

**Sunset Advisory Commission Board and Commission Review
of the
Connecticut River Watershed Advisory Commission**

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? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

The Connecticut River Joint Commissions (CRJC), comprised of Commissioners from both the Vermont Connecticut River Watershed Advisory Commission (CRWAC) and New Hampshire's Connecticut River Valley Resource Commission meet approximately six times a year (every other month), along with Executive Committee and Local River Subcommittees periodically. DEC notes that meeting minutes are only available through April 2019, though it appears that the Commission was meeting per the stated frequency of six times a year.

Agenda and minutes of the CRJC meetings can be found at this link:

<https://www.crjc.org/about-crjc/minutes-of-crjc-meetings/>

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.

Vermont's Connecticut River Watershed Advisory Commissioners (as of 08-24-2020):

- Christopher Company (Chair) - Windham RPC, Executive Director
- Marie Caduto (Vice Chair) Vermont Agency of Natural Resource, Basin Planner
- Jason Rasmussen (Secretary-Treasurer) - Southern Windsor County Regional Planning Commission, Senior Planner
- Alison Low, NVDA
- Tara Bamford, East Thetford
- Elizabeth Kennett, Rochester
- Steven Lembke, Guilford

Term: Officers shall be elected annually by the Association of Commissioners. All officers shall take office on the first day of the fiscal year, or, if the vote takes place after that date, immediately after election.

Stipend: The President and Vice-President shall serve for one year and may be re-elected in accordance with Sections 8.2 and 8.3. The Secretary and Treasurer may be re-elected annually to serve for more than one year.

See 10 V.S.A. § 1193 for appointments and compensation policy. DEC is not aware of ant per diem and/or stipend that is received by CRJC members.

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

Per statute, it is the policy of this State to join with the State of New Hampshire in a common effort to ensure that development within the Connecticut River watershed proceeds in ways that protect its outstanding ecological, scenic, recreational, historic, cultural, agricultural, fish, and wildlife values.

The Connecticut River Watershed Advisory Commission is established to develop ways to cooperate, and to initiate and encourage interstate cooperation and coordination with and between the appropriate officers of the State of Vermont and the State of New Hampshire to achieve the purpose of this subchapter. In a manner consistent with New Hampshire law, the Advisory Commission may designate citizens from Vermont municipalities bordering the Connecticut River to serve on, or coordinate with, local river management advisory groups established pursuant to New Hampshire law.

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

The Commission largely functions to review and discuss projects having to do with economic development, recreation, scenic, as well as in consideration of ecological/ natural and historical/ cultural issues. That said, the Commission (and CRJC in general) duplicate some review that is already occurring via regional planning commissions (i.e., Act 250 applications), and perhaps redundant to the work already conducted by the RPCs. Since the Commission's work is not directly aligned with the mission and work of the Agency, it is DEC's perspective that the Commission does not fill a gap in providing representation from existing stakeholders in the Connecticut River Valley. Further, the CRJC is represented by Local River Subcommittees that are represented by the Connecticut River mainstem towns, which does not comport with the "Tactical River Basin" approach to surface water quality management that is watershed-wide, representing a narrower perspective than is taken by DEC's Watershed Planning Program and per the role of Vermont's designee on Vermont's CRWAC (e.g., Marie Caduto). There are other watershed-wide organizations, such as the Connecticut River Conservancy that may have greater basin-wide presence and therefore in a better position to serve in the natural resource restoration and protection capacity otherwise occupied by the CRJC.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

The Commission has not submitted meeting minutes (specific to the Commission's work), nor the annual legislative report as required by Per 10 V.S.A. § 1196 for several years. The CRJC website (and therefore CRWAC) is not current and has not posted either in that regard. In addition, a quick review of the CRJC's Facebook" page indicates that the Commission is not active on social media, as the most recent post was over two years ago. The Agency of Natural Resources is aware that the Commission has developed a draft strategic workplan.

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 intended activities could be fulfilled with prospectively greater efficiency under the umbrella of Vermont's Regional Planning Commissions, which are charged in 24 VSA 117 with the development and administration of Regional plans, evaluation and approval of municipal plans, and regional party status to Act 250 proceedings.

Further, the mission is duplicated by Agency of Natural Resources implementation of a number of regulatory and non-regulatory environmental policies and management programs that have been promulgated by the General Assembly since 1989. These include, among others, river corridor and floodplain regulations, stormwater management requirements, municipal and State road management standards, brownfield and contaminated sites redevelopment standards, onsite water and wastewater permitting requirements, Agency Act 250 determinative status for certain criteria, and a robust tactical basin planning process.

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? If so, is your board or commission still the best entity to fulfill the purpose?

While this question is best directed to the Offers as a whole, the Agency of Natural Resources currently has a designee on the Commission, who serves in the capacity as vice-chair.

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

This is also not clear as there have been no annual reports. The enabling legislation and bylaws are available via the following link:

<http://www.crjc.org/wp-content/uploads/2017/12/CRJC-VT-Enabling-Legislation.pdf>

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

Not clear, records not available. In SFY 2018, the commission received approximately \$35,000, in discretionary ANR funding, which was reduced in SFY19 to ~\$20,000, with guidance that the Commission seek independent funding due to the very limited availability of ANR discretionary support.

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? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

Yes, see [10 V.S.A. § 1196](#). Beginning in 1989 and annually thereafter, The commission is required to file a report on its activities under this subchapter. The report shall be filed with the Agency of Natural Resources, the Governor, and the General Assembly on or before July 15.

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

The revised strategic plan of the Commission is commendable in its brevity and directness, and is laudable in its goals for inclusivity of voices in the municipalities directly bordering the waters of the Connecticut River. However, that mission, however laudable, does not necessarily fulfill the needs of the current decade in terms of land management for environmental quality. Insofar as no documentation is available from the Commission in the past two to three years, the performance can be considered unsatisfactory.