

April 21, 2022

HNRE Committee Comments on S.148

Maggie Gendron, ANR Deputy Secretary

For the record my name is Maggie Gendron, Dep Sec ANR.

I want to begin by making some clarifying comments.

1. **The phased approach before you is in response to the Committee request last week to provide some sort of proposal to match the scope of work with the funding the legislature has indicated is available for the work.** In my response I said I would do that, but recommended you also ask other interested stakeholders to go through the same exercise. I suggest others provide you feedback too.
2. This phased approach is something that a small team of colleagues at ANR workshopped, and **we did not develop this recommendation with stakeholders due to time constraints.**
3. **The funding for this legislation has been further modified by Senate appropriations, and now negatively impacts our Agency's work.** The Senate is proposing to eliminate base funding for the Agency's Environmental Justice and Civil Rights compliance position and shift it to one-time monies included in S.148 (An act relating to environmental justice in Vermont). This would include both existing base funding that was established in

FY22 along with the additional \$46K that is included in the FY23 Governor's recommended budget to convert the position to full-time. The Agency is requesting this funding remain in H.740. Setting aside any requirements that may be established in the final version of S.148, this position was created because of and is necessary to fulfill other, existing Agency obligations. Specifically, the Agency was informed in the fall of 2021 that two federal agencies will be auditing the Agency's compliance with Title VI of the Civil Rights Act of 1964. This position will lead the Agency's engagement in the audits, as well as providing support for the implementation of anticipated corrective actions resulting from the audits in a timely fashion.

4. **We do support increased funding for advisory members participation.**
5. You also asked us to break down a cost estimate on the mapping tool. That is a hard task to do on a short timeline, given we would need to draft a scope and issue an RFP. But, the information is based off our conversations with other states.
  - a. Our team has reached out to IILUME Advising who has worked recently with New York DEC on their mapping tool, and I have placed a request to ADS to get a sense of preliminary cost estimate without having pulled together a scope of work.

- b. In New York, they allocated \$500K over two years, plus another \$100K for technical GIS expertise and analysis, noting that:
- c. This covered overall project coordination, development, and stakeholder input; and
- d. This does not account for significant DEC staff time in preparing and analyzing data or the significant amount of work on behalf of the Department of Health.
- e. You could likely phase the mapping work but we would then need more time, and we should likely agree to the phasing as an EJ working group with stakeholders.
- f. Again, as Carey mentioned in her testimony, once we make the map public, there will be decisions and implications due to that information being a public tool.

I am happy to talk through the PDF attachment of phased suggestions and answer any questions.