

My name is David Weaver and I am a property owner and fulltime resident on Lake Hortonia. I am here to represent not only myself but as a long-term Board of Directors member on the Lake Hortonia Property Owners Association.

The LHPOA Board, has been entrusted by the members to make decisions for the entire property owner's group of 250 plus property owner.

Lake Hortonia is a 480 acre lake in Sudbury, VT in Rutland County. Our lake is approximately 52% littoral zone (4 meters or less). We have very similar story as Pat Souzzi presented yesterday.

Lake Hortonia is in full cooperation with Vermont DEC in a multi-faceted approach for an Aquatic Invasive vegetation control program. This approach uses tools such as Diver Assisted Suction Harvesting, the use of Benthic Barriers, hand pulling and safe, approved herbicides.

ProcellaCOR was developed in 2010 and went through rigorous testing until 2017 when it was filed for EPA registration. Final registration was completed in 2018 and many states, including Washington, Michigan, New York, Massachusetts, Connecticut, and Vermont all approved it for use in 2019.

The Vermont Dept. of Health State Toxicologist, Sarah Vose, has approved ProcellaCOR for, use in Vermont in April of 2019 and again in March of 2022.

VT DEC has a very comprehensive and rigorous process in place, that follows state Statutes, for reviewing applications for use of any herbicide. This process includes a review board of up to 15 people. Issuing a permit for herbicides in Vermont is not taken lightly.

A new pre-rule making focus group, spear headed by VT DEC, is already in place and active in reviewing rules and guidelines for permitting. This focus group has 21 members representing many interest groups throughout the state.

House bill H.31 is not asking for anything new, that has not already been done in the State of Vermont regarding the use of herbicides. Placing a moratorium on herbicide use for two seasons will have detrimental effects on 20+ years of work to protect the native vegetation and lake ecology that many Lake Associations have worked so hard to achieve. This Bill and proposed moratorium appear to be initiated to address one of Vermont lake's concerns, yet impacts and affects every lake in the State of Vermont. Adding another level of unnecessary bureaucracy on a proven and functioning system, will honestly be a waste of Vermont tax payer's dollars and your time.

Letting an invasive aquatic like Eurasian Water Milfoil take over a lake is a crime to the native vegetation. Eurasian watermilfoil forms thick mats in shallow areas of a lake, quickly growing and spreading to block sunlight; killing off native aquatic plants that fish and other underwater species rely on for food and shelter. These thick mats also impede recreational activities such as canoeing, kayaking, boating, swimming and even fishing. Our Association has feared for many years, if controlled herbicide use is disallowed, the negative and unintended consequences of individuals adding chemicals to control vegetation in front of their property would be extremely dangerous.

Lake Hortonia hires an independent, non-biased contractor to perform our annual vegetation surveys from 1999 to present.

- 140 survey points open water

- 60 additional points in wetland areas.

- 27 species of vegetation recorded in the open water survey (present) vs 19-21 species in 1999, showing increased plant diversity.

Some stats on Frequency of occurrence of EWM on Lake Hortonia:

- 2011 = 14% after 2010 treatment.
- 2012 = 52%
- 2013 = 71%
- 2014 = 74%
- 2015 = 7% (91% decrease) after 2015 treatment
- 2022 = 22%

Please look at the Data and the Science first and then vote no on the continuation of House bill H.31

Respectively submitted:

David Weaver, Lake Hortonia

Attachments:

- State of Washington ProcellaCOR findings
- State of Wisconsin ProcellaCOR findings
- State of Massachusetts ProcellaCOR findings
- Vermont Dept. of Health memo April 4, 2019
- Vermont Dept. of Health memo March 2019
- Permit process / projects in Vermont
- Rule-making focus group
- Picture of Eurasian Water Milfoil