

Lake Champlain Basin Program Steering Committee Meeting

Wednesday, April 13, 2016

Valcour Conference Center – Peru, NY

APPROVED Minutes

Members: Rich Wagner (for Bob Stegemann), Pete LaFlamme, Martin Mimeault (for Daniel Leblanc), Bill Ardren, Vicky Drew, Vic Putman, Johanna Hunter, John Krueger, Renee Rouleau, Pierre Leduc, Buzz Hoerr, Gene Brickman, Caitlin Lecker, Mike Winslow, Breck Bowden, Gina Campoli, Lori Fisher (for Julie Moore), Tom Berry, George Twigg; **On phone:** Mario Paula, Christina Marts, Laura Treischmann

Staff: Bill, Jim, Colleen, Ryan, Elizabeth, Eric, Meg, Stephanie, Kathy, Jane Ceraso, Mary Jo Feuerbach, Fred Dunlap

Guests: Gina Martinez (USFWS), Diana Kohtio (USACOE), Mary Borg (VT DEC), Walt Lender

ACTION ITEM: Vic moved to accept the February 2016 Steering Committee minutes with noted corrections, Johanna seconded the motion, which was approved by unanimous vote. Corrections include:

- Bill A noted a correction for USFWS comments: eggs in small mouth bass not ~~salmon~~. Also, USFWS suspect an estrogen compound is involved, but has no direct information regarding pesticides.
- Johanna noted that on page 3, middle paragraph draft has a grammatical error (the).
- Pierre will send to Kathy a spelling correction for a name.
- Rich noted the Willsboro grant should be reworded to “\$75m will be apportioned to...”
- Vicky... ‘no cash match’ should be ‘50% match’.

Public Comments - None

Updates-

- **QC:** Daniel reported that the new federal government in Canada has appropriated \$19.5M over 5 years to IJC. Renee said close to \$8M may be available for work concerning Lake Champlain. There has been a change in Quebec regulations on residential septic installations. A related handout was circulated.
- **VT:** The Legislature is in session and several bills concern water quality, including the CSO notification bill. VT is preparing for the next steps in the TMDL phase 1 implementation plan and will be going on the road with public informational meetings assisted by the LCBP. Last Friday there was a meeting of the clean water fund board, and there is recognition that a new funding mechanism is needed. Required Agricultural Practice rule making by Agency of Ag is slightly delayed due to overwhelming number of comments.
- **NY:** The NYS budget has passed, including \$300M for the environmental protection fund. The Water Infrastructure Act, which provided \$200M last year, will provide \$350M this year, some of which will go to the watershed. NYS DEC will work with 20 municipalities (chosen from 80 applicants) to develop and implement improved sewage system plans over three-year timeframes.
- **EPA:** Johanna reported that the finalization of the TMDL is an all-hands-on-deck effort, and there are hopes for a release in about a month. Previous LCBP meetings have raised the issue of emergency response plans in the context of oil trains, and Region 1 has been able to get

some financing to move ahead with plan development and community training. Mario noted that Region 2 is looking for equivalent funding.

- **ACOE:** Gene reported that the barrier agreement is now moving forward with final suggested language changes and he hope to get it signed by the end of the month. He would like the Corps to be on the June agenda to discuss ways to augment the 542 program and to share some interesting projects they are doing that could be models for Lake Champlain.
- **NPS:** Christina reported on the NPS nationwide initiative for the 100th anniversary of the Park Service. Heritage areas are getting a lot of attention and are encouraged to participate. Three are two main goals in the celebrations: 1) to highlight the diversity of parks and programs and 2) to highlight to next generation of park visitors. She is working with Jim to develop an August workshop with the NPS Steward Institute, to bring together activities for rivers and trails, the national landmark program, to amplify the event.
- **SeaGrant:** Breck noted it is the 50th anniversary of the National Sea Grant program and he will ensure that LCBP gets announcements of monthly activities.

Advisory Committees –

- **TAC –** Mike reported that TAC met once since the February SC meeting. It had an annual presentation on the Long Term Monitoring program, reviewed several workplans, and has prepared a draft Record of Decision for committee review later in this meeting.
- **E&O:** Buzz circulated a handout describing recent activities. The next meeting of the committee is scheduled for Friday, April 22nd. Two videos produced by staff will be shown today. Workplans are being finalized with education grant recipients. CBEI has new promotional pieces out to recruit participants for the next session, planned for July. Colleen noted the roles of UVM watershed alliance and SeaGrant, the Lake Champlain Committee and Shelburne Farms. Lake George Association was recognized as a very effective association that runs excellent programs every summer, and does floating classroom activities throughout the year.
- **HAPAC –** John noted that the committee will meet before the June SC meeting, and hopes to be prepared to report on the first pass of recommendations for priorities for the 2017 fiscal year. John, in appropriate costume, provided a dramatic and informative interpretation of the Valcour Conference Center area colonial and early American history!
- **VTCAC –** Lori reported that the Annual Action Plan was recently presented to the VT legislature and the Governor. At recent meetings the CAC has had presentations on high priority issues, including oil trains and tile drains. Lori noted that the CAC has concerns about not being involved in the process to-date for hiring a new LCBP Director.
- **QC CAC –** Pierre reported appreciation for budgeting two projects in Quebec: 1) boat launch stewards and 2) buffer strip characterization, which supplements existing programs. The CAC plans to hire someone soon to identify high maintenance ditches, targeting 60 farms, and working towards development of plans to help fix problem ditches. On April 19th the CAC will meet with farmers in the watershed, to identify where to focus these new efforts. A new watershed master plan for 28 municipalities is in the early stages, being presented to some municipalities, starting this last month. The master plan identifies local issues that municipalities can act on and the intent is for them to work on local action plans to do that. Unfortunately, there have been cuts in the QC provincial budget that supports this initiative.
- **NYCAC –** Vic reported that the CAC met on Feb 29th where the group spoke with representatives for NRCS and the Champlain Area Trails. The City of Plattsburgh has requested a moratorium on oil trains.

- **Legislative Updates** – *Congressional staff*

Tom reported that the Senate is trying to finalize bills, and there has been some movement towards adopting a budget in the House. The President's EPA request is \$1.399M as usual, and should be elevated in the appropriations committee. GLFC funds look about the same as last year. The IJC funding, which has been \$400-500K last few years will likely continue at that level, and it is very good news that Canada will put in significant IJC funds. The Heritage Areas request is in and the ACOE bill is being marked up today. The Senator has requested a larger nationwide infrastructure program funding, which includes the 542 program. Martin commented that the IJC funding of \$7.5M is over 5 years, and mainly for administration and action plans. He recalled the \$14M (option 3) called for in the Champlain watershed for flood resilience, and hopes there can be a corresponding match on US side. Tom said knowing there is Canadian money being put forth will make US funding much easier.

George reported that the House is in the middle of work on an appropriations bill which includes ACOE, planning for a small increase over last year. He also noted that Plattsburgh, NY is one of 80 or so governments and NGOs that have signed on to the moratorium resolution, which has been led by NWF. This reflects a major concern for everyone. Spill response and rail car safety standards will be looked at carefully, but a moratorium would be hard to put through.

Director Search Discussion: Although the agenda accommodates Executive Session for discussions, the committee decided to discuss only process issues, so Executive Session was not needed. Eric and Meg recused themselves from discussion and left the room.

Jane offered to speak about the general procedure of the search. She noted that NEIWPCCC recognizes that some SC members have issues with the process. NEIWPCCC feels there needs to be an efficient process to appoint new director, and that it should follow a standard hiring process under a very short timeframe. The interview team presently numbers five, drawn from the governmental members of the Executive Committee. However, EPA Region II has deferred to EPA Region I, opening a spot open on this committee and the Steering Committee can determine how to fill it. The position has been posted and applications will be received until April 29. NEIWPCCC would be happy to set up a conference call for anyone on the Steering Committee to weigh in on process and job description, etc.

Panel interviews will be set up from May 24-26 (open to suggestions where interviews will be held). Once interviews have taken place, less than 5 applicants will be interviewed again in June. Applicants will provide presentations on given topic (which will be decided later). After these presentations, there will be a recommendation to fill the position shortly after Bill retires. This announcement might be made as soon as the June 22nd Steering Committee meeting in Burlington.

Gina asked if the steering committee will vote on final decision. Jane said that NEIWPCCC has decided the Interview Team are delegates of SC and they will be primary voice through the process. Jane said SC could elect another member to be on interview team.

Tom clarified that the Exec Committee and Steering Committee have had no formal role in the hire. It is the selected "interview committee" which is limited to government officials from VT, NY, QC, and EPA Region I. He asked when is there time planned for the Steering Committee to offer feedback? Jane clarified the interview team will consider about 9 candidates, to narrow that number down to five or fewer. Then, in June, there will be a more open part of the process in which Steering Committee members can listen to presentations by top candidates and weigh in on the selection.

Tom asked if the Steering Committee will vote on the candidates. Jane responded that participation as a “vote” would have to be through the interview team. Breck asked who makes the final decision. Johanna said it is the interview team. MaryJo noted that EPA must approve key staff changes, so will have the ultimate hand in approving the interview team’s candidate selection. EPA usually approves recommendations unless there is a major issue with a candidate.

Buzz asked if NEIWPCCC feels that it has veto power over the interview team. Jane responded that they are aiming for consensus. Lori noted that the process is restrictive in terms of timeframe and overly specific in job description. Christina Marks noted that the interview team should include the National Park Service, which has a role identical to that of EPA in funding parts of the program pertaining to the National Heritage Area, as the LCBP Director is also the Director of the CVNHP.

Renee asked if the selection criteria for the new position had any Steering Committee input prior to advertising the position. Jane noted that the interview team (Bob Stegemann, Pete LaFlamme, Mario Paula, Daniel LeBlanc and Johanna Hunter) did have input. She asked how many people would be interested in discussing criteria, process, etc. Tom commented that we are all here today, and should discuss it today, but the job has been posted for 2 weeks, so the criteria are already out there. Gene and Breck proposed, and there was Steering Committee consensus, that there should be a standard set of questions and they should be vetted by the SC. Pete said there will be 3 rounds of winnowing. NEIWPCCC has proposed to do the initial sorting. The second winnow is interview questions, decided by the interview team, and the third round of winnowing will be interviewee presentations, after which, the SC can offer feedback.

Tom reminded the committee that the role of the NEIWPCCC is to work for the Steering Committee. Rich said a lot more homework needs to be done before this process continues. The committee considered requiring a re-opening and re-directing of the process, but chose instead to add two members to the search committee.

ACTION ITEM: Mike moved that the VT CAC chair be appointed to the search committee. Gene seconded the motion. The motion passed with all voting in favor, with none opposed and no abstentions.

ACTION ITEM: John moved that March Billings Rockefeller NHP Assistant Superintendent, Christina Marts be appointed to the search committee. Bill Ardren seconded the motion. The motion passed with all voting in favor, with none opposed and no abstentions.

Director’s Report - Bill Howland

- LCBP is reviewing sub-award rules which govern how we operate with EPA funding; they have changed somewhat, and there will be some slight changes in what our grantees will need to do. Members will now need to read and sign a conflict of interest statements. We also are revising staff workplans which show what and when tasks in our budget will be started and finished. The revision of OFA language is in progress; Eric Howe taking the lead on this project. We are initiating a revision of the Lake Champlain General Management plan which steering committee and ACOE signed a few years ago. Many new workplans developed by grant recipients now and \$875K in small grants ranging from \$3,000 – \$25,000 are being finalized. We have been working on a project facilitated by ECHO, to promote improve water quality initiatives. Been involved in a workgroup to encourage innovative action to improve water quality in the Lake. Eventually this will become a public innovative group to encourage innovative work and advice and prioritization to the TAC.

- Bill circulated a revised FY16 Budget spreadsheet that reflected additional likely revenues divided among line items already agreed on. Local grants expanded by 50k. CBEI expanded 15K. Riparian buffer EO campaign added indirect. Champlain Boat Launch Steward program was approved for both 2016 and 2017. Part of the funds will be spent in Quebec.

LCBP Video Productions

Two E&O video productions destined for the LCBP website were screened. They offer a good look at the work watershed organizations are doing to improve water quality. Additional videos concerning longboats in Champlain, raising salmon in classrooms in NY, and the WEC program for Teachers are in preparation.

Opportunities for Action – plan development review

Based on advice from Steering Committee, staff has been working on new revisions of OFA. The Steering Committee agreed to offer feedback on the drafts discussed in May, so that the next discussion draft can be prepared for review before the June 22nd meeting.

- Johanna recommended looking carefully at the partner expectations
- There was a discussion about the importance of the LCBP role in convening and facilitating meetings. Bill noted that LCBP has made an investment in facilitation training for several staff, as the Steering Committee has said this should be part of our role. Pierre noted that if you are called on to facilitate, there is additional value to be had in being there and that is part of the opportunity for LCBP.
- Several members noted it was time to put the tables and text together into a draft document; that will be a target for the next Steering Committee meeting.
- MaryJo noted the importance of identifying some key environmental outcomes to achieve over next 5 years and how we get there.
- Goals and objectives were the topics of discussion at the last Steering Committee, and task areas and more specific details are needed.
- The specific tasks to be accomplished under OFA for each year are going to be determined when the annual budget is developed for each year. So, this edition of OFA is not going to list tasks, it will list the more general objectives and goals to guide the task development that is appropriate for each year.

ACTION ITEM: Mike moved to enter executive session to discuss competitive grant awards. Pierre seconded the motion. The motion passed by unanimous vote.

The Committee entered *Executive Session* for the discussion of two competitive grant awards. The Committee return to *Open Session* per order of the chair

ACTION ITEM: Mike moved that the Committee approve the recommended *Records of Decision* For two projects. Pierre seconded the motion. The motion passed by unanimous vote.

The committee reviewed the schedule of meetings for the remainder of 2016 and early 2017. Tom recommended that the Steering Committee schedule a review and discussion of LCBP governance at a future meeting. Bill said we will provide a copy of the plan components that explain the present role of the committees for the June 22nd meeting, as we hope to come closer to finalization of OFA. Also June 22nd ACOE will give presentation on projects.

Adjourned 3:05 pm