FEDERATION OF VERMONT LAKES AND PONDS BOARD OF DIRECTORS
November 7, 2022 Summary Minutes

Mini-webinar “Emerging Aquatic Invasive Species in Vermont Inland Lakes” Jan. 19, 2023 from 10am – 12pm on Zoom. Registration on the FOVLAP website. Link to agenda here. Another mini-webinar is being planned for March/April.

- **New FOVLAP Website**: Content for the new FOVLAP website is being added regularly. Please check it out! Many Director bios and pictures have been posted.
  Recently added information for Protecting Lakes and Ponds can be found on water quality, shoreland protection, watershed issues, and AIS. Check out: “The Phosphorus Challenge”

- **Pat’s Oct. 24th VT Digger commentary on AIS funding**: Funding Cuts Jeopardize Vermont’s Lakes and Ponds was well-received.

- **Pat wrote to Commissioner, John Beling**, asking for an update concerning A1 Reclassification after progress on this topic has been stalled.

- **Pat was contacted by Julie Silverman of the Conservation Law Foundation (CLF) and Mason Overstreet, one of the CLF attorneys, with concerns about unencapsulated polystyrene breakdown and whether or not pieces of polystyrene are being seen on inland lakes, which breaks further into microparticles. Pat emailed lake association presidents and members asking if they had observed this problem on their lakes. FOVLAP will look into this in greater detail.

- **One director still needed to complete the FOVLAP board**: Please send any potential nominees to Jay White.

- **Newsletter available on the website**: Celebrating FOVLAP’s 50th Year protecting lakes and ponds!

- **Membership/membership renewals** available on the website Member Community. Please update your member file and encourage your lake association to add information to its profile on the new FOVLAP website.

**DEC/ANR Update: Oliver Pierson**

**AIS** – A statement about the permitting process is now on the DEC website. DEC officials will be meeting with Fish and Wildlife to finalize the internal review procedures for reviewing permit applications, particularly those involving herbicide.

**Advertised block grant RFP for 2023 Grant in Aid program.** Budget for Grant in Aid program is now $350k down from $450k due to depletion of a one-time surplus in the aquatic nuisance control fund. Because the Lakes Program is down to just one person working on AIS issues, they are outsourcing grant management to a block grant holder, who will charge a management fee of between 10-15%, meaning the actual grant money available, $305k-$310k. With less money there will be fewer management projects such as AIS mechanical harvesting projects. They will try to maintain greater programs because that is the first and best line of defense.

**Legislative Initiatives/AIS** - Agency of Natural Resources – priority legislative initiatives for upcoming legislative session. ANC statute 10 VSA 1450 – governs transport, permitting and many other aspects of AIS work. DEC has not completed rule-making under this statute as yet. The 2022 Lake Bomoseen application highlighted some differences of opinion and lack of clearly defined requirements in permit allocation process and some room for improvements. DEC proposes to use the authority that is in statute to do rulemaking under that statute: to clarify how permits are issued; to better define terms; to put more onus on the applicant to show that there is public support for herbicide project; to clarify areas being proposed for treatment are indeed subject to decreased recreation potential or reduced habitat quality as a result of the AIS or aquatic nuisance. It is very likely that in the next 6-12 months there will be some legislative reform efforts, rulemaking or both on the ANC statute in Vermont.

**Legislative Initiatives/A1 Reclassification** – Received permission from Governor’s office to try to amend limitations on new septic in Class A watersheds, the 1000 gal/day rule in 10 VSA 1259(b). This will be accomplished with some
rulemaking around the anti-degradation procedures, which are part of the Clean Water Act, and govern acceptable water quality degradation from permitted activities in the state, and contain stricter requirements to protect Class A Waters. The anti-degradation rules are at least 10 years old and rulemaking will be made around anti-degradation, which will go hand in hand with a legislative effort to amend the 1000 gal/day rule. DEC hopes to convince legislators to eliminate the arbitrary limit on new septic in Class A Waters and instead say that indirect discharge from new septic will be permitted on an case by case basis in a manner that protects those waters, and the new anti-degradation rule will apply to make sure those new systems comply with water protection requirements.

Hiring – Recruiting an AIS permitting specialist – for the position open after Lindsay Miller left. The position is being reoriented to an individual who will take the lead on aquatic nuisance control project permitting and also provide support for Kim Jensen on AIS program.

Alum and Clean Water Budget – There has been some active outreach by lake communities Morey and Carmi and internal work in DEC to create opportunities for alum treatments in those lakes. In the next Clean Water budget, which starts in July, there is funding for diagnostic feasibility studies for potential future alum treatment in those two lakes. If the studies are favorable, the lake communities and DEC would seek CWIP funds to treat the following year (2024).

Funding for a third round of DEC funded Lake Watershed Action Plan (LWAP) grants – The Lakes Program is using Act 76 - water quality enhancement funds (intended to be used mostly outside of the Lake Champlain and Memphremagog basins) for a third round of LWAP development projects. Allison Marchione and Mark Mitchell led efforts to find candidate lakes for LWAP and/or related Lake Wise assessments. DEC RFP will ask for proposals from qualified service providers to develop LWAPs on Halls Lake, Big Pond in Woodbury (Woodbury Lake), and the Echo / Seymour shared lake watershed. If there are remaining funds, DEC would use them to cover the costs of doing Lake Wise assessments on Lake Rescue.

Biannual Memphremagog steering committee meeting in Quebec first week of Nov. Agenda for the meeting: pretreatment permit for Coventry landfill; PFAS; invasive species and water quality in Lake Memphremagog. There is an effort to get F&W managed Great Lake Fisheries money to buy a decontamination unit for one of the Memphremagog access areas since it is a vector lake, as well as an effort to partner with Memphremagog Watershed to run the greeter/decontamination station in collaboration with Newport City or Town depending where station is located (Whipple Point or South Bay Access Area.)