

Vermont Endangered Species Committee Meeting Minutes

January 28, 2025

Hybrid meeting held at 9:00 am on Tuesday, January 28, 2025, in the Catamount Room, 1 National Life Drive, Montpelier, VT 05620 and via Microsoft Teams.

Attendees

Committee Members Present: Carla Fenner (Flora Representative), Allan Strong (Chair, Fauna Representative)

Virtual: Ali Kosiba (Agricultural/Silviculture Representative), Matt Peters (Flora representative), Bryan Pfeiffer (Fauna Representative), Paul Wieczorek (Agricultural/Silviculture Representative)

SAG members present: Rich Langdon (Fish SAG)

Virtual: Mark LaBarr (Bird SAG), Savannah Ferreira (Fungal SAG), Kent McFarland (Invertebrate SAG), Jed Murdoch (Mammals SAG), Jim Andrews (Reptile and Amphibian SAG), Dorothy Allard (Bryophyte SAG), Jed Murdoch (Mammals SAG), Kate Kelly (Vermont Herp Atlas)

ANR: Secretary Julie Moore, Fish & Wildlife Interim Commissioner Andrea Shortsleeve, Wildlife Diversity Program Manager Rosalind Renfrew, Wildlife Division Director John Austin, Permit Administrator Jon Kart

Virtual: Fisheries Biologist Lael Will

Public: None

The meeting was called to order at 9:06 am

Public Comment

None

Additions, Deletions, Changes to the Agenda

Allan Strong amended the agenda to include an executive session for an incidental takings permit application which includes the confidential location of threatened and endangered species.

Approval of Minutes

MOTION: by Matt Peters to approve the minutes from the September 4, 2024 meeting. Bryan Pfeiffer seconded. Motion approved (6-0).

Additions, Deletions, or Changes to the Agenda

Allan Strong rescheduled the next meeting with the Committee from April 15, 2025 to April 9, 2025.

Updates from ANR Secretary Julie Moore

Secretary Moore presented updates from ANR including the Governor's budget address, the progress in Act 59 work, and unfunded mandates for ANR. The Committee Members asked the Secretary questions about unfunded mandates and what agency work the Secretary is most excited about.

Updates from Vermont Fish and Wildlife Department

Interim Commissioner Shortsleeve introduced herself to the Committee and highlighted what work she is focused on. The Committee Members asked the Commissioner questions about the department's funding.

John Austin discussed the responsibilities Fish & Wildlife has in Act 59 and work done examining the endangered species protection law with Representative Satcowitz. Allan Strong discussed the challenges of being a reactive Committee to the permitting process and discussed how to be more proactive at the April meeting. John Austin spoke about how the department invited legislators to join biologists in the field this past summer.

Rosalind Renfrew updated the Committee on SWG funding prospects and the proposed federal listing of the monarch butterfly. The Committee discussed the proposed listing of the monarch butterfly.

Action Item: Rosalind Renfrew will coordinate with Bryan Pfeiffer and Kent McFarland on comments to USFWS for the proposed federal listing.

Allan Strong asked for an update on the Franklin County Airport and Secretary Moore provided an update.

Jim Andrews asked about whether the potential federal listing of the spotted turtle has made any progress. Rosalind Renfrew responded that like the tri-colored bat listing, there have been no new updates.

Species Advisory Group (SAG) Annual Reports

Dorothy Allard presented the yearly report from the Bryophyte SAG. Allan Strong asked whether Mount Hor, which supports unique bryophytes, is protected, Dorothy Allard said yes.

MOTION: by Allan Strong to add Grace Glynn, State Botanist, to the Bryophyte SAG. Bryan Pfeiffer seconded. Motion approved (6-0).

Savannah Ferreira presented the yearly report from the Fungal SAG. Allan Strong and Rosalind Renfrew asked questions and discussed the fungi in Vermont and inclusion in the State Wildlife Action Plan.

Savannah Ferreira spoke about the four new members that would like to join the Fungal SAG: Annabelle Langlois, Charlotte Rosendahl, Bethany Beech and Carolyn Douglass.

MOTION: by Matt Peters to add the four new members to the Fungal SAG. Ali Kosiba seconded. Motion approved (6-0).

Discussion on Committee Member Terms

The Committee discussed the upcoming term expirations for Committee Members Matt Peters and Bryan Pfeiffer.

Action Item: Rosalind Renfrew will update their terms.

Species Advisory Group (SAG) Annual Reports

Jim Andrews presented the yearly report from the Reptile and Amphibian SAG. Allan Strong asked about the threat to Eastern Ribbonsnakes. Rosalind Renfrew asked about the change in SGCN (Species of Greatest Conservation Need) ranking for the Jefferson Salamander.

Discussion included the legislation proposed last year and to be proposed this year by the department for herpetofauna (herp) protection, the accidental filling in of a turtle passage, the Spotted Turtle work, and the Wood Turtle ranking change.

The Committee recessed at 11:00 am for 10 minutes. The recording was accidentally not turned back on until 11:30 am.

Kent McFarland reviewed the yearly report from the Invertebrate SAG. The prioritization of invertebrate work was discussed.

Mark LaBarr reviewed the yearly report from the Bird SAG. Avian Influenza, grassland birds, loon nest numbers, when the T&E Rule may be moving forward, and the possible effect of Alewife populations on tern populations and Lake Trout Recovery were discussed.

Action Item: SAG Chairs should send an email to Allan Strong about what species they might have for a future listing/delisting T&E Rule.

Update on Shortnose Sturgeon

Lael Will presented an update on the Federally listed Shortnose Sturgeon, which was documented in the State of Vermont. The Committee Members asked questions about the boundary of VT and NH in the Connecticut River, which tributaries the species is in, how the species got past the Turner's Falls natural barrier, the DNA data, notifying the public, and when the recording of the sturgeon occurred.

Action Item: Need to notify the public of the presence of the endangered species in Vermont, critical timing with FERC relicensing. Lael Will will write up a document for review by the Fish SAG.

The Committee recessed for lunch at 12:30 pm and returned at 12:50 pm.

Species Advisory Group (SAG) Annual Reports

Matt Peters reviewed the yearly report from the Flora SAG.

Rich Langdon reviewed the yearly report from the Fish SAG. The Committee Members asked Rich Langdon questions about a fish database and natural reproductions of lake trout in Champlain and the implication on lamprey management.

Permits

Jon Kart reviewed the request from the Barton Solar Project to waive ongoing monitoring. Matt Peters explained that the Marsh Horsetail is doing better than expected in the state and the Flora SAG is supportive of the renewal moving forward.

MOTION: by Bryan Pfeiffer to approve the request to waive ongoing monitoring for the Barton Solar Project with the conditions from the Flora SAG. Carla Fenner seconded. Motion approved (6-0).

Jon Kart reported out on anomalies found in reporting of the wind facilities Georgia Mountain and Kington Wind. Allan Strong asked if there would be a time they would be operating without a permit. Jon Kart responded that there would be a gap if it cannot be done before late April.

Executive Session

The Committee discussed entering executive session to discuss an incidental takings permit application that has information related to the location of threatened and endangered species. MOTION: by Allan Strong to go into executive session per 1 V.S.A. 313(a)(6). Bryan Pfeiffer seconded. Motion approved (6-0) at 1:53 pm.

MOTION: by Allan Strong to exit executive session. Bryan Pfeiffer seconded. Motion approved (6-0) at 2:26 pm.

Adjourn

MOTION: by Allan Strong to adjourn the meeting. Carla Fenner seconded. Motion approved (6-0) at 2:27 pm.