Ryan Cunningham (NYS Dept. Ag & Markets for Brian Steinmuller), Brandon Olsen (NYS Empire State Development), Steve Garceau (Quebec Ministère des Forêts, de la Faune et des Parcs), Laura DiPietro (VT AAFM for Alyson Eastman), Laura Trieschmann (VT ACCD), Craig DiGiammarino (VTRANS)

**STAFF:** LCBP: Eric Howe, Jim Brangan, Colleen Hickey, Kathy Jarvis, Ryan Mitchell, Meg Modley Gilbertson, Matthew Vaughan, Lauren Jenness, Mae Kate Campbell, Katie Darr, Heather Radcliffe (NEIWPCC), Lauren Townley and Julie Berlinski (NYS DEC), Erin Vennie-Vollrath (LCBP NYSDEC), Pete LaFlamme and Emily Bird (VTANR), Sarah Coleman (LCBP VT ANR), MaryJo Feuerbach and Bryan Dore (EPA R1), Michele Fafette (EPA R2), Rifat Salim (USACE), Daniel Tremblay (QC MELCC)

**GUESTS:** Tom Berry (Sen. Leahy's office), Sylvain Lapointe (COVABAR), Will Duane (VTFWS)

*Nathalie Provost (QC MELCC) Chaired this meeting.*

## MEETING BEGINS

**9:00 AM**

### INTRODUCTIONS

*Nathalie Provost welcomed everyone to the virtual meeting and reminisced about the first Steering Committee meeting she was a part of, held in Bromont, QC.*

### APPROVAL OF MINUTES FROM PREVIOUS MEETING

### ACTION ITEM: APPROVE MEETING SUMMARY FROM DECEMBER 2021 STEERING COMMITTEE MEETING

- **Motion By:** John Krueger
- **Second by:** Buzz Hoerr
- **Discussion on the motion:** John Krueger complimented the very comprehensive notes that captured the group dynamics of the discussions.
- **Vote:** All in favor
- **Abstentions:** none

## PUBLIC COMMENT

**9:20 AM**

No members of the public were on the call to provide comment.

## CONGRESSIONAL UPDATES

**9:30 AM**

- **Tom Berry (Sen. Leahy's office):** The Fiscal Year 2022 Spending Bill passed some time ago. The LCBP EPA line is at \$20million, the highest it has been. Senator Leahy's Office is working on legislation to reauthorize the LCBP and has a draft bill ready to share with some key partners including the EPA Regions and the States. Once they review, it will be shared more broadly. The last reauthorization was in 2002 and it still had a lot of language going back to the 1991 Lake Champlain Management Conference that will be updated. Senator Leahy hopes to move this quickly in his last year in Congress. Staff are also drafting fiscal year 2023 language now and the President's fiscal year 2023 budget request is \$20 million for the program.

## INFORMATIONAL PRESENTATION: VT WETLANDS ACQUISITION PROGRAM (WILL DUANE, LAND ACQUISITION COORDINATOR, VT FISH & WILDLIFE DEPARTMENT)

**9:45 AM**

Will Duane provided an overview of the Vermont Wetlands Acquisition Program. The program is funded by the LCBP through Total Maximum Daily Load (TMDL) implementation funds provided to the US Environmental Protection Agency (EPA). To date, this program has acquired 1,500 acres of land, 1,000 of which are restorable to wetlands. The goal of the program is to acquire parcels of land where at least 40% of the land can be restored to wetlands, but they are ahead of that goal currently, with 70% of the acquired land being restorable to wetlands. The State often leverages additional funds to support land purchases through this program, including funding from the Vermont Duck Stamp program. Will reviewed several examples of parcels that the program has acquired, including expansions to the Rock River, Dead Creek, Intervale, and Lemon Fair wildlife management areas. Will summarized challenges that the program has faced, which include the difficulty in finding appraisers that are qualified for conservation projects, some amount of pushback from certain farming communities, and a handful of landowners who express interest but then do not fully pursue the project. Will noted that the Department already has 3 appraisals scheduled for the coming year.

- Several Steering Committee members voiced appreciation for the collaboration demonstrated by this project.
- A Steering Committee member asked if TMDL funds are used for restoration activities under this program.
  - Will responded that the main source of funds used when active restoration is required on a parcel is TMDL funds. Restoration activities can include creating depressions in the land surface to support wetland regeneration, plugging agricultural drains, managing aquatic invasive species, and plantings.
- A Steering Committee member asked if the value of farmland has increased significantly in the last year, as it has in Québec.
  - Will answered that while the value of housing has increased significantly, the program has not yet experienced a significant increase in the cost of parcels they have sought to acquire. He noted that since the program uses federal funds, they cannot pay over the fair market value as determined by the appraiser. He offered to follow-up with the cost per acre that the program has paid, on average.
- A Steering Committee member inquired about the amount of maintenance that is required after the land is acquired, and about the timeframe.
  - Will noted that a significant amount of time is dedicated to monitoring activities immediately after the acquisition goes through and re-iterated the restoration activities that the program undertakes. He stated that a unique restoration management plan is developed for each parcel in the program and added that the Department will continue to monitor all land beyond the life of the grant.
- A Steering Committee member asked for information on the tax implications to towns that the acquisition of land leads to.
  - Will explained that the State of Vermont makes a payment of the same assessed value at the same municipal rate for each parcel in lieu of paying property taxes. He noted that this payment does not include the educational tax, which does not go directly to the municipalities it is collected from anyways. He noted that the Department highlights the water quality and public recreation benefits when discussing land acquisitions with towns. Several Steering Committee members noted that there is ongoing discussion at the State legislature level about how to support these payments as the program continues.
- Tom Berry added that if Steering Committee members are supportive of this program, funds could be dedicated for similar work in New York as well.

## **FFY2022 LCBP BUDGET PRESENTATION**

**10:15 AM**

### **OVERVIEW OF FFY22 PROCESS & LCBP FFY21 ANNUAL REPORT SUMMARY (ERIC HOWE)**

Eric described that the two major outcomes for this 2-day Steering Committee meeting is for the Lake Champlain Steering Committee to approve the federal fiscal year 2022 budget priorities and the 2022 Opportunities for Action Management Plan (OFA). Once the budget is approved, LCBP will work with NEIWPCC to develop workplans for each of the funding streams (EPA, GLFC, NPS, NOAA). The OFA is

the LCBP and Lake Champlain Steering Committee's high-level management plan for the Lake Champlain Basin. Eric shared the draft-final [Fiscal Year 2021 Annual Report](#), the 290-page report of activities containing 257 active grants and the draft-final [Fiscal Year 2021 Annual Report Summary](#). He shared that before going into the details of the 2022 budget, within each section of the agenda, LCBP staff will review 2021 project highlights. Eric shared high-level highlights from the LCBP fiscal year 2021 budget which include: LCBP and CVNHP appropriations exceeded \$16 million; the 2021 State of the Lake Report was published in English and French; the new LCBP Citizens Advisory Committee Coordinator position was initiated; LCBP hosted the June 2021 Steering Committee Summit. A diversity, equity, and inclusion (DEI) consultant RFP was released in August and LCBP began working with Dr. Carmen Phelps of Project986 Consulting in January 2022 to (1) conduct an organizational assessment, (2) evaluate LCBP's grantmaking processes, (3) design a DEI statement, (4) provide DEI trainings tailored to LCBP's needs, and (5) develop a comprehensive DEI strategic plan for LCBP. LCBP staff also participated in trainings and developed a DEI mission, vision, and values statement, worked with the Health Disparities and Cultural Competency Committee, collaborated on fishing and education workshops for New American community members, and is developing educational videos on cyanobacteria, mercury in fish, and *E. coli* which will be translated into seven languages.

#### **FFY2022 KEY FUNCTIONS BUDGET & DISCUSSION ON INFRASTRUCTURE AND NOAA FUNDING (ERIC HOWE)**

Eric Howe stated that LCBP is anticipating an authorization of approximately \$29.25 million. Eric thanked Senator Leahy for the increases in the expected budget. Of the total appropriation, funding through the EPA will include \$12 million for LCBP priorities, \$8 million for TMDL implementation, and an additional \$8 million through the Infrastructure Investment and Jobs Act (IIJA). The IIJA is a 5-year bill, and LCBP will receive \$8 million through that bill each year, totaling \$40 million. In addition to the EPA funds, LCBP is anticipating \$690,000 from the Great Lakes Fishery Commission (GLFC), \$500,000 from the National Park Service (NPS), and \$750,000 from the National Oceanic and Atmospheric Administration (NOAA).

Eric described each item in the key functions budget. He began with staffing, noting that as the amount of funding that LCBP manages has increased, staffing needs have also increased. There are currently 13 full time staff, and several new staff positions are proposed for this upcoming fiscal year:

- A technology support position, including communications, publications, and IT management.
- An aquatic invasive species (AIS) outreach specialist. This staff position would be a 4-5 year position focused on outreach along the Champlain Canal corridor.
- A grants and program support position to assist with grant management.
- An aquatic organism passage restoration specialist. There are 3 items that would be supported with infrastructure funds, including a new staff position in this area. The staff member would work with the New York and Vermont dam task forces and in close partnership with the US Fish and Wildlife Service. LCBP would also offer a competitive grants program centered around aquatic organism passage, and this staff person would manage technical projects involving dam removals.

Next, Eric described additional proposals for the Infrastructure funding:

- A strategic lands acquisition grant program. This program would support non-profits who could hold conservation easements and would aim to conserve high-priority land across the basin.
- A conservation tree nursery support program
- A wetlands and floodplain restoration program. An LCBP-run grant program that could be used to augment federal and state wetland restoration programs.

Finally, Eric described proposals for the NOAA funds, and asked Steering Committee members for general guidance on what they would be supportive of under these options:

- Contaminant monitoring
- Equipment purchases to augment real-time monitoring on Lake Champlain
- Monitoring equipment grants (1 off program) to watershed groups
- A request for proposals for aquatic invasive species monitoring and early detection
- Supporting cyanotoxin testing of recreational water samples



- Several Steering Committee members emphasized the importance of coordinating between the states and LCBP as increased funding comes in across the board, and groups may be overwhelmed with the number of opportunities available for funding.
- There was some discussion about the possibility of LCBP issuing a grant program for funds that could be used in conjunction with state revolving loan funds for municipalities already on the priority list for sewage and stormwater projects.
- For the NOAA funding, Steering Committee members voiced support for contaminant monitoring, aquatic invasive species early detection and monitoring equipment grants.

**TECHNICAL BUDGET (NEIL KAMMAN, TAC CHAIR, AND LCBP TECHNICAL TEAM)**

**FFY2021 CLEAN WATER AND HEALTHY ECOSYSTEM PROJECT HIGHLIGHTS (LCBP)**

LCBP staff reviewed a PowerPoint presentation full of clean water and healthy ecosystem project highlights from the 2021 fiscal year. The new LCBP Science Blog is announced on social media and can be subscribed to, and staff take requests about topics to include. The 2022 Boat Launch Steward position posting is still open.

**FFY2022 TECHNICAL CORE PROJECTS (LCBP)**

LCBP staff reviewed the list of projects that had been preliminarily approved by the Steering Committee in December. Clean Water and Healthy Ecosystem Grant Programs (\$1.5 million), Cyanobacteria Monitoring (\$105,000), Lake Champlain Long-term Monitoring Program (LTMP) (\$623,000), LTMP Sensor Array Maintenance (\$19,000), NY Agronomy Support (\$160,000), AIS Rapid Response Fund (\$150,000), Lake Champlain Boat Launch Steward Program (\$375,000), Water Chestnut Management (\$90,000).

**FFY2022 TECHNICAL LINE-ITEM PROJECTS (VT DEC, NY DEC, LCBP)**

VTDEC, NYDEC, and LCBP staff reviewed the list of projects that all had been preliminarily approved by the Steering Committee in December. Enhanced Agricultural BMPs (\$400,000); Assess and Inventory Private Road BMPs (\$200,000), Workforce Development to Support Implementation of Clean Water Projects (\$200,000), Flood Resiliency Capacity Building and Implementation (\$400,000), Aquatic Connectivity and Barrier Removal (\$400,000), Onsite Wastewater Treatment Facility System Education and Maintenance Program (\$400,000), Stormwater Master Planning for NY (\$200,000), Lake Champlain Environmental Sensitivity Index Mapping Project (\$695,000) and Lake Champlain Basin Economic Studies (\$440,000).

- Tom Berry asked if the Flood Resiliency project addresses OFA as community flood resiliency is a program priority of FEMA. Sarah Coleman, Erin Vennie-Vollrath, and Neil Kamman spoke to how the project will address OFA priorities, benefit water quality, address stream erosion within the Lake Champlain TMDL, and builds off previously supported training materials.
- The TAC and HAPAC Chairs recommended that the \$240,000 grant program within the Lake Champlain Basin Economic Studies project have a uniform approach and perhaps be awarded to an institution instead of as individual grants to easily compare projects and have the results able to be added to basin-wide data. Eric Howe said LCBP staff will consider this approach to get the funds out the door.

**FFY2022 TMDL PROJECTS (VTDEC)**

Sarah Coleman presented the fiscal year 2022 TMDL projects that all had been preliminarily approved by the Steering Committee in December. Enhanced Agricultural Practices: Farm Agronomic Practice Program, CREP, BMP and Engineering Services (\$2million), Green Schools Initiative (\$4million), Wetlands Acquisition and Restoration (\$2million).

- Within the meeting chat, Neil Kamman shared the website of the Green Schools Initiative which shows program accomplishments: <https://www.greenprintpartners.com/vtgreenschools>

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**LUNCH BREAK**

**12:30 PM**

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## EXECUTIVE SESSION

1:00 PM

### REVIEW OF FFY2022 TECHNICAL PROPOSALS WITHIN LCBP FFY2022 TECHNICAL BUDGET

#### ACTION ITEM: TO ENTER INTO EXECUTIVE SESSION

- **Motion By:** John Krueger
- **Second by:** Pete LaFlamme
- **Discussion on the motion:** Pierre Leduc recused himself from Executive Session. He left the meeting before lunch began.
- **Vote:** All in favor
- **Abstentions:** Pierre Leduc recused himself from Executive Session.

## EXIT EXECUTIVE SESSION.

### INFORMATIONAL PRESENTATION: ROUND GOBY STATUS UPDATE (LCBP, NYS DEC, QC MFFP)

2:00 PM

Meg Modley summarized the threat of the round goby aquatic invasive species to Lake Champlain and articulated the initial steps that have been taken to respond to the threat. Katie Petronis provided an update on the New York Department of Environmental Conservation (NYDEC)'s response to managing the risk of spread, which includes educational work, limited opening of the locks in the Champlain Canal, double-flushing the water in the locks, work to develop a more comprehensive round goby response plan, and medium-term solutions that will be implemented to manage the goby threat before a permanent barrier solution can be implemented.

- A Steering Committee member asked if DEC is considering closing lock C7.
  - Katie responded that as of right now, the Rapid Response Task Force is tracking the movement of the round goby through connecting waterways, and will take steps as new information comes in. Round goby have been detected at the confluence of the Hudson River, which represents a long-distance to travel until they could enter Lake Champlain. She stated that the Department is evaluating best management solutions and doing whatever they can to keep the round goby out of the lake, while also considering uses and travel along the canal. Katie also noted that the Canals Corporation is leading research on the potential impacts on closing the lock to recreation, economics, and communities.
- Several Steering Committee members expressed support for fully closing lock C7 to ensure that round goby could not enter Lake Champlain through that pathway and felt that the consequences of not closing the lock would be greater than the economic impact that closing the lock could have. The members noted that the canal has only been used for limited recreational traffic in recent years and emphasized the economic value of protecting the Lake Champlain fishery. It was noted that both the Vermont and New York Citizens Advisory Committees on Lake Champlain's Future (VTCAC and NYCAC) have passed resolutions urging the closure of the lock.
  - Katie noted that NYDEC shares the concern of the risk of spread. The Department is trying to develop the best path forward to halt the spread and manage for all uses.
- A Steering Committee member emphasized the importance of the Lake Champlain Aquatic Invasive Species Rapid Response Task Force, and thanked Meg Modley for the critical role she plays in this work. He asked, as monitoring for the round goby begins and will continue, if there is a point where DEC would be open to closing the lock if goby are detected?
  - Katie noted that the monitoring effort will be critical in the development of the rapid response plan. The plan has metrics that will determine a response based on if goby are found at specific points. She noted that it is not just DEC that will be making a decision about closure, a number of stakeholder groups will be involved in developing the rapid response plan. A draft will be shared in the near future.
  - A meeting participant advocated for the US Coast Guard being involved in the development of the rapid response plan.



- A Steering Committee member added that in Québec, a full ban on live bait fish was implemented as a measure to reduce the spread of aquatic invasive species. He noted it did pose difficulties and required an adjustment, but the government felt that it was the best way to limit the spread of invasive species, as bait-bucket transfer can still occur even if physical barriers are implemented.

Nathalie V provided an overview of round goby status in Québec, including detection, prevalence, and surveying efforts.

- A meeting participant asked if there are education campaigns directed at users of the Chambly Canal, or disinfection protocols in place for travelers.
  - A Steering Committee member responded that there are boat launch stewards and decontamination stations along the Richelieu River and around nearby lakes in the area.
  - An LCBP employee added that LCBP and Lake Champlain Sea Grant are collaborating on education and outreach campaigns that will do outreach in Québec as well.
- Nathalie Provost suggested that the Steering Committee receive an update on round goby efforts in 6 months, given the interest in the topic.

### JURISDICTIONAL UPDATES

3:00 PM

- **Joe Zalewski (NYS DEC):** Written updates have been provided in the meeting folder. A new NYS DEC sponsored documentary about invasive species titled "[Uninvited](#)" is available for free on YouTube.
- **Sarah Coleman (VT DEC):** Written updates have been provided in the meeting folder.
- **Nathalie Provost (QC MELCC):** Staff are very busy internally organizing and upgrading technology to go back to work in the office. A law has been adopted in Quebec to ban oil and gas development on its territory. New work to reduce flooding impacts using the same approach as the IJC Richelieu River and Lake Champlain study is taking place.

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ADJOURN FOR THE DAY

3:30 PM

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## DAY 2 ATTENDANCE:

**STEERING COMMITTEE MEMBERS:** Nathalie Provost and Daniel Tremblay (Meeting Chair, Quebec MELCC), Julie Moore (VTANR), Joe Zalewski (NYS DEC), Vic Putman (Chair, NY CAC), Pierre Leduc (Chair, Quebec CAC), Mark Naud (Chair, VT CAC), Buzz Hoerr (Chair, E&O Committee), John Krueger (Chair, HAPAC), Neil Kamman (Chair, TAC), Mel Cote (EPA R1), Antony Tseng (EPA R2 for Rick Balla), Maya Dehner (USACE), Andrew Milliken (USFWS), Kris Stepenuck (Lake Champlain Sea Grant for Breck Bowden), Travis Thomason (NRCS VT), Brandon Olsen (NYS Empire State Development), Dan Mackay (NYS Office of Parks, Recreation, and Historic Preservation), Steve Garceau (Quebec Ministère des Forêts, de la Faune et des Parcs), Laura DiPietro (VT AAFM for Alyson Eastman), Laura Trieschmann (VT ACCD)

**STAFF:** LCBP: Eric Howe, Jim Brangan, Colleen Hickey, Kathy Jarvis, Elizabeth Lee, Ryan Mitchell, Meg Modley Gilbertson, Matthew Vaughan, Lauren Jenness, Mae Kate Campbell, Katie Darr, Heather Radcliffe (NEIWPPC), Julie Berlinski (NYS DEC), Erin Vennie-Vollrath (LCBP NYSDEC), Emily Bird (VTANR), Oliver Pierson (VTANR), Sarah Coleman (LCBP VT ANR), Bryan Dore (EPA R1), Michele Fafette (EPA R2) Antony Tseng (USACE)

**GUESTS:** Tom Berry (Sen. Leahy's office), Susan Evans McClure (LCMM), Chris Sabick (LCMM)

*Nathalie Provost (QC MELCC) Chaired this meeting.*

## MEETING BEGINS

9:00 AM

### INTRODUCTIONS

*Nathalie Provost welcomed everyone to Day 2 of the virtual meeting. She announced that Daniel Trambly will transition into the Chair role in the afternoon when she steps away for another meeting.*

## ADVISORY COMMITTEE AND LCBP UPDATES

9:05 AM

- **Mel Cote (EPA R1):** Written updates have been provided in the meeting folder. A new EPA Region 1 administrator, David Cash, was appointed. He has been briefed on LCBP activities, and some LCBP staffers were able to meet him at an Infrastructure Bill meeting in early February in Burlington. The Conservation Law Foundation, Vermont Natural Resources Council, and the Lake Champlain Committee petitioned the EPA to look into National Pollutant Discharge Elimination System (NPDES) permitting in the state. Finally, many EPA offices are beginning to return to in-person work.
- **Andrew Milliken (USFWS):** Written updates have been provided in the meeting folder. Our team leader, Bill Ardren, has transitioned to a new role. We wish him well. Please forward the announcement of that open position to your networks. The salmon program is in its 2<sup>nd</sup> year of stocking genetic parentage based tagged salmon. 18 different groups are being stocked, genetic information will be used to identify which fish are coming from where, which will help refine and improve our conservation efforts. The lamprey team is finally able to cross the border, so work in Québec can resume.
- **Anthony Tseng (EPA R2):** Written updates have been provided in the meeting folder. Michele Fafette is stepping in as the EPA region 2 Lake Champlain Coordinator, following Mario Paula's retirement. I am also new to the program. We welcome the work we will be doing with you all.
- **Kris Stepenuck (Lake Champlain SeaGrant):** Written updates have been provided in the meeting folder. SeaGrant is hiring for our Director position, as Breck Bowden is retiring in August. We will be holding open partner meetings to support the hiring process.
- **Maya Dehner (USACE):** Phase 1 of the Champlain Canal barrier feasibility study is wrapping up, and we are beginning to scope phase 2. We are still scoping the Vergennes project and are hoping to execute a project partner agreement with the team shortly. The St. Albans study is ongoing.
- **Neil Kamman (TAC):** Written updates have been provided in the meeting folder. A short update is that TAC has been busy. We are excited about the upcoming work.
- **Jim Brangan (HAPAC):** Written updates have been provided in the meeting folder. We are getting ready for the 2022 field season and have a couple great artist in residence projects going

on. In June, Bluseed Studios will be featuring pieces on water quality by Indigenous artists. There are a number of events being held to celebrate the 50<sup>th</sup> anniversary of the Clean Water Act. Additionally, our own John Krueger is penning a history blog.

- **Colleen Hickey (E&O):** Written updates have been provided in the meeting folder. We participated in and coordinated several key events that reached our target audiences: World Water Day and our Education and Outreach Summit. We met with 40 marina owners through the marina operators meeting.
- **Vic Putman (NYCAC):** Written updates have been provided in the meeting folder.
- **Mark Naud (VTCAC):** Written updates have been provided in the meeting folder. The committee received a presentation from the Conservation Law Foundation regarding their petition to the EPA. This is an issue that the CAC has requested the legislature fix for years now. We hope for a positive response. We are also preparing for follow-up on round goby.
- **Pierre Leduc (QCCAC):** I want to thank the Steering Committee for their support in the last few years. You supported a project that completed targeted interventions for erosion control. This project was awarded 2<sup>nd</sup> place in the category of water protection projects in Canada. We have secured additional funding to continue the project through 2025.
- **Heather Radcliffe (NEIWPC):** Written updates have been provided in the meeting folder. NEIWPC will present updates on our budget process to the Steering Committee in September.
- **Eric Howe (LCBP):** Written updates have been provided in the meeting folder. Registration is currently open for the Lake Champlain Research Conference, which will take place in May. LCBP staff are engaged with response to the round goby, and we are also remaining mindful of the threat of hydrilla from the Connecticut river. The International Joint Commission (IJC) Lake Champlain – Richelieu River Flood Study Board is wrapping up their study and will deliver their final report to the IJC in mid-June. Public hearings on the report will follow. I want to acknowledge the contributions of Mario Paula, and also welcome Michele Fafette to her new role.

## INFORMATIONAL PRESENTATION: AN UPDATE ON THE LAKE'S LAST REVOLUTIONARY WAR GUNBOAT

9:30 AM

(SUSAN EVANS MCCLURE & CHRIS SABICK, LAKE CHAMPLAIN MARITIME MUSEUM)

Susan provided an overview of the Lake Champlain Maritime Museum and how they are in conversations with congressional staff to nominate Lake Champlain as a NOAA Marine Sanctuary. Chris provided an overview of the archeological work taking place with the Spitfire gunboat, including multi-beam sonar imagery using remote operated vehicles. With CVNHP funding, LCMM is hosting a visiting scholar who is a world-renowned expert in photo photogrammetry for shipwreck sites this summer. LCMM will be sharing updates with the public on their website and are also sourcing extensive funding from different avenues to complete the project, including establishing a permanent mooring at the site with a monitoring system. Susan also talked about how in 2026 LCMM will be commemorating the American Revolutionary War with new exhibits and online material.

- Tom Berry provided an update on the NOAA Marine Sanctuary legislation. A bill was drafted a few months ago but was stalled because of the uncertainty of regulatory authority. If LCMM, LCBP, others are interested enough to help with the vetting process, it's a viable concept that would bring resources to this project and others in Lake Champlain.
- Eric Howe said this is something LCBP can work on coordinating and that Susan, Jim Brangan, and others will get together soon to develop an approach.
- Buzz Hoerr asked clarifying questions about the position of the shipwreck and asked what the long-term plan is for its preservation. Chris responded that the long-term plan is to keep the shipwreck in place and the mass of zebra mussels on the hull doesn't seem to be expanding.
- Neil Kamman asked Chris about the row galley in Arnold Bay and John Kruger said he and his dog patrol the area regularly and can let LCMM know if they see any suspicious divers/activity in the area.
- Jim Brangan concluded by saying LCMM is one of the CVNHP all-stars. They always deliver more than we expect. I want to comment Susan and Chris to this careful approach to the





preservation of this shared resource and believe we are developing a sound approach to preserving these artifacts.

## FFY2022 LCBP BUDGET PRESENTATION, CONTINUED

10:15 AM

EDUCATION & OUTREACH BUDGET (BUZZ HOERR, E&O COMMITTEE CHAIR, AND LCBP E&O TEAM)

### FFY2021 INFORMED & INVOLVED PUBLIC PROJECT HIGHLIGHTS (LCBP)

LCBP staff reviewed a PowerPoint presentation full of informed and involved project highlights from the 2021 fiscal year.

### FFY2022 EDUCATION AND OUTREACH CORE & LINE-ITEM PROJECTS (LCBP, VT DEC)

LCBP staff reviewed the list of projects that all had been preliminarily approved by the Steering Committee in December. Large Education and Outreach Grants (\$400,000), Small Education and Outreach Grants – 3 categories (\$280,000), Stream Wise Phase 4 (\$72,000), Interpreting Water with Art (\$40,000), Video Production (\$24,000), Champlain Basin Education Initiative/Watershed for Every Classroom (\$37,500), Education and Outreach Stewards (\$60,000), Communications Intern (\$18,000), Lake Wise Vermont (\$90,000), BIPOC Water Recreation and Safety Outreach (\$20,000).

- The TAC Chair recommended raising the Interpreting Water with Art funding amount as the demand and capacity seems to exist for more funding. He recommended adding artistic branding to the boat launch decontamination station containers and wondered if funding could be provided to the new Vermont Clean Water Service Providers to make an artistic brand for each watershed. The VTCAC and E&O Committee Chairs support the funding of the container wraps.
- The TAC Chair recommended raising the BIPOC Water Recreation and Safety Outreach funding. LCBP staff said there is room to increase the budget with all of the work being done in partnership with Lake Champlain Sea Grant and others for the fishing outreach workshops and other projects. It takes a lot of staff time and effort to build the partnerships with the local communities and additional funding could easily be spent on supplies, paying translators, staff time, etc. Eric Howe added that LCBP will have the DEI Strategic Plan in place by September and that the Biden Administration's Justice40 Initiative, which asks that the benefits for 40% of federal dollars through the Bipartisan Infrastructure Law demonstrate benefit to communities with environmental justice concerns. Mae Kate clarified that an additional \$10,000 is available for DEI programming within LCBP's proposed fiscal year 2022 key functions budget. Lake Champlain Sea Grant wondered if the incoming funds could go toward a new staff position, perhaps done in partnership with their program. Eric Howe said this is certainly an option.
- Eric Howe recommended that the Steering Committee go into Executive Session for final editing of the education and outreach budget.

## EXECUTIVE SESSION

REVIEW OF FFY2022 EDUCATION AND OUTREACH PROPOSALS WITHIN LCBP FFY2022 E&O BUDGET

### ACTION ITEM: TO ENTER INTO EXECUTIVE SESSION

- **Motion By:** John Krueger
- **Second by:** Buzz Hoerr
- **Discussion on the motion:** Kris Stepenuck recused herself from Executive Session.
- **Vote:** All in favor
- **Abstentions:** Kris Stepenuck recused herself from Executive Session.

EXIT EXECUTIVE SESSION.

## FFY2022 LCBP BUDGET PRESENTATION, CONTINUED

11:15 AM

CHAMPLAIN VALLEY NATIONAL HERITAGE AREA PARTNERSHIP (CVNHP) BUDGET (JOHN KRUEGER, HAPAC COMMITTEE CHAIR, AND LCBP CVNHP TEAM)



**FFY2021 THRIVING COMMUNITIES PROJECT HIGHLIGHTS (LCBP)**

LCBP staff reviewed a PowerPoint presentation full of thriving communities project highlights from the 2021 fiscal year.

**FFY2022 CVNHP CORE PROJECTS (LCBP)**

LCBP staff reviewed the list of projects that all had been preliminarily approved by the Steering Committee in December: The CVNHP International Summit (\$7,200), Wayside Exhibits (\$12,000), Champlain-Adirondack Biosphere Network (CABN) Coordination and Outreach (\$30,000), CABN Outreach for Sustainability (\$20,000), and Western New England Greenway Support (\$30,000). LCBP staff also provided an overview of the CVNHP pre-proposal and full proposal review process.

**EXECUTIVE SESSION**

**REVIEW OF FFY2022 COMPETITIVE CVNHP PROPOSALS WITHIN CVNHP FFY2022 BUDGET**

**ACTION ITEM: TO ENTER INTO EXECUTIVE SESSION**

- **Motion By:** Buzz Hoerr
- **Second by** John Krueger
- **Discussion on the motion:** None
- **Vote:** All in favor
- **Abstentions:** None

**EXIT EXECUTIVE SESSION.**

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**LUNCH BREAK**

**12:30 PM**

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**ROUND GOBY DISCUSSION, CONTINUED (ERIC HOWE)**

**12:55 PM**

Eric announced that over lunch there had been some behind-the-scenes conversations about some members on the Steering Committee wishing to have more discussion and/or a vote on a resolution about Round Goby and the Champlain Canal system. This is why the Lake Champlain Steering Committee exists – to learn about, understand, and comment on major potential impacts to Lake Champlain. As Buzz noted earlier, this is one of those very rare occasions when we can keep a door closed. At the same time, we recognize the NYS DEC decision as only one approach to keep Round Goby out of the lake and LCBP and partners are working hard to reduce those additional vector transfer risks through programs like the Boat Launch Steward program. Eric's suggestion to the group is to think about this issue and discuss, but for the Steering Committee to not take up a vote or resolution as there are a number of folks on the call representing federal and state agencies who don't have time during this meeting to confer with their supervisors and if the Steering Committee, for this reason, would not approve the resolution it would send the wrong message to the public.

The Steering Committee members agreed to not take a formal vote during the meeting and to host another conversation about response action options during the May 11<sup>th</sup> Executive Committee meeting. LCBP will organize material, structure the meeting's agenda, and share with partners prior to the meeting.

**Discussion:**

- Buzz Hoerr recapped what Joe Zalewski said within the virtual meeting before the Steering Committee agenda officially started. The Champlain Canal is currently closed and drained. A team is doing eDNA sampling and will come back with answers as to where Round Goby is in the river system to formulate a strategic plan with a scientific basis for how/if to close the Canal.

- Joe Zalewski added that the navigation season is scheduled for May 20<sup>th</sup> so we should have data by then to help inform the decision to delay the opening of the Canal, if needed.
- Buzz Hoerr suggested to check to see if the Canal closing will have impact on the new UVM Lake Champlain Research Vessel.
  - Tom Berry replied that the research vessel's delivery date is later in the summer and Leahy's office can take responsibility for getting information to partners on the feasibility of doing overland transport.
- Mark Naud said he was appreciative of Joe letting the Steering Committee members know that the Canal is currently drained and closed and that there is an opportunity to gather data and perhaps make a more informed decision about when and how to close. He is comfortable about having that data be collected. His sense of the preliminary data coming from the USACE Phase 1 study is that a barrier will be recommended at some point. He said that we should all be considering Tom Berry's point that an accidental bait bucket transfer of Round Goby would obviate \$40-50 Million dollars' worth of construction costs to install the barrier. The VTCAC has made a formal strong resolution to the governor and Legislature recommending NYS DEC and the Canal Corporation close the canal lock and that will not change. In lieu of a formal resolution by the Lake Champlain Steering Committee, he recommends the Steering Committee consider:
  - A recommendation that in any response from NYS DEC and the Canal Corporation they have a clear and focused prioritization plan for the Canal closure and state how existing partnerships will accommodate various issues in a *Rapid Response* manner, including facilitating how recreational watercrafts will be lifted around a barrier.
  - A recommendation for NYS DEC and VTANR to simultaneously consider the logistics, including stakeholder and fisherman concerns, for introducing a temporary live bait ban, using the lessons learned from Quebec partners.
- Meg Modley reiterated a few key components that are important for Steering Committee members to know. (1) LCBP is paying for early detection monitoring and USGS NY is collecting samples, targeting in between storm events. The team is going out next week and will be freezing what samples they get. (2) Early detection monitoring is not going to be definitive. It will give us an idea of where the Round Goby are based on the samples. That is the main challenge when thinking about how we use eDNA and trawling samples to create these threshold response management plans. (3) NYS DEC is the lead partner in this instance of the Rapid Response model, but it's critical that a subset of the AIS Rapid Response Task Force members be engaged and involved in creating this specific response plan. Andrew Milliken at USFWS, Vermont Fish and Wildlife, NY, Quebec representatives, etc need to be heavily engaged to make sure Lake Champlain interests are represented within the plan.
- Tom Berry said he can send an inquiry to the US Coast Guard to see how they should be engaged in these conversations as they are not a member of the Steering Committee.
- Andrew Milliken reiterated the importance of what Meg said and added that the AIS Rapid Response Task Force will work with NYS DEC to articulate a response plan. For USFWS, this plan would need to include an option of closing the canal given certain thresholds. Experts and science must be used to develop the threshold plan that guides the decisions about when to close the locks and the plan must also recognize that partners are investing in other transport control methods like education and outreach. If there was a formal vote on this at this meeting, Andrew would need to recuse himself.
- Nathalie Provost agreed that she would feel uncomfortable taking a formal vote today.
- Vic Putman wondered if a Lake Champlain Steering Committee resolution supporting the closure of the Canal would supersede the continued participation by LCBP staff on the Rapid Response Task Force or cause any political gyrations. He recognizes the need for science-based decisions, however eDNA sampling is not a totally reliable dataset as in Chicago used eDNA sampling for Asian Carp and found positive test results above the barrier they had established, meaning that eDNA can be carried upstream of any barrier by other animals. He is not sold on the resolution but is not sure who has the authority to close the canal, other than the Governor.
- Eric Howe re-clarified that the name of this group is the Lake Champlain Steering Committee, not the Lake Champlain Basin Program Steering Committee, and the purpose of the group is to

foster communication of Lake Champlain related issues for partners across the Basin. The Committee can operate independently of the LCBP and there would be no issue with LCBP staff coordinating rapid response tasks even if a resolution was passed. LCBP will continue to work with NYSDEC and the Canal Corporation and NYS Power Authority to move forward with a response in the best capacity. There is a lot of interest to generate and pass a resolution like this. Recommend discussing this topic again at the May 11<sup>th</sup> Lake Champlain Executive Committee meeting. Hopefully by then some of the eDNA data will be shared that will help inform the conversation and the Executive Committee can discuss and recommend actions to the Steering Committee. If needed, a Steering Committee meeting can be scheduled after the Executive Committee meeting. LCBP will organize material, structure the meeting's agenda, and share with partners prior to the meeting.

- Steve Garceau requested that Parcs Canada be involved in the conversations.
- Meg Modley said that the critical piece is to ensure that the Lake Champlain AIS Rapid Response Task Force members stay involved and fully recognized by NYS DEC and the Canal Corp as full members.
  - Andrew Milliken agreed.
- Vic Putman agreed to table the discussion until the May 11<sup>th</sup> Executive Committee when there will be more data available and a structured discussion and offered to make a motion, if needed.
- Nathalie Provost wrapped up the conversation with the summary of next steps.

## FFY2022 LCBP BUDGET DISCUSSION AND APPROVAL STEERING COMMITTEE DISCUSSION, FINAL ADJUSTMENTS (ERIC HOWE)

1:30 PM

Daniel Tremblay introduced himself as Chair while Nathalie attends another meeting.

Eric Howe reviewed that the Committee has spent the last two days having a dialogue about the LCBP FY22 Budget and there are some remaining discussions to be had, mostly about the infrastructure funding, but also the Great Lakes Fisheries Commission funding, increasing the Interpreting Water Quality with Art Education and Outreach line item, and increasing the BIPOC Outreach line item.

**Infrastructure Funding:** Eric Howe recommended that the Steering Committee consider the four main tasks [Aquatic Organism Passage, Strategic Lands Acquisition, Tree Nursery Support, and Wetland and Floodplain Restoration] identified for infrastructure funding, decide if they are good use of the infrastructure funding dollars, and if so, approve the budget as is and charge Eric to work with the identified partners to figure out how to get the funds out the door strategically. The plan of action will then be reviewed at the May 11<sup>th</sup> Executive Committee meeting. Both the normal LCBP Budget and the infrastructure dollar funding applications are due to EPA by July 18<sup>th</sup> and these details will have to be confirmed by then.

- The Steering Committee members agreed to consider adding a "State Revolving Fund Supplemental Grants" category to the budget, maintain flexibility of the Infrastructure Funding dollars between identified budget categories when approving the FY22 budget, continue to coordinate efforts between partners, and request LCBP to coordinate a continued conversation on this topic at the May 11<sup>th</sup> Executive Committee meeting.

Discussion:

- Tom Berry said that if there is interest in creating a grant program that supports State Revolving Fund funding and would offset the cost share of applicants to encourage enrollment, Leahy's office would work to set aside the funding. The funding would be available through a competitive grant program run through the LCBP in partnership with the States.
  - Vic Putman added to Tom's comment that in NY the Environmental Facilities Corporation that manages the SRF Funding tops out grant amounts at 25% which doesn't help the small and underserved communities the funding is trying to reach and any additional funding going to SRF without adjusting this requirement would be lost for a lot of communities. The Northern Border Commission funds are netted out. He's been talking about this for a decade and research should be done to think about how the program can work better. As noted, EPA dollars can't be matched with EPA dollars which capitalize on the SRF funding.

- Tom Berry said that this input is helpful, and it would be good to continue this conversation at a later meeting with more time to prepare options. The approach in NY sounds punitive in that it reduces incentives and is counterproductive. He suggested to add a row to the budget for “SRF supplemental grants” for \$1 as a placeholder to continue the conversation.
- Neil Kamman said that while he is not adverse to having the line-item included, he recommends that a final decision about the SRF supplemental grants program be extended by a year as a lot of municipalities that apply to have Intended Use Plans and the State is beginning to see the landscape of projects needed and see what all of that 49% required subsidy will go and how it will be distributed. If we wait to see how it goes in the first year, we might be able to be more creative about how to use the funding in future years.
- Tom said that that sounds reasonable but to keep the placeholder in for now is a good idea. He wants to first have a more formal conversation with the Chief of Staff and he reminded everyone that there is no ‘next year’ for Leahy’s staff and therefore it would be good to get as far into the discussion this year as possible.
- Joe Zalewski said that his understanding of the LCBP Infrastructure Funding was that it was not to be used for wastewater treatment facility related projects as they can consume a lot of funding and there are other opportunities that need funding. He wouldn’t be a supporter of this grant category unless there are specific projects or an unmet need that we are trying to steer for.
  - Neil Kamman said he thinks the Steering Committee could identify categories of infrastructure in communities with affordability challenges.
  - Tom Berry said that projects would need to be identified within a State’s Intended Use Plan under the SRF. The intent could not be more clear as far as the Infrastructure Funding, the dollars should go toward infrastructure. He would like more time to review opportunities and report back.
- Mel Cote said that EPA doesn’t have final guidance, but they have every indication that a match waiver will be applied to the funding, especially given the guidance to invest the funding in lower-income communities.
- Julie Moore requested that the motion to approve the budget include flexibility of the funding amounts between the identified tasks. It will be important to identify potential funding overlaps and look at reporting requirements in order to be thoughtful about how resources are allocated on the ground via many different opportunities.
- Andrew Milliken stated that he is excited by the Bipartisan Infrastructure Law funding coming to the LCBP and the proposed habitat conservation and aquatic organism passage related categories. As Julie said, this is an already very active space with many partners implementing and coordinating projects. He fully supports these efforts, but the Steering Committee should recognize that it will take a fair amount of cost and consideration to coordinate existing work for the increased funding levels to work well for all partners. He agreed to have the flexibility to move funds in between line items and would support approving the budget now with the additional coordination efforts and flexibility added in.

**Great Lakes Fisheries Commission funding:** Eric Howe described how the LCBP doesn’t yet have a final funding amount determined for GLFC funding but has been working under the assumption that level funding will be provided (\$619K). The Steering Committee could make a pitch to the staff managing the GLFC account that it would be important for GLFC dollars to be available as local sponsor match for the Phase 2 AIS Barrier on the Champlain Canal Study. The estimated cost of that study is \$1.4 Million and USACE is working to firm up that number. Therefore, the Steering Committee could recommend inserting a line-item of \$700K into the GLFC budget, but there wouldn’t be a guarantee to get the funds. If the additional \$700K couldn’t be provided, the Steering Committee would need to consider whether they want to pull back existing GLFC allocations to be used for the Phase 2 study. In general, GLFC funds are used to support the AIS Rapid Response Fund, but typically used in smaller amounts than \$700K. LCBP is also pursuing other sources for the match funding, including the Champlain-Adirondack Mitigation Funds, which brings up the question if NYS DEC would be able to contribute some share of funding to support the Phase 2 study.



- The Steering Committee members agreed to have a continued conversation on this topic at the May 11<sup>th</sup> Executive Committee meeting. USACE will look into their 542 Program's funding match requirements prior to the meeting.

Discussion:

- The TAC Chair said that he would be worried about losing the capacity to run projects north of the border, including valuable technical projects, if the Steering Committee made an additional request to GLFC for new appropriations in a process that is being finalized today that wouldn't be approved. He asked how easy it would be to get additional GLFC dollars and wondered if there is a creative solution to find the matching funds USACE is requesting.
- Eric Howe said that it's a challenging situation with a moving target. He can bring this topic up at the May 11<sup>th</sup> Executive Committee meeting. If the Steering Committee did set aside the \$700K for the local share it would send a message to GLFC that this is a high priority for the Steering Committee to move forward with. However, GLFC funding going into Quebec for the last 5-6 years has strengthened partnerships and we would hate to see that disappear.
- Tom Berry and the TAC Chair said it might be the right time to ask for additional GLFC funding.
- USACE said they will look into the 542 program's match requirements before the next discussion.

**Increasing the Interpreting Water Quality with Art Education and Outreach line item:** Eric Howe reviewed the meeting discussion about increasing this line-item request for the grant program to \$80K within the FY22 Budget.

- The TAC Chair and Education and Outreach Committee Chair voiced support for the increase in funding.

**Increasing the BIPOC Outreach line item:** Eric Howe reviewed the meeting discussion about increasing this line-item request up to \$40K within the FY22 Budget. LCBP staff described how the funding would be utilized.

- The HAPAC Chair and Education and Outreach Committee Chair voiced their support for the increase in funding.

Eric Howe summarize the action items, described above, and Daniel Tremblay asked for a motion to approve the FFY2022 LCBP/CVNHP Budget .

**ACTION ITEM: APPROVE FFY2022 LCBP/CVNHP BUDGET AS DISCUSSED**

- **Motion By:** Mark Naud
- **Second by:** Neil Kamman
- **Discussion on the motion:** None
- **Vote:** All in favor
- **Abstentions:** Pierre Leduc, Kris Stepenuck

**OPPORTUNITIES FOR ACTION 2022 (ERIC HOWE)**

**2:00 PM**

Eric reviewed *Opportunities for Action* (OFA), the Lake Champlain comprehensive management plan. He provided an overview of the history of OFA, which has been published in 1996, 2003, 2010, 2017. LCBP staff have completed a revision for 2022. Eric reviewed new content included in the 2022 edition, including an increased focus on climate change mitigation and resilience, and environmental justice. He also reviewed the structure of the plan and the addition of metrics in the 2022 version. LCBP staff members then reviewed updates to each of the four OFA goals: Clean Water, Healthy Ecosystems, Thriving Communities, and Informed and Involved Public, including new objectives under each goal, and the metrics associated with each goal.

- Steering Committee members offered appreciation to LCBP staff for their work on the plan. Several Steering Committee members stated their support for the addition of metrics.



Eric reviewed next steps that would follow Steering Committee approval of the plan. A 30-day comment period would be launched, and LCBP staff will hold two public hearings. The Executive Committee would review comments received during the public comment period at their May meeting. Following public comment, the EPA approval process would begin.

**ACTION ITEM: TO APPROVE THE LATEST VERSION OF OPPORTUNITIES FOR ACTION**

- **Motion By:** John Krueger
  - **Second by:** Andrew Milliken
  - **Discussion on the motion:** None
  - **Vote:** All in favor
  - **Abstentions:** None
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- A LCBP staff member requested that Steering Committee members forward *Opportunities for Action* to their constituents to encourage additional feedback.

**EXECUTIVE SESSION**

**2:30 PM**

**ADVISORY COMMITTEE MEMBERSHIP APPOINTMENTS**

**ACTION ITEM: TO ENTER INTO EXECUTIVE SESSION**

- **Motion By:** Joe Zalewski
- **Second by:** Vic Putman
- **Discussion on the motion:** Neil Kamman recused himself from the discussion.
- **Vote:** All in favor
- **Abstentions:** Neil Kamman excused himself from Executive Session.

**EXIT EXECUTIVE SESSION.**

**ACTION ITEM: TO RE-APPOINT NEIL KAMMAN AS CHAIR OF THE TAC CONSISTENT WITH THE TERMS OF ALL CHAIRS OF LAKE CHAMPLAIN STEERING COMMITTEE APPOINTED COMMITTEES**

- **Motion By:** Mark Naud
- **Second by:** Vic Putman
- **Discussion on the motion:** None
- **Vote:** All in favor
- **Abstentions:** Neil Kamman

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**MEETING ADJOURNMENT**

**3:00 PM**

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