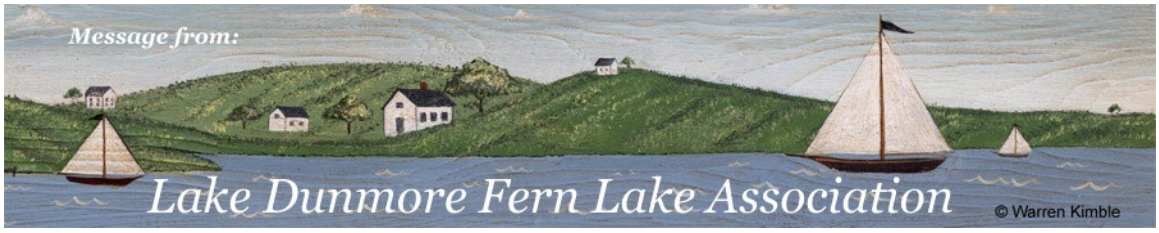

P. O. Box 14, Salisbury, Vermont 05769

TO: House Committee on Environment and Energy
FROM: Jeffrey Schumann, President
DATE: 17 March 2023
SUBJECT: Opposition to H. 31 - An act relating to aquatic nuisance control

I am writing today on behalf of the LDFLA, we want to be clear that we oppose H. 31 and urge the committee members to vote NO regarding the bill's advancement.

The LDFLA was created in 1938 with the following mission:

> *to protect and enhance the natural vitality of Lake Dunmore and Fern Lake while preserving the recreational and lifestyle interest of the Lakes' community. In so doing, the Association protects the Lakes' value as a public recreational facility and respects the interests of property owners and the public.*

For 85 years we have held true to our mission, championing initiatives to improve water quality, safety in and around the lakes, and the recreational quality of life we so much appreciate being in the lakes community.

Personally, my family began coming to Lake Dunmore in 1950 and I retired after a 37 year career in public education, 11 as a high school biology and environmental science teacher, and became a permanent resident in 2017. It is my honor to serve as the LDFLA President and the Vice-Chair of the Otter Creek Watershed Insect Control District. Both of these volunteer positions have a great degree of annual interaction with Vermont state agencies regarding permitting. I believe the permitting process, although extremely time consuming, is thorough, fair, transparent, and more than sufficiently rigorous to ensure all parties are aware of and held to high standards.

Lake Dunmore is a 985 acre lake in Addition County, of which approximately 500 acres are at risk for EWM infestation. The lake is home to a the Magoon State Boat access, Branbury State Park, 3 summer camps for children, 2 private campgrounds both with beaches, and many seasonal and year round residences. The lake is in both the Town of Salisbury (north) and Leicester (south). Fern

Lake is a 69 acre lake all of which is at risk for EWM infestation. The lake has a state boat access are, however, boats are limited to 5mph. The lake is situation in the town of Leicester.

The LDFLA has been very proactive in its effort to create a program to control the spread of milfoil. Starting in 1989, the milfoil program consisted of volunteer "pullers", who hand dug plants and removed them from Lake Dunmore and Fern Lake. I was part of the original crew that used snorkel and SCUBA equipment to pull plants and take 100s of canoe load out of the lakes. As milfoil expanded throughout the lake, so did the program, growing in 1994 to employ two divers to pull the plants from June through August, and again in 1999 to five divers. These methods initially proved very effective, so much so, that in 2004, the association received the Environment Merit Award from the state of Vermont for their control of Eurasian Milfoil in an environmentally friendly way (i.e. non-chemical control).

The success of the milfoil program began to be severely tested in 2009 when the plant increased exponentially across the lake. The cause of the proliferation has not been proven, but is believed to be linked to flooding that occurred in August of 2008 when a storm dropped five inches of rain in a four hour period in the region. The flood caused many small cottage septic tanks to overflow into the lake and increased runoff, thus providing a nutrient-rich environment that aquatic plants like milfoil thrive on. Over four times as many plants were pulled from 2008 to 2009; over nine times as many plants were removed from 2009 to 2011; and another substantial increase occurred in 2012.

In response to these increases, the lakes association focused more money and effort on harvesting milfoil. By 2010, the then six member dive crew was struggling to control the spread, so a permit was obtained for a different method of controlling milfoil—diver assisted suction harvesting (DASH). The following spring, the crew rigged a used pontoon boat to create a mechanical suction harvester, greatly speeding up the hand pulling process—divers no longer had to return to the surface with armfuls of harvested plants. Instead, as divers pulled the plant, they hold a long suction tube to literally vacuum up the plant, depositing it into a collection grate built into the pontoon boat. Divers could stay down longer and pull many more plants.

LDFLA MILFOIL HARVEST TEAM

As divers had to clear larger infested areas, re-growth in previously maintained areas was inevitable. Thus in 2012, the program expanded again by adding a second suction harvester and hiring full time crew manager. Growth continued, and by 2015, the team had grown to a crew of 20 working 240 hours a week using four vacuum harvesting vessels, a small service boat which ran constantly from the harvesting vessels to shore to unload the plants.

In 2016, we applied for and received a permit to use Renovate in 72 acres in Lake Dunmore and 7 acres in Fern Lake. In 2019, 8 acres were treated in the north bay of Lake Dunmore.

In 2020, we applied for and received a permit to use ProcellaCOR in 78 acres in Lake Dunmore.

Prior to all treatments letters we sent to all property owners on the lakes and those property owners for 1 mile along the Leicester river which is the only water outlet Lake Dunmore. Signage was posted on every road surrounding the lake and at the Magoon boat launch, Branbury State Park, Waterhouses Marina & Campground and Kampersviille Campground and beach. Notice was also placed on the LFLDA website and in the newsletters.

The research on ProcellaCOR shows:

- no risk to human health: non-carcinogenic
- no adverse impact on aquatic or terrestrial life
- targets EWM with minimal impact on a narrow range of native aquatic vegetation which when impacted recovers rapidly
- is not harmful to bees

- effective at very low concentrations
- dissipates in less than 24 hours

Making it a safe and effective strategy for controlling invasive EWM.

This table shows the total number of bushels of EWM removed from both lakes each year. Since the inception of herbicide use overall qualities of EWM harvested has been reduced and drastically reduced using ProcellaCOR in 2020.

2011 - 1134	2015 - 3479	2019 - 1918
2012 - 2625	2016 - 2013	2020 - 916
2013 - 3600	2017 - 1216	2021 - 317
2014 - 5500	2018 - 1826	2022 - 679

We are optimistic we can get up to 5 growing seasons or more from a single application of ProcellaCOR and DASH techniques.

The LDFLA does not believe this bill is needed. We have been involved with outreach and education regarding milfoil control for over 30 years. We survey the lake residents regularly and their response shows not only the desire for milfoil control but extreme satisfaction with the work that has been done, including the use of herbicide treatments. Our team of greeters inspecting boats and educating boaters at the Magoon boat launch area rarely report people having a negative response to the efforts to prevent milfoil from entering the lake. Additionally, we are hopeful that we can purchase land adjacent to the boat lunch and build a boat wash station and education center in the near future. If there are issues with outreach & education in the permit process, then that should be addressed but using a moratorium while you wait for more information seems backwards.

If the state decides to conduct primary research or even an extensive review of the literature at tax payers expense, to validate something that has been widely researched by experts around the country and used without adverse effects in many northern-tier states including Vermont, so be it, however we feel those dollars could be better spent in the prevention and eradication of EWM using our historically effective practices.

In other words we don't want to lose the lakes while someone is studying it!

<u>We urge you to please vote NO on H. 31, thank you!</u>