

From: [ANR - WSMD Lakes](#)
To: [Jensen, Kimberly](#)
Subject: FW: Act 57 Study Committee Comments From LSCA
Date: Monday, November 13, 2023 10:07:34 AM
Attachments: [LSCA-Letter-To-Study Committee-10-16-23.pdf](#)

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](#)



Kelcie Bean (she/her), Environmental Technician
Vermont Agency of Natural Resources | Department of Environmental Conservation
Watershed Management Division | Business & Operation Support Services (BOSS)
1 National Life Drive, Davis 3 | Montpelier, VT 05620-3522
802-490-6195 (o/c) | Kelcie.bean@vermont.gov
<http://dec.vermont.gov/watershed>

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: Sunday, November 12, 2023 8:40 AM
To: ANR - WSMD Lakes <ANR.WSMDLakes@vermont.gov>
Subject: Act 57 Study Committee Comments From LSCA

You don't often get email from [REDACTED]. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Act 57 Study Committee,

This is [REDACTED], reaching out to you on behalf of the [Lake St. Catherine Association](#) (LSCA). We had previously reached out to you a few weeks ago when a speaker made false statements during the public comment period about milfoil levels in Lake St. Catherine. We hope you were able to give that email a few moments of your time. A copy of that email is attached for your reference.

We write in today as you near the completion of your draft report with some additional comments

for your consideration.

As we outlined in our previous email, there is a lot of misinformation flying around. You directly experienced that during the October 10th meeting when Mr. White made demonstrably false statements about Lake St. Catherine, for which we provided facts and data to you to disprove his comments. We imagine this is also happening with comments and statements that are being emailed into the committee about ProcellaCOR, the permitting process, and about Lake St. Catherine. We hope that when the committee is reviewing these comments, that statements made (similar to Mr. White's) that provide no facts, no science, or no evidence, are evaluated for what they are.

We'll take a guess at two instances of misinformation you may be receiving about Lake St. Catherine, based on what we have seen in newspaper commentaries, and in testimony that was given during the H.31 hearings, and provide information to rebut them. These two instances are frequently referenced by the group opposed to herbicide use to try to

Instance 1:

You may be hearing the quote that milfoil management in Lake St. Catherine was described as 'nothing short of a disaster for warmwater fish populations'.

This quote is from email correspondence between an individual biologist from the Fish Division of the Vermont Department of Fish and Wildlife and the Misha Cetner of the Vermont DEC, and has been repeated numerous times, and in numerous mediums.

Lakes and Ponds Program Manager Oliver Pierson addressed this statement directly in his [March 15th, 2023 testimony](#) to the House Committee on Environment and Energy, saying this:

"The example that has been read twice today about the Lake St. Catherine situation where it's been quoted twice by a [Vermont DFW] fisheries biologist that Lake St. Catherine's aquatic plant management has been quote "nothing short of a disaster." That's one individual in Fish and Wildlife. We've heard from others in Fish and Wildlife that it has not been a disaster, it has simply led to a change from a decrease in largemouth bass, but an increase in smallmouth bass. Fish and Wildlife will be here tomorrow, I'll let them speak for themselves, but I think it's fair to say that we don't agree, nor does Fish and Wildlife's leadership, with the statement that aquatic plant management has been quote unquote, 'nothing short of a disaster at Lake St. Catherine'."

It should also be noted that the DEC took this claim very seriously, leading to the following reply from Vermont DEC Lake & Shoreland Ecologist Misha Cetner later that day:

"I take your comments on the St. Catherine warmwater fish populations quite seriously as that is not a casual statement. Do you have data that supports this? If so, that needs to be incorporated into the overall discussion. Is this observation in St. Catherine only or is it seen in the other lakes with EWM control?"

There was no response from the biologist to this direct questioning from the DEC.

Instance 2:

Related to this is a 2021 Bass Inventory and Management – District 2, Project No.: F-36-R-23 report filed by the fish biologist referenced above that you may also be hearing about. This report shows a decrease in largemouth bass, and an increase in smallmouth bass, based on electrofishing surveys dating back to 1988 in Lake St. Catherine. It should be noted that this report does not have data prior to 1988, so there can be no comparison to current bass populations from 2021 to the pre-milfoil era of Lake St. Catherine (prior to the early 1970s).

In the 'Discussion' section of this report, the author notes:

"Following a 15-year study of the black bass population in Lake Morey, VT, Kirn (1996) concluded that the introduction and rapid expansion of Eurasian watermilfoil (*Myriophyllum spicatum*) (EWM) in the lake was a major factor that led to the development of a high-quality Largemouth Bass fishery there. Similar observations have been made in other Vermont lakes with established EWM populations (Good 2019)."

The author is citing a study, and his own observations, that milfoil infestations in lakes are a positive for largemouth bass populations. So, this would lead you to the logical conclusion that milfoil infested lakes with well established populations that are working to improve their lake health by successfully controlling this invasive weed, would experience a dip in largemouth bass populations which had increased *unnaturally* as a result of the infestation. Meaning, if rapid expansion of milfoil was a major factor in increasing largemouth bass populations, the control of milfoil would bring the population back down to its natural level that had been previously supported by the lake's native aquatic plants. As you read previously, this logical conclusion has been described by the author as 'nothing short of a disaster'. It certainly appears that the author is advocating for lakes to remain heavily infested with milfoil to support "high-quality Largemouth Bass fisheries", with no regard for the overall long-term health of the lake.

As you may have already read, the DEC issued a [pre- and post-treatment statistical analysis](#) of the aquatic plant survey data from Vermont waterbodies that have used ProcellaCOR showing statistically significant decreases in milfoil, and statistically significant increases in native plants. We have experienced this at Lake St. Catherine as our native plant populations are flourishing with the decrease in milfoil (which chokes out our native plants), providing robust plant cover for fish.

As the committee works through their mandate, we hope that you will consider the tremendous amount of volunteer effort put forth by lake associations like the LSCA, as we work to preserve, protect, and maintain Vermont's lakes and ponds for all Vermonters and our visitors. We hope that any changes you propose to the already rigorous permitting process, if any, will be based on the facts and the science, and not by those who seek to influence the process by providing misleading

and false information. and that they will continue to allow access to regulated, safe, and effective use of herbicides as a tool to maintain control of Eurasian watermilfoil in infested waterbodies.

Thank you for your time,

- [REDACTED] on behalf of the Lake St. Catherine Association

Act 57 ANC Study Committee Comments From The Lake St. Catherine Association

Mon, Oct 16, 2023 at 2:21 PM

to: anr.wsmdlakes@vermont.gov

Hello Act 57 Study Committee,

This is [REDACTED] contacting you from the [Lake St. Catherine Association](#) (LSCA). The Lake St. Catherine Association is a Vermont 501(c)(3) not-for-profit corporation, organized on August 31, 1953. Our mission is the preservation, protection and maintenance of beautiful Lake St. Catherine. We are a volunteer organization of 15 Trustees who work year-round to fulfill this mission. For 70 years, we have been stewards of Lake St. Catherine. Our most important work for Lake St. Catherine includes numerous water quality improvement projects, and invasive species prevention and control.

I'm writing in today on behalf of the LSCA to echo the comments made by Federation of Vermont Lakes and Ponds President [REDACTED], and to also address other statements made during the public comment section of the last meeting on October 10th.

Pat told you about how much work volunteer Lake Associations do for their lake (with technical direction from the DEC), she asked you to keep in mind these volunteers as you consider changes to an already rigorous permitting process, and she asked that when interested parties become involved that the discussions be evidenced based and data driven.

You then heard from Mr. White who proclaimed that the milfoil at Lake St. Catherine has used herbicides and 'has as much milfoil as I can recall', and that 'not a lot has come of it', and that 'it has gotten worse', and that the LSCA does not have a long-term plan.

These statements represent the misinformation Pat was referring to when she asked for interested party participation to be based on evidence and data, and not on comments without evidence.

The LSCA runs a very successful Milfoil Control Program, consisting of 5 components:

- 1. 'Stop The Spread' education and outreach.** Our 'Stop The Spread' campaign educates boaters and property owners on best practices to limit the spread of milfoil. Each year, the LSCA holds a lake community meeting to discuss the control plan for the season, answer questions, and hand out a flyer with best practices for lake users to limit the spread of milfoil.
- 2. Volunteer milfoil cleanup.** Throughout the season, we organize volunteers to collect detached floating milfoil from the lake and deposit it on our designated drop off platforms. The milfoil is then picked up from the platforms and disposed of. We also encourage boaters and property owners to remove any milfoil they see in the lake while boating or on their shoreline.
- 3. DASH - Diver Assisted Suction Harvesting.** Our DASH crew suits up in scuba gear and hand-pulls milfoil by the roots from the lakebed. In sections of lower milfoil density, they will swim the area and hand-pull with mesh bags. In higher density areas, they will set up the DASH equipment which allows them to suction the hand-pulled milfoil up through a tube to a catch table on a boat. Milfoil is then placed in 17.5 gallon buckets for transport off the lake.
- 4. Herbicide spot treatments with ProcellaCOR EC.** In order to maximize our DASH crew's time, effectiveness, and number of acres covered, one of our control methods includes spot treatments with the herbicide ProcellaCOR EC.
- 5. Watershed management (phosphorus reduction).** Although not directly related to Milfoil Control, the LSCA's work on [Lake Wise on LSC](#), the [LSC Stormwater Master Plan](#), and the [LSC Watershed Action Plan](#) all help to limit phosphorus and other nutrients from entering the lake which can contribute to excessive plant growth, and are improving overall water quality as noted by DEC's Kellie Merrell in the attached slide deck from March 2023.

In 2001, 199 GPS points were set in the littoral zone (the area where aquatic plants can grow) in Lake St. Catherine. At that time, milfoil was found at 94% of those points, or at 187 of the 199 points, and was densely populated throughout the littoral zone of the lake. These GPS points have been visited every fall from 2004 - 2022 and surveyed for our aquatic plant reports. In our 2022 fall aquatic plant survey, milfoil was found at just 17% of the GPS points, or just 34 of the 199 points. In recent years, DASH has been our primary control method, and in 2023, we did not perform a spot treatment. Our work, and these components of our milfoil control plan have safely and effectively controlled our milfoil infestation, contrary to what you were told at the last meeting.

A copy of our 2022 aquatic plant management report is attached.

It is both insulting and wrong for Mr. White to claim that the LSCA does not have a long-term plan, and that the milfoil at

11/2/23,12:57 PM

Lake St. Catherine has 'gotten worse'. In fact, as you can see in our plant data, our integrated control program has greatly reduced the amount of milfoil, and greatly reduced its negative impact on the lake, while allowing our native plants to fill in the spaces previously taken by the milfoil. You can read more about our Milfoil Control Program here;
<https://lakestcatherine.org/milfoil-control-program>

As the committee works through their mandate, we hope that you will hear from, and consider the tremendous amount of volunteer effort put forth by lake associations like the LSCA, as we work to preserve, protect, and maintain Vermont's lakes and ponds for all Vermonters and our visitors. We hope that any changes you propose to the already rigorous permitting process, if any, will be based on the facts and the science, and not by those who seek to influence the process by providing misleading and false information.

Thank you for your time,

- [REDACTED] on behalf of the Lake St. Catherine Association

2 attachments

 **Lake St. Catherine Trends 2023.pdf**
149K

 **2022 LSCA Aquatic Plant Survey Report.pdf**
4301K