

**D.R. Eric Chittenden**  
**Friends of Waterbury Reservoir (FWR)**  
**P.O. Box 341, Waterbury Center, Vt 05677**  
**Cell: 802-598-0388**  
**(c) 802-598-0388; (land) 802-244-8683**  
**E-mail: [waterburyres@gmail.com](mailto:waterburyres@gmail.com)**  
**e-mail: [eric\\_chittenden@hotmail.com](mailto:eric_chittenden@hotmail.com) (preferred)**  
**Web Site: [www.friendsofwaterburyres.org](http://www.friendsofwaterburyres.org)**

**5/21/26**

**To:**

**LCAR Committee,**

**The Friends of Waterbury Reservoir strongly supports ANR's proposed changes to the "Use of Public Waters Rules." We urge LCAR to approve the revised rules as requested by the ANR. Rule 25-PO45 has unanimous support of the entire Friends of Waterbury Reservoir Board of Directors.**

**First, and for those who feel that Vermont is being too strong on Use of Public Waters Rules I have this for you: I respect that you are sensitive to making necessary changes to UPW rules, but Vermont's penalties are nothing compared to many other states.**

**Arriving home after last week's LCAR session, I saw a newsclip of a man from Seattle, in Hawaii on vacation, throwing stones at a Monk Seal. He missed every time, but some Hawaiians were filming him and yelling at him to stop. After a kerfuffle, the man left for the airport and Seattle. The next day, last Friday, the feds tracked him down. Last I heard, he ended up in a jail cell waiting for sentencing. He could get a prison sentence, along with a fine up to \$70,000.**

**-> If you simply scare a manatee in the U.S., Similar hefty fines and prison time are applicable. There are similar punishments in many places throughout the country.**

**-> Federal Penalty (Marine Mammal Protection Act/Endangered Species Act): Up to  $\backslash(\backslash\$100,000\backslash)$  in fines and up to one year in prison for knowingly violating the act.**

**There are many more examples of stiff fines in America. Compared to rules and penalties throughout the country, Vermont is on the very low end.**

**There are some similarities between "car-racing" and "wake-sporting."**

**--- race-car events are not allowed on state roads; racetracks are created for them.**

**--- similarly, wake-sporting is not allowed all over our lakes; zones are created for them.**

**-> Loons: Vermont State Penalties: Intentionally disturbing, harassing, or killing a loon can result in significant state fines, which can include penalties of up to \$2,000 per bird and, in some cases, up to a year in jail.**

Those of us who are on the front lines working to control, or at least slow, the spread of aquatic invasive species (AIS), understand the challenges. I spent over 60 years as a merchant seaman on oceans around the world. The next paragraph describes how one of the worst AIS in Vermont, Zebra Mussels, were introduced to this region:

The Zebra mussel (*Dreissena polymorpha*) has been transported from the Black Sea to northern Europe, and the eastern half of North America. Travelling in larval form in ballast water, on release it has rapid reproductive growth with no natural predators in North America. They displace native aquatic life. There have been high economic costs involved in unblocking water intake pipes. Including right here at the Burlington Water Department.

We cannot afford to be cavalier regarding these invasives. They can easily populate a lake but are virtually impossible to remove from a lake. As we know, boats not de-con'd should not be transported between Vermont and surrounding states.

I would like for Vermont to work with our neighbors to create rules that would mutually benefit Vermont, New York, Massachusetts, New Hampshire, and Quebec. This will require some very committed citizens, but we cannot continue to allow boats to come and go, willy-nilly, unchecked between borders.

I include this international effort to address AIS because very few people have heard of it.

--- This is a very powerful attempt at taking sizable industry responsibility. And, by every measure, it appears to be having a dramatic positive effect. The world's 295 countries have given us a template to use in the struggle to control AIS. It's mostly about management of ballast tanks. Let's use it!

It took 13 years, 2004-2017, but the most significant 2017 international law to protect against aquatic invasive species was the entry into force of the International Convention for the Control and Management of Ships' Ballast Water and Sediments Management (BWM Convention) on September 8, 2017. Adopted by the International Maritime Organization (IMO), this International treaty mandates that ships manage ballast water and sediments to prevent spreading harmful organisms. [1, 2, 3]

**Key Aspects of the 2017 BWM Convention Implementation:**

- **Mandatory Management:** Ships engaged in international traffic must follow a ship-specific ballast water management plan.
- **Standards D-1 and D-2:** Ships are required to exchange ballast water (D-1 standard) or treat it using approved systems (D-2 standard) to meet strict, permissible levels of viable organism discharge.
- **Certification:** Ships must carry a ballast water record book and an International Ballast Water Management Certificate.

- **Environmental Impact: The treaty aims to protect marine ecosystems and coastal areas from invasive species, which can cause significant economic and ecological harm**

**The International AIS laws are severe. If you anticipate discharging ballast in port, you must stop 200 miles from shore and take on clean water from 100's of feet down. Records must be kept and turned over to shoreside personnel upon request.**

Sincerely,

*Eric*

A handwritten signature in blue ink, appearing to read "Eric Chittenden".

**Eric Chittenden, President, Friends of Waterbury Reservoir**