

Sunset Advisory Commission
Board and Commission Review of ___ Groundwater Coordinating Committee ___

The Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

The Commission also reviews whether members of a board or commission should be entitled to a per diem and, if so, the amount of that per diem.

In testifying before the Commission, you should be able to provide the following information:

1. In general, how often does the board and commission meet?
Monthly to bi-monthly as appropriate for the listing of agenda items.

Provide specific information on how often the board or commission has met in the past two fiscal years.

The Committee has held 11 meetings in the past two years. The past six meetings in 2020 were not held due to Covid-19.

Provide information on where agendas and minutes of meetings can be found.

<https://dec.vermont.gov/water/groundwater>

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.

Scott Stewart, Chair and Kasey Kathan, Co-Chair; along with statutory members from the Departments of Agriculture, Food and Markets, Forests, Parks and Recreation, and Health. General membership to the committee is offered to any interested party, with current distribution of meeting invitations and materials sent to approximately 90 persons of interest. Members include environmental consultants, well drillers, State of Vermont staff from various agencies, and interested members of the public.

There are no terms or expiration and no per diem.

3. Provide an overview of the board or commission's purpose.

The Vermont Groundwater Coordinating Committee (GWCC) was established by the General Assembly as part of a developing comprehensive groundwater management program to protect the quality of groundwater resources. The Secretary of the Agency of Natural Resources established the GWCC with representation from the Departments of Agriculture, Food and Markets, Forests, Parks and Recreation, and Health to provide advice in the development of the program and its implementation. In carrying out his or her duties the Secretary gives due consideration to the recommendations of the Groundwater Coordinating

Committee. The Secretary may request representatives of other agencies and the private sector to serve on the groundwater coordinating committee.

Statutory responsibility of the GWCC is in [Title 10, Chapter 48 §1392](#).

4. Is that purpose still needed?

Yes. Even more so since 2008 since the Legislature made groundwater a public trust resource. Significant changes have recently occurred that stress the need for the committee. First, statutory requirements now require the testing of the drinking water of single family homes under the Wastewater Systems and Potable Water Rules. Second, the Department has recently issued a significant update to the Groundwater Protection Rule and Strategy that updates and changes to the list of chemicals used for compliance with Groundwater Enforcement Standards within the past two years. These two changes highlight the ongoing need for this forum in order to provide for an open dialogue with interested parties.

What would happen if the board or commission no longer fulfilled that purpose?

Groundwater protection may suffer and input from the public, other state and federal agencies would be lost or diminished, implementation of the Groundwater Management Plan and Groundwater Protection Rule and Strategy would lose support and focus. The Groundwater Coordinating Committee provides an open forum for dialogue, distribution of information and planning.

5. How well is the board or commission performing in executing that purpose?

Fairly well. The co-chairs solicit topics for discussion prior to meetings from a distribution list of more than 90 people, address new topics and current concerns such as PFAS contamination. Additionally, certain topics, such as private well testing have private well subgroup in cooperation with the Vermont Department of Health.

What evidence can you provide to substantiate that performance?

Regular attendance by staff from several Agencies, call-ins from US EPA and USGS, Vermont Rural Water Association and various consultants.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

The GWCC is an efficient and effective manner for the public and various stakeholders to coordinate on matters of groundwater protection and policy.

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency?

Not to our knowledge. In 2019, the Water Well Advisory Committee was dissolved by the Governor and the membership merged into the GWCC as the most appropriate forum for

obtaining their input and addressing their industry issues. If so, is your board or commission still the best entity to fulfill the purpose? Yes

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

Yes.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

The Chair and Co-chair are both employees at the Department of Environmental Conservation and this responsibility is part of their current job duties.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer?

No.

If so, have those reports or studies been produced?

Does the board or commission have ongoing reporting obligations?

No. Meeting minutes are posted on the Agency webpage (link provided above).

11. How would you measure the performance of the board or commission?

Each year we evaluate the progress made on tasks listed in the Groundwater Management Plan, add or modify tasks as discussed by the members of the committee and establish items or topics for the coming year. Also, the number of people on the distribution list and number of attendees demonstrates ongoing relevancy.