

Testimony of the Vermont Federation of Sportsmen's Clubs Inc
Before the House Committee On Government Operations Concerning H.871
April 20, 2016
Chris Bradley - President, VTFSC

Chairman Sweaney and distinguished members of the House Committee on Government Operations; thank you for the opportunity to give testimony today.

My name is Chris Bradley, I am the current duly-elected President of the Vermont Federation of Sportsmen's Clubs (VTFSC), with the VTFSC being an organization first established in 1875 and representing over 50 member clubs with well over 10,000 Vermont sportsmen and women.

According to the EPA's Safe Drinking Water Information System (SDWIS), there are 419 Community Water Systems (CWS) in Vermont, and these CWS account for 71% of the source of drinking water to Vermonters. Of the Vermonters served by CWS, 58% of the sources come from "Surface Water", "Surface Water Purchased" or "Groundwater under influence of surface water".

From past experience, we must understand that if Montpelier is granted the Charter Change referred to as §709, Regulation of Public Water Supply And Sources, they will most assuredly declare the natural resource known as Berlin Pond off-limits to any number of long-standing and perfectly legitimate recreational uses, all for the sake of a fear of "corruption".

A decision to approve this Charter Change would have the effect of setting an exceedingly dangerous precedent against 24 VSA 2295, predominantly known as the "Sportsmen's Bill Of Rights", or otherwise known as the "Preemption Statute" or as the "Authority of municipal and county governments to regulate firearms, ammunition, hunting fishing and trapping". The consequences of such a precedent would be dire for all Vermonters who enjoy the outdoors.

A decision to approve this Charter Change would likewise be against 10 VSA 1390, which states that it will be the policy of the state that groundwater resources of the state are held in trust for the public; also known as the Public Trust Doctrine.

A decision to approve this Charter Change would also be contrary to the Vermont Constitution that states that Vermonters shall have the right to *"hunt and fowl on the lands they hold, and on other lands not inclosed, and in like manner to fish in all boatable and other waters"*.

The VTFSC respectfully requests that this committee be unanimous in its decision to reject outright §709 of H.871, thereby supporting the existing laws of the state of Vermont, the voters of Berlin who overwhelmingly voted for recreational access to a natural resource contained in their municipality, the decision of the Department of Environmental Conservation, and the decision of the Vermont Supreme Court.

As a final thought: Geographically, it can be seen that Berlin Pond is fed, in some part, from a watershed that originates in the Town of Northfield. I set aside any question of whether or not Montpelier has the eventual inclination of asserting control over Northfield because the "corruption" of Berlin Pond could begin in Northfield. Instead I ask the question: If Montpelier can lay claim to a body of water located in a separate municipality because they take water OUT of that body of water, how would a hypothetical Charter Change from Northfield be received by this committee that attempted to annex Berlin Pond from Berlin because Northfield puts water INTO it?