

Summary of Vermont ANS Laws*,**

VT statutes: <http://www.leg.state.vt.us/statutes/statutes2.htm>

VT Statutes: Introduction & Possession of Fish and Other Animals:

- 1) Permits: No one may sell, offer to sell, expose, barter, transport in any way, or offer to transport into or within Vermont any plant pest or biological control agent without obtaining a federal permit, if applicable, and a Vermont permit from the AF&M secretary. The secretary may only issue a permit after she has determined that the plant pests or biological control agents are safe, already exist in Vermont, or are for scientific purposes with specified safeguards. Vt. Stat. Ann. tit. 6, § 1035 (2003). [**Ch. 84**]
- 2) Importation, stocking wild animals: No one may import a wild animal into Vermont without a permit issued by the Fish and Wildlife Department commissioner. Vt. Stat. Ann. tit. 10 § 4709 (2003). [**Ch. 103**].
- 3) Fees: Enclosed with every motorboat registration certificate and registration renewal certificate shall be a statement warning that transporting zebra mussels or Eurasian milfoil to or from VT waters is illegal, and advising how to clean them from boat. Vt. Stat. Ann. tit. 23, § 3305(k) (2003). [**Ch. 29**]
- 4) Placing fish in waters: No one may introduce or attempt to introduce pickerel or great northern pike into Vermont waters. No one may introduce or attempt to introduce any fish, except for trout or salmon, into public waters frequented by trout or salmon. Vt. Stat. Ann. tit. 10, § 4605(a) (2003). [**Ch. 111**]
- 5) Placing fish in waters: Without a permit from the fish and wildlife commissioner, no one may bring any live fish or spawn into Vermont for the purpose of introducing or planting them into Vermont waters. No one may bring any live fish or spawn into Vermont to plant or introduce into Vermont waters without such a permit. The commissioner shall decide whether to grant the permit or not within ten days of receiving the permit request. Vt. Stat. Ann. tit. 10, § 4605(b) (2003). [**Ch. 111**]

Control of Invasive Fish & Other Animals:

- 1) Control of Fish, Game; Powers of Commissioner: The commissioner of the Fish and Wildlife Department may remove from any waters in any manner fish which adversely affect the propagation of game or

food fish. The commissioner may remove any wild animals which cause damage. Vt. Stat. Ann. tit. 10, § 4138(a) (2003). [Ch. 103]

Control of Invasive Plants:

- 1) Aquatic Nuisance Control Program: DEC shall establish an aquatic nuisance control program. Vt. Stat. Ann. tit. 10, § 921(a) (2003). [Ch. 37]
- 2) Aquatic Nuisance Control Permits: No one may use chemicals, pesticides, bottom barriers, biological controls, structural controls, or mechanical devices in Vermont waters to control nuisance control vegetation, insects, or other aquatic life without a permit issued by the DEC secretary. Vt. Stat. Ann. tit. 10, § 1263a(a) (2003). [Ch. 47]
- 3) Aquatic Nuisance Control Permits: The DEC secretary may issue permits to control aquatic nuisances with pesticides when she finds that certain criteria have been met. Vt. Stat. Ann. tit. 10, § 1263a(e) (2003). [Ch. 47]
- 4) Aquatic Nuisance Control Permits: The DEC secretary may issue permits to control aquatic nuisances with chemicals other than pesticides, bottom barriers, biological controls, structural controls, or mechanical devices when she finds that certain criteria have been met. Vt. Stat. Ann. tit. 10, § 1263a(g) (2003). [Ch. 47]
- 5) Control of Fish, Game; Powers of Commissioner: The commissioner of the Fish and Wildlife Department may use necessary measures to control aquatic vegetation, insects, or aquatic life in public waters to improve those waters as habitat. Vt. Stat. Ann. tit. 10, § 4138(b) (2003). [Ch. 103]
- 6) Detection and abundance surveys; eradication and suppression: The secretary of Agriculture, Food, and Markets may survey for plants pests to determine the necessity to control them. When the secretary determines that a new plant pest exists in Vermont and needs immediate control, or that an established plant pest needs immediate control, she may proceed with an eradication or suppression plan. Vt. Stat. Ann. tit. 6, § 1033 (2003). [Ch. 84]
- 7) Quarantines: The AF&M secretary may establish quarantines and adopt regulations regarding the exposing, planting, importation, transportation, and sale of all plants, plant products, and regulated articles capable of carrying plant pests. Vt. Stat. Ann. tit. 6, § 1034 (2003). [Ch. 84]

Zebra mussels:

- 1) Zebra Mussel; Eurasian Watermilfoil; Water Chestnut; Quagga Mussel: No one shall transport to or from any Vermont surface water zebra mussels (*Dreissena polymorpha*), Eurasian watermilfoil (*Myriophyllum spicatum*), water chestnuts (*Trapa natans*), or quagga mussels (*Dreissena bugensis*). This does not affect proper harvesting or control methods used to control or eliminate those species' growth or propagation. Vt. Stat. Ann. tit. 10, § 1266(a) (2003). **[Ch. 47]**
- 2) Zebra Mussel; Eurasian Watermilfoil; Water Chestnut; Quagga Mussel: The secretary may allow persons to transport zebra mussels, Eurasian watermilfoil, quagga mussels, or water chestnuts if the person is doing so for educational or scientific reasons. The secretary shall consider the value of the educational or scientific purpose, and consider the risk that the transport and ultimate use of the specimens poses to Vermont surface waters. A letter from the secretary authorizing the transport must be with the specimens during transport. Vt. Stat. Ann. tit. 10, § 1266(b) (2003). **[Ch. 47]**
- 3) Penalties: Any one who violates tit. 10, § 1266 shall be subject to a penalty not exceeding \$1,000. Vt. Stat. Ann. tit. 23, § 3317(b) (2003). **[Ch. 29]** (Amended by Act 121, § 70, effective June 8, 2004).

Dedicated Funding:

- 1) Fees Collected; Special Fund: 25% of boat registration fees shall go to control aquatic nuisances. Vt. Stat. Ann. tit. 23, § 3319 (2003). **[Ch. 29]**

Spending & Spending Priorities:

- 1) Grant-in-Aid to Municipalities and Agencies of the State: Dept. of Environmental Conservation may give grants to other state agencies or municipalities to control aquatic nuisances. Establishes funding priorities. Vt. Stat. Ann. tit. 10, § 922 (2003). **[Ch. 37]**

Task Forces and Committees:

- 1) Powers and Duties: Creates a Lake Champlain citizens advisory committee. Its tasks include considering the impact and level of aquatic nuisance infestations. Vt. Stat. Ann. tit. 10, § 1961 (2003). **[Ch. 63]**

Educational Programs:

- 1) Aquatic Nuisance Control Program: DEC shall place a 2' by 2' or larger sign stating that the water is infested with an aquatic nuisance. The sign shall further state that any one transporting aquatic nuisances in violation of tit. 10, § 1266(a) (2003) may be penalized up to \$1,000. The sign must be easily visible from a boat ramp on a water body infested with an aquatic nuisance. Vt. Stat. Ann. tit. 10, § 921(b)(6) (2003). [**Ch. 37**] (Amended by Act 121, § 67, effective June 8, 2004).
- 2) Aquatic Nuisance Control Program: DEC shall provide written educational materials about aquatic nuisances to the commissioner of fish and wildlife and the commissioner of motor vehicles. These materials can be inserted with boat registrations, and in a fish and wildlife publication regarding boating and fishing. Vt. Stat. Ann. tit. 10, § 921(b)(7) (2003). [**Ch. 37**] (Amended by Act 121, § 67, effective June 8, 2004).
- 3) General duties of commissioner: Pursuant to subdivision tit. 10, § 921(b)(7), any publication available to the general public regarding boating and fishing rules and regulations shall include aquatic nuisance information. Vt. Stat. Ann. tit. 10, § 4132(b) (2004). [**Ch. 103**] (Amended by Act 121, § 68, effective June 8, 2004).

*Note: The statutes listed are not spelled out in their entirety. Only those parts that I felt were germane to ANS were included. I have also paraphrased the statutes to avoid quoting them directly, and to hopefully make them clearer.

** The correct citation for Vermont statutes does not include the chapter number. The official Vermont statute website, however, is a bit awkward to use. To search a statute, one must first go into the title, then the chapter, and then the statute number. So, I've included the chapter number in bolded brackets [] after the citation to help searchers.