

Aquatic Nuisance Control (ANC) Rulemaking Focus Group

Minutes from Meeting #5, May 5, 2023

Organizations Represented

- Vermont Department of Health
- Conservation Law Foundation
- Town of Fairlee
- Vermont Fish & Wildlife
- Mary Droege
- VNRC
- Lake Iroquois Association
- LSCA
- Robert Steele
- Eric Splatt
- SOLitude
- US Fish & Wildlife
- LCBP
- VTDEC
- Erik

1. **House 31**

- House 31 passed unanimously by the Senate Natural Resources and Energy Committee and will likely pass through the full senate once it is approved by the Senate Appropriations Committee, likely tomorrow
- The Bill is comprised of three parts:
 - Compile all chemical and biological treatments that have been done since 2000
 - Compile any non-target impacts from those treatments
 - Make recommendations for statutory change under four themes defined in the bill
- Current dates for the Study Committee are to begin work by Sept 1 and submit a report to the Legislature by Dec 15 2023

2. **Impact of House 31 on our Rulemaking Focus Group**

- As this study committee may recommend statutory change, rulemaking group changes may become irrelevant. DEC recommends the group be put on pause until the outcome of House 31 is determined.
- If statutory changes are made, DEC may continue the pre-rulemaking effort, and therefore may also reconvene the focus group, around this time next year
- DEC does not support House 31 as we believe most of the desired changes to the ANC Statute can be achieved via rulemaking
- DEC will continue to ANC permit adjudication through our current process

3. **Questions**

- Will DEC be utilizing the things that the group has worked on so far?
 - Some things have not been fleshed out enough to fully implement but many of the discussions will continue to be looked at until formal rules/laws/statutes are changed based on the H.31 study committee
 - DEC has taken all communications and suggestions into consideration and ANC permitting has evolved with them
- DEC will continue current permit procedures as defined by statute. No pause or change in permits have been implemented