

**Sunset Advisory Commission
Board and Commission Review of
Vermont Citizens Advisory Committee on Lake Champlain's Future**

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.

Information on the activities, including agendas and meeting minutes of the Vermont Citizens Advisory Committee on Lake Champlain's Future (VTCAC) may be found at <https://www.lcbp.org/about-us/committees/citizen-advisory-committees/vermont-cac/>.

VTCAC typically meets during the months of September to May on the 2d Monday from 5-7p at locations within the Lake Champlain Basin, from Rutland, to Montpelier to St. Albans, and most often centrally at the Town of Shelburne, Vermont, offices. The VTCAC does not meet during June, July, or August, except for a Committee planning retreat in July, where lake issues are discussed, and the next year's meetings are coordinated for speakers and emerging or urgent issues for education and discussion with the public.

Covid-19 prevented any meetings from March until May, and the planning retreat could not be held. The VTCAC had its first meeting (remote/Microsoft Teams) of the new FY on September 14th.

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.

Members are:

Mark Naud – Chair, Attorney/Business Owner 2/28/2021
Bill Howland – Vice Chair, Environmental Scientist 2/28/2021
Eric Clifford – Dairy Farmer 2/29/2020
Wayne Elliott – Engineer 2/29/2020
Robert Fischer – Water Facility Operator 2/28/2021
Lori Fisher – Nonprofit Executive Director 2/29/2020
David Mears – Nonprofit Executive Director 2/29/2020

Hilary Solomon – Conservation District Manager 2/28/2021
Jeff Wennberg – Public Works Commissioner 2/29/2020
Vacant – Public at large
Senator Randy Brock
Senator Virginia “Ginny” Lyons
Representative Leland Morgan
Representative Carol Ode

The Advisory Committee consists of 14 members: two Senators appointed by the Committee on Committees, two Representatives appointed by the Speaker of the House, and ten Vermont citizens, including one recommended by the Secretary of Agriculture, Food and Markets, who come from a variety of geographic locations in Vermont appointed by the Governor with advice and consent of the Senate.

Advisory committee members are appointed for three-year terms. Legislative committee members are appointed for two-year terms.

Advisory Committee members receive a per diem pursuant to 32 V.S.A. § 1010 and can be reimbursed for necessary expenses incurred in performance of their duties as Advisory Committee members. The Advisory Committee is assigned to the Agency of Natural Resources for budgetary and administrative purposes.

2. Provide an overview of the board or commission’s purpose.

The VTCAC is created by 10 VSA Chapter 63 to gather and disseminate information and make recommendations about the condition and management of the waters of the Lake Champlain basin region. The VTCAC serves as a standing committee within the structure of the Lake Champlain Basin Program (LCBP), which is a State and Federal partnership established and funded under Section 120 of the Clean Water Act, or the Lake Champlain Special Designation Act. The VTCAC has a wide scope of inquiry established in its enabling legislation.

See attached VTCAC Board Manual with enabling legislation and related information on function and purpose.

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

The VTCAC purpose continues to be a vital one - connecting the Vermont citizenry with the challenges, issues, and proposed solutions (and governmental, regulatory, and non-governmental organizations) to improve and sustain the water quality, wildlife, and high-quality natural environment in the Lake Champlain Basin.

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

The VTCAC operates with a very limited budget yet executes and performs at a fairly elevated level. The Chair regularly and effectively participates in the administration of LCBP as a standing member of its Executive and Steering Committees. The Committee is staffed professionally through a combination of Agency of Natural Resources and LCBP staff efforts. The Committee, through its required annual Action Plan Report to the Legislature, provides concise and effective recommendations reflecting the public pulse on issues affecting Lake Champlain. These recommendations reflect the views of the general public, while also incorporating scientific information gathered from a diversity of data and research acquired through its monthly meetings.

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

The VTCAC is working with the ANR, DEC, and LCBP to more effectively staff and coordinate the VTCAC efforts with its counterparts in New York State and Quebec. This enhanced coordination will support the alignment (where appropriate) with other citizens of the basin, improve coordination and outreach with citizenry for disseminating and gathering critical information related to Lake Champlain's water quality.

6. 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?

The VTCAC is the only forum and organization that is statutorily enabled to receive, summarize, and deliver public input to LCBP, the Vermont General Assembly, and the Governor, which guides policy and funding decision-making for the water quality issues in the Lake Champlain Basin.

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

Title 10 VSA 1961(a)(1)(a) and §1961(b) lists a variety of scientific inquiries that go beyond the capacity of a citizen board to implement to the letter of the law. Rather, the VTCAC learns about issues in the list of scientific inquiries for the purpose of assisting education to the public, or prioritizing policy or funding recommendations for the LCBP, the General Assembly, and the Governor. Some of the enabling authority or duties has been assumed by the LCBP, since the VTCAC enabling statute preceded the creation of the LCBP.

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

The DEC manages an appropriation of \$6,000.00 for the per diem, mileage, Action Plan (Legislative Report) printing, and public forum room rentals or related expenses. Historically the VTCAC has carried a running balance into the following year, which has not

been made available for its following year's efforts or work. Staffing is funded by the LCBP work plan agreements with the DEC.

9. 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?

Title 10 VSA 1961(a)(1)(5) establishes an annual legislative reporting requirement. Annual reports have been delivered to the General Assembly during a "Legislative Day" to appropriate House and Senate Committees, the Governor and Lt. Governor, and the public. The annual Action Plans are available on the LCBP CAC website noted above.

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

The VTCAC does a very good job of fulfilling its statutory charge and serves Vermonters well as a forum for issues and policies regarding the management and future of Lake Champlain and the Basin.