

TESTIMONY ON S.260 AN ACT RELATING TO FUNDING THE CLEANUP  
OF STATE WATERS

House Natural Resources, Fish and Wildlife Committee

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by Albert J. Perry 

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INTRODUCTION

My name is Albert Perry. I now live in Middlebury, Vt., but was a resident of Richford until last November and represented Richford, Franklin, Berkshire, Highgate, Enosburg and Bakersfield in the Vermont House from 1993 to 2018. I am a retired naval officer, and a summer resident of Lake Carmi since 1955. I am a member of the Missisquoi River Basin Association, the Franklin Watershed Committee and the Lake Carmi Campers' Association.

I want to thank Representative Deen for his long, strong support and leadership for Vermont public waters, and this committee for its work on Act 64 in 2015, and H730 this year. I appreciate the opportunity to testify today on Senate Bill #260. My testimony does not, and is not intended to represent any views but my own.

**PURPOSE:** My purpose today is to share my beliefs on the importance of Vermont public waters, my observations and opinions about the current situation, and my concerns about the degree of commitment of

our government to discharge its responsibilities, use its authority, and be accountable for clean water in Vermont.

I believe that the lakes, ponds, rivers and streams are a PUBLIC TRUST, belonging to all Vermonters and entrusted to the government. I believe the government is responsible and accountable for their condition, and has the authority to plan, manage, and finance the actions necessary to clean up impaired waters and maintain all public waters for the benefit of the people. Unfortunately, too little attention has been paid to these responsibilities for a long time. We are now way behind, and still not willing to use a fair share of state resources to take care of these waters. In addition to resource limitations, there seems to be a lack of coordination and commitment to effective use of existing resources by the executive branch, or by the legislature to hold the executive accountable.

Based on my experience in the Navy and private sector, in the Vermont General Assembly, and civic organizations, I have concluded the following about getting things done. ACTION in the public sector needs a strong commitment matched by priority for attention, effort and resources. Authority, responsibility and accountability must be in balance.

I understand that most of the PEOPLE of Vermont have not paid much attention to the condition of PUBLIC WATERS until recently (this century). So it is understandable that the government would not make CLEAN WATER a priority. But, now, the people have spoken, and clean water is on the legislative menu, but we are not willing to pay the price of a "full meal." What that really means, is that clean water is still not important enough to compete effectively for its share of a balanced budget.

Clean water is important, but not important enough to be fully funded from existing revenues OR new revenues. When will it be important enough??

Adequate funding is not the only need. More effective use of existing funds is a must. Clear, certain assignment of authority and responsibility is needed from Top to Bottom of the Action Pyramid. Consider these two examples: 1)The Agency of Transportation is responsible, accountable and has the authority for construction, maintenance and repair of all state highways, and 2) the timely and effective government response to IRENE. Vermonters and their government know how to get things done, when it is important. Transportation is important; recovery and rebuilding after IRENE was important. Clean water is important. We can do what needs to be done, but only if WE decide it is important enough. “Where there is a will, there’s a way!

I would like to share by knowledge of Lake Carmi, and my support of provisions in H730 and S260 for action to improve this long-impaired public water.

Lake Carmi is a large, shallow lake:

- 3 miles long by 1 mile wide
- 38 feet maximum depth
- few inlet streams and one outlet
- the outlet, via a former mill pond, is full of vegetation
- lake level is a function of rainfall and mill pond dam
- mill pond flows into the PIKE RIVER
- about 9 miles of shoreline
  - Camps/cottages on 6 miles
  - Vt. State Park along 2 miles

### One mile of marshland

-Lake Carmi shore land was used mostly for pasturing cattle in the 19<sup>th</sup> and early 20<sup>th</sup> centuries, camps were developed 20<sup>th</sup> century

-watershed is small, with mostly ag and forest land on slopes above lake

-Lake Carmi has been impaired for many years and is unquestionably a "Lake in Distress"

-Major remedial action is urgently needed!

I have visited and used Lake Carmi for boating, fishing, swimming since high school. My family has owned a summer camp there since 1955. This has been the "home away from home" for my family from 1960 to the present. Although the lake bed reportedly contained phosphorous and other nutrients all this time, we experienced "scum" on the water only for short periods at the end of a hot summer, never a deterrent to use of the lake. In recent years (this century, and especially this decade) the "scum" has occurred more frequently and for much longer periods. Last year was the worst. The lake was unusable from August to mid-November, most of it covered with a "pea soup" of blue-green algae.

This occurrence has raised the awareness of the general public, and increased the concern of the people of Franklin and Lake Carmi for the condition and viability of our lake. It has also led to increased attention to remedial action by ANR. The Perry family is encouraged by this, but we are not yet confident that there is a firm commitment by the government to clean up Lake Carmi, and keep it clean.

Senate Bill S.260 addresses some of Lake Carmi's needs regarding Ag nutrient management and runoff. House Bill H. 730 directly addresses the needs of "Lakes in Distress" and Lake Carmi in particular. These are each important and urgently needed steps to save this and other Lakes in Distress. Both measures need passage this year to move forward with commitment and action before it's too late.

I am grateful to Representative Deen and this committee for your work and commitment to clean water and taking care of ALL the public waters of Vermont. I trust that you will continue these efforts to put state resources fully in support of cleaning up impaired waters, and maintaining all public waters for current and future generations. What a wonderful legacy to leave for our citizens.

With regard to S. 260 and other clean water legislation, I hope the legislature will be clear and firm in its legislation regarding the executive's authority and responsibility for Public Waters, and hold itself and the executive accountable for results.

Thank you, Albert J. Perry