

**Aquatic Nuisance Control Study Committee Meeting
Pursuant to Act 57 of 2023****October 10, 2023
12:45 pm – 2:09 pm****MEETING MINUTES**

Present: Senator Chris Bray (State Senate), Kim Jensen (DEC), Sarah Owen (VDH), Eric Palmer (FWD), Representative Amy Sheldon (State House of Representatives), Hannah Smith (DEC Legal), and Olin Reed (DEC).

1. Meeting Minutes September 29, 2023

A motion was made by Sarah Owen and seconded by Eric Palmer, all were in favor, to accept the September 29, 2023 Meeting Minutes.

2. Administrative Tasks

None shared at this time.

3. Review and Discuss the ANC Permit Statutes Title 10, Chapter 50

The Agency of Natural Resources is provided statutory authority over this Chapter within the Vermont Department of Environmental Conservation, Watershed Management Division, Lakes and Ponds Management and Protection Program (Lakes and Ponds Program).

a. Review of 10 V.S.A. § 1451 “Findings”

- A question was presented regarding how invasive species are defined and by whom in the State Agency. Invasive species are listed by the Agency of Agriculture who has statutory responsibility for the Noxious Weed List.
- Addendum: The Agency of Agriculture oversees the [Vermont Invasive Exotic Plant Advisory Committee](#) which manages the [Noxious Weeds List](#) and has three designated members from ANR. These are Kim Jensen (DEC Lakes & Ponds Program), Grace Glynn (FWD Natural Heritage Program), and Kathy Baker (FPR Forest Health interim).

b. Review of 10 V.S.A. § 1452 “Definitions”

- A question was presented regarding whether the [ANC Internal Review Procedure](#) discussed at the meeting on 9/27/2023 allows for proper review and perspectives from different departments.

- c. Review of 10 V.S.A. § 1453 “Aquatic Nuisance Control Program”
 - o A question was raised as to why the Aquatic Invasive Species Program is not called the Aquatic Nuisance Control Program as designated by statute. “(a) The Agency of Natural Resources shall establish and maintain an aquatic nuisance control program.” Historically, the Aquatic Invasive Species Program has implemented most responsibilities within the statute, with the exception at times, of the Aquatic Nuisance Control Permitting. Both programs are within the Lakes and Ponds Program within DEC. The permitting is now the responsibility of the Aquatic Invasive Species Program, and this program may change its name in the future.

- 4. Act 57 ANC Study Committee Report Outline
 - o The Committee approved the Act 57 ANC Study Committee Report Outline, and this will be posted on the Act 57 ANC Study Committee webpage. The Act 57 ANC Study Committee Report working draft will be available for committee members to work on.
 - o The Committee reconfirmed the timeline previously approved including the draft date completion that will allow Commissioners of each department to review the draft and include suggestions or recommendations for the Committee to consider.

- 5. Developed Agenda Items for Next Meeting
 - a. Approve Draft Meeting Minutes October 10, 2023
 - b. Review and Discuss Terminology in Statute [10 V.S.A. § 1455d](#)
 - c. Act 57 ANC Study Committee Report Draft Discussion
 - d. Public Comment Period
 - e. Close Meeting

- 6. Public Comments
 - a. The Federation of Lakes and Ponds President provided a perspective regarding how much time, effort, and financial support for ANC projects is implemented by lake associations who are volunteers. A request was made for the Committee to not recommend permit changes that would create so much of a technical or administrative burden on the applicant that the projects would not be feasible to be implemented or completed. A comment was provided that ANC Projects should be driven by scientific data rather than potential misinformation from interested parties. They provided their support for further clarification of definitions used in statute.
 - b. A public citizen commented on their concerns that the ANC Statute is not being followed correctly regarding long-term management plans and that herbicides are being used frequently, with little to no benefit, and that not all recreational perspectives are accounted for, specifically the angler community. They are concerned that both DEC and FWD are both understaffed and underfunded, so that the departments are unable to do their job fully to assess or monitor pesticide treatments or their impacts on non-target species.

- c. A Lake Saint Catherine Association representative disagreed with the comment above and provided a link to their website that contains the Aquatic Vegetation Management Report for Lake Saint Catherine.

7. Meeting Close at 2:09 pm

The next Aquatic Nuisance Control Study Committee Meeting is scheduled for October 17, 2023. The Agenda and meeting link will be available on the [DEC Act 57 \(2023\) Aquatic Nuisance Control Study Committee webpage](#).