

# The Vermont Statutes Online

The statutes were updated in November, 2018, and contain all actions of the 2018 legislative session.

## Title 10: Conservation And Development

### Chapter 63: Vermont Citizens Advisory Committee On Lake Champlain's Future

#### § 1960. Vermont Citizens Advisory Committee on Lake Champlain's future created

(a) The Vermont Citizens Advisory Committee on Lake Champlain's future is created to gather and disseminate information and make recommendations about the condition and management of the waters of the Lake Champlain basin region. The Advisory Committee shall consist of 14 members: two Senators appointed by the Committee on Committees, two Representatives appointed by the Speaker of the House, and ten Vermont citizens, including one recommended by the Secretary of Agriculture, Food and Markets, who come from a variety of geographic locations in Vermont appointed by the Governor with advice and consent of the Senate. The Advisory Committee shall elect a chair by a majority vote of its members. Legislative Committee members shall serve two-year terms that coincide with their term of office, or until the biennial appointment of successors. Other Advisory Committee members shall be appointed for three-year terms, except that initial appointments shall be for staggered terms.

(b) Advisory Committee members shall receive a per diem pursuant to 32 V.S.A. § 1010 and shall be reimbursed for necessary expenses incurred in performance of their duties as Advisory Committee members.

(c) The Secretary, in consultation with the Advisory Committee, may appoint an executive director who shall be an exempt State employee and who shall report to the Secretary.

(d) The Advisory Committee shall be assigned to the Agency of Natural Resources for budgetary and administrative purposes.

(e) The Advisory Committee shall present a proposed budget to the Secretary before September 15 of each year.

(f) [Repealed.] (Added 1989, No. 265 (Adj. Sess.), § 1; amended 2003, No. 42, § 2, eff. May 27, 2003; 2007, No. 121 (Adj. Sess.), § 32.)

#### § 1961. Powers and duties

(a) The Advisory Committee shall:

(1) Gather existing scientific data concerning the condition of the water and wildlife in the Lake Champlain basin region. Such data may include information concerning:

(A) Factors affecting water quality of the lake with emphasis on the levels and sources of nutrient loading and the presence of toxic materials.

- (B) Condition of the lake's fishery resource and health of wildlife populations.
- (C) Level and impact of aquatic nuisance infestations.
- (D) Potential and current impacts of hazardous material spills.
- (E) Impact of shoreline development and marinas.
- (F) Quality and purity of the lake as a drinking water source.

(2) Using existing government and nonprofit resources whenever possible, gather information about activities that affect or have the potential to affect the water and wildlife in the Lake Champlain basin region. The Advisory Committee shall also consider the effect of these activities on regional needs for agricultural and industrial development, for employment opportunities and for a high quality environment. Such information may include data concerning:

(A) Recreational management issues, including land acquisition for protection of valuable natural areas, or to enhance public access where desired, or both.

(B) Federal, state, and local activities that affect the lake.

(3) Act as the Citizens Advisory Committee to the Joint Committee created in the memorandum of understanding on environmental cooperation on the management of Lake Champlain, and signed by the Governor of Vermont, Governor of New York, and the Premier of Quebec on August 23, 1988. The Advisory Committee shall also work with the New York and Quebec representatives of the Lake Champlain Citizens Advisory Committee created as a result of the memorandum of understanding.

(4) By June 15, 1991 and every January thereafter, recommend to the Secretary a Vermont policy for Lake Champlain or changes to existing policy. By June 15, 1991 and every January thereafter, the Secretary shall recommend to the Legislature a policy or policy changes regarding Lake Champlain. The policy shall:

(A) address management concerns identified under this subsection;

(B) recommend a governance process for making decisions regarding cooperative management of the lake's cultural and natural resources, that may include development of a tripartite governmental framework ratified by Congress;

(C) recommend a process for creating a research consortium to monitor the condition of the lake;

(D) recommend ongoing funding sources for carrying out the purposes of this chapter.

(5) On or before June 15, 1991, and every January thereafter, present a report to the Vermont General Assembly. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision. The report shall include the following:

(A) an update on the quality of the waters of the lake;

(B) findings of pertinent research;

(C) an action plan including water quality and fishery improvement measures and ways to enhance public use of and access to the lake;

(D) recommended budgets and revenue sources including an expanded lake user fee structure.

(6) Carry out activities designed to educate the public about Lake Champlain issues and to disseminate information gathered under this subsection.

(7) Act as a Citizen's Advisory Committee to the federal Lake Champlain Management Conference created in the Lake Champlain Special Designation Act of 1990 (Pub. L. No. 101-596). The Advisory Committee shall review the activities of the Conference and make appropriate recommendations to the Conference members. After June 15, 1991, all recommendations shall be based upon the Citizen's Advisory Committee Action Plan duly adopted after public comment and one or more public hearings.

(b) The Advisory Committee may:

(1) Contract for studies and prepare reports on existing or potential problems within the basin. In contracting for studies the Advisory Committee shall follow public bidding procedures as prescribed for Executive Branch agencies by the Secretary of Administration.

(2) Apply for grants or other funding sources to finance or assist in effectuating the purposes of this chapter. The Advisory Committee may accept grants or funds only pursuant to the provisions of 32 V.S.A. § 5.

(3) With the Secretary's approval, present information and make recommendations to federal, state, and local legislatures regarding the coordinated management of the lake and for the purpose of helping the legislatures to make sound decisions regarding management of the lake.

(4) Offer to act as a forum for discussion and mediation of lake-related conflicts.

(5) Work cooperatively with governmental and other groups having jurisdiction over or interested in the management and quality of Lake Champlain. (Added 1989, No. 265 (Adj. Sess.), § 1; amended 1991, No. 27; 2013, No. 142 (Adj. Sess.), § 20.)