

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

January 8th, 2024

5:00 – 7:00 pm

Zoom

Approved Meeting Summary

View Recording [here](#)

Committee Members Present: Denise Smith (Chair), Karina Dailey (Vice-Chair), Eric Clifford, Rep. Kari Dolan, Wayne Elliot, Bob Fischer, Lori Fisher, Sen. Martine Laroque Gulick, Mark Naud

Committee Members Absent: Sen. Randy Brock, Rep. Carol Ode, Hilary Solomon

LCBP Staff in Attendance: Mae Kate Campbell, Katie Darr, Sarah Coleman (VTANR), Meg Modley

Public Guests: Andrew Milliken, Nancy Milliken

Meeting summary prepared by Katie Darr, Lake Champlain Basin Program

1. Welcome and Introductions

Sen. Martine Laroque Gulick introduced herself. She is the committee's new Senate member, replacing Sen. Bray.

2. Public Comments

Sylvia Knight submitted a written comment following the meeting.

3. ACTION ITEM: Review and vote on draft December 12th meeting summary

- Motion to approve the meeting summaries by: Bob Fischer
- Second by: Mark Naud
- Discussion: None
- Abstentions: Lori Fisher
- Vote: All in favor

4. 2024 Lake Champlain Action Plan Discussion – Denise Smith & Karina Dailey

The VTCAC reviewed Action Plan priority alignment with committee bills to inform legislative presentation talking points. The committee reviewed the draft talking points and relevant bills document. Discussion summarized by Action Plan section below.

Invest in Natural and Developed Infrastructure for Resilience

- Related to expanding the eligibility of the Treasurer's 10% in Vermont Program, the current expansion relates to flood recovery but not necessarily to flood resilience. H.586 *An act relating to flood protection and climate resilience infrastructure and financing* proposes to amend or enact multiple provisions related to improved flood protection and climate resilience in the State. The bill would also establish or authorize additional activities for the financing of climate mitigation, adaptation, and resilience projects.

- Mark asked about the sunset of the property transfer tax and if there is any legislation moving to extend that. Rep. Dolan was not aware of any legislation, but imagined the committees of jurisdiction have been paying attention to those deadlines.
- Wayne asked if a \$5M annual appropriation for the Flood Resilient Communities Fund would be to fund the State match for FEMA funds. Rep. Dolan noted it is not clear at this time if that bill will see movement. Vermont is the only state in the region that offers a portion of the non-federal match. The July flooding triggered a 90/10 split for public assistance funding. Supporters of the bill want to highlight that flooding is the primary natural disaster threat and flood impacts are being augmented by climate change. The proposal here would increase State funding going towards non-federal match.
- Wayne asked for details on the logistics of the wetland net gain proposed in H.30. Karina shared there is a new bill, [S.213](#) which combines H.30, H.29, and a dam safety bill. It would put into statute the 2:1 mitigation ratio, rectify wetland loss by mitigating, restoring, and creating new wetlands, and would require improved reporting. Rep. Dolan added that in addition to providing updated mapping this bill recognizes floodplains are the first line of defense against extreme weather events, and would enable VT dollars for wetland mitigation funds to be kept in Vermont rather than being used in other parts of the country as they currently are through the Ducks Unlimited Program Vermont is part of.

Invest in Aquatic Invasive Species Spread Prevention

- Meg suggested the CAC word the request for high profile inspection station to highlight major road arteries and major roadways that come in and out of the state. There is a cost share program/states assistance program through USACE offering 50% cost share on AIS inspection stations near the border. There may be an opportunity to support a few launch sites on Lake Champlain, the upper islands region, Missisquoi Bay, and interstate 87. This would expand beyond the Lake Champlain watershed and might include Memphremagog and 81 as well. USACE is exploring to see if the Connecticut River is also eligible for the program.
- Wayne noted H.51 seems to apply to motorized and nonmotorized vessels. When the CAC has discussed this issue in the past, there have been concerns about fees that limit access and affordability. Meg shared several states have similarly considered a sticker fee for watercraft. Anecdotally, nonmotorized watercraft users have indicated interest in being part of a sticker program and contributing to AIS spread prevention even though there is less potential for spread from nonmotorized vessels. Decontamination stations would be offered free of charge through staffed stations where folks could pull in, have their vessel inspected, and flushed if needed.
 - Rep. Dolan added that the State has been talking about a dedicated fund for AIS spread prevention for over 20 years and the funding seems to be trending in the wrong direction. Initially the program was proposed to apply to motorized watercraft. The bill is designed to be tiered with different prices associated with different types of watercraft, promoting a collective solution.
- Mark asked whether there was movement on the Coast Guard challenged motorboat registration fee and splitting the fee so one portion could still go towards aquatic invasive species spread prevention without raising additional fees. There is an opportunity to expand that fee to non-motorized and out-of-state watercraft. Related to the inspection stations, there are several around the basin that are not mandatory. Whether or not an inspection certification program should be mandatory is part of the conversation. Looking to other programs, the High Peaks Inspection Station on 87 has been a model. A similar set up on 89 at the weigh stations in the heart of lake access areas where boats could

periodically be called in to be inspected fits in with other regulatory inspection and safety programs in the State.

- Lori commented on the potential of including non-motorized craft in the ANS prevention pass. The Lake Champlain Committee is the home organization of the Lake Champlain Paddler's Trail. Anecdotally, there is a strong interest on the part of the non-motorized community in having a say in recreation. Currently, because of how many access sites are funded, there is a hierarchy that places priority on motorized craft. There is interest on the part of the non-motorized community in supporting some sort of program, but they would like a say in how those funds are spent. Additionally, there is an equity issue in terms of ensuring access does not become something that is prohibited. Stewards of tomorrow come from having connected experiences with our waterways.
- Rep. Dolan shared there will be an outdoor recreation day at the Legislature around February 16th and invited the VTCAC to be part of that celebration. Lori asked Rep. Dolan to share the information with Katie once it's announced.

Contaminants

- Bob shared chloride could be the "next phosphorus," it is more impactful than previously thought.
 - Karina shared that Lake Champlain Sea Grant is leading a Road Salt Summit on Thursday.
- Rep. Dolan added [H.706](#) is a neonicotinoid ban bill and there are several PFAS bills under consideration.
 - Bob added that at a federal level, a PFAS [CERCLA](#) could be devastating if an exception for water/wastewater is not carved out.
- Wayne noted ANR released an update to its [PFAS Road Map](#) and suggested the CAC receive a presentation about it.

Other Comments

- Sen. Gulick asked for clarification on her role representing the Senate on this committee. There seems to be a lot of discussion around legislation, is there a process for one of us to go to various committees to get answers to these questions?
 - Bob noted that historically the CAC has not taken a position on bills, commenting on bills is new territory as the committee has been working towards providing actionable recommendations.
 - Lori shared her perspective as a former chair. In the past, the CAC has supported some bills, but as a quasi-volunteer group the CAC does not have the same legislative presence as advocacy organizations. Legislators provide a reality check on the CAC's action plan goals and timing.
 - Mark added in the last few years, the committee has been working to get ahead of the legislative process and is trying to be more aware of legislation that is aligned with the CAC priorities. Legislators' agency, attendance, and engagement in these meetings is helpful.

Presentations

- The CAC is targeting the last two weeks of January, Katie and Sarah have started outreach to the Governor, Secretary Moore, and the legislative committees.
- Katie asked if there is interest in returning to an in-person legislative day in 2025, the request to reserve a day in the card room will need to go in this month.
 - Bob was in favor of more in-person if possible.
 - Denise added it is easier to schedule 1 day in Montpelier.
- Katie asked how presentations worked pre-covid.

- Bob shared it was one day of meetings with a couple of outliers if the governor wasn't available.
- Denise added the CAC would move from committee to committee, not all were available to accommodate the CAC on that day.
- Bob noted the group would split up to address multiple committees simultaneously.
- Sen. Gulick echoed the importance of having a physical presence in the building.

5. CAC Expense Claims & Reimbursements – Sarah Coleman, Katie Darr

Sarah walked through the process for expense claims and reimbursements, the document is available on the VTCAC webpage. The VTCAC has an annual budget of \$6,000 which includes Action Plan printing costs, annual retreat (sometimes covered by LCBP), and per diems for CAC members. Reimbursement requests for meetings between December 2022 – December 2023 are due January 16th.

- Bob asked what the costs of printing have been in the past, recognizing that historically if we are not using the budget it will be reduced. Sarah did not know off-hand, but can look into the printing costs. The budget is written into statute, the CAC is likely not at risk of losing it.
- Karina asked if someone is keeping track of how much the CAC has spent on a yearly basis. Sarah confirmed a colleague in DEC keeps track of this and she can get the number for 2023.
- Denise asked for clarification about what CAC members can submit reimbursement for. Sarah confirmed participation in meetings and any related travel expenses. The per diem rate for participation in meetings is \$50.
- Bob asked if the \$50 was just for meeting participation, not mileage. Sarah clarified that the mileage for an event is separate from participation, but still an eligible expense.
- Karina noted that members are allowed to submit for all meetings attended, but if all members submitted for all meetings the budget would be exhausted. Sarah confirmed that was her calculation, but there is not 100% attendance at all meetings.
- Mark noted the annual budget has not changed throughout his time on the CAC and the CAC has not participated in a budget discussion with the agency. It would be nice to have the opportunity for more engagement and PR work or roll-over funds to support bigger events.
 - Denise asked if there is an opportunity to work with the agency to propose a budget. Sarah noted that the CAC does not have a history of spending down its annual budget, that is where the energy should be put first.

6. Membership & Recruitment Discussion – Katie Darr, Denise Smith

Since the last meeting's discussion of membership and recruitment, Sarah confirmed the State approved of the process the CAC proposed at the December meeting.

- **January – February:** Organized outreach to prospective members
- **February 29:** Deadline for submission of prospective members' letter of interest and resume
- **March 4-8:** Subcommittee review of prospective members' materials
- **March 11:** Subcommittee shares recommendations for membership with VTCAC
- **March 29:** Deadline for prospective members to submit application through Governor's Committees site.

So far, Katie has received a letter of interest and resume from one prospective member. Mark asked about the status of a potential member who submitted an application through the Governor's Committee site in July. Sarah will follow up to check the status of that application.

Mark added that 6 members are up for renewal, the latest reappointment letters applied to the existing terms. Sarah will work with the members who may need to re-up their terms.

7. Meeting Wrap-Up

The VTCAC is scheduled to meet next on **February 12th from 5:00 – 7:00 pm via Zoom**. At the next meeting, the agenda will include a discussion about the 2024 VTCAC schedule and agendas including potentially moving up the timing of the retreat to May/June.