



State of Vermont  
**PERMIT AND LICENSE INFORMATION**

**LAKE ENCROACHMENT PERMITS**

<b>SUMMARY DESCRIPTION OF PERMIT</b>	<p>Projects encroaching on public waters (from mean water level towards the lake) such as docks, walls, boathouses, bridges, water intakes, cables, dredging, or fill requires a permit. The goals of this program are to minimize the encroachment on public waters as well as ensure that projects do not adversely affect the public good and are consistent with the Public Trust Doctrine. Lake Encroachment jurisdiction includes:</p> <ul style="list-style-type: none"> <li>• all lakes and ponds that are public waters<sup>1</sup>,</li> <li>• the boatable tributaries Lake Champlain and Lake Memphremagog upstream to the first barrier to navigation, and</li> <li>• Connecticut River impoundments, and upstream to the first barrier to navigation on the boatable tributaries to those impoundments.</li> </ul>
<b>EXAMPLES OF REGULATED ACTIVITY</b>	<p>Activities that commonly require a permit include: retaining walls or riprap to control shoreland erosion; commercial docks; large docks (including private docks that exceed the private dock exemption); docks involving concrete; dredging or filling activity; repair or replacement of existing encroachments.</p>
<b>EXAMPLES OF NON-REGULATED ACTIVITY</b>	<p>The following activities do not require a lake encroachment permit provided that navigation or boating is not unreasonably impeded:</p> <ul style="list-style-type: none"> <li>• Docks for non-commercial use, mounted on posts or floats – provided that the combined horizontal distance of all docks within 100 feet of each other which are owned/controlled by one person does not exceed 50 feet in length and the combined surface area does not exceed 500 square feet; and provided that concrete, masonry, earth or rock fill, sheet piling, bulkheading, cribwork or similar construction is not part of the encroachment.</li> <li>• A water intake pipe not exceeding two inches in diameter</li> <li>• Temporary extensions of existing structures added for a period not to exceed six months, if required by low water</li> <li>• Ordinary repairs and maintenance, not including expansion or complete replacement</li> <li>• Duck blinds, floats, rafts, and buoys</li> <li>• The installation on lake bottoms of small filtering devices not exceeding nine square feet of disturbed area on the end of water intake pipes less than two inches in diameter for the purpose of zebra mussel control</li> </ul>
<b>INFORMATION REQUIRED</b>	<p>A completed application form is required, accompanied by the fee, a location map, site plan, cross-sections, photos, and construction drawings and specifications. The scope and detail of the information required depends on the specific nature of the project being proposed. Lake Encroachment Permitting should be contacted if there are questions regarding the level of detail required for a specific project.</p>

<sup>1</sup> The public status of a lake or pond is determined by the VT DEC. Public access is not a prerequisite.

<b>WEB ADDRESS</b>	<a href="http://dec.vermont.gov/watershed/lakes-ponds/permit">http://dec.vermont.gov/watershed/lakes-ponds/permit</a>
<b>FEES</b>	Fee for non-structural erosion control projects \$155; Fee for structural erosion control \$250; Fee for other projects \$300 plus 1% of construction costs, not to exceed \$20,000 per application.
<b>APPLICATION TIME FRAME</b>	The established performance standard for processing a completed application is 90 days.
<b>ADMINISTERING AGENCY</b>	<p style="text-align: center;"><b>AGENCY OF NATURAL RESOURCE DEPARTMENT OF ENVIRONMENTAL CONSERVATION WATERSHED MANAGEMENT DIVISION</b></p> <p>CONTACT: Lakes &amp; Ponds Permitting 1 National Life Drive, Davis 3 Montpelier, VT 05620-3522 802-828-1115</p> <p>REGIONAL PERMIT ANALYSTS:</p> <p style="padding-left: 40px;"><i>Region 1: Addison, Bennington, Rutland, Windham, and Windsor counties</i> Laura Dlugolecki <a href="mailto:Laura.Dlugolecki@vermont.gov">Laura.Dlugolecki@vermont.gov</a> 802-490-6133</p> <p style="padding-left: 40px;"><i>Region 2: Chittenden, Franklin, Grand Isle counties</i> Laura Woods <a href="mailto:Laura.Woods@vermont.gov">Laura.Woods@vermont.gov</a> 802-490-6100</p> <p style="padding-left: 40px;"><i>Region 3: Lamoille, Washington, Caledonia, Essex, Orange, and Orleans counties</i> Lindsay Miller <a href="mailto:Lindsay.Miller@vermont.gov">Lindsay.Miller@vermont.gov</a> 802-490-6200</p>
<b>AUTHORITY</b>	29 VSA Chapter 11: Management of Lakes and Ponds
<b>APPEAL PROCESS</b>	Effective Jan 31, 2005, within 30 days of the date of an act or decision, any person aggrieved by an act or decision of the secretary, or any party by right, may appeal to the environmental court in accordance with the provisions of <a href="#">10 VSA Chapter 220</a> .
<b>OTHER PERMITS AND APPROVALS</b>	U.S. Army Corps of Engineers ( <a href="#">Sheet #99</a> ) Vermont Lake Shoreland Permitting ( <a href="#">Sheet #28.1</a> ) Vermont Wetlands Permit, if wetlands or their buffers are involved ( <a href="#">Sheet #29</a> ) <a href="#">Section 401 Water Quality Certification</a>
	Contact a <a href="#">Permit Specialist</a> for a Project Review Sheet.