

## Nate Biscotti

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**From:** Martin LaLonde  
**Sent:** Friday, March 28, 2025 8:16 AM  
**To:** Nate Biscotti  
**Subject:** Fw: [External] S.45

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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:** paulette bogan <paulettebogan@yahoo.com>  
**Sent:** Tuesday, March 25, 2025 3:24 PM  
**To:** Martin LaLonde <MLaLonde@leg.state.vt.us>  
**Subject:** [External] S.45

[External]

Dear Representative LaLonde, Chair of the House Judiciary Committee,

I come from a responsible farming family in Pennsylvania. They immigrated from Germany in the 1750's and generations continued to farm through the 1970's. I respect farmers and understand their daily struggles.

I have lived on Arnold Bay Road for 24 years. When we moved in, Arnold Bay Farm was run by the capable hands of Dennis Mueller. When we moved here, Arnold Bay was a pristine area of Lake Champlain that had clear waters, and I swam in it. Since the Vorstevelds bought Arnold Bay Farm, I have witnessed the destruction to our environment and some neighbors' properties directly caused by the runoff from their fields. I have seen massive amounts of brown, bubbling water run off the fields along Arnold Bay Road and Adam's Ferry Road, into the ditches that head directly to the lake, and onto our neighbors' properties, forming small ponds. Recently we started to see algae blooms in Arnold Bay, where we NEVER had algae blooms before! I have seen Arnold Bay turn into a mud hole, the water brown and murky, and there are photos to show that.

I am totally opposed to bill S.45. I would never complain about farm smells or equipment, or other typical features of a farm. Farm life is precious to me. But there are responsible farmers, and irresponsible farmers. As the current law states, there are common aspects of farming that no neighbor can complain about; and IF NO CHANGES HAVE BEEN MADE TO THE FARM OPERATION since the neighbor bought their property, there can be no complaints. I agree with those stipulations. The changes and negative impacts I witness have happened AFTER we bought our properties. No farm should be allowed to harm the environment or damage neighboring properties.

S.45 includes a stipulation that "places the burden of proof on plaintiffs to demonstrate that an agricultural activity is not in line with accepted practices." [fastsdemocracy.com] How could a plaintiff possibly prove this when the Dept. of Agriculture does not hold farmers accountable - ever! Despite complaints, judge's rulings, and EPA violation of filling in wetlands, the Vorstevelds have not mitigated the damages nor changed their destructive practices! As another Addison County farmer told me, "They [Vorstevelds] are a black eye on farming." That is a good description of their operation!

To call this bill a protection of farmers from nuisance lawsuits is a misnomer. Phosphorous runoff into Lake Champlain is not a nuisance; increasing algae blooms in lakes from farm runoff is not a nuisance; nutrient laden streams pouring from fields into neighbors' properties creating ponds is not a nuisance. They are examples of destruction of our lake and

destruction of personal property. You are trying to protect a few irresponsible farmers from taking responsibility for the damage they are doing to our lakes, streams, and private properties.

Please do not pass S.45.

Sincerely,  
Paulette Bogan  
Panton, VT 05491



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