

Administrative Procedures – Public Input Statement

Instructions:

In completing the public input statement, an agency describes what it did do, or will do to maximize the involvement of the public in the development of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

1. TITLE OF RULE FILING:

Rules for Use of All-Terrain Vehicles On Ice-Covered Bodies of Public Water

2. ADOPTING AGENCY:

Agency of Natural Resources

3. PLEASE LIST THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE:

The proposed Rule is a result of the Agency's consideration of and decision regarding two petitions for an amendment to the Vermont Use of Public Waters Rules. The petitions were submitted by the City of Montpelier and a citizens group called "Citizens to Protect Berlin Pond," and both petitions sought a prohibition of ATV use on Berlin Pond, among other requests. The Agency sent notice of the petitions to various persons or organizations with an interest in public waters in Vermont, all abutting property owners, legislators representing the area in which the affected waters are located on October 1, 2013 (for the City's petition) and on April 25, 2014 (for the Citizens' petition). The Agency held a public meeting to receive comments on the City's petition on November 7, 2013 and held a public meeting to receive comments on the Citizens' petition on May 27, 2014. Approximately 25 people attended the November 7, 2013 meeting and 14 people provided comments at the meeting. At the May 27, 2014 meeting, 121 people signed the attendance sheets and approximately 50 people provided verbal comments. Six written comments were filed with the

Agency regarding the City's petition and over 300 comments were filed regarding the Citizens' petition. After considering each petition, the comments provided regarding each petition, the Vermont Use of Public Waters Rules, and enabling statutes, the Agency determined that it should propose a rule amendment to prohibit ATV use on Berlin Pond.

The proposed Rule was placed on public notice on Wednesday, June 22, 2016. The public comment period remained open through Friday, August 5. A public meeting was held on Thursday, July 28 at Berlin Elementary School. The Agency did not receive any written comments on the Rule and the questions received at the public meeting were answered on-the-spot.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

The City of Montpelier, the citizens group called "Citizens to Protect Berlin Pond," Representative Warren Kitzmiller, the Vermont Traditions Coalition, a citizens group called "Friends of Berlin Pond," numerous individuals who attended the Agency's public meetings, and numerous individuals who submitted comments to the Agency regarding the Vermont Use of Public Waters Rules petitions.