



To: Senator Robert Hartwell
Cc: Senate Committee on Natural Resources & Energy
Cc: Senator John Campbell; Senate President

Date: January 21, 2014

Re: Shoreland Protection Legislation

Lake Dunmore Fern Lake Association (LDFLA) want to impress on the Committee that we share the same goals and that keeping our lakes in pristine condition is of the utmost importance to us, and something to which our association has devoted a great deal of our money, time, and effort. The LDFLA appreciates the efforts in crafting this important legislation. We urge the committee to further consider several points that produce concerns for the LDFLA.

Amendments:

We support Senator Rodgers' amendment allowing expansion of existing dwellings within 100 feet of the shoreline to expand in any direction as long as it is no closer to the water than the existing building.

We support Senator Rodgers's amendment allowing for a temporary use pathway to the water of up to 12 feet in width to allow for occasional access to the waterfront.

Mosquitoes – We request reinsertion of the relevant statement from the original House bill as passed with the word “breeding” removed and changed as necessary to fit the format of the current bill. The problem of mosquitoes in our area has been well documented since Governor Kunin’s administration and now, with the threat of EEE and West Nile Virus, the risk to our residents and our tourism industry is even greater. The children’s camps and other businesses are challenged to keep their patrons comfortable, safe, and coming back. Our local governments spend tens of thousands of dollars every year to control adult mosquitoes and would appreciate having the state working with them, not against them, in this effort. Section 1444, (b)

(5) for areas of the State where mosquito populations create a public health hazard, as that term is defined in 18 V.S.A. § 2, physical practices or activities that create cleared area or remove vegetative cover in order to reduce mosquito ~~breeding~~ habitat, provided that any activity authorized under this subdivision shall comply with the Vermont wetlands rules;

Trees and Branches – We propose changing the wording to “selective branch cutting of no more than 1/3 of the tree” to make this provision site-specific, allowing for those properties where it is more appropriate to open a window in the trees for a view instead of trimming the bottom.

Section 1444, (b) (2) (G) as amended by ANR;

(G) Pruning of tree branches ~~selectively on the bottom~~ *selectively on the bottom no more than* one-third of a tree's height is...

Permit Fees – We propose adding “Projects which are covered by local zoning permit fees shall have the

state fee waived.” Paying both fees places an undue burden on property owners from municipalities with local zoning.

Management of Agency Lands – We request that the language be clarified. Although there is a provision that all Agency lands shall be managed according to the new requirements, new public access areas are exempt from needing a permit and existing beaches are exempt from compliance with the new standards or the need for a permit or registration.