



LAKE CHAMPLAIN STEERING COMMITTEE MEETING SUMMARY

TUESDAY, JUNE 13, 2023

Lake Champlain Steering Committee: 9:30 PM – 2:00 PM
Missisquoi Bay Public Meeting: 2:15-3:30 PM

In Person/Hybrid Teleconference (Contact LCBP for connection information)
Location: St. Albans City Hall, 100 N Main St, St Albans City, Vt 05478

ATTENDANCE:

Steering Committee members: Julie Moore (Meeting Chair, VTANR), Joe Zalewski (NYS DEC), Nathalie Provost (Quebec MELCC), Walt Lender (Chair, NY CAC), Pierre Leduc (Chair, Quebec CAC), Mark Naud (Chair, VT CAC), Buzz Hoerr (Chair, E&O Committee), Neil Kamman (Chair, TAC), Mel Cote (EPA R1), Michele Fafette (EPA R2 for Rick Balla), Jennifer Curran (USACE), Chris Smith (USFWS), Anne Jefferson (Lake Champlain Sea Grant), Travis Thomason (NRCS VT), Brandon Olsen (NYS Empire State Development), Laura Trieschmann (VT ACCD), Craig DiGiammarino (VTRANS)

Staff: Eric Howe, Mae Kate Campbell, Kerry Crowningshield, Katie Darr, Colleen Hickey, Lauren Jenness, Elizabeth Lee, Ryan Mitchell, Meg Modley Gilbertson, Matthew Vaughan, Logan Devaney, Corrie Miller, Erin Vennie-Vollrath (LCBP NY Coordinator NYS DEC), Sarah Coleman (LCBP VT Coordinator, VT ANR), Sarita Croce (NEIWPC), Daniel Trembley (Quebec MELCC), Lauren Townley (NYS DEC), Bryan Dore (EPA R1), Pete Laflamme (VTANR)

Guests: Rebecca Ellis (Sen. Welch's Office), Ahren Von Schnell (Cong. Stefanik's Office), Thomas Renner (Cong. Balint's Office), Garrett Lemza (Cong. Stefanik's Office), Denise Smith (Northwestern Medical Center, Inc.), Kent Henderson (Friends of Northern Lake Champlain), Sophie Moffatt-Bergeron (MELCCFP), Guy Parenteau (MELCCFP)

MEETING BEGINS

9:45 AM

INTRODUCTIONS. Julie Moore, Vermont Agency of Natural Resources, chaired this meeting. She welcomed everyone to the meeting, reviewed the agenda, and led a round of introductions.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

ACTION ITEM: APPROVE MEETING MINUTES FROM APRIL 11-12, 2023 STEERING COMMITTEE MEETING

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



PUBLIC COMMENT

10:00 AM

Kent Henderson, chair of the Friends of Northern Lake Champlain, welcomed attendees to the northern arm of Lake Champlain and thanked them for being here.

BRIEF UPDATES

10:05 AM

Congressional Updates

Ahren Von Schnell (Cong. Stefanik's Office): Ahren provided an update on the latest appropriations request. They submitted FY23 request for LCBP and total funding was level at \$425M for Great Lakes and highest funding amount for IJC and Great Lakes fisheries commission. He added he was proud of the congresswoman's Introduction of Spotted Lantern Fly Research and Development Act, particularly because spotted lantern fly presents a significant threat to agricultural producers in the basin.

Rebecca Ellis (Senator Welch's Office): Rebecca provided an update on the status of the new UVM research vessel. The latest update was from 6/8 from Coast Guard, noting that the boat is still waiting for its certificate of inspection. The boat was inspected on 5/15, finding that key lithium battery safety equipment was missing. Revisions are underway and as of 5/31, the updates are under review at coast guard headquarters.

Thomas Renner (Cong. Balint's Office): Thomas shared that the congresswoman joined the judiciary committee in the House. He noted that there were some proposals that would benefit the lake in innovative ways making their way through the Farm Bill. The congresswoman recently sent letter to Secretary Haland regarding the landscape policy rule which would keep landscapes intact and contribute to biodiversity. He asked the committee to reach out should there be anything they want the congresswoman to know or look into.

Jurisdictional Updates

State:

Vermont (Julie Moore, VT ANR): Sarah Coleman provided a written update in the meeting materials. The legislature will reconvene for veto session to consider FY24 budget and they anticipate there will be some discussion around match committed for BIL funding as the legislature considers extending the homelessness program that has been in place since pandemic. The governor took action which allowed the 30x30 conservation bill to pass into law without his signature.

New York (Joseph Zalewski, NYS DEC): Erin Vennie-Vollrath provided a written update in the meeting materials. A record amount of State funding was available for water quality improvement projects and the committee was advised to look to the written updates for the details.

Provincial:

Québec (Nathalie Provost, Quebec MELCC): The environmental department reorganizing internally to have quicker and a more meaningful impact on Plan Bleu, the big plan on water. Information was linked through the Quebec strategy on water. It was added that the quality of relationships with NY and VT will be maintained through Plan Bleu moving forward.

US Federal:

EPA (Bryan Dore, R1): There was no written update at the time of the meeting but one was forthcoming. Annually, it was noted that EPA Region 1 assesses progress of the VT NPS management program. A satisfactory progress determination was issued of that program, and it was noted that the state made awesome progress. The equity strategy was officially approved and it was noted that the action was really important (especially for the SC) as it gives EPA the option to lower or waive match requirements for BIL funding. There were no additional updates from EPA R2.

USFWS (Chris Smith): The final rule was finalized in November 2022 and went into effect in April 2023 on listing the Northern long-eared bat as federally endangered. The online determination key for projects across the northern forest were shared and impact projects that involve tree cutting or even culvert work. The FY24 National Fish Passage Program (BIL funding) are planned to be announced in coming months for projects in the state, noting that \$35 million was available nationwide last year. Andrew Miliken took another position and they hope to replace that position in the coming months.

USDA (Travis Thomason, NRCS VT): See written update. They have been engaging subcommittees and partners for feedback on improving program implementation which will help drive future investments. Implementation of the Inflation Reduction Act was successful so far and they have been moving quickly to implement projects. The Regional Conservation Partnership Program (RCPP) had \$500 million (thousand) available to leverage RCPP with work of the LCBP.

USACE (Jennifer Curran): No update.

Committee Updates:

CAC:

NY (Walt Lender): See [written update](#). The NYCAC had a productive meeting with the Champlain Watershed Improvement Coalition of New York (CWICNY) to discuss coordination of efforts. NYCAC's next meeting was at the Silver Bay YMCA on June 26th.

QC (Pierre Leduc): OBVBM received a grant from Environment and Climate Change Canada for habitat conservation work for three species, they are working with partners to secure the required match. Confirmed funding for a second farmers' cohort to undertake phosphorus reduction projects that do not reduce yields. Upcoming meeting with Nature Energy, a bio-methane company working to establish themselves in Quebec. OBVBM saw this as an opportunity to provide reduced phosphorus fertilizer to farmers. Manure will be collected from farms and processed in the plant. They are hoping liquid and solids are separated so reduced phosphorus fertilizer can be returned to the farm. The phosphorus mass balance shows excess phosphorus so it is a great opportunity. OBVBM's annual meeting is scheduled for June 19th and all were invited.

VT (Mark Naud): See [written update](#). The VTCAC annual retreat was scheduled for July 25th and will feature work on the action plan. The committee is working on outreach to fill the two vacant seats. Mark announced this is his last Steering Committee meeting as VTCAC Chair, Denise Smith will likely be appointed as Chair at the upcoming retreat.



Education and Outreach (Buzz Hoerr): Colleen provided a summary of all E&O projects underway or close to underway. She provided an update on the Youth Water Summit event, held at the Burlington waterfront, which gathered hundreds of middle school students and teachers to learn about human impacts on water quality in Lake Champlain. Activities involved programming, skits, presentations, and student breakout sessions with hands-on lake learning. He commended LCBP staff for their efforts and thanked Colleen and team for putting it together. Colleen added the following updates: LCSG was an amazing partner at the Youth Clean Water Summit, at which 200 students from 8 NY and VT schools participated. They intend to bring in QC partners in 2025. She noted the event was a great way to combine science, learning, and on-the-water experiences, and LCBP funding alleviated transportation and programming costs. Staff held 23 events since the last SC meeting. Meet the Scientist videos are out. Stream Wise trainings are underway and 11 grants are underway. Katie organized a meeting for CABN grantees. Bridget worked with staff to produce a Round Goby online story map. Elizabeth has been working on 3 new sets of interpretive panels.

HAPAC: No update.

TAC (Neil Kamman): See written report. TAC met twice since the last SC meeting. He flagged a presentation received from Mark Ferguson on tagging mudpuppies and relocating them to new habitats in the Lamoille River. Neil added it was really interesting work to help the survival of the animals. He closed noting that TAC was strategizing on how to get through workplan approvals for all of the great work the SC has approved for funding.

Additional Steering Committee member updates:

NEIWPC (Sarita Croce): See written update. Of note, Sarita attended a JEDI 6-month training with Hudson River Estuary program. She hopes to share and incorporate some of the learnings with LCBP, such as incorporating JEDI discussions into every agenda item.

LCBP Updates (Eric Howe): See written update. Eric noted that many projects were awarded through FY22 and that appropriations are with partners already or in contracting. He and Sarita are developing agreements with funding agencies for the FY23 budget. Meg provided an update on the Champlain Canal barrier and round goby work. 17 boat launch stewards were hired and began working the launches on Memorial Day weekend. No round goby were detected nearer than where they were last year at Lock C1; this is the same with Richelieu.

Written updates submitted by Committee members may be viewed at [this link](#).

LCBP DISADVANTAGED COMMUNITIES DEFINITION

10:45 AM

Mae Kate Campbell presented the LCBP [Disadvantaged Communities Definition and Guidance](#), reviewed public comments submitted for the second comment period that closed on June 9, 2023, and opened the topic for discussion.

Neil commented that the definition benefited people with disabilities, but questioned whether it was part of the grant agreements and requirements that the Steering Committee already considers. Eric responded that that this language was not explicitly called out as a criterion in any LCBP grant. Mae Kate added that it could

be a good decision and something we can be encouraged to think about, noting that doing so could create more traction for these projects. Julie commented that VT FWS implemented an accessibility transition plan for fishing access areas and asked if LCBP's grants would consider supporting this planning work. She noted that one of the challenges is to provide potential financial support to underpin a lot of the development and support similar work on state lands outside of parks. She expected the same need existed in the other jurisdictions. Mae Kate noted LCBP can figure out how to include these types of projects moving forward. Nathalie then asked if it would be criteria added to this definition of disadvantaged or just a criterion we add to decision process more broadly, to which Mae Kate responded that it would involve including additional criteria to the list. It would not, however, be part of the mapping tool and applicants would indicate during the application process how their project would benefit people with disabilities. Nathalie sought clarification, asking if it is linked to projects improving access for disabilities versus not directly being linked to being disadvantaged. Mae Kate said that was correct. Nathalie continued, stating that because of that difference she was not comfortable adding that criteria to the definition of a Disadvantaged Community, continuing that the request could possibly be added for all LCBP projects if they impact to the access to water or activities for people with disabilities.

Denise then questioned by race was not included in the definition. To her it seemed like it was a glaring omission, especially if a project benefits a community that identifies as BIPOC. Nathalie responded saying that it was not an omission. From Quebec's perspective, they would never add race given that the term is unclear, and all people are from the human race (same race). She followed, noting that it would have to be another definition that gets to the origin of people. As proposed, the criteria discussed would cover the definition of disadvantaged communities without including race. Nathalie was also uncomfortable including native lands in the description, saying that it would appear they are disadvantaged by default, and she did not want to create that assumption. Mae Kate shared that the definition under discussion was only applicable to the US portion of the Lake Champlain basin and US funding streams. The intent was to connect with QC colleagues in the coming summer to arrive at a definition for disadvantaged communities for the Quebec portion of the basin.

Denise and Nathalie then discussed the differences between Quebec and the US in how each views the definition of race and recognized that what the US defines as race, Quebec refers to as ethnicity or origin. Speaking as a government officer, Nathalie said the term race is not used.

Denise followed by asking EPA representatives why they do not list race as a criterion in the definition of disadvantaged communities. Mel responded that it is not just an EPA policy, and that it is not fair to characterize such as an EPA position; it is a federal government-wide position and the same held by Nathalie and the province of Quebec. It is a determination issued by the EPA office of general counsel and across all executive agencies. Bryan added that they were given guidance from their general council to focus on socioeconomic terms in defining disadvantaged communities and not include race. Michele added that it was a reflection on EPA policy of the litigation brought forward.

Rebecca offered that from the perspective of energy and environment news, President Biden's administration did not use the term race to avoid conflict with Supreme Court. Buzz, in an effort to direct the conversation back to people who are affected negatively by water quality issues in the basin, added that it should be the Steering Committee's primary concern to aid those suffering from water quality issues regardless of race.

Pierre added that he views the term disability as very wide. Disability could be mental or physical, but is very wide ranging, and if the Steering Committee wanted to be specific, the definition should be more refined. Mae Kate responded that, in the comment period, she understood that people preferred a broad description of the definition, and that doing so left more room for people to identify as disabled/left it up to independent review.

Denise asked if migrant farmers, for example, would be considered disadvantaged given that the current definition does not explicitly list them as such. Mae Kate shared that new Americans would be considered disadvantaged due to their limited English proficiency. Eric noted that in LCBP's RFPs, applicants will



have the opportunity to make a case as to whether the applicant themselves or another group that their project may include/impact would be considered disadvantaged due to factors not identified in the criteria. He stressed the recognition that the definition is not all encompassing, and groups may qualify as disadvantaged given criteria that are not on LCBP's interactive map.

Pierre was interested in the feedback the committee received from the public through the public comment period and posited that considering such may influence consideration of different criteria by the Steering Committee. Mae Kate shared that only 10-13 comments were received in total even having implemented a wide outreach plan. The themes she shared were brought up by two people from two public comment periods.

Neil then asked Mae Kate what she thought of James Lockerage's position on the term disadvantaged communities. Mae Kate said LCBP heard from many groups that the term is othering, but we have not heard that from the [disadvantaged] communities themselves. She added that it is best practice to avoid the word disadvantaged when working with these groups. Sarah shared that the criteria in question are not static attributes of a community, therefore calling it under resourced or underserved might make sense and that bringing more resources could shift some criteria.

Michele noted that the EPA does not use the term disadvantaged communities, but rather uses communities with disadvantages.

Travis commended the work done thus far and asked if Mae Kate had feedback on how the definition as-is fared given proposals that were just reviewed. She shared that she was eager to dive into that review as well. The Steering Committee had yet to review the first round of RFPs including finalized criterion for disadvantaged communities. She had gathered feedback from grant reviewers to incorporate into the meeting materials, and aimed for the Steering Committee to finalize the definition so all work could be complete before the bulk of the RFPs would be launched at the end of the summer and fall.

Julie shared concerns from the State of Vermont's perspective about including tribal lands in the definition. Nathalie agreed, stating that QC consults with communities before conducting activities on tribal lands.

Mae Kate then asked for feedback from the Steering Committee on the health-related metrics, particularly the percentage of population without health insurance. She heard that people were most interested in data sets having census block groups, and that is one metric to consider. She crunched the numbers on that one and had a proposed threshold. Nathalie stated that the proposed metric was not an issue for QC as they understand.

Next, Mae Kate recapped next steps by looking for any motions from the Steering Committee to modify the definition of disadvantaged communities in any way. LCBP would then research next steps to incorporate mapping tools and resources, update the definition with the EPA, incorporate the definition and criteria into their RFPs, check for changes in state definitions and datasets, and lastly review the definition and update as needed.

Denise reflected on Julie's earlier comment on tribal lands, and agreed there was much tension on the matter currently. She suggested, as Pierre did earlier, that words matter and as the Steering Committee was trying to build diversity internally and at LCBP, it was wise to be cautious with terminology. She noted that while she didn't have a vote yet, she would have been in favor of adjusting the name from disadvantaged communities to communities with disadvantages.

Julie added that VT's Health Department worked on heat vulnerability, so could have generated some health related metrics which are relevant due to heat needs in the basin's northern climate. She noted, for example, that lots of housing stock sits within Vermont's most vulnerable areas. Mae Kate said that heat vulnerability is included in NYS definition, but may mean they would be working with two different datasets. She noted while not impossible to do, until that point, she was using consistent national level

datasets. She would look into it more if the Steering Committee suggested so. Julie encouraged it to be explored.

Nathalie shared her appreciation for the recommendation to move from the term disadvantaged communities to communities with disadvantages. She proposed to make that shift.

Julie asked if committee members would like LCBP to look into heat vulnerability, recognizing it's not a consistent data set but it's important. Anne noted she supported including heat vulnerability.

Nathalie added that she suspected Julie would also be comfortable to remove the native lands. Julie did support that as well, and asked the committee to confirm it was okay to leave sites of cultural importance out of the criteria.

Neil asked if the term disability was off the table, given the perspective Nathalie shared, particularly that projects can be done to provide greater access to people with disabilities. That point really resonated with him. Eric suggested that would be something that would be included independently of the DAC or Communities with disadvantages. It would be separate criteria in the relevant RFPs. Mae Kate said that if the SC was interested in adding it, she could fold it into the RFPs. She asked the Steering Committee if a formal motion was necessary at that time. Julie commented that an action item vote was necessary to update the definition. She noted there were some open components to that definition and asked if the motion needed to be finalized today. Eric noted that LCBP releases implementation grants in early-to-mid-August so making a motion was preferred. He suggested they could also hold a short Executive Committee meeting in the summer or do some work over that meeting's lunch break. Mae Kate said she could review what the heat vulnerability looked like over lunch. Neil added that they could also consider moving forward with the definition agreed upon during that day's meeting and look into heat vulnerability through September, as long as it did not interfere with the RFP timeline. Mae Kate said that may work as they link the definition of DAC in the RFP. Julie said that approach brought challenges. And suggested adding state specific datasets to add heat vulnerability with the goal of a consistent basin wide dataset. She proposed Mae Kate review the heat vulnerability data sets over lunch and the committee would come up with plan b if necessary.

FY24 Clean Water & Healthy Ecosystems Research Proposal priorities (Matthew Vaughan and Neil Kamman)

11:30 AM

Matthew Vaughan and Neil Kamman reviewed and provided an update on the process for developing Clean Water & Healthy Ecosystems Research Priorities. As of last year, separate grant categories for implementation and research were created. For research projects, there is a call for preproposals every fall which consist of 2-page pitches for the Technical Advisory Committee to consider. From there, a subset of applicants submit full proposals which are awarded in the spring. The request for preproposals includes priorities for research which provide bonus points to projects that hit those priorities in addition to projects that meet items in Opportunities for Action. Developing research priorities and how they're used in the review process has been a challenge. Generally, a lot of time is spent identifying priorities that balloon into general topics that cover most of what LCBP does and are less meaningful, as most projects hit the priorities. In May, the Executive Committee had a strong discussion about developing a path forward and proposed that Steering Committee members go back to their teams and agencies this summer to identify research needs for management in the basin. Throughout the summer, Eric and Matt will work to capture and distill those ideas and will bring them to the TAC for review and back to the Steering Committee in September. These priorities should be management driven. This process will also allow TAC to generate ideas for the Steering Committee to consider. The other idea proposed at the Executive Committee meeting was to develop two tracks for research : (1) priorities that the Steering Committee has approved and (2) projects related to any other strategy listed in Opportunities for Action. Proposals would only compete with those in their respective tracks.



ACTION ITEM: Motion to enter executive session:

- **Motion By:** Neil Kamman
- **Second By:** Nathalie Provost
- **Discussion on the motion:** none
- **Vote:** Approved unanimously
- **Abstentions:** none

EXECUTIVE SESSION: BIL/Infrastructure Grant Awards

Exit Executive Session for Lunch

LUNCH BREAK

12:00 PM

ACTION ITEM: Motion to re-enter Executive Session:

- **Motion By:** Neil Kamman
- **Second By:** Mel Cote
- **Discussion on the motion:** none
- **Vote:** All in favor
- **Abstentions:** none

Exit Executive Session.

RECORDS OF DECISION:

ACTION ITEM: Motion to fund AIS management applications as proposed; Motion to Fund the Tree Nursery applications through the Verterra project in full, ensuring business plans be included with all tree nursery proposals; and to award partial funding the Ausable River Association's NY wetland project at \$500,000, as discussed in Executive Session.

- **Motion By:** Neil Kamman
- **Second by:** Mark Naud
- **Discussion on the motion:** Nathalie wanted motions to be drafted ahead of meeting discussions in the future, particularly given the amount of money under consideration. She said doing so ensures there is agreement about what is being voted upon.
- **Vote:** All in favor
- **Abstentions:** None.

Records of Decision of Approved Grant Awards in this meeting:

- [BIL AIS Management](#)
- [BIL Tree Nursery Support Program](#)
- [BIL NYS Wetlands and Riparian Restoration Program](#)

CONTINUATION OF DEI DISCUSSION:

Mae Kate shared her finding that the State of Vermont's definition of Communities with Disadvantages could be overlaid with LCBP's map, although doing so may double count some areas. NY data is based more on census outcomes and covers a lot of land with open, undeveloped areas. The Steering Committee determined they would not consider the NY data as it was too dissimilar. Julie then suggested

that the Executive Committee move forward with a definition as-is today and wait on considering heat criteria until more data can be teased out, or perhaps hold a smaller Executive Committee meeting before the upcoming meeting in September. Executive Committee members did not voice opposition to the suggestion, so they agreed to move forward with approving the proposed definition of Communities with Disadvantages until more heat index data could be teased out.

Approval of LCBP Definition of Communities with Disadvantages

ACTION ITEM: Approve LCBP Definition of Communities with Disadvantages to submit to the EPA, which includes the following criteria: high school degree non-attainment, housing cost burden, and lack of access to complete plumbing.

- Motion By: Nathalie Provost
- Second by: Neil Kamman
- Discussion on the motion: Joe asked if sites of cultural importance was for tribal areas only. Julie noted that it was not limited to indigenous sites.
- Vote: Unanimous
- Abstentions: none

Note: There was a public meeting held following the adjournment of the Lake Champlain Steering Committee as identified in the recently approved MOA between Quebec and Vermont for the phosphorus reduction of Missisquoi Bay. Presentations were provided by staff from the Province of Quebec and the State of Vermont to highlight recent work the two governments have been doing to address phosphorus loading issues into Missisquoi Bay and reduce the frequency of cyanobacteria blooms in the Bay.

ADJOURN

2:00 PM

Outputs for this meeting included:

1. Approval of Meeting Summary from April 11-12 Steering Committee Meeting
2. Approval of LCBP Disadvantaged Community Definition
3. Approval of BIL-funded projects for the AIS Management, Tree Nursery Support, and NY Wetlands and Riparian Restoration programs
4. Committee Updates

Upcoming Meetings: <https://www.lcbp.org/about-us/meetings/>