



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: May 8, 2023, virtually via Microsoft Teams

Members Present: Chair Sean Brown, Jared Adler, Jennifer Mojo, Diane Sherman, Michael Obuchowski, Donna Russo-Savage, Nicole Dubuque, John Kessler, and Brendan Atwood

Members Absent: None

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of [minutes](#) from the April 10, 2023 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments for the Wastewater and Potable Water Supply Rules proposed rule.
- Note: Emergency rule titled 'Emergency Rule on Synthetic and Hemp-Derived Cannabinoids', provided by the Cannabis Control Board was supported by ICAR Chair Brown on 04/26/23.
 - This emergency rule addresses the unregulated sale of potentially intoxicating synthetic cannabinoids and high-THC hemp-derived products.
- Presentation of the proposed rule 'Wastewater and Potable Water Supply Rules' by the Agency of Natural Resources (see page 2)
- Public comments made for the 2nd proposed rule by Jay Greene, Policy and Research Analyst, Office of Racial Equity, were addressed by presenter in regards to reconsideration of the public hearing date not to be scheduled on Juneteenth, which is a federal holiday; including Native American and indigenous groups in Vermont; clarifying intent of the coyote lottery consideration for excess of 100 permits for coyote hunting; and consideration to redefine how applicants are categorized.
- Presentation of the proposed rule '10 V.S.A. Appendix § 44Furbearing Species' by the Department of Fish and Wildlife (page 3)
- Other business: Add future agenda topic to discuss potential resources available for proposed rules to be reviewed for copyediting prior to presenting to ICAR.
- Next scheduled meeting is June 12, 2023 at 2:00 p.m.
- 2:57 p.m. meeting adjourned.

Motion made to accept the rule by John Kessler, seconded by Mike Obuchowski and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

Note: Two suggested edits were made in error on this filing that were meant for the following rule, therefore will be stated in those minutes.

1. Proposed Filing – Coversheet, #7, 2nd to last line: Change ‘protects’ to ‘protect’.
2. Proposed Filing – Coversheet, #8:
 - a. 6th line down: Change ‘2019 Rules requires’ to ‘2019 Rules inadvertently required’.
 - b. 2nd to last sentence: Remove ‘for’ after comma and before ‘and’ in the wording of “section, for and statutory changes for holding tanks.”
3. Adopting Page, #4: Include all required information in the parentheses.
4. Economic Impact Analysis: Include information from the concise summary on the Proposed Filing Coversheet. Explain how non-governmental organizations interested in groundwater protection will be affected in #3 and in each appropriation section of the form and in the Proposed Rule Coversheet Concise Summary.
5. Environmental Impact Analysis, #9: Include reasoning.
6. Public Input Maximization Plan: Include hearing information, ways to participate virtually, and where to obtain information (i.e., URL link, phone number, etc.).

Motion made to accept the rule by Brendan Atwood, seconded by Nicole Dubuque, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. The following suggestions were noted during the first proposed rule, however intended for this proposed rule:
 - a. Copyedit filing for grammatical errors.
 - b. Proposed Filing – Coversheet, #7: First sentence includes an end quotation mark, however not a beginning one, therefore need to correct.
2. Proposed Filing – Coversheet, #7, 4th sentence: Include ‘on’ between ‘based’ and ‘a peer-reviewed study’.
3. Proposed Filing – Coversheet, #8:
 - a. Include what the rule covers in the beginning before explaining the changes.
 - b. Change the comma after ‘as’ and before ‘limits’ in the first sentence to a semi-colon.
4. Proposed Filing – Coversheet, #16: Add ‘Furbearing’ and ‘Coyote’.
5. Proposed Filing – Coversheet, #11 and #12: Responses differ some from the Economic Impact Analysis, therefore, be consistent throughout.
6. Economic Impact Analysis: Bullet and separate different categories of people and describe the impact to each group.
7. Economic Impact Analysis #8: Change ‘some’ to ‘minimal’ regarding the impact.
8. Environmental Impact Analysis, #6, last sentence: Change ‘release’ to ‘released’.
9. Environmental Impact Analysis, #8: Change ‘approximate’ to ‘approximately’.
10. Environmental Impact Analysis, #9: Include alternatives to the website, such as a phone number.
11. Public Input Maximization Plan, #3:
 - a. Change ‘initiated’ to ‘initiating’.
 - b. Reword ‘working groups for coyotes’ for clarity.
 - c. In the second to last sentence, correct ‘wil’ to ‘will’.
 - d. Include alternate ways to obtain information, such as a phone number.