

# **FOVLAP Annual Meeting Minutes**

## **July 27, 2015**

### **I. Welcome by FOVLAP President Jackie Sprague**

The meeting convened at 9:00am. Participants were provided a meeting agenda, minutes from the 2014 Annual Meeting, a proposed bylaw change and an invitation to share contact information so that homeowners could share similar concerns.

### **II. Speaker Deb Markowitz, Secretary Agency of Natural Natural Resources (ANR)** **Topic: Act 64, “The Water Quality Bill”**

- \* Deb thanked FOVLAP membership & Kellie Merrill and her team at DEC’s Lakes & Ponds, for their help and support of the bill
- \* The bill protects water quality while allowing landowners reasonable use of their property
- \* The federal Clean Water Act improved water quality substantially but persistent problems remained
- \* New funding and staff will allow development of infrastructure, enforcement and solutions at all levels; farming, forestry and development will be impacted
- \* Deb called upon us to continue advocating by communicating the need for these measures to maintain water quality for future generations, especially as new measures will impact everyone financially
- \* Collaborative partnerships across agency lines have made a positive difference (example: working with transportation and agriculture along with state and local governments)
- \* There is adequate funding for enforcement for the first phase of the bill’s implementation which will impact agriculture by allowing the hire of additional staff; there is a timeframe to the bill, eventually new permit requirements will be put into place for other parts of the bill (eg. stormwater)
- \* The federal Clean Water Act provided EPA with tools to help states with larger point-source contributors such as wastewater treatment centers. Even though they contributed a smaller percentage of the pollution problem, they are a very expensive fix. Money is better spent on non-point sources of pollution across the state.
- \* Fees for permit programs and a new tax for a Clean Water Fund will help fund the program
- \* We learned from Tropical Storm Irene that 50% of phosphorus entering our lakes and ponds comes from stream bank erosion; part of plan includes revegetating stream banks, reconnecting rivers to flood plains,etc.
- \* Priority will go to areas where the benefits are most immediate. Tributary streams will play a large role in this.

### **III. Speaker Pete LaFlamme, DEC Water Quality Division Director** **Topic: How will the Water Quality Bill affect us?**

- \* There are two parts of the initiative, VT Clean Water Act and VT Clean Water Fund. The federal Clean Water Act addresses point sources and stops there; but success has plateaued. With climate change and weather events, nonpoint sources are playing a more profound role on degradation of water quality.
- \* Water Quality will be improved through tactical basin planning for watersheds, regulatory mechanisms for agriculture, stormwater permitting for impervious surfaces, implementation of road

- permits, creation of new RAPs (Required Agricultural Practices) for large, medium & small farms and establishment of TMDLs for Lake Champlain, Lake Memphremagog & Connecticut River, etc.
- \* Trend in L. Champlain and other lakes shows that phosphorus is coming from the watershed - agricultural lands, streams, developed lands, unpaved roads, impervious surfaces & forest lands
  - \* The Clean Water Fund includes money from a variety of federal, state, private and philanthropic sources.
  - \* The act increases the ability to manage stormwater run-off, especially road related run-off, and regulate agricultural practices that contribute to pollution of water. In Phase 1 the structure at the agency and the creation of permits begins, in Phase 2 tactical basin planning is applied to watersheds.
  - \* Vermont's stormwater permitting process is progressive. The science has changed and standards are being revised to reflect this. Getting water into the ground through bioretention and infiltration is key. More exotic methods are being looked at to remove nutrients from Vermont's soils which tend to be very heavy.
  - \* Built surfaces, more than 1 acre of impervious surfaces, it will need to go through permitting practices to address run-off. Surfaces greater than 3 acres will be required to have retrofit permits - installation of stormwater treatment & control practices to improve receiving waters. Phase 2 plans will call out surfaces smaller than 1 acre no later than Jan. 2018. 2023 all will be in effect for the Champlain basin and 2028 for the rest of the state.
  - \* Road permits will be required for all roads, projects will be prioritized according to benefits
  - \* Agricultural RAPs (required) will address: manure storage, increase of vegetative zones, reducing soil loss, nutrient management planning by looking at nutrient concentration in soils, covering bare corn fields with cover crop, etc. Farmers will receive training and certification.
  - \* Implementation of Plan: Focus will begin with TMDLs (a clean-up plan approved by EPA) for L. Champlain and western half of state. TMDLs will roll out in August 2015 and then be available for public comment. TMDLs are coming for L. Memphremagog and will cover north central VT. Eastern VT is covered by the TMDLs for Long Island Sound/Connecticut River drainage.
  - \* Establishment of Tracking: measuring progress through reporting will be a huge task.
  - \* Funding: federal - NRCS (national ag agency) has put a lot of money in VT for farms, specifically \$13 million for Champlain basin and \$10 million for Connecticut basin. Memphremagog is applying for their own NRCS. Local clean water funds from a surcharge on property transfer taxes, anticipating 5 million per year, the tax dept. will then shift to a more sustainable source, for ex. a parcel fee. 5 million is available to last for first three years. Source will then change to a more longterm, sustainable funds. State funding sources: ag funds, capital bill money, ecosystem restoration grants, SRF match, transportation bill and clean water fees that will support the addition of 14 additional staff. They are developing processes to put money to use, identifying sources that will provide the greatest cost effectiveness.

#### **IV. Speaker Perry Thomas, Program Manager for Lakes & Ponds**

##### **Topic: My Role as Program Manager**

- \* The mission of the Watershed Management Division is to protect, restore and maintain water quality of surface waters. VT has over 800 lakes & ponds, 23,000 miles of rivers and streams and many acres of wetlands. Each of these are within a watershed, the mission field where protection is carried out. The staff of her division will work closely with watersheds.
- \* Lake Champlain is part of this and will be included in the website update scheduled for fall 2015

- \* Tropical Storm Irene was a benchmark event that shaped her role and the thinking about shoreland protection. VT lakes were stressed during this event and fell behind other New England states in readiness.
- \* Some of the staff from Lakes & Ponds were introduced and their area of expertise provided:
  - Angela Shambaugh, Aquatic Biologist, Lake Champlain water quality monitoring; zebra mussel, algae, and cyanobacteria monitoring on Lake Champlain and selected inland waters.
  - Josh Mulhollem, Environmental Scientist, Aquatic invasive species management, aquatic invasive animal species expert, inland lake aquatic invasive species monitoring, statewide spread prevention efforts, and oversight of the Vermont Public Access Greeter Program.
  - Amy Picotte, Environmental Scientist, Shoreland management, technical assistance and outreach (Lake Wise), and Out of the Blue (Watershed Management Division newsletter).
  - Kellie Merrell, Environmental Biologist, Monitoring both trends and condition of inland lakes for compliance with the Clean Water Act and Vermont Water Quality Standards. Inland Lake water quality assessments, spring phosphorus sampling, and special studies like littoral habitat assessment.
  - Leslie Matthews, Environmental Scientist, Monitoring both trends and condition of inland lakes for compliance with the Clean Water Act and Vermont Water Quality Standards. Inland Lake water quality assessments, spring phosphorus sampling, and special studies like littoral habitat assessment.
  - Bethany Sargent: management of the volunteer monitoring program
  - Pete Strangel, Aquatic Biologist, Lake Champlain water quality monitoring, and zebra mussel monitoring on Lake Champlain and selected inland waters.
- \* Tracking includes impact of climate change and collection of phosphorus data in both spring and summer.
- \* EPA has given the state credit for creating trustworthy models that inform TDMLs, due to the good work of Eric Smeltzer, Pete and Angela.
- \* Ben Copans is creating models for creation of TDMLs for L. Memphremagog.
- \* FLOW, is the Watershed Management Division's blog. Look for a series of posts celebrating Lake Appreciation Month in July. One post exemplifies the work of the Lake Rescue Association, who began monitoring before Irene hit and tracked where sediment accumulated. Because of their efforts, stream banks leading into the Black River were stabilized.

**Speaker: Angela Shambaugh**

- \* Follow the blog she pioneered by subscribing at <https://vtwatershedblog.com/>
- \* The Water Quality bill will be integrated into Tactical Basin Plans which are renewed every five years. As data is updated, priorities are reestablished.
- \* With more funding basin activities will be easier. Implementation tables will become more dynamic and flex with needs
- \* Angela will be doing less work on the water and more synthesis of information

**Speaker: Josh Mulhollem**

- \* Josh was hired 4 months ago and hails from Wyoming
- \* The mission of the greeter program is to prevent the spread of aquatic species by educating boaters on the dangers of AIS (aquatic invasive species) and provide boat inspections at access. DEC provides training and technical support, tools and grants
- \* In 2002, there were 28 greeter programs and 91,000 crafts were inspected. Over 2500 boats were found transporting plant or animal material, 400 of them had Eurasian milfoil, 360 possible infections were avoided

## DEC Q&A

1. Grants for Greeters: grants must go through town/municipality, it funds up to 75% & town matches up to 25%. The application is on website. Must be in by Feb. Decisions are made in March.
2. Training Sessions: Three scheduled in 2015. Next year he hopes to have at least twice as many. If there are 5-6 people available he will set up a training.
3. How much money in fines have been collected for transportation of plant material? Fish & Wildlife will know the answer
4. Is there a plan to increase enforcement of transportation of invasive materials? Trainings have been offered to law enforcement and wardens on how to recognize and enforce.
5. What is L Champlain doing for boats leaving the lake? On VT side there are five steward/greeters covering 6-7 accesses. On NY side there are more, approximately 12. They are looking into the purchase of high pressure hot power washes units for L. Champlain at high priority accesses.
6. L. Champlain TMDL should be out in August. There will be 3 public comment meetings to follow.
7. What is EPA's authority in enforcing TMDLs? EPA can take back a TMDL & do it themselves. They come up annually to complete enforcement action(s). They inspect farms for direct discharges, for example, but new agriculture practices will raise the state standard resulting in a more thorough and effective job at the state level. In the past funds were offered to farmers to incentivize using lands to create vegetative zones. The Clean Water Fund will add funds to increase the incentive offered for use of their land.

There is now better integration of scientists in the tactical planning process. Programs are being tied together.

## V. FOVLAP Business Meeting

### A. Introduction

\* FOVLAP associates were recognized & appreciated: Peggy Barter (membership), Ginny Garrison (legislative updates) and Cindy Swanson (legislative blog)

\* One \$500 VSAC scholarship is given every year by FOVLAP, this year two applicants will be awarded thanks to an anonymous donation

### B. 4 Minutes of 2014 Annual Meeting

\* Minutes passed

### C. Treasurer's Report 2014

\* The general fund is formed from dues (over \$3,000) & grants from state of VT (\$2500 each year)

- \* Grants are also tracked separately and help fund education, lakeshore planting and website development, shoreline stabilization projects, video project & development of a landscaping booklet
  - \* Treasurer's Report was accepted
- D. Election of Directors and Officers
- \* Directors who are leaving: Greg Allen, Judy Davis & Don Hendrich
  - \* Nominated: Roger Crouse, Bruce Tanner, Jamie Longtin
  - \* There were no nominations offered from the floor.
  - \* Motion made to accept slate of officers as written and seconded. Motion passed
  - \* Up for reelection: Bruce Durgin, Vice President
  - \* Nomination from the floor offered to fill vacancy for Secretary, vacated by Tracey Shadday
  - \* Peggy Barter was nominated from the floor. She declined.
  - \* Board will appoint an interested person to position during an upcoming meeting
  - \* Asked for nominations from floor for VP
  - \* Bruce Durgin was voted as VP for a 2nd term
  - \* Bruce Durgin asked for a round of applause for Greg Allen, Judy Davis & Don Hendrich due to their fine work
- E. Review of bylaw proposal and vote
- \* Roger Crouse, Jamie Longtin, Don Weaver, Tracey Shadday & Jackie Sprague served on the bylaw committee
  - \* Intent of bylaws was not changed; wording was made clearer
  - \* Jackie asked for discussion from the floor for the proposed bylaw change:
    - >There will be one voting representative from each lake association. The representative needs to be decided ahead of time by each association.
    - >A motion was made by Andrea to amend the bylaws by adding "with" after "acquaintance" in Article 7, and the motion PASSED
- F. Jackie directed everyone who wished to share their contact information and complete a lake report.
- G. Emails for DEC staff will change to a vermont.gov format

## VI. "A Story of Nesting Loons", by Ray Richer

Ray has been observing loon nests on Joe's Pond for 18 years. The film he produced is based upon hundreds of hours of observations and video footage taken by Ray and covers the entire life cycle of loons. A few facts are highlighted here. Loons lay 1-2 eggs, usually one day apart. Males & females share the job of incubation. A typical loon's foot measures 4 inches wide and 6 inches long making it the ideal tool to rotate the eggs within the nest. It can take 24-36 hours before the 2nd egg hatches. Loon parents vocalize when their chick enters the water for the first time. A pair of loons with two chicks can eat a 1/2 ton of fish. Ray offered to share his video, just give him a call. He will be updating the video with new footage. He has observed a full grown beaver and muskrat killed by a loon. They kill by drowning. Adult loons weigh 12-14 pounds and are quite strong. In 1983 there were 8 nesting pairs and now there are over 60. A lot of New England loons winter off the coast of Maine.

## VII. Lake Reports

(separate document)

June 6, 2016

Minutes submitted by Tracey Shadday, FOVLAP Secretary, based on recordings of the meeting created by Bruce Barter.