

Sunset Advisory Commission: 9/30/20 Notes

Members present: Gannon, White, Collamore, LaClair, Krauss [Zeller unable to attend]

BAW: Review of my notes from last meeting

Commissioner Snyder: See [questionnaire responses](#).

- **Champion Lands:** Hasn't met; no longer relevant; **can be disbanded**. The E.O. that created the Champion Lands was not rescinded, though.
 - **SAC recommendation: *REPEAL***
 - **SAC to recommend to S. Zeller the rescission of the Ex. Order.**
- **Governor's Council on Physical Fitness:** Did not report on it b/c it's in the Dept. of Health. "Not ours as we understand it."
 - Statute creates it within the Dept. of F, P, and Rec., but it's been operated out of the Dept. of Health.
 - SAC discusses amending the statute to resituate it under DOH to match current practice.
 - M. Krauss raises question of whether SAC should accordingly take testimony from DOH on whether this Council should continue.
 - **SAC recommendation: *At a minimum, statute should be amended to reflect that it's under DOH. However, at this time, SAC needs further testimony from DOH.***
- **Governor's Snowmobile Council:** Partner organization. Helpful; meets regularly; advises. Supports their input. Relevant, valued, and ought to continue.
 - **SAC recommendation: *MAINTAIN***
- **National Forests Board:** Head scratcher. Had only one meeting on it a while ago; has not met since. Recommendation is that whatever its original purpose may have been, it's no longer necessary to maintain.
 - SAC questions whether it's federally required.
 - **SAC recommendation: *REPEAL, but double-check that it is not federally required.***
- **NE Forest Fire Protection:** It's a compact; viable, valuable. Recommends maintaining it. Northeast regional approach to addressing forest fires.
 - **SAC recommendation: *MAINTAIN***
- **Vermont Trails and Greenway Council:** Recommends keeping; valuable. Leg. just considered legislation re: trails (Act 250 bill). It's a Council of nonprofit trail groups (VAST, Catamount, Mountain Bike Assoc., etc.) Exists to advise ANR and DFPR on maintenance of trails. Good working relationships with the important network of people who help maintain trails.
 - Rep. Gannon: Trails are widely used and are an economic benefit to the State. *Witness response:*
 - Keeping up with demand for trails while maintaining environmental integrity. Trails also provide health benefits. This Council plays a role in tying all of those issues together.

- Rep. Gannon notes the Dept's questionnaire recommended some revisions to enabling law. *Witness response:*
 - Thinks it makes sense to modernize the Council and what its role should be. Would like to give it further thought to better specify the charge and better empower the Council members.
 - Sen. White: Perhaps SAC should recommend that committees of jurisdiction review this issue, working with the Dept. and the Council. (House Ag & Forestry; Senate Natural Resources)
- **SAC recommendation: MAINTAIN, but recommend that CoJs work with interested parties to update the enabling law.**
- **Maple Advisory Board:** Shared responsibility with Agency of Ag. Part of forestry, but also part of definition of farming. Syrup = agriculture; woods to sugarhouse = forestry. Board relates to licensing of certain State lands for sugarmakers. This Board provides advice on licensing. Currently eight licenses; approx. 155 acres(?); annual revenue of about \$19k.
 - Original statute provided that when State provides these licenses to private sugarmakers, there was a specific charge for a grade of maple syrup that does not exist anymore. Comm'r previously recommended striking the prices from statute and instead allowing the Comm'r to set the license charges; that was enacted (*see* subsec. (f) of enabling law). Board gave Comm'r advice on the prices to set.
 - When you establish sugaring in an area, that's essentially the only thing you can do in that area on the land. Therefore, Dept. tries to focus these State licenses on areas of historical sugaring or on lands that are more suitable for sugaring exclusively.
 - These are for licenses, not leases. Licenses allow these sugarmakers to sugar there and lay lines, but these are State lands, so licensees cannot prohibit access to others.
 - **SAC recommendation: MAINTAIN**

ANR, DEC: **Connecticut River Watershed Advisory Comm'n (CRWAC).** Chris Campany and Marie Caduto. *See [questionnaire response](#).*

Chris Campany:

- Gets State funding and some grants.
- CRJC (joint commission) has commissioners from both VT's CRWAC and NH's similar commission.
- Has been focusing on water quality.
- CRJC went through a process to revisit what is needed for them to address. Agreed on need to focus on the broader statutory mission, rather than its prior focus on water quality.
 - The statutory mission is to have the two states address what is needed in the watershed.

- Currently planning an effort in Dec. re: what is the immediate and near-term outlook for the Connecticut River Valley, including the proximity of the Valley to the metropolis areas; therefore, concerns about development impacts, including those caused by migration due to climate change.
- Although there are statutory appointments, there are also local river subcommittees appointed by local selectboards.
 - NH's have a defined role re: permits.
 - VT does not have that defined role.
 - However, as a result of these local subcommittees, there is more local involvement in what is happening in the Valley.

Marie Caduto:

- The Joint Commission is the only focused on the VT and NH Connecticut River Valley. It's an important responsibility. For ex., the required TMDLs.
- Aside from water quality, there are other watershed issues that need to be addressed, such as development and hydropower.
- The CVRW covers 42% of Vermont. The Joint Commission is the counterpart to Lake Champlain.
- Strongly recommends keeping this Commission.
- Sen. White: VT not funding the CVRW like it does for Lake Champlain.

Rep. Gannon notifies SAC that DEC had also submitted a questionnaire that came to a different conclusion than that submitted by C. Company.

- Rep. LaClair suggests that the groups get together to reevaluate their positions.
- C. Company raises concerns that the Commission was not notified of DEC's differing opinion. He expressed concerns about how little focus there is on the CRV, which one reason that this Commission is important.
 - Thinks the Comm'n's focus extends beyond DEC (b/c the CVRW purview is more than water quality).
- M. Krauss recommends that SAC not take action today, and that the Comm'n and DEC should further discuss their perspectives and return to SAC.
- Sen. Collamore notes that DEC's questionnaire states that the Comm'n has not kept minutes or its required annual report.
 - C. Company states that is not the case; he had sent SAC the Comm'n's minutes and reports, so DEC must not be aware.
- **SAC recommendation: Write official letter to Joint Comm'n, the VT Comm'n, Sec. of ANR, and DEC advising them of incongruities between opinions of the Comm'n, as well as DEC not knowing of the Comm'n's minutes and reports. Request that they submit a revised questionnaire response by Nov. 12th. Please also summarize the conversation in reaching a revised conclusion.**

ANR, DEC, Potable Wastewater Technical Advisory Committee. Ernest Christianson.

See [questionnaire response](#).

- TAC has existed since about 2002. DEC relies on their technical expertise, such as on mandatory water testing.

- There was a recent revision of wastewater rules.
- Great resource. Does very good work. Suggests keeping them.
- **SAC recommendation: MAINTAIN**

ANR, DEC, **Petroleum Cleanup Fund Advisory Committee**. Matt Moran; *see* [questionnaire response](#).

- Supports continuation.
- Good collaboration with the petroleum industry to ensure cleanup.
- Acts as a financial assurance mechanism for industry; both a federal and State requirement. Strong vested interest in ensuring the Cleanup Fund remains solvent.
- **SAC recommendation: MAINTAIN**

ANR, DEC, **VT Citizens Advisory Commission on Lake Champlain's Future**. Mark Naud. *See* [questionnaire response](#).

- Statutory provisions preceded the Lake Champlain Basin Program; therefore, some provisions do not fully reflect current practice.
- Comm'n has discussed proposing revisions to its enabling law, but decided against it because there are bigger issues facing the Basin.
- **SAC recommendation: MAINTAIN**

ANR, DEC, **Toxics Technical Advisory Board**. *See* [questionnaire response](#), which indicates that it is not active and that DEC recommends its repeal.

- Sen. White plans to check with Sen. Lyons on any other toxics/chemical-related groups.
- **SAC recommendation: REPEAL** (and if it's still necessary, the bill can be amended).

ANR, DEC, **NE Interstate Water Pollution Control Comm'n**. [Scheduled agency witness was not present at the meeting to testify.]

- Rep. Gannon suggests that SAC take testimony from the Chair of the Commission.
- Rep. Gannon also reminds that the Leg. gave these Comm'n members a per diem in 2018 in the first boards and commissions bill.

Re: SAC requests: Do not put them in the bill; instead, draft three letters to the relevant parties and send to SAC for review.

Next meeting:

- VSARA re: registry
- Other ANR boards (F&W)
- Groundwater Committee (for which we got a questionnaire response, but it's not currently on the spreadsheet)