

H31/Act 57 Relating to Aquatic Nuisance Control 2023 Study Committee



Vermont Department of Environmental Conservation - Lakes and Ponds Program

October 31, 2023

ANC Public Notification

10 V.S.A. § 1455: Aquatic Nuisance Control Permit

(h) When an application is filed under this section, the Secretary shall proceed in accordance with chapter 170 of this title.

10 V.S.A. § 7714: Type 3 Procedures

(2) The procedures under this section shall be known as Type 3 Procedures. This section governs each of the following:

(C) An application or request for approval of:

(i) an aquatic nuisance control permit under chapter 50 of this title;

10 V.S.A. § 7713: Type 2 Procedures

(2) The procedures under this section shall be known as Type 2 Procedures. This section governs an application for each of the following:

(A) an individual permit issued pursuant to the Secretary's authority under this title and 29 V.S.A. chapter 11, except for permits governed by sections 7712 and 7714-7716 of this chapter; (Lake Encroachment)

(C) an individual shoreland permit under chapter 49A of this title;

10 V.S.A. § 7712: Type 1 Procedures

(a) Purpose; scope.

(1) The purpose of this section is to establish the public notice and comment requirements that the Department must follow when adopting general permits and considering applications for individual permits under the Clean Air Act and Clean Water Act.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7714: Type 3 Procedures

(2) The procedures under this section shall be known as Type 3 Procedures. This section governs each of the following:

(C) An application or request for approval of:

(i) an aquatic nuisance control permit under chapter 50 of this title;

(b) Notice of application. The Secretary shall provide notice of an administratively complete application through the environmental notice bulletin.

(c) Notice of draft decision; comment period. The Secretary shall provide notice of the draft decision through the environmental notice bulletin and shall post the draft decision to the bulletin. The Secretary shall provide a public comment period.

(d) Public meeting. The Secretary shall hold a public meeting whenever any person files a written request for such a meeting. The Secretary otherwise may hold a public meeting at his or her discretion.

(e) Notice of final decision. The Secretary shall provide notice of the final decision through the environmental notice bulletin and shall post the final decision to the bulletin. The Secretary shall provide a response to comments.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 1 – General Provisions

10 V.S.A. § 7701: Department of Environmental Conservation; Standard Procedures

The purpose of this chapter is to establish standard procedures for public notice, public meetings, and decisions relating to applications for permits issued by the Department of Environmental Conservation.

10 V.S.A. § 7702: Definitions

- (1) “Adjoining property owner” means a person who owns land in fee simple, if that land:
 - (A) shares a property boundary with a tract of land where proposed or actual activity regulated by the Department is located; or
 - (B) is adjacent to a tract of land where such activity is located and the two properties are separated only by a river, stream, or public highway.

- (4) “Administratively complete application” means an application for a permit for which all initially required documentation has been submitted, and any required permit fee, and the information submitted initially addresses all application requirements but has not yet been subjected to a complete technical review.

- (11) “Environmental notice bulletin” or “bulletin” means the website and e-mail notification system required by 3 V.S.A. § 2826.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 1 – General Provisions

10 V.S.A. § 7702: Definitions (cont.)

(18) “Permit” includes any permit, certification, license, registration, determination, or similar form of permission required from the Department by law. However, the term excludes a professional license issued pursuant to chapter 48, subchapter 3 (licensing of well drillers) of this title and sections 1674 (water supply operators), 1936 (UST inspector licenses), 6607 (hazardous waste transporters), and 6607a (waste transportation) of this title.

(19) “Person” shall have the same meaning as under section 8502 of this title.

- 10 V.S.A. § 8502

- (6) “Person” means any individual; partnership; company; corporation; association; joint venture; trust; municipality; the State of Vermont or any agency, department, or subdivision of the State; any federal agency; or any other legal or commercial entity.

(21) “Public meeting” means a meeting that is open to the public and recorded or transcribed, at which the Department shall provide basic information about the draft permit decision, an opportunity for questions to the applicant and the Department, and an opportunity for members of the public to submit oral and written comments

(23) “Technical review” means the application of scientific, engineering, or other professional expertise to the facts to determine whether activity for which a permit is requested meets the standards for issuing the permit under statute and rule.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 1 – General Provisions

10 V.S.A. § 7703: Rules, additional notices or procedures

(a) Rules.

(1) Implementing rules. The Secretary may adopt rules to implement this chapter.

(2) Complex projects; preapplication process. The Secretary shall adopt rules to determine when a project requiring a permit is large and complex. These rules shall provide that an applicant proposing such a project, prior to filing an application for a permit, shall initiate a project scoping process pursuant to 3 V.S.A. § 2828 or shall hold an informational meeting that is open to the public. The rules shall ensure that:

- (A) Written notice of an informational meeting under this section is sent to the owner of the land where the project is located if the applicant is not the owner; the municipality in which the project is located; the municipal and regional planning commissions for any municipality in which the project is located; if the project site is located on a boundary, any Vermont municipality adjacent to that boundary and the municipal and regional planning commissions for that municipality; and each adjoining property owner. At the time this written notice is sent, the Secretary also shall post the notice to the environmental notice bulletin.
- (B) The notice to adjoining property owners informs them of how they can continue to receive notices and information through the environmental notice bulletin concerning the project as it is reviewed by the Secretary.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 1 – General Provisions

10 V.S.A. § 7703: Rules, additional notices or procedures (cont.)

(C) The applicant furnishes by affidavit to the Secretary the names of those furnished notice and certifies compliance with the notice requirements of this subsection.

(D) The applicant and the Secretary or designee shall attend the meeting. The applicant shall respond to questions from other attendees.

(b) Additional notice.

(1) The Secretary may require, by rule or in an individual case, measures in addition to those directed by this chapter using any method reasonably calculated to give direct notice to persons potentially affected by a decision on the application.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions

(a) Notice through the environmental notice bulletin. When this chapter requires notice through the environmental notice bulletin:

(1) The bulletin shall generate and send an e-mail to notify:

- (A) each person requiring notice under section 7712 of this chapter;
- (B) the applicant;
- (C) each person on an interested persons list;
- (D) each municipality in which the activity to be permitted is located, except for notice of a draft or final general permit; and
- (E) each other person to whom this chapter directs that a particular notice be provided through the bulletin.

To: harbormaster@newportrecreation.org
Cc: Reed, Olin; swampguana@gmail.com; ANR - WSMD Shoreland
Subject: Aquatic Nuisance Control - Public Powered Mechanical Control Application Number 4090 accepting Public Comments, Lake Memphremagog
Attachments: 4090-ANC Draft Decision.pdf; 4090-ANC_UpdatedApplication_10.20.2023.pdf

Dear Applicant,

This is notification that Aquatic Nuisance Control - Public Powered Mechanical Control Application Number 4090 has been technically reviewed and a draft decision is now available for public comments.

To track the status of this project, please view the Environmental Notice Bulletin: <https://enb.vermont.gov/?id=22042>

Public comments regarding this project must be received no later than 11/27/2023. Comments can be mailed or emailed to:

Olin Reed
Lake and Shoreland Permitting
Olin.Reed@vermont.gov

Thank you,

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions (cont.)

(2) At a minimum, each notice generated by the bulletin shall contain:

- (A) the name and contact information for the person at the Agency processing the permit;
- (B) the name and address of the permit applicant, if applicable;
- (C) the name and address of the facility or activity to be permitted, if applicable;
- (D) a brief description of the activity for which the permit would be issued;
- (E) the length of the period for submitting written comments and the process for submitting those comments, if applicable, and notice of the requirements regarding submission of comments during that period or at a public meeting in order to appeal under chapter 220 of this title;
- (F) the process for requesting a public meeting, if applicable;
- (G) when a public meeting has been scheduled, the time, date, and location of the meeting and a brief description of the nature and purpose of the meeting;
- (H) when issued, the draft permit or notice of intent to deny a permit, and the period and process for submitting written comments on that draft permit or notice;
- (I) when issued, the final decision issuing or denying a permit, and the process for appealing the decision; and
- (J) any other information that this chapter directs be included in a particular notice to be generated by the bulletin.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions (cont.)

Activity Info ([Click Here for Program Information](#))

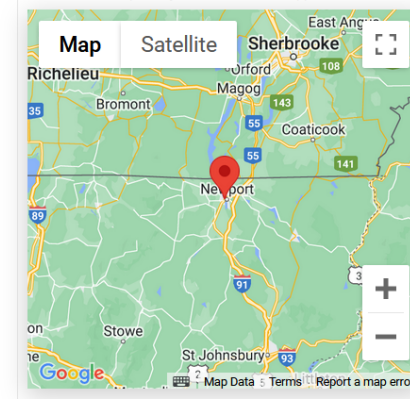
ENB ID	PN23.0036167	Project/Activity Description Application to use DASH to control EWM in Lake Memphremagog
Activity Type	Aquatic Nuisance Control Individual Permit	
Permit # / ID	4090	
Activity Name	City of Newport	
Address	Lake Memphremagog	
Town	Newport City	
Applicant(s)	City of Newport	
SPAN(s)		

[Browse By Location](#)

[Share](#) [Comment](#)

Location ([View Project Location in ANR Atlas](#))

If the latitude and longitude are unknown or there are multiple locations in which the activity will take place, the map may reflect the center of the primary town listed on the application.



Public Notice Timeline

i

Appl. Received	08/09/2023			
Admin. Complete	08/15/2023			
Draft Decision	10/25/2023	Comment	from	10/25/2023 to 11/27/2023
Final Decision		Appeal*	from	
Decision Type				

* You must have commented in order to be able to appeal a decision and an individual may only appeal issues related to their own comment(s). Comments can be submitted via this site or in person at a public meeting.

Public Meeting(s)**

Public meetings are held for public discussion of the project and soliciting public feedback. Keep in mind that meeting times and locations are subject to change. Please check back prior to the meeting date to stay informed of any changes.

Staff - Contact

Staff Contact	Olin Reed
Phone	Unknown
Email	Olin.Reed@vermont.gov

Related Documents

For some activities more documentation may be available. Please contact the staff person listed on this page if you would like to make a request.

Document	Date Added
4090-ANC_Application Admin Complete.pdf	08/17/2023
4090-ANC Draft Decision.pdf	10/25/2023
4090-ANC_UpdatedApplication_10.20.2023.pdf	10/25/2023

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions (cont.)

(c) Comment period length. When this chapter requires the Secretary to provide a public comment period, the length of the period shall **be at least 30 days**, unless this chapter applies a different period for submitting comments on the particular type of permit.

(d) **Period to request a public meeting**. When this chapter allows a person to request a public meeting on a draft decision, the person shall submit the request within 14 days of the date on which notice of the draft decision is posted to the environmental notice bulletin, unless this chapter specifies a different period for requesting a hearing on the particular type of permit.

f) **Draft decisions**. When this chapter requires the Secretary to post a draft decision or draft general permit to the environmental notice bulletin, the Secretary shall post to the bulletin the draft decision or draft general permit and all documents on which the Secretary relied in issuing the draft. This post shall include instructions on how to inspect and how to request a copy of each other document that is part of the administrative record of the draft decision or permit.

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions (cont.)

(g) Response to comments. When this chapter requires the Secretary to provide a response to comments, the Secretary shall provide a response to each comment received during the comment period and the basis for the response. The Secretary also shall specify each provision of the draft decision that has been changed in the final decision and the reasons for each change. The Secretary shall post the response to comments to the environmental notice bulletin and send it to all commenters.

(h) Final decisions; content; notice.

- (1) The Secretary's final decision on an application for a permit or on the issuance of a general permit shall include a concise statement of the facts and analysis supporting the decision that is sufficient to apprise the reader of the decision's factual and legal basis. The final decision also shall provide notice that it may be appealed and state the period for filing an appeal and how and where to file an appeal.
- (2) When this chapter requires that the Secretary post a final decision to the environmental notice bulletin, the Secretary also shall send a copy of the final decision to all commenters. (Added 2015, No. 150 (Adj. Sess.), § 1, eff. Jan. 1, 2018.)

Department of Environmental Conservation; Standard Procedures

Title 10 Chapter 170 Subchapter 2 – Standard Procedures

10 V.S.A. § 7711: Permit procedures; standard provisions (cont.)

Aquatic Nuisance Control Individual Permit Application – Response to Comments



Permittee: United States Fish and Wildlife Services Permit Number: 3942-ANC-C	Control Activity: Pesticide (Lampricide) Waterbody: Poultney River and Hubbardton River in West Haven and Rutland
<p>The above referenced Aquatic Nuisance Control Individual Permit #3942-ANC-C approves the use of pesticide (lampricide) in the Poultney River and Hubbardton River in West Haven and Rutland</p> <p>The Secretary of the Agency of Natural Recourses (Secretary) placed the draft permit on public notice between 9/1/2023 and 10/2/2023 in accordance with the permit process as identified under 10 V.S.A. Chapter 170. Public comments were received during the notice period. The following is a summary of comments received and the Secretary's responses to those comments. Where appropriate, comments have been paraphrased, consolidated, and categorized for clarity. Duplicative comments were combined where appropriate.</p>	
<p>Comment 1: Condition 1.i. from Poultney River Issued Permit (ANC #2015-C06) shows that historically the United States Fish and Wildlife Services have had a 400 CFS as the upper flow limit on the Poultney and 100 CFS on Hubbardton. United States Fish and Wildlife Services have only experienced flows under 100 CFS on the Poultney once during the last 4 treatments. Typical treatment flows are about 200 CFS but are able and prepared to accommodate flows up to 400 CFS.</p> <p>Response 1: The Secretary agrees with this comment and based on previously issued permits (#2015-C06), has updated condition a.9 to match this.</p>	

Adjoining Property Owner Notification Guide

10 V.S.A. § 7703: Rules, additional notices or procedures

(b) Additional notice.

- (1) The Secretary may require, by rule or in an individual case, measures in addition to those directed by this chapter using any method reasonably calculated to give direct notice to persons potentially affected by a decision on the application.

Adjoining Property Owner Notification Guide

Instructions:

- As a part of submitting an administratively complete Aquatic Nuisance Control, Lake Encroachment, or Shoreland Protection Individual Permit application, the applicant and/or their representative must provide notice to adjoining property owners at the same time the application is submitted ([10 V.S.A. § 7701 et seq](#)). The applicant must certify on the application that notifying adjoining property owners has been completed prior to application submittal.
- If the project is considered large and complex, additional notification requirements apply. Contact a [permit specialist](#) or [analyst](#) for additional information.
- Use of the OFFICIAL NOTICE [letter](#) is required to be sent by U.S. Mail to notify an adjoining property owner. Note: Permit application materials are not required to be sent with this notice.
- An Adjoining Property Owner Notice for each type of Lakes & Ponds Individual Permit application is required as follows:

Aquatic Nuisance Control Permits	Adjoining Property Owners to be Notified
Non-chemical lake or lake section-wide control project (e.g. suction harvesting, mechanical harvesting, etc.)	Any property owner that abuts that lake, lake section, or surface water where the proposed activity may occur.
Non-chemical control project proposed to be in a specific location (e.g. bottom barriers at a public access area)	Any property owners that may potentially be affected by a decision on the application, including but not limited to the terrestrial boundaries nearest to the proposed project.
Pesticide or chemicals other than pesticides	Any property owner that abuts that lake, lake section, or surface water where the proposed activity may occur. In addition, property owners that abut the surface water receiving effluent that may potentially be affected by a decision on the application.

Adjoining Property Owner Notification Guide



Drinking Water and Ground Water Protection Division

OFFICIAL NOTICE

Hello Neighbor,

This letter is an official notice that Salem Lakes Preservation Assoc. intends to apply for one or more permits from the Agency of Natural Resources, Department of Environmental Conservation (DEC). Because your property borders the location of the activity as described below, Vermont law requires the applicant to provide you with notice of the application(s).

Once each application has been submitted and deemed complete by DEC to begin the review, it will be posted to the DEC Environmental Notice Bulletin (ENB) at ENB.VERMONT.GOV, where you may register to receive notifications to stay informed as each application moves through the review process. Although the application(s) may not yet be received or processed by the DEC upon receipt of this letter from the applicant below, you may register now to receive notifications using a specified mile/distance radius from your address location (see next page for detailed instructions on how to register).

In the meantime, you may also contact the property owner/applicant with questions about the activity using the contact information provided below. For background, the permit process includes a public comment period and an opportunity to request a public meeting, all which can be done through the ENB link above once permit applications are posted. Note that to appeal a final permit decision you must submit comments during the public comment period.

For additional information please visit the following website: DEC.VERMONT.GOV/PERMITS/ENB/GENERAL. For general questions or assistance with registering on the ENB please call DEC's main line at (802) 828-1556 and plan to provide the permit types that are being applied for as listed below.

PROPERTY OWNER(S)/APPLICANT(S) NAME

Salem Lakes Preservation Association

PROPERTY OWNER(S)/APPLICANT(S) CONTACT INFORMATION (MUST PROVIDE TELEPHONE NUMBER AND/OR EMAIL)

salemlakesassociation@gmail.com

PROPOSED ACTIVITY STREET ADDRESS/ROUTE

Big Salem Lake, Rt 5A, Derby Vermont

PROPOSED TOWN(S)

Derby and Morgan Vermont

PERMIT TYPE(S) (INDICATE FOR EACH PERMIT TYPE NEW OR RENEWAL)

Aquatic Nuisance Control Permit



To register on the ENB and set up your subscription: please go through the following steps. There are illustrated instructions on Page 12 of the [ENB User Guide](#):

1. Go to ENB.VERMONT.GOV
2. Click **Register** on the upper right-hand side of the home page
3. Enter the required information (name, email address and create password) and click Register
4. You will receive an email confirmation for your email address. Once confirmed you will be able to log-in and set up your subscription.
5. Log into ENB and then click **My Subscription** at the top left-hand side of the home page
6. Click **Modify Alerts** on the My Subscription page
7. Click **Edit** for Alert #1
8. Choose the permits being applied for from the **Activity Types of Interest** list by checking the check boxes.
9. Next, choose the location using **Distance from a Point** and click the map icon to set your location.
10. Enter your own address, including Town in the **Search Address** field and set the distance large enough to capture the project activity (1 mile, 5 miles, etc.)
11. Click **OK** once the radius has been set
12. Click **SAVE** on the next page, then Click **OK** to return the main subscription page.
13. Once you receive an alert for an activity, you can choose to **Follow** the activity from your subscription page.
14. For additional instructions see the **User Guide** on ENB.VERMONT.GOV.
15. For help with registration please contact the ENB Administrator: ANR.ENBAdministrator@vermont.gov.

Adjoining Property Owner Notification Guide

10 V.S.A. § 7713: Type 2 Procedures

(b) Notice of application.

(1) The applicant shall provide notice of the application to adjoining property owners.

(2) The Secretary shall provide notice of an administratively complete application through the environmental notice bulletin.

10 V.S.A. § 7714: Type 3 Procedures

(b) Notice of application. The Secretary shall provide notice of an administratively complete application through the environmental notice bulletin.

Pesticide Public Informational Notification Conditions

3955-ANC-C

a. 7. Public Informational Notification. A public informational notification (notification) shall be posted and provided to the public at least 30 days in advance of the scheduled treatment date. A webpage shall be made available to the public for posting a digital copy of the notification and for additional information on the authorized treatment. Postings of the physical and digital copies of the notification shall remain posted for no less than 30 days after the treatment occurred. If there are changes to the information on the notification, the notification shall be updated and reposted.

A. The notification shall include:

- i. A map of the annually approved treatment location(s).
- ii. The scheduled treatment date(s).
- iii. The authorized pesticide to be used.
- iv. The name(s), address(es), and telephone number(s) for all permittees.
- v. The webpage made available to the public for information on the authorized treatment.
- vi. A summary of the Water Use Advisories & Recommendations (condition a.9.).
- vii. A statement identifying that the permittee shall supply potable water upon request to those who depend upon the treated waterbody or its outlet stream(s) (within one mile of the effluent) for domestic use to prepare food or drink on the day of treatment.

Pesticide Public Informational Notification Conditions

viii. A statement informing all property owners that if their property is leased, rented, or used at any time during treatment and/or while the use advisories are in effect, the property owner is responsible for informing all transient users.

B. The notification shall be provided to the Secretary, the municipal offices of Derby, all property owners (including commercial camps) that abut Salem Lake, and all property owners that abut the waters receiving effluent up to one mile downstream of Salem Lake outlet by a method that provides proof of notification.

C. Physical copies of the notification shall be posted:

i. In locations visible to vehicle traffic, shoreline property owners, and potential lake users along all public roadways within 1,000 feet of the waterbody.

ii. On weather resistant material and at least 8½ inches by 11 inches in size.

iii. At all public access points to the waterbody, including all public boat launches, public beaches, or other similar public locations providing access to the waterbody.

D. The website made available to the public shall include a digital copy of the notification, this permit, the Approved Application, the [SePRO ProcellaCOR® EC Specimen Label](#), the [SePRO ProcellaCOR® EC Safety Data Sheet](#), and the status of the Water Use Advisories & Recommendations (condition a.9.).

Pesticide Public Informational Notification Conditions

Advisory Notice and Map

The Lake Salem Preservation Association and SOLitude Lake Management plan to conduct an aquatic herbicide treatment using SePRO ProcellaCOR[®] EC (active ingredient florpyrauxifen-benzyl) in Lake Salem as authorized under Aquatic Nuisance Control Permit #3955-ANC-C.

The target date/time for the treatment is:

Thursday, August 17, 2023 beginning at 9 am

Signs will be posted around the shoreline, along adjacent roadways; the Derby Town Offices; and at all public and private campgrounds and access points with the exact treatment date/time and updated use advisories.

Lake Water Advisory Use Recommendations

- NO USE of Lake Salem waters and water from the outlet stream FOR ANY PURPOSE on the day of treatment including boating, fishing, swimming, domestic (household) use, or irrigation.
- Swimming/wading, boating and fishing may resume 24 hours after completion of treatment.
- NO USE of water from Lake Salem and from the outlet stream FOR RESIDENTIAL AND OTHER NON-AGRICULTURAL IRRIGATION beginning the day of treatment and continuing until notification is provided that the active ingredient in SePRO ProcellaCOR[®] EC is at or below 2 parts per billion OR until after a 7-day waiting period has passed, whichever is longer. Established turf may be irrigated immediately after treatment.

The exact duration of the above recommendations on this Notice is subject to change. Please refer to the posted signs and the website listed below for up-to-date information regarding water use recommendations. Bottled water is available upon request by the Lake Salem Preservation Association (contact information below) to any person recommended from using its domestic water supply for drinking or food or drink preparation on the day of treatment only. IF A RESIDENCE OR PROPERTY IS LEASED, RENTED OR USED at any time after the initial treatment until December 31, 2023, the property owner is responsible for informing all tenants of the treatment and these advisory water use recommendations. Any person who chooses to ignore these use advisories does so at their own risk.

Please refer to www.solitudelakemanagement.com/vermont for additional information and updated water use advisories and recommendations.

For additional information contact:

Marc Bellaud
SOLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545
Office: 508-865-1000

Ross Ogilvie
Lake Salem Preservation Association
PO Box 134
Derby, VT 05829
Cell: 802-922-5440

Olin Reed
Dept. of Environmental Conservation
1 National Life Drive
Montpelier, VT 05602
Phone: 802-490-6121



WARNING **AQUATIC PESTICIDE IN USE**

Due to aquatic herbicide use in Lake Salem with SePRO ProcellaCOR EC (active ingredient florpyrauxifen-benzyl), authorized under Aquatic Nuisance Control Permit #3955-ANC-C, the following advisory water use restrictions are in effect for the entire lake and outlet stream.

LAKE WATER ADVISORY USE RESTRICTIONS

- NO USE of Lake Salem waters and water from the outlet stream FOR ANY PURPOSE including boating, fishing, swimming, domestic (household) use or irrigation, the day of treatment on:

Thursday, August 17, 2023, beginning at 9 am

- Swimming/wading, boating and fishing may resume on:

Friday, August 18, 2023 beginning at 9 am

- WATER USE from Lake Salem and from the outlet stream FOR DOMESTIC PURPOSES may resume on:

Date to Be Filled In Later Per Treatment Follow Up Testing Results

- USE of water from Lake Salem FOR IRRIGATION PURPOSES including for watering lawns, trees, or other plants may resume on:

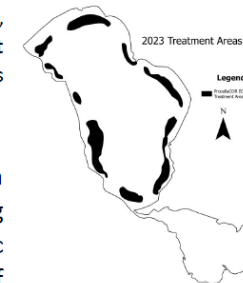
Date to Be Filled In Later Per Treatment Follow Up Testing Results

Bottled water is available upon request by the Lake Salem Preservation Association (contact information below) to any person restricted from using its domestic water supply for drinking or food or drink preparation. Any person who chooses to ignore these use advisories does so at their own risk. For additional information contact:

Marc Bellaud
SOLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545
Office: 508-865-1000

Ross Ogilvie
Lake Salem Preservation Association
PO Box 134
Derby, VT 05829
Cell: 802-922-5440

Olin Reed
Dept. of Environmental Conservation
1 National Life Drive
Montpelier, VT 05602
Cell: 802-490-6121



Pesticide Public Informational Notification Conditions

Discussion Points

1. Is the existing approach DEC is using to make this determination adequate? Where is it lacking? What could be added?
2. Should there be other criteria?
3. Should the permit be another type within statute?
4. Is there some other approach we should be using that could be incorporated into the statute?

(19) "Person" shall have the same meaning as under section 8502 of this title.

- 10 V.S.A. § 8502

(6) "Person" means any individual; partnership; company; corporation; association; joint venture; trust; municipality; the State of Vermont or any agency, department, or subdivision of the State; any federal agency; or any other legal or commercial entity.