

Lake Champlain Basin Program
Steering Committee Meeting
Wednesday August 18th, 2010
Municipal room at 444 Bradley, St-Armand, QC
Approved Minutes

Members present: Daniel Leblanc, Julie Moore (for Jonathan Wood), Betsy Lowe, Buzz Hoerr, Erik Beck, Real Pelletier, Gina Campoli, Mary Watzin, Louis Hak, Steve Garceau, Dave Tilton, Seth Ausubel (for Mario DelVicario via phone), Roseanne Murphy (via phone), Jason Shea (for Gene Brickman via phone), Vicky Drew (via phone), Laura DiPietro (for Roger Allbee via phone), Ron Jackson (via phone), Mike Winslow (via phone)
Staff: Bill, Eric, Meg, Nicole, Kathy, Martin, Fred, Beth Card, Mario Paula (via phone) **Guests:** Chantal D'Auteuil, Tom Berry, Kip Potter (via phone)

Welcome and Introductions – *Daniel Leblanc, Chair*

Daniel welcomed the Committee, staff and visitors. Mayor Real Pelletier also welcomed those present to St-Armand, and announces that a complementary wine made in St-Armand would be provided with lunch.

Draft Meeting Agenda review - No changes

Action Item: June 8, 2010 Steering Committee meeting minutes approval

Erik noted a change to page 3 update CVNHP: Erik Beck will take the lead for EPA. Real made a change to the QC CAC report defining the Concordia report as a climate change project. He also noted that the 10,000 trees distributed were for windbreaks especially on riverbanks.

Erik moved to approve the minutes with modifications, Dave seconded. The motion passed by unanimous approval.

Public Comments & Dialogue - none

Jurisdiction Reports

NYSDEC – Betsy reported on the challenges with the Champlain Bridge project. Quebec and New York are collaborating to ensure a good public dialogue concerning the electric line construction. NYS DEC continues to face staffing and budget issues, and has announced a retirement incentive program that 250 people will be taking advantage of - not all positions will be re-filled.

VT ANR – Julie described Clean and Clear funding for the FY11 budget. An internal RFP for state government and another RFP for the public will be announced soon, so that contracts could in place by end of October.

QC – Pierre Arcand has been named the new minister of MDDEP. Daniel described new agricultural legislation concerning manure management and a program to determine the phosphorus balance in fields. He also announced support at the level of \$2.5M to buy 600 hectares of land to increase conservation reserve lands.

Reports from Advisory Committee Chairs

VT – Buzz reported on the VTCAC and Northern Lake Citizen's Advisory Committee meeting.

There were presentations from Mary W, Bill, Wayne Laroche and James Ehlers. A south lake meeting will be held in September.

NY – NY CAC had a presentation in June from the Ausable River Association on the river monitoring project. They produced rack cards with LCBP funding, similar to the lake brochure. The next meeting will be on August 24th. Erik noted that the McAllister tug dive will happen next year as Navy divers that will be used are unavailable this field season.

QC – The annual meeting of the CBVMB was on June 16th and was attended by about 50 people. There was a report on the green program, work with farmers and building trust in the agricultural community. Twenty evaluation files have been prepared for the owners of the companies on river banks and the the shore of Lake Champlain, telling what needs to be done to make the riverbank

friendly. Funding of \$70k is available to target every house within 100 yards from lake shore or river, which amounts to 383 properties. In 383 site visits, 37.3% were perfect, 43.3% had some problem and 9.7% were not efficient. Owners have been contacted and they will need to meet the standard. The program provides funds so they can get money to make corrections and includes making a contract to say how long it will take them to finish the corrections.

TAC has not met since the last Steering Committee meeting. A subcommittee has worked with staff during the summer, so the Rock River and roadside drainage ditching reviews were completed and awards made by the Executive Committee. The best climate change project application was discussed and the Executive Committee accepted the recommendation to not make an award, and rather to combine the funds with FY10 task funds and issue a new climate change RFP this year.

EO – reviewed the *OFA* chapter but otherwise conducted no business since the last report.

Legislative Update – *Tom Berry*

Tom noted there is little to report since the last meeting. The process to move the appropriation bills forward probably will not be picked up again until after November elections. Tom thanked those who took part in the event with the senator announcing GLFC funds and the MOU among partners. This fall marks the 20th anniversary of passage of the Special Designation Act and discussions are appropriate to consider how to acknowledge this anniversary.

Manager's Report – *Bill Howland*

Bill described the event with Senator Leahy, USFWS, GLFC and NEIWPC to announce GLFC funds and to sign the MOU. The new Invasive Species Guide is now available and was distributed to the Committee. The RFP for local grants is the largest amount LCBP has ever been able to offer, \$840,000: \$500K for pollution prevention programs, \$250K for AIS management (both up to \$25,000). E&O grants may total \$65,000 for grants up to \$7,500, and \$30,000 is available for small organizational support grants. The RFP for \$400k in funds from the NYS OAG for Ag NPS productions in south lake is out. We have several projects that need QAPPs, and NEIWPC has expanded its QAPP team so proposals can be reviewed and approved quickly. Nicole is taking the lead on the QAPPs for the office. LCBP staff will participate in Coast Guard hazardous response workshop in September.

Opportunities for Action Draft Revision Review

The Committee reviewed each draft chapter of *Opportunities for Action*.

- **Introduction** – Dave T noted that the chapter spends a lot of focus on the problems we have - pathogens, p-levels, etc. It should also include some of the good things that have happened. There should be more balance in opening paragraph. Gina noted that accountability and performance measures need to be clear. Bill noted that can be made more clear in the section on adaptive management, but the Committee will need to decide where it belongs in the plan. Martin pointed out the need to mention the agreement recently signed and the role of LCBP, working with the partners and implementing the plan, rather than making regulations. Erik suggested there be language about LCBP not being the propagator of the regulations but working with regulators toward implementing actions that complement regulation. Real emphasized the importance of explaining what is being done and why the actions are important. Mary summed up the Committee recognition that education programs are key to long term behavior changes that will improve the water quality of the lake.
- **Chapter 2 – Strategy for Implementing the Plan** – Dave noted a correction in the FWS language and will give to Eric for the revision. Bill reviewed some of the operational guidelines in the text, noting the importance of this part of the plan to provide continuity in view of likely Committee membership turnover of 8 or so members in the next year. Julie – actions are either designated to federal or state agencies or LCBP, so there could be more discussion of state and federal agency roles. There also needs to be reference to the need for active support and involvement of the public. Tom recommended that under coordinating

organizations the two international treaty organizations should have their own heading. Also, in discussing the operation of the Steering Committee, it should be noted that legislative delegations may sit in on Committee meetings in a liaison role. Dave recommended that federal partners be in the framework diagram and described in the text.

- **Measuring and monitoring success**- Bill reviewed the actions and asked if the Committee agreed it should be inserted in the framework document; it did. Adaptive management needs to be recognized in this section. The Committee agreed that adaptive management is all about monitoring actions and looking forward. Martin noted that the plan focuses on tactical actions, but there needs to be a place where we evaluate the success of the plan itself. Mary suggested that the plan reference the need to evaluate success to feed into future decision making.
- **Fish & Wildlife** Eric mentioned comments from NRCS that were received since the draft chapter was mailed out. Tom noted the preamble is forward looking, which is good, but it also is important to note damage that has been done that we are trying to restore. The Committee discussed again the question of how far up the watershed to go in the plan? Mary noted that upland habitat involves great benefits that help the lake, but being particular in this area probably is not something we want to do. Erik spoke of the limitations of what is authorized under CWA Section 120 and what can be funded. Tom noted that with the LCBP focus on lake issues, aquatic connectivity would be a closely related issue.
- **Economics**: Jon Erickson discussed the draft chapter and the basic dependencies of all economic sectors on a wide range of ecosystem services. Unfortunately, there is not adequate information yet to do an economic analysis of the basin. The chapter references, based on studies in other (similar) regions how these services can affect life in the Lake Champlain basin. The chapter defines services, how they are used, and what the affect of impairments can be. At the end of the chapter there is a connection drawn to the costs and benefits of the activities in the great lakes and how that could apply to Lake Champlain. Erik noted this seems to be the right track on laying out issues, and that there are a couple of significant gaps. Although direct or indirect benefits are considered, non-use benefits are not listed. More might be added on the impact of blue-green algae. There is a good paragraph on beach closures for bacterial levels but that probably should include blue-green algae impacts too. Bill noted that some of the language used in this chapter does not reflect language used in other chapters and maybe there could be more consistency in language usage. Roseanne noted that she had her policy division look at the draft chapter and even though we all agree on the regional focus of the chapter, they would like to see additional information to include NY and not just VT. She sent figures and information pertaining to NY to Eric this morning. Jon noted his hope that he can pull together complimentary information for Quebec as well. Gina noted the difficulty in connecting the write up to specific priority actions. In general, the Committee agreed there should be more focus in this chapter and stronger ties to specific actions. Eric indicated he would work with people around the table to identify some priority actions. Jon agreed on the need to identify specific tasks.
- **Phosphorus** – Some of the updated language was discussed earlier in the review of the measuring and monitoring discussion and the decision to move it into the framework chapter. The Committee reworded several actions and added a task to update information on land use, agricultural practices and natural habitats in the Lake Champlain Basin, and to assess their impact on nonpoint source loads. Tom noted the need for graphs with trends for lake segments here in this chapter. (They are in production)
- **Education & Outreach** - This chapter includes the redevelopment of the LCBP website, continuing support for the Resource Room, education grants, and programs to educate teachers and residents. Several proposed completion dates in the chapter were revised to be more realistic. Martin noted the importance of involving CBVBM in Quebec actions, as most of this job is done by them rather than the government of Quebec.
- **Toxins and Human Health** – This chapter was significantly revised. Julie noted that toxic substances and emerging contaminants should not be portrayed as interchangeable. Erik noted

that contaminants may be treated as a subset of toxins. Beth mentioned the need to mention the work going on to deal with mercury contamination. The Committee discussed the best way to reference the precautionary principle.

- ***Aquatic Invasive Species (AIS)*** – Dave opened a discussion of the multiple listing of lead agencies associated with certain tasks, and the potential for confusion in accountability. The Committee felt that while it is often helpful to have one agency as lead agency, it doesn't want to have multiple listings of agencies doing similar tasks, and that as long as each jurisdiction reports on its own work, this will not be a problem. Beth noted the problem of listing LCBP as a lead agency of multiple agencies because it cannot control if other agencies will follow through. Eric noted that the online version of the plan will have more flexibility. Nicole noted that each agency will have a task tagged to them so it will be clear who is to do what and who has reported.
- ***Climate Change*** – Gina noted the importance of focusing on adaptation, not mitigation. Dave recommended that the goal statement reference adverse impacts on the LC natural, social and economic resources. The Committee made a number of small wording revisions that were applied to the text in real time.

Schedule - The Committee agreed that due to the need for additional development and revisions to *OFA* it would be wise to reschedule the target date for signing and to work on the chapters to bring to the Executive Committee on Sept 8 in more final form, and to the Steering Committee on the Sept 21st meeting in NY for final (?) judgment at that meeting. We could then have a signing date on or after the 18th of October, and perhaps in mid-November.

Next Executive Committee meeting will be a webinar but members and the public can come to the office if they wish to participate in person.

Adjourned 4 pm.