

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

Monday September 14th, 2020

5:00 pm – 7:00 pm

MEETING SUMMARY

Committee Members Present: Mark Naud (Chair), Bill Howland (Vice-Chair), Wayne Elliott, Lori Fisher, Eric Clifford, Bob Fischer, Rep Carole Ode, David Mears, Hilary Solomon, Jeff Wennberg

Committee Members Absent: Sen. Ginny Lyons, Rep. Leland Morgan, Sen. Randy Brock

LCBP Staff in Attendance: Eric Howe, Lauren Jenness, Sarah Coleman

Public Guests: Crea Lintilhac, Christine Dougherty, (presenters from VTANR: Neil Kamman, Pete LaFlamme, Bethany Sargent)

Meeting summary by Lauren Jenness, Lake Champlain Basin Program (LCBP)

5:00 – 5:20 pm

Welcome and Introductions

- Mark Naud welcomed the group.

Welcome to Sarah Coleman, new Vermont Coordinator to Lake Champlain Basin Program

- Sarah Coleman introduced herself and the group welcomed her.

Public Comments

- Christine Dougherty introduced herself a member of the public for this meeting but also as the Stormwater Coordinator at Town of Williston, Vermont.

Review and vote on Draft January 13th VTCAC Meeting Summary

- Carol Ode made a motion to approve the meeting minutes. Wayne Elliot seconded. All in favor none opposed.

5:20 – 5:50 pm

LCBP six-month update– Eric Howe, LCBP

Eric Howe presented a six-month update on the Lake Champlain Basin Program to the members:

- LCBP staff transitioned quickly to remote working and LCBP may be rethinking with NEIWPC on how staff use the Grand Isle office space. All meetings since March have been remote via platforms such as Zoom and Teams.
 - In answering a question from a Committee Member, Eric explained that LCBP staff were casually exploring a new collaborative partnership office space in Burlington with Senator Leahy's staff. This relocation was put on hold due to covid.
- Working with NEIWPC, LCBP extended many open grants for a minimum of 12 months and worked to adjust contracts to align with new needs due to the pandemic.
- LCBP issued an emergency organizational support grant program with existing unobligated funds in order to provide financial help during the financial flux at the federal and State level to local partners to help them survive the period of transition in the early months of the pandemic. LCBP awarded 14 grants whose scopes of work ranged from staff support to switch from in-person to remote work, helping to pay rent and utilities, etc. These 90-day grants are all wrapping up now and LCBP is glad our Steering Committee was able to approve of this grant program. The current understanding is that the groups are back on their feet but LCBP does have funding if we hear the need to issue another grant round.
- LCBP has been looking at Diversity Equity and Inclusion (DEI) initiatives internally as an organization and in terms of how we reach out to people across the Lake Champlain Basin, including underserved and underrepresented communities. We are in the process of recruiting a consultant to do an internal assessment and develop a strategic plan. The request from this initiative to the CACs is to look at communities that the CAC is currently representing and decide if you, via membership, agenda items, communication strategies, are currently representing the voices, including underserved/underrepresented, on the committee.
 - **Mark:** The VTCAC, as we begin to consider our committee make-up and recruit new members to fill vacant positions, can follow the recommendations from LCBP that they will be developing with the consultant.
- LCBP expects that our Steering Committee will move forward in the hiring of a CAC Coordinator position who will be a LCBP staff member supervised by Colleen Hickey, our E&O Coordinator. This new staff person would work with the VT and NY CACs, coordinate much of the logistical work, and help serve as a conduit between the three CACs, LCBP, and the States. Pending approval, the position will be posted at the end of the month and hopefully be on board by December.
 - **Mark:** NY just last week posted their State Coordinator Position which became vacant after Fred Dunlap's retirement. This would be Sarah Colemans' equivalent for NY State and would be hosted by LCBP/NEIWPC in Raybrook. The posting is open now and interviews are scheduled for mid-October.
- Information will be circulated to the VTCAC on how to participate in this year's CVNHP International Summit Knowledge Cafes. 2022 is a celebration of the 50th Anniversary of the Clean Water Act and we are seeking ideas and partnerships on how to commemorate.

Matt Vaughan briefed the members about updated statistics and observations on the State of the Lake. LCBP Staff are working to prepare the 2021 State of the Lake Report which will be released in summer 2021.

- Committee members were most interested in learning, from a technical perspective, if any data is showing an indication on how covid is impacting the water quality of Lake Champlain or people's behaviors toward Lake Champlain.
- Matt explained that staff haven't seen any big shifts so far, but the 2020 season water quality data isn't analyzed yet because the data collection season isn't over. This data will be analyzed this winter and be featured in the 2021 State of the Lake Report.

- Matt and Lori Fisher talked about the summer's algae blooms. It was surprising, based on the higher than normal water temperatures, lack of rainfall, and low water levels that the algae blooms were not as bad as predicted and had a late-season onset.
- In answering a question from the public, Matt explained that a recently approved \$70K upgrade to the Long Term Monitoring Program includes buoy and tributary monitoring sampling that can measure, among other water quality parameters, the pigment of cyanobacteria. Using that data along with USGS stream gauging which measures discharge going downstream, the upgraded equipment can spot check data collected on the Lamoille River and Missisquoi Bay and provide a more complete picture of water quality.

5:50 – 6:20 pm

VT ANR six-month update – Neil Kamman, VTANR

Neil Kamman, Pete LaFlamme, and Bethany Sargent presented a VT ANR six-month update:

- VT ANR was able to pivot fairly seamlessly to teleworking due to staff being set up with laptops and cellphones back in 2011 during Hurricane Irene. Staff will not return back to the office until at least January 1st and are conducting all meetings online using the Microsoft Teams platform. There was a delayed start to the field season due to the shutdown, but since then guidelines on field visits have been created and are being observed.
- VT ANR leadership is closely monitoring reductions of revenue through the State General Fund and the environmental permit fund as that will impact budgeting into future years. As of right now, however, the FY20 budget is pretty consistent with previous year's budgets. The Legislature is engaged in talks with VT ANR about a skinny budget for FY21, although that too is expected to be fairly a normal budget. Staff are cautiously looking at FY22 where it is anticipated that this fiscal year is where the impacts from Covid will be shown. Currently the State has a hiring freeze where staff must seek special permission from the Secretary of Administration to hire for very critical positions.
- The EPA recently submitted a letter to the State of Vermont that states that the requirements have been met for the 2016 TMDL Plan. The final piece of this plan that was just issued was the State's new 3-acre stormwater permit which covers existing properties and goes into effect December 1st of this year. Roughly 800 permittees around the State will be affected and have to follow the new guidance. During the first five years the focus will be on the Lake Champlain and Memphremagog basins and stormwater impaired areas.
- The VT ANR field season got off to a slow start due to Covid. There were uncertainties with the budget, staffing changes, and operations needed to be adjusted which resulted in a decreased number of water quality samples collected. The VAEL is fully functional and at the typical capacity for receiving and processing water quality samples. The LaRosa program was paused this year, but VT ANR staff are fully committed to carry out the program in 2021.
 - Committee members appreciated the State issuing the 3-Acre Permit and noted that VT ANR staff are taking the brunt of uncertainty that the regulated community is feeling. Members also stated their concern with the staff vacancies as people retire from the Department with years of experience that may be lost. A suggestion was made to increase regulatory fees to keep up with inflation.
 - Pete explained that due to the three staff vacancies the Division is shifting work responsibilities around, however, it is not expected that those staff positions will disappear in the upcoming budgets. He also explained that for the budget, staff are looking at many different options internally to make the budget whole.
- An update on the Clean Water Fund budget was provided. Due to Covid, FY20 performance was down roughly 28% and the FY21 budget is moving forward at 15% less than originally

proposed. Uncertainties still persist for developing the FY22 budget as the funding comes from the State's Rooms and Meals Tax. The structure of the new Water Investment Division was explained.

- VTDEC Enforcement is returning to normal and headlines from the 2019 annual report, released per 10 VSA 8017, were described. Funds collected through enforcement go into the general fund and their use is decided by the Legislature.
 - Committee members expressed that the VTCAC may want to look at enforcement trends and if staff have enough support and that this may lead to a recommendation to the Legislature to earmark enforcement dollars to specific programs and create a better system to report potential enforcement actions.

6:20 – 7:00 pm

VTCAC Discussion “Where Do We Go From Here?”

Highlighted points from the committee's discussion:

- The VTCAC has pending re-ups and 2 vacancies to fill for membership. Mark participated in LCBP's DEI Consultant work and would like to press for a more diverse representation on the committee. Membership will be discussed at upcoming meetings.
- The next VTCAC meeting will be held on October 19th.
- Committee members decided that the next meetings will focus on Agriculture in VT, specifically the future of the dairy industry. Thoughts on who should present to the group were discussed:
 - VT AAFM should be given the same opportunity as VT ANR to provide the CAC with a six-month update. This is important for our Action Plan as we need to learn how to frame our recommendation in light of the huge disruptions and uncertainties from Covid. Would be good to tie this presentation into the larger discussion, about the future of agriculture in the State.
 - James Maroney has been a persistent voice on the economic sustainability of dairy and should have the space to present. CAC members expressed mixed opinions on having this presentation during a packed agenda as members felt they already knew the message he would give.
 - Dairy Co-ops, the Farm Bureau, NOFA-VT should also have space to present.
 - This multi-meeting process should accomplish our plan to learn more about the agricultural situation in VT and how we can best use our voice to engage in the conversation to advance recommendations for agricultural reform in VT via our annual action plan.
 - The CAC would be better served by listening to presentations on what people think is the future of agriculture in VT in terms of climate change, locally sourced food, etc. rather than reports of what is/has happened. If we understand the end game, we can see how far away we are from that goal and make a plan on how to get there through recommendations via the action plan.
 - CAC members have to work to identify what questions need to be asked given the CAC central focus on clean water in Lake Champlain and agriculture is a known pollutant. Then we must answer the question: what are the policies and steps the State or LCBP should be investing in to reduce the agricultural pollution load?
 - We need a viable farm economy for many reasons. We need to ask the farmers deeper and more complex questions: what opportunities do you see and what are the funding mechanisms/legislation we can promote to make that happen?

- Farmers need a chance to tell their story. They are using technologies funded by grants from various sources that improve their practices to decrease pollution and improve water quality. The outcomes from this technology use need to be shared so that our committee can make direct recommendations to put boots on the ground for a cleaner lake.
- In many cases the data collected on farms for clean water reporting hasn't kept up with the realities on the ground. Many farmers are implementing practices on their own which isn't captured in the agency's data.
- We need to help the agencies by being the visionaries. The answer to complex problems such as this has never come from the agencies.