To: Mitzi Johnson Chair Appropriations Committee

From: David Deen Chair Fish, Wildlife, and Water Resources Committee

Re: Budget review

The FW&WR Committee met with all three of the ANR commissioners and the secretary on several occasions and heard extensive budget presentations. The Departments presented their internal RBA indicators toward which they are working and how they are doing to meet those indicators. The Department of Environmental Conservation has had LEAN exercises to sharpen their approach to meeting the public policy set for them by legislation. Our committee is pleased with the progress the Departments have made toward meeting their indicators.

The budget presentations were extensive but did not give us, a citizen legislature a real in depth understanding of the full functioning of each Department. Consequently, we have reached a limited set of recommendations about our budget priorities for ANR.

Agency programs should not be set up to fail. They should not have reductions that hamper the effectiveness of the programs by reducing the staff or support levels by small amounts that over time accumulate to levels that impede implementation. The administration should be encouraged to concentrate reductions strategically on a whole program level. They have been following this approach and despite discomfort with the elimination of the program selected for wholesale reduction, they did take the right approach in reaching the required budget reduction.

As to programs that FW&WR would protect, our committee has only selected a few and then would like to offer an overall suggestion. Those programs we feel should be protected are:

- The budget should not reduce the support for the state parks. They are an ever-increasing draw for the people of and drawing people to Vermont. They show a profit and their use increases year over year.
- The budget should not withdraw positions and support for the full implementation of the newly passed clean water act. We need to keep this program moving forward to improve the waters of Vermont, not only in response to the EPA phase 1 plan but to improve water quality statewide.
- The budget should not reduce the enforcement capability within ANR and DEC. As the agency overall moves toward general permits and self-certification enforcement will be the method to insure protection of our environment while reducing the costs of command and control regulation.
- The budget should not reduce, in fact should increase by at least one position the biologist staff person within Fish and wildlife. These are the only staff capable of protecting the public trust resources of our fish and wildlife within Vermont.

From a broad view, our committee would like to suggest that the agency consider the increased use of general permits that rely on engineer or technician certification as opposed to agency detailed review. This might drop the need for permit application review at ANR using ANR staff. We know they are working in this direction and would like to encourage this approach.

There are standards for a general permit. It sets out the conditions for activities that are high volume (meaning many applications) and low risk to the environment. An applicant need just submit a letter of

intent or application with a statement from a PE or technician that the applicant and their plan meet the conditions as set put by the agency.

This is a version of performance based permitting. As long as the conditions are met, we expect positive outcomes for the applicant and environment.