

Draft Minutes for Approval at the 2019 Annual Meeting

FOVLAP ANNUAL MEETING

Barre Steakhouse

JULY 23, 2018

9:00AM

DON introductions of board members and auxiliary members

*Approval of Minutes: Stewart Arnold made a motion to approve minutes of the Annual Meeting 2017 as presented, 2nd Roger Crouse motion carried (13 –yea, 0-nay)

Announcements:

Tracey introduced Jason Trevor the recipient of VSAC scholarship this year. He is a student at UVM majoring in geology and environmental science, volunteer EMT, went to Japan to compete in Environmental Olympiad

Recognition of Jeanine Pratt birthday and has attended every FOVLAP meeting for the past 10+ years.

Treasures Report –Bruce Tanner - See Report

Fiscal year is calendar year – this report is for 2017

\$18,500 start end \$18,000

Thanks to DEC for annual grant. \$2,500 (500 to VSAC scholarship, helps defray the costs of our Annual meeting, seminar, and newsletters, public outreach)

Main source of income is membership, registration fees for meetings, donations, money market with small interest.

35 associations are members, 1 business, 32 individuals

Top row onetime grants (see report)

Some of the grants were zeroed out and funds were used for publication of best practice guide.

ERP grants are being zeroed out (Judy Davis and Ann Bove) with buffer projects follow up and

We are looking to publish maybe 600 more copies of the guide.

The cost of 300 copies about \$1000.

*Don called for approval of treasures report as presented; unanimously approved.

Election of Directors and Officers:

Art nominated and Chris 2nd: Bruce Tanner, Treasure and Don Weaver, President one ballot cast for those officers for 2 years

For the 2018 election, five director positions are open:

There were 2 resignations from Laurie Callahan and Bob Franzoni. Both for personal reasons

Terms expire for: Roger Crouse, Jamie Longtin and Chris Cano.

The nominating committee has put forward a slate of candidates:

*3 year term:

Martha Pofit (absent) – Lake St Catherine – Experience with advocacy at state and federal levels (public health)

Emily Porter-Goff (present)-Franklin Watershed -PHD in freshwater ecology

Kendal Lambert (present) Lake Memphremagog – Administrative Director of Memphremagog Watershed Association

*1 year --Jay White (present) Northern Lake Champlain

*2 year – is open: Ann Bove nominates Christine Cano for the open 2 year seat Jackie second the nomination. Chris has been the legislative liason for FOVLAP attending the legislative session as well as offering testimony on lake related issues.

No other nominations

**Bruce Barter made a motion to accept the slate of nominees as presented, 2nd Jack Wideness.

Motion Carried Unanimously

First meeting will be in September up in Montpelier to be announced face to face all day.

Motion to adjourn the business portion of meeting: Bruce Barter, Roger Crouse 2nd carried unanimously

DEC Updates:

Emily Boedecker Commissioner DEC: Introduction

July 29 – August 4th CLEAN WATER WEEK

Celebration of all of the work lake associations and FOVLAP members do. Encourage speaking up to anyone (paper, radio, etc).

ACT 64: Getting the work on the ground, per storm water rule. 60 day comment period is open. This ACT Sets up the landscape, permits, measurements, and tools for impervious areas. It captures every 3 acre parcel (of impervious surface obligation to manage the storm water). Previously larger parcels now the proposal is to require have the same specifics for <1/2 acre parcels.

Last legislative session: H777 now ACT 185 expands the state revolving fund for storm water. It expands the revolving availability of funds. Helps municipalities borrow money at lower interest rates. Natural resource projects for same price low rates

*Capital bill: Support for clean water borrowing as a state to make the necessary investments.

Phosphorus removal on farms

ERP 3.5 mil

1.4 mil for aeration in Carmi

VHCB (farms)

Clean water block grants

As a state there is regulation for spending – block grants might go through entities for smaller agencies (conservation districts, FOVLAP, watershed organizations)

*Municipal road grant 3mil going towards that. Storm water controls (municipal roads grant)

*Bottle receipts – recovering for clean water (some of it)

With grant projects (Jack Wideness - Lake Reponda) ask lake associations for input when applying for the grants.

Steward Arnold: responded to the changes invasive species act. What is the F&W wardens take on the enforcement. Response: there was a time lag as the process moved forward from ACT to ticketing authority. Wardens have discretion on the ground with the compliance (for example educating someone who is ignorant of the violation. We want the person to have the knowledge to pass the education on as well. The ticket is another tool to use.

Westmore: Art stone lining the ditch made him late.....phosphorus removal - anaerobic digesters on farms – the product is still very rich in phosphorous (what do we do with it) challenge to come up with ideas of whether to create a marketable product for the byproduct.

Maidstone Lake: what can we do legislatively to protect our lakes. **Septic**, fireworks,

Is anyone willing to deal with the septic in particular? Perry will address (Vermont does grandfather inadequate systems) scientific studies are underway to see what the contribution of these septic. No

focus on addressing legislatively. Comment: you don't need a scientific study to determine that raw sewage near a lake is not a good thing.....

There is a loan program for failing systems for people who don't have funds to address.

Protecting Healthy Lakes: Lindsay Miller, Perry Thomas VT DEC

Introductions of staff present:

Laura D permit analyst

Joe Taft working with Josh (AIS) (ACT 64)

Lindsay Miller

Preventative Health Care for Lakes:

Lakes and Ponds Management and Protection Program :

All lakes healthy and impaired require increased protection because of increased phosphorus in our lakes and streams nationwide. Concentrations are increasing from (2007 -2012). Low nutrient systems have dropped yet high nutrient lakes are decreasing.

Vermont data has a similar trend:

The good news is the cleanest lakes are showing a bit less phosphorus intake.

Phosphorus continues to be an excellent predictor in our freshwater lakes.

We have a state of the art system for coping with problems.

Tactical Basin Planners are doing the planning to protect our lakes. They are looking at the inland score card as an aid to check indicators of vitals for lake health.

Explanation of score card: Using Google Earth, for 800 lakes and ponds the cards show key aspects of lake health from data available: nutrients, aquatic invasive species, shoreline and lake habitat, and mercury pollution. Links embedded in the Score Card open deeper views into the underlying data and point to steps Vermonters can take to protect their lakes.

Follow the link: <http://dec.vermont.gov./watershed/lakes-ponds/data-maps/scorecard>

Storm water/green infrastructure can help with the health. Creating pervious surfaces with less pavement, more trees, rain gardens, there is a new guide to storm water management on the DEC web site (dec.vermont.gov/watershed/cwi/green-infrastructure). These examples of watershed protections by managing with this green infrastructure will contribute to a more holistic approach to lake health.

Where can we focus our energy?

Lindsay has experience in coastal storm water management and now applying to inland lakes and streams, shoreline. (she is a permit specialist for northeast and central part of the state).

The approach of taking a holistic view of lake health rather than band aiding a specific issue that occurs will have long term affects improving the quality of lakes and ponds. Management of where the water hits the ground to where it ends up.

Homeowners and residents have the opportunity and are in a position to impact the lake shore quality. Diversity and complexity is key to healthy and resilient to storm events, shoreline invasives. Looking at the immediate shoreline Mimic a natural shoreline provides valuable fish and wildlife habitat, absorbs and diffuses wave energy, is aesthetically pleasing, often less expensive, and requires less long term maintenance.

Question about ---how the natural shore line is better where does the phosphorus come from and how much comes from retaining walls or paved parking area. Are the majority sources being addressed?

Particles are microscopic that you cannot see being washed out into the waterbody along with sediment that carried the phosphorus into the lake. Some is dissolved and sheeting off in a high velocity and causing erosion behind retaining walls that might have been built long ago. A retaining wall creates a disconnect between the lakes natural capacity to repair itself. Earth is a good filter for pollutants.

Moderation is key:

Shoreline Protection Act: Permits now required for development and projects

The emphasis is on minimizing clearing, impervious surfaces, maintaining setbacks, buffers, avoiding steep slopes.

Activities that are exempt: Removing and rebuilding in same foot print, removal of dead, diseased or unsafe trees and tree removal according to the Vegetation Protection Standards, projects on the non-lakeside of a public road, foot paths for access (single 6ft wide), state wastewater permits, parcels attached form act 250.

Explain how violations are followed up on: Complaints can be anonymous, take photos

EEO's (environment enforcement officers), Attorney's

There is a Municipal Day in fall for town officers to learn the rules and response.

There will be a data base for permits on line to sign up for notification.

The Public Trust Doctrine is a focus on human development and natural environment. Out in the lake and projects out in the water (boat house, dredging of public dock,) how will the project impact the public use of the water (lake encroachment permitting addresses the questions of least intrusive feasible alternative, impacts to water quality, fish, wildlife and vegetation, and how we can minimize impacts to public uses such as navigation, swimming, fishing, etc.

Lake Wise: Can be compared to an annual checkup (Amy Picotte) helping people to tackle problems on their properties, erosion, runoff, reclaim areas for naturalizing.

Sharing the Edge: A Guide for Lakeshore Property Owners in Vermont:

Helps homeowners new and old understand what to expect on a Vermont lake, development and permitting guidelines, Lake Wise, Vermont Inland Lake Score Card, Volunteer opportunities, helpful links and answers to frequently asked questions (dec.vermont.gov/content/sharing-edge-guide-lakeshore-property-owners-vermont). It is highly encouraged to share this link with neighbors.

Comments:

Maidstone: Lindsay is a great resource and guide through the process.

24 Panel Discussion: **Managing Roads in Lake Watersheds**

Panel Introductions:

Facilitator: Bethany Remmers, Assistant Director, Northwest Regional Planning Commission

Emily Porter-Goff, Coordinator Franklin Watershed Committee

Linda Blosch, Vermont Better Back Roads Program

Staci Pomeroy, River Scientist, Vermont Rivers Program

Jim Ryan: Municipal Roads Program (General Permit, MRGP), DEC Stormwater Program

Ryan Knox, Agency Digital Services providing support to ANR, F&W

*Jim Ryan- ACT 64 : before the MRGP municipal roads were not previously regulated.

Though modeling it is shown that roads contribute approximately 10% of the phosphorus to our water bodies. About 70% of the roads in the state are maintained by municipalities, 15% by Vtrans, 15% are private. Along with the municipal roads permit there are now regulations for Vtrans maintained roads. Private roads regulation only deal with new construction.

Towns have to bring roads up to new standards by 2036. Priority being roads connected to water or Hydrologically connected. ANR has mapping for each town, first they must inventory roads a 2 year process whether they meet standards or not. Beginning in 2020 towns have to start bringing their roads up to standards with a current 3,000,000 influx of money this year towns are being proactive in preparation, per the Better Roads and Municipal Roads Grant.

*Emily Porter-Goth: Lake Carmi Watershed, most of the roads around Carmi are private inventory and road identification has been assessed, for problems. Private road captains, are now being used to

communicate with neighbors, they need matching funds which is required by grants. Need support and generosity of people who live on these roads (although camps are on leased land so land owner permission is also required). Much of the inventory is now 7 years old, it is frustrating to have the long time gap between inventory work and implementation as the possibility of out of date data can be a problem. Misinformation is a problem in gaining support for these voluntary projects. Also, work with town on grant applications to get things happening faster.

*Linda Blosch: Better Backroads Program has been around for 21 years having been founded by Susan Warren. Provides funding through 4 different grants inventory-\$8000, other grants for implementation of erosion control \$60,000, on municipal roads only. No funding on private roads. Much of the funding goes towards preparation for the MRGP. In lake watersheds the towns partner with Lake Associations. Encourage vegetative solutions, working with lakes and towns on best management practices for each road.

*Ryan Knox: Ryan is here to demonstrate a mobile solution for the municipal roads permit. 8,000 inventory segments. Use to train municipalities to complete the inventory task.

*Stacey Pomeroy: Helping road crews and engineers doing work along rivers to make sure the integrity of the riverbanks and roads are resilient to flooding events. Partnering with conservation districts on river and roads in watershed, culvert and stream inventory as they relate to rivers, erosion around smaller structure. Most every lake has some tributary that can benefit from proper structuring of culverts and stream banks.

Inventory Ap demonstration by Ryan Knox:

Set up for municipal roads currently.

There are 2 components: Map can be taken off line. Launch survey (survey 1,2,3, download before you are in the field) and you can submit to DEC for reporting once you are back on line.

Free Aps Leveraging ESRI (primary GIS solution). iTunes account free app ARC –GIS platform you need to be credentialed to use survey Ap. Available for municipality use currently.

There has been very preliminary discussion on ap usage for private roads and for private groups or watershed associations use. The technology is simple enough and there is the ability to create a survey for private roads for an organization. It would be perhaps a proactive tool for watersheds.

The aps are free by searching at an ap store, some training would be necessary to use. You need to be credentialed at this time to use the municipal system. Possibly a parallel program could be set up for private organizations so they don't override a municipal project.

General Roads Questions:

*Did the town do the inventory themselves with the ap?

Emily: Carmi - evaluations were done by contract engineers the ap was not available

*Does the state have inventories of private roads. % private roads vs municipal roads? No.

Is there funding for private roads? In ERP small amount \$30,000 or so

*Lake St Catherine: How do we address the municipal roads Wells, Poultney, state roads. Do we go to each town? Each town has to complete inventory by 2020. Town typically subs work to Regional Planning Commission them and they can use time and mileage towards the 20% match.

*Don –private groups in the past could go to the better back roads program and request funding to help. Now that is gone how can they now access funding to help?

Linda: only funding available in the ERP as above currently. The state is not currently considering bringing the funding through the better back roads back.

**Legislature should be engaged to address this funding problem with private roads along lakes and pond for stabilization, culverts, and pollution control.

*Raponda: Town roads that are along lake with camps in ROW of road. What can we expect down the road where these camps are between lake and roads with no room Not sure.

Towns do have ability to manage the town row drainage (25ft from centerline). Road crews, land owners all have to do their piece in the conservation and stabilization of the watershed.

Getting funding and regulation to require private roads to come up to standards is an important issue that needs to be addressed (check out the state of Maine).

*Maidstone: Hydrologically connected town roads is fill tested for phosphorus and other pollutants (chemicals). Generally they are removing material and replacing with stone and cleaner more resilient material. There is no specific testing of material. Fixing the roads prevents the loading and erosion that was previously occurring.

Mud season are there any seasonal solutions - Towns look at water quality as drainage, resiliency, mud season.

*Should we be paving? When you have a very steep short length of road it might make sense to maintain crown.

Some practices in the better road manualExamples being: under drain (perforated pipe), French mattress (crushed rock beneath), implementation of idea really depends on each situation.

*Shoreline protection stops at the municipal road....would it be better to extend (the 250ft) to the other side of the road? If the municipal road is within the lakeshore they do not have to employ any practices. But, if they have a road problem within the lakeshore protected zone they would employ best practices. They do not want to disturb vegetation in that zone.

Only standard for private driveway is that there can be no erosion of a culvert (or needs to be fixed).

*Emily: Road Captain concept....volunteer so it is a suggested concept to ask for a 50% match to apply for things like the ERP grant. It is up to the property owners go work together and commit to these projects.

Where the camps are on leased land there is also the conflict or question of should it be the land owners responsibility.

Are there any resources for someone to come out and look at sites? Sometimes a water shed planner or natural resource conservation districts, regional planning commissions – workshops for private roads proposed. Education, watershed grant can be used help put together workshops to reach out.

Demonstration projects might be able to accessed for education to fix issues. Youth conservation corps might be able to be applied to for help on road work.

Better roads manual (2009) is being updated, and will be available on line maybe print.

Lunch 12:15

1:00 Barry Lenki Lake Stewardship Manager for ECHO, Leahy Center

He wears many hats as :

*Coordinator of the Vermont Clean Water Network, which works with 4 action teams. They post clean water policy at the beginning of the legislative session (December) and debrief in May once session is closed.

*The Leahy ECHO museum has been an education institute for 15 years, now bringing along with that an advocacy and stewardship message which incorporates a Call to action for clean water stewardship, hosts events exhibits and guest experience at the ECHO so that families can take away the message of keeping Vermont waters swimmable, drinkable, and fishable.

*Coordinator of the Leahy Summit

Leahy Summit –every 2 years- 2013 was the first summit. After tropical storm Irene focused the summit on climate change resilience. How we use the land, how to prepare for these types of storm events,

looking at our social systems. Looking at climate change resilience – how we use the land, and prepare for unexpected events.

Partnering with the High Meadows Fund, Lake Champlain Basin Program, Lake Champlain Sea Grant . 2017 – the focus was on climate change resilience but, also creating a culture of clean water and brought together the Clean Water Network which consists of state wide organizations and organizations on regional levels, focused on both culture of clean water and climate change resilience. Local state regional land use, business, education.

2017 participants created multi-sector watershed teams to look at water on a watershed level. Come to summit with ideas and teams to think, plan, and act together like a watershed. Project ideas to bring to the summit could be easements, river charting, zoning, public engagement. 13 teams came (municipalities, regional planning commissions, watershed and lake associations) for 2 days to develop and refine projects that could in turn apply for funding of the projects with Lake Champlain Basin Program and High Meadows Fund. As a result of the 2015 summit the Department of Environmental Conservation was impressed with the process at the summit that they in turn adopted some of the processes and procedures used at the summit.

Since 2017:

Recognizing that public engagement is important to project implementation, the group is looking at artists and cultural leaders, to visualize the threats and our vision of clean water. How do we communicate water science?

Critical needs for clean water projects through Arts, Science communication and creative placement
How to communicate highly scientific concepts and information in a way that people can care and act?
Creative placement is about physical placement and social communities, public engagement and project implementation.

Partnering artists and cultural leaders to reimagine science through art.

Reaching out to groups that include: Vermont Arts Council, Vermont International Film Festival.

April 5, 2019 tentative date (just one day) week of activities lead in up to the summit. High Meadows Fund will not be available this year. Applications are being sought from Alfred E Sloan Foundation. Showing a feature film and talking about the science of what is in the film afterwards. Examples are popular films one on Birds another on dinosaurs with discussion afterwards. One film each day leading up to the one day summit. There will be an evening event the night before the summit that will focus on clean water short films and photography.

Inviting short films around the culture of clean water in October for the film festival and will be entered into a competition. Winner will be awarded at the night before event.

The spring summit developing hoping to develop a more inclusive planning and design process for clean water projects bringing visibility and awareness of water issues.

What FOVLAP members can take away from this are strategies and tools to connect with artists in your communities to get the clean water message and engagement out at the local level.

Minimizing Wave Impact on Shorelines: “Follow the Wave” Perry Thomas Joe Taft

How best to drive wake boats to minimize the impact of erosion on the lake shores. Alexandra Roy has developed a film and materials. www.memphremagog.org (this is an example of using the arts to communicate with the public)

Guidelines (not law): in Quebec

250 meters from shoreline (>700ft)

>5 meters deep (they stir up sediment)

Take on ballast only when necessary

Ensure a watcher on board
Stay away from boats.....

They don't like Champlain because the natural waves interfere with the sport
Perry's department has been empowered to make rules and will be reviewing with the State Police Marine division and Fish & Wildlife (Angela Shambaugh has volunteered to head this up).
If there is a problem with lake violations it is encouraged to call the State Police if they are not available call the Game Warden.

***There was a question about ACT 64: Does it need to be revisited to make the law stricter in setback rules (moving to the opposite side of a public road to make the lake to disturbance 250 feet. Currently the rules exempt anything opposite side of a public road. Perry and others from DEC noted they are diligent about complying with the Law as written and it really is up to property owners to seek out their local zoning and town plans if they want to seek stricter setbacks. It was a long, thoughtful process with a lot of public input and at times contentious discussions and difficult compromises during the formation of the current legislation that resulted.*

****Insurance questions about covering associations coverage or board member and officers insurance
Bring information to September meeting
3500 Liability for officers and associations. Can the state or FOVLAP find a rate to group us together?
Associations need to do homework and shop around. It would be a great idea to share information on this issue. Chris offered a chart in the back of the room to share what you know so we can compile it and share.**

Open floor:

There was a comment that an association provides information to local realtors for new property owners about lake restrictions, best practices, etc. Where to getDEC brochures
Dept. of Environmental Assistance can help with gathering information, factsheets and brochures to associations for individual needs.

Transfer of land issues....the need for permits that follow the records: Septic systems-if there is a wastewater permit it is supposed to be filed with the municipality. If the system is established pre 2007 no permit is necessary unless there is a failure. Shoreline protection permits are to be filed with municipality. Some municipalities do not have permit process or zoning which becomes a problem too. Waste water and drinking water DEC works closely with health department if there is a failure or public health issues, water contamination.

Private land deals might not have all of the information available as far as historical development permits or waste system.

Commissioner has stated that rules are in committee to be established for the current statues. These rules will give clear interpretation and intent of the laws. They are enforceable.

How can we as associations and individuals affect enforcement? It was suggested that the topic might be a good panel for a future meeting.

There is a chart available of whom to call for specific types of incidences.

There was some advocating for individuals to take the initiative to talk to neighbors to inform, or if there is a violation to take photos, and report. There are not enough enforcement people available to review areas all the time.

There appears to be 2 types of concerns. Stop or prevent a problem , sometimes get ahead of problem
Identify issue: Knowing what the tools are and appropriate use would make a good discussion
Law enforcement
Public engagement
Best practices
Knowing what the tools are and available

Door Prizes: Jackie and Chris – Thanks to those who donated today!

Donor	Gift	Winner(s)
Ann	Syrup	Chris ??(Maidstone) Kurt Mueller (Shadow) Bobbie Weaver(Pelots Bay)
Chrissie	Cardinal Flower	Andrea?? (Salem)
Cynthia	Cake	Jack Wideness
DEC	Lakewise Poster Cards (also available for sale)	Jake White
Westmore	Depth Map of Lake Willoughby	Jason ??

Don thanks to everyone who attended today the annual meeting adjourned at: 3:12 PM

Respectfully Submitted,
Mary Jo Teetor