

Vermont Clean Water Board Meeting Minutes

Date/Time: Wednesday, September 16, 2020, 2:00 – 3:00 pm
Location: Microsoft Teams Meeting

Clean Water Board Members/Designees:

Susanne Young, Agency of Administration (AoA) Secretary and Clean Water Board Chair
Chris Cochran on behalf of Ted Brady, Agency of Commerce and Community Development (ACCD) Deputy Secretary
Bob Flint, public member
Joe Flynn, Agency of Transportation (VTrans) Secretary
James Giffin, public member
Christopher Louras, public member (absent)
Julie Moore, Agency of Natural Resources (ANR) Secretary
Anson Tebbetts, Agency of Agriculture, Food and Markets (AAFM) Secretary
Chad Tyler, public member

1. Welcome

- a. The Chair, Secretary Susanne Young convened the meeting at 2:00 p.m. and reviewed the agenda. No action taken.
- b. Secretary Young entertained a motion to approve prior meeting minutes from August 5, 2020. Motion to approve minutes passed.

2. Review Clean Water Fund Operating Statement

ANR Director of Finance and Administration Emily Byrne reviewed the Clean Water Fund operating statement. No discussion and no action taken.

3. Review Approved, Restated State Fiscal Year (SFY) 2021 Clean Water Budget Recommendation

ANR Secretary Julie Moore reviewed the restated SFY21 clean water budget. The restated budget reflects the \$3.16 million reduction in Clean Water Fund revenue. Agency-level restated appropriations were presented at the last Clean Water Board meeting. The restated SFY21 clean water budget demonstrates the restated budget at the line item/program-level. No discussion and no action taken.

4. Draft SFY22 Clean Water Budget

- a. Secretary Moore reviewed the SFY22 clean water budget process. The draft SFY22 clean water budget will be posted for public comment October 1-30, 2020 with a mid/late-October public hearing. The Capital Debt Affordability Advisory Committee meets in early November and further information will be available on Capital Bill budget targets before the Clean Water Board's November meeting. No discussion and no action taken.
- b. Secretary Moore presented the first draft SFY22 clean water budget. It reflects a \$1 million reduction in Clean Water Fund and \$2.9 million reduction in Capital Bill budget targets, compared to the restated SFY21 clean water budget. The changes were spread across agencies with priority for maintaining investments in agriculture and increasing funds to help with implementation of the stormwater 3-acre general permit requirements.

Discussion followed,

- i. Bob Flint supported increased funding for the 3-acre permit and noted it was decreased in the SFY21 clean water budget. Secretary Moore added the reduction in SFY21 clean water budget for 3-acre permit work was reflective of the adjusted permit timeline.
- ii. Chad Tyler noted the Lakes in Crisis funding has remained consistent at \$50,000 annually and asked if it should be increased. Secretary Moore explained there is currently only one designated Lake in Crisis, Lake Carmi, and this funding does not demonstrate the full investment to the Lake Carmi watershed. DEC Clean Water Initiative Program Manager Emily

Bird added that ANR-DEC published a *2019 Lake Carmi Clean Water Progress Report* demonstrating investments and results in the Lake Carmi watershed, SFY16-19. The State of Vermont invested over \$1 million in the Lake Carmi watershed in SFY19. Secretary Young asked how a lake is designated as a “Lake in Crisis.” DEC Lakes and Ponds Program Manager Oliver Pierson explained the statutory criteria for designating a Lake in Crisis, including economic, environmental, and human health considerations.

Secretary Young entertained a motion to approve the draft SFY22 clean water budget to post for public comment. Motion to approve draft SFY22 clean water budget passed.

- c. Emily Bird presented the draft online questionnaire to collect public comment on the draft SFY22 clean water budget. Public comment will also be collected during the mid/late-October public hearing. Based on Board member discussion, a general comment box will be added to the online questionnaire and examples of innovation projects will be added to the infographic. No action taken.

5. Public Comments

Secretary Young welcomed input from the public. Written comments will also be accepted until 4:30 p.m. on Wednesday, September 16, 2020.

- a. David Johnson, Lake Dunmore Fern Lake Association: Dismayed to see reduction in SFY22 funding for ANR-related grants to lake associations for water quality projects.
- b. Tracy Zschau, Vermont Land Trust and co-chair of Vermont Housing and Conservation Coalition: Thanks for the hard work on the budget. I respectfully urge restoration of funds to Vermont Housing and Conservation Board (VHCB) back to earlier levels. Natural resource and land conservation projects that this funding enable offer cost-effective approaches but also significant co-benefits. Reductions will directly affect the state’s ability to leverage additional federal funds that help reach Vermont water quality goals.

6. Other Business

Secretary Young asked Clean Water Board members if they would like to add “other business” to the agenda.

- a. Jim Giffin requested a standing agenda item for updates on the Clean Water Service Provider process.
- b. DEC Water Investment Division Director Neil Kamman provided a report on Clean Water Service Provider selection and rulemaking process.

7. Determine Next Steps, Closing Remarks

Secretary Young reviewed next steps. The next Clean Water Board meeting will be in mid-November to review SFY22 clean water budget public comment and finalize the SFY22 clean water budget recommendation. Emily Bird will work to schedule the public hearing at a convenient time for Board members.

8. Adjourn

Secretary Young entertained a motion to adjourn. Motion to adjourn passed at 3:00 p.m.

Supporting Materials:

1. September 16, 2020 Clean Water Board Virtual Meeting Ground Rules
2. August 5, 2020 Draft Clean Water Board Meeting Minutes
3. Clean Water Fund Operating Statement
4. Approved, Restated SFY21 Clean Water Budget
5. SFY22 Clean Water Budget Process
6. DRAFT SFY22 Clean Water Budget
7. DRAFT SFY22 Clean Water Budget Public Comment Online Questionnaire