

**From:** [ANR - WSMD Lakes](#)  
**To:** [Jensen, Kimberly](#)  
**Subject:** FW: Act 57 Study Committee  
**Date:** Friday, November 3, 2023 4:21:10 PM

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Thank you,

Kelcie Bean (she/her)

*You may now submit permit applications, compliance reports and fee payments through our online form to expedite its receipt and review: [ANR Online Intake Form](#)*



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**Kelcie Bean (she/her)**, Environmental Technician  
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*The Agency of Natural Resources supports telework, and I work primarily remotely. I am available to connect by phone and email.*

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**From:** [REDACTED]  
**Sent:** Thursday, November 2, 2023 9:37 AM  
**To:** ANR - WSMD Lakes <[ANR.WSMDLakes@vermont.gov](mailto:ANR.WSMDLakes@vermont.gov)>  
**Subject:** Act 57 Study Committee

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Dear Committee Members:

Thank you for your time and efforts. I hope you will read and consider the following comment.

### **ACT 57 MOST IMPORTANT REVISION**

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- If there can only be one meaningful outcome from the work of this study committee, it will be to

- change the aquatic herbicide permitting process to **REQUIRE**
- the support of the municipality(ies) that surround the lake for which the chemical management plan is being proposed. According to Ms. Jensen, it is currently an “ask” (recommendation?) rather than a “requirement.”
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- It needs to be the responsibility of the permit applicant (in most cases a lake association) to
- engage with the municipality(ies) and provide documentation of support for their plan to use an herbicide. This documentation can be copies of Select Board(s) meeting agendas and minutes and/or letters of support from the Select Board(s).
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- This form of public notification and engagement can be accomplished at
- **NO EXPENSE**
- to the applicant (lake association) and requires minimal effort on their part. They can request to be on the agenda at any upcoming Select Board meeting. Select Board meeting agendas are made available to the public in advance of meetings and are open to all
- who wish to attend in person or remotely (Zoom or other format). If the Select Board anticipates the need for a larger venue for an informational presentation, they will provide one, again at
- **NO EXPENSE**
- to the applicant (lake association.) **NOTE:**
- This was done by the Town of Castleton Select Board at no cost to the Lake Bomoseen Association.
- The town provided a venue, a moderator, and equal time for proponents and opponents of the LBA’s proposed herbicide plan.
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- Requiring the support of municipalities surrounding a lake will save the VT DEC considerable time
- and money. A permit application should not be considered “technically complete” without documentation of municipal support. No DEC staff time should be spent reviewing an aquatic herbicide permit application that lacks municipal support.
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- It has been acknowledged by the study committee (11/1/23 meeting) that pesticides are different
- from bottom barriers or dash in how they impact the public. It was mentioned that perhaps plans for pesticide use in lakes should require an increased level of public notification and involvement.
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- The most successful lake stewardship plans have arguably been those in which a lake association
- has the support of the “lake community” as well as its own members.
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- Ms. Jensen noted that the Grant in Aid program already requires an applicant to be a “municipality”
- or an “agent of the state.” Perhaps it should be a requirement for the municipalities surrounding lakes to be co-applicants on pesticide permits as well.
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- The above suggestions would result in “more robust public engagement” in the stewardship of Vermont
- lakes. Lack of opportunity for public engagement was a driving factor that led to H31 and the creation of the Act 57 study committee. Only allowing public comment
- **AFTER**
- a draft permit decision has been issued is inadequate, inefficient, and costly in terms of demands on DEC staffing and funding.
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- If the Vermont ANR is going to continue to rely heavily on lake associations to take responsibility
- for the stewardship of our public waters, then these lake associations need to be
- **REQUIRED**
- not just “asked” to work with the public for whom our lakes are held in trust.
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