

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

**Annual Retreat Draft Agenda
July 22, 2019
9:30 am – 3:30 pm**

**Lake Champlain Basin Program Office (Gordon House)
54 W. Shore Road, Grand Isle, VT**

APPROVED MEETING SUMMARY

Committee Members Present: Sen. Randy Brock, Eric Clifford, Bob Fischer, Lori Fisher (Chair), Wayne Elliott, Bill Howland, Rep. Leland Morgan, Mark Naud (Vice Chair), Rep. Carol Ode (arrived at 1:00 pm), Hilary Solomon, Jeff Wennberg

Committee Members Absent: David Mears, Sen. Ginny Lyons

Public Guests: Marc Companion (Lake Champlain Sea Grant), Crea Lintilhac (Lintilhac Foundation, Water Caucus); Holden Sparacino (VACD); Nancy Wright (Ascension Lutheran Church)

Meeting summary by Bethany Sargent, Vermont Department of Environmental Conservation (DEC).

9:30 – 11:15 am

1. Welcome and introductions

9:30 am – Lori Fisher welcomed attendees and reviewed the day's agenda. Introductions were made around the room.

2. Public comments

None.

3. ACTION ITEM: Review and vote on April 8th Meeting Summary

Eric Clifford moved to approve April 8th Draft Meeting Summary; Bill Howland seconded. Wayne Elliott and Hilary Solomon abstained. Motion carried.

4. Budget update: SFY19 Annual Accounting Summary

Bethany Sargent reviewed the State Fiscal Year 2019 balance sheet. Remaining funds will not be carried over to State Fiscal Year 2020.

5. ACTION ITEM: Vote on Chair and Vice Chair

Lori Fisher nominated Mark Naud for Chair; Bob Fischer seconded; vote unanimous.

No nominations for Vice Chair were made. Further action was tabled until after lunch.

6. Overview of the Lake Champlain Basin Program (LCBP) and Opportunities for Action (OFA)

Online: <http://www.lcbp.org/about-us/opportunities-for-action/>

Eric Howe, LCBP Director, gave an overview of Opportunities for Action, LCBP's management plan for Lake Champlain, the organization's operational structure, and guiding principles. Their Federal Fiscal Year 2019 budget is roughly \$13 million.

Q [Wayne Elliott]: Does the New York Citizens Advisory Committee (NYCAC) have the same role?

A [Eric Howe]: The NYCAC does not produce an action plan and does not have an operating budget.

Q [Bob Fischer]: What about the Quebec CAC?

A [Eric Howe]: They produce an action plan (Eric will send a copy) and hold an annual meeting in June.

Lori Fisher added that joint meetings have been held in the past for general information and for specific issues. If interested, it would be helpful if LCBP could facilitate. At a minimum, it would be useful to circulate minutes of other bodies' meetings to see opportunities for interfacing.

Eric suggested holding a joint annual meeting around an event already occurring and mentioned that CAC Chairs informally meet at Steering and Executive Committee meetings.

Jim Brangan, LCBP Cultural Heritage and Recreation Coordinator, described the Champlain Valley National Heritage Area Partnership, which was established in 2006 and receives approximately \$330,000 annually from the National Park Service. He reviewed the interpretive themes, Heritage Area Program Advisory Committee. They will be meeting in Quebec October 6 – 7 to discuss their focus for next year or two and how to create a stronger network around interpretive themes. The 2019 Conservation and Community theme is "Year of the Salmon," which will culminate in Salmon festival on October 5th in Richmond, Vermont. Their 2020 theme will be the centennial of women's suffrage movement, and in 2021, prohibition.

Q [Lori Fisher]: Is there a place where future themes are listed on the website?

A [Jim Brangan]: We are currently redeveloping the website, which will include future themes. They are seeking input on potential themes for 2022.

Crea Lintilhac commented that Woods Hole has been involved with the Lake Champlain Maritime Museum and they want to reengage here to reinvigorate nautical archeology. Crea will send Jim contact information.

Colleen Hickey, Education and Outreach Coordinator, gave an overview of their education and outreach programs and resources, including A Watershed for Every Classroom, the Lake Champlain Basin Atlas, World Water Day, Healthy Soils Initiative, Diving In video series that highlights citizen interaction with the watershed; their Resource Room at ECHO which receives

more than 27,000 visitors annually, their camps in coordination with the YMCA and YWCA. Cartography workshops, and grant opportunities. In addition she highlighted upcoming opportunities such as the artists in residence program (she will send the Request for Proposals); Clean, Drain, Dry for invasive species spread prevention sails at the Lake Champlain Community Sailing Center; and their high school stewardship program pilot in South Burlington and Plattsburgh.

11:15 am – 12:15 pm

7. Introduction to Act 76

Julie Moore, Agency of Natural Resources Secretary, gave an overview of Act 76, which includes long-term funding for clean water. There is an annual investment in clean water between \$50 and \$60 million, with \$10-12 million in the capital bill, about \$20 million from the Clean Water Fund, and in Federal Fiscal Year 2019, \$6 million from the Environmental Protection Agency. She described the agency's current approach to grant funds and the challenges it presents. About 175 grants are open, with 43 staff members involved in project management.

Act 76 establishes Clean Water Service Providers on a watershed basis. Each watershed will have a consistent annual allocation determined by pollution reduction targets. The agency has two years to transition to this new structure. The agency will also be determining practice specific performance standards and pollution reduction targets, which will determine the funding provided to service providers.

Secretary Moore also highlighted the recent auditor's report on clean water funding, which supports the need for better prioritization, which Act 76 will be provide.

Q [Wayne Elliott]: How much of the money will be granted?

A [Secretary Moore]: That is still to be determined.

Q [Wayne Elliott]: Municipalities have significant needs for wastewater and drinking water infrastructure, and they can't tap into the current grant programs.

A [Secretary Moore]: I welcome your thoughts on how we can meet these needs.

Q [Senator Brock]: What is the projected date where the state has determined our waters will be cleaned up?

A [Secretary Moore]: The clean-up plan for Lake Champlain is over a period of 20 years. Even if we achieve all the work we have planned, we don't know exactly when all those pieces will come together. Lake Carmi is a good example. We believe the phosphorus targets have been achieved, but actual water quality doesn't look appreciably different, so we went to the aeration system. For Lake Champlain, there may be other interventions needed. The problem is built over several hundred years. We know that reducing the phosphorus reaching the lake is necessary, but we don't know timeframe of reducing blooms.

Jeff Wennberg commented that it's critically important to manage expectations. Senator Brock commented that the public has an expectation that it's going to work, but no one can really say that we're going to solve the problem.

Julie replied that it's a challenge of communicating about uncertainty. We have data and research that demonstrates this is a good investment, that the right types of practices to improve water quality are being put in place.

Bill Howland voiced his concern about a need for more enforcement. A lot of funding, well-spent, is to help people reduce their impacts to water quality. But instead of buying compliance with existing laws, it would be nice to see attention on enforcement.

Secretary Moore replied that the agency has an enforcement and compliance program, along with a complaint driven process of enforcement. Act 64 established new regulatory programs, which is the bulk of the work we're engaged in now. Enforcement is a much slower tool, so we invest in compliance through non-enforcement means.

Q [Hilary Solomon]: What are the thoughts about how this will impact tactical basin planning?

A [Secretary Moore]: It's still to be determined, but the idea is to fully integrate tactical basin planning into clean water service providers. Tactical basin planning is supposed to cover surface water management holistically but Act 76 is focused on phosphorus. We need to come up with a solution that serves both needs, phosphorus along with other water quality issues.

Lori Fisher mentioned that in the auditor's report, of the \$66 million, 53% went to wastewater and stormwater, but the most cost-effective sectors to address are agriculture and natural resources.

Secretary Moore replied that some of the use of those dollars is prescribed, such as the State Revolving Fund (SRF). There is a bottom-up budget process with the draft budget currently open for public comment. The draft budget includes a 10% increase for agriculture. The new Water Infrastructure Sponsorship Program (WISPr) and the availability of bridge funding through the SRF program are new opportunities to support natural resources restoration projects.

Bob Fischer commented that while Combined Sewer Overflows are bad from public health, we want to ensure we don't trade a sewer overflow problem for a stormwater problem.

Tom Berry highlighted that additional funds secured by Senator Leahy for TMDL implementation will support not only traditional infrastructure projects, but also natural resources restoration and agriculture.

Q [Bill Howland]: Research informs policy. What do you see as the current needs?

A [Secretary Moore]: There are research needs for operations and maintenance. For example, what are the maintenance obligations for floodplain restoration? What would be some low-cost modifications to existing stormwater treatment practices to improve their long-term performance?

Q [Lori Fisher]: Do you think we have the regulations in place that we need in this age of climate change?

A [Secretary Moore]: I do, based on what we know right now.

Q [Wayne Elliott]: The VTCAC's action plan has focused on the need for long-term funding. Where should we turn our focus to now?

A [Secretary Moore]: We need to ensure we're striking a balance of implementation, innovative research, and monitoring. It's important we learn as we go and that decisions are based on science.

1:00 – 3:30 pm

8. Review VTCAC charge and discuss opportunities to increase effectiveness (60 min)

Discussion: What are our measures of success? Have we been effective? How might we be more strategic given time and resource limitations?

Lori Fisher asked the committee to consider their individual responsibility in helping to advance the VTCAC's priorities.

Mark Naud described the enabling legislation, which predates the LCBP, so the VTCAC role has changed. He emphasized the importance of finding a niche where we can be effective based on the limited capacity of an all-volunteer board.

Committee member comments on how to increase effectiveness included:

- Coordinating with the NY and QC CACs, so they can have a stronger presence on the Steering Committee.
- Focusing on just a few priorities in the action plan.
- Developing the action plan earlier, by November or December.
- It can be easier to get consensus on the direction of legislation or the principles of a bill as opposed to a specific bill, which is subject to change.
- It's important to be as specific as possible with priorities.
- An Excel spreadsheet that maps out who is working on various components of the committee's legislation would be useful.
- Focusing on education and access.
- Public forums should have at least 6 to 8 weeks of planning time, with co-sponsors carrying out specific tasks to increase publicity.
- Action plan should be more assertive.
- Consider meeting with legislative committee chairs one-on-one to discuss action plan prior to testimony or provide the action plan in advance so they are more prepared.
- Ensure legislative testimony is concise and direct.
- Talk to members of the natural resources, agriculture, finance and appropriations committees.
- Make testimony factual rather than emotional.
- After testimony, provide focused follow-up.

9. Determine 2020 Lake Champlain Action Plan priorities, and production process and timeline

Mark Naud will lead action plan development, with the goal of finalizing by December.

Suggestions for action plan priorities included:

- Accountability for spending the clean water funding where it will be most effective.
- Addressing agriculture water quality issues, economic viability of agriculture.
- Expanding public access and recreational opportunities.
- Increasing support for tributary water quality monitoring so we're not just relying on modelling for anticipated load reduction of clean water projects. However, this should not be at the expense of funding for water quality improvement projects.
- Ensuring existing monitoring is strategic and effective.
- Accounting for all the agricultural work being done, not just what is funded by the Natural Resources Conservation Service and Agency of Agriculture.

Crea Lintilhac mentioned that Across the Fence had a recent program on grass milk and regenerative dairy, which highlighted that three times as much phosphorus comes into the state with feed than with fertilizer.

Bethany Sargent summarized the state clean water budget process and mentioned the upcoming public hearing on August 22nd.

10. Identify VTCAC meeting dates, times, locations, and potential guest presenters for September 2019 – June 2020 (45 min)

Discussion: Recreation and agriculture public forums

Specific committee member suggestions for planning upcoming meetings included:

- Establishing working groups for public forum planning.
- Continuing to invite guest speakers, but potentially meet fewer times.
- Relying on good strategic partners to co-host public forums.
- Limiting public forums to 2 – 3 annually.

Public forum topic ideas included:

- Agriculture (sometime January – March 2020)
- Recreation
 - Potential speakers: Commissioners Snyder and Porter; Marc Sherman
- Monitoring and Total Maximum Daily Load (TMDL) accountability, how we are measuring progress
 - Potential speakers: Ethan Swift, Emily Bird, Tim Clear
 - Act 76 presentation tentatively scheduled August 15th, but request evening presentation; Neil Kamman, Ethan Swift, and Emily Bird presenting
 - Could focus on for September meeting alternatively.
- PFAS (perfluoroalkyl substances)
 - Department of Environmental Conservation is charged with coming up with proposed surface water standards
 - Potential speaker: Kari Dolan

Working groups for public forum planning will define a date, place, participants, framework, agenda, and co-sponsors, and provide updates at September and October meetings.

- Agriculture: Eric Clifford, Bill Howland, Lori Fisher, David Mears, Hilary Solomon
- Recreation: Wayne Elliott, Jeff Wennberg, Lori Fisher, Mark Naud, Bob Fischer

September and October meetings will focus on action plan development and public forum planning. Meetings will be the second Monday of the month, 5:00 – 7:00 pm in Shelburne, if a room is available.

Mark Naud nominated Bill Howland for Vice Chair; Lori Fisher: seconded; Bill abstained; motion carried.

3:30 pm – ADJOURN