

Jennifer Byrne's Testimony to House Environment Committee

May 5, 2026

Re: Core Principles of Community Engagement & Implementation Progress

Good Afternoon Chair Sheldon and Members of the Committee. Thank you for the invitation to be here today.

My name is Jennifer Byrne. I serve as the District Manager of the White River Natural Resources Conservation District, one of Vermont's 14 Conservation Districts. Conservation Districts are longstanding infrastructure for natural resource and land use decision-making at the local level—best described as decentralized, democratically organized watershed governments.

I also serve on the Environmental Justice Advisory Council as the representative of the Natural Resources Conservation Council. I was invited here today for a status update on the Community Engagement deliverables associated with the Environmental Justice Law of Vermont.

I want to begin by just a little background on what NRCC is, and why its inclusion in Vermont's Environmental Justice Advisory Council is both intentional and important.

The Vermont Natural Resources Conservation Council (NRCC) is defined in statute as an agency of the State. It was established through the 1939 Vermont Soil Conservation Act and is composed of representatives from Vermont's Conservation Districts—locally elected officials—alongside state and federal agency and educational partners.

That structure is unique. It is one of the only places in state government where locally elected, place-based leadership and agency decision-makers are consistently sitting at the same table as peers, working through natural resource priorities together.

And that structure is grounded in more than 85 years of practice.

Conservation Districts were created to lead what is known as the locally led conservation process—a model based on the idea that communities themselves are best positioned to identify their natural resource concerns, set priorities, and shape solutions.

This is not new work for us—it is our statutory purpose.

Under federal guidance and state law, Conservation Districts coordinate broad-based community participation in conservation planning—bringing together farmers, landowners, municipalities, agencies, and community members—and translating that input into actionable plans, priorities, and program delivery. I've included our federal guidance document with my testimony today for your reference.

In many ways, this is one of the State's most established systems for ongoing, place-based community engagement tied directly to decision-making and implementation.

As a meaningful milestone in that ongoing work—this year, for the first time in 85 years, NRCC was approved to launch a state website (conservation.vermont.gov) to make the work of Conservation Districts and NRCC more visible and accessible to Vermonters.

At the same time, the Environmental Justice Advisory Council serves a critical and distinct role.

The EJ Advisory Council was created by the Legislature to ensure that the voices of environmental justice focus populations—communities most impacted by environmental and public health burdens—are not just included, but meaningfully shape State decision-making. Its composition reflects that purpose, bringing together individuals with lived experience, advocates, and representatives who can speak directly to the barriers, burdens, and realities facing communities across Vermont.

That perspective is essential.

It ensures that the State is not making decisions about communities without meaningful input from those communities.

The inclusion of NRCC within that structure matters because it connects that work to an existing, democratically organized, statewide and nationwide system that is already engaging communities on the ground and translating that input into local, state, and federal action.

So when Vermont's Environmental Justice Law included NRCC on the Advisory Council, it recognized something important:

that meaningful participation requires both
—intentional representation of environmental justice voices at the state level, and
—locally led structures that are embedded in communities and connected to implementation.

With that context, I'll turn to what I was asked to speak about today—an overview of the Core Principles of Community Engagement and an update on the work underway to implement them across Vermont agencies and communities.

Overview of Vermont's Environmental Justice Law

At a high level, Vermont's Environmental Justice Law—codified in 3 V.S.A. Chapter 72—establishes a statewide policy and implementation framework to ensure that environmental decisions reduce disparities and include meaningful participation, particularly for Environmental Justice Focus Populations.

The law does several things simultaneously.

First, it establishes a State policy on environmental justice, making clear that no segment of the population should bear a disproportionate share of environmental burdens or be denied environmental benefits, and that all individuals must have the opportunity for meaningful participation in the development, implementation, and enforcement of laws, regulations, and policies.

Second, it creates the core implementation structure:

- The Environmental Justice Advisory Council, which provides independent advice and evaluates how State actions may create or reduce environmental burdens
- The Interagency Environmental Justice Committee, which coordinates implementation across 11 agencies and guides consistency in approach

Third, it requires all covered State agencies to integrate environmental justice into their work, including:

- Evaluating how their actions may impact environmental justice populations
- Ensuring meaningful participation in decision-making processes
- And reporting on complaints and outcomes related to environmental justice issues

Fourth the law requires agencies to consider both environmental benefits and cumulative environmental burdens when making decisions about:

- Environmental and public health programs
- Energy and climate initiatives
- Infrastructure and facility siting
- And associated funding and investments

This is a major shift.

It explicitly recognizes that impacts are not isolated—that communities experience layered, cumulative effects over time, and that decision-making must account for that reality.

Fifth, the law includes rulemaking requirements.

It directs the Agency of Natural Resources to adopt rules to:

- Define cumulative environmental burdens
- Establish how those burdens will be considered in decision-making
- And provide transparency to the public about how those determinations are made

It also requires that the Advisory Council review and provide feedback on proposed rules implementing the chapter, embedding community-informed oversight directly into the rulemaking process.

Sixth, the law requires the development of Community Engagement Plans by all covered agencies. These plans must describe how agencies will engage with environmental justice

focus populations, be used when evaluating new and existing programs and activities, and support meaningful participation consistent with Title VI of the Civil Rights Act.

Under the law, the Advisory Council was required to develop and publish the Core Principles of Community Engagement, which are intended to guide the development of these plans and inform how agencies carry out engagement in practice. They translate the requirements of the law into clear expectations—providing a shared framework for what meaningful, effective engagement should look like across agencies.

Seventh, the law calls for development of a statewide Environmental Justice Mapping Tool, which must identify environmental justice populations and help measure environmental burdens at a meaningful geographic scale to inform decision-making.

And finally, the law includes accountability mechanisms, including:

- Annual reporting by agencies on environmental justice and civil rights complaints and actions taken
- Ongoing review of definitions and thresholds
- And legislative reporting on whether investments are equitably distributed

What This Means in Practice

This law is not just about engagement.

It is about requiring State government to:

- Adjust *how* decisions are made
- Consider cumulative impacts, not just individual actions
- Integrate iterative community input into rulemaking and policy development
- And ensure that benefits and burdens are more equitably distributed

Community engagement is one piece—but it sits within a much broader structure that ties together data, decision-making, rulemaking, and accountability.

Core Principles of Community Engagement

The Core Principles of Community Engagement were officially published by ANR and the EJ Advisory Council in 2023.

They are structured as twelve principles, and I do want to name them—because together, they define what meaningful engagement actually requires in practice.

They call on agencies to:

- Build on existing guidance and avoid duplicating efforts
- Integrate community input at every stage of decision-making

- Develop internal capacity to engage meaningfully
- Coordinate across agencies to reduce fragmentation
- Build ongoing, reciprocal relationships with communities
- Prioritize the voices of those most impacted and address systemic barriers
- Compensate community members for their time and expertise
- Adapt engagement approaches to the needs and context of each community
- Ensure outreach is accessible, inclusive, and culturally appropriate
- Be transparent about processes and accountable for outcomes
- Commit sufficient time and resources to do engagement well
- And show up consistently, working alongside communities toward solutions

Taken together, these principles are asking agencies to fundamentally rethink how engagement happens.

At a deeper level, they set an expectation that engagement must be:

- ongoing, not one-time
- relational, not transactional
- and capable of shaping outcomes

And importantly, they acknowledge something many communities already know: when engagement is late, unclear, duplicative, or extractive—it doesn't just fail to help. It can actively cause harm.

Current Work and Emerging Themes

Right now, the Advisory Council and Interagency Committee are working on guidance to support agency Community Engagement Plans, which must be published by each agency by July 1, 2027.

This work is being carried out through a joint Community Engagement Subgroup, which meets regularly to develop and refine the guidance.

Our charge is to translate the Core Principles into something usable—not just aspirational, but practical and implementable across agencies.

That guidance is expected to include:

- Recommended plan structures
- Suggested language agencies can use directly
- Clear expectations for what meaningful engagement looks like
- Examples of effective engagement practices
- And frameworks for when engagement is required, particularly in decision-making contexts

At the same time, through both the Subgroup and broader Advisory Council and Interagency Committee discussions, several consistent themes are emerging:

First, this is a cultural shift, not just a technical one. Agencies are recognizing that implementing these principles requires changing how decisions are made—not simply adding a new step.

Second, capacity and resources are real constraints. There are ongoing concerns about the time, staffing, and funding required to do this work well.

Third, there is a need for practical tools and training. Agency staff are looking for clear guidance on how to design engagement processes, budget for them, and communicate effectively.

Fourth, there is a fear of getting it wrong—and that fear can slow progress, which is why clear and supportive guidance and leadership buy-in is so important.

And finally, coordination is critical. Without it, we risk over-engaging the same communities in uncoordinated ways, which can erode trust rather than build it.

What Comes Next

The next joint meeting of the Advisory Council and Interagency Committee is scheduled for May 13th from 10:00 to 12:00, and it will be focused specifically on advancing this community engagement work. Interested members of this committee are more than welcome to attend this public meeting to learn more.

An exciting recent development in our shared work is that the members of the Advisory Council and Interagency Committee have been paired in what we're calling "Working on Excellence" or WOE partnerships.

These are essentially "buddy systems" designed to:

- Strengthen collaboration between the two bodies
- Build shared understanding of agency and community work
- And support implementation across agencies

Closing Reflections

To conclude, I want to turn to the question of alignment—between what this law requires and how we are pacing and investing in related work.

Vermont is moving quickly on new land use, environmental, and conservation frameworks: new plans, new programs, new expectations.

At the same time, the Environmental Justice Law—the law that sets the foundation for how those decisions should be made—is still in the process of being implemented and resourced.

We are several years in. Key deliverables are still in development. Rulemaking is ongoing. Community engagement guidance is still being built. And deadlines are approaching.

There is real risk in continuing to build new systems while the core laws that govern how decisions should be made are still being put in place.

If we move forward without fully implementing this law, we risk:

- making decisions without meaningful participation
- reinforcing existing disparities
- and needing to revisit decisions later—with more conflict, more delay, and less trust

There is urgency here—climate, water quality, and land use pressures are real.

But this law is asking us to do something different. It is asking us to move at the speed of communities, not just at the speed of policy. And those are not the same.

Building trust and ensuring that community input can shape decisions takes time, coordination, and resources.

Right now, one of the clearest gaps is resourcing.

Over the past four years, there has been no dedicated funding for the Advisory Council to conduct community engagement in the communities it represents, and very limited compensation for Council members themselves—despite being tasked with significant responsibilities, including informing rulemaking, guiding agency engagement, and representing community perspectives at the state level.

Advocates for passage of this law were clear that resources should support direct, community-based engagement through the Council.

Instead, the primary investment has been approximately \$500,000 for the mapping tool, with any community engagement tied specifically to its development.

That is not the same as ongoing, community-led engagement.

At the same time, we are underutilizing and underinvesting in systems that already exist—like NRCC and Conservation Districts—which are actively engaging communities and translating input into action.

And it is worth noting that this is not a new pattern.

The locally led conservation system established under the 1939 Vermont Soil Conservation Act has never been fully resourced to carry out its statutory purpose at the scale envisioned—despite being designed to do exactly this kind of community-based engagement and decision-making.

So we have a mismatch:

We are investing in new frameworks, while underinvesting in:

- the Advisory Council’s ability to engage communities
- and the locally led, democratic systems already doing this work

If we expect meaningful participation to shape decisions, we have to resource it.

The question is not whether this work is urgent. It is.

The question is how we balance that urgency with the time and investment required to build trust and do this well.

Because if we move too fast without that foundation, we risk recreating the very patterns this law is meant to change.

But if we align timelines, resource the Advisory Council, and invest in locally led systems like NRCC, we can make better decisions from the start—and avoid conflict and delay down the line.

Thank you for your time and invitation today—I’m happy to answer any questions and continue the conversation moving forward.