

**Sunset Advisory Commission**  
**Board and Commission Review of *Champion Land Transaction Citizen Advisory Council***

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?**

The Champion Land Transaction Citizen Advisory Council (“Council”) has not been actively meeting for more than 10 years. The Council was established in Section 87b of Act 1 of 1999 for the purpose of assisting in the implementation of the provisions of the Champion land transaction. The Council was charged with functioning as a forum to hear and attempt to resolve concerns brought to the Council regarding ongoing use and management of State lands, collaboration with the USFWS, and public access to the publicly and privately held lands. On public lands, these matters included, but were not limited to: public access, the recreation access plan, snowmobiling, motorized, mechanical and equestrian access, private roads, temporary restrictions, federal ownership, timber harvesting, land conservation, water classification, economic development, and camp leases. The Council has no authority with respect to private lands. The Council also functioned to provide information to persons interested in learning about the Champion land transaction.

The Council had meetings when called by the Chair; there is no statutory requirement for regularly scheduled meetings.

Based on records maintained at the St. Johnsbury District Office, the first meeting of the Council occurred on November 8, 1999 and met approximately bimonthly through 2001. This was the period during which the management planning process for this new acquisition was underway and the Council provided input to that process. The District file includes a couple of memo reports submitted by the Council to the Legislature providing an update on the activities and issues addressed by the Council.

The last document in the file regarding the Council is dated 3/13/2003 and lists the Council members that had been appointed by Governor Dean in 2002. Apparently FPR has no further record of Council meetings after the end of 2001.

An Executive Order (see attached) was issued by Governor Dean on November 1, 2002 which established a Citizen Oversight Council which has the same authority as the Champion Lands Transaction Citizen Advisory Committee, but focuses on the participation in management issues related to the West Mountain Wildlife Management Area aspect of the former Champion Lands (not the public access easement), including making recommendations to ANR and the legislature. The Executive Order provides that DFW shall provide administrative support to the Council and that

Council members shall be entitled to compensation as provided for in 32 V.S.A. §1010 for no more than three meetings per year.

During the 2006 legislative session when legislation authorizing the extension of camp leases was addressed, FPR staff have no recollection of the Council being reinstated or active with this legislation.

The St. Johnsbury District Stewardship Team (as relayed by Doug Morin, DFW) and the Easement partners discussed the need to reconvene the Council during the most recent Long Range Management Planning process and it was decided that it was not necessary as no public request for the Council had been received. Thus, there was no Council involvement during the LRMO process.

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

The Council has not met in the past 2 years. The last time the Council met was more than 10 years ago.

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

The St. Johnsbury District Office maintains a hard copy file of meeting minutes from meetings of the Council.

**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.**

This information will be provided once I receive the St. J file.

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

See response to question #1 above.

**4. Is that purpose still needed?**

Since the Council has not been appointed or active in over 10 years, and since ANR, FPR and DFW have well established public processes for land management planning and recreational access planning (namely the District Stewardship Teams and the LRMP process) the public participation function of the Council is currently provided by ANR, FPR and DFW.

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

ANR, FPR and DFW would continue to provide public outreach and input opportunities through their land management planning processes and District Stewardship Teams.

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

The Council has not executed its function / purpose in over 10 years.

**What evidence can you provide to substantiate that performance?**

N/A

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

See response to question #4 above.

- 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?**

ANR, FPR and DFW, as well as the federal USFWS all have established public input and participation processes that serve the function of the Council.

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

No, ANR, FPR and DFW can fulfill these functions and currently do so.

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

The enabling legislation reflects the desire at the time of this large, complex land acquisition project (including fee and easement interests) to have an independent entity available to work with the public and the state and federal agencies to resolve issues relating to public access, use and state management of these lands. At this point, after 20 years of land management and providing public access, including revising the Long Range Management Plan for these lands, there is no further need for this Council to exist. Indeed, the Council was not even established during the LRMP process a few years ago.

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

There is no documentation regarding the Council's fiscal year expenditures. The 2002 Executive Order did authorize compensation to the Council members for up to three meetings per year, but FPR has no information on this. DFW may have information related to compensation.

- 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?**

There are no ongoing reporting requirements. Records maintained by FPR include two Memoranda that were provided to the legislature in 2001 summarizing activities and issues addressed by the Council to date. As per the 2002 Governor's Executive Order, the Citizen Oversight Committee had the authority to make recommendations to the legislature.

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

The Council has not been active for over 10 years. FPR staff recommend that the Champion Lands Transaction Advisory Council and the Citizen Oversight Council created by the 2002 Executive Order should sunset due to inactivity and the ability of ANR, DFW and FPR to address through existing public input processes the issues that were addressed by these Councils.

Although I reached out to DFW General Counsel and Doug Morin regarding these Councils, I have not communicated further in DFW and am not aware of whether the DFW Commissioner is advised of this issue.

**Report completed and submitted by Patrick Poulin, Chair of the Vermont Governor's Snowmobile Advisory Council. September 22, 2020.**

**Sunset Advisory Commission  
Board and Commission Review of Vermont Governor's Snowmobile Advisory Council**

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?**

**Vermont Governor's Snowmobile Advisory Council (VGSAC)**

*The VGSAC meets every month in the fall and winter. We take a break for two months in the summer, but we have sub committees of the VGSAC and full committees of VAST that meet all year long including our VAST Law Enforcement Committee, VAST Safety Ambassador Team Program and VAST Safety Committee.*

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

*We meet the first Wednesday of the month except for June, July and August. We have been meeting for decades. Note: Due to COVID-19 we did not meeting in April. Our current meetings are via Zoom.*

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

*Link to most recent board minutes, current budget and general overview of the program on the Vermont Association of Snow Travelers (VAST) website: <https://vtvast.org/governors-council.html>*

**4. 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.**

*Those that regularly participate in monthly meetings:*

*Five General Appointments by the Governor annually*

*Chair: Pat Poulin*

*Regional Representatives: Dick Jewett, Ken Gammell, Tim Mills, Star Poulin*

*State Representative Appointments*

*Vermont Senate: Jane Kitchel*

*Vermont House: Brian Smith*

Stakeholders (as per statute)

Vermont Department of Fish and Wildlife: Lt. Sean Fowler  
 Vermont State Police: Sargent Trevor Carbo  
 Vermont Sheriff's Association: Sheriff William Bohnyak  
 Southern Vermont Taskforce (Chief of Policy Association): Paul Doucette  
 Vermont Department of Motor Vehicles: Mike Smith and Shannon Fassett  
 Vermont Forest Parks and Recreation: Jessica Savage

VAST

Cindy Locke, Executive Director  
 Matt Tetreault, Trails Administrator  
 Ken Brown, Trails Manager and LVRT Project Manager  
 Gary Nolan, VAST Law Enforcement Committee Chair  
 Stan Choiniere, VAST Safety Committee Chair

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

<https://legislature.vermont.gov/statutes/section/23/029/03216>

**Title 23 : Motor Vehicles****Chapter 029 : Snowmobiles, Motorboats, And Water Sports****Subchapter 001 : Snowmobiles**

**(Cite as: 23 V.S.A. § 3216)**

**§ 3216. Governor's Snowmobile Council**

*(b) The Council shall serve the following functions:*

*(1) to review, advise, and consent on development of the annual plan for the expenditure of funds for the Statewide Snowmobile Trail Program;*

*(2) to review and advise the Governor and General Assembly on matters relating to snowmobiling in Vermont, including environmental and community impacts, development of snowmobile trails, ways to encourage snowmobile traffic in those communities that seek more traffic and control the growth in municipalities that desire less traffic, adequacy of parking areas, carrying capacity of trails, State laws and rules affecting snowmobilers, and promoting snowmobiling in this State;*

*(3) to help coordinate efforts of VAST and State and federal agencies, private industry, and nonprofit organizations in meeting the needs of snowmobilers in Vermont;*

*(4) to perform any other duties or functions regarding snowmobiling assigned by the Governor; and*

*(5) to assure that municipal legislative bodies are given advance notice and an opportunity for input before trail or parking lot expansion takes place in the community.*

**1. Is that purpose still needed?**

*Yes, this is a very active and important council.*

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

*It is in statute why it is needed and exists. Doing away with it does not make sense.*

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

This council is very active and effective.

**4. What evidence can you provide to substantiate that performance?**

*Council itself: Help guide legislative changes regarding snowmobile safety, guide law enforcement strategies and coverage on the trail system, overall guidance of all VAST safety programs, Design and Oversight of annual Statewide Snowmobile Trails Program budget.*

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

*This council was put together for a purpose and we have state agencies and state representatives as members of the council. So, we believe we have a very well working council: Very effective.*

**5. 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?**

No.

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

Yes.

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

Yes.

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

*We have no expenses from this council with the exception of millage paid to some of the appointed members that ask for it (invoiced to FP&R). In the past year the number of miles has been:*

- *March 2020 – 264 miles*
- *February 2020 – 154 miles*
- *January 2020 – 402 miles*
- *December 2019 – 222 miles*
- *October 2019 – 334 miles*
- *September 2019 – 334 miles*
- *June 2019 – 334 miles*
- *May 2019 – 154 miles*

**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?**

*We have annual reports we provide to the Agency of Natural Resources (through Forest Parks and Recreation) annually.*

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

*Very successful and needed.*

**Sunset Advisory Commission  
Board and Commission Review of *National Forests Board***

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:

**12. In general, how often does the board and commission meet?**

This board has not met in at least the last ten years.

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

N/A

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

N/A

**13. 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.**

The board consists of the Governor; Lieutenant Governor; Attorney General; Commissioner of Forests, Parks and Recreation; and Secretary of Agriculture, Food and Markets.

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

The board was established to review proposed acquisitions by the United States for the establishment, consolidation, and extension of national forests in specific towns.

**15. Is that purpose still needed?**

No. The Forest Service has not utilized or presented to the board as the Federal government is not bound by State statute unless directed by Congress to do so. And in this case, the State has not been given the authority.

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

When new acquisitions are being considered by the United States, the Forest Service as good neighbors presents to the local Selectboards, and they have an internal Green Mountain "policy" not to proceed with any purchases that the municipality does not support.



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

The board is not active.

**What evidence can you provide to substantiate that performance?**

N/A

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

**18. 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?**

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

No. Recommend to sunset the board.

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

N/A

**21. 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?**

N/A

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

N/A

**Sunset Advisory Commission**  
**Board and Commission Review of *Northeast Forest Fire Protection 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:

**23. In general, how often does the board and commission meet?**

Annually, on the first Wednesday and Thursday of August.

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

August 5, 2020: virtual meeting due to COVID19

August 7-8, 2019: Lebanon NH

August 1-2, 2018: Providence, RI

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

<https://www.nffpc.org> within the members only section.

**24. 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.**

Catherine Dimitruk, Governor's Appointee; Rep. Charles "Butch" Shaw, Legislative Appointee; Danielle Fitzko, State Forester representative.

- 2-year appointments; Expiration of Feb. 28, 2021
- Dimitruk and Shaw appointed by Governor
- Fitzko by position as State Forester representative.

Per diem costs paid only when attending Commissioners Meeting.

<https://www.nffpc.org/en/management/commissioners/about>

Authority is given for the Northeastern Forest Fire Protection Compact to be directed by appointed commissioners under Article III of Public Law #129 – 81st Congress where it states that:

"Each state joining herein shall appoint three representatives to a Commission hereby designated as the Northeastern Forest Fire Protection Commission."

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

Purpose: <https://www.nffpc.org/en/information/about>

Participating members will:

- provide mutual aid among members and establish procedures to facilitate this aid;
- support the development of integrated forest fire plans and the maintenance of appropriate forest fire fighting services by its members; and
- establish a central agency to coordinate the services needed by member states and provinces.

<https://www.nffpc.org/en/management/commissioners/about>

To ascertain methods, practices, and circumstances for bringing about prevention and control of forest fires.

- To coordinate the forest fire plans and work of the member agencies.
- To facilitate the sending and receiving of mutual aid.
- To formulate and revise a regional forest fire plan to serve as a common fire plan for the region.
- To recommend to the Governors and Legislatures/Parliaments measures to promote the purpose of the Compact.
- Recommend to the member agencies any and all measures that will affect the prevention and control of forest fires.

**26. Is that purpose still needed?**

Yes. Collaboration on wildland fire suppression is an ongoing need.

Objectives: <https://www.nffpc.org/en/management/commissioners/about>

- Develop integrated forest fire plans.
- Maintain adequate forest fire fighting services by member agencies.
- Provide for mutual aid in fighting forest fires and procedures that will facilitate such mutual aid.
- Establish a central agency to coordinate the services of the member agencies and to perform such common services as the member agencies request.

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

NFFPC's purpose is legislatively mandated at the federal and state level.

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

Very well. All members of NFFPC are satisfied.

**What evidence can you provide to substantiate that performance?**

Successful develop and passage of budget; congenial meetings; successful movement of resources within the NFFPC members.

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

No. Vermont relies on the collaboration with other US, Canadian and federal agencies for training, technology updates, and access to additional and/or specialized wildland fire suppression resources (ex: aircraft)

**29. 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?**

No. NFFPC is the only wildland fire specific Commission.

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

Yes. Through membership and having 3 Commissioners, Vermont can take advantage of training opportunities not available in-state and have wildland fire suppression available if needed from other agencies.

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

Yes. 10 VSA 2461-2462; 10 VSA 2501-2515

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

See attached document. Vermont's assessment is partially funded with State Fire Assistance grant funds.

**32. 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?**

Though not required by law, NFFPC produces an Annual Report. See attached document for the most recent report.

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

Successful. Vermont continues to have engaged Commissioners and is active as a voting member at Commission meetings. Vermont Commissioners actively participate in Commission Meeting proceedings, including budget scrutiny.

**Sunset Advisory Commission**  
**Board and Commission Review of *Vermont Trails and Greenways Council (VTGC)***

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:

**34. In general, how often does the board and commission meet?**

Quarterly

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

The Council has met five times (since January 2019)

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

N/A

**35. 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.**

The Council elects officers at their Annual Meeting in April. This April of 2020 they elected Mike DeBonis (Green Mountain Club) and Matt Williams (Catamount Trail Association) as co-chairs, Mariah Keagey as Vice-Chair, Abby Long as Secretary and Cindy Locke as Treasurer. They do not receive any per diem (all volunteer advisory council).

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

According to the Vermont Trail System statute (Title 10 Chapter 20): "The Vermont Trails and Greenways Council, Inc., an organization of trail using and trail providing groups, is designated as an advisory council to the Agency of Natural Resources and shall advise on all matters related to this chapter, including the allocation of State and federal funds appropriated for the purposes of this chapter."

**37. Is that purpose still needed?**

Yes: in order to receive our federal apportionment of Recreation Trails Funding, we must have an advisory trail council which meets at least once per year.

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

We would have to create another trails advisory board OR stop receiving the approximately \$1 million in federal RTP funds each year.

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

In recent years, they have become much more than just an RTP advisory committee and FPR remains committed to our continuing and evolving relationship. They advise on RTP ranking committee members (And members serve in that function), advise on Vermont Trail System membership, and generally advise FPR/ANR on recreation trails policies.

**40. What evidence can you provide to substantiate that performance?**

Public files are available for all of the above named functions. A concrete measure is the successful execution of RTP-funded projects around the state.

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

More clarity and specificity in the enabling statutes would improve efficiency and effectiveness, including details about Council membership and representation, roles and responsibilities, process and governance.

**42. 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?**

No

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

Yes

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

Currently yes, generally but with opportunities for enhancement (see response to question 8 above).

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

No staffing or significant expenditures: the Council is self-sufficient and volunteer run. They do have a treasurer's report which can be shared if need be. Nonetheless, the Council's work and effectiveness would be enhanced by dedicated funding and paid staff.

**44. 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?**

No

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

- Successful granting of RTP funds
- Support for the administration of the Vermont Trail System
- Collaborative and ongoing relationship between FPR and Council leadership and members (meeting often and achieving goals in our mutual work plan)