

The [Vegetation Protection Standards](#), established by the Shoreland Protection Act, guide the management of vegetation on shoreland parcels. These standards apply to all existing vegetation within the Protected Shoreland Area (250 feet from mean water level). In most instances, removal of vegetation requires a Shoreland Permit or Registration. However, no Shoreland Permit or Registration is required for the removal of dead, diseased, or unsafe trees (10 V.S.A. Chapter 49A § 1447(b)(2)(G)). This exemption is only applicable to tree(s) identified as dead, diseased, or unsafe and does not apply to surrounding vegetation.

### Identifying a Tree as Unsafe

It is up to the landowner to determine whether a tree may be removed under the dead, diseased, or unsafe exemption. Generally, an unsafe tree has a target, such as a home or power lines, which would be harmed in the event of any tree failure. Resources for unsafe tree determination guidance are on the opposite page.



A storm damaged white oak in in close proximity to a target (house). This tree could be identified as unsafe and removed.



Tree removal should be a last resort option. It is possible to reduce the risk of an unsafe tree by removing the part(s) of the tree that is at risk of failing and damaging a target. In all cases, it may be helpful for a landowner to document any tree they wish to remove and the reason for removal. As long as a landowner feels confident that they have identified a tree as dead, diseased, or unsafe, they do not need to seek permission from Shoreland Permitting to remove the tree. Whenever removing a tree, Shoreland Permitting encourages leaving the root mass in place, as that system provides beneficial bank and soil stability.

For additional assistance in determining whether a tree is dead, diseased, or unsafe, either contact a professional arborist, forester, or a regional Lake Encroachment & Shoreland Permitting analyst (see opposite page for contact information).

### The Benefits of a Dead Tree

Although a dead tree may be removed under the dead, diseased, or unsafe exemption, oftentimes dead trees pose no hazard and create a unique and desirable habitat for many species. Additionally, allowing a tree to naturally come down and decompose can be less damaging to surrounding trees, be less expensive than removal with heavy equipment, and help recycle nutrients back into the soil.

Kingfishers and Flycatchers often use dead standing trees along a shoreline as a perch while foraging.

### Forest Health – Managing Diseased & Infested Trees

The Vermont Department of Forests, Parks & Recreation (FPR) has a set of forest health programs that monitor for insects and diseases, tree condition, and other ecosystem features. Additionally, FPR has established plans for managing forest pests through prevention, early detection, and integrated management. When forest health may be jeopardized by the existence of a forest pest, management projects may need to occur within the Protected Shoreland Area.

Think you've found an invasive forest pest? Please report it by following this link:

[vtinvasives.org/tree-pests/report-it](http://vtinvasives.org/tree-pests/report-it).



A vegetated shoreline with trees and branches leaning over the water shades and cools the immediate area, reducing aquatic plant growth and generating beneficial aquatic habitat by depositing woody debris into the water.

### Fallen Trees in the Water

If a tree naturally falls into the water, it is best to leave the tree where it has fallen. Trees and woody debris in the water, much like on land, provides unique habitat to numerous species, including fish, birds, insects, amphibians, bryozoans, and freshwater sponges. If a fallen tree is completely impeding boat and swimming access, it may be possible to move the tree to a nearby location that would maintain access to water use. Please contact a regional Lake Encroachment & Shoreland Permitting analyst before moving a tree in the water.

### Resources:

Unsafe tree determination:

[treesaregood.com/treecare/resources/TreeRisk.pdf](http://treesaregood.com/treecare/resources/TreeRisk.pdf)

[na.fs.fed.us/spfo/pubs/howtos/ht\\_haz/ht\\_haz\\_high\\_res.pdf](http://na.fs.fed.us/spfo/pubs/howtos/ht_haz/ht_haz_high_res.pdf)

Professional arborist or forester:

[fpr.vermont.gov/forest/your\\_woods/professionals](http://fpr.vermont.gov/forest/your_woods/professionals)

Regional Lake Encroachment & Shoreland Permitting Analysts:

<http://dec.vermont.gov/watershed/lakes-ponds/permit/contact>

Vermont Department of Forests, Parks & Recreation Forest

Health: [fpr.vermont.gov/forest/forest\\_health](http://fpr.vermont.gov/forest/forest_health)

### Leaning Trees

Trees along the shoreline may naturally lean over the bank towards the water. This does not necessarily mean the tree is dead, diseased, or unsafe and about to fall into the water. If you have identified the tree as dead, diseased, or unsafe by using the guidance above, consider the following before removing it:

- Anticipate leaving the roots in place as that system is beneficial to stabilizing the bank and preventing erosion.
- Perform work in the winter when the ice is sufficiently thick to facilitate access.
- If applicable, allow new vegetation to grow in place of the removed tree.



Fallen trees along the shoreline create cover and shade that attract fish. Wherever fish are abundant, Great Blue Herons are often nearby, taking advantage of the food source.