

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive,
Main 2
Montpelier, VT 05602

Attention: Ms. Leslie Welts

RE: Petition to declare Wolcott Pond a Quiet Pond and to eliminate internal combustion engines on the pond.

I testified at the hearing but am sending this additional comment to be added in support of the rule change.

I am President of the Friends of Wolcott Pond . We founded the organization to protect the wilderness aspect of the pond and to advocate on its behalf.

I have lived in Wolcott for 50 years and with my husband, Steven Young, I have owned pond shorefront property for 43 years. We built a rustic camp there and have spent a great deal of time on and at the side of the pond in all seasons. The pond has been a source of solace, adventure and exploration for my family over these years. We are actively pursuing further protection of the shoreline by conservation easements. I support the rule change that would eliminate outboard motors from pond waters. This change will enhance the quiet use of the pond. I would like to see that pond continue to be a place where people can come to experience Vermont's wilderness and where individuals in small quiet boats may see the local wildlife, birds and amphibians close by.

Respectfully,

Janice Roy
242 Keeler Pond Rd
Wolcott, VT 05680
janr@pshift.com

From: Jane Campbell <janecvt@myfairpoint.net>
Sent: Friday, August 09, 2013 6:59 AM
To: Welts, Leslie
Subject: Wolcott Pond

Dear Ms. Welts,

Wolcott Pond is one of Vermont's treasures. It is increasingly difficult to find an unspoiled body of water that still has a feel of wilderness, and Wolcott Pond is such a place. Being on the pond gives you a sense of peace and stillness, broken only by the calls of the loons that nest there. I believe there are many other options for those wishing to use motorized boats, and dwindling options for those of us who prefer ponds or lakes that can give a quiet afternoon on the water. I'm writing to ask the State to please prohibit motorized boats on Wolcott Pond, and I would encourage the decision-makers in this matter to visit the pond and personally experience its peace and quiet.

Sincerely,

Jane

Jane Campbell
933 Campbell Rd
Morrisville, VT 05661
802.888.4687

August 18, 2013

Watershed Management Division
Department of Environmental
Conservation
One National Life Drive, Main 2
Montpelier, VT 05620
Attention: Leslie Welts, Attorney

Dear Ms. Welts;

I am writing this letter to inform you of my disagreement in the proposal to make Wolcott Pond a "Quiet Pond."

First and foremost, I am a land owner on Wolcott pond. I own the only camp on the south side. Our camp has no road way access. Our only means of transportation to and from the camp is via boat. Our camp has been in the family for over forty years. Four generations of my family have been able to use this camp along with friends and relatives. We have used our camp for many multi-generational family gatherings and celebrations steeped in Vermont family traditions along with our love of the out doors. The non use of motor boats would create a hardship for our families, friends and relatives to access our camp for maintenance, bringing in supplies and recreational use. A non gas powered boat regulation would restrict pond usage for the elderly, the handicapped, families with young children and those who do not feel safe in a canoe, kayak or a smaller boat and/or only own a motor boat. Having motor boat access to and from our camp is also a safety issue. It is vitally important for emergency situations that would require swift action to transport a person needing immediate medical attention back to the landing.

Secondly, I have worked for the State of Vermont Fish and Wildlife Department for twenty two years as a game warden. I have a keen sense and a heightened awareness, as well as a deep appreciation of the natural beauty that abounds Wolcott Pond. I have never witnessed any adverse effects to the water quality or wildlife and habitat caused by internal combustion motors on

the pond. The Fish and Wildlife Wardens use internal combustion motor boats to patrol Wolcott Pond.

It should be noted, it is the very money generated by state motorboat registration fees that helps pay for the Wolcott Pond access development, maintenance and improvements. The most recent improvements to the access area at Wolcott Pond have just been completed this month, at a cost of \$14,988.00. Kayakers and canoeists as well as swimmers and bird watchers do not contribute to the state access maintenance and upkeep on Wolcott Pond, nor do they contribute any registration fees used to help fund the Fish and Wildlife law enforcement officers that patrol this Pond. I believe the State of Vermont's intent is to keep Wolcott Pond water ways open to all boaters, with no restriction of access to anyone.

In conclusion, I feel with a five mile per hour speed limit and presumably, "around five gas-powered boats per summer." I see no reason why motor boats should be eliminated on Wolcott Pond just because of a few seasonal camp owners who want to keep it "Quiet" and want private ownership of a public State of Vermont property. All land owners on Wolcott Pond pay property taxes the same as the "Friends of Wolcott Pond". I believe the petition to eliminate motor boats on Wolcott Pond is taking away my water way rights to my camp as well as the water way rights of all other gas-powered boat owners.

To follow will be a written petition submitted with over two hundred thirty six signatures, with the intent to keep Wolcott Pond accessible to everyone.

Sincerely,

Jeffrey J. Hill
P.O. Box 836
Stowe, Vermont 05672
802-888-6650
802-793-5062- cell

August 18, 2013

Watershed Management Division
Department of Environmental
Conservation
One National Life Drive, Main 2
Montpelier, VT 05620
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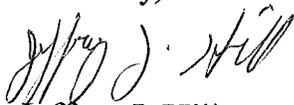
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To follow will be a written petition submitted with over ~~one hundred seventy-five~~ ^{268 over "300"} signatures, with the intent to keep Wolcott Pond accessible to everyone. 412

Sincerely,



Jeffrey J. Hill

P.O. Box 836

Stowe, Vermont 05672

802-888-6650

802-793-5062- cell

Petition to Keep Wolcott Pond Accessible to Everyone

A public hearing will be held on Tuesday, August 20, 2013 at the Wolcott Town Offices to hear comments on whether Wolcott Pond should be made a 'Quiet Pond' restricting users to kayaking, canoeing, or using electric motors.

We are seeking signatures of those who support continuing the use of gas powered motors on Wolcott Pond. Eliminating the use of gas powered motors on the pond prevents many local residents access to fishing and recreation areas they have enjoyed for many years. The speed limit is 5 mph on the pond, which does not cause any disturbance for wildlife or other recreational users of the pond.

Please sign below if you disagree with the proposed ban on gas powered motors and wish it to remain as it is.

Date	Name / Signature	Address
8/14/13	Barney Churchill	E. Hardwick VT
8-24-13	Harry Jordan	Hyde Park
8/14/13	John Clark	Morrisville, VT
8/14/13	Cheryl Hirs	Morrisville VT
8/14/13	Richard Champagne	Morrisville VT.
8/14/13	David Anderson	Morrisville VT
8-14-13	Dennis P. Smith	Morrisville VT
8-14-13	Shirley King	Hyde Park VT
8-14-2013	Shirley Chiavella	" "
8/14/13	Tom Cooney	Morrisville VT
8/14	Terrence Fox	Morrisville VT
8/14	LEIGH TABUR	Stowe, VT
8/14/13	PAUL CANO	Lake Elmore
8/14/13	Ben Mackie	65-Harrison, Morrisville
8/16/13	Colleen Boyd	907 Morrisville VT

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Date	Name / Signature	Address
16. 8/15/13	[Signature]	2877 Puckett Street
17. 8/15/13	[Signature]	2733 Stagecoach 05661
18. 8/15/13	BRAND ALLEN	2692 Cole Hill Rd 05661
19. 8/15/13	[Signature]	517 SYLVAN PEARL STOWE
20. 8/15/13	DAVID E. O'CONNOR	1329 Nebraska Valley
21. 8/15/13	[Signature]	103 Cedar St
22. 8-15/13	Carl & Cary	948 N. Hollow Rd. Stowe Vt
23. 8/15/13	Jay Mosher	3328 nebraska valley rd Stowe VT
24. 8/15/13	TAD Horner	PO Box 3111 Stowe VT 05672
25. 8/15/13	TYL E I LOCKE	4871 MILL C Johnson VT 05656
26. 8/15/13	[Signature]	1900 Waterbury RD Stowe
27. 8/15/13	[Signature]	1456 Massey Rd Wiscow.
28. 8/14/13	[Signature]	337 western rd Eden, VT
29. 8/19/13	[Signature]	164 GEORGE RD
30. 8.20.13	Russ [Signature]	Stowe Vt.

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Date	Name / Signature	Address
8/14/13	Edlin Scull	Wolcott
8/14/13	Ramel Kines	Wolcott, VT
20130814	[Signature]	Johnson, VT
8/14/13	Joan Wilcox	Morris ^{TOWN} VT
8/14/13	Christopher Campanaro	Johnson, VT
8/14/13	Mason East	Eden Mills, VT
8/14/13	Dore Joseph	Johnson
8/14/13	Eric Halperin	Morrisville VT
8-14-13	Ray Schaefer	Hyde Park VT
8/14/13	Willy Dietrich	Stowe, VT
8-14-13	Mike Dewey	Morrisville VT,
8-14-13	[Signature]	Morrisville, VT
8-14-13	[Signature]	Morrisville, VT
8-14-13	[Signature]	Morrisville VT
8-14-13	Justin Marcotte	Morrisville V.T.

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Date	Name / Signature	Address
16 8/14/13	<i>M. H. Ho</i>	106 Winton St Morrisville
17 8/14/13	<i>Robert Ellis</i>	131 Colerain St St Johnsbury VT
48 8/14/13	<i>Diane Vassler</i>	186 Worcester St John Morrisville
49 8/14/13	<i>[Signature]</i>	114 Union St. Morrisville VT 05661
50 8/14/13	<i>[Signature]</i>	415 Clayhill Road Apt 41 Schroe
51 8/14/13	<i>Diana Cochran</i>	332 Fitzgerald Rd. Morrisville
52 8/14/13	<i>[Signature]</i>	332 Fitzgerald Rd Morrisville
53 8/14/13	<i>Amanda Lawler</i>	682 Whitcomb Island Rd, Hyde Park, VT
54 8/14/13	<i>[Signature]</i>	2617 Center Rd Hyde Park VT
55 8/14/13	<i>Niall H. Hannah</i>	433 Ferland Road, Morrisville, VT 05661
56 8/14/13	<i>John A. Dolio</i>	93 Fair Ave Morrisville, VT 05661
57 8/14/13	<i>John Page</i>	25 E High St Morrisville VT
58 8/14/13	<i>[Signature]</i>	Po Box 124 Morrisville VT 05661
59 8/14/13	<i>Michael J. [Signature]</i>	211 N. Wolcott Rd
60 8/14/13	<i>[Signature]</i>	114 Union St. Morrisville VT 05661

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Date	Name / Signature	Address
61 8/14	David Fort Farm Fort	IRASBURG VT
62 8/14	Michael Curtis	Newport, VT
63 8/14	Steven Hill	Morrisville, VT
64 8/14	Ron Polym	Johnson VT
65 8/15	K. Cochran	Wolcott VT
66 8/15	K. W.	" "
67 8/15	Kimberly Graves	Wolcott, Vermont
68 8/15/13	Suzanne Durland	421 Coburn RD, Morrisville VT
69 8/15/15	R. Leveque	MORRISVILLE, VT 05661
70 8/15/13	Mae Wilson	Morrisville VT 05661
71 8/15/13	Spencer Lawrence	Morrisville VT 05661
72 8-15-13	Charles H. H.	Morrisville VT 05661
73 8/15/13	Don St.	Eden VT 05652
74 8-15-13	Martyn Smith	Eden VT 05652
75 8/15/13	Jeff Mudgett	565 Minister Brook Road Wolcott VT 05662

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	Date	Name / Signature	Address
76	8/14/13	Brian Moody	Elmore VT 05680
77	8-14-13	David Desautels	335 Mason Rd Hyde Park VT 05655
78	8-14-13	ALLEN JONES	Waterbury VT 05676
79	8-14-13	RICK LEMERY	WATERBURY VT 05676
80	8/14/13	Jim Fontaine	Hyde Park VT 05655
81	8/14/13	Jeff Green	Hyde Park, VT 05655
82	8/14/13	Tom Ahlsson	North Wolcott VT 05680
83	8/14/13	David Higgins	Hyde Park VT 05655
84	8/15/13	Jim Wallis	Hyde Park VT 05655
85	8/15/13	James Weed	Hyde Park VT 05655
86	8/15/13	Dee Lane	Hyde Park VT 05655
87	8/15/13	Max Leslie	Hyde Park VT 05655
88	8/16/13	Tyler Maynard	Hyde Park VT 05655
89	8/16/13	Brent Martin	Morrisville VT 05661
90	8/16/13	Lawrence C. LaClair III	Hyde Park, VT 05655
91.	8/16/13	Jim Pe	Hyde VT 05653

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Date	Name / Signature	Address
8/14	Thad Tallman	Belvidere VT
8/14	Earl Domina	Belvidere VT
8/14	DAVE CACCIANNA	HYDE PARK VT
8/14	ROBB / Paul Budge	Morrisville, VT
8/14	Julie Audet	Morrisville, VT.
8/14	John Fish John Fish	Wolcott, VT.
8/14	PATRICKA FISH	Wolcott VT
8/14	George Dugan	Wolcott - VT
8-14	KEITH DAVISON	HARDWICK, VT
8-14	Harry / Donald Compton	Morrisville VT.
8-14	Prognoscher	Morrisville, VT
8-14	Bill Munn	Morrisville VT
8/14	Brent Allison	Morrisville, VT.
8/14	R. F. ...	WOLCOTT VT
8/14	Marcia Daggel	Elmore VT

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Date	Name / Signature	Address
8/14/13	Brian Cote	441 Cote Hill Rd, Morrisville
8/14/13	Matt Leno	976 W. Hill Street, HP
8/14/13	Michael Bondarev	1897 Rt 12 Lake Elmore
8-14-13	Carlos Martz Jr.	3251 VTRT 109 Waterville
8/14/13	John Sweet	1787 Wildbranch Rd Castleton
8/14/13	Chase Petrotto	3056 Elmore road Rd
8/14/13	Ree Stuart Lee Sturton	141 Summit Morriskill VT
8/14/13	Jason Pool	652 McKinstry Hill Rd Hyde Park VT
8/14/13	Dean Shedd Allen Shedd	2165 East Hill Rd Wolcott VT
8/14/13	Thomas TRD Horner	PO Box 3111 Stowe VT
8/14/13	Liam C. Jellies	2461 MINES RD Lowell, VT
8/14/13	John Hazzett	Lake Elmore VT
8/14/13	Cario Paves	1667 WASHINGTON HWY, MORRISVILLE VT.
8/14/13	Robert Knigton	220 Park St 05661
8/19/13	[Signature]	85 Orchard Farm Lane

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Date	Name / Signature	Address
122 8/14/13	<i>Marilyn Machee</i>	MORRISVILLE, VT 05661
123 8/14/13	<i>Tom Wynn</i>	2025 Wolcott Rd Stowe 05672
124 8/14/13	<i>Bob Kelly</i>	50 Turner Mill Lane Apt #5 Stowe VT 05672
125 8/14/13	<i>Bob Kelly</i>	478 Dinwiddie Rd. F. Hardwick VT 05846
126 8/15/13	<i>[Signature]</i>	177 VT Rte 12 Middlebury VT 05750
127 8-15-13	Roy Meahle	MORRISVILLE, VT.
128 8-15-13	LARRY LEACH	MORRISVILLE, VT
129 8-15-13	David J Potter	Hyde Park, VT.
130 8-16-13	Beet Merriman	MORRISVILLE VT. 05661
131 8-16-13	James Richardson	635 RIVER RD WORCESTER VT
132 8-16-13	Shawn Kuncy	317 Congress Morrisville VT
133 8-16-13	Maurice Katz	Wolcott, VT 05680
134 8-19-13	The Old Fishing Hole Gun Shop	Morrisville
135 8/19/13	BETE WAY SPORTS SHOP	Hardwick, VT

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Date	Name / Signature	Address
136 8/14/13	Rachel Burns	Hardwick VT
137 8/14/13	Jay B...	Wolcott VT
138 8/14/13	Monty LaMare	Morrisville, VT
139 8-14-13	TOM WILLIAMS	HARDWICK VT,
140 8-14-13	Richard [unclear]	Morrisville VT
141 8-14-13	Carl Bouchard	MORRISVILLE VT
142 3/14/13	Rich [unclear]	Wolcott, VT
143 "	Chris [unclear]	Morrisville VT
144 8/15/13	Chris O'Hear	MORRISVILLE VT.
145 8/19/13	[unclear]	WOLCOTT, VT
146 8/19/13	Daniel P. Wilda	Felton, VT
147 8/19/13	ARNOLD E. JOHNSON	WOLCOTT VT
148 8/20/13	BRIAN CURRIER	Johnson, VT

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Date	Name / Signature	Address
149 8/14/13	Eric Euler	1296 Collins Hill Rd Johnson VT
150 8/14/13	Jeff J. Hill	P.O. Box 836 - Stowe, VT
151 8/14/13	Mittie Gullason	149 Green Mt. Dr. Morrisville, VT
152 8/17/13	HEATHER R. PUDF	35 BRICKYARD RD #34, ESSEX JCT, VT
153 8/17/13	Randy P. Puff	35 Brickyard Rd. #34 Essex VT
154 8-17-13	Colin Longhen	P.O. Box 37 Elmore, VT 05637
155 8-17-13	Rod Ely	499 Ows Head Lane 05672
156 8-17-13	Carla D Ely	499 Ows Head Ln 05672
157 8-17-13	GARY KURY	3174 Elmore Rd. Morrisville VT, 05661
158 8-17-13	Audrey Malone	277 Sam Webb Rd Fairfax VT
159 8-17-13	Dawn Maloney	277 Sam Webb Rd Fairfax VT
160 8/17/13	Kathleen Ciley	3174 Elmore Morrisville VT,

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Date	Name / Signature	Address
161 8/14/13	Maureen Smith	Morrisville, VT
162 8/14/13	Jammy Ingalls	Morrisville, VT
163 8/14/13	Steve Schifilliti	Burlington, VT
164 8/14/13	John Arceat	Morrisville, VT
165 8/14/13	Kya Well	Milton, VT
166 8/14/13	Dorian Hill	Morrisville, VT
167 8/14/13	Kathy Rulison	Hyde Park, VT
168 8/14/13	John Hill	Craftsbury
169 8/15/13	XXXXXXXXXX Shawn Tallman	Morrisville VT
170 8/15/13	Nancy Lumsden	Walden VT
171 8/15/13	not all.	East Hardwick, VT
172 8/19-13	Robert Bell	Morrisville VT

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Date	Name / Signature	Address
173 8/15/13	Michael Malten <i>Michael Malten</i>	P.O. Box 35 / Morrisville
174 8/15/13	Brandon Klar <i>Brandon Klar</i>	8325 Main St. Stowe
175 8/15/13	Michele S. Beck <i>Michele S. Beck</i>	P.O. 3784 Stowe
176 8/15/13	Yulia Aleksandryants <i>Yulia Aleksandryants</i>	80 WORCESTER RD / STOWE
177 8/15/13	Kim Bruce <i>Kim Bruce</i>	745 Tamarack Rd Stowe VT
178 8/16/13	Samantha McWhorter <i>Samantha McWhorter</i>	5 Park St Unit 3 Morrisville VT
179 8/16/13	Shaun Herman <i>Shaun Herman</i>	5 Park St Unit 3 Morrisville VT
180 8/16/13	Jeremy O'Neil <i>Jeremy O'Neil</i>	1174 Waterville ^{RT. 109} VT 05492
181 8/16/13	Lisabaranany <i>Lisabaranany</i>	128 Maple St. Wsrl. 05661
182 8/16/13	Randy Lawrence <i>Randy Lawrence</i>	23 River Rd STOWE VT
183 8/17/13	Joseph Cook <i>Joseph Cook</i>	2042 W Hill Rd Stowe VT
184 8/18/13	Andrew Timbell <i>Andrew Timbell</i>	123 Thomas Lane Stowe VT

Petition to Keep Wolcott Pond Accessible to Everyone

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	Date	Name / Signature	Address
206	8/15/13	BRADY PRIOR	FARVIEW DR ESSEXVT, VT
207	8/15/13	Bambi Patch	Patch Rd Johnson, VT
208	8/15/13	Jill Chase	1 more mtn Rd Morrisville VT
209	8/15/13	MW	winter lane Milton VT
210	8/15/13	Jason M... ..	511 Jersey Heights Morrisville
211	8/15/13	B. Chau	Belvidere Jct. Belvidere, VT 05442
212	8/15/13	Lorraine Willett	Thomas Rd Cambridge, VT
213	8/15/13	Shelli Guay	winter lane Milton, VT
214	8-16-13	Melissa Tandy	Wolcott, VT
215	8/19/13	Margaret Appleby	Morrisville VT
216	8/19/13	Christina	Stowe, VT
217	8/19/13	Rosa Stein	Johnson VT
218	8/19/13	Sara Raymond	Eden, VT
219	8/19/13	Wendy Lane	Ayle Park VT
220	8/19/13	Jennifer Tabregon	MORRISVILLE, VT

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	Date	Name / Signature	Address
221	8/19/13	Rick Rothmann	578 WEST WOODSBURY RD. WOLCOTT
222	8/19/13	Jeanette Hale	480 Upper Pleasant Valley Rd Jeffersonville
223	8/19/13	Jennifer Willingham	196 Appletree Point Rd. Burlington
224	8/19/13	Jean Dault	552 Cottage St. Morrisville VT
225	8/19/2013	Karl Wynn	60 PTH RD. WATERBURY CTR. VT
226	8/19/13	Nicole Jones	108 N Jeffersonville VT
227	8/20/13	Stephyn Lujan	3746 Vt Route 109 Belvidere VT
228	8/20/13	M. Beech	974 W Jay Rd Jay VT
229	8/20/13	Jean Dault	989 BERGERON RD TROY VT
230	8/20/13	Normande Briquie	56 Joseph St. Bldg 1/Apt. 3 Derby VT
231	8/20/13	Marcie Darron	PO Box 464 Newport VT
232	8/20/13	Sara B Merrill	PO Box 466 Newport VT
233	8/20/13	Laurie J. Rice	145 Rice Farm Ln Coltons VT 05860
234	8/20/13	Nancy Roberts	8/20/13 VT 05860
305	8/20/13	Danielle McCormick	Frasburg VT 05845

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	Date	Name / Signature	Address
236	8/14/13	Adam Hill	2451 Walton Rd Morrisville, VT
237	8-14-13	Dennis JADUCH <i>Dennis JADUCH</i>	137 Rolling meadows Morrisville VT
238	8-14-13	DAVID WESTBROOK <i>David Westbrook</i>	251 Luce Hill Rd. STOWE VT.
239	8-14-13	TODD PHELPS	144 Stowe VT
240	8-14-13	Michael Jaovich <i>Michael Jaovich</i>	13a Rolling meadows Morrisville VT
241	8-14-13	Ernest Cockran <i>Ernest Cockran</i>	1179 stage coach Rd Morrisville VT
242	8-14-13	Timothy S. Baranzyang	128 Maple St. Morrisville VT
243	8-14-13	Wesley Martin	676 S. Richford Rd. Richford VT
244	8-14-13	Brian Kellogg	384 Upper Main Morrisville, VT
245	8-14-13	Dennis Wallage <i>Dennis Wallage</i>	161 river Rd west Johnson VT.
246	8-14-13	Robert & West <i>Robert & West</i>	101 sandy Birch Johnson VT
247	8-14-13	Dylan Hoxell Fish <i>Dylan Hoxell Fish</i>	57 Buell ST Burlington VT
248	8/14/13	Mark Garon <i>Mark Garon</i>	27 Elmore Mt. Rd. Stowe, VT
249	8/14/13	MITCH THRESHER <i>Mitch Thresher</i>	1386 Union Brook Rd. Northfield, VT
250	8/20/2013	Hillary Hill <i>Hillary Hill</i>	2451 Walton Road, Morrisville, VT

J. HILL
P. O. BOX 836
STOWE, VERMONT 05672
PHONE 802-888-6650
Fax 802-888-6650

Send to: Leslie Welts, Attorney	From: Jeff Hill
Attention: Leslie	Date: 8-29-13
Office Location: Montpelier	Office Location: Morrisville
Fax Number: 802-828-1544	Phone Number: 802-793-5062

- Urgent
- Reply ASAP
- Please comment
- Please Review
- For your information

Total pages, including cover: 27

Comments:

Leslie,
Enclose are the signatures from 268 to 520.
I hand delivered the first 267 signatures to you
at the meeting as you recall.
If the originals are needed please let me know.
Thank you
Jeff J. Hill

Please let me know VIA E-MAIL That you
recieved these

Thank you

^{Logistics}
 The First 267 signatures were hand delivered to you 15
 at the meeting. If you need the originals, please let me know.

Jeffrey Hill

Petition to Keep Wolcott Pond Accessible to Everyone

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	Date	Name / Signature	Address
268	8-20-13	<i>Steve Sneed</i>	3277 Brookfield Rd. Berlin, VT.
269	8-20-13	<i>Archie Sneed</i>	3277 Brookfield Rd. Berlin VT
270	8/20/13	<i>Ron Wilmont</i>	89 Apple Ridge Rd, Bradford, VT
271	8/20/2013	<i>George Wilmont</i>	206 Fernside St Barre VT
272	8/20/13	<i>Walter R. Sneed</i>	14 Mount St Barre VT
273	8-20-13	<i>Mike Young</i>	1055 Burner Rd. Jeffersonville VT Colchester VT
274	8/20/13	<i>Michael Sneed</i>	121 Chimney Hill Rd
275	8-20-2013	<i>Stanley Sneed Jr.</i>	337 Taylor Farm Road, Plainfield VT
276	8-20-13	<i>[Signature]</i>	14 Mount St Barre, VT
277	8-20-13	<i>[Signature]</i>	517 McCallyn Rd. Colchester VT
278	8/20/13	<i>Dylan Sneed</i>	8103 U.S Rt Plainfield VT
279	8/20/13	<i>Nathan Lafant</i>	24 BLS Drive East Barre VT
280	8/20/13	<i>Nathan Lafant</i>	29 BLS Drive East Barre VT

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Date	Name / Signature	Address	
281	8-19-13	Elizabeth Martin	676 South Richford Rd, Richford, VT 05476
282	8-20-13	Brad Mancini and [unclear]	640 Daring rd Morrisville VT
283	8-20-13	Hugh Perkins [unclear]	352 E. Rd. Wa. [unclear] VT
284	8-20-13	Nath [unclear]	215 E Rupert Rd
285	8-20-13	[unclear]	567 Wauzer rd Fairfield VT
286	8/20/13	Caleb [unclear]	341 Fitch Hill [unclear] VT
287	8/20/13	Jon Cherry [unclear]	21 Cross St, Morrisville VT
288	8/20/13	[unclear]	1128 [unclear] Rd [unclear]
289	8/20/13	[unclear]	3743 Coe [unclear] Morrisville VT
290	8/20/13	Travis Apple	334 Deves Road.
291	8/20/13	[unclear]	[unclear]
292	8-20-13	[unclear]	JOHNSON

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Date	Name / Signature	Address
293 8/26	Mr. Pierre DUNZEE	PO Box 281 Cambridge
294 8/26	[Signature]	538 Beacon Hill
295 8/26	[Signature]	241 STARR COAST RD
296 8/26	[Signature]	Rt. 100
297 8/27	Dee Duff Hurgham	Rt 15 WOLCOTT
298 8/27	John STEIN	251 CURRY Rd
299 8/27	[Signature]	115 Cedar Lane Eden
300 8/27	Gerritson Blake Jonathan Blake	140 Meadowood Road Morrisville, VT
301 8/27	Dan Leone	5706 VT 100 Hyde Park
302 8/27	MATT NADEAU	3116 RT 100 L Johnson VT
303 8/27	George Moulton	83 Boy Scout Camp Rd Eden VT
304 8/27	BIL LE BLANC	531 Beacon Hill Rd.
305 8/27	Lewi Martin	1407 Shover rd Eden
306 8/27	Victoria Westing	91 Brooklyn St Morrisville
307 8-27	Paul A Zatek	1359 Keeley Pond Rd

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Date	Name / Signature	Address	
308	8/19/2013	Arlene Longpré	150 Mount Rd Hyde Park VT
309	8/19/13	Justin Foster	396 VTR #15 West Morrisville VT
390	8/19/13	Troy Richards	Hardwick, VT
311	8/19/13	Shirley Jaudan	25 Jewett Rd. Hyde Park, VT 05655
312	8/19/13	Isaac Firkey	315 Spruce Ln Eden VT 05455
313	8/20/13	Ernest Schwelkenback	895 Cady's Falls Rd. Morrisville, VT 05661
314	8/20/13	Sharon Foster	713 Jones Lane Wolcott

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Date	Name / Signature	Address
315 8/19/13	Debraan P. Pagan	345 Brooklyn St Morrisville
316 8/19/13	Jessica North	61 Wilkin St Morrisville
317 8/19/13	Daniel P. Supp	3711 N Wolcott Rd Wolcott
318 8/19/13	[Signature]	Trasburg VT
319 8/19/13	Scott Adams	PO Box 1116 Morrisville, VT
320 8/29/13	[Signature]	190 W. Main, Moos Johnson, VT
321 8/28/13	[Signature]	100 Allen Dr Eden VT
322 8/20/13	Stacy Weir	4875 Garfield Rd Hyde Park
323	Ken Wein	" " "
324 8/20/13	Wyatt Small	527 Brook Rd
325 8/20/13	[Signature]	527 Brook Rd
326 8-20-13	Marcia Douglas	526 East Elm St Wolcott VT
327 8-20-13	Ashley Douglas	" " "
328 8/20/13	Karen [Signature]	272 Dorsland Road
329 8/20/13	Celeste LeBlanc	PO Box 1586 Morrisville VT



Petition to Keep Wolcott Pond Accessible to Everyone

15

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Date	Name / Signature	Address
330 8-19-13	Daniel E. Alexander	1110 Elmwood Rd Morrisville VT 05661
331 8-19-13	Jay Ball	PO Box 622 Morrisville VT 05661
332 8-19-13	[Signature]	277 S. Main St. Stowe, VT 05672
333 8-20-13	Russell [Signature]	304 O'Berhill Johnson VT 05696
334 8-20-13	Dana Jordan	209 River Rd West Johnson VT 05656
335 8/20/13	Chelsea Byrd	16 South S-1 Orleans, VT
336 8-20-13	[Signature]	500 Vermont [unclear] VT
337 8-20-13	Jason Couture	224 Carpenter Rd, Hyde Park VT
338 8-20-13	Kyle Pratt	305 Heath Road Hyde Park VT
339 8-20-13	[Signature]	213 Heath Rd Hyde Park VT
340 8-20-13	[Signature]	123 West End Ave, VT
341 8-20-13	I. Mayhew	136 Glen Anderson, Craftsbury VT
342 8-20-13	JAMES MERRITT	110 Cottage St, Hardwick VT
343 8-20-13	[Signature]	50 Boulder Ln, Eden, Vermont
344 8-20-13	[Signature]	P.O. Box 1657 Morrisville VT

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Date	Name / Signature	Address
345 8/26/13	Joseph A. Keyser	16 Chelieu, Essex Jct. VT 05452
346 8/26/13	Chris Miller	177 Doby Ln East Ferrisburgh, VT 05830
347 8/20/13	Shay Hussain	3413 Rte 14 Craftsbury, VT 05826
348 8/20/13	[Signature]	Eden Mills, VT
349 8/20/13	Jennifer M. Spurr	Eden Mills VT
350 8/20/13	[Signature]	Milton, VT
351 8/20/13	R. [Signature]	95 Main St Hyde Park
352 8/20/13	Reel Norman	400 Willoughby St BROWNINGTON VT
353 8/20/13	Tyler Shattuck	16 South St Orleans, VT
354 8/20/13	Karen Esselsig	P3 Div 375 Main St
355 8/20/13	Janine Moran	Hyde Park VT
356 8/20/13	Brenda Duke	Morrisville, VT 05661
357 8/20/13	Vicky Atwood	Wolcott, VT 05680
358 8/20/13	[Signature]	Wolcott, VT 05680
359 8/20/13	Wayne Thurston	Wolcott, VT 05680

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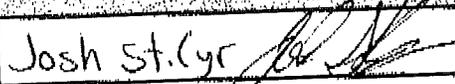
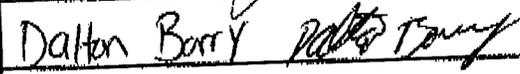
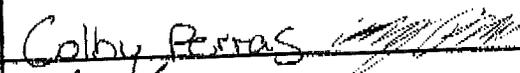
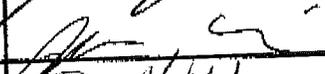
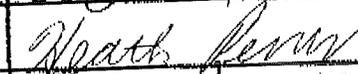
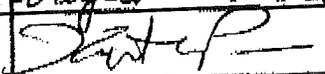
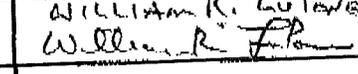
	Date	Name / Signature	Address
380	8/19	Hannah Freda / <i>[Signature]</i>	P.O. Box 1241 Morrisville VT 65 VT RT 100
368	8/19	Ashley Small / <i>[Signature]</i>	Hyde park VT
369	8/19	Doc J Spaulding / <i>[Signature]</i>	199 Foss St. Morrisville VT
368	8/19	Marcel Freda / <i>[Signature]</i>	PO Box 1241, Morrisville VT
364	8/19	Shawn McFarlane / <i>[Signature]</i>	354 McFarlane Rd Hyde Park VT
365	8/19/13	Dorrick P. Russell	785 Procyon Rd, <i>[Signature]</i> VT
366	8/19/13	<i>[Signature]</i>	Wolcott VT 05680
369	8/19/13	Frederic Colson / <i>[Signature]</i>	3947 Mines Rd Lowell VT 05847
368	8/19/13	Sarah Cochran	3947 Mines RD Lowell VT 05847 05632
368	8/19/13	<i>[Signature]</i>	1507 Blakeville Rd Eden VT
380	8/19/13	Troy Kelly	442 Cochran Road <i>[Signature]</i> VT 05601
368	8/19/13	Robert <i>[Signature]</i>	466 VT 100 Hyde Park 05655
369	8/19/13	Pauline <i>[Signature]</i>	562 East Elmore Rd Wolcott 05680
368	8/19/13	<i>[Signature]</i>	52 VT RT 100 S Johnson VT 05656
364	8/19/13	ERIC ACLE	2856 VT RT 12 Wolcott VT 05680

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Date	Name / Signature	Address
375 8/19	Josh St. Cyr 	394 Cote Hill Rd Morrisville VT 05661
376 8/19	Dalton Barry 	# 1950 Ut Rt 109 Waterville, VT 05402
377 8/19	Colby Ferras 	691 Earl grey rd 05601
378 8/19	 Jesse Langlois	70 oln DR Edin Mills VT 05653
378 8/19	 Jordan Messian	47 Asaold Ln.
380 8/19	 Dave Vilard	1021 Stagecoach Rd Morrisville VT
381 8-19-13	 Heath Ferris	307 Brockton Street Morrisville VT
382 8-19-2013	Wayland Wells	Randolph Rd Morrisville VT 05661
383 8-20-13	 KIRT FERRIS	2222 Randolph Road Morrisville VT 05661
384 8-20-13	WILLIAM R. LUPATE  William R. Lupate	246 S. MAIN, STOWE, VT 05672

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Date	Name / Signature	Address
383 8-21-2013	Bruce Larson	Mo-wille VT.
386 8/21/2013	Jones Andrews	Stowe, VT
389 8/21/2013	David Wolfgang	Stowe, VT
388 8/21/13	EAMEN Welter	Johnson, VT
388 8/21/13	B. Tyler	Stowe, VT
390 8/21/13	Coffey Bank	Morrisville, VT
391 8/21/13	Blaine	Wolcott VT.
389 8/21/13	Daniel & Klara	overlooking Wolcott Pond, Wolcott VT.
393 8-21/13	Mila Murray	Morrisville, VT
394 8-21-13	[Signature]	Johnson, VT
395 8/20/13	[Signature]	Waterbury Ct. VT
396 8-22-13	Christopher	Waterbury Ct VT
397 8-22-13	[Signature]	Johnson VT
398 8/20/2013	WILLIAM L SIMMONS JR	RICHMOND VT 05477
399 8/22/2013	[Signature]	Stowe VT 05677

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400	8/21	Patrick Douglass	394 Centerville Rd Hyde Park
401	8/21	Cindy Foss	P.O. Box 711 Morrisville, VT
402	8/21	Heather Bessette	Elmore Rd Apt 2B
403	8/21	Lori Newcombe	Elmore Rd Apt 2B
404	8-21	Crischel Santamore	Morrisville VT 05661
405	8-23	<i>[Signature]</i>	Albany VT 05820
406	8-23	<i>[Signature]</i>	248 Salmon Place Glover VT 05834
407	8-26	Peter Blawiechar	70 Court St Morrisville, VT

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Please sign below if you disagree with the proposed ban on gas powered motors and wish it to remain as it is.

	Date	Name / Signature	Address
408	8/22/13	Steve Adams	Stowe, VT 05672
409	8/23/13	Normand Salves	Morrisville VT 05661
410	Aug 24-13	William Mardis	Stowe VT 05672
411	Aug 24	Dominick Donza	Stowe VT 05672
412	" 24	Paul E Percy	" " "
413	8/24	Jack E. McEllis	" " "
414	8/24	Jeff Wegling	Hardwick VT
415	8/24	Ben Perry	Stowe, VT
416	8/24	Brian P	Stowe, VT
417	8/24	Mark [unclear]	Stowe VT
418	8/27	Jeffrey Sanborn	Morrisville, VT 05661
419	8-27	Bob [unclear]	Stowe VT
420	8/27	[unclear]	Wolcott, VT
421	8-27	John [unclear]	Eden, VT.
422	8/28	[unclear]	Morris VT

Petition to Keep Wolcott Pond Accessible to Everyone

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Date	Name / Signature	Address
423 08/24/13	BRYAN HILL / Bryan Hill	Po Box 64 Hyde Park, VT 05655
424 8/27/13	Herb Pondhurst	P.O. Box 261 Morrisville VT
425 8/26/13	Bill Brown / Bill Brown	PO Box 1499 Morrisville, VT 05661
426 8/27/13	Henry Cleveland	Wolcott VT 05680
427 8/27/13	Konmeria [unclear]	Wolcott VT 05680
428 8/27/13	Robert Harris	Wolcott, VT 05680
429 8/27/13	Steve Deverger	Hardwick, VT 05849
430 8/27/13	ADAM DAVIS	Stowe VT 05672
431 8-27-13	BRUCE WELCH	Morrisville VT 05661
432 8-27-13	JEFF MORGAN	Johnson, VT
433 8-27-13	Danielle Chausse	Morrisville, VT 05661
434 8/27/13	Pamela Hannel	Wolcott, VT 05680
435 8-27-13	Rebecca [unclear]	Hyde Park VT 05655
436 8-27-13	John [unclear]	Wolcott VT 05680
437 8-27-13	Craig [unclear]	Morrisville, VT

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Date	Name / Signature	Address
450 8/20/13	Robert Bavin II	PO Box 326 Johnson VT
451 8/26/13	Katherine Foster	PO Box 1474 Morrisville, VT
452 8-27-13	Jesse Foster	PO Box 1474 Morrisville, VT
453 8-27-13	JEFF DESROCHERS	P.O. Box 4 LAKE GLENOR VT
454 8/27/13	Tan Higgins <i>Tan Higgins</i>	251 Park APT 1 Morrisville VT
455 8/27/13	FRAN SLATK <i>FRAN SLATK</i>	923 Willing Hyde Park VT
456 8/27/13	Steven Devo	3541 North Wolcott Rd Wolcott V. t
457 8/27/13	<i>James McHale</i>	1262 Wild Brand Rd Coalinga VT
458 8/28/13	<i>Rick Emery</i>	2938 Plot Rd VT
459 8/28/13	<i>Rick Emery</i>	819 Pucker St STOWE VT
460 8/28/13	<i>Tom Boland</i>	5119 Mablest VT
461 8/28/13	<i>David Sleeman</i>	Coalinga VT
462 8-28-13	<i>Carol D. Shedd</i>	Hyde Park VT
463 8-29-13	Conrad Harris	Morrisville VT

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	Date	Name / Signature	Address
471	8-20-13	Diane Earle	269 Wolcott School St, Wolcott VT
472	8-20-13	Shawn A Wells	4371 VT 1002 Johnson, VT
473	8/21-13	Don Bales	93 Fern Ave Morrisville, VT
474	8/21/13	Jim Mark	729 Warren Rd Eden VT
475	8-21-13	Richard Griffin	255 Square Rd Eden mills
476	8-21-13	Nil D. Manosh	433 Ferland Road, Morrisville, VT.
477	8-21-13	CONNOR Manosh	433 Ferland Road, Morrisville VT.
478	8/21/13	Marlon Sullivan	3950 Townhill Road Waterbury VT.
479	8/22/13	Daniel Lambert	23 Meadow Lane Circle, Troy VT.
480	8/22/13	Sonny Hill	965 main school Albany

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Date	Name / Signature	Address
484 8/18/13	Mark S. Hill	692 Harrel St. Morrisville, VT
485 8/18/13	Ramona Lyon	692 Harrel St Morrisville VT
486 8/18/13	Cynthia Lyon-Hill	692 Harrel St. Morrisville, VT
487 8/19/13	Dennis P. Baker	Box 81 Richmond VT 05477
488 8/19/13	Tim Sacoby	405 Sugar Hill Rd Underhill 05489
489 8/20/13	Bruce Kim Johnson	647 Grand Hill Johnson, VT.
490 8/20/13	Jay M. Johnson	187 Gould Hill Rd. Johnson, VT.
491 8/21/13	John J. Johnson II	427 Manhattan Dr. Burlington
492 8/21/13	Justin J. Johnson	15 CREEK LANE RICHMOND VT
493 8-21-13	John J. Johnson	44 Hillary Lane, Milton VT 05468
494 8.21.13	Eric J. Johnson	P.O. Box 255 Shelburne VT 05482
495 8/21/13	Dea J. Richard	1384 E. Lakeshore Dr. Colchester VT 05404
496 8/24/13	Casey Lyon - Cy3-	1838 Warren Rd. Eden, VT 05652

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	Date	Name / Signature	Address
497	8/23	Ronald Kneeg	wolcott
498	8/23	Anthony Chauvin	Johnson
499	8-27	Dan Smith	M'ville
500	8-27	Nat Sull	LAKE ELMORE
501	8-27	Jany Brown	HYDE PARK

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Date	Name / Signature	Address
502 Aug, 19, 2013	<i>[Signature]</i>	178 River Road West, Johnson VT
503 10-19-2013	Ellis O'HEAR <i>[Signature]</i>	178 River Rd West Johnson VT 05686
504 10-19-2013	TOMMY DUCREPS <i>[Signature]</i>	96 WOODWAY DR Morrisville VT
505 10/19/2013	Kirk James <i>[Signature]</i>	94 River Rd West Johnson VT
506 Aug 20 th 2013	Steve Humphrey <i>[Signature]</i>	149 Airport Rd Westfield VT
507 Aug 20 2013	Patrick Towne <i>[Signature]</i>	2760 Laporte Rd VT
508 Aug 20 2013	Jimmy Manning <i>[Signature]</i>	4285 Rte. 100c Johnson, VT

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	Date	Name/Signature	Address
512	8/19/13	Levi Bouvne	532 clay Hill Johnson
513	8/19/13	Ben Morse	Centerville rd Morrisville
514	8/19/13	Luella Titm	Waterville VT
515	8/19/13	Bill Putvain	Rt 15 Wolcott
516	8/19/13	Kelly Putvain	Rt 15 Wolcott
517	8/19/13	John Putvain	Library rd Danville
518	8/19/13	Veronica Roche	Library rd Danville
519	8/19/13	Tristan Main	3rd st Morrisville
520	8/19/13	Jake Marcey	3rd st Morrisville



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Date	Name / Signature	Address
8/21/13	Patrick Finnie	1512 Adamant Rd. Calais VT.
8-21-13	Douglas Doenges	710 River Rd. Montpelier VT.
8/21/13	Eric A V	39 Chen Rd. Middlebury VT
8/21/13	M. DeLuca	13 Colonial Dr S Barre
8/21/13	C. Bior	ORANGE, VT.
8/21/13	[Signature]	Barre, VT
8/21/13	Brian Bailey	Barre VT
8/21/2013	Kyle Lambert	Barre, VT
8/21/2013	Paul Lambert	Barre, VT
8/25/13	Craig MacLellan	Calais VT PO Box 1
8/25/2013	Rose Hayes	Calais, VT, 1512 Adamant Rd

From: Welts, Leslie
Sent: Sunday, September 01, 2013 9:19 AM
To: Fechter, Kathy
Subject: Fwd:
Attachments: Wolcott Pond_Quiet Pond Petition-Berkmans signatures.pdf; ATT00001.htm; Support Wolcott Pond as Quiet Pond_Dr. JA Hambrook Berkman.pdf; ATT00002.htm

Sent from my iPhone

Begin forwarded message:

From: Julie Berkman <director@ourspaces.org.uk>
Date: August 31, 2013, 5:33:00 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>

Dear Ms. Welts,
Please find attached my letter of support of Wolcott Pond being considered a 'Quiet Pond'!

Thank you for your consideration.
Sincerely,
Julie
(an aquatic biologist land owner in Wolcott since 1979)

Dr. Julie A Hambrook Berkman

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8749 (20130831)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

Dr. Julie A. Hambrook Berkman
38 Conduit Head Rd.
Cambridge CB3 0EY UK

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620

Attention: Leslie Welts

Dear Ms. Welts of the Department of Environmental Conservation,

I am writing in strong support of Wolcott Pond being designated a 'Quiet Pond'.

My relationship with Wolcott Pond began in 1972 after a study I made with a colleague of the North Wolcott Bog. Many of the plant species on the bog could be found around the shores of Wolcott Pond and canoeing around the edge we also found a beaver den with evidence of live beaver! Exploring this special place became part of my life in Vermont which lead me to buy 88 acres on Town Hill Rd. in 1979. Since 1972 I have spent time there each year.

Visiting Wolcott Pond is a very special part of my every visit to Vermont during the past 40 years – exploring, swimming, studying, teaching and sharing quietly with friends.

I have several issues with motor boats on the pond:

- first you can hear the internal combustion engine reverberate across the whole area – there is no getting away from the noise – it's a small pond;
- secondly, as a swimmer - who has enjoyed the company of the loons on many a day swimming back and forth across the pond –
 - there's a safety concern, whether I'd be noticed by the motor boat driver,
 - there's the unpleasant smell and taste of the fuel on the water, and
 - there's the wake disrupting the water surface, and peace;
- third, as an professional biologist with a history of assessing aquatic environments with the US Geological Survey NAWQA program I am interested in Wolcott Pond remaining among the small acidic lakes in Vermont which met reference biocriteria for Vermont and New Hampshire lakes in 2003. In the future it will not get easier to find 'healthy' pond systems – this one is worth conserving!

I sincerely hope that you will approve the designation of Wolcott Pond as a quiet pond for the benefit of its recreation users with the inclusion of a single change in the rules, that is, the elimination of the use of internal combustion engines on the pond.

Thank you for considering my comments.

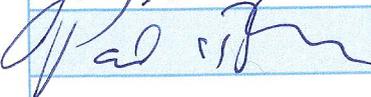
Sincerely,



Dr. Julie A. Hambrook Berkman
Aquatic Biologist

PETITION TO DESIGNATE WOLCOTT POND A "QUIET POND"

WE the undersigned petition The Vermont Agency of Natural Resources, the Water Resources Panel and the Town of Wolcott to approve the designation of Wolcott Pond as a quiet pond for the benefit of its recreation users with the inclusion of a single change in the rules, that is, the elimination of the use of internal combustion engines on the pond.

Name (printed) Signature under name	Address (Town, State, Zipcode)	Email (to notify you of hearing dates)	Phone Landline/ mobile	Date mo/day/year
Julie Hambrook Berkman	18041 Blue Sail Drive Pacific Palisades, CA 90272	jberkman@ourspaces.org.uk	310-454-6650	Sept 5, 2012
Julie Hambrook Berkman	owner of 88 acres parcel 10 Wolcott (Town Kill) # 08064		+44 7800 589163	
	18041 BLUE SAIL DR PACIFIC PALISADES 90272	paurreur@earthlink.net	+44-775-2583200	9/7/2012

From: Welts, Leslie
Sent: Tuesday, September 03, 2013 11:33 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond

Sent from my iPhone

Begin forwarded message:

From: Katherine Williams <k.j.williams@verizon.net>
Date: September 3, 2013, 8:43:00 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Wolcott Pond**

To Whom It May Concern,

And this issue concerns many, some of whom have not yet been born.

I recently heard Gordon Hempton, a sound ecologist, talking about preserving quiet. The goal he set was to make a list of the places in the United States where one could find 15 consecutive minutes of silence. His list is heartbreakingly small. His book, *One Square Inch of Silence*, calls natural silence America's fastest-disappearing resource.

As a summer resident of Greensboro, I love Caspian Lake. But I seek out Wolcott Pond for the quiet that is often possible there. Swimming around the pond hearing only the loons and other natural inhabitants is an experience unlike anything else in the area. I would hope to preserve this possibility for my grandchildren who are growing up unknowingly deafened by the artificial sounds that engulf them.

Wolcott is situated in an area which abounds in bodies of water that welcome motor boats and the pleasures that that permission affords. Please create an oasis of silence on this pond before that possibility is lost forever.

Sincerely,

Katherine Williams

From: Welts, Leslie
Sent: Saturday, August 31, 2013 8:27 AM
To: Fechter, Kathy
Subject: Fwd: Comment re Wolcott Pond Petition
Attachments: 08-30-13 Letter to ANR re Wolcott Pond Petition.doc; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Bielenberg, Kristina" <Kristina.Bielenberg@state.vt.us>
Date: August 30, 2013, 6:18:37 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: ""krisbiel3@yahoo.com"" <krisbiel3@yahoo.com>
Subject: **Comment re Wolcott Pond Petition**

Leslie:

I am sending a hard copy with an original signature, but I thought I should get this to you tonight in case my letter gets held up in the US Mail given the Labor Day Holiday.

Sincerely,
Kristina L. Bielenberg

1685 East Hill Road
Marshfield, VT 05658

August 30, 2013

Attention: Leslie Welts, Esq.

Watershed Management Division
Department of Environmental Conservation
Vermont Agency of Natural Resources
1 National Life Drive, Main 2
Montpelier, VT 05620

Dear Attorney Welts,

I attended the recent Agency of Natural Resources (ANR) hearing in Wolcott, Vermont, on the Petition to eliminate internal combustion engine use on Wolcott Pond. I offered comments at that hearing concerning my personal use of Wolcott Pond. As I indicated then, I am not a resident of Wolcott, but have paddled the pond at least once a summer and sometimes more frequently in recent years. My interest in paddling the pond is to “botanize” the surrounding wetlands, and observe the wildlife in a quiet, wilderness setting.

I come to Wolcott Pond because, unlike the larger lakes and ponds in Calais and at Woodbury’s Valley Lake (Dog Pond) where my mother has a camp, there are relatively few motorized craft present. Moreover, unlike the lakes and ponds in my area, Wolcott Pond has a very different morphology, with significant riparian vegetation and habitat to support a variety of aquatic plant species and wildlife habitat. On my visits to the pond I have seen Loons with chicks, Great Blue Heron, Bittern, and other waterfowl, as well as beaver, muskrat, deer and moose, not to mention various reptiles and amphibians.

Because of its near-wilderness surroundings and intact wetlands, Wolcott Pond is a joy to explore by canoe. At 74 acres, it is considerably shallower and smaller in surface area than the lakes and ponds in my neighborhood where internal combustion motorized craft are permitted, albeit with some restrictions: Valley Lake (88 acres), Greenwood Lake (96 acres), Nelson Pond (133 acres), Woodbury Lake (142 acres), and Nichols Pond (171 acres).

At the hearing, I suggested that ANR staff review the Water Resources Board’s “Chittenden Reservoir decision.” At the time, I did not have a citation with me, but have since dug up both the Board’s decision (In re: Petition to adopt rules regulating the use of Chittenden Reservoir, Town of Chittenden, Vermont, Docket No. UPW-02-02 (August

30, 2002) and the subsequent Supreme Court decision (Robert Beyers v. Water Resources Board, Entry Order, 2006 VT 65 (July 31, 2006)) affirming the Board's determinations.

I direct you to the Chittenden decisions and related Use of Public Water (UPW) Rules for several reasons relevant to the Wolcott Pond petition. First, the Chittenden decisions stand for the propositions that: (1) not all bodies of public waters are the same and adapted to all normal uses; (2) the Board (and now the ANR) has the authority and discretion to adopt lake-specific rules that distinguish between those normal uses that will be permitted and those that will not; (3) in making its determination as to which normal uses are appropriate for a given water body, the Board (ANR) may take into consideration both the specific characteristics of the water body in question and contextually the pattern of normal uses authorized on other lakes and ponds within the region (see UPW Rules 2.2 and 2.3); and (4) the Board may take into consideration and actually foster the protection and enhancement of water bodies which "currently provide wilderness-like recreational experiences" so as to provide for the continued availability of those experiences (see UPW Rule 2.11). Indeed, the Vermont Supreme Court upheld the Board authority to do these things, and found that its rules in prohibiting certain uses had a rational basis and were supported as a matter of law.

I note that there are some distinguishing facts between those considered by the Board in the Chittenden Reservoir petition and those now presently before the ANR with respect to the Wolcott Pond petition. First, as noted above, Wolcott Pond is a small body of water comprising 74 acres in surface area. In contrast, the Chittenden Reservoir is a whopping 702 acres. Second, the Chittenden Reservoir petitioners did not seek to ban all motorized watercraft, but rather to establish a 5 mile per hour speed limit and anti-wake rule, as well as prohibit such high speed activities as the use of personal watercraft and waterskiing. The regulations they proposed were appropriate for Chittenden Reservoir, given the large surface acreage, water body depth and configuration, and historical and normal uses of this public body of water, and regional lake-based recreational opportunities. In contrast, the Wolcott Pond petitioners have found, by experience, that their comparatively small pond is ill-adapted to use by watercraft operated by internal combustion motors, for environmental, safety, and aesthetic reasons. I need not repeat here the litany of concerns shared by others, but merely wish to point out that the ANR has the discretion to approve a rule that will "fit" the circumstances at Wolcott Pond, and provide and enhance opportunities for a wilderness-like recreation experience for users now and in the future, as contemplated by the UPW Rules. There are many other lakes in the region of north central Vermont, including those that I have mentioned above, which allow for the use of internal combustion motors and, in most instances, high speed water activities outside their 200-foot wake zones.

I strongly urge the Secretary of ANR to adopt the petitioners' rule for Wolcott Pond. That rule has the support of a great many pond users, adjacent property owners, scientists familiar with the pond's resources, and Town of Wolcott officials.

In closing, I wish to note that the opponents of the petition have a number of valid and heart-felt concerns which I believe need to be addressed, only in a different context and forum. One issue stands out, in particular; that has to do with the mechanism for funding boat ramp construction and other access areas improvements and to a certain extent enforcement activities. I urge the Secretary to look at the current funding mechanism to come up with a proposal that more equitably supports access area improvements, to include, but not be limited to, licensing fees or taxes on the sale of canoes, kayaks and other non-motorized watercraft. This proposal should be submitted to the Legislature for its consideration. Second, I urge the Secretary to make sure that all ANR proposals to improve or upgrade public access areas on public waters are reviewed consistent with standing ANR policies imbedded in the UPW and other agency rules, State Plans, and applicable regional and local land use plans. Hearings on the use of public waters should not be a forum to pit neighbor against neighbor on the question of who pays license fees and should have a bigger say in the rulemaking process. I also urge the Secretary to look for ways to better educate the public about the *benefits of*, not just the burdens imposed by, Vermont's UPW Rules in managing public waters for current and future users.

In closing, I congratulate ANR staff for their facilitation of the hearing at the Wolcott Town Offices. I also thank them for this opportunity to offer comment on the Wolcott Pond petition. I offer the above comments in my personal capacity as a citizen of Vermont and a user of Wolcott Pond. However, I wish to disclose that I was Legal Counsel for the Water Resources Board for more than a dozen years, before working a short time for the Natural Resources Board. I have worked the past seven years for the Vermont Department of Labor.

Should you have any questions about my comments, please do not hesitate to contact me.

Sincerely,
/s/ *Kristina L. Bielenberg*
Kristina L. Bielenberg

From: Lois Eby <leby@loiseby.com>
Sent: Wednesday, August 21, 2013 1:23 PM
To: Welts, Leslie
Subject: Support for Wolcott Pond a Quiet Pond

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms. Leslie Welts,

Thanks for a very well run hearing last night. I felt both sides had ample opportunity to express their views and did so well.

Wolcott Pond clearly belongs to the state and clearly is available to the public. No one is trying to change that. I trust these two points were well established in everyone's mind.

I also think everyone on both sides at the meeting last night wants the best for future generations. It is my belief that access to quiet ponds will be rare and precious in the future. That is why I support making Wolcott Pond a quiet pond. If someone wants their children to experience internal combustion engines they can go to other ponds in our area. But there are not many places like Wolcott Pond in the state, where people can enjoy water and wildlife on an undeveloped pond in relative quiet. We need to preserve this quality, as population pressures change Vermont.

I also think Wolcott Pond is too small for gasoline powered motors, whether used responsibly or not. Such engines should be used, and only with strict pollution controls, on larger ponds.

Thanks for listening,

Lois Eby

From: Welts, Leslie
Sent: Monday, September 02, 2013 10:17 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond

Sent from my iPhone

Begin forwarded message:

From: luke hardt <luke@hardtforestry.com>
Date: September 2, 2013, 7:15:19 AM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Wolcott Pond**
Reply-To: luke hardt <luke@hardtforestry.com>

Hi Leslie,

This is Luke Hardt a forester who manages much of the land around Wolcott pond. I was prompted to send you a note about making Wolcott Pond a quiet pond by Gail Osherenko. I do support this especially considering it's one of the few ponds left in the area without houses or camps lining the shoreline. The northern end is a leatherleaf and sphagnum bog rich in biodiversity but very sensitive to high wakes. Although engines are seldom on WP when they are they most certainly exceed 5mpr. This results in disturbed shoreline natural communities and noise pollution beyond what is necessary to navigate such a small piece of water.

Thanks for your time on this,

Luke Hardt

From: Welts, Leslie
Sent: Tuesday, September 03, 2013 10:12 AM
To: Fechter, Kathy
Subject: FW: Wolcott Pond

From: Mary Jane Dexter [<mailto:mrjndexter@gmail.com>]
Sent: Tuesday, September 03, 2013 8:31 AM
To: Welts, Leslie
Subject: Wolcott Pond

Dear Ms. Welts,

I was unable to attend the meeting re: "quiet pond." I live handy by Zack Woods Pond and have long known the beauty of a "quiet pond." There is beauty in that pond - protection, quiet, inspiring.

I use a very light one-person canoe, as do many of the older paddlers. Using any pond that permits power boats is a danger for me. The wash can be very tricky

to handle! And the power boats on Wolcott Pond show little consideration for small craft.

When the 5mph signs were put up, I thought that would do the trick. But, in a power boat, I observe that its tendency is just to "let 'er rip!" And how do you offer control for birds and beasts?

Please seriously consider a "quiet pond" designation for the many boaters who wish to be preservers - not destroyers - of this beauty spot of northern Vermont. sinc - Mary Jane Dexter

MICHAEL GOHL ARCHITECT

138 South Main Street P.O. Box 1070
Hardwick, Vermont 05843.1070
802.472.6547

18 August 2013

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620
leslie.welts@state.vt.us

Attention: Leslie Welts

RE: Public Comments for Wolcott Pond – the quiet pond

Dear Leslie,

Thank you for allowing the public to comment on whether or not Wolcott Pond should be given “quiet pond” status.

Several reasons come to my mind why Wolcott Pond should a quiet pond.

1. The elimination of internal combustion engines from traveling on the Pond supports the Agency’s mission to reduce Vermont’s carbon footprint;
2. Wolcott Pond has a fragile ecosystem that needs protection from gasoline and oil pollution - i.e. seepage and spills;
3. Wolcott Pond has a fragile Loon population that needs protection from pollution and fast moving boats. Mandating low speed limits alone does not ensure Loon protection;
4. Many tourists visit Vermont to relax and enjoy our natural resources that have all but disappeared from their own backyards. Wolcott Pond is one such natural resource that is still viable;
5. Tourists who visit our State with the tools (paddles) to lower the carbon footprint help promote our collective mission.

If you still doubt that Wolcott Pond should be a quiet pond, I invite you to paddle the pond after a hectic day at work! Actually, any time of day or night is a good time to paddle.

Thank you.

Michael Gohl

From: Welts, Leslie
Sent: Thursday, August 29, 2013 11:55 AM
To: Fechter, Kathy
Subject: FW: Wolcott Pond comments
Attachments: 13.08.18 FOWP.pdf

From: michael gohl [<mailto:gohlfish@vtlink.net>]
Sent: Thursday, August 29, 2013 8:50 AM
To: Welts, Leslie
Cc: Gail Osherenko
Subject: Wolcott Pond comments

Good morning Leslie,

As a Vermont taxpayer and Wolcott resident, please add my comments to the testimony for maintaining the quiet on Wolcott Pond. With improved electric motor design I personally see no reason to allow the continued use of internal combustion engines on such a small pond. My comments are pasted below just in case the attachment cannot be opened.

Thank you.

Michael

Michael Gohl Architect
gohlfish@vtlink.net
802.472.6547

MICHAEL GOHL ARCHITECT

138 South Main Street P.O. Box 1070

Hardwick, Vermont 05843.1070

802.472.6547

18 August 2013

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620
leslie.welts@state.vt.us

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Michael

MICHAEL GOHL ARCHITECT

138 South Main Street P.O. Box 1070
Hardwick, Vermont 05843.1070
802.472.6547

18 August 2013

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Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620
leslie.welts@state.vt.us

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Thank you.

Michael Gohl

From: Welts, Leslie
Sent: Monday, September 02, 2013 10:17 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond

Sent from my iPhone

Begin forwarded message:

From: Nadine Budbill <wordfierce@yahoo.com>
Date: September 2, 2013, 5:54:46 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Wolcott Pond**
Reply-To: Nadine Budbill <wordfierce@yahoo.com>

Dear Ms. Welts,

I am writing in support of the petition to make Wolcott Pond a "quiet pond." I grew up in Wolcott (I now live in Marshfield) and have spent much of my life swimming and paddling around Wolcott Pond. It is truly one of my most favorite places on earth. Banning outboard motors on the pond seems like a logical step to protect the beauty and tranquility of the place. Whenever I am there and there is a motor boat on the pond it always surprises me as it seems like a place where that would not be allowed.

Thank you for your time and consideration

Sincerely,
Nadine Budbill
7588 US RT 2
Marshfield, VT 05658

From: Nancy Segreto <nancysegreto@gmail.com>
Sent: Thursday, August 01, 2013 10:14 PM
To: Welts, Leslie
Subject: Wolcott pond

Dear Leslie,

I am a resident of Elmore and I am requesting Wolcott pond be designated a Quiet pond without the sound of loud engines. This is for the enjoyment of people and wildlife, especially the loons. I wish Lake Elmore would do the same.

Thanks,

Nancy Segreto

From: Welts, Leslie
Sent: Sunday, September 01, 2013 9:19 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond Petition-Public Comment
Attachments: August 31.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: nathan smead <natesmead@gmail.com>
Date: August 31, 2013, 10:03:19 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: Wolcott Pond Petition-Public Comment

Attached is my public comment for the Wolcott Pond Petition. Please confirm receipt.

Thanks

Nate Smead

August 31, 2013

To: Leslie Welts

Re: Wolcott Pond Petition

Please include this letter as public comment about the petition to ban boats with internal combustion engines on Wolcott Pond.

I attended the public hearing in Wolcott last month. Prior to attending the meeting, I had thoroughly read the petition and anticipated that the Friends of Wolcott Pond would present stacks of evidence supporting this petition.

I expected to hear numerous accounts of phone calls to law enforcement complaining about violators on the pond.....I heard none.

I expected to hear about numerous arrests or citations for individuals violating the existing 5mph ordinance.....I heard none.

I expected to see stacks of photographic evidence to show there is a real problem with motor boats.....I saw none.

I expected to hear evidence of fuel spills endangering wildlife and aquatic plants.....I heard none.

I expected to hear ecological evidence that the mere use of internal combustion motor boats damages or threatens the Wolcott Pond ecosystem.....I heard none.

I expected to hear professional testimony that would underscore an imminent need to ban all gas powered vessels.....I heard none.

What I did hear was a group of people that obviously love the pond and hold it near and dear to their hearts.

I heard a lot of emotion, but it simply wasn't backed by fact or substance.

I thought it was quite telling when one petitioner said, "don't tell people how beautiful OUR pond is, we already have enough people visiting it!". There were several other instances where petitioners used words such as: "OUR", "WE", and "US". Their own words make evident a sense of "ownership" of the pond. This sense of "ownership" does have a positive side, as these individuals may be on the lookout for anybody doing real harm to the pond's environment. However, when these folks cross the line of genuine concern and attempt to alter the rights of other Vermonters, we must take a close look at their motives. I believe this sense of ownership has morphed into a desire for exclusive enjoyment of "their" pond. The verbal evidence suggests that this petition is an attempt to maintain a sort of quiet, private oasis.

I heard testimony that usage by owners of gas powered boats is quite low. The petitioners used this testimony to say (paraphrased) *there aren't many gas boats anyways, so it shouldn't be a big deal to*

just ban them altogether. I don't agree with this line of reasoning. It's no different than saying, *because there aren't many motorcycles that use a certain stretch of road, we should ban all motorcycles on that stretch.* That simply doesn't make sense!

At the end of the day, we have one small group that's attempting to exclude another small group. The problem is that the small group they want to prohibit, represents all Vermont residents. Insert the Public Trust Doctrine and it's clear that this group of landowners does not, by reason of law, enjoy exclusive enjoyment rights to this pond.

The petitioners kept pounding the desire for a "quiet pond". This wish is based entirely on subjective opinions. Two kayakers conversing across the water could very well create more measurable sound than a gas powered boat traveling at 5mph. What is the measure of a "quiet pond"? If "quietness" is the ultimate desire, should we also limit the amount of talking allowed on the pond? Should we prohibit the use of gas powered string trimmers and lawn mowers within earshot? Should we force camp owners to install rubber stops on their doors to reduce the sounds of doors closing? Should we force canoeists to wrap their paddles with sound dampening material? Of course we shouldn't, but I use this ridiculous line of questioning to make a point.

It is not fair to exclude one group of users simply because a few land owners have petitioned the State to do that. There must be sound and solid biological, ecological, and/or sociological evidence to support this exclusion.

The burden of proof lies on the petitioners. It is their duty to provide overwhelming evidence. It is their duty to prove their petition is in the best interest of ALL VERMONTERS.

I submit that the petitioners have fallen grossly short of providing any such evidence. The regulations on the pond should remain as is, and any rogue "law breakers" should be dealt with by enforcing the current regulations.

Thank you for considering my comments.

Nate Smead

Friends of Berlin Pond

From: Welts, Leslie
Sent: Sunday, September 01, 2013 9:20 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond Petition-Public Comment
Attachments: August 31.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: nathan smead <natesmead@gmail.com>
Date: August 31, 2013, 10:16:02 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: Re: Wolcott Pond Petition-Public Comment

Here is a PDF of my letter, in case you can't open my old version of Word.

Thanks

Nate

On Sat, Aug 31, 2013 at 10:03 PM, nathan smead <natesmead@gmail.com> wrote:
Attached is my public comment for the Wolcott Pond Petition. Please confirm receipt.

Thanks

Nate Smead

August 31, 2013

To: Leslie Welts

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Thank you for considering my comments.

Nate Smead

Friends of Berlin Pond

of Wolcott Pond for over
10 years.

One of the things I love best
about Wolcott Pond is its
relative small size + that it
has only seasonal use structures
which add to the inherent
wilderness quality of the habitat.
The loon population has been
allowed to nest + thrive with

8-20-13

Dear Review Board,

I am not a land owner in
Wolcott, but rather Hyde Park, VT

I am a kayaker + loon observer
in part for the Loon Recovery Project
headed by Eric Hanson. I have
been paddling, observing loons +
photographing the pond life

u'g



out hindrance from wake activity — they rest very close to the waters edge.

Image on this card shot on Waldcott pond.

relatively
of outboard
as the pond

HAYMAKER PRESS

PHOTOGRAPHY BY
ORAH MOORE

www.haymakerpress.com

www.facebook.com/haymakerpress

There is little wsl motor boats is small canoes + also seem quiet



6 10370 48398 5

out fisher men in electric motor boats to love the relative Nature of the Pond — ORAH MOORE

⊕ \$2.95
Rising Above DM307

about setting aside
Natural beauty into
National Parks - preserving
places for people to
contemplate nature
some what free from
the hassle + bustle
of life. In so making a few
Ponds in Vermont that
already have a wilderness
nature "Quiet Ponds" it
allows for some of what
Muir + Roosevelt treasured

8-22-13

Dept. of Environ. Conservation,

Here's my second card
in favor of making
Wolcott Pond into a
Quiet Pond

(This image on the
card was shot at
Wolcott Pond)

I am going to invoke
the spirit of Teddy
Roosevelt + John Muir
in siting their thoughts

if all ponds are open
 to outdoor motorboats
 + canoes + kayakers
 alike, and turmps quiet.
 I don't ~~choose~~ choose to
 go paddling looking for
~~the~~ flora + fauna on
 ponds + lakes that
 foster recreational
 activity

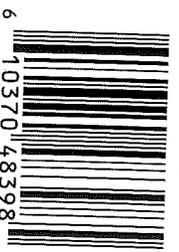
HAYMAKER PRESS

PHOTOGRAPHY BY
 ORAH MOORE

www.haymakerpress.com
 www.facebook.com/
 haymakerpress

outboard motor-boats - \$1 here to
 make ski. there is a
 place for each.

-Oran Moore
 Lone Heron DM293



0.7m

From: Welts, Leslie
Sent: Saturday, August 31, 2013 5:28 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond petition
Attachments: WolcottPond.comments.doc; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: Oran Young <oran.young@gmail.com>
Date: August 31, 2013, 5:26:28 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: Gail Osherenko <gail.osherenko@gmail.com>
Subject: Wolcott Pond petition

Dear Ms. Welts,

Please include the enclosed letter in the file relating to the petition to ban the use of internal combustion engines on Wolcott Pond.

Thank you,

Oran R. Young
Research Professor
Bren School of Environmental Science and Management
University of California
Santa Barbara, CA 93106-5131

(805) 893-8747 office
(805) 284-3386 cell

Oran R. Young
1325 East Hill Road
Wolcott, VT 05680

30 August 2013

Watershed Management Division
Department of Environmental Conservation
Montpelier, VT 05620
Attn: Leslie Welts

Dear Ms. Welts and Others,

I write in support of the petition to ban the use of internal combustion engines on Wolcott Pond.

I have had a close association with Wolcott since my father came here in the 1940s and became one of the pioneers in plantation grown Christmas trees. I worked planting trees as a kid growing up, bought land of my own in town in the 1960s, and lived in Wolcott fulltime for a number of years until my work as a university professor made it necessary to move elsewhere. I still maintain a home in Wolcott and live here about three months out of the year.

My reasoning in defense of the petition is straightforward. Society encompasses groups with differing preferences regarding recreation, and it is desirable to be responsive to all to the maximum degree possible. Some people prefer types of recreation (e.g. water-skiing, jet-skiing, some types of fishing, and sightseeing) that are best done using internal combustion engines. This is perfectly legitimate. Others prefer types of recreation (e.g. canoeing, kayaking, birding, and the enjoyment of nature) that are best done on quiet ponds. This is legitimate, too.

The problem arises in cases where these preferences conflict. This is most apt to occur on relatively small lakes and ponds, such as Wolcott Pond, where the noise, oily residues, and general disturbance associated with internal combustion engines degrade or even undermine the enjoyment of those engaged in activities best done on quiet ponds.

What is to be done in such cases? The answer, I suggest, is to introduce what amounts to a system of zoning, allowing the use of internal combustion engines on some lakes and ponds but banning their use on others.

There are several lakes and ponds in our area that do allow the use of internal combustion engines. These include Lake Elmore, Lake Eden, Caspian Lake, Eligo Pond, and both Big and Little Hosmer Ponds. The main quiet lakes and ponds in the area are Long Pond and the Green River Reservoir.

Wolcott Pond has a number of features that make it appropriate for inclusion in the category of quiet ponds. It is too small to be appealing to those wanting to water-ski or jet-ski. Because it is one of the most undeveloped ponds in the area, it has long been attractive to those who prefer various quiet forms of recreation. In fact, the bulk of those who do use Wolcott Pond for recreation are those engaged in quiet activities.

My wife and I own a parcel of land bordering on Wolcott Pond. Working with the Vermont Land Trust we have donated a conservation easement on this land with the explicit intention of helping to keep the pond undeveloped and suitable for quiet forms of recreation. We are delighted to see those interested in quiet forms of recreation enjoying the pond, and we hope that our actions will help to maintain the attractiveness of the pond for these recreationists for a long time to come.

Yours sincerely,



Oran R. Young

From: Welts, Leslie
Sent: Saturday, August 31, 2013 10:59 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond - Quiet Pond Status
Attachments: Wolcott Pond_ Quiet Pond Status_Paul Berkman_30AUG13.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: Paul Arthur Berkman <paul.berkman@digin.co>
Date: August 31, 2013, 10:13:12 AM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: Paul Berkman <paul.berkman@digin.co>
Subject: **Wolcott Pond - Quiet Pond Status**

[SIGNED LETTER ATTACHED]

30 August 2013

Attention: Ms. Leslie Welts
Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620

Re: Quiet Pond Status for Wolcott Pond

Dear Ms. Welts,

As a landowner on Town Hill Road in Wolcott, along with my wife Dr. Julie Anne Hambrook Berkman, I am writing to strongly support the designation of Wolcott Pond as a quiet pond.

I have been enjoying the solitude, peaceful surroundings and wildlife of Wolcott Pond since the late 1980's. It has been a special pleasure each and every visit to Wolcott to be able swim across Wolcott Pond without the noise of engines and motors that exist elsewhere in our world.

Wolcott Ponds provides an idyllic opportunity to listen to the birds and wind, to hear the calls of the loons in the distance, to marvel at the beaver dens and to relax far from the madding crowd. Canoes and quiet passage represent the tradition of boats in Wolcott Pond.

The tranquility and nature of Wolcott Pond – let alone the safety of swimmers – are compromised by noisy boats with motors spreading films of oil. The presence of even a single gas-powered motorboat can be heard anywhere and everywhere in Wolcott Pond.

I imagine that concerns of the motorboat owners may resonate well within some agencies that are concerned more with revenues than wildlife. However, catering to these loud voices will do more harm than good because it will tarnish the reputation of Vermont as the *green mountain state*.

Every accessible body of water in Vermont should not be open to motorboats. Let the noisy motorboat enthusiasts go to the larger bodies of water where their presence makes no difference.

Sincerely,

Prof. Paul Arthur Berkman
Chief Executive Officer

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8748 (20130831)

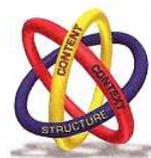
The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8748 (20130831)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



Dig_In

Digital Integration Technology Ltd
6 Caxton House, Broad Street,
Great Cambourne,
Cambridge, CB23 6JN

t_ +44 (0) 1954 710720
e_ info@digin.co
w_ www.digin.co

30 August 2013

Attention: Ms. Leslie Welts
Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620

Re: Quiet Pond Status for Wolcott Pond

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Sincerely,

Prof. Paul Arthur Berkman
Chief Executive Officer

Registered Address:
6 Caxton House, Broad Street,
Great Cambourne, Cambridge, CB23 6JN

VAT_979185064
COMPANY NO_05150664

From: Welts, Leslie
Sent: Saturday, August 31, 2013 11:24 AM
To: Fechter, Kathy
Subject: Fwd: Petition to Designate Wolcott Pond as Quiet Pond

Sent from my iPhone

Begin forwarded message:

From: "phbertocci@comcast.net" <phbertocci@comcast.net>
Date: August 31, 2013, 11:23:05 AM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Petition to Designate Wolcott Pond as Quiet Pond**

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 0562

Dear Ms. Welts:

My family has owned a home on Town Hill Road in Wolcott for over fifty years. It was the retirement home of my deceased parents and now is the vacation home of their four children, including myself. We value this home and the roughly 200 acres of woodlands and fields surrounding it as a rural retreat with memories of my mother's farm background growing up on dairy farm near Chester Vermont. Our land borders on Wolcott Brook, which flows out of Wolcott Pond, and over the years, we have especially enjoyed the quite unique wilderness like experience of this pond which has for the most part escaped development and due to the concerns and commitments of the landowners bordering the pond, appears to be on a path for even further protection from development. Wolcott Pond may not be Thoreau's Walden Pond, but it has qualities which help to keep some of Thoreau's feelings alive and appreciated in the present day. This letter is in support of the Petition of the Friends of Wolcott Pond for a rule barring boats powered by internal combustion engines from Wolcott Pond.

The main threat to the tranquility of the Pond comes from boats powered by gas outboard motors -- the 5 mph legal limit is unenforceable, because it is impossible for us to determine how fast a boat is going, to document that speed and even to determine the identity of the violator. Obviously, neither the State nor the town has the resources to post a law enforcement person at the Pond on a full time basis or anything approaching that. Banning the gas outboard motors would accomplish much more effectively what the the present unenforced and unobserved speed limit was intended to accomplish; it would establish a clear prohibition that could be more easily enforced by community pressure against obvious violators. It would thus help to reduce the noise level and the disturbance to the Pond waters which fast moving boats create. We believe that the wilderness environment of Wolcott Pond merits effective protection -- and will in the coming years, because of the unusual easy access from the boat landing, become an even greater treasure to be shared with quiet users not only from the local community, but from the whole region and beyond.

Thank you for your consideration of this Quiet Pond Petition.

Sincerely,

Philip A. Bertocci
1436 Town Hill Road
Wolcott, VT 05680

2002 Spring Garden St., Apt. 1R
Philadelphia, PA 19130

From: paul spitzer <spitzer_paul@hotmail.com>
Sent: Sunday, August 11, 2013 6:39 PM
To: Welts, Leslie
Subject: Wolcott Pond: please, no internal combustion motors

Vermont Dept. of Environmental Conservation
Watershed Management Division
Montpelier, VT 05620
a'ttn: Leslie Welts

Dear DEC,

I have been canoeing and swimming in Wolcott Pond for 30 years. It is a small pond, well known for its serenity and value to fishermen and wildlife.

Its protected watershed and regulated use have preserved its environmental quality. This stands in sad contrast to the Hosmer Lakes and Elligo in nearby Craftsbury, which are vulnerable to agricultural runoff and exhibit dense growths of Eurasian watermilfoil and other problems.

Paddled craft or electric motors are quite adequate to the modest size of Wolcott Pond, and will help preserve its very high quality aquatic environment. A ban on internal combustion motors will help to preserve the remarkable recreational experience on Wolcott Pond--of which Vermonters can be proud.

Sincerely yours,

Paul R. Spitzer, Ph.D.
31672 Old Orchard Rd.
Trappe, MD 21673

From: Paule Bezaire <lasmalabirth@gmail.com>
Sent: Friday, August 09, 2013 12:12 PM
To: Welts, Leslie
Subject: Wolcott pond a quiet pond

Greetings,

I support the petition making Wolcott Pond a Quiet Pond by keeping internal combustion engines off of the pond. This pond is too small and its wildlife too precious to legitimate engine usage.

Sincerely

Paule

**Vermont Agency of Natural Resources
Department of Environmental Conservation**

PUBLIC MEETING FOR WOLCOTT POND PETITION

August 20, 2013

Please list your name, e-mail address to speak and to receive notice of the final decision on the petition.

Name	E-mail Address	Support or oppose petition?
✓ Dean Lafont	dclafont@gmail.com	OPPOSE
✓ Steve Young	sbyoung@pshift.com	support.
✓ Mary Frederick	20 Camp Rd. FUMORE	support
→ Jan Roy	janr@pshift.com	support
✓ Sara Sherene	s.sherene@btinternet.com	"
✓ Stephen Schneps	stephenschneps@yahoo.com	support
✓ Bull Eye Cotton	JOSIEREB@AOL.COM	Support!
✓ Nathan Lyfont	nwl1995@yahoo.com	Oppose
✓ Leon Whitcomb	Lwhitcomb@aol.com	Support
✓ Rhonda Bedell		Support
✓ Oran Moore	orahmoore@gmail.com	support
✓ Jeff J. Hill	stoneuser@aol.com	oppose
✓ Cedric SANBORN	RLARCHERY@AOL.COM	OPPOSE
✓ Nate Smead	Natesmead@gmail.com	oppose
✓ STEVE MULLER	sbmvt@aol.com	oppose
✓ CLINT GRAY	CLINTGRAYVT@yahoo.com	Opposed
✓ William J. Morrison	wmorrison@myfairpoint.net	support

**Vermont Agency of Natural Resources
Department of Environmental Conservation**

PUBLIC MEETING FOR WOLCOTT POND PETITION

August 20, 2013

Please list your name, e-mail address to speak and to receive notice of the final decision on the petition.

Name	E-mail Address	Support or oppose petition?
✓ Ed Lowell	Box 163 Wolcott	opposed
✓ Gordon Young	gordon.young.vt@gmail.com	Support
✓ DAVE GAGNIER	dmgagnier@comcast.net	opposed
✓ Dana Jourdan	djtech ³⁶ @Hotmail.com	opposed
✓ Belinda Cleary, Select Board Chair	wolcott@pshiff.com	Support
✓ Gail Osherenko	gail.osherenko@gmail.com	support
✓ Kristina Bieleberg	krisbiel3@yahoo.com	support
✓ Marci Henderson	marcia@vtkeepsake.com	Support
✓ Michael Gohl (Florence Falk to read us letter)		Support
Don Eaton	donald.eaton@jso.edu	
CATE GARVEY	Categarvey@unfarnpoint.net	Support
Phyllis Emerson	janp@pshiff.com	owner
Lois Eby	leby@loiseby.com	Supporter
Philip Bertocci	pbertocci@dsphila.org	Supporter

From: kevin lawrence <ned641@myfairpoint.net>
Sent: Monday, July 15, 2013 8:21 PM
To: Welts, Leslie
Subject: Wolcott Pond

Dear Regulatory board:

I would like continue using outboard motors on Wolcott Pond. My time there is discreet I bring aged people who benefit from outboard power. Thanks. Kevin Lawrence, Newbury, VT 05051

From: Finnie, Patrick
Sent: Tuesday, July 16, 2013 8:36 AM
To: Welts, Leslie
Subject: Wollcott Pd.

Ms. Welts,

It has come to my attention that there is going to be a hearing on the use of Wollcott Pd. On the 20th. I can't attend but feel it necessary to express my opinion on this topic as I was involved in a similar issue on #10 Pond in Calais a few years ago where the surrounding property owners felt they had the right to impose their collective will on the rules governing the use of that lake, and petitioned to do so. As I stated at that time that resource is owned by the people of the State of Vermont, not a few select land owners. In this day and age we should be working towards opening access to those who want to use a resource not limiting their opportunities. I have seen #10 go from an unrestricted use pond to what it has become today, an oversized swimming pool. Because of the speed limits on the lake it is hard to find a spot in the Vt. Fish & Wildlife access area some days to park a vehicle and boat trailer, and we are the one (sportsman) who through our hunting and fishing licenses, bought and maintain these accesses It is quite often full of cars parked there by kayakers, canoers, and swimmers,(who pay nothing!) making it impossible for a fisherman to find a parking spot to park their vehicle. Heaven forbid that you point out the regulations that are posted there to someone who is miss using the access, you're in for an argument or worse. Even if you can find a spot, once you get out there because of the 5 mile an hour speed limit, swimmers, kayakers, and canoers are so brazen about their "Right of Way" that they create dangerous situations for themselves and everybody else. I would hate to see another pond go the way of #10. Please take this into consideration before you go and recommend new limitations on any more water bodies regardless of where they are.

Most Sincerely, Patrick Finnie

From: rlarchery@aol.com
Sent: Thursday, August 29, 2013 10:47 AM
To: Welts, Leslie
Subject: Comments - Wolcott Pond Petition

Cedric (Rick) Sanborn

106 Lyman Road

Barre, VT 05641

80-476-0617

rlarchery@aol.com

RE: Wolcott Pond Petition

Dear Leslie –

Interesting meeting on the 20th. Well attended, lots of passionate people. I did testify at the meeting and this e-mail will serve to expand upon that testimony and to rebut some of the arguments presented by those in favor of banning internal combustion engines from the pond. To be warned, I write longer than I speak, so this has the potential to be lengthy.

The first statement of course is to take the position that I am opposed to the prohibition of internal combustion engines on Wolcott Pond. And as I stated I am primarily a paddler of Vermont's lake ponds having canoed for 30 years and 10 kayaked for the past 10. In all of the 100's of outings my wife and I have gone on we have never had a confrontation with some one in a motor boat nor have we ever felt threatened or intimidated. Most of people we encounter these days on the water with motor boats are groups of friends or family who are doing the same thing I am – enjoying the natural resources that Vermont has to offer. Whether fishing or just touring around the pond. We all enjoy the same thing, we just do it differently.

Which brings us to the biggest argument for NOT banning motor boats from Wolcott Pond – Title 29: Public Property and Supplies, Chapter 11 – Management of Lakes and Ponds – 29 V.S.A. section 401 – Policy. This is known more commonly as the Public Trust Doctrine. And the opening sentence is “Lakes and ponds which are public waters of Vermont and the lands lying thereunder are a public trust, and it is the policy of the state that these waters and lands shall be managed to serve the public good.” “Public Good” is defined by statute as “that which shall be for the greatest benefit of the people of the state of Vermont”.

This followed up by 10 V.S.A. section 1424(c), which states –“The secretary shall attempt to manage the public waters so that the various uses may be enjoyed in a reasonable manner, in the best interests of ALL the citizens of the state. To the extent possible, the secretary shall provide for all normal uses”

Which brings us to – taking away from one group in favor of another does meet the policies set out above. We all, as citizens of the State of Vermont, have an equal right to utilize the state's natural resources (with some basic common sense restrictions). The citizens in the greater Wolcott area have no more or less right to use and enjoy Wolcott Pond than some one from Bradford or Brattleboro.

I do frequently fish from my kayak which is a different experience than fishing from a canoe which is again different from fishing from a motor boat (yeah – I do that on occasion also). And as the quiet pond, paddler group tries to convince us that the motor boat folks could just go out and buy a trolling motor (\$200 - \$500, depends on the size of the boat), and a deep cycle marine battery (\$100), and a battery charger (another \$50 or so) – remember it is always easy to spend other peoples money.

There are those who do not have a paddle boat, don't want one, can't physically use one, or it just doesn't fit the life style. Their only way to enjoy the pond is to use a motor boat. And we should deny them the experience of enjoying the pond because they use a different method of transportation? I think not. We can and should all play together in the sand box. And people with motor boats are drawn to the smaller ponds just as those with paddle boats are.

Being on Wolcott Pond is certainly a great experience – when you take the dark brown water combine it with the full blossom white water lilies on a bright summer day. Way cool!. And this should only be enjoyed by paddlers, because why? Other ponds provide different experiences because they and the land around them are different. Owned by all the people of Vermont, regardless of what town you live in. And must be accessible to all classes of users.

One of the comments made during the hearing was that there were plenty of other ponds that the folks with the gasoline motors could go to fish or view wildlife, and those who wanted Wolcott Pond to be a quiet pond were not really asking all that much, just one pond, and of course convenient access for those who live in the Wolcott area. So I pulled out my 2013 copy of the Vermont Fish & Wildlife Regulations and went to the Index of Lakes and Ponds which as well as listing each lake and pond also indicates whether or not internal combustion engines are allowed along with other boating restrictions (such as allowable speed limits). For Lamoille County there are 8 ponds (quiet ponds) listed that have a 5 mph restriction and prohibit internal combustion engines. Included in this list is Green River Reservoir which is 554 acres. There is only one (1) pond in Lamoille County with a 5 mph speed limit that allows internal combustion engines – Wolcott Pond. There are 2 larger ponds/lakes that have are to internal combustion engines and have no speed limit (Eden Lake -194 acres and Elmore Lake – 210 acres). Waterbury reservoir – 839 acres, is on the list as well but that predominately in Washington County. Six (6) of the restricted ponds are in Wolcott or Hyde Park. Seems like there is plenty of lakes and ponds immediately available for those looking for a quiet pond. If not then there are 2 more quiet ponds just down the road in Hardwick (Caledonia County)

So it would appear that these lakes and ponds are not really being managed for the “public good” as defined. And in Lamoille County boaters looking to enjoy the experience of being on a smaller pond are being treated a second class citizens. So Wolcott Pond very much needs to remain available to internal combustion engines.

As I testified, there is really no such thing as a “quiet pond”, only in as much as gasoline motors are excluded. People make noise where ever they go, and are seldom quiet. My vision of a “quiet pond” is a smallish one, under 100 acres or so that is not subjected to a lot of outside (off pond) noise. On pond noises of talking, small motors, and paddles hitting the side of a canoe or kayak are just part of the experience, and a sign of others enjoying one of Vermont's natural resources. . Off pond noises of car doors and screen doors slamming, loud groups of people, lawn mowers, repairs/maintenance and building projects, traffic on an adjacent road, the playing of loud music etc. are things that make a pond not a “quiet pond”.

And I can relate with the people who live adjacent and near the pond which is a very quiet setting, except of course when they are making their own noise (such as mowing their own grass or the state is mowing the access area). I live at the end of a sparsely populated dead end road, which puts me at the top of the ridge, where there is minimal background noise. And yes, when sitting on the porch swing, I do hear the cars on the lower gravel road which is over a half mile away through wooded lands. Noise levels are relative to the background we are accustomed to.

And it is impressive to see the people who own the land around the pond protect it from development and to build their camps back from the edge of the water to minimize the visual impact from the pond. But it doesn't give them ownership of the pond itself. And even though they all acknowledged that the pond belongs to the State of Vermont, nobody said it with much enthusiasm or conviction. And other than the fact they don't like internal combustion engines, nobody had a compelling reason to ban motors. Saving the planet from pollution is not a valid reason, I probably burned 4 gallons of gasoline to get to and from Wolcott for a 2 hour paddle. Had I used a motor boat it would not have added very little to the fuel usage for the day.

I heard the petitioners speak of a significant increase in boating activity on the pond this year. They specifically mentioned canoes and kayaks. I didn't hear a reference to an increase of boats with gasoline engines. That appears to be a very small number of users, who whether fishing or just viewing are enjoying the pond along with everyone else. And as they spoke of the increase in paddlers and how all were welcome to use "their" pond, I caught a hint of an under current where I really thought for a moment someone was going to say that the pond was being over used and it was cutting into their own quiet enjoyment of the pond. Can't say that of course in a public hearing but you can think it.

A select board member from Wolcott stated that the Town of Wolcott had voted to make Wolcott Pond a quiet pond. She went on to explain that the planning commission had inserted language to that effect in the town plan and that Select Board had then approved the plan. That is really not the same as taking a formal vote or putting the question to ALL the voters. A town plan is a non-regulatory document that lays out the goals and desires of the town and along the way addresses 11 planning criteria required by the state. I was on the Barre Town Planning Commission in 1988 when the Barre Town's first town plan was written and I am still there as we write the 2013 version. We (as all planning commissions do) put in goals that are important to us, that are then ultimately approved when the select board adopts the plan. I would guess over 90% of the town residents are totally unaware of what is in the town plan until something comes up that impacts them personally. And the big issue here, the Wolcott Planning Commission and Select Board have proposed rules on property (Wolcott Pond) that they don't even own or control. The land around the pond – yes. The pond itself – no.

There seems to be a few individuals with power boats who either don't know the restrictions that have been placed on the pond (quite clearly posted), or who just don't care. Trust me none of the other pond users want them there. One of the speakers made note that every boat has a registration number on it in 3" high numbers. I would also offer up that for a boat on Wolcott Pond there is only one way on and one way off and that is the boat ramp. Pretty easy to read the registration number from there. And citizens shouldn't get into confrontations with others. That is why we have law enforcement agencies. Which leads me to - one doesn't even have to be standing at or near the access when the law breakers return to the access. Pretty sure parked in the lot is a motor vehicle with a boat trailer attached. They both have license numbers, call it in while the boat is still out on the water.

So I guess that is it. Please oppose the petition to ban internal combustion engines.

Thanks for the chance to comment

Rick Sanborn
R&L Archery
70 Smith St
Barre, VT 05641
802-479-9151
802-476-1377 (fax)
www.RandLArchery.com

From: Welts, Leslie
Sent: Tuesday, September 03, 2013 4:50 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond

Begin forwarded message:

From: "saraglennie@googlemail.com" <saraglennie@googlemail.com>
Date: September 3, 2013, 4:47:20 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Wolcott Pond**

Dear Leslie,

I am only just back in e-mail contact having spent the past month at my family camp on Wolcott Pond.

I would like to support the clearly articulated case outlined by Steve Young in his recent letter to you and re-emphasise the point that I made at the hearing:

Wolcott offers an increasingly rare opportunity for people to be in close relationship with the natural world. In my experience (almost 70 summers there) this matters to all who take the time to be still in that pristine environment, it offers some balance in an increasingly chaotic and unpredictable world. Motor traffic adds nothing to the nature and quality of the pond- it serves only to meet the needs of a few and detracts and potentially harms the sensitive Eco system valued by many.

Yours sincerely

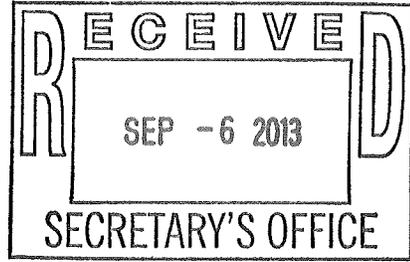
Sara

Sent from my iPhone

August 29, 2013

Vermont Agency of Natural Resources
Secretary's Office

1 National Life Drive, Davis 2
Montpelier, VT 05620-3901



Dear Sirs or Madames,

Due to prior commitments I was unable to attend the hearing to outlaw motors on Wolcott Pond; So now I take this opportunity to express my feelings.

As I understand one of the so called "Friends of Wolcott Pond" spoke of being here over fifty years. Well I've been here for over Seventy. My family was the fourth to settle Wolcott and loved and used this pond as their diaries clearly state and my family still uses the pond.

This little group has for years tried to make Wolcott Pond their own private pond. I take real exception to this as this water belongs to all of us and I hope you will take this under consideration. This is not just their pond.

Thank you.

Stephen A Hill

Stephen A. Hill
1421 Marsh Road
Wolcott, VT 05680
802.472.5988

From: Sbmcvt@aol.com
Sent: Wednesday, August 21, 2013 1:46 PM
To: Welts, Leslie
Subject: Vermont Traditions Coalition Public Comment Re: Wolcott Pond

Follow Up Flag: Follow up
Flag Status: Completed

Dear Leslie & Whom It May Concern:

As indicated in my oral presentation last night, Vermont Traditions Coalition opposes the petition to make Wolcott Pond a quiet pond, and VTC opposes kicking out motor boats or any other normally used motorized equipment such as ice fishing augers and ice fishing transport vehicles.

As indicated last night, VTC is a statewide coalition with a strong component from Vermont's sporting community. The coalition also includes snowmobile, farm, maple, forest product, outdoor guide, and some lake association interests. VTC's mission is to protect and promote traditional rural Vermont activities including the tradition of motorized recreation practiced for generations on Wolcott Pond

After listening to all of the testimony in favor of the motorized ban, it seems to this listener that the essence of their argument is that the petition supporters just don't like motor boats.

The August 18 Written Comment of Jeff Hill contains his direct experience as a Department of Fish & Wildlife Game Warden and that of his successor concluding that the motors have no adverse impact on water quality or pond habitat. The testimony regarding loons thriving on Nelson Pond in Woodbury despite much more widespread public motorized and non-motorized usage than Wolcott Pond underscores this point. As last night's testimony indicated, history has shown that the Loon Recovery Program (VLRP) has been a huge success and the population is thriving across Vermont regardless of whether there is motorized recreation or not. Furthermore, the VLRP and most non-game wildlife programs are funded, in large part, by hunters and anglers.

Mr. Hill's letter also does a very good job of outlining the reasons to allow motorized boats. Besides his well-articulated reasons in paragraph 2, he also describes how the Fish & Wildlife Department Boat Access on Wolcott that nearly all non-motorized boats use is funded at least, in significant part, by motorized use, ironically.

There was little or no testimony from prohibition proponents that the amount of motorized traffic was overwhelming and dangerous. Prohibition proponents did complain about some speeding, but the testimony indicated that they had made no concerted effort to devise an enforcement strategy on the issue and that, in fact, in some instances a reminder to the motorized user about the speed limit was all that was needed.

In fact, the testimony suggested that the predominant traffic is non-motorized. Motorized users are not asking to ban non-motorized use, because, as speaker after speaker indicated, motorized users are willing to share. Witness Cedric Sanborn quoted the state statute that directs the Agency of Natural Resources to try to accommodate all types of users if possible. The prohibitionists certainly did not offer a viable enough body of evidence to overcome this statutory suggestion.

Also, the testimony pointed out that a quiet water body already exists at Green River Reservoir, just a few miles away from Wolcott Pond.

Vermont Traditions Coalition contacted the Department of Fish & Wildlife Law Enforcement Division after this Petition was filed and found that they could recall no complaints and that no tickets had been issued. Perhaps some enforcement or a larger speed limit sign would remedy whatever occasional problem seems to exist. As many motorized proponents pointed out, we do not live in a perfect world. All public uses involve some misuse. Who's to say that non-motorized users haven't caused problems such as littering or disturbing the loons in the effort to get the perfect picture. Prohibiting a practice that causes some problems is a slippery slope that will ultimately punish innocent Vermonters who happen to enjoy a form of recreation that is not favored by others. Whenever people oppose any form of recreation, they haul out a laundry list of problems it causes. However, when the laundry list is dissected, the severity of the misplaced behavior very rarely rises to the level where the practice should be banned. What if we banned auto traffic because a small minority drive improperly? Prohibition is obviously not the answer.

Finally, prohibition on this pond sets a bad precedent. Vermont is filled with similar ponds where self-interested camp owners would like, in some fashion, to get rid of some segments of recreation that they do not prefer. Close to ten years ago, landowners in the vicinity of Mirror Lake, a small peaceful pond in Calais, attempted to ban motors. Vermont Traditions Coalition and the Hunter, Angler, Trapper Association and a lot of local residents and visitors who mostly used small motorized fishing boats on the pond fought the ban successfully. I have ridden by the pond many times since, and when I've seen boats at all, they are usually small motorized fishing boats with older or family anglers or kayaks/ canoes. Boating traffic in general is light.

There was no need, as it turns out, to push the prohibition button at Mirror Lake. Nor is there here.

Steve McLeod
Executive Director
Vermont Traditions Coalition
127 Sports Club Drive 123

Bolton, Vt. 05477
802-434-3346

From: Welts, Leslie
Sent: Thursday, August 29, 2013 5:34 PM
To: Fechter, Kathy
Subject: Fwd: Wolcott pond

Begin forwarded message:

From: Steven Simpson <kirbymtn@yahoo.com>
Date: August 29, 2013, 5:29:46 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: **Wolcott pond**

Pure and simple Iam against banning gas operated motor boats on this pond. Thanks Steve Simpson

Sent from my iPhone

From: Welts, Leslie
Sent: Thursday, August 29, 2013 1:33 PM
To: Fechter, Kathy
Subject: FW: Wolocct pond
Attachments: Wol. Pond 23Aug.docx

-----Original Message-----

From: Steven Young [<mailto:sbyoung@pshift.com>]
Sent: Thursday, August 29, 2013 1:33 PM
To: Welts, Leslie
Subject: Wolocct pond

Dear Ms. Welts,

Attached is my letter supporting 'quiet pond' status for Wolcott Pond, and responding to some comments made at the public hearing in Wolcott last week. I hope that it might be useful.

Thanks you,

Steven Young

Steven Young
242 Keeler Pond Road
Wolcott, Vermont 05680
sbyoung@pshift.com
23 August 2013

Response to the Wolcott Pond Hearing of 20 August, 1913

In this letter, I will attempt to address two sets of issues: the bases for designating Wolcott Pond as a Quiet Pond, and some responses to a number of comments and suggestions made by various people and organizations who opposed this designation at the hearing held in Wolcott on 20 August, 2013.

I have been a Wolcott resident, with a few short breaks for education, for over 60 years. My family has owned land at Wolcott Pond, including much of the privately owned shoreline, since 1950, long before the fishing access area was constructed. We have always worked to preserve and protect the pond and its shoreline and watershed. I have professional degrees (MS and Ph. D.) in biology and ecology, and I have been involved with research on the integrity of ecosystems since the 1960s, mainly in Alaska and Vermont.

Many Wolcott residents, including landowners around Wolcott Pond, the Wolcott Planning Commission, and the Wolcott Selectboard, as well as the Wolcott based organization Friends of Wolcott Pond, have worked diligently and respectfully toward proposing that Wolcott Pond be officially designated as a Quiet Pond, on which internal combustion engines would not be allowed. All of these efforts have been open to all interested parties and opinions, whether in support or in opposition, have been actively solicited over a period of years. There is clearly wide local support for the initiative.

The reasons for the Quiet Pond proposal are two: First the massive increase in the use of the pond over the past few decades, especially by kayakers and other non-motorized users, but also by fishermen in large powerboats and a more-than-occasional boater who ignores the posted five miles per hour speed limit. Second, our increasing awareness of the fragility of pond and wetland ecosystems, and the need to protect them, especially when the ponds and their surroundings are, although threatened, still largely intact.

Powerboats put swimmers and some small boat users at risk and interfere with perceptions of silence, solitude, and pristine conditions of other boaters and residents. Noise, oil and gas slicks, and exhaust fumes affect other users and the environment. The trailers necessary to transport the boats are difficult to clean and thus increase the possibility of introducing invasive species—something which Wolcott pond has avoided thus far. We believe that this small, largely pristine, but heavily utilized pond is threatened by overuse, and that powerboats are the greatest factor in the potential—or actual—degradation of the pond.

At the hearing on 20 August regarding this issue at the Wolcott Town Offices, some 20 to 25 people, somewhat less than half the total number of participants, showed up to protest the initiative. Most of these people were from towns distant

from Wolcott, several indicated that they had never actually been on Wolcott Pond, and many represented—some were apparently paid lobbyists of—various organizations that seemed to consider the possible creation of Quiet Pond status for Wolcott Pond as an attack on their freedom to use waters in the state as they see fit. There seemed to be little or no interest the rights of adjacent landowners or other local people to have input in the use of the pond. There was also minimal concern for the ecological integrity of the pond and its surroundings. There appeared, rather, to be an ideological belief that the ‘loss’ to power boating of Wolcott Pond would affect the supposedly inalienable right to use power boats on state waters, and that the Quiet Pond initiative for Wolcott Pond must therefore be stopped.

Many of the substantive points that were raised by members of this group were spurious. Some of these are detailed below.

Of equal concern was the patronizing, disrespectful attitude of some of the speakers. They seemed intent on portraying supporters of the Quiet Pond to be elitist newcomers who were trying to drive sportsmen away so that they could have the pond for themselves. Among the many instances of this was the objection, made repeatedly, to local residents calling Wolcott Pond ‘our’ pond.’ We were led to wonder if these people would object to us Wolcott residents referring to Wolcott as ‘our town?’

At the hearing, an issue was brought up that the motorboat users pay some of the costs of maintaining the Access Area. This is true, although it is doubtful that the fees cover more than a fraction of this cost. However, the Access is of no use to most landowners and is unnecessarily large for small boat users. If we wanted to launch motorboats, we would launch them from our own shores. Instead, we choose to keep the shores undeveloped except for small, removable rafts and boardwalks. As landowners, we have little need of the Access Area and less for the boat ramp; many of us would much prefer that they didn’t exist—except that we don’t want to make the pond unavailable for respectful use by non-landowners.

It was suggested that kayakers and paddlers didn’t pay any costs for licenses, and therefore that their needs should be of less concern than those of motorboat users. There is some validity in the first part of this, and it is worth considering how some sort of contribution could be made by non-motorized watercraft. But it is also true that kayaks and canoes only need modest launching facilities, not expensive concrete ramps. And landowners and other non-motorized boat users buy fishing licenses. In any event, the issue is hardly relevant to the concept of a Quiet Pond.

It was suggested that the issue of boats exceeding the speed limit was an enforcement problem, and that sportsmen’s fees are funding the necessary enforcement. If it weren’t for the Access Area, we wouldn’t need enforcement. Similarly, if internal combustion engines were phased out, enforcement would be minimal and straightforward. It was also suggested that the enforcement problem could be handled by residents turning in miscreants by noting their boat’s registration numbers. Getting a number is hardly feasible when one is swimming in the pond, or from the shores late at night, or when the offending boat is across the pond. And most of the infraction we know of only by the roar of engines, clearly heard from our house, located a quarter mile from the pond. We also have a certain

amount of problems with theft and vandalism as it is. This seems unlikely to diminish if we were to create trouble for the renegades. And, how far away is the nearest game warden?

It was suggested that the Quiet Pond initiative goes against the 'traditional' use of the pond. Until the Access Area was built, virtually all use of the pond was by rowboat or canoe, certainly for well over 100 years. Outboards are newcomers.

It was said that there was no evidence of any sort of environmental degradation caused by motorboats. This is fatuous; there are no significant baseline studies from before the time of the use of motorboats, and thus nothing on which to base this sort of statement. There are, however, plenty of observations of persistent oil slicks and exhaust fumes, as well as loud engine noises in the vicinity of resident mammals and nesting birds. Anyone who has spent time at the pond over the years is aware that amphibian populations have decreased drastically, as have some bird species, and even sunfish. The Wolcott pond loons, among the most successful breeders for many years, have had nest failures on their last three attempts and marginal success for some time before that. It has been at least a couple of years since I've been able to find the rare merlin's grass, a Wolcott Pond aquatic specialty. We can't necessarily attribute these losses to motorboats, but any effect they may have is hardly likely to be positive.

It was suggested that motorboats are needed to allow hunters access to the surrounding lands and camps. Only one camp is normally approached from the water by motorboat. It is about a half mile from the access area and is on a small lot. In this connection, it should be noted that none of the adjacent landowners have ever posted their land. If the privately held shorelines were to be posted, hunting around the pond would be severely curtailed. If we respect the desires of sportsmen to use our land, is it not appropriate for them to respect the landowners' desire to protect it, including the shoreline, from unwarranted and potentially destructive activities?

We, and our non-human neighbors, live with the pond—our pond—every day; we don't just use it for an occasional fishing trip. We understand both the unique values of the pond and the stresses it faces from increasing human use. It is fair to suggest that many of us, individually, have spent more time on and around the pond than have all the protesters put together. We have made, and will continue to make, financial and other sacrifices so as to insure the future integrity of the pond. We do not appreciate outsiders and lobbyists trying to trivialize our efforts and concerns, patronizing us about facts and issues of which we are fully cognizant, or characterizing us as out-of-touch elitists. This attitude is counterproductive for any useful dialogue about the situation.

It seems that much of the underlying problem here is that many of the laws governing the use of public were formulated some half a century ago, when pressures on our ponds and streams were much less and the State's main concern was recreational use, especially to increase accessibility for motor boating. At the time the fishing access area was planned and built, we landowners were told by the state that it was useless to protest it; it was a done deal. A 'one size fits all' approach seems to have been considered to be appropriate. Since then we have had a massive increase in the use of our waterways and a greatly expanded awareness of the value

and fragility of our aquatic and wetlands ecosystems. Undeveloped ponds are now a rarity, and the chance to protect one of the best and most accessible of these, Wolcott Pond, should not be missed. We should also recognize that a minimally disturbed Wolcott Pond can provide a unique opportunity for serious research relevant to the health and future of our waterways throughout the State. In this connection, we need to be aware that a pond is only one aspect of a larger and more complex ecosystem. An exceptional feature of Wolcott pond is that not only is the shoreline undeveloped, but the entire watershed is forested and mostly undisturbed. There are no roads other than to the access area, only seasonal tracks. There is little or no farming within the watershed, and no significant pollution by animal wastes or agricultural chemicals.

Finally, and speaking for myself, if I had wanted to ignore other pond users and not consider the natural and esthetic values of Wolcott Pond, I could have built my house on my land on the hill overlooking the water, cleared trees to improve the view, put in a lawn, built a dock and boathouse, posted the land, and sold off a few lakeshore building lots. And, at the time I might have done this, I would have been entirely within my 'rights' to do so. I suspect it would be difficult or impossible to do this now; fortunately for all concerned, I don't want to. But times do change, and responsible use and stewardship of our lands and waters, and the laws that govern these concerns, need to change with them.

Steven B. Young, 22 August, 2013

Statement Regarding Proposed 'Quiet Pond' Status for Wolcott Pond

My name is Steven Young; I am a professional ecologist with long experience in northern regions. I spent much of my childhood in Wolcott and my wife, Jan Roy, and I have been Wolcott residents for 50 years and have owned land bordering Wolcott Pond for over 40 years. Previously this land was owned by my parents, since long before the construction of the fishing access. Our holdings include some 1500 feet of pond frontage, including most of the non-State shoreline potentially accessible by car.

Forty years ago, we built a small, rustic camp some distance back from the shore of the pond, and thus not easily visible from the water. This camp is used by friends and relatives as a locus for swimming and small boat launching. Some time later we built our house on the property, siting it several hundred feet from the shoreline so as not to impinge on the natural values of the pond. We have resisted any impetus to sell portions of our shoreline land for development. Within the next year we intend to donate a conservation easement on our entire shoreline property to a land trust, insuring that it will never be developed.

I have watched Wolcott Pond change from an isolated and undeveloped pond to one that is accessible and widely used, mainly in summer, and mostly by kayakers and canoeists. This low impact usage has obviously provided much pleasure for paddlers, photographers, and fishermen, and we support it unreservedly. On occasion, usually a few times a summer, large powerboats are launched from the fishing access area. These usually ignore the posted 5 miles per hour speed limit. When Friends of Wolcott Pond put up a 5 miles per hour sign, it was stolen within 24 hours. The noise, wake, spilled fuel and oil, and exhaust fumes from the engines of these boats both diminishes the enjoyment of other users and damages the environment of the pond and its surroundings.

Wolcott Pond is small; any part of it can be reached by paddling, rowing, or electric-powered boat within ten to fifteen minutes. With a speed limit of 5 miles per hour, there is no advantage in using a larger, faster boat, and there are plenty of larger ponds nearby where such boats can be used. Small boats are much easier to inspect for invasive plants and to keep clean. So far, Wolcott Pond has escaped the ravages of adventive plants that have colonized nearby ponds such as Eligo Pond.

As well as a pristine shoreline, Wolcott Pond is surrounded by many hundreds of acres of undeveloped, and mostly preserved, land. This provides outstanding habitat for moose, bear, otter and bobcat, as well as more common species. We, as well as many of our neighbors, are dedicated to maintaining the natural values of this superb pond and surrounding environment, and we are gladly giving away our potential for financial gain from subdividing and developing our land. We believe that it is in the interests of our town, and our state, to preserve the unusually pristine environment of Wolcott Pond for the future. We hope that this preservation and protection will extend to making Wolcott Pond an official Quiet Pond.

From: Welts, Leslie
Sent: Sunday, September 01, 2013 10:43 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond

Sent from my iPhone

Begin forwarded message:

From: Ted Zilius <tzilius@myfairpoint.net>
Date: September 1, 2013, 10:32:57 AM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: Wolcott Pond
Reply-To: "tzilius@myfairpoint.net" <tzilius@myfairpoint.net>

Dear **DEC**,

Wolcott Pond is a great place to go and sit quietly, listening to the loons and other sounds of nature without the interruption of internal combustion engines. I remember a time when, after accidentally tipping over our canoe, our five-year old daughter spent the next minute counting the loudest sounds she'd heard on Wolcott Pond – the curses coming from her father's mouth. Let's keep the noise on the pond at that level.

Thanks for your consideration.

Ted Zilius
Morrisville, Vermont

From: Welts, Leslie
Sent: Thursday, August 29, 2013 3:05 PM
To: Fechter, Kathy
Subject: FW: wolcott quiet pond
Attachments: wolcott quiet pond.docx

From: Terry Weymouth [<mailto:tjweymouth@gmail.com>]
Sent: Thursday, August 29, 2013 3:03 PM
To: Welts, Leslie
Subject: wolcott quiet pond

Mr. Welts,

I'm hoping that you will receive this email & be able to open the attachment. It's a copy of the letter I've typed & am sending by USPS to your office. It may not arrive in time for the Sept 1 deadline. I was unable to attend the hearing, nor have I been able to sit long enough to type the letter, due to a recent surgery. Because of guests, & then the surgery, we (regrettably) will miss our "Wolcott time" this summer. But please take our concerns & support of the Quiet Pond request seriously.

Thank you,

Judy Weymouth

wolcott quiet pond.docx

29 August 2013

Leslie Welts

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive
Montpelier, Vermont 05620

Dear Mr. Welts,

I have read Steve Young's letter to you regarding the request to designate Wolcott Pond a "Quiet Pond". I would like to add some thoughts and comments, which I hope you will take into account when the decision is made on that request. My husband, Terry, is a long-time friend of the current owner, and has been a guest at the Shevenell camp (formerly the Rublee camp) most summers beginning probably 50 years ago. After we were married (1970), we usually visited at least once each summer. Our children, now grown, enjoyed our times at Wolcott. Our daughter still goes there for two weeks each summer. My husband and I continue also. We are typically joined for some of our visit by other friends, all of whom are attracted to the solitude and wildlife. Until about five years ago, the access road to the camp was little more than an overgrown foot trail. We would drive to the boat landing, unload our canoe, baggage, food etc. Load the canoe, and paddle across to the camp. Sometimes it required more than one trip in the canoe, depending on the length of our stay. If we planned any repair work, we ferried lumber and tools as well. We parked our truck in a nearby field, and walked through the woods to the camp. We never felt inconvenienced by this; on the contrary, it was all part of the "experience".

A little camp history: the original, unobtrusive, Rublee camp was constructed in 1912, and it remains essentially the same as it was when first built. The Rublees lived in Morrisville; he was a "country doctor". They would arrive from Morrisville by horse and buggy, unload their belongings into a rowbat, and row across to the camp. The horse was pastured at a nearby farm. Sara Shevenell, the Rublees' granddaughter, tells us

that one of the horses, a family pet, swam after the boat to the camp to join them. In spite of some of the testimony reported from the hearing last week, rowing and paddling have been the “traditional” ways to get around the pond, and to the camps.

The pleasure of enjoying the flora and fauna of the pond and forest, the night sky unpolluted by artificial light and noise--- these are priceless attractions of Wolcott Pond. Countless songbirds populate the pond surroundings, along with waders (herons, bitterns, rails). The waterfowl we have observed include wood ducks, ring-necked ducks, Canada geese, the ubiquitous mallards, and of course the loons, all with their young. Even some scoters at ice-out. Raptors include broad-winged hawks, redtails, harriers, red-shouldered hawks, many owls, turkey vultures, and usually at least once a visit, we see a bald eagle. Sunrise brings the “dawn chorus” of robins, song sparrows, mourning doves and other early risers; dusk brings the melancholy, flute-like singing of the Vermont State Bird, the hermit thrush; then follows the chattering of bats, the calls of the owls, coyote song, and yes, the laughing and yodeling of the loons. We have seen in addition to the small rodents of the woods, deer, moose, mink, beaver, coyotes (a family group of coyotes pursuing a young cow moose into the water!), fox, and signs of black bear. Many amphibians in the water and on the land. Snakes in and out of the water, painted turtles, musk turtles, and an ageless “grandfather” snapping turtle. None of us are fisherman, but obviously the pond is well-populated by gamefish and numerous minnows. It’s a thrill to discover a female hornedpout shepherding her swarm of tiny hatchlings in the weedy shallows. Dragonflies and damsel flies beyond naming. Botanical interests: there are boreal plants of species uncommon or unknown in other parts of New England. Trilliums in the woods in spring. Heavenly-scented azaleas at water’s edge in May and June, pondlilies all summer. Arrowhead and more obscure and unusual flowering plants like sundews.

So many of these wonders are easily observed from a rowboat, canoe, or kayak, and yet completely missed when roaring by in a motorboat. Photographers, bird- and wildlife-watchers, swimmers, and fishermen lose out when the tranquility is disrupted by the noise, exhaust, and agitation of internal-combustion engines. Oil and gas slicks, as described by Steve Young, must be deleterious to all pondlife. Motors stir the shallow bottom areas like great mixers, and the mudclouds float through the gentle current. Speeding along the shoreline creates waves and turbulence that erode the steeper banks, and swamp the shallows.

wolcott quiet pond.docx

I believe that all of us who support the Quiet Pond designation also support the continued use of electric motors on Wolcott Pond.

Thank you for your consideration.

Respectfully,

Judith B. Weymouth

Terry E. Weymouth

Betsy J. Weymouth

311 Turkey Lane Road

Buxton, Maine 04093

Harry A. Weymouth

909 Long Plains Road

Buxton, Maine 04093

From: Welts, Leslie
Sent: Tuesday, September 03, 2013 1:45 PM
To: Fechter, Kathy
Subject: FW: Wolcott Pond

-----Original Message-----

From: wwh448@aol.com [<mailto:wwh448@aol.com>]

Sent: Tuesday, September 03, 2013 1:45 PM

To: Welts, Leslie

Subject: Wolcott Pond

Dear Ms.Welts,

It was my pleasure to attend the August 20'th. meeting concerning making Wolcott Pond a quiet lake. I am a Pennsylvania resident and happened to be in the area visiting and was asked if I would like to attend the meeting which I did. You have a great state when it comes to natural beauty and I believe no other state in the eastern United States can compare.

It is my opinion that a quiet pond is not in the best interest of Vermont residents.

The pond has a 5 mph limit and I believe enforcement should be quite easy. With the number of cell phones with camera's residents need to photograph the car and trailer and the respective license plate while the offender is boating avoid any confrontation and that should solve the problem.

In my opinion the residents do not seem to be concerned with what noise occurs in the off season so why punish the Vermont residents year round to me it appears that a few people with a cabin on Wolcott Pond wish to make it a private pond for their own convenience during the Vermont summer and fall.

Sincerely

Wayne W HALL
4905 Riverside Drive
Alexandria, PA 16611

From: Welts, Leslie
Sent: Sunday, September 01, 2013 9:20 AM
To: Fechter, Kathy
Subject: Fwd: In support of Wolcott Pond as a quiet pond

Sent from my iPhone

Begin forwarded message:

From: "William J. Morrison" <wmorrison@myfairpoint.net>
Date: August 31, 2013, 11:15:19 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: In support of Wolcott Pond as a quiet pond

I have been a landowner and resident of Wolcott for the past 14 years. My land is a third of a mile from Wolcott Pond. For me the pond, with its fairly large expanse of open water, is a place which provides me relief from the closed-in forest environment in which I live. I visit the pond at least weekly to observe birds I would normally not see. The loons on Wolcott Pond are curiously effective in animating the pond, and what is even curiously is how they act as a catalyst in stimulating human to human interaction. Everyone wants to know about the nest, the eggs and the chicks, and this gets people communicating. Not a bad thing at all. I regard the pond as a precious treasure that must be reasonably safeguarded from human activities that detract from its wildness. Eliminating the use of internal combustion engines would be a step in the right direction.

Sincerely,

William J. Morrison

556 Pond Brook Lane
Wolcott, VT 05680
802-888-3838

August 13, 2013

Watershed Management Division
Department of Environmental Conservation
One National Life Drive, Main 2
Montpelier, VT 05620
Attention: Leslie Welts, Attorney

Dear Ms. Welts,

I would like to voice my disagreement in the proposal to make Wolcott Pond a 'Quiet Pond'.

My father owns a camp on the back side of Wolcott Pond, this property was previously owned by my grandfather for many years before. Our camp, unlike the other camps located on the pond, is only accessible via water. Eliminating the use of gas powered motors on the pond would be restricting our access to the camp. I find it unrealistic to expect those that use the pond to purchase an electric motor so they can continue to enjoy it. Often times in the fall I will duck hunt on the pond, long after many of the summer residents leave for the winter. I travel with duck / goose decoys, my dog, and myself and with water temperatures near freezing traveling across the pond in a canoe or kayak is very dangerous. Also, in November we use the camp for deer hunting. Again, we travel across the frozen or near frozen pond with large loads of supplies for the weekend.

The Wolcott Pond access area has just undergone several improvements this summer paid for by the State of Vermont. Every year I invest hundreds of dollars into hunting / fishing licenses in addition to making sure my boats and trailers are registered. My understanding is a portion of the funds received by these means are used to upkeep boat launches and pay for enforcement. I feel that this should enable me, as a law abiding outdoorsman, to use these areas. Paddlers and swimmers offer no financial assistance in the maintenance of these areas.

There was an article in the Times Argus about this proposal which stated that "Young said the pond sees around five gas-powered boats per summer", this is a very small number of boats that visit the pond every summer. This small group of people consists of some elderly and disabled locals that would never be able to enjoy their favorite fishing spots if this is approved.

I would like to ask that you consider all users of Wolcott Pond when making a decision on this proposal and not be swayed by a few seasonal users. I too enjoy the beauty and serenity of Wolcott Pond, but do not feel a few gas-powered boats per summer has any affect on water quality or wildlife. I would also like to share this special place with my children without being restricted to how I can access it.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Adam Hill". The signature is fluid and cursive, with the first name "Adam" and the last name "Hill" clearly distinguishable.

Adam Hill
2451 Walton Road
Morrisville, VT 05661

Dear Mrs. Welts and Watershed Management Division,
I am a frequent visitor to Walcott, though
not a permanent resident. I have come to this
area for 32 years. I'm sorry I was not
able to attend the hearing about Walcott
Pond, but I am writing because I strongly
support the ban on use of internal com-
bustion engines.

Every time they come they disturb the
wildlife and frighten the swimmers like
me.

Anyone who needs motorized access can
use an electric motor. and of course there
are many other ponds for boats with engines.

Walcott Pond is so beautiful, it draws me
to Vermont each year; and one of the best
aspects is the peace and quiet when no
boat engines are polluting the air.

Please help those who love the pond preserve
its clean, quiet beauty.

Very truly yours,
Barbara J Bramble



1318-2 2nd St, NW
Washington DC
20037

From: Welts, Leslie
Sent: Friday, August 30, 2013 11:58 AM
To: Fechter, Kathy
Subject: FW: Wolcott Pond
Attachments: DOC083013-001.tif; DOC083013.tif

From: Town of Wolcott [<mailto:wolcott@pshift.com>]
Sent: Friday, August 30, 2013 11:47 AM
To: Welts, Leslie
Cc: 'Gail Osherenko'
Subject: Wolcott Pond

Leslie, Please see attached documents that the Selectboard would like submitted to be a part of the record for the Wolcott Pond hearing on August 20, 2013.

Sincerely, Belinda Clegg, Selectboard chair

**TOWN OF WOLCOTT
LAMOILLE COUNTY, VERMONT**

ZONING REGULATIONS
ADOPTED: JULY 1, 1975
MOST RECENTLY AMENDED: March 7, 2006

SUBDIVISION REGULATIONS
ADOPTED: SEPTEMBER 9, 1988
MOST RECENTLY AMENDED: March 7, 2006

Prepared by: Wolcott Planning Commission

With assistance by: Lamoille County Planning Commission

**Portions of this bylaw were developed using funds awarded by:
The Agency of Commerce and Community Development
through the Municipal Planning Grant Program**

6.02 Shorelands

Description: The Shorelands District shall consist of all lands within 500 feet of the normal mean watermark around all lakes, ponds or impoundments exceeding 20 acres. The bodies of water meeting this standard in the Town of Wolcott and their normal mean water marks are as follows:

- a. Wolcott Pond - elevation 1,196 feet;
- b. Wapanaki Lake - elevation 1,270 feet;
- c. Zack Woods Pond - elevation 1,179 feet.

Objective: These regulations of the shorelands in the Town of Wolcott are to prevent and control water pollution, preserve and protect wetlands and other terrestrial and aquatic wildlife habitats, conserve the scenic beauty of shorelands, minimize shoreland erosion, reserve public access to public waters, and achieve other municipal, regional or state shoreland conservation and development objectives.

Permitted Uses: 1) None	Conditional Uses: 1) All other land uses including PUDs.
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Area and Dimensional Requirements:

Minimum lot size	Maximum density	Min. frontage	Minimum setback		
			Road	Lake/Pond	Other prop. lines
2 Acres	1 du / 2 acres	100 ft- road 100 ft- lake	25 feet	150 feet*	25 feet

Conditional Use Standards: Applicants shall provide written documentation showing how their proposal avoids or mitigates any potential risks to surface and ground water. Applicants shall demonstrate that they have designed and sited their project to minimize impacts upon wetlands, riparian habitats, steep slopes, and other important features known to impact water quality. Applicants must address stormwater runoff from impervious surfaces and disposal of solid waste. In determining the appropriateness of the use or structure, the DRB shall consider the scale and design of the proposal in relation to the scale and design of existing uses and structures and the effect of the proposal on the continued enjoyment of existing and approved uses in the district. For new structures, building location within the lot may be required to be compatible with the location of existing and approved uses in the neighborhood. The DRB may require larger setbacks depending on the nature of the operation.

1. Additional setback requirements-
 - a. Subsurface sewage facilities will be set back the following minimum distance from the normal mean water mark:
 - (1) 200 feet in soils 3, 9, 11, 13, 20, 22, 47, 59, 59*, and 61.
 - (2) 100 feet in soils 27, 38, and 38 where slopes do not exceed 15% in the vicinity of the leach field, otherwise 200 feet.
 - (3) 100 feet in soils 12 and 14 where the conditions below are met, otherwise 200 feet.

- DOC083013.tif
- i. Slopes do not exceed 15% in the vicinity of the leach field; and
 - ii. There is a minimum soil depth of 7 feet to bedrock and 6 feet to signs of seasonal high water table; if a raised system is proposed, there must be a minimum of 5 feet to bedrock and 4 feet to signs of seasonal high water table below the proposed leach lines.

Test holes to demonstrate soil depth are the responsibility of the applicant.

2. In order to prevent soil erosion, and to support other stated shoreland protection purposes, existing stands of trees and ground cover along the shoreline shall be maintained or supplemented, for 100 feet from the normal mean water mark.
3. On occasion, the soil at the proposed site will differ from the soil type shown on the town soil map, so that the location of the subsurface sewage facilities can be reconsidered. In that event, the applicant may apply for a public hearing to be held by the DRB for such reconsideration.

TOWN OF WOLCOTT
PO BOX 100
WOLCOTT, VT 05680
802 888-2746

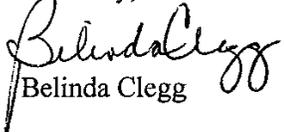
April 3, 2013

Leslie Welts, Attorney
Watershed Management Division
Vermont Department of Conservation
1 National Life Drive, Main 2
Montpelier, VT 05620-3522

Dear Leslie:

The Wolcott Selectboard is pleased to support the Friends for Wolcott Pond petition of 156 signatures that was recently sent to you. We believe that Wolcott Pond should be a quiet pond and we have indicated this in our recent Town Plan. If you would like a copy please do not hesitate to let us know and we will get one to you.

Sincerely,


Belinda Clegg


Ron Barre


Jeffrey Wright


Todd Harris


Bessie Martin

- received a Recreation and Trails grant to develop a walking trail in this park.
- The Lamoille Valley Rail Trail has begun its steady evolution into a 4-season multi-use recreational trail from one side of the state to the other, through Wolcott. This trail system will be a recreational and economic development boon to the Town. VAST recently received its Act 250 Permit and Phase 1 construction of the Trail will begin in Spring/Summer of 2013.
 - Lamoille Valley Rail Trail Trailhead Feasibility Study is currently underway: This project will study the feasibility of constructing a trailhead for the LVRT in the Town of Wolcott using a 60-foot by 120-foot area adjacent to the Town Office. The trailhead design will include parking, a picnic area, bicycle racks, an information kiosk, and other amenities.
 - Lamoille County Regional Planning Commission received a grant to construct trailheads for the Rail Trail in each municipality through which the Rail Trail passes. This will provide money for Wolcott to construct the trailhead designed during the feasibility study mentioned above.

These developments provide context and a starting point for this new plan.

Top 9 Items to Be Addressed in the Next 5 Years

Before this Town Plan needs to be revised again within the next 5 years, the Wolcott Planning Commission recommends that the Town addresses and completes the following action items:

1. Take part in a public-private partnership to ensure access to high-speed broadband Internet services and cellular communications coverage for all Wolcott residents.
2. Apply for Village Center Designation for Wolcott Village and North Wolcott Village through the Vermont Downtown Program.
3. Update Wolcott's Highway Infrastructure (bridge and culvert) Study.
4. Enhance and increase the wastewater treatment capabilities of North Wolcott and Wolcott Village.
5. Either alone or in partnership with other organizations, develop a comprehensive plan for amenities, facilities and aesthetics for the Lamoille Valley Rail Trail in town.
6. Redesign and update the Town's website to provide useful and easily accessible information to town residents, including permit application checklists and forms, and a link to the Vermont Agency of Natural Resources Environmental Interest Locator.
7. Explore ways to locally ensure the safety of private water impoundments below the state regulation threshold of 500,000 cubic feet.
8. Develop and update Wolcott's Flood Hazard Regulations, in conformance with the standards recommended by the Vermont Agency of Natural Resources. In conjunction with this, relocate the Fire Station out of the flood hazard zone.
9. Pursue seeking State designation of Wolcott Pond as a quiet pond.

SECTION 10. NATURAL RESOURCES

Goals, Policies, & Recommendations of this Section

GOALS

Land Resources

- To protect and enhance Wolcott's land resources, including productive farm and forestland and available earth resources, in order to maintain an adequate land base to sustain farming and forestry operations and to secure needed supplies of sand and gravel for the benefit of existing and future generations.
- To use Wolcott's mineral and earth resources conservatively for the benefit of existing and future generations.
- To conserve and enhance the soils in Wolcott, especially prime and state significant soils, for present and future use.

Water Resources

- To preserve, and where degraded, improve Wolcott's water resources – including its lakes, ponds, streams, rivers, wetlands, groundwater, and associated habitats – in order to ensure water quality for drinking, recreation and the environment.
- To ensure that Wolcott's rivers and streams contain clean water, a healthy riparian habitat and stable stream banks.
- To maintain the overall health of our lakes and ponds for recreation and environmental purposes.
- To preserve and protect wetlands from pollution, filling, and any other uses or activities that will result in their degradation or a reduction in its capacity to provide wildlife habitat, flood control and water storage.
- To protect the health, safety and welfare of the residents of Wolcott by limiting development in floodways to agriculture, recreation, and open space only.
- To maintain the quality and quantity of local groundwater supplies.
- To maintain and, where degraded, improve the water quality across the town.

Wildlife Resources

- To protect and maintain in healthy condition areas of significant habitat including wetlands, uplands, large habitat blocks and interconnecting links (e.g., wetland areas, riparian zones, and travel corridors).
- To maintain biological diversity of native plants and wildlife throughout Wolcott through the protection of significant habitats.

POLICIES

Land Resources

- Earth resources (primarily sand and gravel) should be identified and conserved until needed and reasonably developed in the public interest.
- Development that is proposed near or over important earth resources should mitigate the potential loss of that resource.
- Extraction and related processing operations will be permitted only when it has been demonstrated that there will be no undue adverse impacts on the town or its residents. Potential conflicts between current land use and proposed extraction operations must be minimized. Strict standards for the operation, maintenance, and restoration or extraction sites may be established as appropriate based on the unique conditions of the area affected. The full restoration of extraction sites will be ensured through the submission and local approval of site restoration plans and the provision of adequate surety to guarantee

the completion of the restoration plan at the operator's expense.

- All development within the town must be pursued with strict regard to the capability of the soils to support it.
- Development on slopes should ensure the protection of soils through measures equivalent to Accepted Agricultural Practices and Best Management Practices for agriculture and/or the Acceptable Management Practices for forestry. The USDA Natural Resources Conservation Service is also a source for recommended soil practices.
- Development within agricultural areas should be sited to avoid taking agricultural soils permanently out of production. Non-agricultural structures should not be placed in open fields and meadows; such structures and related infrastructure should be set back from field edges and follow tree lines where feasible to minimize disturbance and visual impacts, and to maximize open productive space.
- Further fragmentation of productive agricultural and forestland should be avoided; continued access to productive forest and farmland should be ensured.

Water Resources

Rivers and Streams

- All rivers and streams must be identified on and integrated into site plans and subdivision plats. Development within or proximate to designated rivers and streams should take place in such a way as to avoid crossing the stream and to protect and maintain a natural vegetative buffer at least 50 feet wide.
- All bridges and culverts should be built to standards recommended by the Better Backroads program of the Vermont Agency of Natural Resources' Ecosystem Restoration Program initiative to ensure minimal impacts on rivers and streams and to prevent failure in the event of flooding.
- Development near Baldwin Brook Falls should not have a negative impact on the scenic and recreational qualities of this significant stream feature.

Lakes and Ponds

- Higher densities of residential development contribute to lake and pond pollution by way of septic and stormwater runoff. Controls on density are required in order to protect water quality.
- A 50-foot naturally vegetated buffer around the lakeshores would protect the water quality from contaminants as well as protecting the scenic values of the areas.
- A management plan for large lakes and ponds should be developed to determine boating, swimming, fishing and other recreational activities to ensure that ecological and recreational goals are met for the areas.

Wetlands

- Wetlands must be identified on and integrated into site plans and subdivision plats.
- All wetlands are required to have at least a 50-foot buffer. No filling or draining of wetlands is permitted.

Flood and Erosion Hazard Areas

- No development should occur within the 100-year and 500-year flood hazard area except in strict conformance with the flood hazard zoning bylaws.
- Likewise, no development should occur in fluvial erosion hazard areas.
- Agriculture, recreation fields, parks, and open space are all appropriate uses of flood or erosion hazard areas.
- The Town strongly encourages that existing structures within the 500-year floodplain be protected against flood damage.

Groundwater

- Withdrawal of groundwater should not exceed the recharge rate over a reasonable period of time.
- No form of land waste disposal or storage of possible contaminants should be permitted in high water table and ground water recharge areas.

Water Quality

- All construction where soil is to be disturbed is required to provide adequate erosion

control so that no soil moves off site or into surface waters or wetlands.

- Agriculture and forestry must abide by Accepted Agricultural Practices and Acceptable Management Practices. Where an activity may have a negative impact on water quality, Best Management Practices are recommended.
- Total impervious surfaces on developed sites should be less than 10% of the site. If this is not possible, other stormwater management tools should be used to mitigate the impacts.
- Where appropriate, stormwater technologies and techniques should be used to prevent runoff from directly entering any surface waters.

Wildlife Resources

- Wolcott supports the acquisition of significant habitat by local or state conservation agencies whose goal is protection of the habitat.
- Significant habitat must be identified on and integrated into site plans and subdivision plats. Development within or proximate to designated significant habitat will take place in such a way as to preserve its value for education, science, research, aesthetics, and recreation.
- Deer wintering areas should be protected from development and other uses that threaten the ability of the habitat to support the species. Commercial, residential, and industrial development should not occur in these areas. Development should be permitted adjacent to deer wintering areas only if it is demonstrated, in consultation with the Department of Fish and Wildlife, that the integrity of the area for deer habitat will be preserved.
- Subdivisions and other development should avoid fragmenting habitat. Core habitat areas and interconnecting links (e.g. wetland areas, riparian zones, travel corridors) are to be preserved. Planned Unit Development provides this capability.
- Rare, threatened and endangered plants and animals and their habitats will be protected and preserved through appropriate conservation techniques. Where appropriate, a 500-foot buffer should be designed and maintained to ensure protection.

Methods of Natural Resource Protection

- Development should be clustered or otherwise situated in order to preserve contiguous tracts of undeveloped land.
- Zoning and subdivision regulations should be revised to further the protection of natural resources

ACTIONS & RECOMMENDATIONS FOR IMPLEMENTATION

Land Resources

- The Planning Commission should review and, if necessary, update the zoning provisions regulating earth extraction operations to ensure the bylaws achieve the goals of this section and provide the owner of the site with a clear set of guidelines to follow.
- The Town of Wolcott should ensure that it holds ownership of, or purchase rights to, sufficient gravel resources to provide for the town's needs in the future.
- Encourage forestland owners to continue to work with the Lamoille County Forester in the Vermont Dept. of Forests, Parks and Recreation.
- The Planning Commission should pursue the acquisition of land for a Town Forest.
- The Wolcott Development Review Board should direct interested landowners to the information and resources on Accepted Agricultural Practices and Best Management Practices at the Vermont Agency of Agriculture and information on Acceptable Management Practices at the Vermont Dept. of Forests, Parks & Recreation.

Water Resources

Rivers and Streams

- Wolcott supports local and county conservation agencies whose goal is protection of the rivers and streams in the areas.
- Wolcott should establish public accesses to rivers and streams for recreation including swimming, fishing and boating.

Lakes and Ponds

- Wolcott should consider an ordinance to require local approval of dams and other artificial water impoundments below 500,000 cubic feet.
- Shoreline zoning regulations have been adopted for areas within 500 feet of Wolcott Pond, Wapanaki Lake, and Zack Woods Pond. The Planning Commission should review and, if necessary, update the zoning and subdivision regulations to reflect the findings in this chapter.
- Public education and signage should be placed at all boat accesses and public shoreland to notify the public of Eurasian Milfoil and how to protect the lake.

Wetlands

- The planning commission should consider acquiring funds to have a wetland inventory of the town conducted.

Flood and Erosion Hazard Areas

- The town should consider, through grants and/or partnerships with interested organizations, purchasing structures within flood hazard areas to assist property owners relocation out of the flood plain.
- The planning commission should consider creating a plan for flood and erosion hazard areas to address recreational opportunities, flood hazard protection, and the potential for implementation of water quality measures.

Groundwater

- The Planning Commission should identify potential threats to groundwater supplies.
- The Town should study whether there is a need to adopt additional Wellhead Protection Area zones into the zoning bylaws and restrict uses that present a risk of contamination to public groundwater sources.
- The Town should adopt setback rules for private wells to match standard State well buffer regulations and prevent buffer encroachments upon neighboring properties.

Water Quality

- The town should support the Lamoille Regional Solid Waste Management District in their efforts to ensure that all homeowners understand the importance of the proper disposal of household hazardous waste. The pickup of such materials should be cheap and easy in order to encourage compliance.
- Wolcott should proceed with the recommendations of the 2004 Sewer Feasibility Study for the Villages of Wolcott & North Wolcott.

Wildlife Resources

- Wolcott should consider forming a conservation commission for the purposes of conducting a Natural Resources Inventory in Wolcott and contributing to natural resource protection through advocacy and consultation.
- The Town should conduct a Natural Resources Inventory to determine how much of the significant habitats are protected and determine what gaps exist in the conservation effort.
- The town should consider pursuing funding and partnerships to protect the remaining parcels around Bear Swamp to ensure the long-term protection of this area.
- As a result of living in Wolcott, many landowners have an ethic to be good stewards of the land. The Planning Commission recognizes that more can be accomplished by educating, advising, and assisting landowners with their natural and wildlife resource concerns than could be accomplished through regulations. The Planning Commission will support and provide guidance to any property owner with questions or concerns about their natural resources. The formation of a Conservation Commission would facilitate the support, education and guidance to landowners.

Methods of Natural Resource Protection

- The Planning Commission should review and, if necessary, update the zoning and subdivision regulations to reflect the findings in this chapter.
- Encourage farm and forestland owners to participate in the "Current Use" program.

Vermont Agency of Natural Resources, 1986.):

<u>Waterway</u>	<u>Species</u>
• Lamoille River	Waterfowl & deer
• Green River	Moose and Deer
• Jones Brook	Deer
• Wild Branch	Deer

Significant River Feature: Baldwin Brook Falls

Baldwin Brook crosses the North Wolcott Road just south of North Wolcott. Baldwin Brook is a mountain stream, mostly four to eight feet wide, with very clean water. Its headwaters are two small ponds just below the Green River Reservoir. The falls are located below a 12-foot dam. Immediately below the dam there is a sheer falls of 50 feet. Below the falls is an abrupt gorge about 20 feet wide by 30 feet deep, below which can be found two lower falls of 10 to 15 feet each.

In statewide comparison, this waterfall and gorge site is the only one in Lamoille County considered to be above average in botanical content. Fifty foot sheer falls are very rare in Vermont, either in big or small streams, and consequently, these falls are considered to be of state significance. A 1991 report for the Lamoille County Planning Commission titled *Waterfalls, Cascades and Gorges of Lamoille County, Vermont* recommended that this site receive special mention in the Wolcott Municipal Plan as a special hydrological feature worthy of protection.

Lakes and Ponds

Wolcott is fortunate to have numerous lakes and ponds throughout the town that support both public and private recreation opportunities and important plant and animal habitats.

Wapanacki Lake, located near the Hardwick town line, has a surface area of about 21 acres, a maximum depth of 23 feet, and a drainage basin area of approximately 285 acres. Present uses of the lake include both warm and cold water fishing and swimming. Wapanacki is Wolcott's only artificial lake, and its entire shoreline is currently owned by the Girl Scouts of America.

Wolcott Pond, off of East Hill Road, is about 68 acres in size, has a maximum depth of 23 feet, and is supported by a 920 acre drainage area. A natural lake with artificial height control, Wolcott Pond is popular for warm water fishing and boating. A large part of Wolcott Pond's shoreline is protected by Vt. Fish and Wildlife Department ownership and management as a public access site. Wolcott Pond is also the home to a nesting pair of Common Loons and a number of endangered terrestrial and aquatic plant species.

Use of Wolcott pond is governed by the rules of the Vermont Water Resources Board, including a 5 mph speed limit on motor boats and a prohibition of personal watercraft. Enforcement of these rules is in the realm of the Vermont State Police and State Game Wardens. The Town of Wolcott urges all pond users to abide by the State's rules, in order to ensure a safe, pristine and relatively quiet pond area.

Local regulations have been implemented to help ensure that development along the shores of Wapanacki Lake and Wolcott Pond is in keeping with the quiet, scenic and pristine nature of these water bodies. This Shorelands zoning district allows development only through conditional use. Other measures could be considered as well, including purchase of development rights to ensure a vegetated buffer area on the shore.

Numerous other named and un-named ponds exist in town under private ownership. These ponds range in size for less than an acre to about 9 acres (Perch Pond). Currently state law

From: Josiereb <josiereb@aol.com>
Sent: Tuesday, August 20, 2013 10:40 PM
To: Welts, Leslie
Subject: Wolcott Pond

My wife and I are residents of Wolcott and live just a half a mile from the ramp to the pond. We've lived here 17 years. We use the pond, as does our extended family when they visit.

We have seen Wolcott Pond greatly enjoyed and also abused. To us, it makes no logical sense to allow power combustible engines on such a pristine and small pond. Removing same will in our opinion greatly reduce the abuse factor. And saying it's protected from power craft abuse with a five mile per hour posted speed limit is like running a road side vegetable stand with an honors box for payment.

Consistent enforcement with the small number of wardens we have in Vermont/our area is just a wish and a prayer.

We support Wolcott's Town Plan, Wolcott's Select Board's position, hence the petition to remove power craft from Wolcott Pond. With the significant increase in use of canoes and kayaks, we feel this position makes both ecological and recreational sense. It allows Wolcott to have and market a jewel on the Quiet Waterway Map of Vermont and Wolcott needs this asset.

Thanks you,

Bill & Ginger Cotten
2759 East Hill Road
Wolcott, Vermont 05680

From: Welts, Leslie
Sent: Thursday, August 29, 2013 11:56 AM
To: Fechter, Kathy
Subject: FW: Wolcott Pond a "Quiet Pond"

From: Brad Cornell [<mailto:bradcornell@myfairpoint.net>]
Sent: Thursday, August 29, 2013 11:49 AM
To: Welts, Leslie
Subject: Wolcott Pond a "Quiet Pond"

Wolcott Pond a "Quiet Pond"

I have lived in Wolcott and the close surrounding area for 36 years and we have often enjoyed the beauty and serenity of Wolcott Pond both swimming and canoeing. Personally I would hate to see this quiet, peaceful pond opened to unlimited motorboats which may be what the future brings to Wolcott Pond. Instead I would like to see it designated a "Quiet Pond" and maintain that beauty and serenity that we all have come to love.

The pond is open to electric motors which are quiet and non-polluting which should be plenty for those who do not want to or can not row or paddle a boat, canoe or kayak. Electric motors are not that expensive and allow boaters to travel at speeds of 2 to 3 miles an hour, just 2-3 miles per hour under the speed limit. I've heard that the only camp that utilizes a motorboat in order to access their camp is about one half mile from the ramp. At 5 mph it would take 6 min. to the camp, at 3 mph it would take 10 min. and at 2 mph a whopping 15 min. What's the rush? At worst they may have to spend an extra 9 min. on a gorgeous, clean "Quiet Pond".

Respectfully,

Bradford Cornell

From: Catherine Garvey <categarvey@myfairpoint.net>
Sent: Tuesday, August 27, 2013 9:33 PM
To: Welts, Leslie
Subject: Wolcott Pond comments

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Leslie,

I am a resident of Wolcott and attended the hearing regarding the petition to designate Wolcott as a quiet pond.

As a frequent user of the pond I can not begin to tell you how important it is to keep this pond in pristine condition for the wildlife and for the people who wish to get away from the noise and chaos of daily life and commune with nature. The abundance of wild life in and around the pond is remarkable, and one can observe, if very cautious and quiet, the animals in their natural habitat, something very rare and special in this day and age.

Motor boats scare the animals away and diminish the quality of the experience for others.

Thank you for your consideration.

Sincerely,
Catherine Garvey

From: Welts, Leslie
Sent: Thursday, August 29, 2013 11:56 AM
To: Fechter, Kathy
Subject: FW: Comments - Wolcott Pond Petition

From: rlarchery@aol.com [<mailto:rlarchery@aol.com>]
Sent: Thursday, August 29, 2013 10:47 AM
To: Welts, Leslie
Subject: Comments - Wolcott Pond Petition

Cedric (Rick) Sanborn

106 Lyman Road

Barre, VT 05641

80-476-0617

rlarchery@aol.com

RE: Wolcott Pond Petition

Dear Leslie –

Interesting meeting on the 20th. Well attended, lots of passionate people. I did testify at the meeting and this e-mail will serve to expand upon that testimony and to rebut some of the arguments presented by those in favor of banning internal combustion engines from the pond. To be warned, I write longer than I speak, so this has the potential to be lengthy.

The first statement of course is to take the position that I am opposed to the prohibition of internal combustion engines on Wolcott Pond. And as I stated I am primarily a paddler of Vermont's lake ponds having canoed for 30 years and 10 kayaked for the past 10. In all of the 100's of outings my wife and I have gone on we have never had a confrontation with some one in a motor boat nor have we ever felt threatened or intimidated. Most of people we encounter these days on the water with motor boats are groups of friends or family who are doing the same thing I am – enjoying the natural resources that Vermont has to offer. Whether fishing or just touring around the pond. We all enjoy the same thing, we just do it differently.

Which brings us to the biggest argument for NOT banning motor boats from Wolcott Pond – Title 29: Public Property and Supplies, Chapter 11 – Management of Lakes and Ponds – 29 V.S.A. section 401 – Policy. This is known more commonly as the Public Trust Doctrine. And the opening sentence is “Lakes and ponds which are public waters of Vermont and the lands lying thereunder are a public trust, and it is the policy of the state that these waters and lands shall be managed to serve the public good.” “Public Good” is defined by statute as “that which shall be for the greatest benefit of the people of the state of Vermont”.

This followed up by 10 V.S.A. section 1424(c), which states –“The secretary shall attempt to manage the public waters so that the various uses may be enjoyed in a reasonable manner, in the best interests of ALL the citizens of the state. To the extent possible, the secretary shall provide for all normal uses”

Which brings us to – taking away from one group in favor of another does meet the policies set out above. We all, as citizens of the State of Vermont, have an equal right to utilize the state’s natural resources (with some basic common sense restrictions). The citizens in the greater Wolcott area have no more or less right to use and enjoy Wolcott Pond than some one from Bradford or Brattleboro.

I do frequently fish from my kayak which is a different experience than fishing from a canoe which is again different from fishing from a motor boat (yeah – I do that on occasion also). And as the quiet pond, paddler group tries to convince us that the motor boat folks could just go out and buy a trolling motor (\$200 - \$500, depends on the size of the boat), and a deep cycle marine battery (\$100), and a battery charger (another \$50 or so) – remember it is always easy to spend other peoples money.

There are those who do not have a paddle boat, don’t want one, can’t physically use one, or it just doesn’t fit the life style. Their only way to enjoy the pond is to use a motor boat. And we should deny them the experience of enjoying the pond because they use a different method of transportation? I think not. We can and should all play together in the sand box. And people with motor boats are drawn to the smaller ponds just as those with paddle boats are.

Being on Wolcott Pond is certainly a great experience – when you take the dark brown water combine it with the full blossom white water lilies on a bright summer day. Way cool!. And this should only be enjoyed by paddlers, because why? Other ponds provide different experiences because they and the land around them are different. Owned by all the people of Vermont, regardless of what town you live in. And must be accessible to all classes of users.

One of the comments made during the hearing was that there were plenty of other ponds that the folks with the gasoline motors could go to fish or view wildlife, and those who wanted Wolcott Pond to be a quiet pond were not really asking all that much, just one pond, and of course convenient access for those who live in the Wolcott area. So I pulled out my 2013 copy of the Vermont Fish & Wildlife Regulations and went to the Index of Lakes and Ponds which as well as listing each lake and pond also indicates whether or not internal combustion engines are allowed along with other boating restrictions (such as allowable speed limits). For Lamoille County there are 8 ponds (quiet ponds) listed that have a 5 mph restriction and prohibit internal combustion engines. Included in this list is Green River Reservoir which is 554 acres. There is only one (1) pond in Lamoille County with a 5 mph speed limit that allows internal combustion engines – Wolcott Pond. There are 2 larger ponds/lakes that have are to internal combustion engines and have no speed limit (Eden Lake -194 acres and Elmore Lake – 210 acres). Waterbury reservoir – 839 acres, is on the list as well but that predominately in Washington County. Six (6) of the restricted ponds are in Wolcott or Hyde Park. Seems like there is plenty of lakes and ponds immediately available for those looking for a quiet pond. If not then there are 2 more quiet ponds just down the road in Hardwick (Caledonia County)

So it would appear that these lakes and ponds are not really being managed for the “public good” as defined. And in Lamoille County boaters looking to enjoy the experience of being on a smaller pond are being treated a second class citizens. So Wolcott Pond very much needs to remain available to internal combustion engines.

As I testified, there is really no such thing as a “quiet pond”, only in as much as gasoline motors are excluded. People make noise where ever they go, and are seldom quiet. My vision of a “quiet pond” is a smallish one, under 100 acres or so that is not subjected to a lot of outside (off pond) noise. On pond

noises of talking, small motors, and paddles hitting the side of a canoe or kayak are just part of the experience, and a sign of others enjoying one of Vermont's natural resources. . Off pond noises of car doors and screen doors slamming, loud groups of people, lawn mowers, repairs/maintenance and building projects, traffic on an adjacent road, the playing of loud music etc. are things that make a pond not a "quiet pond".

And I can relate with the people who live adjacent and near the pond which is a very quiet setting, except of course when they are making their own noise (such as mowing their own grass or the state is mowing the access area). I live at the end of a sparsely populated dead end road, which puts me at the top of the ridge, where there is minimal background noise. And yes, when sitting on the porch swing, I do hear the cars on the lower gravel road which is over a half mile away through wooded lands. Noise levels are relative to the background we are accustomed to.

And it is impressive to see the people who own the land around the pond protect it from development and to build their camps back from the edge of the water to minimize the visual impact from the pond. But it doesn't give them ownership of the pond itself. And even though they all acknowledged that the pond belongs to the State of Vermont, nobody said it with much enthusiasm or conviction. And other than the fact they don't like internal combustion engines, nobody had a compelling reason to ban motors. Saving the planet from pollution is not a valid reason, I probably burned 4 gallons of gasoline to get to and from Wolcott for a 2 hour paddle. Had I used a motor boat it would not have added very little to the fuel usage for the day.

I heard the petitioners speak of a significant increase in boating activity on the pond this year. They specifically mentioned canoes and kayaks. I didn't hear a reference to an increase of boats with gasoline engines. That appears to be a very small number of users, who whether fishing or just viewing are enjoying the pond along with everyone else. And as they spoke of the increase in paddlers and how all were welcome to use "their" pond, I caught a hint of an under current where I really thought for a moment someone was going to say that the pond was being over used and it was cutting into their own quiet enjoyment of the pond. Can't say that of course in a public hearing but you can think it.

A select board member from Wolcott stated that the Town of Wolcott had voted to make Wolcott Pond a quiet pond. She went on to explain that the planning commission had inserted language to that effect in the town plan and that Select Board had then approved the plan. That is really not the same as taking a formal vote or putting the question to ALL the voters. A town plan is a non-regulatory document that lays out the goals and desires of the town and along the way addresses 11 planning criteria required by the state. I was on the Barre Town Planning Commission in 1988 when the Barre Town's first town plan was written and I am still there as we write the 2013 version. We (as all planning commissions do) put in goals that are important to us, that are then ultimately approved when the select board adopts the plan. I would guess over 90% of the town residents are totally unaware of what is in the town plan until something comes up that impacts them personally. And the big issue here, the Wolcott Planning Commission and Select Board have proposed rules on property (Wolcott Pond) that they don't even own or control. The land around the pond – yes. The pond itself – no.

There seems to be a few individuals with power boats who either don't know the restrictions that have been placed on the pond (quite clearly posted), or who just don't care. Trust me none of the other pond users want them there. One of the speakers made note that every boat has a registration number on it in 3" high numbers. I would also offer up that for a boat on Wolcott Pond there is only one way on and one way off and that is the boat ramp. Pretty easy to read the registration number from there. And citizens

shouldn't get into confrontations with others. That is why we have law enforcement agencies. Which leads me to - one doesn't even have to be standing at or near the access when the law breakers return to the access. Pretty sure parked in the lot is a motor vehicle with a boat trailer attached. They both have license numbers, call it in while the boat is still out on the water.

So I guess that is it. Please oppose the petition to ban internal combustion engines.

Thanks for the chance to comment

Rick Sanborn
R&L Archery
70 Smith St
Barre, VT 05641
802-479-9151
802-476-1377 (fax)
www.RandLArchery.com

From: Romero, Christiane Zehl <Christiane.Romero@tufts.edu>
Sent: Friday, August 02, 2013 7:43 PM
To: Welts, Leslie
Cc: Gail Osherenko

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Wells and the Water Board,

I wish to support the request that Wolcott Pond be declared a quiet pond without motorboats and related noises. I have been swimming in this pond for 47 years and have smelled gasoline fumes on its surface long after an outboard-powered boat had come by, not to speak of the noise which you hear far and wide in this quiet area, even if the boat goes slowly. The pond is simply too small for motorboats, fishermen and –women can easily row a boat around to where they want to fish. There are also the people coming in canoes and kajaks who appreciate the peace, quiet, and resultant wildlife, including the loons, of that small pond. It should be protected.

Thank you for your consideration

Christiane Zehl Romero

East Hill Road

Wolcott, Vermont

From: Clive Gray <clivegrayvt@gmail.com>
Sent: Saturday, August 03, 2013 8:27 AM
To: Welts, Leslie
Subject: Petition re motorboats on Wolcott Pond

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Leslie,

I am responding to your invitation to submit comments on the proposal to ban internal combustion motors from Wolcott Pond.

I have visited Wolcott Pond a number of times by canoe and find it a beautiful, largely pristine location.

Many years ago your department considered a similar petition on behalf of Long Pond in Greensboro and decided to allow only electric motors on that pond. This has been a great boon to lovers of Long Pond and wildlife on the pond. Unlike Wolcott Pond, Long Pond does not have breeding loons, but they visit it regularly to fish.

The fact that Wolcott Pond does have a regular loon nest, is much more accessible to boats than Long Pond, and is smaller than Long Pond, seems to me to make it even more important to spare Wolcott Pond from outboard motorboats, other than those powered by electric battery.

Sincerely, Clive Gray, 1131 Craftsbury Road, Greensboro, VT 05841

8/16/2013

Dear Leslie Welts,

I have lived near + fished on
Wolcott Pond for more than 40 years. This is
to tell you that I support the "Quiet Pond"
proposal for Wolcott Pond.

Sincerely

David Budnik

From: Welts, Leslie
Sent: Tuesday, September 03, 2013 11:42 AM
To: Fechter, Kathy
Subject: FW: Outboard Motorboats on Wolcott Pond

From: David French [<mailto:threefab@yahoo.com>]
Sent: Tuesday, September 03, 2013 11:02 AM
To: Welts, Leslie
Subject: Outboard Motorboats on Wolcott Pond

Agency of Natural Resources, c/o Leslie Welts,

I'm a Shelburne resident with friends in Wolcott. From time to time, I join them for an afternoon on Wolcott Pond. The sense of spaciousness and peace is wonderful -- at the right season, all you can hear is the call of the loon. It's an opportunity to heal the spirit.

Motorboats on the Pond change its character entirely. The only point of a motorboat is speed and noise, qualities that destroy what many of us go there for. There are many places people can go to be fast and noisy -- please let us retain one of the few where the atmosphere is blissfully otherwise!

I've read that some folks need boat transport to get from put-ins to camps on the Pond without road access. A reasonable concern, and electric motors could be allowed for that purpose. I hope, though, that the Agency of Natural Resources will establish rules to prohibit internal combustion motorboats from using the Pond.

Thank you,

- David French
180 Locust Hill Road
Shelburne, VT

From: Devon Craig BR14 <SLS46@FWWEBB.COM>
Sent: Thursday, August 29, 2013 6:33 AM
To: Welts, Leslie
Subject: wolcott pnd

I would just want to say that the State of Vermont's water resources belong to ALL residents...NOT just an elite few ! Regulations which restrict usage for the many...while benefitting only a few are wrong. Common sense needs to prevail .

Devon Craig
Account Mgr.
802-793-1595

MEMORANDUM

Attorney Client Privileged Communication

TO: Watershed Management Division, Leslie Welts, Esq.
FROM: Department of Fish and Wildlife, Catherine Gjessing, General Counsel
RE: Department Response to Friends of Wolcott Pond Petition
DATE: June 22, 2013

The Department of Fish and Wildlife (DFW) submits this memorandum to the Watershed Management Division in response to the petition of the *Friends of Wolcott Pond (Friends)*, filed pursuant to 10 V.S.A. § 1424. The petition requests that the Secretary amend the Vermont Use of Public Waters Rule to prohibit internal combustion engines on Wolcott Pond in Wolcott, Vermont. The DFW opposes the petition to prohibit internal combustion engines on Wolcott Pond. As a matter of public policy, the DFW would advocate for continuing the existing uses of the Pond. State surface waters are public trust resources which should be accessible to all Vermonters. It is the DFW position that the imposition of restrictions on internal combustion engines is more restrictive than necessary or practical to address any existing use conflicts.

Wolcott Pond is a 74-acre pond located in the Town of Wolcott. There are five primitive camps located around the pond which provide seasonal residences only. The pond is used for aquatic recreation, such as swimming, boating, fishing and wildlife viewing. The State of Vermont owns land on Wolcott Pond and the DFW maintains a fishing access area with a concrete boat launching ramp on the pond's western shore. DFW applied for and received a Shoreland Encroachment Permit to upgrade the Wolcott Pond Access Area and ramp to accommodate the launching of vessels, including those with internal combustion engines. *Friends* did not appeal the issuance of the permit. Work on the ramp is scheduled for August of 2013.

In accordance with the applicable statutory provisions, it is the policy of the state of Vermont to allow the “multiple use of the waters in a manner to provide for the best interests of the citizens of the state.” 10 V.S.A. § 1421. The statute requires that the Secretary “attempt to manage the public waters so that the various uses may be enjoyed in a reasonable manner.” In addition, if “possible, the Secretary shall provide for all normal uses.” 10 V.S.A. § 1424(c). These concepts are articulated in the Vermont Use of Public Waters Rules. For example, Rule 2.6 states that any conflicts between uses “shall be managed in a manner that provides for all normal uses to the greatest extent possible.” And, rule 2.7 directs the Secretary to use the “least restrictive approach practicable” when imposing any regulations. The uses considered under the rules include: “fishing, swimming, boating, water skiing, fish and wildlife habitat, wildlife observation, the enjoyment of aesthetic values, quiet solitude of the water body, and other water based activities.”

In 2012, Act 138 transferred authority for decisions regarding the use of public waters from the Water Resources Panel of the Natural Resources Board (Board) to the Department of Environmental Conservation Watershed Management Division. In prior decisions regarding the prohibition of internal combustible engines, the Board emphasized adhering to the established uses of a water body. In *In re: Sunrise Lake*, the Board refused to prohibit internal combustion engines because “such a prohibition would disallow an established use.” No. UPW 89-05, Decision (Nov. 20, 1991). In addition, the Board has noted that the “rules in effect...favor the preservation of established uses...and provide that the Board must manage use conflicts using the least restrictive approach possible.” *In re: Echo Lake*, No. UPW 91-05, Decision (Dec. 22, 1992). Wolcott Pond has an established use of permitting internal combustion engines.

The Water Resource Board (Board), in *In re: Fern Lake*, found that the recreational use conflicts did not justify banning the use of motor boats. No. UPW 97-0, Decision (Oct. 14, 1997). The Board has relied on the fact that “there have been no reported accidents between motorboats and swimmers” in making a decision to continue to allow motorboats. *In re: Silver Lake*, No. UPW 05-03, Decision (Oct. 25, 2005) (finding that “education and enforcement should first be explored” rather than imposing an internal combustion engine ban). The DFW is unaware of any accidents involving boats or boats and swimmers on Wolcott pond. The local game warden, covering the pond since 1995, has observed only light motorized boat traffic on the pond and no problems related to boat use have been observed or reported to DFW staff. One of Petitioner’s primary concerns with internal combustion engines appears to be the safety associated with the violation of the 5-mph speed limit posted on a sign at the public access ramp. Safety on lakes and ponds is also a concern of DFW particularly as the level of lake and pond recreation increases around the state. A less restrictive alternative for ensuring safe public access and reducing potential conflicts on Wolcott Pond is to increase posting and enforcement of the 5-mph speed limit. *Friends* acknowledge that when boaters are made aware of the 5-mph speed limit they obey the posted speed limit or avoid Wolcott Pond altogether. It is the DFW judgment that the recreational uses of Wolcott Pond do not require or merit the imposition of a ban on internal combustion engines.

Prohibiting internal combustion engines would place a burden on individuals, such as disabled or elderly anglers, who are not able to paddle or row and rely on internal combustion engines for aquatic propulsion. Additionally, the use of electric motors on water craft, and even rowing, paddling or sailing, do not ensure that the 5-mph speed limit will be obeyed; sailboats,

paddlecraft and watercraft possessing electric motors may still exceed the posted speed limit and would not resolve *Friend's* primary complaint.

Finally, Wolcott Pond does not appear to be heavily used for recreation and the wildlife and surrounding habitat is not showing signs of stress based on the current use of the pond. The nesting Common Loons located on the pond have been successful at hatching chicks 19 of the last 21 years. Individuals are not prevented from viewing the pond's many plant and animal species. In addition, landowners are already permitted to use non-vessel combustion engines, such as chainsaws, lawnmowers and generators, so removing noise from vessels using a combustion engine would not have a big impact on noise around Wolcott Pond. The prohibition of internal combustion engines will not necessarily reduce the spread of invasive species. The Board previously found that a prohibition of internal combustion engines would not control the spread of invasive species, such as milfoil, and that human activities such as, "motorized and nonmotorized boating, or swimming" can be responsible for the spread of invasive species. *In re: Star Lake*, No. UPW 98-05, Decision (Oct. 29, 1998). Because the number of individuals who frequent the pond is relatively small, there is no need to amend the rule and restrict the use of internal combustion engines for health and safety of the wildlife at Wolcott Pond at this time.

In conclusion, it is DFW's position that further restrictions on the use of internal combustion engines at Wolcott Pond are not warranted. The stricter enforcement of the posted speed limit, as well as better notice of the 5-mph restriction, would provide a less restrictive approach to addressing any recreational conflicts. This would be in keeping with the objectives articulated in the Vermont Statutes and the Vermont Use of Public Waters Rules to provide for normal uses of public waters to the greatest extent possible.

From: Ed and Sue Olsen <elmore73@gmail.com>
Sent: Sunday, August 18, 2013 7:17 PM
To: Welts, Leslie
Subject: Wolcott Pond

My name is Ed Olsen, and I reside in Elmore with my wife Sue and family. We have spent considerable time on Wolcott Pond, and enjoy its unique beauty and tranquility. There are not many bodies of water which provide quiet from motors. Green River is one of those places, and it has to be treasured.

My wife and I feel there are adequate places to launch and use a power boat, and Wolcott Pond should be preserved as a quiet place to be treasured as such.

Thank you for the effort you do to establish such places.

Sincerely, Ed and Sue Olsen

From: Welts, Leslie
Sent: Sunday, September 01, 2013 9:29 PM
To: Fechter, Kathy
Subject: Fwd: wolcott pond letter

Sent from my iPhone

Begin forwarded message:

From: Eric Hanson <ehanson@vtcostudies.org>
Date: September 1, 2013, 8:06:15 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Subject: wolcott pond letter

To the Vermont Agency of Natural Resources,
I am writing in support of the petition by the Friends of Wolcott Pond. Wolcott Pond provides one of best ponds greater than 50 acres for wildlife watching in the state with its extensive marsh shoreline. There are plenty of ponds and lakes in the area suitable for motorboats including Caspian, Elmore, Elligo, Eden, Waterbury Res., Woodbury, Nelson, Joe's, Mollys Falls Res., Shadow, Parker, and Crystal. There are several lakes in the area that should have speed limits due to their narrow configuration that do not including Greenwood and Great Hosmer. In consideration of other quieter waters in the area, Green River Reservoir requires an portage, and Little Hosmer Pond has a speed limit restriction or horsepower limit. But other than these two bodies of water, there are no other somewhat larger "quiet waters" in the immediate area. Quiet activities such as paddling and walking compared to motorized activities creates an interesting dilemma as the former has almost no impact on the latter while the latter has the potential for major impact on the former. Good luck in your decision making.

--

Eric Hanson

PO Box 22, Craftsbury, VT 05826
ehanson@vtcostudies.org (802) 586-8064

From: vtguns@aol.com
Sent: Wednesday, August 28, 2013 3:07 PM
To: Welts, Leslie
Subject: Public access to the Wolcott Pond and public use is important...

Follow Up Flag: Follow up
Flag Status: Flagged

The Wolcott Pond is an open body of water and as such public access and not restricting use of the pond is important and must be maintained.

Evan Hughes
Barre, Vermont

From: Welts, Leslie
Sent: Sunday, September 01, 2013 1:00 PM
To: Fechter, Kathy
Subject: Fwd: Establishing Wolcott Pond as a Quiet Pond

Sent from my iPhone

Begin forwarded message:

From: Florence Falk <florencefalk@gmail.com>
Date: September 1, 2013, 12:54:00 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: Gail Osherenko <gail.osherenko@gmail.com>
Subject: Establishing Wolcott Pond as a Quiet Pond

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT.05620

Attention: Leslie Welts

Dear Leslie Welts and the Watershed Management Division,

I submit my letter to you on behalf of the petition to establish Wolcott Pond as a "quiet pond," one of the (as yet) few existing 'quiet ponds' in the state of Vermont. As a Friend of W P, I attended the discussion of this issue at the Town Offices on Tuesday evening, August 20, 2013.

I found the event impressive for its lack of discord and the willingness of participants on both sides of the issue to speak clearly, succinctly, and without serious rancor on behalf of their stated position. This to me seemed very encouraging going forward, especially since it became clear as the discussion proceeded that most of the people in attendance shared a wish to preserve the beauty and sanctity of the pond for our, and future generations to come.

Underlying this I came away more convinced than ever that Wolcott Pond should be designated as a quiet pond on which motor boats are no longer permitted. Few ponds are designated as "quiet ponds" in Vermont. And yet, given the pristine nature of Wolcott Pond, and the concern of a large part of the local population that its nature should at all costs be protected, and the intention of many of these people to act as stewards on behalf of the natural integrity of the pond, I believe this designation will provide a welcome precedent for future generations in an age distinguished by increasing volatility and by encroachments of every sort on the natural world--including the loss of 'silence' everywhere.

Sincerely,

Florence Falk
Board Member, Friends of Wolcott Pond
1788 Town Hill Road,
Wolcott, VT 05680

Florence Falk, Ph.D., L.C.S.W.

677 West End Ave. (15B)

New York, NY 10025

212-662-7797

florencefalk@gmail.com

www.florencefalk.com

<http://www.facebook.com/falk.onmyown>

From: Welts, Leslie
Sent: Friday, August 30, 2013 4:27 PM
To: Fechter, Kathy
Subject: FW: Do Not Support Wolcott Pond Petition.
Attachments: Do Not Support Wolcott Pond Petition.doc

From: Frank Stanley [<mailto:frankjstanley@wildblue.net>]
Sent: Friday, August 30, 2013 4:28 PM
To: Welts, Leslie
Subject: FW: Do Not Support Wolcott Pond Petition.

Leslie I noticed a important typo in my first attachment. Please delete that one and replace with this one.

From: Frank Stanley [<mailto:frankjstanley@wildblue.net>]
Sent: Friday, August 30, 2013 4:23 PM
To: 'Welts, Leslie'
Subject: Do Not Support Wolcott Pond Petition.

Dear Leslie:

Please find attached my comments concerning the Friends of Wolcott Pond petition to ban the reasonable use of combustion engines on Wolcott Pond. Please respond that you have received this e-mail and attached comments.

Frank Stanley
Government Affairs and Public Outreach
Vermont Traditions Coalition
127 Sports Club Dr. #123
Bolton, VT 05477
802-238-0364
www.VermontTraditions.org

Department of Environmental Conservation
Watershed Management Division
1 National Life Drive Main-2
Montpelier, VT 05602-3520
Attention: Leslie Welts

I am writing in response to the petition filed by the Friends of Wolcott Pond to ban the use of internal combustion engines on Wolcott Pond.

According to the Vermont Use of Public Waters Rules:

Section I 1.1 states: *The Rules also provide guidance for the review of petitions filed pursuant to 10 V.S.A. §1424 seeking the adoption of rules regulating the use of particular public waters. The Rules attempt to avoid, where possible, and resolve, when necessary, conflicts in the use of public waters in a comprehensive and integrated manner so that the various uses may be enjoyed in a reasonable manner, considering the best interests of both current and future generations of the citizens of the state and insuring that natural resource values of the public waters are fully protected.*

Section II 2.2 states, *The public waters will be managed so that the various uses may be enjoyed in a reasonable manner, considering safety and the best interests of both current and future generations of citizens of the state and the need to provide an appropriate mix of water-based recreational opportunities on a regional and statewide basis.*

Section II 2.6 states: *Use conflicts shall be managed in a manner that provides for all normal uses to the greatest extent possible consistent with the provisions of Section 2.2 of these Rules.*

Section III 3.7: states: *In reviewing all such petitions, the policies in Section 2 above shall be considered. The petitioner shall have the burden of persuasion that the requested exceptions or modifications are consistent with the policies in Section 2 and applicable statutory requirements.*

The Friends of Wolcott Pond Petition states: *Many individuals and groups come to Wolcott Pond to kayak and canoe. In recent years the number of fishing boats using electric motors rather than internal combustion engines has increased dramatically.*

The 5 mile speed limit should discourage the use of higher speed boating, but since the signage is small and only posted on a bulletin board at the public landing, there are always some boaters who violate the speed limit using internal combustion boats.

Conclusion:

In keeping within the framework of the Use of Public Waters Rules and the criteria for the basis of a decision, I am of the opinion that the petitioners have not provided the necessary rationale to justify the requested modifications to the current rules.

Except for the anecdotal evidence provided in the petition there is no proof brought forward by the petitioners as to the scope of the use conflict. According to Law Enforcement officials there are no complaints on file and no tickets have ever been issued.

The petitioners admit they see the main cause to the alleged problems is a lack of the proper regulatory signage at the site. The petitioners are acknowledging that this alleged use conflict can likely be remedied through increased education and enforcement actions rather than regulatory action.

Motor boats on Wolcott Pond have been in use since the 1960's, and qualify as a normal use under the definitions in the public waters rules. The petitioners state that the use of combustion engines has dramatically decreased in recent years. This leads me to believe the alleged use conflict and safety concerns should also be on the decline.

The petitioners also feel the ban on combustion engines is necessary to preserve the wilderness nature of the pond. Wilderness is perceived differently by the different individuals and can be difficult to define and quantify. The definition of wilderness in many cases refers to an area uncultivated, uninhabited or untamed by humans. Wolcott Pond does not meet those standards. I would refer to the pond as relatively undeveloped. 962 acres of land including some waterfront has been conserved around Wolcott Pond paid for exclusively by funding from the sporting community. These conserved lands add to the relatively undeveloped nature of the pond and watershed, but little credit is given to the hunting and angling community for their efforts.

If, in fact, the use of motor boats has dramatically declined in recent years as stated by the petitioners, the petitioners should have a heightened feeling of "wilderness" as they perceive it. Recreational management usually revolves around minimizing user conflict as more user groups converge on a particular resource. Apparently this is not the case with Wolcott pond, thus it would lead one to believe that use conflict should be dramatically declining.

In the letter to DEC from the Wolcott select board they state that....*We believe that Wolcott Pond should be a quiet pond and we have indicated this in our recent Town Plan.* The recent 2013 Town Plan and the 2008 town plan have the same language, it states....*The Town of Wolcott urges all pond users to abide by the State's rules, in order to ensure a safe, pristine and relatively quiet pond area.* The town plan does not state that it should be formally designated as a "Quiet Pond" (banning of internal combustion engines). Town Voters did not vote through the 2008 Town Plan nor the 2013 Town Plan with a Quiet Pond designation as defined by the State.

I question the motivation by some individuals behind this proposed ban on combustion engines and furthermore, as stated above, do not feel the arguments by the petitioners are not nearly persuasive enough to justify a positive finding by DEC. A positive finding would not allow the reasonable use of the pond, would be contrary to the best interests of both current and future generations and would go against the public good as defined in the Public Trust Doctrine Statutes. Title 29: Public Property and Supplies, Chapter 11...Management of Lakes and Ponds...29 V.S.A.section, 401.

The alleged use conflicts on Wolcott Pond should easily be remedied by working together with local community groups, user groups and law enforcement officials. Before instituting questionable regulations, I believe that some reasonable steps to heighten awareness and enforcement in an effort to discourage a few unknowing or disrespectful individuals is in order.

It is of great importance that our public trust resources are available for all to use in a reasonable and respectful manner, regardless of individual preference by differing user groups or private property owners. Regulatory decision making should be based on sound science and resource management.

Please do not support the petition to ban combustion engines on Wolcott Pond.

Thank you, for your consideration

Frank Stanley
Vermont Traditions Coalition
Government Affairs and Public Outreach Coordinator
127 Sports Club Dr.
Bolton, VT 05477
802-238-0364

From: Welts, Leslie
Sent: Thursday, August 29, 2013 1:53 PM
To: Fechter, Kathy
Subject: FW: Revised letter from Osherenko 8.29.2013
Attachments: GOletter to ANR.quiet pond8.29.13.pdf

Would you let Gail know that we will accept comments until the end of the day on September 3? Thanks!

From: Gail Osherenko [<mailto:gail.osherenko@gmail.com>]
Sent: Thursday, August 29, 2013 1:49 PM
To: Welts, Leslie
Subject: Revised letter from Osherenko 8.29.2013

Dear Ms. Welts,
Please substitute the attached letter for the one I emailed earlier today.
I added some additional information. I will send the letter, attachment and DVD to you by mail. And I will try to add some photos when I have time.

Due to the holiday weekend, may people get letters in by Sept. 3?
Thank you.
Gail Osherenko

802 888 2298

[Dark Side of the Loon](#)
[Loon Chicks First Summer](#)

**Gail Osherenko
1325 East Hill Road
Wolcott, VT 05680
(802) 888 2298**

Watershed Management Division
Department of Environmental Conservation
1 National Life Drive, Main 2
Montpelier, VT 05602
Attention: Ms. Leslie Welts

RE: Petition to declare Wolcott Pond a Quiet Pond and eliminate the use of internal combustion engines on the pond

Dear Secretary Markowitz,

I testified at the Aug. 20 hearing in Wolcott this summer regarding the petition, but have some additional comments to add here.

Impossibility of policing a 5 mph speed limit

There have been concerns that we can't document violations of the 5 mph speed limit by motorboats and that there have been no official complaints. I thought my "loon log" from the summer of 2010 might be informative. (See attached.) I've highlighted some sections in red. What the log shows (in addition to the presence of loons, osprey, wood ducks, otter or muskrat) is the problem with motorboats exceeding the speed limit and an example of how I have dealt with it in the past (speaking to the offenders). In that case I did get the VT license number as well as the car license number (see loon log).

I may have told Mike Wichrowski in DFW about this incident. We were concerned about the noise and speed of motorboats and the small sign on the bulletin board with the 5mph limit posted. I spoke with Mike about Friends of Wolcott Pond's desire to ban internal combustion engines and about the need for better speed limit signage (I think he will remember), but he emphatically indicated that DFW would oppose any attempt to ban motorboats as they provide the fees that support the Department's work. He also said they wouldn't do more about the signage. The Friends' Board authorized getting highway type 5mph signs made and posting them at the pond. We subsequently had 2 signs made and put one up on a low big round post remaining close to where the ramp is located. As the journal shows, the sign had been taken down on July 19 after being up only a few days. Whoever took it pulled the whole post out of the ground with the sign as the post was gone too and there was a big hole in the ground.

Your division must know that policing the landing (let alone the pond) is difficult. That year the sign explaining about milfoil was upside down. This year it was missing entirely with its post. After the new replacement ramp was installed this summer (finished Aug.

15, 2013), the whole area was cleaned up, all track marks in the lawn were removed, the area reseeded, and any evidence of a firepit removed. I will send you pictures in a separate message of the damage I photographed this week: tire tracks tearing up the sod, a new firepit, trash. We never put up the second sign because they cost a lot and we figured it would just be destroyed again, but we would gladly give it to DFW to put up and maintain.

One night four summers ago, a group of us were celebrating the marriage of Sara and John Shevenell that had taken place earlier that year. The party was at their camp on a knoll mostly hidden from the pond. I had gone down after supper to see if Orah Moore had arrived by kayak. Instead of Orah, I saw a moose come out of the woods opposite the point where I stood, get into the water and proceed to drink and bathe. I had my video equipment with me so I took some video and then tiptoed back to the camp to let the others know about the moose. They followed me back down to the point very quietly, and we all stood watching the moose. Then a motorboat came roaring into the Hill Camp that was to the right some distance away but on the same side of the shore as the moose. Our viewing ended abruptly as the moose looked up, and then splashed out to the shore and disappeared back into the woods.

Wolcott Pond provides wilderness-like recreation

I will send you a copy of my film "Loon Chick's First Summer" which was shot on Wolcott Pond. It captures the serenity of the pond and its wilderness-like quality as well as some of the wildlife that shares the pond with our resident pair of loons and their occasional visitors. Please include the film into the record of the Petition. The websites for my two loon films are below. Some footage in Dark Side of the Loon also came from Wolcott Pond. I shot some footage as well for that film from Peacham and other ponds. While they had scenes I needed (flocking up of loons and such), there was considerable noise from lawn mowers operating on the shore of camps with lawns. We don't have this kind of disturbance at Wolcott Pond because the shore is predominately vegetated with woods coming down to the shore or marshland. Due to the stewardship of individuals who purchased much of the shoreline in order to protect it and keep it natural, we don't have many camps and only one with a small lawn.

It's time to recognize that Wolcott Pond is one of the "few public water bodies that remain capable of providing wilderness-like recreational opportunities in a manner consistent with protection of those characteristics that make those water bodies capable of supporting such water-based recreational uses." [In re: Petition to adopt rules regulating the use of Chittenden Reservoir, Town of Chittenden, Vermont, Docket No. UPW-02-02, p. 7.]

As the Chittenden decision of the Water Resources Board stated (and the Vermont Supreme Court affirmed), "The Vermont Use of Public Waters Rules do not require that all recreational uses be accommodated on all bodies of water, but rather that such public resources be managed both individually and collectively to provide for an appropriate mix of water-based recreational opportunities on a regional and statewide

basis, taking into account the needs of current and future generations of citizens of the state." (p.7-8).

Wolcott Pond is now heavily used by "quiet users" paddling, rowing, kayaking, and fishing. Some have electric motors that do not upset the quiet enjoyment of others and do not exceed the 5 mph speed limit.

The least restrictive way to manage the conflicts on Wolcott Pond is to end the use of internal combustion engines. Regulating the time, manner or place for them would not provide for quiet enjoyment or address the problems of air and water pollution of a pond that to date is not infested with milfoil, zebra mussels or other invasive plants. While there are other ways for invasive plants to find their way into the pond, elimination of use of internal combustion engines would reduce the risk of invasives as well as improve the water and air quality. Elaborate times or days of use restrictions would only making policing and enforcement more difficult while confusing users.

I don't think that more presence of fish and game wardens on the pond is a practical way to enforce the 5 mi. speed limit and eliminate the safety risk posed by boats creating a wake or the noise and pollution they create. The open access of the public landing is difficult enough to care for with regular clean up crews. The vastly increased number of quiet users seeking tranquility has made this petition necessary. The VUPW Rules aim to protect uses for future generations and not only this generation. We hope that the next generation will have a quiet pond for peaceful enjoyment of wildlife and the scenic beauty of Wolcott Pond.

Ecological Significance of Wolcott Pond and its environs

The following information about Wolcott Pond comes from the NRS Forest Management Plan for my husband's and my land adjacent to Wolcott Pond (report prepared by Luke W. Hardt, July 12, 2012):

The 60 acre property has roughly 1500 feet of frontage along the south shore of Wolcott Pond which is easily accessed by watercraft. The property shares a boundary with the Vermont Fish and Wildlife (Water Resources Land). The property is managed exclusively for natural resource management and has no road frontage. The parcel includes six acres of National Wetlands Inventory Wetland and 1.7 acres of Ecologically Significant Riparian area. There are 11 acres of Deer Yard on the parcel that are part of a 4,500 acre deer yard complex. We do not post the land.

The 60-acre parcel is now protected by a conservation easement donated by us to the Vermont Land Trust in 2012. The parcel contains or is adjacent to five aquatic plants that are Rare Species (S2 plant species): *Littorella Americana*, American Shoregrass, *Ceratophyllum echinatum*, Prickly Hornwort, *Callitriche herterophylla*, Large Water-Starwort, *Sparganium fluctuans*, Water Bur-reed, *Elodia nuttallii*, Nuttall Waterweed which is a Rare (Imperiid) species.

The parcels' habitats support species ranging from the northern saw-whet owl to the yellow-spotted salamander. There is much other specific information in the

management plan and accompanying map indicating the areas of rare species (both on land and in adjacent waters). You are welcome to obtain the report or contact Luke Hardt luke@hardtforestry.com for more information.

According to Steve Young, PhD in Botany, the property also has a population of *Rhododendron prinophyllum*, the pink azalea. We don't know where it sits on the Vermont list of endangered and threatened species, but the Wolcott Pond stand is the only one Steve knows of in northern Vermont.

As a regular user of Wolcott Pond and as an adjacent landowner, I have tried to be an excellent steward of the pond and its adjacent shoreline and uplands. For many years, I felt that it was premature to ask for a ban on the use of internal combustion engines on the pond despite their noise and pollution. But now the uses of the pond have shifted so that there are fewer gas burning engines, many more electric motors and many, many more quiet users paddling kayaks and canoes. The fishermen and fishermams (many of whom fish from the landing, from private lands and from quiet boats) do pay fees that support the work of your agency. And the many users of the pond (whether residents of Wolcott, summer people, tourists, second home owners, etc.) contribute substantially to the economy of Vermont in many ways. Personally, I would support legislation that would remove the argument that motor boaters cover the costs while paddlers don't shoulder the burden. But this is not the subject of the decision at hand.

I respectfully request that the Agency of Natural Resources establish Wolcott Pond as a Quiet Pond with the simple additional rule that internal combustion engines not be used on the pond.

Thank you,

Gail Osherenko

[Dark Side of the Loon](http://www.darksideoftheloan.com) www.darksideoftheloan.com

[Loon Chicks First Summer](http://www.loonchicksfirstsummer.com) www.loonchicksfirstsummer.com

Enclosed: copy of Loon Chick's First Summer

From: Glo Webel <glowebel@gmail.com>
Sent: Thursday, August 01, 2013 8:38 PM
To: Welts, Leslie
Subject: Wolcott Pond

Dear Leslie Welts,

I am writing in support of the petition to have Wolcott Pond be a quiet pond with no combustible engines. I live in Johnson, VT and have gone up to Wolcott Pond probably 10 times over the years to the fishing access area to launch my boats. It is a beautiful spot and I have loved being able to quietly observe the loons, beavers, and other critters from my 10ft. sailboat which also can be a row boat. I have also used my kayak on the pond. It is a precious spot where truly one can peacefully enjoy the natural surroundings with out disturbing the wildlife living there. Fortunately, whenever I have gone there I did not have to share the pond with any motor boats. I'm sure if I had it would have destroyed the peace and quiet being experienced by all the local wildlife and myself.

Thank you for considering the petition feedback. I think it's a great idea to make it a quiet Pond undisturbed by motors. Sincerely, Glo Webel , 829 Upper French Hill Road, Johnson, VT 05656-9479

From: Welts, Leslie
Sent: Saturday, August 31, 2013 8:27 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond - Quiet Pond petition

Sent from my iPhone

Begin forwarded message:

From: Gordon Young <gordon.young.vt@gmail.com>
Date: August 30, 2013, 11:45:50 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: Gail Osherenko <gail.osherenko@gmail.com>
Subject: Wolcott Pond - Quiet Pond petition

Greetings,

As a full-time resident of Wolcott Vt, born and raised here, and as a voter and active member of the community, I'm writing to express my support for the Quiet Pond petition for Wolcott Pond, and to ask decision-makers to bear in mind some key facts.

I have spent some time considering the many points raise in public comments by those opposed to the petition. Some of these make no sense to me - for instance, the notion that any problems we have today could be resolved by better enforcement. I don't believe it's realistic to think that anyone witnessing a violation on the pond could reasonably get word to an officer of the law in time for meaningful enforcement action to take place.

Other points made me pause for more reflection - for instance, the idea that small children, infirm and elder people could have difficulty using smaller, human powered boats, and that the proposed rule would prevent them from accessing and enjoying the pond. However, a ban on internal-combustion motors does not necessarily limit boaters to canoes and kayaks - many broader boats existing that can be rowed with oars, or powered with electric motors. Even if that were not the case, I have often taken my 7 year old son around Wolcott pond in a Canoe since he was 3, and my brother has used the same boat to transport our then-96 year old grandmother around the pond. It is simply not true that internal combustion is a necessity for all generations to enjoy the pond.

After careful thought about these and other points, I still find there is a compelling case for prohibiting internal combustion motors on the pond. The key point is that the pond is remarkable for the lack of development on and around it, and while there are a few others that are similarly undeveloped, these are vastly outnumbered by those that are developed. As a resource for the people of the state of VT, and guests and tourists - Wolcott pond is valuable because what it offers is so rare - and something of this value is worthy of taking extra steps to protect.

It may be true that recent engines are much more benign than older motors - but there is little reason to believe that every boat that would put in to the pond will have the new equipment, or that it is in good repair. And environmental damage may be caused by a single unfortunate event, or by chronic use. Because Wolcott pond is such an uncommon asset for Vermonters, the features that make it special should be protected with extra care. Restricting the use of internal combustion engines eliminates many risks of environmental damage and significantly reduces risks from joy-riders who ignore the 5 mph speed limit as well as other that may be prone to accidents or other misfortune.

Vermont has no shortage of lakes and ponds that are accessible by motor boat, but undeveloped bodies are increasingly rare - and no new ones are likely to come on-line in our lifetime or even that of our grandchildren. Please do the right thing and protect this valuable environmental resource - for the sake of current and future generations.

Sincerely,

Gordon Young
265 Cross Road
Wolcott Vt 05680

From: Welts, Leslie
Sent: Saturday, August 31, 2013 8:27 AM
To: Fechter, Kathy
Subject: Fwd: Wolcott Pond - Quiet Pond petition

Sent from my iPhone

Begin forwarded message:

From: Gordon Young <gordon.young.vt@gmail.com>
Date: August 30, 2013, 11:45:50 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>
Cc: Gail Osherenko <gail.osherenko@gmail.com>
Subject: **Wolcott Pond - Quiet Pond petition**

Greetings,

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After careful thought about these and other points, I still find there is a compelling case for prohibiting internal combustion motors on the pond. The key point is that the pond is remarkable for the lack of development on and around it, and while there are a few others that are similarly undeveloped, these are vastly outnumbered by those that are developed. As a resource for the people of the state of VT, and guests and tourists - Wolcott pond is valuable because what it offers is so rare - and something of this value is worthy of taking extra steps to protect.

It may be true that recent engines are much more benign than older motors - but there is little reason to believe that every boat that would put in to the pond will have the new equipment, or that it is in good repair. And environmental damage may be caused by a single unfortunate event, or by chronic use. Because Wolcott pond is such an uncommon asset for Vermonters, the features that make it special should be protected with extra care. Restricting the use of internal combustion engines eliminates many risks of environmental damage and significantly reduces risks from joy-riders who ignore the 5 mph speed limit as well as other that may be prone to accidents or other misfortune.

Vermont has no shortage of lakes and ponds that are accessible by motor boat, but undeveloped bodies are increasingly rare - and no new ones are likely to come on-line in our lifetime or even that of our grandchildren. Please do the right thing and protect this valuable environmental resource - for the sake of current and future generations.

Sincerely,

Gordon Young
265 Cross Road
Wolcott Vt 05680