

Thanks to Chair & Members of the Committee

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Currently trying to remain retired, albeit, unsuccessfully.

I'm here today as a representative of a loosely knit group of Vermonters, and some out-of-staters, who are adamantly opposed to the spraying of Lake Bomoseen with ProcettaCOR; a toxic herbicide. Unless I'm asked about specific details on the fight to stop the spraying of Lake Bomoseen I would like to talk about the process in which I/we find ourselves.

A small group of us met last March with Sec. Moore, Comm. Walke of DEC and Harris of F&W, and others to try to convince these folks that issuing a permit would be a bad idea. In that meeting we learned that "It only takes one person to file an application to spray our lakes". We were appalled that any one person can create this amount of turmoil in our state.

I/we would propose that it should require, at the very least, a lake association and ALL municipalities that host any given lake and the headwaters be required to be on the application. The lake association shall be required to hold a vote of its membership. A majority vote of the membership shall be required before an application can be submitted.

Based on permits that I've seen, the DEC is the deciding entity that issues permits. Although the DEC asks other agencies, like Fish & Wildlife and Agriculture for their input, it doesn't appear as though they act on their recommendations. When F&W suggests that the applicant does not meet the 5 criteria as mandated by the law, the DEC simply states that they don't agree and issues a permit anyway. **The law should be changed to say that no permit to spray toxic chemicals into the state's waters shall be issued without consent of both the DEC & F&W. If the two agencies cannot agree then no permit shall be issued.**

There should be way more public engagement before a permit to introduce toxic chemicals into our environment is issued. Currently, I believe that the public has

only 30 days to comment on a draft permit. That's not enough time. It should be more like 3 to 6 months. That would allow time to truly inform the impacted community as to what is happening, why it's happening and why the proposed solution to a perceived problem is the only solution. The Environmental Notice Bulletin Website is the only place where people can ever hope to learn if a permit has been applied for. It's very difficult for most people to navigate, making it difficult for the public to know what's going on. Theoretically, the adjoining landowners are supposed to receive notice. In the case of Lake Bomoseen, most of the landowners on the lake were not notified. The opposition that you're seeing now over the spraying of Lake Bomoseen is occurring because the public learned about the application when one of our members discovered a new boat ramp installed. The F&W and the DEC knew nothing about the ramp. The Lake Bomoseen Association built it without a permit. The DEC issued a permit after the fact. The public needs to be engaged before an application can be filed. **I would recommend that the law be changed to say that the DEC shall not accept an application until the applicant holds at least one public hearing prior to submitting their application.**

The irony of the fight that I now find myself in should not go unnoticed. As I, and hundreds, if not thousands of people are fighting to keep toxic chemicals out of Lake Bomoseen, the Governor has just signed landmark legislation to help communities negatively impacted by toxic chemicals. Perhaps instead of waiting until people get sick from the toxic chemicals, we might be better served if we look for other solutions or look at the problems differently. We wouldn't need this landmark legislation that requires giving out a lot of money, if we simply didn't poison our environment to begin with.

Eurasian Milfoil has been in Vermont for over 60 years. That's longer than some of you have been around. This prolific plant has long ago become part of our ecosystem and yet it's still referred to as an "invasive species". We should stop demonizing a plant that, in the eyes of some, must be destroyed at all cost and instead simply refer to it as a non-native plant. Lake Bomoseen currently has roughly 600 acres of milfoil. In the findings of a 1997 Water Resources Board decision on drawing down the lake they determined that there was 600 acres of milfoil. To quote the F&W department in its review of the LBA's application that state that milfoil in Lake Bomoseen is "remarkably stable".

Has milfoil destroyed the fish? Not at all. If you talk to those folks who really know the lake they will tell you that Lake Bomoseen is one of the best fisheries in Vermont. This is confirmed by the F&W department. If the DEC issues a permit to spray toxic chemicals in this pristine lake that some folks still use for drinking water, the fish population, and the ecosystem, will be negatively affected. The company that makes the product will say otherwise, but isn't that we would expect them to say? Don't they always say that their products are great....until they're not?

Years ago we were told that Paraquat was a terrific chemical that would control weeds. From the Lawsuit Settlement website:

"The average successful verdict in a Paraquat case would likely be more than \$10 million with the possibility of much more in punitive damages. Does that sound too high? Remember, the average successful verdict in the Roundup lawsuits was well over \$500 million."

You can go into a hardware store and still buy Roundup.

I would call upon this committee to give great consideration to calling for a moratorium on the use of ALL toxic chemicals until ALL Vermonters have had a chance to fully understand the impact of using toxic chemicals. If we're going to continue to use these toxic chemicals Vermonters should know the potential impacts; both positive and negative.

It should be noted that at the bottom of every application form and permit issued is a disclaimer exonerating the department and the state from liability and responsibility for any negative impact from the use of these toxic chemicals. That should tell you all you need to know. If the state doesn't want any liability for the use of these products, why would the taxpayers.

We cannot continue to believe that we can poison our way out of what some perceive to be a problem. Poisonous chemicals may work in the short run, but in the long run the costs outweigh the benefits, as is evident by the governor last week signing landmark legislation.

Thank you for listening and if you have any questions or if I can be of assistance please feel free to contact me.

Bob Stannard