

## Nate Biscotti

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**From:** Martin LaLonde  
**Sent:** Friday, March 28, 2025 8:17 AM  
**To:** Nate Biscotti  
**Subject:** Fw: [External] Bill S.45 nuisance lawsuits

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*Representative, Chittenden 12, South Burlington, VT*  
*Chair, House Judiciary Committee*  
*Chair, House Ethics Panel*  
[martinlalondevt.com](http://martinlalondevt.com)

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**From:** Deb Allen <deballen@gmavt.net>  
**Sent:** Tuesday, March 25, 2025 8:06 PM  
**To:** Martin LaLonde <MLaLonde@leg.state.vt.us>; Tom Burditt <TBurditt@leg.state.vt.us>; Kevin Christie <KChristie@leg.state.vt.us>; Angela Arsenaault <AArsenaault@leg.state.vt.us>; Kenneth Goslant <KGoslant@leg.state.vt.us>; Thomas Oliver <TOliver@leg.state.vt.us>; Barbara Rachelson <BRachelson@leg.state.vt.us>; Zachary Harvey <zharvey@leg.state.vt.us>; Alicia Malay <amalay@leg.state.vt.us>; Karen N. Dolan <KNDolan@leg.state.vt.us>; Ian Goodnow <igoodnow@leg.state.vt.us>  
**Cc:** deballen@gmavt.com <deballen@gmavt.com>  
**Subject:** [External] Bill S.45 nuisance lawsuits

[External]

Hello,

I am writing to express my concern about the amendments to 12 VSA chapter 195. My largest concern is about the "trespass" clause and its related burden of proof being laid on the plaintiff. It is extraordinarily difficult for any non-farmer to be able to identify the practices in place, and then to be able to compare them to the "accepted practices". It is further made difficult that the Dept of Agriculture actually oversees and is the judge of these practices, especially those which contribute to pollution of our waterways. Sort of like, in my mind, to give the National Rifle Association the right to approve the weapons that a citizen might want to purchase.

I understand that most of the farmers in Vermont are working hard to make ends meet, including the Large Farm Operations (LFO). I also know of several LFOs that are clean, respectful, and do their darnedest to make sure that their operation is meeting both legal and community-minded goals. On the other hand, we all know of several who don't give a darn about the legality or about the surrounding community and waterways.....just so long as they can milk their cows and maximize the poundage of milk that they ship out. Passage of the amendment as written will only allow the latter to continue their sloppy and unthoughtful ways.

I very sincerely hope that you will consider changes to the amendment that will allow appropriate farming to continue, but also allow citizens to register complaints against the farms that are not. Very few people are willing to start a lawsuit frivolously. Also, the Agency of Natural Resources should clearly be involved in some of these decisions made regarding discharge issues.

Thank you for listening

Sincerely,

Deb Allen  
Ferrisburgh. VT  
(land owner and yes, a voter)

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