

2004 LAKE CHAMPLAIN ACTION PLAN



**Annual Report of the Vermont Citizens Advisory Committee (VTCAC)
on Lake Champlain's Future**

PLAN D'ACTION 2004 DU LAC CHAMPLAIN

VUE D'ENSEMBLE

« La voix de citoyens du Comité Consultatif des Citoyens du Vermont et d'autres groupes a été entendue. Pendant des années, les gens nous ont dit qu'ils veulent que le lac Champlain soit nettoyé plus rapidement. Avec l'objectif de 2009 seulement dans cinq ans, tous les niveaux de gouvernement, entreprise privée et individus doivent relever agressivement ce défi essentiel, ainsi nous pourrions correctement célébrer nos 400 années ici. »

— Buzz Hoerr, président
Comité Consultatif des Citoyens du Vermont (VTCAC)

Le VTCAC a réussi à atteindre sa priorité la plus élevée depuis les cinq dernières années. Vers la fin de 2003, le Gouverneur James Douglas a accepté de soutenir l'accélération de l'échéance de 2016 à 2009 pour la réduction de phosphore dans le lac Champlain. Il s'engagera à financer l'atteinte de cette échéance pour le phosphore dans le cadre du TMDL (charge quotidienne maximal total). Le TMDL assigne la quantité maximum d'un polluant particulier qu'un milieu aquatique peut recevoir et en respectant toujours les normes de qualité de l'eau. Suite au nouveau partenariat conclu avec le Québec, le nouvel élu, le premier ministre Jean Charest a également accepté de rencontrer l'échéance de 2009, dans la mesure du possible.

Cette victoire de citoyen s'est concrétisée lors de la cérémonie de signature dans le cadre de la célébration du Jour de la Terre entre les Gouverneurs Douglas et Pataki. Les gouverneurs ont signé le nouveau plan d'action révisées «Opportunities for Action», un plan à long terme de gestion du lac Champlain coordonné par le Programme de mise en valeur du lac Champlain (LCBP). «Opportunities for Action» fourni la base pour développer le TMDL. Les gouverneurs ont également renouvelé l'Entente de coopération en matière d'environnement relativement à la gestion du lac Champlain entre le gouvernement du Québec, l'état de New York et l'état du Vermont qui a été renouvelée quatre fois depuis 1988. Une fois que le premier ministre Charest a été en fonction, il a signé les documents à une date ultérieure.

INITIATIVES PRIORITAIRES POUR 2004

1. S'assurer du finacement pour l'atteinte de la charge quotidienne maximal total «TMDL» de phosphore en 2009 pour les célébrations du 400e anniversaire de l'arrivée de Samuel de Champlain au lac.
2. S'engager à fournir des fonds afin de supporter les priorités et les actions de la nouvelle version du plan de gestion du lac Champlain. «Opportunities for Action» signée par les Gouverneurs du Vermont et New York et le premier ministre du Québec en 2003.
3. Prévenir la propagation des espèces aquatiques étrangères comme la châtaigne d'eau, le myriophylle à épis, la moule zébrée et le gaspareau.
4. Réduire les risques à la santé humaine provenant des substances toxiques et des autres dangers reliés à l'eau comme les pathogènes.

La plus grande réalisation récente du VTCAC a abouti au Sommet de bailleurs de fonds du Gouverneur en décembre 2003. La persistance des membres du VTCAC mené de pair avec l'Agence des ressources naturelles du Vermont commanditant le Sommet a permis d'identifier les ressources de placement inexploitées, les partenaires potentiels, les occasions et le renouvellement des programmes existants. Le sommet est une étape essentielle à la mise en oeuvre du TMDL. Suite à l'évolution des initiatives définies au Sommet, le rôle de VTCAC continuera à faire entendre la voix forte et efficace des citoyens dans tout le bassin du lac Champlain. Nous attendons avec intérêt une année à venir excitante et enrichissante.

Cover photo courtesy of Erik Beck, USEPA. Governors Douglas and Pataki sign the newly revised Opportunities for Action on Earth Day.

LAKE CHAMPLAIN 2004 ACTION PLAN

OVERVIEW

“The citizens’ voice through the Vermont Citizens Advisory Committee, Lake Champlain Committee, and other groups has been heard. For years people have told us they want the cleanup of Lake Champlain to move more quickly. With 2009 only five years away, all levels of government, private enterprise, and individuals must respond aggressively to this worthy challenge, so we can celebrate our clean environment and rich history together in 2009.”

— Buzz Hoerr, Chair
Vermont Citizens Advisory Committee (VTCAC)

The VTCAC succeeded in reaching its highest priority for the past five years. In late 2003, Governor James Douglas agreed to support accelerating the phosphorus reduction timeline for Lake Champlain from 2016 to 2009. He will commit funding for the Lake Champlain Phosphorus TMDL (Total Maximum Daily Load) to achieve this timeline to the greatest extent possible. A TMDL allocates the maximum amount of a single pollutant that a waterbody can receive and still meet water quality standards. Through the Governor’s expanded partnership with Quebec, newly elected Quebec Premier Jean Charest also agreed to similarly meet the 2009 date, as funding permits.

This citizen victory builds on the Earth Day Celebration signing ceremony between Governors Douglas and Pataki. The governors signed the newly revised *Opportunities for Action*, Lake Champlain’s long-term management plan coordinated by the Lake Champlain Basin Program (LCBP). *Opportunities for Action* provided the basis for developing the TMDL. The governors also renewed the Memorandum of Understanding on Environmental Cooperation among Vermont, New York, and Quebec to jointly manage the Lake—a document that has been renewed four times since 1988. Once Premier Charest was fully vested in his newly elected position, he signed the documents at a later date.

PRIORITY INITIATIVES FOR 2004

1. Secure funding for the Lake Champlain Phosphorus TMDL to be accomplished by 2009—the 400th anniversary of explorer Samuel de Champlain’s arrival to the Lake.
2. Support priority actions in the newly revised *Opportunities for Action*, Lake Champlain’s management plan signed by the Governors of Vermont and New York and Premier of Quebec in 2003.
3. Prevent the spread of nonnative aquatic nuisance species such as water chestnut, Eurasian watermilfoil, zebra mussels, and alewives.
4. Reduce human health risks from toxic substances and other water-related hazards, such as pathogens.

The VTCAC’s priorities are aligned with priorities in *Opportunities for Action*.

The VTCAC’s most recent achievement culminated in the Governor’s Funders Summit in December 2003. Persistence by VTCAC members led to the Vermont Agency of Natural Resources sponsoring the Funders Summit to identify untapped funding resources, potential partners, and opportunities and renew existing programs. The summit is a vital step in translating the TMDL into action. As steps to pursue initiatives defined at the Funders Summit evolve, the VTCAC’s role will continue to unfold as a strong and effective voice for citizens throughout the Lake Champlain Basin. We look forward to an exciting and rewarding year ahead.



2003 YEAR IN REVIEW

Actions taken by the Vermont Citizens Advisory Committee on Lake Champlain



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Lake Champlain, looking north from Mount Independence and Fort Ticonderoga.

1. The VTCAC supported the Governor's Funders Summit on the Lake Champlain Phosphorus TMDL, and provided funding for planning. Committee members served on a planning team to design the Funders Summit.
2. The VTCAC Chair and a committee member spoke at a Missisquoi Bay press conference where the governor announced his Clean and Clear Action Plan and agreed to meet the 2009 phosphorus reduction timeline for Lake Champlain, to the greatest extent possible.
3. Committee members joined the NYCAC to tour diverse agricultural operations in Clinton County, New York, which complemented a similar tour of alternative manure management in Vermont the previous fall.
4. The VTCAC hosted well-attended public meetings on behalf of the Lake Champlain Basin Program (LCBP) in St. Albans and Vergennes and joined the NYCAC for similar public meetings in Plattsburgh and Ticonderoga to discuss Lake issues and concerns with citizens.
5. The VTCAC and NYCAC jointly hosted a meeting for nearly 80 international delegates visiting Lake Champlain through the LakeNet program to learn about the importance of a citizen role and voice in participatory watershed management.
6. Committee members joined the governors of Vermont and New York on Earth Day to celebrate signing the newly revised *Opportunities for Action*, Lake Champlain's long-term management coordinated by the LCBP.
7. The VTCAC organized eleven meetings to familiarize the new gubernatorial administration with the important role of the VTCAC and *Opportunities for Action*, consider support for low-impact recreation and heritage tourism organizations throughout the Basin, and more as described on this page.
8. Committee members participated in selecting 33 projects to receive \$142,000 in LCBP grant funding.
9. Committee members presented the *2003 Lake Champlain Action Plan* to Governor Douglas and discussed their priorities with several legislative committees.



1. ACTIONS TO IMPROVE WATER QUALITY

PREFACE

Last year, the VTCAC saw tremendous action on our recommendations to improve water quality. Among them: the aerated lagoon exemption for wastewater treatment plants was removed; the Vermont Agency of Natural Resources (VTANR) developed a TMDL funding matrix which evolved into Governor Douglas' Funders Summit; Missisquoi Bay received much needed attention through the Governor's expanded Vermont and Quebec partnership; and the public notification process for toxic blue-green algae blooms proved timely and effective. Continuation of this positive trend looks promising for the coming year.

LEGISLATIVE ACTIONS

- **Secure state funding to implement the Lake Champlain Phosphorus TMDL**

The VTCAC strongly urges legislators to support the Governor's Clean and Clear Action Plan—a critical step to achieve the TMDL. As the Governor pledged to accelerate the TMDL completion timeline to 2009, the need is even more pressing to commit state and federal dollars to reach this target to the greatest extent possible. Funding priorities include Missisquoi Bay, St. Albans Bay, the South Lake, and continued research on the Alburg Passage and associated bays. In 2004, the Governor has asked for \$1.1 million in his executive budget recommendations and \$1.9 million in capital expenditures for the Lake Champlain TMDL and water quality statewide.

- **Increase state funding for agricultural practices reducing nonpoint source pollution**

The VTCAC recommends continued support for agricultural nonpoint source pollution reduction efforts administered by the Vermont Agency of Agriculture, Food, and Markets (VAAFM). The VAAFM annually receives about \$750,000 in capital dollars for agricultural best management practices (BMPs) and \$100,000 in general funds for the Conservation Reserve Enhancement Program (CREP). These programs are integral to the success of the Clean and Clear Action Plan. In 2004, the Governor has asked for \$2.2 million in capital expenditures, \$450,000 in operating funds, and \$300,000 in new staff positions.

VERMONT STATE AGENCY ACTIONS

- **Investigate factors contributing to blue-green algae blooms in Missisquoi Bay**

Mass beach closings and public health advisories about water supplies and recreation occur annually in Missisquoi Bay because of toxic blue-green algae blooms. While high phosphorus loads are the primary cause, other factors such as her-

bicide runoff may contribute to these conditions. It is critical to investigate the ecological effects of commonly used herbicides in Vermont and Quebec. If less harmful types of algae are more sensitive to these herbicides, then blue-green algae might be gaining a competitive advantage. This information could immediately alter herbicide use and reduce the magnitude of health risks from toxic blue-green algae blooms.

- **Develop consistent codes for erosion prevention at construction sites**

Erosion prevention is more effective than sediment control that merely captures already eroded sediment with devices such as silt fences. Designing erosion prevention plans through the construction site permitting process occurs on a case-by-case basis under the review of one person for the entire state. Consistent design codes and hiring additional staff will streamline this unwieldy process. A potential source of funding for additional positions would be to revise the fee for erosion control permits which currently cost a flat \$250 regardless of the size of the project or disturbed area.

- **Seek additional sources of funding for the Lake Champlain TMDL**

As direction from the Governor's Funders Summit on the TMDL transforms into fundraising action, the VTCAC encourages the VTANR to identify every possible new and additional funding source to supplement current and new programs. Fundraising efforts should focus on untapped resources rather than compete with existing organizations.



Intervale Foundation

An LCBP Annual Priorities grant supported the Vermont Riparian Project to work with local students.

2. ACTIONS TO CONTROL AQUATIC NUISANCE PLANTS & ANIMALS

PREFACE

No new Eurasian watermilfoil, zebra mussel, or new plant or animal invaders entered Vermont waters in 2003. No new water chestnut populations were discovered in Lake Champlain; however, three emerging populations found in waters within and outside the Basin were confirmed and harvested by hand immediately. Slowing the spread of these invasive species and immediate control actions can be credited to meticulous public outreach and education efforts to identify these species and understand their pending risks.

LEGISLATIVE ACTIONS

- **Support the Water Chestnut Control and Spread Prevention Program**

This 22-year-old program is coordinated by the Vermont Department of Environmental Conservation (VTDEC) and supported by the US Army Corps of Engineers, Lake Champlain Basin Program (LCBP), New York State Department of Environmental Conservation, Nature Conservancy, and other partners. Consistent funding for six years has converted a 40-mile stretch of Lake Champlain from annual mechanical harvesting to only handpulling less dense plant populations. Thirty percent of these management efforts occur along the Vermont shoreline and 70% on the New York shoreline. Despite tremendous success, securing a complete management budget each year continues to be challenging, where often details have not been worked out until the plants have just begun to grow.

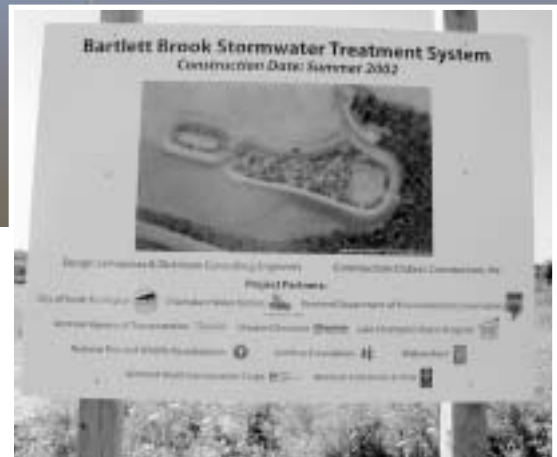
- **Expand training for local aquatic nuisance species spread prevention programs**

As data from last year confirm, the role of locally run programs to prevent the spread of aquatic nuisance species is extremely effective. The VTDEC's Grants-in-Aid Program funds towns to control aquatic nuisance species in already infested waters and prevent aquatic nuisance species introductions into uninfested waters. The VTDEC typically awards \$10,000-\$40,000 per community for control programs vs. \$2,000-\$10,000 for spread prevention programs. It is more cost-effective to support spread prevention efforts rather than controlling aquatic nuisance species once established. An increase in the motorboat registration fee will contribute to these needs.

VERMONT STATE AGENCY ACTIONS

- **Evaluate non-chemical sea lamprey control methods in the Poultney River**

The Lake Champlain Fish and Wildlife Management Cooperative, a partnership among the states of Vermont, New York, and US Fish and Wildlife Service, has been involved in sea lamprey management since the early 1990s. In response to public concerns, the Cooperative is committed to investigating non-chemical control alternatives in addition to chemical treatments. The Poultney River, which flows through both states, is home to diverse, rare, and several imperiled aquatic species. The VTCAC supports the Cooperative's proposal to defer chemical treatment of the Poultney while they assess a lamprey trapping program that would intercept pre-spawning sea lamprey.



BEFORE: The constructed wetland on Bartlett Brook to treat stormwater runoff, shortly after site construction was finished in August 2002 (see photo on page 7).

LCBP

3. ACTIONS TO ENHANCE RECREATION AND CULTURAL HERITAGE RESOURCES

PREFACE

The Lake Champlain Basin's cultural heritage treasures and recreation sites continue to be enjoyed by residents and visitors alike. Lake Champlain Bikeways provides information on the 27 interpretive bike theme loops that branch from the 363-mile principal route circling the Lake. Last year, they received over 1500 requests for information about this nationally recognized bicycling system. *Audubon Magazine* recognized the Lake Champlain Birding Trail as one of the "Top 10" in the US. The Lake Champlain Basin Program (LCBP) funded and designed four interpretive signs at Birding Trail locations, in addition to more than 100 wayside exhibits throughout the Champlain Valley. The Lake Champlain Committee continued managing 28 sites on the Lake Champlain Paddlers' Trail. Culturally, Lake Champlain has the distinction of containing the most extraordinary archaeological collection of historic wooden ships in North America. Since the Underwater Survey began in 1996, 288 square miles of surveyed lake bottom have yielded the discovery of 75 new shipwrecks.

VERMONT STATE AGENCY ACTIONS

- **Support the creation of a low-impact recreation and heritage tourism clearinghouse**

Lake Champlain Bikeways, Lake Champlain Birding Trail, and a myriad of other small recreation and heritage tourism groups have provided information via mail and telephone to thousands of potential visitors. Despite national acclaim, funds for these valuable services are dwindling. The VTCAC believes these services are essential for sustainable tourism and recommends contributing \$10,000 for mailing services to a consolidated tourism clearinghouse available to all groups.

- **Encourage cooperation among Vermont, New York, and Quebec on the 400th Anniversary of Samuel de Champlain's arrival to the Lake**

Governor Douglas recently established a commission to advise his administration on the direction, planning, and promotion of heritage tourism in the Champlain region, in coordination with similar efforts in New York and Quebec, to commemorate the arrival of Samuel de Champlain in 1609. As the 400th anniversary is only five years away, preparations should begin now for this unique opportunity to celebrate the cultural, natural, and historic treasures of the Champlain Valley.

- **Fund the underwater survey**

The VTCAC supports the LCBP partners' efforts to accelerate programs that identify, manage, and protect underwater heritage resources. The survey was originally motivated by the threat of zebra mussels to submerged cultural heritage resources. Being able to define the extraordinary legacy of underwater cultural resources provides important regional opportunities for scholarship, educational programs, and public access. Last year, the survey covered eight square miles of the Lake from Crown Point to Whitehall, New York and 15 new shipwrecks were discovered. Only one year remains for full completion of the Lake Champlain underwater survey.

- **Encourage bi-state management of the underwater preserve system**

The Lake Champlain Maritime Museum and the Vermont Division for Historic Preservation jointly manage the underwater preserve system. The potential to expand the preserve system by 20 sites—10 each in Vermont and New York—calls for bi-state management. New York officials have been considering how they might participate in a cooperative effort. The VTCAC encourages both states to provide funding to expand and support the underwater preserve system.



AFTER: By August 2003, the Bartlett Brook constructed wetland teems with vegetation that will help filter polluted stormwater runoff.

LCBP

VERMONT CITIZENS ADVISORY COMMITTEE (VTCAC) ON LAKE CHAMPLAIN'S FUTURE

The VTCAC is a diverse group of citizens, lake advocates, business representatives, farmers, and legislators united through their interest in a clean, healthy Lake Champlain. The VTCAC members are appointed by the Governor or by the Vermont Legislature for two or three year terms. They are charged with submitting an annual report to the Vermont Legislature that maps out recommended actions to protect the future integrity of the Lake. The Vermont, New York, and Quebec CACs each hold a seat on the Lake Champlain Steering Committee, the governing board for the Lake Champlain Basin Program (LCBP). The VTCAC members guide the development of the LCBP's annual budget and outreach programs, and guide selection of annual Partnership Program grants.



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