



**FEDERATION OF VERMONT LAKES AND PONDS  
BOARD OF DIRECTORS  
Monday, May 10, 2021**

The FOVLAP Board discussed the following at its May meeting:

**Report from Oliver Pierson, Program Manager, Department of Environmental Conservation (DEC) Lakes and Ponds Division:**

- **Staffing:** Peter Isles has started work as the Aquatic Ecologist – Environmental Scientist (replacing Angela Shambaugh). Funding for the lay monitoring coordinator position is split between DEC and UVM SeaGrant. Mark Mitchell is returning to Vermont and will begin May 24 in the Lake Monitoring and Outreach Coordinator position.
- **FY22 budget:** The legislature has agreed to fund three positions. The decision about which vacancies to fill is in process.
- **Lab costs for monitoring:** The funding is in place for lab analysis of water sampling as well as the PFAS analysis that will be done this summer.
- **Greeter grants and training:** The aquatic nuisance control grants have been awarded. It has been another year of funding at the \$450,000 level.
- **Cyanobacteria Virtual Public Meeting:** DEC in conjunction with Vermont Department of Health (VDH) and the Lake Champlain Committee (LCC) will be doing a virtual public meeting on cyanobacteria and what to do if you see a bloom. There has been some reporting on concerns about airborne toxins but the Vermont Department of Health (VDH) indicates that there is no airborne risk, so general VDH guidance on how to respond to blooms remains the same (stay out of the water, keep pets out of the water, etc.).
- **MV Adirondack Permit:** The permit was issued in late March was appealed by LCC and the Natural Resource Defense Council (NRDC). However, as a result of the appeal and the high costs associated with defending the permit in front of the Environmental Court, the applicants have withdrawn the permit application and the project will not move forward.
- **Lake Memphremagog:** DUMP (Don't Undermine Memphremagog's Purity) created an online petition and submitted it to the ANR Secretary to list the lake as a "lake in crisis." Secretary Moore issued a response in early May in which she indicated that she shares their concerns and wants to work with them to address their concerns but because of the high statutory bar around what is/is not a lake in crisis Memphremagog does not meet one of the statutory tests. It is impaired and does have some problems but does not meet the requirement of reduction in property values around the lake. Therefore, it will not be designated as in crisis for the moment unless DUMP submits additional information. Oliver Pierson will convene a meeting there and will be developing a study of PFAS (per- and polyfluoroalkyl substances) in the lake and its tributaries. Fortunately, PFAS concentrations found in our lakes are trace amounts but EPA has left to states to determine what is allowable amount and it is not yet in our water quality

standards. This is a relatively new issue, and we are still responding to it. There are potential sources everywhere.

- ***New dam safety rules and water levels:*** One of the impacts of the new dam safety rules may be that owners will struggle with the new requirements of the Dam Safety Rule and may opt to sell or remove their dam. DEC must also comply with state owned dams and the department is being more active so that there is not a risk of releasing large volumes of water downstream. They will be more aggressive in repairs where funding is available or reducing water levels to reduce pressure. Some examples of what is going on: Amherst Lake where the decision was made by the private dam owners to remove some parts of the dam and that caused a 2-foot water level drop. At Miles Pond water levels were lowered temporarily while repairs were being done and the historic winter drawdown has come into focus and needs to be reevaluated in light of the new dam safety rules and water quality standards, which could lead to changes in how water levels are managed. Lakes & Ponds is advocating for maintaining full support of all allowable uses. The goal is to maintain lake water levels as close to current or historic summer conditions as possible.
- ***Lake Reclassification:*** Progress is being made on Caspian and Maidstone Lakes. They are working with the municipalities. Oliver has spoken at Select Board meetings at both towns. Waiting to see if they will proceed with petitions to reclassify both of those lakes.

**AIS Support Update:** This group has been active in two areas: assembling a contact list of lake associations and putting together a Google forms survey. The intention is to share this information with all those who participate and to facilitate communicate between associations.

**Spring Newsletter:** The FOVLAP Spring Newsletter has been published. Print copies have been mailed to those who request print and extra copies have been mailed to each association member to distribute as they see fit. The newsletter is also available on the FOVLAP website at: <https://vermontlakes.org/news-events/newsletter/>

**Events Committee:** The committee is finalizing the agenda for the Lake Seminar which will take place virtually on Friday, June 4.

**Legislative Updates:** The committee has been following these bills:

- **H.175:** This act relates to expanding the deposit system on beverage containers to include other beverages besides carbonated drinks. Since 2019, when S.85 became law, the state retains any unredeemed deposits. That money goes into the Clean Water Fund (about \$2 million) which is why this is of interest to FOVLAP.
- **H.439:** This is the budget bill which is 184 pages. It includes language about how the Clean Water Fund is being funded. As of this date, the bill was in conference committee and things were still being moved around.

**NOTED:** The ITRC Harmful Cyanobacteria Bloom Guidance document is now available on line at <https://hcb-1.itrcweb.org/>. Appendix A, a Visual Guide to Common Cyanobacteria, may be of particular interest