

Status of Vermont Aquatic Nuisance Control Grant in Aid Funding – February 2023

The VT DEC Lakes and Ponds Program awards Aquatic Nuisance Control (ANC) Grant in Aid funds under [10 VSA § 1458](#), with support for these grants coming from a portion (20%) of Motorboat Registration (MBR) Funds collected by the state annually that are allocated for this purpose under [23 V.S.A. § 3319\(b\)\(5\)](#). While the MBR funds allocated specifically for the grant program only total around \$250,000 per year, the demand for these funds from municipalities across Vermont greatly exceeds this amount, and DEC has, since 2014, worked to increase the grant award amount to around \$450,000 per year through 2022 by drawing funds from the following other sources:

- DEC receives another approximately \$200,000 per year from the MBR for program management purposes under 23 V.S.A. § 3319(b)(3), and prior to 2019, some of these funds weren't needed for internal salary costs and DEC chose to use them to top up grant amounts. However, in 2018, available general funds for salaries in the Lakes & Ponds Program decreased and DEC has since used these funds for internal salary costs, as authorized under statute, and DEC was no longer able to use these funds to top up grant award amounts.
- DEC receives a competitive grant from the US Army Corps of Engineers (USACE) annually, that today makes \$500,000 available for aquatic nuisance control in VT's navigable waters. Though this funding is focused on water chestnut removal in Lake Champlain, DEC has permission to use \$100,000 of this award for ANC Grant in Aid Projects in the Lake Champlain Basin.
- In 2017, DEC believed that the USACE competitive award (\$400,000 at the time) it receives annually would not materialize due to budgetary pressures at the USACE, which at the time caused major concerns in VT, and DEC provided these revenues from state sources to maintain the ANC program. Late in the actual budget year, Senator Leahy's Office was successful in getting the federal award to VTDEC, thereby creating a one-time surplus in its overall ANC program budget. The presence of this surplus (also known as an unspent balance) on DEC's books caused some concerns within the Administration and DEC decided to spend the surplus down at the rate of roughly \$100,000 per year between 2019 and 2022. The surplus has now been depleted.

Therefore, because of the depletion of the one-time surplus and DEC's decision to use some of its MBR funds for salary purposes, as authorized by statute, the amount of funding available for ANC grants in 2023 is \$350,000, with \$250,000 coming from MBR and \$100,000 coming from the USACE annual grant. The total award amount in 2023 will therefore be \$100,000 lower than in 2022, representing a 22% decrease. This decrease is unfortunately accompanied by an increasing number of lakes and ponds in Vermont infested with aquatic invasive species and increasing demand for these funds from municipalities (see the two figures below).

Additionally, on 2/7/23, the US Coast Guard informed DEC that its use of Motorboat Registration Funds for aquatic nuisance control activities is not in compliance with Federal Statute and gave DEC 30 days to submit a corrective action plan or risk losing a federal recreational motorboat safety grant. This issue also affects other uses of the MBR which are governed by statute, and relevant state agencies are working on a response. While DEC believes that the SOV has a few years to identify a solution, this issue further jeopardizes funding for aquatic nuisance control activities in VT, and a new funding source is needed. House 51, new legislation that moves AIS fees from motorboat registration to some other approach, and/or a general fund appropriation could help address this issue.

Finally, and as requested by Amy Sheldon during a House E&E Committee hearing on 3/1/2023, a table showing reductions in FTE staffing for Aquatic Invasive Species work at DEC is presented below.

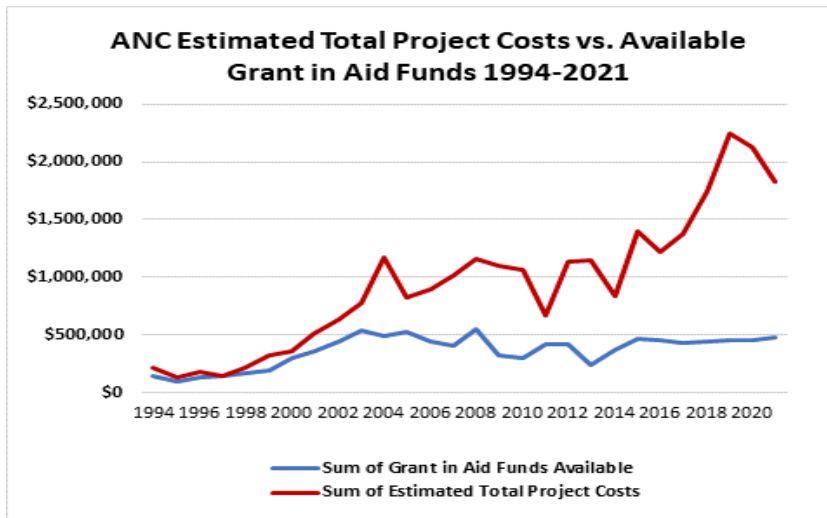


Figure 1: Graph showing available AIS Grant in Aid Funds and Funding requests from 1994 to 2022.

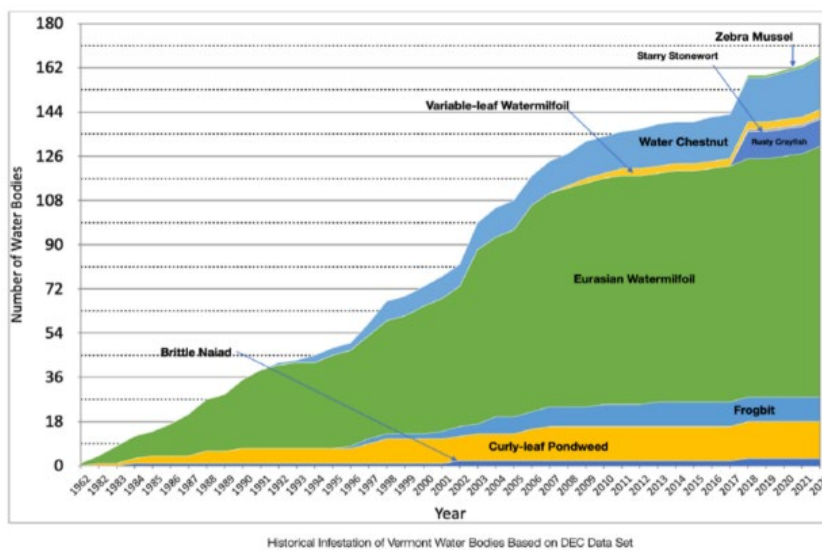


Figure 2: Graph showing the increasing number of waterbodies infested with Aquatic Invasive Species in Vermont over time

YEAR	Staff #1	Staff #2	Staff #3	Staff #4	Total # of FTEs
2007-2012	AIS Section Lead (Bove)	AIS Support (Matthews)	AIS Support (Hunt)	ANC Permitting (Brittin)	4
2012-2015	AIS Section Lead (Bove)	AIS Support (Hunt)	ANC Permitting (Probasco)		3
2015	AIS Section Lead (Bove)	AIS Support (Mulhollem)	ANC Permitting (Probasco)		3
2016	AIS Section Lead (Bove)	AIS Support (Mulhollem)	ANC Permitting (Cetner at 50%)		2.5
2017	AIS Section Lead (Mulhollem)	AIS Support (Jensen)	ANC Permitting (Cetner at 50%)		2.5
2018	AIS Section Lead & ANC Permitting (Mulhollem)	AIS Support (Jensen)			2
2019-2022	AIS Section Lead (Jensen)	ANC Permitting (Cetner at 50%)			1.5
2023	AIS Section Lead (Jensen)	ANC Permitting & Support (Reed)			2

Table 1: VT DEC Staff working on AIS from 2007 to 2023.