

Vermont Citizens Advisory Committee (VTCAC) on Lake Champlain's Future

Monday February 8th, 2021

5:00 pm – 7:00 pm

DRAFT MEETING SUMMARY

Committee Members Present: Mark Naud (Chair), Bill Howland (Vice-Chair), Lori Fisher, Eric Clifford, Bob Fischer, David Mears, Wayne Elliott, Jeff Wennberg, Rep. Carole Ode

Committee Members Absent: Hilary Solomon, Sen. Randy Brock, Sen. Ginny Lyons

LCBP Staff in Attendance: Katie Darr, Lauren Jenness, Meg Modley, Colleen Hickey, Cynthia Norman, Laura Hollowell, Elizabeth Lee, (VTANR-Sarah Coleman)

Speakers: Oliver Pierson, VTDEC Lakes and Ponds Program Manager

Public Guests: Tom Berry (Sen. Leahy's Office), John Roberts, John Dillon (VPR), Jackie Folsom, Jeff Carter, Nat Shambaugh, Martha Pofit, James Maroney, Vic Putman (NYCAC Chair)

Meeting summary by Lauren Jenness, Lake Champlain Basin Program (LCBP)

5:00 – 5:15 pm

Welcome and Introductions – Mark Naud

Mark welcomed everyone in attendance and introduced the new CAC Coordinator, Katie Darr. Katie introduced herself to the group and provided some background information. Katie has a bachelor's in biology and environmental studies from Wesleyan University in Connecticut, a master's in Marine Resource Management from Oregon State University, and recently completed a yearlong science and policy fellowship with NOAA's Office of National Marine Sanctuaries. Largely, her work has focused on stakeholder outreach and engagement to address shared natural resource concerns on a variety of scales and topics and she is looking forward to building on that foundation and working with you all to support the health of Lake Champlain and its surrounding communities. 80% of Katie's time commitment will be for CAC Coordination.

Public Comments

No public comments were provided.

Review and vote on Draft January 11th VTCAC Meeting Summary – Mark Naud

Jeff Wennberg moved to approve the meeting summary. David Mears seconded. Lori Fisher described a few minor edits to the summary that were incorporated into the meeting summary by Lauren Jenness. The motion was approved unanimously.

5:15 – 5:45 pm

Lake Champlain water quality and tributary loading trends – Oliver Pierson (VTDEC)

Oliver Pierson, the VTDEC Lakes and Ponds Program Manager, presented an update and report on the assessment of Lake Champlain water quality and tributary loading trends. The presentation, which can be found in the meeting materials, was placed on the agenda in follow up to Senator Brock's question from the November 9th CAC meeting: is there any available data to share with the public that shows that the lake was made cleaner over the past year due to new planning, funding, inspection work, and policies? It was noted that some of the data presented is preliminary and has not yet gone through all the quality control procedures. After walking through the presentation and providing an overview of the data, Oliver explained that the data shows that nutrient levels remain stable, despite climate change causing an increase in lake temperatures and an increase in intense rainfall events. Hopefully the effects of climate change will not cancel out the

nutrient loading reductions made through the installation of best management practices; however, it will take decades for the lake to respond to what is happening in the watershed. More long-term data will be needed to demonstrate how progress is being made and to answer Senator Brock's the question more definitively.

- Mark Naud asked for Oliver to further clarify the 2020 season's monitoring challenges due to Covid and asked how the State will manage to collect data during the 2021 season if Covid and social distancing measures are still prevalent.
 - Oliver responded that from mid-March to April/May of 2020, the Governor's stay-at-home order meant that no staff were able to go out into the field to collect data. As those restrictions relaxed, staff learned the proper safety and sanitizing procedures to go back into the field and those restrictions are not expected to pose a challenge in the 2021 season. The other 2020 season challenge was being down 2 full-time equivalent (FTE) positions and not being able to hire seasonal staff. In 2021 it is expected that 1 FTE will be re-filled, and the typical number of seasonal staff will be hired. The State hopes to collect as much data as the 2019 season in 2021.
- David Mears stated his appreciation of the presentation and the conclusion that it will take decades for the lake to respond to the work that is being accomplished in the watershed. He wonders if there is a monitoring and communications need, given all the private and public investments, to study the water quality benefits of installing best management practices on smaller, upstream tributaries to ensure that support for sustained water quality investments continues.
 - Oliver responded that in the Lake Carmi watershed VTANR and VTAAFM are looking to put stream gauges on 5-6 small tributaries to measure the nutrient loading in the smaller watershed catchments where agricultural best management practices are being implemented to get a sense of how effectively they are working, and it would make sense to do similar work closer to Lake Champlain. The State is also open to exploring other innovative monitoring approaches. Currently, the State is focusing on monitoring the stormwater and nutrient reduction impacts of installing shoreline best management practices as the State doesn't have phosphorus criteria for that category of practice yet.
- Lori Fisher clarified that the cyanobacteria data presented hasn't gone through all of the quality assurance and control measures yet so the 2020 data may not be directly comparable to the 2018 and 2019 data. She also emphasized that because the main lake has the greatest volume of water, people should be cautious in their explanation of how good it is that the main lake segment is getting closer to the segment's Total Maximum Daily Load (TMDL) target number. It would be very hard to get the main lake segment back to its target if it began exceeding that number.
- Lori then explained how at the January CAC meeting Nat Shambaugh advocated to incorporate pesticide testing into the Long-Term Monitoring Program (LTMP) and into State and LCBP-funded edge of field monitoring studies. A driver of the State's focus on phosphorus is the Lake Champlain TMDL, but that doesn't mean that water quality monitoring should be siloed to nutrients.
 - Oliver said that the State often gets asked to do more sampling and if the sampling protocols and techniques are similar to what already takes place, pesticide sampling wouldn't be too hard to include after talking through the logistics. It would be a good idea to track pesticides as Vermonters are concerned about their use. For example, the State's herbicide permits for Eurasian watermilfoil generate more public comment than anything else they do.
 - Nat Shambaugh explained that Pete Stangel, the Long-Term Monitoring Biologist, already does quite a bit of pesticide grab sampling for VTAAFM when requested and the samples are sent to the Vermont Agriculture and Environmental Lab (VAEL). However, it is not a formal program and the data is not publicly available like the LTMP data.
 - Oliver and the CAC members agreed that the data collected should be in the public domain, but there may be roadblocks to do so.
- David Mears asked about the assumed reasons behind the increasing chloride level trends in the lake. He assumes it has more to do with an increase of smaller snow events and ice events due to climate change and not because municipalities are changing equipment or practices, though decreases to local municipal budgets may be a factor.
 - Oliver agreed with David's assumptions. Other than an occasional leaky salt storage shed, the main reason the State is seeing an increase in chloride trends in certain waterbodies is due to an increase in the number of days that have a wintry mix. VTRANS' efforts to decrease their salt application rates has

- been offset by the increase of hours spent salting roads because of smaller snow and ice events. He knows that the town of Franklin has seen an increased cost in labor and supplies as well.
- Jeff Wennburg added that municipalities don't need much more than slight budget pressure to seriously look for ways to reduce their expenses and the cost of salting equipment and labor has increased dramatically over the past few years. During a typical event, applicators have reduced their salt application by about 30%, but the recent warmer winters and ice storm trends have offset that rate and towns are applying up to 6x as much salt during a given storm, depending on the conditions. Municipalities have an economic incentive to decrease salt usage, but private plow companies do not. In conversations he has learned that private plow companies would rather over apply the salt than risk getting a complaint or losing a customer. It would be important to bring private companies to the table.
 - Bill Howland discussed how he has been somewhat uncomfortable in the way the nutrient reduction effects of best management practices have been modeled, calculated, and used for the past 20 years. While the numbers the State uses are good faith estimates, they can reflect the optimism of the Agency or of the consultant who produced the numbers. Its critical to increase the water quality monitoring density and frequency in watersheds to calibrate the models being used to estimate the phosphorus reductions to ensure their accuracy.
 - Oliver responded that he takes this point to heart and that is why doing paired studies to evaluate the impact of implementing best management practices in similar watersheds is so important to continue to calibrate and test the phosphorus reduction models.
 - Mark Naud thanked Oliver for the presentation and for his support of the CAC's recommendations to increase water quality and pesticide monitoring in the Vermont portion of the Lake Champlain Basin.

Lori Fisher made a motion for the VTCAC to make a formal request to LCBP Executive Committee to formalize pesticide analysis and grab sampling so that the data is routinely collected and made publicly available. Mark Naud seconded.

- **Discussion on the motion:** The Committee members agreed that this motion's recommendation seems consistent with what they have heard being recommended over the last few meetings. They discussed whether to include language in the request to formalize pesticide analysis collection within the Long-Term Monitoring Program or whether that decision should be made at the LCBP Executive Committee level and then discussed further by the LCBP Technical Advisory Committee (TAC). They also discussed whether to include toxin sampling within the request. Their decision was to keep the recommendation focused on pesticide analysis and register their concerns to the Executive Committee but not prescribe the solution.
- **The motion was approved unanimously.**

Mark Naud made a motion for the Committee to discuss and form consensus regarding recording future VTCAC meetings and making those recordings publicly available.

- **Discussion on the motion:** The Committee expressed that they would be in favor of recording the future VTCAC meetings and making the videos publicly available. They agreed that the meeting recordings should not replace or diminish the meeting summaries that are created and that the meeting summaries would stay as the official record of each meeting. The Committee pointed out that recording the videos is good because it leads to greater participation opportunities, however it would start the expectation of making recordings available even when covid restrictions ease and the meetings can be in person again. They agreed to have the Chair begin looking into the VTCAC's budget to purchase the technology needed to record in-person meetings.
- **The motion to record future VTCAC meetings and keep the meeting summaries as the official record of each meeting was approved unanimously.**

5:45 - 6:45 pm

VTCAC Action Plan Creation Discussion

The Committee discussed the creation of the VTCAC Action Plan and made changes to the current draft document. Once the discussion was concluded,

Jeff Wennberg made a motion to move the document forward into graphic production and for the CAC Action Plan Sub-Committee to begin to work with the Vermont State Coordinator to prepare for the Legislative presentations. Bill Howland seconded.

- **Discussion on the motion:** The Committee agreed to review and approve the document once more before it went to print, but that the document as it stood was not to be changed except for fixing spelling and grammatical errors. Mark Naud stated that he will share the electronic version of the document when it is ready.
- **The motion was approved unanimously.**

Meeting Conclusion

Mark thanked Oliver for taking the time to put together his presentation and information for the CAC to consider. He also thanked the Committee members for their time in drafting the Action Plan. The next meeting will be on March 8th. Mark reminded the Committee members to submit their online applications to be reappointed to the Committee because as of March 1st all members will be serving under expired terms. Mark will be working with Commissioner Walke to ensure that the applications already submitted will be approved soon. Bill Howland and David Mears will be stepping down from their appointments which leaves three public positions open to fill.