



**Testimony Submitted to the
VT Senate Natural Resources & Energy Committee
February 3rd, 2026**

**For the Joe's Pond Association and
For the Ecological Well-Being of all VT Waterbodies
by Barry Cahoon, Water Quality Director
Eurasian Watermilfoil Management Coordinator**

Good morning, my name is Barry Cahoon. I am here today representing the Joe's Pond Association (JPA) as its Water Quality Director and Eurasian Watermilfoil (EWM) Management Coordinator.

Thank you for providing me the opportunity to present to the Committee the experience of the JPA related to its efforts to collaborate with the VT Agency of Natural Resources (ANR) to establish a boat inspection station at the state-owned fishing access area. Our purpose and goal is to prevent introduction of aquatic invasive species (AIS) into Joe's Pond and to avoid export of invasives to non-infested Vermont waterbodies.

In addition, my testimony will include suggested amendments to S.224 as introduced that will, if enacted, establish AIS spread prevention as an authorized use of a state-owned fishing access area at a priority level reflective of its vital importance to preserving the ecological health of Vermont lakes.

I sent an email late yesterday to each committee member with attachments providing the text of my testimony today as well as supplementary supporting information.

Please do not consider that my testimony here today is only about Joe's Pond. The JPA's experience is representative of many other Vermont lake associations'

interactions with the VT Department of Fish & Wildlife (DF&W) relating to this issue of AIS spread prevention facilities at fishing access areas. The recommendations I offer here today are intended to address and resolve conflicting priorities in support of the long-term ecological well being of all Vermont lakes; something that, seemingly, would be a shared goal of both Vermont lake associations and ANR.

The JPA has operated a Greeter Program at the DF&W fishing access area for over a quarter century (absent a boat wash facility). Unfortunately, despite robust staffing levels and training, the invasive aquatic vegetation known as Eurasian watermilfoil (EWM) was discovered in August, 2024. The JPA immediately mobilized to contain the proliferation of this insidious, aggressive and persistent invasive, which has now infested over 100 Vermont waterbodies. Yet, despite tremendous financial expenditures and efforts by the JPA membership, contracted harvesting, education, establishment of a SNUBA supported dive team that expended hundreds of person-hours hand harvesting, and much more, EWM, at the end of 2025, was more widespread around the lake than it was at the end of 2024.

The invasive milfoil infestation dramatically elevated the awareness of the JPA as to the critical need to prevent the introduction of additional aquatic invasives into the lake. As well, the association believes it is our responsibility to prevent the export of invasives from Joe's Pond to other waterbodies. A fully equipped boat inspection station is absolutely essential to achieve these purposes.

The JPA believed, naively as it turns out, that the DF&W would share and embrace the critical need to avoid introduction of invasives into and export from Vermont lakes by collaborating with the association to facilitate the establishment of a boat inspection facility at the fishing access.

Without getting into all the details of the JPA proposal, I have provided to the committee members via email, attachments documenting the communication exchange between the DF&W and the association including a comprehensive rationale for why it makes little if any sense to prioritize parking spaces over an AIS spread prevention facility. A site plan and preliminary project design is included.

In coordination with Federation of Vermont Lakes and Ponds (FOVLAP), the JPA offers these specific revisions to the provisions of S.224:

Page 11, following line 12, the following provision should be added: **(4) The Fish & Wildlife Department shall work collaboratively and to resolve any conflict with any entity, as defined under Section 1453(2) of this Title, proposing establishment and operation of a boat inspection station for the purpose of aquatic nuisance spread prevention, so that the lake protection facility and other authorized uses can reasonably be accommodated.**

Secondly, because the essential priority of preventing introduction of AIS into Vermont lakes is of paramount importance in long-term protection of fish and wildlife aquatic resources and associated wetlands habitat, an aquatic nuisance inspection facility listed in Rule as the lowest priority authorized use of state-controlled fishing access areas does nothing to resolve the refusal of the DF&W to recognize this absolute necessity.

By not collaboratively achieving AIS spread prevention, the day will come when very few, if any, parking spaces will be required at a fishing access area because of profoundly diminished and degraded aquatic habitats, native species populations and natural resources. When this occurs, the short-sighted nature of disallowing a boat inspection station in order to preserve a few parking spaces may finally become crystal clear.

Therefore, S.224 as introduced should be amended to delete lines 1-3 on Page 14 and be replaced on Page 13 at line 8 as follows: **4.1 Approved aquatic nuisance inspection stations for inspection of vessels entering or exiting lakes pursuant to 10 V.S.A. Section 1454.** With this change, boat inspection stations will become the highest priority authorized use and will substantively contribute to the lake protection operations which are most vital to preserving the social, economic and ecological values of Vermont lakes.

We live in a far from perfect world. Navigating through life and achieving our purpose frequently results in conflicts and requires resolution through compromise. That the inability to accommodate 100% of desired parking 100% of the time is deemed and drawn as a red line represents a rejection of the opportunity for compromise and collaboration through which achievement of a higher purpose and a mutually beneficial outcome becomes possible.

The most profoundly distressing aspect of the current situation is that DF&W's resistance to working affirmatively with lake associations to facilitate and enhance AIS spread prevention, is that it not only represents an abdication of their responsibilities under 10 V.S.A. Section 1453(b)(2) but then leaves all the staggering costs, efforts, sweat and tears associated with AIS containment and management to the lake associations **in perpetuity!** Sacrificing a few parking spaces seems to be not a lot to ask nor a lot to give.

And finally, the JPA developed a preliminary design for the boat inspection station that included an approximately 3000 square foot encroachment into a wetland buffer area in order to minimize any loss of parking space. The DF&W contended that the VT DEC "wetlands program would not permit" the prospective encroachment.

The JPA has performed a brief and partial search of the DEC database of recent wetland encroachment permit decisions and has found a half dozen regulatory actions, wherein permanent wetland and wetland buffer encroachments ranging from 6,000 to

over 20,000 square feet have been approved. These projects are all of substantially greater magnitude than the prospective encroachment associated with the JPA proposal.

In addition, these projects provide little or no identifiable associated ecological benefit particularly in comparison with that which would be achieved by the JPA proposal. If the JPA proposal for 3000 square feet of wetland buffer encroachment were to be denied, such action would be entirely and egregiously inconsistent with prior DEC wetland regulatory decisions.

The JPA offered to amend our preliminary project design to increase the wetland buffer encroachment (subject to regulatory review) in order to avoid **any** loss of parking spaces. But this mitigating approach was also rejected by DF&W.

The same reasoning about short-sighted decision making applies here to a minor wetland encroachment which represents little or no measurable diminishment of wetlands functions and values yet can provide immense benefit through long-term protection of wetlands habitats all around the lake from degradation by introduced aquatic invasives.

The ANR wetlands permitting data, upon which my preceding testimony is based, has been provided via email to all committee members as supplemental information.

Vermont lake associations are the primary stewards of our invaluable lakes and ponds. Lake associations and their members suffer disproportionately and must shoulder the burdens associated with the social, financial and ecological costs of AIS proliferation and management. As the JPA works to discharge its responsibilities to our membership, to Joe's Pond, and other vulnerable waterbodies, to implement a complete AIS spread prevention and containment program, we can much more effectively accomplish our purpose when the ANR is acting as a collaborative and supportive partner.

The JPA appreciates the value of public access to Joe's Pond and all public waters and recognizes the constraints of limited space. But the current situation begs an honest assessment of our collective shared purposes and priorities. We hope, through enactment of these recommended amendments to S.224, that a functional and mutually beneficial relationship between the DF&W and lake associations can be formed to minimize the likelihood of AIS proliferation and its associated ecological loss.

Thank you again. The Joe's Pond Association urges you to pass S.224 with the above suggested amendments.