

**Aquatic Nuisance Control Study Committee Meeting  
Pursuant to Act 57 of 2023****October 31, 2023  
12:45 pm – 2:45 pm****MEETING MINUTES**

Present: Senator Chris Bray (State Senate), William Bress (UVM), 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 October 17, 2023  
A motion was made by Amy Sheldon and seconded by Eric Palmer, all were in favor, to accept the October 17, 2023 Meeting Minutes.
2. Review and Discuss ANC Permit Conditions for Public Notice Statute [10 V.S.A. § 7714](#)
  - a. ANC Permit Conditions for Public Notice Statute [10 V.S.A. § 7714](#) Presentation
  - b. A recommendation was made to develop additional permit application conditions for applicants who intend to apply (Notice of Intent) for an ANC Pesticide Permit, and for the DEC, to post information at municipal/town clerk halls, to provide a notification to town health officers, and to post information on social media sites (Front Porch Forum, DEC & Lake Association Facebook sites, association webpages, for example) to improve the awareness of potential ANC Pesticide applications for a permit, or for approved ANC Permits for Pesticide treatments in a waterbody.
3. Act 57 ANC Study Committee Report Draft Decision
  - a. Review of additions to definitions were found to be acceptable.
  - b. Regarding “Public Good” a recommendation was made to include links to similar statutes ([10 V.S.A. § 1086](#)).
  - c. The committee discussed and agreed to recommend revising the statute definition of “person” in [10 V.S.A. § 1455](#) which is not defined in ANC Statute. In [10 V.S.A. § 1080 \(2\)](#) “Person” means any individual; partnership; company; corporation; association; joint venture; trust; municipality; the State of Vermont or any agency, department, or subdivision of the State; any federal agency; or any other legal or commercial entity. In the ANC Grant in Aid Section, an applicant is stated in [10 V.S.A. § 1458 \(a\)](#) A municipality or agency of the State that desires State

assistance to control aquatic nuisances may apply in writing to the Agency of Natural Resources in a manner prescribed by the Agency of Natural Resources. This terminology will be worked through in the draft to determine any challenges that may arise from changing this definition.

- d. The committee discussed how to include public comments in the report, whether future meetings should allow public time to review the draft, and provide comments that the committee would incorporate and respond to. Due to the short deadline and the nature of the legislative study, the committee decided to review public comments received to date and to incorporate these if warranted and timely for the next draft due on November 14. If in future meeting time allows, then the committee will consider adding time for groups to provide formal input directly to the committee in meeting.

#### 4. Developed Agenda Items for Next Meeting

1. Approve Draft Meeting Minutes October 31, 2023
2. Act 57 ANC Study Committee Report Draft Discussion
3. Develop Agenda Items
4. Public Comment Period
5. Close Meeting

#### 5. Public Comments

- a. A member of Lake Bomoseen Association commented on the lake associations significant amount of volunteer time to apply for and implement an ANC Permit and hold the trust the ANR scientific integrity when reviewing and approving herbicide treatments.
- b. The Vermont Natural Resource Council representative requested to be provided with time to present to the study committee at a future meeting.
- c. A private citizen provided comments on the nature and implementation of Act 57 and the misrepresentation of committee members, specifically DEC's involvement.
- d. The Federation of Vermont Lakes and Ponds representative requested to be provided with time to present to the study committee at a future meeting.

#### 6. Meeting Close at 2:45 pm

The next Aquatic Nuisance Control Study Committee Meeting is scheduled for November 14, 2023. The Agenda and meeting link will be available on the [DEC Act 57 \(2023\) Aquatic Nuisance Control Study Committee webpage](#).