

Monday, November 17th, 2025

CAC Members Present: Lori Fisher, Breck Bowden, Eric Clifford, Randy Brock, Denise Smith (vice-chair), Karina Dailey (chair), Andrew Miliken, Alison Spasyk, Wayne Elliott

Members of the Public Present: Mark Naud, Ricky Laurin (NYCAC), Tom Joslin, Alexa Lewis, Kent Henderson, Stephen Hale, Christine Dougherty, Sara Lovitz, Sarita Austin

Presenters: Jared Carpenter, Julie Silverman

Meeting Notes

- Denise motions to add the MOU between LCC and NEIWPC to the agenda, Lori seconds, motion passes
- Venue for public meeting is Rock Point
- There is a draft flyer and draft of the action plan **please provide comments by Friday**
- Front porch forum is a good avenue for promotion - each post in your own towns
- North Avenue News would be good, VT Digger, Seven Days
- 60 person maximum at Rock Point
- Need help with set up and break down starting at 4 pm
- We want to have some food, thinking pizza again
- Leonardos is close by and delivers, could also do American Flatbread, LaBoca is also close by
- Breck moves to approve the minutes, Wayne seconds, motion passes

Julie Silverman - Marine Debris Coalition and Update from CLF Lake Champlain LakeKeeper

- CLF - use law, science, and the market to benefit people and the environment in new england
- Lake Keeper is a program established in 2002 and Julie is the 7th lake keeper, specialized in lake Champlain from time at ECHO and doing education and outreach
- Role includes cyanobacteria monitoring and lay monitoring, lot of outreach, has a boat and likes to take people out to see the lake, especially students/youth and stakeholders
- @lakekeeperjulie on instagram has been successful
- Long list of challenges facing Lake Champlain - flooding, microplastics, stormwater runoff, cyanobacteria, climate change, invasives, salt, contaminates, crude oil transportation, emerging threats
- Monitor and Data Collection
 - Kayak over to Law Island
 - Has jon boat to investigate tributaries
- Has pulled a lot of foam blocks out of the water
- Lighthawk - used aviation to support conservation efforts
- Marine Debris
 - Marine debris means trash in the water
- Flooding brought a lot of debris, but also often a result of springtime flooding
- A lot of plastic - polystyrene is a major source of plastic pollution

- Trash gets released into the environment, breaks down into microplastic. Can come from industrial sources, sources from littering, plastics are everywhere and they never go away, they just break down into smaller parts
- Polystyrene is plastic that has air blown into it - floating docs, single use food containers, toys, coolers, shoes like crocs, many sources
- Polystyrene and Climate
 - Manufacturing of plastic contributes to greenhouse gas emissions
 - Plastic has become a huge part of all parts of our life
 - Climate change weather events exacerbate the spread of plastic
 - Waves, winds, woody debris comes downstream from erosion upstream, that wood can break anything it comes into contact with when there is enough storm power
 - Hotter temperatures and UV light degrades the plastic faster
 - Wildlife will accidentally eat plastics
- Plastic Polystyrene foam degrades water quality, pollutes shorelands and beaches, harms wildlife lake wide, becomes an environmental justice issue
 - This all has a financial cost
- One block of foam can continuously break down to make it harder to filter out, needs to be kept out of the water to begin with
- Foam buoys are still out there from before they were banned
- Act 121 Flood Safety Act regulates unencapsulated polystyrene or loose bead polystyrene in buoys, docks, or floating structures
 - Prohibits selling or distributing or using it and considered a nuisance and public health hazard
 - Can't do new docks made with it and cannot fix a broken dock, material needs to have a 10 year durability to be used
 - When you take them out of the water, can't stockpile them near the shore where they could break and spill into the water
- Alternatives
 - Swap the Dock campaign by CRC has made recommendations
 - Best standard - pontoon doc, air in aluminum pontoons. These are not common and expensive but they last over 40 years
 - Air floatation - these are innovating to get better and better, CA has passed these laws before USA which has pushed manufacturers to improve air floatation
 - Blue barrel - not great, but doesn't spill plastic when they break
- Marine Debris Coalition has brought a lot of people together - always welcoming new partners
- The coalition investigates where the debris is coming from, connects with people, organizes more outreach and education materials, tracks hot spots for input
- Field Guide for foam pollution and marine debris tracker app two big accomplishments they've made
- Researchers at SeaGrant NY and VT have been doing research as well

- Plastic pellets - where are they coming from and what are they for? Manufactured pellets that gets melted down to make anything that is plastic
- Collecting data drives policy and legislation - need people to collect it
- Conducted a survey
 - 28 marinas out of 44 known marinas
 - 68% are using encapsulated floats, only 7% use air floats so that is an area that could have a lot of growth, 7% use a mix of encapsulated and encapsulated
 - Surveyed the gift shops to see if foam was being sold as boards, coolers, not seeing a ton of that, thinking that a lot of the input is from private dock owners
 - Cost is a big driving factor for using foam and the biggest barrier to switch to alternatives
 - Most people are not thinking about it after it is done or only when it needs to be replaced
- How to help
 - Get word out on the ban
 - Educate dock owners about how to swap a dock
 - Report marine debris using marine debris tracking app
 - Low/no interest loan program or bulk buy for owners to swap out floatation to make the swap more accessible
- Pre-production plastic pellets - using the Nurdle Patrol method of collecting pellets for 10 minutes on hands and knees they are about the size of a lentil, found hundreds in that time.
 - Transportation of the pellets is a primary driver of spreading them
 - Not exactly sure where they come from when they end up in Lake Champlain but they are a global problem, big lawsuit was just settled against Styropack in Pittsburgh because millions of them were being found, it's an issue that many people are working on
- Q&A
 - Breck - Do the laws regarding dock regulation in NY and CA differ from the ones in VT? Law has not been passed in NY. It was introduced but didn't get off the ground.
 - Ricky - we're doing a plastic program to collect plastic bags and once they collect 1,000 lbs the Trex program which is lumber out of plastic sends them a free bench. This has spread to different organizations in the NY area. Not sure if it could be used in VT but an idea. Need to organize a pick up location
 - Denise - Rotary Club in St Albans is looking to start that in St Albans.
 - Carol - Wondering if you are teaching the dock constructors about it, who is doing the work/construction might be trusted by the landowner - Julie - could do more education in that area. Carol - could introduce a financial incentive.

Jared Carpenter - Lake Champlain Committee

- Jared Carpenter been with LCC about 11 years and has worked on clean water legislation for most of that time, one issue has emerged as a main priority is chloride pollution

- H.86 and S.29 An act relating to establishing the chloride contamination reduction program aka “salt bill”
- Seeks to address overuse of salt for deicing
- Safety concerns and liability, if a little works a lot must be great - this idea has led to more and more salt being used over time, but it is not true you only want to apply what you need and no more
- Excessive salt has harms
 - Aquatic biota cannot adapt to salinity at acute levels during storm/snowmelt events in shock events
 - Acceleration of corrosion of infrastructure - bridges, roads and vehicles - this is very expensive
 - Salt corrodes drinking water systems which releases heavy metals from the pipes into the water (this is what happened in Flint, MI), this can also happen in private wells because salt has infiltrated groundwater through runoff
- This is an important and significant public health issue that needs to be addressed
 - Salinity levels are rising in all rivers leading to Lake Champlain
- Bill was introduced last year and has four main components, this is built from lessons learned from other states like NH and Minnesota
 - BMPs (best management practices) for salt application
 - Certification program for applicators
 - Studies salt storage and coverage costs,
 - Provides liability protection for applicators that follow the certification program
- This is a **voluntary program it is not mandatory**
- AOT has a BMP plan for highways - it is sophisticated and could be used as a template for commercial applicators
- NH has a ten year old program, has grown to 700 applicators and has been successful
- Imagining that VTs program could certify in both states (VT and NH)
- Program relies on carrots
 - Liability protection - biggest carrot
 - Affirmative defense which shifts the burden, if someone falls on the ice the applicator and property owner has some protections. If hazard is from snow and ice when BMPs are not followed they could still be liable, so they need to keep detailed records.
 - So if an applicator uses the BMPs and is certified and has records, that acts as a shield against a lawsuit.
 - Defendant would have to show
 - Injury was caused solely by snow and ice
 - Injury not caused by reckless disregard or gross negligence
 - Certification program was followed
 - Records of applications consistent with BMPs.
 - Cost saving of using less salt - salt is expensive and there can be shortages
 - For municipalities compliance with water quality standards could mean more savings without having to do expensive clean ups
 - Sunnyside Brook in Colchester already has a chloride TMDL

- Requires a study on salt storage facilities - getting a sense on locations, are BMPs being followed and working

Q&A

Wayne - Will BMPs bring streams back into compliance that aren't now? Jared - yes the chloride will eventually flush out. Will require coordination between municipal and private management

Breck - Chloride is in shallow ground water and will take time for it to flush out. If people don't see an immediate response to the change there is a strong need for education to fill the gap of time it will take for the chloride to move through. Jared - chronic levels get worse in drought because there is more ground water in the rivers, so it takes time.

More than willing to discuss this more - reach out to Jared - rjaredcarpenter@gmail.com

MOU Discussion

- A year ago there was some work to create a relationship between the steering committee, NEWIPCC, and the LCBP staff, wanting to clarify roles, goals, and workplanning
- There was an MOA sent around to clarify that, Denise and Karina saw it but wanted to share it with the CAC to see if anyone else wanted to share input
- Denise has some concerns about what it does to the public process, and the steering committee's authority, HAOC is a committee of four that will be providing a lot of oversight which is a change
- Steering committee is represented by the two secretaries and Quebec minister, federal agencies are also part of the committees and the CACs
- We have two more weeks to review, what do we want to do next?
- Lori - there was also a consultant that was hired to look into the tension between LCBP and NEIPCC? Did that become public? Has anyone seen that?
 - Denise - my understanding that there was no follow up after the interviews. No analysis was presented
- Mark - NEIPCC provides so much admin support that LCBP probably couldn't manage. There has never been an MOU.
 - Looks like a lot of the work that has been identified involves the HOAC, what it is and who is made up of? All the committees? Why create a new organization when they are already represented?
 - Who are the staff people that the MOA is referring too?
 - Key responsibilities - NEIWPC program director position, what is that?
 - Senior staff responsible for OFA - who are those people?
 - Enabling statute is stale, paused on changing it because worried that the CAC would get diminished or removed, but in both of the renewals in 2002 and in 2022 they changed some names and still maintained the membership of the management conference, which is no longer aligned with the basin program.
 - How to differentiate between LCBP and NEIWPC - they are technically all staff of NEIWPC
 - Seems very strange and doesn't seem necessary to have HOAC.
- Carol - We should recommend the action we want to see.

- Denise - we only have two more weeks to provide comments. They want to vote on it in December. It is not on the executive committee meeting agenda
- Breck - I agree with Mark. NEIPCC wants to get a vote and creates that through the HOAC. Does not speak to how they would resolve an impasse which is a concern. This is about how NEIWCPCC interacts with the steering committee, it needs to be more clearly defined.
- Mark - I agree. HOAC structure is so vague.
- Denise - The MOA changes things so NIEWPCC has more power to make decisions.
- Wayne - what is the role of the CAC here? Denise - We have the chance to provide comments so they can redraft and vote on it in December. Wayne - wants to hear more from other reviewers and the basin staff. Denise - has had some conversations about it, everyone is reviewing it because it changes the nature of the basin program and the steering committee.
- Lori - Cause for concern in the speed of the process. This is moving away from the autonomy of the basin program to give NEIPCC greater standing and not just admin oversight/management, but programmatic power as well. Do we want to form a subcommittee? We should reach out to the NYCAC as well.
- Andrew - I agree. I want to make sure the LCBP staff is in support of the changes.
- Ricky - NY CAC hasn't started working on it. Wondering how much overlap there is? Denise to send it to Ricky
- Breck - We can repeat our concerns in our comments across CACs.
- Lori, Breck, Mark Naud, Karina, and Denise volunteer to be part of the subgroup
- **At 10 am on Friday the subcommittee will meet.**
- LCBP staff seem to be stressed about this from the conversations that CAC members have had with them
- LCBP is not a 501c3 and cannot accept federal dollars that is why NEIWPCCC is involved in the first place
- NEIWPCCC has not been supportive of decisions LCBP and steering committee makes, this is central to the problems and concerns people have, NEIWPCCC not being supportive, taking away authority of basin program staff in Vermont and having it out of state instead.
- Timeline - Trying to revise so it can be approved on Dec. 18th steering committee meeting