

Vermont Clean Water Board Meeting Minutes

Date/Time: Tuesday, October 18, 2022, 2:30–4:00 pm

Virtual Location: [Microsoft Teams Meeting](#)

Physical Location: Agency of Natural Resources, One National Life Drive, Montpelier, VT 05602 in the Catamount Room (Davis Building, 2nd Floor, Room D215).

Meeting details, supporting materials, and recordings available at: <https://dec.vermont.gov/water-investment/cwi/board/meetings>

Clean Water Board Members/Designees:

Douglas Farnham, Agency of Administration (AoA) Deputy Secretary and Designated Clean Water Board Chair (Present)

Tayt Brooks, Agency of Commerce and Community Development (ACCD) Deputy Secretary (Present)

Alison Conant, public member (Present)

Bob Flint, public member (Present)

Joe Flynn, Agency of Transportation (VTrans) Secretary (Present)

Jim Giffin, public member (Present)

Julie Moore, Agency of Natural Resources (ANR) Secretary (Present)

Anson Tebbetts, Agency of Agriculture, Food and Markets (AAFM) Secretary (Present)

Chad Tyler, public member (Present)

1. Welcome

Douglas Farnham, Agency of Administration Deputy Secretary, designated Clean Water Board Chair

The Chair, AoA Deputy Secretary Douglas Farnham convened the meeting at 2:30 pm and invited any edits to the February 8, 2022 meeting minutes. No edits were offered, and minutes were adopted. Jim Giffin asked for an update on the proposed dialogue with legislative members on the Clean Water Fund Program Audit's procurement challenges. ANR Secretary Moore and AoA Deputy Secretary Farnham indicated they received no clear legislative guidance or suggestions. Item will be added to the February 2023 Clean Water Board meeting to revisit and discuss next steps.

2. Review State Fiscal Year (SFY) 2024 Clean Water Budget process

Gianna Petito, Department of Environmental Conservation (DEC) Clean Water Initiative Program (CWIP) Grants Coordinator

Gianna Petito presented the budgeting timeline and highlighted key dates for public comment and future Clean Water Board meetings.

3. Review Clean Water Fund operating statement

Nick Kramer, Department of Finance and Management Budget Analyst

Nick Kramer provided an overview of the Clean Water Fund operating statement highlighting surplus revenues for State Fiscal Year (SFY) 2022 and projected for SFY 2023. Reason for surplus likely due to impacts of the federal stimulus money on the State economy. Surpluses are not expected to continue, and overall Clean Water Fund revenue is anticipated to decline in SFY 2024 and 2025. ANR Secretary Moore asked what fiscal year the Property Transfer Tax Clean Water Surcharge was scheduled to sunset. Starting July 1, 2027 (SFY 2028) the Clean Water Fund will no longer receive deposits from the Property Transfer Tax Clean Water Surcharge.

4. Review draft SFY 2024 Clean Water Budget recommendation

Emily Bird, DEC CWIP Manager and Gianna Petito

Emily Bird and Gianna Petito presented the draft budget recommendation and budget drafting approach. No comments or questions received.

5. Preview SFY 2024 Clean Water Budget public comment communications plan

Rachel Wood, DEC CWIP American Rescue Plan Act (ARPA) Coordinator

Rachel Wood highlighted public comment period dates and opportunities for the public to provide feedback on the draft SFY 2024 Clean Water Budget. This includes a new Story Map to introduce an interactive learning element and updates to the Public Comment Questionnaire to reflect feedback on SFY 2023's questionnaire. The November 2nd Public Hearing will begin with a recorded presentation showing of all Clean Water Budget line-items developed by Agency partners.

6. Overview of ongoing/existing innovative/alternative technologies/approaches

Rachel Wood

Rachel Wood highlighted some examples of how the Clean Water Budget Agency partners are integrating innovative and alternative technologies and practices in their existing line-item activities and funding programs. Rachel Wood also provided a background on the Lake Champlain Basin Program's Technical Advisory Committee and its role in directing funds towards applied research initiatives. Bob Flint indicated interest in seeing data on the impacts of these innovative investments on water quality. Emily suggested that the annual Performance Report may be one place to compile the outputs and outcomes from innovative approaches. WID Director Neil Kamman mentioned via the Teams chat that the Lake Champlain Basin Program also reports annually on the impact and effectiveness of their implementation projects, and innovation-based technical projects. See:

<https://www.lcbp.org/news-and-media/publications/annual-reports/>.

7. Update on availability of federal funds for water quality work in Vermont

Neil Kamman, DEC Water Investment Division (WID) Director

WID Director Kamman presented on the available federal funds for water quality work in Vermont which provides important context when setting the Clean Water Budget. There is a large increase in federal funds for Federal Fiscal Year 2022, but this is expected to be short term.

8. Public comment

Douglas Farnham

- *Sylvia Knight* – Not present
- *Pat Suozzi* – Asked about monitoring the efficacy of projects especially for those that need long term maintenance and whether that data is publicly available. Emily Bird mentioned that DEC is funding operation and maintenance of practices but that is a new initiative. Over time data from that initiative may help inform project viability.
- *John Costa* – Presented on concerns for Lake Carmi. Written comments are attached.
- *Jennifer Byrne* – Not present
- *Caroline Gordon* – Not present
- *Peter Benevento* – Expressed concerns for Lake Carmi. See meeting recording.
- *Bruce McGurk* – Requested Lake Alum Treatment Feasibility Study to include Lake Carmi. See meeting recording.
- *Ernest* – Expressed concerns for Lake Carmi. See meeting recording.
- *Melissa Costa* – Not present
- *David and Diane Larose* – Expressed concerns for Lake Carmi and delay in timing of alum treatment if feasibility study is not funded until 2024. Emily Bird clarified that the budget in development is for SFY 2024 which begins July 1, 2023. See meeting recording.
- Pat Suozzi mentioned Lake Morey is also experiencing revived blooms. See meeting recording.
- Kathi Samson expressed concern for Lake Carmi. See meeting recording.

9. Discuss and approve draft SFY 2024 Clean Water Budget to post for public comment

Full Board

- AoA Deputy Secretary Douglas Farnham expressed caution that although funding picture looks positive with additional federal funds, some of that is netted out by increasing costs and inflationary pressures resulting in the same amount of money delivering fewer results.
- Chad Tyler expressed concerns about endless studies for Lake Carmi with no solution. ANR Secretary Moore explained that the aeration system only has one year of valid monitoring data, but it is indicating that other approaches may be needed which is the reasoning behind exploring the feasibility of Alum treatment. Bob Flint requested a presentation or background on proposed treatments for Lake Carmi including Alum treatments and aerator use.
- Jim Giffin expressed concern about labeling \$2.5 million as contingency because it might be more vulnerable to reallocation by the legislature.
- ANR Secretary Moore moved to post the draft SFY 2024 Clean Water Budget for public comment as presented today. VTrans Secretary Joe Flynn seconded the motion. Motion Passes

10. Adjourn

Meeting adjourned at 4:11.

October 18, 2022 Clean Water Board Meeting Materials:

1. February 8, 2022 Draft Clean Water Board Meeting Minutes [Page 1 of PDF]
2. SFY 2024 Clean Water Budget Process [Page 4 of PDF]
3. Clean Water Fund Operating Statement (October 4, 2022) [Page 5 of PDF]
4. Draft SFY 2024 Clean Water Budget Sheet (October 17, 2022) [Page 6 of PDF]
5. Draft SFY 2024 Clean Water Budget Overview Document (October 17, 2022) [Page 7 of PDF]
6. Draft SFY 2024 Clean Water Budget Public Comment Online Questionnaire [Page 29 of PDF]
7. Summary of Ongoing/Existing Innovative/Alternative Technologies/Approaches [Page 35 of PDF]
8. [2022 Report on Federal Funding Related to Water Quality Improvement Efforts in Vermont](#)
9. July 28, 2022 Public Comment Letter to the Clean Water Board from Lake Champlain Committee, Audubon Vermont, Connecticut River Conservancy, Conservation Law Foundation, Vermont Businesses for Social Responsibility, Vermont Conservation Voters, and Vermont Natural Resources Council [Page 42 of PDF]
10. September 7, 2022 Public Comment Letter to the Clean Water Board from Franklin Watershed Committee and Lake Carmi Campers Association [Page 47 of PDF]

Presentation to the Vermont Clean Water Board
October 18, 2022

Good afternoon, Water Board Members,

My name is John Costa, and I am appearing before you today representing the Lake Carmi Camper's Association and indirectly the Lake Carmi State Park, the Franklin Watershed Committee and all the people in and out of Vermont who visit Lake Carmi in Franklin each year. I'll attempt to keep my remarks brief but, with the conditions facing all of us at Lake Carmi, brevity is difficult, especially when one considers that public and private agencies have been studying and testing Lake Carmi for nearly thirty (30) years. In fact, I recently stumbled across a banner on the side of a barn near Lake Carmi that reads: "Franklin Watershed Committee-Caring for Lake Carmi since 1996. In actuality, the watershed Committee was founded in 1994.

Lake Carmi, as you may know, is Vermont's only designated "Lake in Crisis", a designation it received following a lake wide cyanobacteria outbreak in 2017. If you have never visited our little lake on the Canadian border, then you have not experienced what a gem you have in northwestern Vermont. Not only does it sit within a mile or two of the border but, Lake Carmi is a mere twenty-minute drive away from Lake Champlain and ironically, Lake Carmi also happens to feed Lake Champlain via the Pike River.

Our lake continues to see a significant decline in its water quality. This summer, we experienced blue green algae blooms that started in late June and have extended into the fall. Our beaches have been closed for months. Our property owners have been plagued with a thick slime that has extended into the middle of the lake. Our town residents have been unable to enjoy the lake, the state park has certainly seen a decline in use and the local economy has surely been negatively impacted by the poor water quality of our lake.

If you haven't visited Lake Carmi during a cyanobacteria bloom, then you haven't seen or smelled the devastation that is fast becoming the norm for Lake Carmi. Vermont is often compared to Switzerland for its beauty, with its rolling hills and mountainous terrain. Only those who spend significant time in Vermont know its dark secret: Vermont's lakes, rivers and streams are suffering from years of neglect. Included with my presentation are photos taken at Lake Carmi this summer.

Four years ago, the first significant step in addressing Lake Carmi came with the installation of a lake wide aeration system. Unfortunately, to date, aeration does not appear to be the answer. As of my presentation today, the 2022 aeration results are not available. However, for those of us on the lake, no statistics are needed, as the lake began to release its dangerous toxins in late June and never let up for the remainder of the season.

We can stay out of the water during blooms, we can try to keep pets out of the water. For those of us who still draw water from the lake there are limited alternatives. We just do not have access

to water. Those who live close enough can just go home. For the many retirees living on the lake who go to warmer climates in the off season, there is no alternative.

However, there is a larger and more serious issue at hand.

What we cannot avoid is the air we breathe. New evidence is pointing to serious health risks when breathing the air surrounding cyanobacteria blooms. A water quality scientist who visited the lake earlier this year indicated that the air within half a mile of a bloom can be unhealthy to breathe.

I have come here today, thankful for the work that has been done to date but concerned that we could lose the decades long battle to save this precious gem. In an effort to support our work we are asking for the following

1. Immediate funding to conduct a diagnostic feasibility study for a possible alum treatment at Lake Carmi,
2. Funding be reserved in Vermont's Clean Water Initiative Program (CWIP) to support an alum treatment for Lake Carmi if the above feasibility study determines this is an appropriate strategy. (Approximately 1-2 million dollars).
I cannot emphasize strongly enough how critical it is that funds be set aside now should item one above or some other option become viable.
3. Funding be reserved in Vermont's Clean Water Initiative Program (CWIP) to support programs necessary to improve tributaries, streams and roads in the watershed area.
4. Increase from \$50,000.00 to \$150,000.00 the annual Lake in Crisis funding to support the electrical costs, operation/maintenance of the aeration system and the work of our Franklin Watershed Coordinator in 2023 (despite the aeration system's challenges, data suggests that a functioning system may be better than no system, and we would like to continue to operate the system until a determination on the alum or some other treatment is made).
5. Continue to support the deployment of the data collection buoy on Lake Carmi in 2023 while the aeration system is deployed at the lake. (Approximately \$50,000.00).
6. Continue to fund UVM Extension's work in the watershed, whose assistance has been instrumental in helping the agriculture community as they work to implement Best Management Practices.

In closing Lake Carmi is/was an integral part of my wife Carol and my retirement plans- spending summers on our beautiful lake, then returning home to Massachusetts for the winter. Our retirement dreams have become our greatest nightmare as we struggle to decide what to do with our remaining years. All of us who have enjoyed the beauty that Vermont and, in particular, Lake Carmi offer, ask that you allocate the appropriate funding outlined earlier so we can all enjoy the benefits of life on our once happy lake.

Thank you.

July 17, 2022

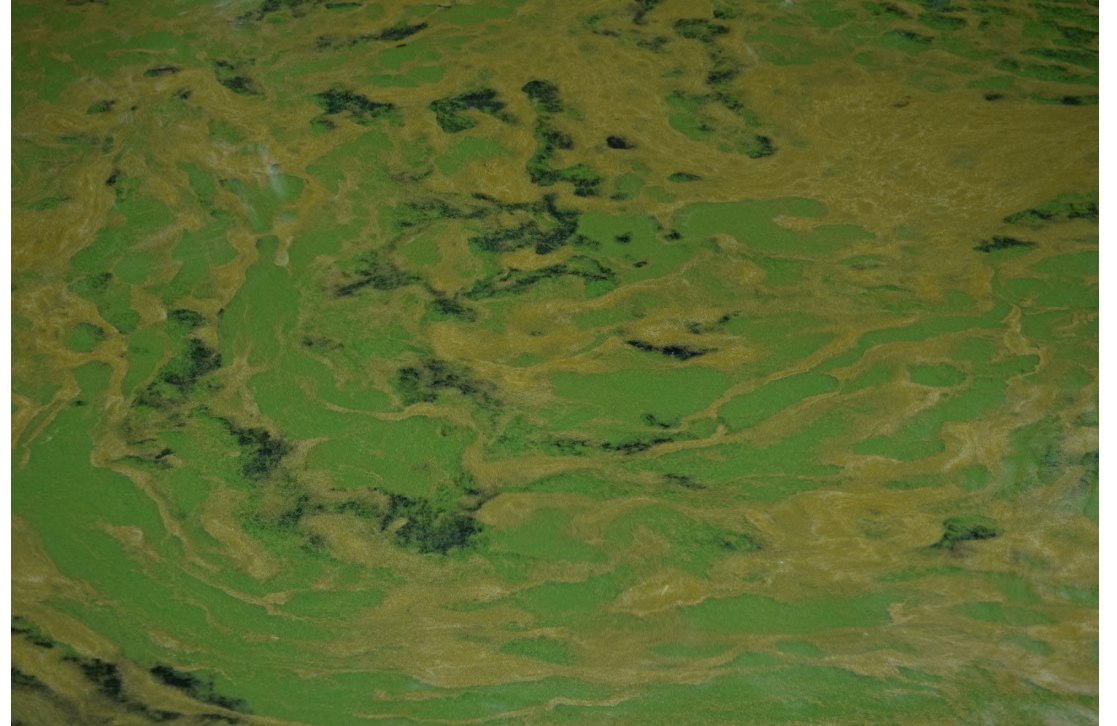


North
Shoreline



Cyanobacteria
bloom heading
to Lake
Champlain via
Pike River.

July 18, 2022



July 20, 2022

North Shoreline



July 22, 2022
North Shoreline



September 7, 2022

Patton Shore and Black Woods



September 7, 2022

Wescott Shore to South End of Lake



September 7, 2022
South End of Lake



September 7, 2022

Lake Carmi State Park



North Shoreline

September 8, 2022

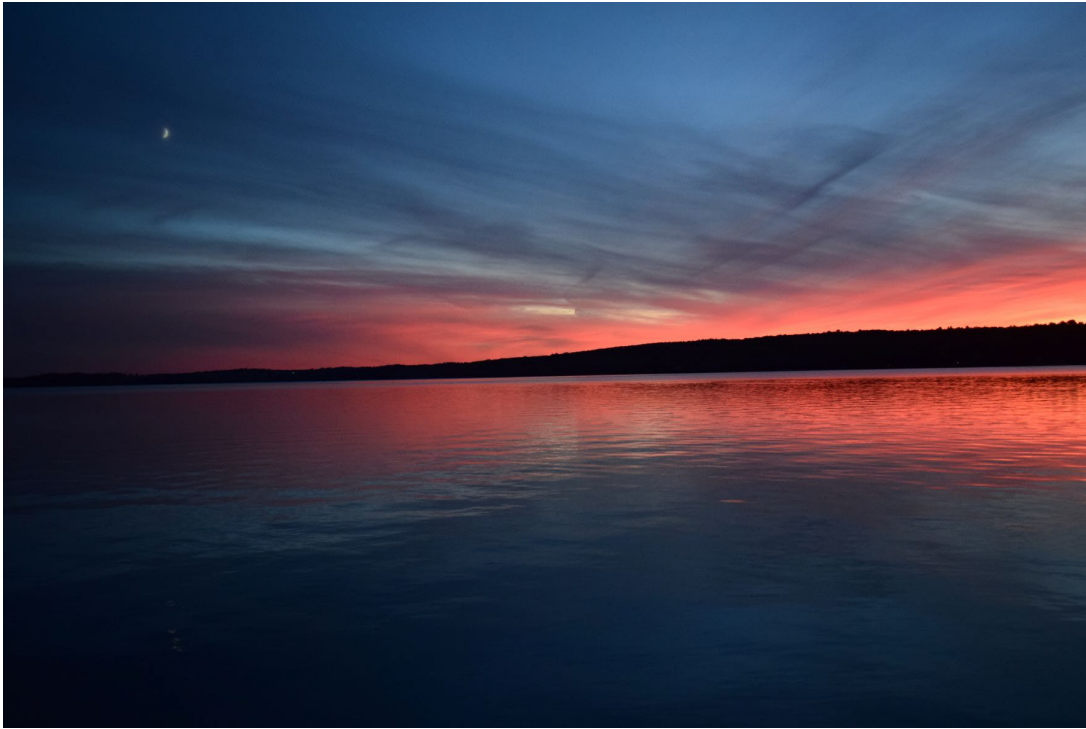


September 9, 2022



WHY WE NEED TO SAVE LAKE CARMI

Sunsets



July 17, 2022

Concert on the Green-Sponsored by LCCA



Families on the Lake.



July 13, 2022

Carriage House/Homestead Lunch and Boat Tour

Sponsored by LCCA



Pete and Marion Benevento

Two individuals who have worked so hard
for so long to save Lake Carmi.



Larry Myott

Devoted his life to Lake Carmi and the Agricultural Industry.



Lake Carmi is not just a lake-
Lake Carmi is a family!!!