

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

June 12<sup>th</sup>, 2023

5:00 – 7:00 pm

## Approved Meeting Summary Meeting recording available [here](#)

**Committee Members Present:** Mark Naud (Chair), Denise Smith (Vice-chair), Sen. Randy Brock, Eric Clifford, Karina Dailey, Wayne Elliot, Bob Fischer, Lori Fisher, Hilary Solomon

**Committee Members Absent:** Sen. Chris Bray, Rep. Kari Dolan, Rep. Carol Ode

**LCBP Staff in Attendance:** Katie Darr, Sarah Coleman (VTANR)

**Public Guests:** None

Meeting summary prepared by Katie Darr, Lake Champlain Basin Program

### 1. Welcome and Introductions – Mark Naud

### 2. Public Comments

No public comments were made.

### 3. ACTION ITEM: Review and vote on Draft May 8<sup>th</sup> meeting summary – Mark Naud

Motion By: Bob Fischer

Second by: Wayne Elliot

Discussion on the motion: None.

Vote: All in favor

Abstentions: None

### 4. Legislative Session Debrief – Mark Naud

The committee reviewed the results of the legislative session in the context of the CAC's priorities to identify where there was influence and progress and where further efforts are needed to advance the CAC's priorities.

The CAC advocated for increased funding and staff capacity, the legislatures in all committees the CAC addressed heard the urgency for additional funding and staffing. In addition to the AIS position approved by the LCBP Steering Committee, the State budget includes funds for an ANS position and an additional \$500K to support the grant program. [H.31](#) was signed by the Governor, it establishes an Aquatic Nuisance Control Study Committee to evaluate a process for issuing ANS control permits. The committee should convene this Fall with the goal to present a proposal for the 2024 legislative session. There may be opportunity for the CAC to weigh in and engage with the study committee. The CAC will follow up on this at the July Retreat.

- Sen. Brock noted that the report is due on or before December 15<sup>th</sup> which will be too late to introduce anything for the next legislative session. The time to get proposals in is by early/mid-December at the latest, they can be modified later.

[H.126](#) an act relating to community resilience and biodiversity protection (30 x 30) passed into law without the signature of the Governor. The bill started without much language about biodiversity relating to water and passed with substantive language related to aquatic systems. Unsure of the impacts to the

CAC's priorities other than considering water a primary component of biodiversity and ecosystems as it gets implemented.

[S.80](#) an act relating to miscellaneous environmental conservation subjects could be something to work on in the next year depending on whether or not it is brought forward as new business for June 20<sup>th</sup>. Karina shared the Resilient Rivers Commission started as H.374 but was folded into S.80. DEC supports the Resilient Rivers Commission but had some concerns on the timeline to complete reports. She was not aware of any opposition to this bill. Sen. Brock shared a suspension of rules would be required to allow the Legislature to act if there is no substantive opposition.

Related to supporting agricultural transition, the budget includes \$350k for VAAF to support small farm transition and diversification. The Committees were generally supportive of the final proposals shared by the Future of Agriculture Commission. The CAC will follow up to see if the smaller amount of one time funds has a substantive impact.

[H.158](#) an act relating to the beverage container redemption system. There were concerns about how the unredeemed container fees would impact consistent sustainable funding for the clean water fund. Sen. Brock shared it is unlikely the Bottle Bill will be taken up in the special session or it will likely be vetoed, the Senate would not likely override the veto at this point. There is some considerable opposition to this bill.

Sen. Brock shared that part of the federal budget deal would claw back some money from states. Federal spending will be cut back while state spending is going up. It is not yet clear what the claw back would impact, a lot of federal funds have already been committed.

Denise asked if we are in a holding pattern until the legislative session ends or if there isn't movement expected on these items. Sen. Brock noted there could be some movement. The Legislature should be finished up by June 23<sup>rd</sup>. There will still be uncertainty on federal funds.

Karina shared that VNRC will be working on [H.29](#) an act relating to development in mapped river corridors and [H.30](#) an act relating to the regulation of wetlands. H.29 is focused on floodplain protection and H.30 supports a 2:1 mitigation ratio for wetland impacts which is practiced in regulation but is not yet in statute.

- Lori added the Lake Champlain Committee will be supporting these initiatives and working on issues related to chloride contamination which has been identified as a growing area of concern. [S.81](#) was introduced last year but did not make it out of Senate Natural Resources and Energy due to the dominance of the energy bill. The intent is to bring Vermont's approach and process in line with successful road salt reduction programs in the Adirondacks and New Hampshire.

Mark asked about [S.146](#) an act relating to the permitting of indirect discharges. Sen. Brock clarified that it was passed by the Senate and has been in the House Committee on the Environment and Energy since April 27<sup>th</sup>.

Mark asked for an update on the de-delegation petition submitted to EPA. Lori provided a brief update, the petitioners recently met with EPA and their review is continuing. The EPA has made inspections on farms with both agencies. They hope to have some preliminary findings this summer.

## **5. Membership Discussion** – Katie Darr, Denise Smith

The committee reviewed the results of the member survey and discussed recruitment strategies (available [here](#)). There are two open seats on the committee currently.

- Mark asked if there are further resources from the State regarding DEI-aligned committee recruitment. Sarah previously shared resources from the Office of Racial Equity, this is an issue the State is working on but there are no further resources or recruitment policies at this time.
- Denise noted that LCBP's disadvantaged communities definition will be voted on tomorrow. Sarah noted LCBP's definition will be different than the State's due to the different drivers of the definition. LCBP's definition is driven by the Justice40 federal grant making program, while Vermont's definition is driven by the Environmental Justice Act.
  - Mark added that LCBP's definition will likely evolve over time.
- Mark clarified the membership process. Interested parties are asked to submit a letter of interest to the CAC and fill out the Governor's online form. The CAC's recommendations go to Secretary Moore for her review and are passed onto the Governor for approval.
- Lori shared that many organizations are shifting from "citizen" to "community" for example, changing the name of citizen science programs to community science. When identifying who can participate, the Citizens Advisory Committee's name can be a barrier for some. Are there restrictions from the Governor's office that require citizenship to participate?
  - Members were supportive of de-emphasizing citizen and emphasizing inclusion.
  - Sen. Brock looked at the enabling statute of the committee which says "The Advisory Committee shall consist of 14 members: two Senators appointed by the Committee on Committees, two Representatives appointed by the Speaker of the House, and ten Vermont citizens."
  - Mark noted there may be an opportunity to request a friendly amendment to the statute to enhance the diversity of our committee.
  - Sen. Brock asked how the other CACs have handled this issue. Katie shared the NYCAC's broad membership criteria (below). The NYCAC's bylaws specify the membership of the committee will consist of "10 to 14 individuals appointed by the Commissioner of the NYS Department of Environmental Conservation."
    - Has knowledge or experience related to water quality, land use, natural resource management, environmental justice, fish and wildlife, agriculture, education, recreation, cultural heritage, economics and business or other disciplines related to the Lake Champlain basin
    - Has lived or worked in, or is otherwise affected by, the Lake Champlain basin of New York State and has a strong personal interest in the future of the Lake Champlain watershed
    - Is willing and able to attend regular meetings
  - Lori asked if there is anything in statute that equates per diem payment to citizenship. Sen. Brock was not aware of anything.
- Bob noted that having diversity on all levels and a range of voices and perspectives is what makes the committee great. Denise agreed more perspectives make for better policies and decision-making.

### *Next Steps*

- Members were in favor of broad recruitment and creating a notice that there are positions available to see what interest is generated.
- The CAC offers an opportunity for the broadest and most diverse aggregation of people to speak to Lake Champlain issues. Denise prompted the committee to think beyond the people in its usual circles and recruit those who know and love the lake but may not have previously engaged with the CAC or lake management efforts.

- Committee members were asked to brainstorm people who might have the time, resources, and expertise available to commit to being part of the CAC, please share suggestions with Mark, Denise, and Katie.
- Katie will draft a similar resource to the NYCAC Outreach Rack Card which outlines the committee's purpose, priority areas, and membership commitment. She will work with Ryan to create a membership landing page under the CAC's webpage. Katie, Mark, and Denise will draft a notice to advertise in Front Porch Forum and other venues to reach people beyond the committee members' immediate networks.

## **6. LCBP FY24 Research Priorities Discussion – Mark Naud**

The Lake Champlain Basin Program Executive Committee has proposed that Steering Committee members work with their constituents to identify research needs to support management in the basin. Throughout the summer, LCBP Chief Scientist Matt Vaughan will capture and distill the priorities and bring them to the Technical Advisory Committee for their review. The CAC expressed interest in continued follow-up on emerging contaminants, including chloride. Members requested this be included as a topic at the July Retreat.

## **7. July Retreat Planning – Mark Naud, Denise Smith**

The Retreat will be held on July 25<sup>th</sup> from 9am – 3pm at Gordon Center House in Grand Isle. The goal of this year's retreat is to focus on the drafting of Action Plan priorities and identification of the Action Plan working group that will draft the Action Plan in August/early September. The meeting will also include an election of Chair and Vice-chair, LCBP FY24 Research Priority discussion, membership and recruitment discussion, and follow-up on legislative initiatives. Contact Mark, Denise, and Katie with interest in the vice-chair role or any specific requests for the Retreat agenda. Draft agenda to follow in the next few weeks.

- Mark asked how the AIS position funded through LCBP will be managed. Sarah shared that those dollars will be coming directly to DEC instead of hiring through NEIWPC.
- Mark asked for details about the AIS position in the proposed State Budget. Sarah noted the Lakes and Ponds Program might be able to provide more details, her understanding is there is need for more capacity beyond the LCBP-funded position.
- Bob noted the feedback from Sen. Brock at tonight's meeting was insightful. At the July Retreat, he would like to learn more from the CAC's legislative members about what is feasible and actionable to inform the Action Plan development.
- Katie shared LCBP will soon be requesting that all advisory committees have a vice-chair.

## **8. Meeting Wrap-Up Discussion – Mark Naud**

The next meeting is the July Retreat scheduled for July 25<sup>th</sup> from 9am -3pm at Gordon Center House in Grand Isle. Members were supportive of utilizing Zoom instead of Teams for future virtual meetings.