

# Vermont Citizens Advisory Committee (VTCAC) on Lake Champlain's Future

Monday September 13<sup>th</sup>, 2021

5:00 pm – 7:00 pm

## DRAFT MEETING SUMMARY

**Committee Members Present:** Mark Naud (Chair), Sen. Chris Bray, Eric Clifford, Rep. Kari Dolan, Bob Fischer, Rep. Carol Ode, Denise Smith, Hilary Solomon

**Committee Members Absent:** Sen. Randy Brock, Lori Fisher, Wayne Elliott, Jeff Wennberg

**LCBP Staff in Attendance:** Sarah Coleman (VTANR), Katie Darr, Colleen Hickey, Lauren Jenness

**Public Guests:** Tom Berry (Leahy's Office), Brenda Gail Bergman, Vic Putman, Ricky Laurin

Meeting summary by Katie Darr, Lake Champlain Basin Program (LCBP)

### **5:00 – 5:15 pm**

#### **Welcome and Introductions**

Denise Smith welcomed attendees and called the meeting to order.

#### **Public Comments**

No public comments were made.

#### **ACTION ITEM: Review and vote on draft July 21<sup>st</sup> VTCAC Meeting Summary**

Rep. Ode moved to approve the July 21<sup>st</sup> meeting summary; Mark Naud seconded. Motion carried.

### **5:15 – 6:15 pm**

#### **2020 Action Plan**

The Committee agreed to form a small Action Plan workgroup (5-6 people) which will update the 2021 Action Plan to reflect 2022 goals and present a draft to the full Committee for review and approval. The goal is to have the Action Plan close to final by Thanksgiving/Early December. If you are interested in serving on the Action Plan workgroup, please email Mark, Denise, and Katie.

- Rep. Ode suggested the CAC consider adding initiatives that align with the incoming funding from the American Rescue Plan Act and other sources to secure the funding for these items while it's available. For example, money to separate stormwater overflow in cities, PFAS contaminants.
- Bob agreed and shared that lots of the one-time money coming down in the State Revolving Funds will be targeted for CSOs so it would make sense to include this topic in the Action Plan.
- Tom Berry added that the State has a lot of ARPA funds being directed to water quality and other funding lines are looking promising. The President's request for the LCBP funding was \$20 million and the Infrastructure Bill would provide \$40 million over 5 years for the program. With ARPA funds and significant increases in State Revolving Funds for clean water and drinking water, there should be a substantial increase in funding available for the next year and several years to follow. Various timelines will apply. The Infrastructure Bill has a 5-year timeline and the Reconciliation Bill is more of a 10-year timeline. The timeframes will not be as prescriptive as some of the earlier Covid-19 relief packages.

- Rep. Dolan is interested in knowing how the state can actually spend the incoming dollars. What are the capacity and workforce needs and is the State equipped to meet those needs? Water quality funding requires proper technical and human infrastructure to carry out the work. This may be the time to address the CSO problem. It is typically a high-cost problem and the added infusion of federal funds may make this the right time to address it. Toxics and nuisance species should remain on the Action Plan.
- Hilary added that many private septic systems around lakes need to be repaired or updated, but many people avoid this due to the expense. There are State Revolving Funds, but no grant funds are available for this. This might be another area to consider for legislative support.
  - Rep. Ode added at the July Retreat, the CAC identified data collection on septic impacts to water quality to be a priority. If the funding will be available over several years, it may be prudent to try to collect that data quickly.
  - Denise reminded the CAC of the conversation about reports that had been done about septic system impacts on Lake Champlain and the potential to hire someone to complete a meta-analysis of what has already been done and present that to the CAC.
- Sarah Coleman shared that some of the items being discussed are planned to be addressed by the State through ARPA investments. An update from the State about where ARPA dollars will be going: over \$100 million to water infrastructure; \$10 million for FY22 to the Agency of Agriculture for BMPs, Three Acre Stormwater, and municipal pollution control grants. ARPA funds are freeing up money for items not eligible for ARPA funds. The board approved adjustments to the Clean Water Fund allocations so some of the spending planned for that area will be freed up to go to natural resources restoration, municipal roads, and partner support line items.
- Brenda Gail Bergman noted it may be powerful to have a combined proposal with other groups who are also thinking about how the influx of federal funds should be spent, related to freshwater, forests, and climate.
  - Rep. Ode suggested looking at what other groups are considering to be priorities for funding before the CAC prioritizes requests for water-related funding to develop a proposal that is in sync with other groups.
- Mark added the CAC needs to work on the Action Plan priorities and opportunistically dovetail with funds that might accelerate those priorities. The CAC needs to first address priorities before considering allocation of funds. Digging into septic impacts on the lake is one priority. It is likely not a huge impact on the lake, but there are many unknowns. Many failed septic systems are being ignored and there is no requirement to regularly inspect septic tanks.
  - Rep. Dolan noted that septic is not a nutrient loading issue, but an outdoor recreation access and public health issue. To meet phosphorus and nutrient load reductions will require more investment in natural infrastructure. The CAC should continue putting focus on nuisance species, toxics, and infrastructure. To support the infrastructure bullet: there are vulnerable systems, aging infrastructure, lead and copper issues. Rural communities in the basin want the dual benefit of sustaining their own local economy while providing water quality improvements.
- Rep. Ode shared her thoughts about climate migration, covid migration, ACT 250, and trying to keep development in city and town centers and keep unfragmented forests intact. Helping small towns with

wastewater infrastructure so when development comes, it comes where we want it and where it makes sense should be a priority as well (calling this infrastructure and informed development for the time being).

- Rep. Dolan added it is important to incorporate equity and justice issues related to our investments to ensure we have the right policies and programs in place to be welcoming of the people here or may be coming here. In addition to pollution prevention, we need to think about how to prevent overburdening related to land use and degradation.
  - Mark agreed and shared that as the LCBP’s DEIJ work progresses, the CAC will tie into that work especially as we think about things like recreation access and including traditionally disenfranchised voices in the decision-making process.
- Mark asked the Representatives and Senators to keep an eye on priorities the CAC can help advance.
- Sen. Bray shared that in the second year in a biennium, things tend to move quickly. The Action Plan timing is good with chairs starting to have meetings with advocacy groups. He would like to understand the CAC priorities and interests to be a liaison to the Senate balance requests of different groups to ensure the best decisions for water quality work. He is interested in hearing the CAC’s assessment of how well money is flowing to the right projects.
  - Rep. Dolan agreed it is important to understand reactions to how dollars are being spent, noting the state’s nutrient reduction dashboard and annual report show a dampening of progress.
- Sen. Bray expressed concerns about solid waste, leachate, and the mechanical de-packaging of food residuals leading to the application of microplastics to the land and ultimately becoming a vector for water pollution.
- Mark noted if we improve septic tank inspection and pumping, septage is a potential source of contaminants. Land application and wastewater facility treatment of septage both have issues. There is less and less incentive for facilities to take septage. A priority from the summer was to get a better understanding of how septic is impacting groundwater, surface water; what a program might look like to try to monitor or create incentives for inspection and proper maintenance; and what to do with the increase in tonnage and gallonage of septage.
- Rep. Dolan thought it would be worthwhile to look at performance reports for how we are supporting budgets and implementations of pollution prevention moving forward. The House passed a bottle bill which has huge climate reduction goals and will contribute to cleaner recyclable materials. The Global Warming Solutions Act was passed in 2020 and will result in an adopted plan by December 1st which will contain recommendations.

**Potential Action Plan Priorities:**

- Toxics
- Nuisance species
- Infrastructure & informed development
- CSOs
- Septic: impacts to groundwater and surface water and water quality in terms of recreation access and public health

**6:15 – 6:45 pm**

**Advisory Committee Coordination**

Katie Darr presented an overview of a proposed Youth Advisory Committee for the Lake Champlain Basin Program. The presentation is included with the meeting materials. The Committee was generally supportive of pursuing the development of a Youth Advisory Committee.

- Rep. Dolan remarked that 16-35 was a broad age gap. *Correction:* During the meeting, Katie said the UN defined youth as 18-35, the [UN defines youth as 15-24.](#)
  - Sarah Coleman suggested distinguishing between youth and young professionals as both perspectives would be valuable.

Katie provided an update on the joint CAC meeting planning. She is working with the Chairs to plan a joint meeting focused on septic issues later in the Fall. It will likely include presentations from David Miller who authored the Adirondack Council's [septic white paper](#) and the Lake George Park Commission's Septic System Committee. Please contact Katie to share other ideas for presentations.

- Sen. Bray suggested Lake Memphremagog as a topic to promote cross-border communication and collaboration since Vermont is the source of their concerns regarding drinking water.
- Mark added we have been in contact with Dr. Alissa White, a soil scientist at UVM. Soil health and carbon sequestration related to agriculture and water quality would be strong themes for a joint CAC meeting.
  - Sen. Bray asked if this presentation would also examine the impacts of pesticides on soil health. Mark shared that Pierre Leduc at OBVBM has shared recent studies that show the utilization of neonicotinoids does not show improved yield compared to non-treated seeds.

**6:45 – 6:55 pm**

**Committee Membership and Governance**

**ACTION ITEM:** Recommendation of Karina Dailey to the Secretary and Governor

Mark Naud moved to recommend Karina Dailey as a candidate, Hilary Solomon seconded. Sen. Bray abstained. Motion carried.

- Rep. Dolan asked what the process for identifying Karina was. Mark shared when there is an open membership, the CAC does not advertise it broadly. The vacancy is listed on the website and generally through the LCBP or CAC network, someone is found. Diversity, geography, and skillset are considered. The prospective member submits a letter of interest to the CAC and, if approved by the CAC, applies through the Governor's portal.
- There are additional public at large seats open. LCBP is reviewing its recruitment process to be more inclusive of the perspectives present throughout the basin. As they develop this process, the CAC may change its recruitment methods.

**6:55 – 7:00 pm**

**Meeting Wrap-Up Discussion**

The next meeting is scheduled for October 11th from 5:00-7:00 pm, a portion of the meeting will be to address the work of the Action plan workgroup.

Mark and Katie will work on scheduling the joint CAC meeting.