

Thank you for allowing me to be part of this process.

My name is Nate Smead. I am one of the founders of the Friends of Berlin Pond, which is an all volunteer group that advocates for responsible access to the pond.

I work and spend the majority of my time right here in Montpelier. I drink the water every day and I've never been afraid of putting a glass to my lips. Not 10 years ago, and certainly not today.

4 years ago I witnessed what I viewed as an attack on outdoor enthusiasts, when a small group of landowners organized and began a methodical attempt to ban recreation on Berlin Pond. 4 years ago I became an activist, and since that time I have spent hundreds of hours and many sleepless nights fighting for what I believe is right. I am passionate about this issue, but I'll try my best to peel away that passion and stick to the facts.

100 years ago there were farms lining the shores of Berlin Pond. Cows and sheep dotted the landscape. On a hot summer day, it wasn't uncommon to find these animals standing in the pond, seeking relief from the heat. Around that time, Montpelier had begun tapping into the pond to draw its drinking water. The water was gravity fed from Berlin, downhill to the city..... and residents were drinking unfiltered, untreated water..... straight from the pond.

For obvious reasons, folks began getting sick, so Montpelier began to buy up all the land around the pond and strict laws were enacted to protect the water. 100 years ago, that made sense!

Today, with state of the art, modern filtration and treatment technology.....the water is safe to drink. The city water department monitors the water on a daily basis and I must say that they do a fine job.

It's ok if a deer swims in the pond. It's ok that beavers build their houses in the pond. It's ok that thousands of migratory birds take their rest in the pond each fall. There are millions of animal born bacteria swimming around that pond, this very second. Stuff that could make you sick! But because of modern technology, we can safely drink the water and we aren't getting sick.

The argument for keeping people out of the pond made sense 100 years ago..... but today it just doesn't make sense. It doesn't make sense from a legal point of view and it doesn't make sense from a scientific point of view. This fact was made evident by the 2012 ruling from the Supreme Court of Vermont. This fact was made evident when the residents of Berlin voted overwhelmingly for recreational access, in a town wide vote. This fact was made evident when water quality experts at our Department of Environmental Conservation made a scientific and legal pronouncement that light recreation does not threaten the water and should be allowed.

This fact was made evident last year, in this very building when legislatures were unwilling to take up a bill that was aimed at banning all forms of recreation on Berlin Pond.

We have a strong tradition of outdoor recreation in Vermont and we have a constitution that guarantees our right to recreate on publicly owned bodies of water. Montpelier doesn't own this pond. Berlin doesn't own this pond. We own this pond. All of us.

According to a law enacted in 1988, commonly referred to as the Sportsmen's Bill of Rights, Montpelier DOES NOT have the authority to regulate activity on Berlin Pond. That power lies in your hands. And unless you are willing to overturn laws and upend parts of our constitution, I think the decision is clear. In the absence of any clear and concise evidence that paddling a plastic canoe on Berlin Pond poses a true threat to public safety, I believe that this portion of Montpelier's Charter change must be denied. I have faith in our system of governance and I have faith that you will make the right decision for ALL Vermonters.

That's all I have to say.

Thank you for your time.