Lake Champlain Executive Committee

Meeting Summary

September 10, 2024 10:30AM – 3:00PM

IN PERSON/HYBRID Teleconference (Contact LCBP for connection information)

Silver Bay YMCA Conference and Family Retreat Center

ATTENDANCE:

STEERING COMMITTEE MEMBERS: Nathalie Provost (Quebec MELCCFP), Joe Zalewski (Meeting Chair, NYS DEC), Julie Moore (VTANR), Walt Lender (Chair, NY CAC), Pierre Leduc (Chair, Quebec CAC), Denise Smith (Chair, VT CAC), Buzz Hoerr (Chair, E&O Committee), John Krueger (Chair, HAPAC), Neil Kamman (Chair, TAC), Jennifer Curran (USACE), Laurie Earley (USFWS), Jean-François Ouellet (Quebec MELCCFP), Anne Jefferson (Lake Champlain Sea Grant), Travis Thomason (NRCS VT), Brian Steinmuller (NYS Dept. Ag & Markets), Phil Giltner (NYS Office of Parks, Recreation and Historic Preservation), Laura Trieschmann (VT ACCD), Jenn Callahan (for Craig DiGiammarino VTrans), Megan Moir (on behalf of Mayor Emma Mulvaney-Stanak, VT Local Municipal Representative), MaryJo Feuerbach (EPA R1), Antony Tseng (EPA R2),

STAFF: LCBP: Eric Howe, Logan Devaney, Mae Kate Campbell, Kerry Crowningshield, Katie Darr, Colleen Hickey, Lauren Jenness, Elizabeth Lee, Ryan Mitchell, Grace Palmer, Meg Modley Gilbertson, Matthew Vaughan, Sonya Vogel, Erin Vennie-Vollrath (LCBP NY Coordinator NYS DEC), Sarah Coleman (LCBP VT Coordinator, VT ANR), Sarita Croce (NEIWPCC), Jim Brangan, Beth Whitmore-Stolar (NEIWPCC/LCBP), Karen Stainbrook (NYSDEC); Bryan Dore (EPA R1), Michele Fafette (EPA R2), Daniel Tremblay (Quebec MELCC), Helen Polanco (NYS DEC), Karyn Hanson (NYSDEC), Maya Dehner (USACE), AJ Smith (NYS DEC)

GUESTS: Tom Berry (GLFC), Janelle Hangen (GLFC), Rebecca Ellis (Sen. Welch's Office), Ethan Hinch (Sen. Sanders' office), Owen Doherty (Cong. Balint's Office), Mark Naud (VT CAC), Joe Thouin, Lake George Park Commission

MEETING BEGINS 10:30AM

INTRODUCTIONS: Joe Zalewski, NYS DEC Chaired the meeting.

- Walt Lender (NY CAC Chair) welcomed attendees, followed by a historical overview of the region by John Krueger (HAPAC Chair). Meeting participants introduced themselves.

ACTION ITEM: Approve Meeting Minutes from June 6, 2024, Steering Committee Meeting with corrections regarding FY24 budget details and an inactive budget link.

- Motion By: Neil Kamman
- Second by: Julie Moore
- Discussion on the motion: none
- Vote: All in favor
- Abstentions: Joe Zalweski

Public Comment **10:40 AM**

- **None.**

Joe Thouin, Lake George Park Commission – Overview of LGPC activities 10:45 AM

Joe Thouin provided an overview of the Lake George Park Commission's efforts in managing watershed activities to safeguard public safety, recreation, and water quality. Key initiatives included:

- Strengthening stormwater and shoreline protections.
- Mandatory septic inspections for properties near the lake and streams (50% of systems inspected so far).
- Advanced AIS prevention measures with over $8 million in funding, including free boat inspections and Eurasian watermilfoil management.

Discussion Points:

- Committee members discussed drinking water dependence on the lake, septic system modernization challenges, and AIS trends. Joe Thouin highlighted staffing strategies, the seasonal nature of inspections, and partnerships addressing lake health concerns.

Organizational Issues - Update from the Steering Committee Chairs 11:00 AM

- **Proposal:** Establish an ad hoc committee to assess administrative challenges stemming from the growth of the Lake Champlain Basin Program.
- **Background:** The Lake Champlain Basin Program's rapid expansion has necessitated a review of administrative roles and responsibilities. This initiative seeks to ensure streamlined operations and robust stakeholder engagement.
- **Key Steps proposed by the Executive Committee proposition:**
    - Clarify administrative roles and responsibilities and re-establish an operational workflow (short-term)
    - Analysis of issues according to key stakeholders (steering committee members, LCBP and NEIWPCC employees directly involved in LCBP management, GLFC representatives, key partners).
    - Definition of the service agreement between the "host entity" and the steering committee.

- Program evaluation of the LCBP: are the objectives pursued by LCBP and its partners being met, and are resources being used optimally?
    - The Executive Committee defined the term “Program evaluation” in this context as a systematic process to assess the relevance, effectiveness, efficiency, and impacts of a program. It helps guide decision-making, improve performance, and provide accountability to stakeholders. The evaluation relies on rigorous criteria to determine whether the program's objectives are being met and whether resources are being used optimally.

Motion: To take action on the first to two Key Steps proposed by the LCBP Executive Committee with the formation of an ad hoc subcommittee to be comprised of a representative from each jurisdiction, EPA, GLFC, chairs of TAC, E&O, and HAPAC. The ad hoc subcommittee will support the first two action steps identified above:

- Fact finding: Clarify administrative roles and responsibilities and re-establish an operational workflow (short-term)
- Analysis of issues according to key stakeholders

- **Motion By:** Julie Moore
- **Second By:** John Krueger
- **Discussion:** None
- **Vote:** All in favor
- **Abstentions:** None

Motion: Approve a $10,000 allocation for third-party review supported by the Great Lakes Fishery Commission (GLFC).

- **Motion By:** Denise Smith
- **Second By:** Buzz Hoerr
- **Discussion:** Question was raised how the third-party reviewer would be engaged. There are two parties who are under consideration for serving in this role. Once the process is supported with Steering Committee approval, the review would get underway very quickly, in the next few weeks, with the goal of having it completed in early 2025.
- **Vote:** All in favor
- **Abstentions:** None

Congressional Updates (remaining Committee member updates will be at end of agenda, if time allows).

- **Federal Budget and Continuing Resolution (CR):**

    - Rebecca Ellis, Sen. Welch, highlighted that the most pressing issue at the federal level is passing a budget or, at minimum, a continuing resolution (CR).
    - Rebecca shared that a CR is expected to pass, though the exact duration remains uncertain. Current discussions indicate a 3-month resolution, while the House is proposing a 6-month timeline.
- **Legislation Update (S.4742):**
    - Rebecca informed the group about a bill introduced by the Vermont and New York delegations to clarify the roles of the LCBP. She encouraged participants to review the bill and provide feedback.
- **Senate Appropriations:**
    - Ethan Hinch, Sen. Sanders, noted that the Senate Appropriations Committee approved a $25 million budget allocation for LCBP, which is expected to be included in the appropriations bill.
- **House Bill Update (H.9097):**
    - Owen Doherty, Rep. Balint, provided an update regarding H.9097, which was supported by Congresswoman Balint. The bill has been referred to the Transportation Committee.
- **Committee Assignments:**
    - Rebecca clarified that S.4742 is currently in the Senate Environment and Public Works Committee.
- **Great Lakes Fishery Commission (GLFC) Funding:**
    - Tom expressed gratitude for the congressional representatives' efforts, noting that the GLFC is fully funded.

LUNCH BREAK

NYS DEC Division of Water update, Alexander (AJ) Smith (Informational Presentation)
This presentation provided updates on NYS DEC's water resource programs with a focus on emerging contaminants (PFAS), road salt reduction initiatives, and nutrient guidance development. Highlights included:

- Road salt liability discussions inspired by New Hampshire's "Green Snow Pro" program.
- Enhanced monitoring for PFAS to guide permitting and public health protections.
- Expanded grant opportunities for municipalities addressing nutrient loading and road salt impacts.

Discussion Points:

- Meeting participants explored lab capacity for PFAS detection, collaboration between DEC and DOH on private well contamination, and regulatory strategies for minimizing road salt usage.

FFY25 Budget Process **1:30 PM**

- **FY25 Budget Cycle Schedule (Eric Howe):**
  - **November:** Focus on setting priorities for the CWHE (Clean Water and Healthy Ecosystems) research RFP and the Education and Outreach (E&O) RFP.
  - **December:**
    - Results of the CW/HE technical RFP will be available.
    - Discussion will focus on line items, core projects, and Bipartisan Infrastructure Law (BIL)-funded projects.
    - LCBP will provide a summary of projects supported by BIL to guide future priorities.
  - **January–March:** Key budget components to be reviewed include:
    - Champlain Valley National Heritage Partnership (CVNHP)
    - Education and Outreach (E&O)
    - Total Maximum Daily Load (TMDL)
    - Research proposals
  - **April:** Final decisions on the FY25 full budget will be made.
- **Line-Item Proposals:**
  - States will be asked to submit line-item proposals for the December Steering Committee meeting.
  - Any Steering Committee member is welcome to propose line items; while these typically come from the states, all submissions will be considered.
- **New Proposal for a Shared Education Position:**
  - Anne suggested creating a shared education position between LCBP and Lake Champlain Sea Grant to enhance stability and budget alignment.
- **Next Steps:**
  - **For December:** States and SC members are encouraged to prepare and submit line item proposals using the provided template.
  - **Ongoing:** Continued refinement of priorities for CWHE, E&O, and BIL projects to inform FY25 budget discussions.

Clean Water and Healthy Ecosystems research priorities (Matthew Vaughan, Neil Kamman)

Matt and Neil presented the TAC's (Technical Advisory Committee) recommendations for CWHE (Clean Water and Healthy Ecosystems) research priorities. Matt outlined the process, highlighting that the Lake Champlain Basin Program (LCBP) collected 40-50 research support ideas from partners in June, which TAC summarized and refined. The goal is to approve priority tracks for research projects, followed by issuing an RFP (Request for Proposals) within the next few weeks. Researchers will initially submit two-page project ideas, with a subset invited to submit full proposals.

Discussions highlighted the need for balancing inclusivity of ideas with specificity in priorities to maximize funding impact. Committee members appreciated the narrowed focus compared to previous years and emphasized the importance of measurable co-benefits, especially for flood resilience. The RFP process and project outcomes will play a crucial role in shaping future management strategies in the Lake Champlain Basin.

Key Discussion Points

1. **Research Priority Tracks.** TAC identified six main research tracks with detailed sub-priorities:
    a. **General Open Funding Area (OFA):** Broad track open to various research proposals.
    b. **Water Quality (WQ) Improvement Projects:** Focused on gullies, flood resilience co-benefits, and updating design/siting standards.
        i. **Feedback:**
            1. Include Aquatic Organism Passage (AOP) in flood resilience efforts.
            2. Maximize and quantify flood resilience in floodplain restoration projects.
    c. **Monitoring:** Address variability of water quality parameters relative to upstream discharges.
        i. **Discussion:**
            1. Importance of background data to set permitting limits (e.g., TMDLs).
            2. Challenges in upstream/downstream monitoring across VT and NY.
            3. Consideration of LCBP's role in supporting permitting processes.
    d. **Aquatic Invasive Species (AIS):** Research on water chestnut removal and native regrowth, management techniques, and ecosystem impacts.
        i. **Key Question:** How will research outcomes influence management practices?
    e. **Native Species and Habitats:** Examine impacts of cyanobacteria blooms on native species, mussel habitats in NY tributaries, and species interactions in the food web.
        i. Suggested expansion to include zooplankton, AIS, and mollusks.
    f. **Dam Removal:** Assess impacts on water quality, sediment release, flooding, wetlands, and mussels, with BMPs to inform management and policy.
2. **Research Prioritization**
    a. **Concerns:**
        i. Large number of priorities could dilute focus and funding.
        ii. Balancing broad and specific tracks to encourage actionable proposals.
    b. **Suggestions:**
        i. Narrow down priorities to ensure impactful research.
        ii. Provide ranked priorities or guidance to RFP applicants.
3. **Evaluation of Research Impact**
    a. Ensure research outcomes directly inform management practices.
    b. Emphasize cost-benefit analysis and measurable impacts to demonstrate effectiveness to stakeholders.
4. **Feedback on Additional Topics**
    a. Estimating nitrogen loadings relevant to cyanobacteria blooms.

    b. eDNA testing for species detection and addressing identified gaps.
    c. Organic soil contributions to TMDLs – not recommended as a standalone priority.

Decisions and Next Steps

1. Finalize and approve the six research priority tracks with potential refinements based on feedback.
2. Issue the RFP with clear guidance for applicants to focus on actionable and impactful research.
3. Encourage targeted proposals through ranked priorities or supplemental guidance in pre-proposal evaluations.
4. Continue engaging TAC and SC members to refine and align research priorities with management needs.

ACTION ITEM: Approve FY2025 Research RFP priorities

- Motion By: Antony Tseng
- Second by: Anne Jefferson
- Discussion on the motion: None
- Vote: All in favor
- Abstentions: None

Informed and Involved Public – FY2025 Large grant priorities (Colleen Hickey, Buzz Hoerr)

Colleen, Ryan, and Buzz presented draft priorities for the Large Education and Outreach (E&O) grants. The priorities remain consistent with last year's RFP, focusing on:

- Road salt impacts
- Phosphorus loading and cyanobacteria blooms (P/Cyano)
- Aquatic Organism Passage (AOP)
- Climate change adaptation and flood resilience
- ∉ A general Open Funding Area will also be included in the RFP to allow for broader applications. An additional emphasis under the P/Cyano priority is outreach in areas where cyanobacteria blooms affect drinking water, particularly in Quebec.

Grant Applications and Priorities

- Last year's applications included:
    - **11 general applications**, most of which addressed multiple priorities.
    - **4 climate change-focused applications.**
    - **1 road salt-specific application.**

The E&O committee recommends maintaining these four broad priorities for the upcoming RFP:

- **Aquatic Organism Passage (AOP) Outreach**

    - **Challenges:** Limited understanding of AOP benefits among the public.
    - **Proposals:**
        - Develop a simple handout explaining AOP benefits for wildlife and flood resilience.
        - Target audiences include private landowners and those with dams on their properties.
    - **Feedback:**
        - Julie questioned whether the target audience was too small, given the limited public engagement with AOP issues.
        - Ryan and Colleen emphasized the need for outreach at local levels to strengthen understanding and support for AOP projects.
- **Aquatic Invasive Species (AIS) Education**
    - **Concerns:**
        - Limited public awareness of specific AIS issues, such as grass carp management and live bait risks.
        - Pathways like aquarium dumping and mislabeled plant species require focused outreach.
    - **Recommendations:**
        - Increase communication around AIS permitting and regulations, targeting pet shops, aquarium trade stakeholders, and water gardeners.
        - Consider collaboration with partners like USFWS to address staffing/resource gaps for AIS outreach.
        - Some outreach initiatives may be better addressed as line-item or staff-driven projects rather than grants.
- **CWD and New Applicants**
    - Efforts are underway to improve communication and outreach to grant applicants.
    - Notably, six new applicants participated in the process last year.
- **Alignment with TAC Priorities**
    - Education and outreach-related priorities from the TAC process were referred to the E&O committee.
    - Some AOP-related questions and other issues were tagged for inclusion in the science blog.

∉ Decisions and Next Steps

- Maintain the four broad priorities for the Large E&O grants, with adjustments for added emphasis on P/Cyano outreach in drinking water-affected areas.
- Develop targeted outreach materials, such as AOP handouts, to improve public and stakeholder understanding.
- Enhance AIS education efforts, focusing on high-risk pathways like aquarium dumping, live bait, and plant mislabeling.
- Work to increase awareness of grant opportunities and continue engaging new applicants.

- Coordinate with TAC to ensure education and outreach components are integrated where appropriate.

∉ This discussion underscored the importance of maintaining consistent priorities while addressing emerging outreach needs to improve public awareness and engagement in key environmental issues.

ACTION ITEM: Approve FY2025 Large E&O RFP priorities

- Motion By: Neil Kamman
- Second by: Buzz Hoerr
- Discussion on the motion:
- Vote: all in favor
- Abstentions: None

EXECUTIVE SESSION: **2:30 PM**

Land Acquisition and Conservation for Clean Water and Healthy Ecosystems Grant Awards
Phil Giltner recused himself due to a personal conflict of interest with one of the proposals.

ACTION ITEM: Enter into Executive Session to consider awards for the Land Acquisition grant program.

- Motion By: Neil Kamman
- Second by: Antony Tseng
- Discussion on the motion:
- Vote: all in favor
- Abstentions: None

Exit Executive Session.

GRANT AWARD DECISION: POSTPONED to seek additional information from applicants before an award decision can be made. The LCBP Executive Committee will consider this Record of Decision in an upcoming meeting.

Meeting Closing and Updates Summary

1. **Written Updates**
    a. Written updates are available in the meeting folder. Due to time constraints, not all updates were addressed during the meeting.
2. **Acknowledgments**
    a. **Program Reflection:** Eric expressed gratitude for the opportunity to reflect on the program's legacy and its relationship with NEIWPCC, emphasizing the importance of determining the best path forward.
    b. **Staff Recognition:**
        i. Beth was welcomed as the newest staff member.
        ii. Milestones were celebrated for Meg (21 years) and Jim (22 years) with the program.
    c. Eric extended thanks to everyone for their time and engagement during the meeting.
3. **Next Steps**
    a. Participants were thanked for their extra time, with a commitment to reconvene at the next meeting.
    b. **Open Door for Staff:** Steering Committee co-chairs encouraged staff to engage in conversations with them in person after today's meeting.

Adjourn **3:59 PM**