

Vermont Clean Water Board Meeting Minutes

Date/Time: Tuesday, December 5, 2023, 2:30-4:00 pm

Virtual Option to Attend: [Microsoft Teams Meeting](#)

Physical Location to Attend In-Person: Agency of Natural Resources, One National Life Drive, Montpelier, VT 05620-3510 in the Catamount Room (Davis Building, 2nd Floor, Room D215).

Meeting details, 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) Chief Recovery Officer 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 (Absent)

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

Jim Giffin, public member (Present)

Anson Tebbetts, Agency of Agriculture, Food and Markets (AAFV) Secretary (Absent)

Chad Tyler, public member (Present)

1. Welcome

Recording Time Stamp 00:00¹

Douglas Farnham, Agency of Administration Chief Recovery Officer and Clean Water Board Chair

- Welcome and review of agenda
- Review of meeting minutes for October 9 and November 2 meetings, and Clean Water Operating Statement from September 15. No comments from the Board and materials were adopted through consent.

2. Review summary of public comment on draft SFY 2025 Clean Water Budget

Recording Time Stamp 1:40

Staff from the Dept. of Environmental Conservation Clean Water Initiative Program

- Colleen Miller provided an overview of the public comment process and related outreach.
- Gianna Petito provided an overview of the Agency of Natural Resources' (ANR) approach to developing the Public Comment Responsiveness Summary and then walked through each public comment category and a suggested response for Board consideration. No edits were proposed.

3. Board discussion on draft SFY 2025 Clean Water Budget

Recording Time Stamp 25:15

All, led by Douglas Farnham

- The Clean Water Board focused on the request for increased funding for Line 1.2 Basin Planning, Basin Water Quality Council Participation, Education and Outreach.
 - a. Chad Tyler, public member of the Board, commented that he thinks this funding change is fair if it becomes part of base funding.
 - b. ANR Secretary Moore said she thought this change threads the needle well. There is increased work but also state agencies have pressure on their budgets and it balances those two competing financial dynamics. She said the Board can take it up again next year if concerns remain.

¹ Please refer to the available meeting recording to learn more about discussion content under each agenda item. Recording Time Stamps are highlighted to direct focus on the recording. Recording can be directly accessed here: <https://www.youtube.com/watch?v=0ZpG9-RoVjs&t>

- c. Emily Bird, Clean Water Initiative Program Manager, shared that there is roughly \$1 million of clean water workforce capacity development rolling out this year. It is complementary to basin planning funds in terms of being responsive to their needs.
 - d. Chair Farnham said he supported retuning to this next year and agreed that inflationary pressure has been unstable.
- Board discussed the Legislature’s request, via [Act 69 of 2023](#), for the Board to make a recommendation on alternative funding sources for municipal pollution control grants outside of the Capital Bill. Board members indicated strong support to continue to fund municipal pollution control grants out of the Capital Bill given their fit as an eligible use of Capital dollars and the state’s reliance on a Capital Bill contribution in the realm of \$10-12 million annually to meet Clean Water Initiative funding statutory obligations under [10 V.S.A. § 1387](#).
 - a. Chair Farnham suggested that even \$10-12 million per year may be too low in the long term if the entire Clean Water Initiative funding target must be adjusted for inflation.
 - b. Secretary Moore asked for this conclusion to be documented somewhere for the Legislature. Chair Farnham identified the paperwork that accompanies the Capital Bill Budget Adjustment Act as a suitable home. ANR staff will provide language to support this.
 - Chair Farnham invited the Board to discuss any other items in the proposed SFY2025 Clean Water Budget
 - a. Jim Giffin, public member of the Board, asked if the Board had any estimates on flood damages and how the summer flooding may have impacted the state’s progress towards the Lake Champlain TMDL. Emily Bird indicated that the Clean Water Initiative Program will host a Clean Water Conversation in January highlighting the research and findings from the Lake Champlain Basin Program on this matter. Emily will share the event details with the Clean Water Board once scheduled. Chair Farnham and Secretary Moore also discussed some of the state’s strategies for funding recovery efforts.
 - b. Bob Flint and Chad Tyler, public members of the Board, both expressed concern about the public comment period participation levels. Bob encouraged making the materials and content more relatable and Chad suggested improved reach.
 - c. Chad Tyler, public member of the Board, asked for more clarification about how the volume of funding in the system may have lowered public comment participation. Other Board members and DEC staff explained the unprecedented funding levels and the impact on capacity it has had on typical partners to engage with budgeting processes. Chad indicated, conversely, he wasn’t confident the Board was meeting it’s \$50-60 million funding target. Emily Bird acknowledged that target may need to increase given inflation and also reminded the Board that this target is not necessarily the target size for the Clean Water Budget but for all statewide investments in Clean Water.

4. Public comment

Recording Time Stamp 57:20

Led by Douglas Farnham

- Ernie Englehart– Thanked the Board for its support. He shared photos of blue-green algae in Lake Carmi and requested that the Clean Water Board continue to support lake Carmi through restoration efforts.
- James Maroney – Read from submitted written comment regarding conventional agriculture and its impacts on clean water.
- Sylvia Knight – Thanked the Board for a detailed discussion. She offered thoughts from her experience working in pesticides and encouraged the Board to reexamine principles and assumptions affecting our relationship with water.
- Peter Benevento – Shared details on Lake Carmi algae blooms. He requested full funding for treatment of the lake and a resolution to permitting obstacles.

- Chair Farnham shared that the Board has narrow purposes and authority to affect the larger environment. He said that he appreciated the comments and encouraged the public to connect directly with their legislative representatives.

5. Adoption of the SFY 2025 Clean Water Budget for recommendation to Governor Scott

Recording Time Stamp 1:17:50

Douglas Farnham

- Secretary Moore made a motion to approve adoption of SFY 2025 Clean Water Budget recommendation as proposed. Tayt Brooks, Agency of Commerce and Community Development Deputy Secretary seconded. Motion passed.

6. Other business, determine next steps, closing remarks

Recording Time Stamp 1:18:59

Douglas Farnham and Emily Bird

- Emily Bird provided some information to the Clean Water Board about the Clean Water Performance Report, the agenda for the February Clean Water Board meeting and next steps. She also noted that some public Board members' terms expire in February 2024.

7. Adjourn

Recording Time Stamp 1:23:00