

From: [Barbara Thompson](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Tuesday, May 27, 2014 5:08:46 PM

Dear Laura,

I am unable to attend tonight's meeting, but I am supporting the non-use of Berlin Pond for recreational purposes. Please pass the full petition supported by *Citizens to protect Berlin Pond*.

As we learn more about protecting our environment, and the vulnerability of our water supply, a resource we often take for granted, it becomes clear that we must take steps to preserve this precious resource.

Thank you for your kind attention to my email,
Sincerely,

Barbara Thompson
35 Hebert Road, Montpelier

From: [Hannah Morris](#)
To: [Woods, Laura](#)
Subject: Thoughts on the Berlin Pond use restriction
Date: Tuesday, May 27, 2014 8:48:39 PM

Dear Ms. Woods,

Thanks very much for considering my thoughts on the issue of the Town of Berlin reconsidering the ban on recreational use of the Berlin Pond. As a Vermonter, a resident of Montpelier, and as a fan of clean drinking water, I strongly urge that this restriction remain intact. In the very least, should the restrictions be loosened, it should be ONLY for non-motorized/non-polluting use.

I have read the article *The Bridge*, and have considered the fact that Vermont is a state known not only for its natural beauty but for its environmental ethics. It is home to the #1 school for environmental law, after all, not to mention the countless farmers, activists, educators, and citizens who work hard to preserve and utilize the land in the most sustainable way possible. I would be shocked—at best—and utter demoralized—at worst—if these restrictions were loosened so much that petroleum effluents and pollutants were allowed into Montpelier's only drinking water source. Is it that necessary that motorized boaters be allowed to rev their engines in our only source of drinking water? There are no other boating options for them? The short-sighted vision of this option is dumbfounding. Perhaps some of those boaters would be drinking the very water they're polluting. The logic of that, well, is illogical.

Please consider my words, since I speak not only for myself, but for my street here in Montpelier (Downing Street, a lovely dead-end street full of incredible people.) I do not want any of them, especially the babies, drinking petroleum-laced water.

I'm happy to share more thoughts but I'm sure you get my point.

Thank you again for the opportunity to share. I hope you do what's right for everyone, even if it makes motorized boaters upset. They'll survive. They need clean drinking water more than they need another place to boat.

Warm regards,
Hannah Morris

10 Downing Street, Apt. 1
Montpelier, VT
802-272-0908

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www.draw-lucky.com
@hannahdrawlucky

From: [Kevin Lawrence](#)
To: [Woods, Laura](#)
Subject: Berlin Pond: reject petition !!
Date: Tuesday, May 27, 2014 9:10:24 PM

Please reject the petition entirely which seeks to limit access to Berlin Pond for the following reasons:

- 1) This is not a unique water body, given that it is surrounded by roads, an interstate bisects it, and more than a dozen residential leach fields "leach" into the basin.
- 2) Limiting access to recreational pursuits does nothing to keep the water supply safe from terrorists. Absolutely nothing is gained by limiting fishers' and boaters' access.
- 3) "Turbidity" from kayakers??? What a stupid argument. Stirring up carcinogens?? Again, totally ridiculous.
- 4) The water in this pond is sometimes over 55 feet deep. I've fished it and know. This is a large body of water that can easily absorb more use. The beavers, otters, muskrats, dogs, etc. that use this water do not get permits before they "discharge" in its pristine waters.

Please reject this unscientific petition.

Kevin Lawrence
802-866-5024, Newbury, VT

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From: [Elizabeth Robeck](#)
To: [Woods, Laura](#)
Subject: Berlin Pond comment
Date: Tuesday, May 27, 2014 9:19:06 PM

After attending the public meeting this evening at Berlin Elementary, I wish to leave the following comment.

As the ONLY drinking water source for Vermont's Statehouse, Montpelier and environs, Berlin Pond is too precious for any other human activity. Please return this resource to its historic status which disallows human activity in the water. And those cars noted as parked there, they should go too. Even without human activities water quality will be challenged everywhere around the world; lets not make it worse when many potential problems, provoked by people and water craft, can be avoided up front.

The Montpelier area has no other drinking water source to turn to. There are MANY other places for water recreation. I agree with the science presented and the professional opinions of the City's water engineer and other civic officials. A few comments were made by elders and those affected by Burlington's water; let's also think of the children who start out with a compromised environment: water, air, soil.

A couple years ago I relocated from Santa Fe, New Mexico, it is hard to find words for how precious water is there. People are given no access to the drinking water reservoir area which is continually patrolled to maintain no human interference. It is that precious. There are drinking water sources and there are places for recreation. This is a place where the two don't mix.

Thank YOU.

look *beyond* what you are searching for....

Elizabeth Robeck, MLA

Master of Landscape Architecture

505-577-4540 (cell)

elizabeth@earthartworks.net

www.earthartworks.net

<http://youtu.be/RjT2x3jhbdg>

From: [kevin.lawrence](#)
To: [Woods, Laura](#)
Subject: Reject Berlin Pond Petition
Date: Wednesday, May 28, 2014 8:21:01 AM

Dear DEC Board:

Please reject the petition to totally restrict public access to the public waters of Berlin Pond. Nothing in this petition protects this waterbody from any person or accident. The interstate with its fuel trucks pose more danger to the waterway than people do. I fish in many reservoirs in VT where conservation is practiced, including fishing and boating.

kevin Lawrence

From: [Jessica Thyme](#)
To: [Woods, Laura](#)
Subject: Berlin pond petition comments
Date: Wednesday, May 28, 2014 8:37:29 AM

Please consider that the opening of Berlin pond to recreation is a privilege.

It is inappropriate at this time, with the fragility of our natural populations, due entirely to humanity, to offer more privileges at the expense of nature.

Please protect the pond as a sanctuary for nature. If law cannot protect our feathered friends' territory, please consider limiting the hours & seasons, so the habitat is not continuously disrupted.

The city's decision to leave this area off limits is prudent, enhances the recreation at the perimeter, and reveals the value of the area. I am sorry to hear the state has overturned this local set of values to date.

The conservation commission should install a monument at current parking access points as a reminder of this value & respected status.

Thank you,

Jessica Thyme, Montpelier Resident, recreational paddler

From: [Clay and Gail Poitras](#)
To: [Woods, Laura](#)
Subject: Petition filed February 6, 2014 by the Citizens to Protect Berlin Pond - Comment from Clay & Gail Poitras, Montpelier, VT
Date: Wednesday, May 28, 2014 10:34:05 AM

Department of Environmental Conservation
One National Life Drive, Main 2
Montpelier, VT 05620 - 3522
Attention: Laura Woods

Subject: Petition filed February 6, 2014 by the Citizens to Protect Berlin Pond

We are residents of Montpelier, VT, and are writing to express our **full support for the Petition filed February 6, 2014 by the Citizens to Protect Berlin Pond** seeking " the prohibition of recreational use of the surface waters of Berlin Pond, including use of all watercraft, with or without internal combustion motors, fishing from shore, or from the surface of ice, swimming, paddle boarding, wading or building any access on shore that could at a later time encourage such use."

Berlin Pond is, ultimately, a small, rather shallow body of water – one easily disrupted by human intrusion and contamination. There is no body of water of which we are aware that has not deteriorated with respect to water quality by intrusion of humans – albeit the deterioration may be incremental over long periods of time. The experience of the City of Barre with respect to Orange Reservoir is, we believe, only modestly indicative of the adverse effects that can be reasonably anticipated in Berlin Pond.

Several thousand people depend on Berlin Pond for their drinking water - and will be more as development in Central Vermont continues and the population gradually increases. There is a compelling reason to protect the pond and its watershed – both short and long term – in the best public interest. In fact, there appears to be a compelling argument for measures to be taken by the State, City of Montpelier and Town of Berlin beyond those stated in the petition in order to protect the integrity of the pond and watershed.

The public and scientific literature abounds with reports of failures to protect sources of potable water. The reports cite the oftentimes enormous public challenges and necessary expense to avoid further deterioration – all attributable to insufficient foresight, commitment and effort to protect these critical assets. The messages from science and experience are clear - that we no longer live in an age where drinking water can be taken for granted; and that strong measures to protect sources are not only in the best public interest – but imperative.

The issue before the Agency of Natural Resources is whether or not the recreational potential of the pond for a few hundred – at most a few thousand – outweighs the importance of protecting a source of drinking water depended upon by several thousand Vermonters - many unborn – when Central Vermont, the State and New England in general abound with alternative sites for this recreation. From the perspective of "what is in the best public interest", we believe protecting the pond from human intrusion to be far more important than allowing the use of the pond for

recreation purposes – both in the short and long term.

For these reasons, we urge the Agency to approve this petition.

Respectfully,

Clayton P. Poitras, Jr.
Gail I. Poitras
6 Edwards Street
Montpelier, VT 05602
Clay.gailvt@myfairpoint.net

May 28, 2014



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

From: tolya.stonorov
To: [Woods, Laura](mailto:Woods.Laura)
Subject: Keep Berlin Pond clean!!
Date: Wednesday, May 28, 2014 10:50:38 AM

Dear Laura,

I write to urge you to support **full protection of Berlin Pond, as has been in place for a century. This is our children's drinking water. It is essential that it be kept clean!**

**Thank you,
Tolya Stonorov**

www.stonorovworkshop.com

tolya syril stonorov
stonorov workshop
415.497.7337

From: [Craig Nolan](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Wednesday, May 28, 2014 11:35:13 AM

I support the continued public access to Berlin Pond for fishing and use of non- motorized watercraft, such as rowboats, canoes, and kayaks.

Thank you,

Craig Nolan

227 Cottage Road
Averill, VT 05903

From: [Erik Esselstyn](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Petition
Date: Wednesday, May 28, 2014 12:15:28 PM

As a Montpelier home owner, plain and simple, anything that potentially further degrades the water quality of Berlin Pond represents frightening and myopic public policy. The Vermont Supreme Court decision overriding Montpelier's long standing control of access made it clear that other legal avenues are available to limit access to the pond's surface water. I heartily support the petition of Friends of Berlin Pond asking the Agency of Natural Resources to live up to its own stated commitment to protect special waters and its policy not to let waters degrade by forbidding public access to the waters of Berlin Pond.

Respectfully submitted,

Erik C. Esselstyn

Erik Esselstyn
2850 Route 14 N
Plainfield, VT 05667
802-454-7306
erikess@comcast.net

From: [pat_carstensen](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Wednesday, May 28, 2014 1:14:35 PM

Dear Laura,

I am writing in regard to the protection of Berlin Pond. I was not able to be at the meeting last night, but I would like to express my opinion that Berlin Pond be returned to the previous status with full protection. We need to protect this valuable resource as the source of drinking water for Montpelier.

Thank you for your consideration,

Pat Carstensen

From: [Douglas Hill](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Wednesday, May 28, 2014 2:54:47 PM

May 28, 2014

Department of Natural Resources

Re: Berlin Pond Petition

Thank you for hosting the public comment session last evening. I found the majority of the comments in support of the petition grounded in good common sense. One, however, was particularly on point and should not be taken lightly. I believe he said, "The area sportsmen have many opportunities other than Berlin Pond, whereas the city of Montpelier has only one."

Arguably eliminating all surface activity on the pond will not eliminate all risk. And it is not in dispute that encouraging and increasing surface activity will increase the risk. It is just that simple.

Please think long and hard about this petition. The overwhelming message from all fronts is to go back the way it was for over 100 years. When we speak of water quality, let's not forget there was no filtration facility during that century. Already, judging by the comments last night, it appears the water quality is noticeably suffering.

There is no "plan B" for a good water source for Montpelier.

Doug Hill

1266 Brookfield Rd.

Berlin, VT

Philip Etter ~ Susan Premo
60 Gould Hill Road ~ Worcester, VT 05682
E-mail: phil@philipetter.com

May 28, 2014

Susan Warren, Program Manager
Laura Woods, Environmental Technician
Lakes & Ponds Management and Protection Program
Department of Environmental Conservation
One National Life Drive, Main 2
Montpelier, VT 05620-3522

RE: Citizens to Protect Berlin Pond Petition

We are writing in support of a ban on public recreation on the water surfaces of Berlin Pond. We are avid canoeists and paddle on most of the ponds and lakes of Central Vermont during the season. Yet, when the ban was lifted on Berlin Pond, we were not tempted to put our canoe in and paddle. This is one of the last undisturbed natural areas in the state. There are numerous other bodies of water on which to boat and fish and we would like to see the undisturbed nature of Berlin Pond preserved.

This ban does not represent a ban on recreation as anyone who visits the pond knows. The area around the pond is in almost constant recreational use by hikers, wildlife observers and bikers, many of whom are children, and an increase in traffic poses additional issues in safety, road dust etc. for those already enjoying this valuable resource.

Having worked on preservation of ponds (which do allow fishing) in other areas of Vermont, we are aware how quickly an undisturbed pond can become an environmental travesty with increases of phosphorous from runoff, litter, and the introduction of invasive species on boats and tackle. The increase of improperly discarded fish line on other ponds has posed a serious threat to loons and other species, and should be avoided here.

We encourage the division to ensure the safety and purity of Berlin Pond, not only as a town water supply but as a valuable wildlife habitat and recreational resource.

Thank you for your consideration.

Sincerely,



Philip Etter



Susan Premo

Cc.

ANR HEARING SPEECH

I want to thank the ANR for accepting the CTPBP petition for review and holding this public hearing.

First I think it is important to say that the CTPBP group support responsible hunting, fishing and boating. All of the activities allowed by the May 2012 Supreme Court decision. In fact, *almost* everyone in our group is a participant in one of these activities on a regular basis.

Our petition is about a small, fragile pond that is the sole drinking water source for the entire city of Montpelier and many residents of Berlin. 20,000 people who use this water on a daily basis.

It is about a water treatment facility that was built to process water from a pond that had no human contact.

It is about a quiet recreational opportunity for over 100 years for thousands of people yearly that is found nowhere else in the region and perhaps our state.

It is also about the dangers that human access introduces from people with malicious intent.

And, it is about clean drinking water, arguably the most precious resource on earth.

SECTION I

Water Quality

In a recent speech on May 23, the day Governor Shumlin proclaimed as “Water Quality Day” in Montpelier, Commissioner David Mears of the DEC, announced the water quality of Lake Champlain has been compromised to the point of questionable use as potable water.

Let's look at Berlin pond. It's small. It covers only 360 acres with an average depth of 25 feet. Lake Champlain by comparison, while it has only ten times the number of daily water customers, is over 2300 times the volume of Berlin Pond.

One of the challenges for the water treatment facility in producing clean tap water is the occurrence of turbidity. This occurs naturally in the spring and in storm run-off but increases with human use. *Kayak & canoe* paddles, fishing and swimming all can, on a daily basis, produce turbidity due to the siltiness of this shallow pond. The increase in turbidity can carry human bacteria and any pathogens now present from human access into the intake.

The response to increased turbidity is an increase in disinfectants. In Berlin this is Chlorine. And the byproducts of chlorine are proven to be cancer causing.

As it currently stands, petroleum can be present on the surface of Berlin Pond from, among other sources, snow mobiles, ice augers and trucks.

The current system of filtration at the treatment facility can neither detect nor remove this petroleum. The people who discover it in their tap water will be the first to be aware of its presence.

Worldwide, the quality of any body of water becomes degraded once exposed to human contact. At best, the purity of unprotected Berlin Pond water will, gradually, or perhaps not so gradually, need more and more disinfectant, experience *damaging* algae blooms and require expensive corrections due to invasive species.

Continuing his speech, Commissioner Mears cited the good fortune of all of us who live in this state to have such clean air and pure water. This is in a world where clean water is *rapidly* becoming a scarce commodity.

The recreation allowed by the Supreme Court decision in 2012 is not reason enough to risk it.

SECTION 11

Homeland Security

The attention that we pay to Homeland security issues tends to wax and wane depending on the length of time since the last event.

In 2011 ten years had passed since the 911 events. There was certainly less public worry over potential threats.

In 2013 came the Boston Marathon attacks. A three hour drive from us.

The fact that Montpelier is a capital city makes it, unfortunately, attractive to those with that *kind of* malicious intent.

Another attractive feature is how shallow the Berlin Pond intake sits and the fact that there are maps, easily available, detailing its location.

Prior to May 2012 we had the built-in protection of a person on the pond alerting attention. Now, anytime of year someone can boat or ice fish directly over the intake without arousing concern.

SECTION III Recreation

The ANR mission statement is “To draw from and build upon Vermonter's shared ethic of responsibility for our natural environment, an ethic that encompasses a sense of place, community and quality of life and understanding that we are all an integral part of the environment and that we must all be responsible stewards for this and future generations.”

We see the rule changes, as proposed in our petition, consistent with the ANR mission statement and the stated rules that involve recreation.

Here the ANR has both an obligation and an opportunity.

Vermont “Use of Public Waters Rule 1.1” recognizes that “Some conflicts and management issues require solutions tailored to the unique circumstances of particular bodies of water.”

Berlin Pond is unique as a water supply for our capital city and is a place of recreation that involves no human contact with water for thousands of people each year.

It has a diversity of habitat including a very large Class II wetland, a refuge for birds and water fowl at a level not found anywhere else in Vermont.

THIS qualifies it as a unique circumstance.

Section 2.2

The rules consider “Predominant use of adjacent lands-”

Our response is There is no development, *there are* no camps and there are protected wetlands.

The rules consider “The predominant use of waters prior to regulation.”

Our response is For over 100 years the predominant use of this water was as the sole water source for Montpelier, and the undisturbed nature that was enjoyed by thousands of people yearly.

The rules consider the “Need to provide an appropriate mix of water based recreational opportunities on a regional and statewide basis.”

There are 39 lakes and ponds that offer the recreation allowed by the supreme court decision on Berlin Pond.

There are 35 within a 30 mile radius of the pond.

There are 20 within a 25 mile radius

There are 11 within a 20 mile radius.

Even a fully protected pond is only one of its kind in the 39 surrounding bodies of water.

If the rule is followed that a true mix is necessary - there actually should be more protected waters than there are in the state right now.

The Agency of Natural Resources “obligation” is to follow the Agency of Natural Resources rules and to recognize that non contact uses of waters and their associated wetlands ARE a legitimate public use and that all water resources don't need to be exploited with human disturbance and a diversity of these uses MUST be maintained.

Our petition seeks to preserve the recreational use of wildlife watching and viewing the refuge function of the pond WITHOUT human disturbance.

SECTION IV Opportunity

Attorney Welts, Secretary Markowitz, Commissioner Mears
and Governor Shumlin-

Vermont has always been a leader in environmental protection
issues.

The state recently scored a big victory by insisting on the
labeling of GMO's thus enabling us to protect our food.

In passing the CTPBP petition you have the unique
opportunity to:

Show your commitment to the diversity present in the 100
year history of the pond.

To protect the breeding areas of diverse species including
water fowl which ultimately enhances the hunting
experiences in other areas of the state.

And to say to the Citizens of your capital city, the state, the
nation and even the world, that, in the age of rapidly
vanishing clean water sources-

**YOU STAND FOR THE CLEANEST POSSIBLE
DRINKING WATER.**

Make no mistake-

Your decision will be seen by, and have consequences in, places reaching far beyond the borders of Berlin Vermont.

Thank you.

COMMENTS BY
Robert E. Dufresne, PE
Designer Montpelier Water Treatment Facility
May 27, 2014

RED Dufresne cannot be present tonight as he is at a New England Water Works Association seminar in Manchester NH. His comments are as follows:

Professionals in the drinking water industry use a multi-barrier approach for maintaining and insuring safe water to our customers. Barriers to prevent water contamination include peroxidation, clarification, filtration and disinfection. However, the first barrier includes source water protection. Our objective is to find the best protected source and maintain a vigil to protect the source water quality. The City of Montpelier and the State of Vermont have long insured that Berlin Pond is protected from development and the environmental degradation that follows such development. A water supply impoundment may look like every other lake or pond in Vermont; but a water source of supply is not like every other lake or pond. As a water works professional, it is difficult to believe that we are considering allowing recreational use of the water supply. Such use would significantly render our first barrier in maintaining safe water ineffective. Can the remaining barriers prevent contamination from reaching the customers? The answer is maybe. But why take the risk?

In the water industry, we cannot deal in absolutes. The federal Surface Water Treatment Rule requires the Montpelier Water Treatment Facility to remove or inactivate 99.9% of the Giardia Lamblia cysts that may be present in the raw water. Our tools to accomplish this requirement include filtration and disinfection. We can push the removal/inactivation for virus up to 99.99% or even 99.999%. But based on cost limitations and statistics, we can never achieve 100% removal.

Opening up Berlin Pond to human activities follows the same statistical relationship. Perhaps 99% of those individuals accessing the pond follow safe practices; maybe even 99.9%. However, the one person in 1,000 who doesn't know or care that Berlin Pond is a water supply for the Capital City is a concern. Worse, we are concerned about the willful contamination of the source of supply by malicious individuals. Others have previously testified that such a concern is ridiculous. I can assure you that such concern is valid. Prior to video monitoring of sources of water supply, waterworks professionals could not track willful contamination of water supplies. But now there is record of individuals willfully urinating in water on its way to our customers. This is a concern causing millions of gallons of finished water to be wasted but more of a concern is a coordinated contamination event by individuals to cause havoc in a capital city in the United States.

The water treatment facility in Montpelier is better equipped than most to deal with microbial and particulate contamination. The operators have modern up to date unit operations and real time water quality analyzers monitoring the quality of the water. However, there are countless volatile and synthetic contaminants which are not tested

and or tested only on a three year basis. Could someone drop a toxic substance that could make it through the plant undetected? Absolutely. Even if we knew of the event, and we knew the type of contaminate, could we take action to protect the water? Probably not. Our only approach would be shut the water off. Storage tanks would last perhaps a week with conservation but with a contaminated Berlin Pond. We would be dependent on emergency temporary connections to Barre or other large system

Some may ask what is the concern; look at Lake Champlain where there is basically unrestricted use of both passive and motorized boats anywhere in the lake. There is a huge difference in the Berlin Pond and in Lake Champlain. The intake for the Champlain Water District, which is the largest water supply drawing water from Lake Champlain, is located at about the 100 foot depth at an undisclosed location. The intake from Berlin Pond is relatively shallow and has much less volume available to dilute any contaminant accidentally or willfully dumped into the pond.

With unrestricted recreational use of Berlin Pond we have lost of primary level of control. In the past any individual on the pond was asked to leave the Pond. An individual on the pond can now be fishing, or recreating or willfully contaminating the source of supply for the City of Montpelier.

From: [Dan Lindner](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Wednesday, May 28, 2014 6:21:32 PM

I was at the meeting last night at Berlin Elementary but had to leave before its conclusion. I had brought a written comment but did not see a place to deposit it while I was at the meeting. Please therefore accept the following. Thank you.

From: Dan and Judith Lindner of 242 Main Street, Montpelier.

To: Vermont Agency of Natural Resources

May 27, 2014

Re: Berlin Pond

As residents of Montpelier and long-time citizens of central Vermont we believe Berlin Pond, the sole source of drinking water for Montpelier, should be off-limits to all human activity.

Such activities as swimming, boating of all kinds, and fishing – including ice fishing – pose the continuous risk of contamination. While most of the people seeking to utilize the pond for such activities are undoubtedly respectful and careful, contamination and reduction in water quality are the inevitable and unavoidable results of human activities in and on the water. Although few people have so far availed themselves of the recent relaxation of prohibitions a clear and permanent cancellation of these restrictions will certainly lead to much heavier use of the pond for water-based recreation and compromise of water quality will undoubtedly escalate.

There are many other ponds throughout our part of the state where recreational activities are permitted. We believe it is not unreasonable to prohibit these activities on one pond, and such restrictions will not create undue hardship on those who enjoy water-based recreation. We also feel it is appropriate to take steps to safeguard the wildlife using this pond, particularly the migrating waterfowl who depend on it.

We thank the ANR for accepting and paying attention to the input of concerned citizens and sincerely hope that a decision will be reached to prohibit all recreational use in and on Berlin Pond.

From: andree6@aol.com
To: [Woods, Laura](#)
Subject: Please preserve Berlin Pond
Date: Wednesday, May 28, 2014 10:12:42 PM

Dear Laura Woods,

As long-time Montpelier residents, we are dismayed by the use of our drinking water source for recreational purposes, and urge you to accept the Citizens to Protect Berlin Pond petition as submitted, and as supported by the Montpelier City Council and the Montpelier & Berlin Conservation Commissions Berlin. It's not too much to ask that this important source of water (and natural habitat) be protected, and we hope you will act to do so.

Thank you,

Andrea Warnke & Geoff Brumbaugh
93 Prospect St.
Montpelier, VT 05602

From: [wen_alger](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Access
Date: Wednesday, May 28, 2014 9:59:41 PM

Hello,

I was given your name as the contact person for the Berlin Pond Access debate. I hope this is correct.

I have followed this situation for many years with great interest. My family had farms on the hills of Berlin and use to water the dairy cows in the pond. I am told that a few generations ago my great-great grandfather use to have a steam boat that he used to give rides on the pond. Strange how much a location can change over the years.

I am hoping that a compromise can be reached in this situation to keep everyone happy. I have kayaked recently on the pond. I found the present access difficult and dangerous. I almost fell getting down the gravel by the culvert and had to have my father pull my kayak out. I would not return without an improvement. However that improvement could be small and inexpensive and not disruptive to surrounding animals and plants if kept small. It would only need to be the width of a row boat or kayak with room for feet, gently sloped. It would not need to accommodate a trailer or truck.

while I was on the water, on the culvert/swamp end, I found it tiring to paddle very far toward the other end. And the wind blows from swamp end down the water so I didn't want to travel very far. The water appeared deep and I barely disrupted the waves to move my little boat. I do not believe I stored up any more sediment then a fish swimming or the string underwater current. If the pond is 60 feet deep I really do not think I caused much turbidity.

I noticed the only sounds traveling around the pond were coming from people on bikes. People walking seem to stay together in groups and speak quietly. People on bikes were spread out and yelling. Even then the voices did not seem to disrupt the ducks and song birds nearby. I certainly made no noise and neither did a fisherman or two I saw.

the complaints and concerns I hears at the public hearing seemed a little overboard, to use a fishing term. One expert was concerned about the swamp end but I don't think anyone wants to boat there. Others seemed worried about terrorists poisoning the water. That could happen now from a vehicle. And the more public use, the less terrorist activity since they would need a secluded area. Another worry was building lots for homes but I did not understand how that would happen because of my kayak, I think that would be zoning. There was talk about turbidity but that again would depend on the depth of the pond near the intake pipe, which turned out to be 60 feet deep. My kayak glides in mere inches of water. And the last odd comment was poisons coming off human skin that would contaminate the water, just be a hand touching it. I would hope the treatment plant could handle that too.

I know there were many people there that refered to themselves as experts of all sorts of groups but I would hope realistic science will prevail. A small boat launch for a few non motorized boats, swimming, and fishing should be acceptable use.

thank you for your time,

Wendy Alger
South Barre

Sent from my Windows Phone

From: [Warren, Susan](#)
To: [Woods, Laura](#)
Subject: Fwd: Comments on Berlin Pond
Date: Thursday, May 29, 2014 6:53:47 AM

Another. Thanks!

Susan Warren
802-490-6134
Susan.warren@state.vt.us

Begin forwarded message:

From: "Mears, David" <David.Mears@state.vt.us>
Date: May 28, 2014 10:44:13 PM EDT
To: "Welts, Leslie" <Leslie.Welts@state.vt.us>, "Warren, Susan" <Susan.Warren@state.vt.us>
Cc: "LaFlamme, Pete" <Pete.LaFlamme@state.vt.us>
Subject: FW: Comments on Berlin Pond

From: Anne Watson [<mailto:anneofvermont@gmail.com>]
Sent: Wednesday, May 28, 2014 2:25 PM
To: Markowitz, Deb; Mears, David
Subject: Comments on Berlin Pond

Hello David and Deb,

Thanks for taking comments on the usage of Berlin Pond. I'm hoping that you will not permit any recreational boating on the pond. I have lots of reasons, but here are two that are important to me.

1. As a physics teacher I'm very familiar with the idea that all machines can and will fail and accidents happen, and if you permit boating or ice-fishing on the pond, it seems inevitable that accidents will happen in terms of petroleum spills ending up in our water supply and zebra mussels clogging our intake pipes.
2. It's also interesting to me that the rights associated with an "ancient road" (perhaps leading to a boat launch) would trump the rights associated with an ancient water source. What rights should be afforded to ancient water sources? Hopefully they are more substantial than people's rights to recreate.

Thank you for your time!

Cheers,
Anne

--

Anne Watson
Montpelier High School
5 High School Dr.
Montpelier, VT 05602
802.225.8186

From: [emer.mck](#)
To: [Woods, Laura](#); [Mears, David](#); [Markowitz, Deb](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 8:30:27 AM

I am concerned about the long-term threat to Montpelier's water supply if the recreational access allowed by the May 2012 Vermont Supreme Court decision continues. I urge you to stand up for the cleanest possible water and pass in full the Citizens To Protect Berlin Pond Petition.

Signed,

Emer McKenna

From: [Bob Green](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 7:42:20 AM

My name is Bob Green; I live on the south end of Berlin Pond and have been labeled as one of the elite that wants this pond for myself. Not so. I am a hunter, fisherman and I kayak. I travel thirty minutes from my home to do my boating and if you live in Montpelier or Barre area, you are even closer to these bodies of water.

The pond provides some of the purest water you will find in the state. It not only provides tap water to the 8,000 or so residents of Montpelier, it provides tap water to the thousands of visitors that visit Montpelier each year. And last but not least, the legislators from all over the state. Recently, I have heard that all of the bottled water has been removed from the state office buildings to save taxpayer dollars. If this pond becomes contaminated by human error, we will be spending in the thousands to fix the problem. Our water filtration plant is state of the art for what we need to purify our water that we drink. Why risk spending taxpayer dollars for upgrades and increase the use of chemicals when it is not needed.

Central Vermont Hospital provides services to over 60,000 residents in this community. The hospital gets their water from Berlin Pond. Why risk contamination to the only source of water that CVH and the residents of Montpelier and Berlin has.

Many or all of the fine establishments in Montpelier or on the Barre- Montpelier road and Berlin get their water from this pond. Every time you drink water from these fine establishments, remember where it came from.

So, at this time, I am asking ANR to make the right decision and pass this petition as written.

Sincerely;

Bob green

Citizens to Protect Berlin Pond

From: [Mayr, Bryn](#)
To: [Woods, Laura](#)
Cc: [Mears, David](#); [Markowitz, Deb](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 8:35:01 AM

Please lend your support to the great efforts of Citizens to Protect Berlin Pond and the hundreds of people who support their effort to return the pond to the protected status that it held for 100 years.

It is not only a precious natural resource and sanctuary for wildlife, but a vulnerable drinking water resource for Montpelier.

I am keeping my email brief, trusting that you and your staff will do the appropriate research in order to evaluate this issue as a potential point of action.

Thanks kindly,

Bryn Mayr

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From: [William Doelger](#)
To: [Woods, Laura](#)
Subject: Berlin pond
Date: Thursday, May 29, 2014 8:37:32 AM

Please allow berlin pond to stay on its natural state I drink the water. Linda Normandeau
Montpelier resident

Sent from my iPad

From: [Welts, Leslie](#)
To: [Woods, Laura](#)
Subject: FW: Berlin Pond
Date: Thursday, May 29, 2014 8:57:02 AM

From: Kim Kidney [mailto:kimberlykidney@gmail.com]
Sent: Thursday, May 29, 2014 8:06 AM
To: Markowitz, Deb; Welts, Leslie
Subject: Berlin Pond

Dear Deb and Leslie,
These two residents of Montpelier urge you to please pass the petition to protect Berlin Pond.
Thanks very much for your consideration.
Kim & David Kidney

From: [Cary Giguere](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 9:09:06 AM

Hello Laura,

I keep being asked to send you comments about Berlin Pond. I was not at the meeting on tuesday because i feel you folks will do the right thing in the end anyway. I guess i wanted to say first i'm fine with whatever you decide, but would like to see continued limited recreational use be allowed on the pond. I understand the desire to keep gas engines and the fumes and potential spills out of the water, but would still encourage limited allowed use for fishing and paddling as this pond is a wonderful recreational resource for central Vermont.

Thanks you for your time
Cary Giguere.

From: [Paul Wallace-Brodeur](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Petition Support
Date: Thursday, May 29, 2014 11:03:29 AM

I was unable to attend the ANR hearing on the Citizens to Protect Berlin Pond petition. However, I would strongly urge ANR to accept the petition as submitted. Although it has been argued that restricted human use of the pond is acceptable, this seems based on the assumption of those advocating that position the such use will always be by responsible parties. But there is evidence that even responsible use will result in a deterioration of water quality. And there are always a minority of users who are not careful or don't care. One only has to drive the Interstate in the early spring to see the trash deposited by humans along the road sides. The only real way to protect the drinking water supply is to prohibit human use of the pond for any purpose.

From: [Shirley R. Bate](#)
To: [Woods, Laura](#)
Cc: david.meats@state.vt.us; [Markowitz, Deb](#)
Subject: Berlin pond
Date: Thursday, May 29, 2014 11:15:07 AM

Dear Ms. Woods,

I am a resident of Montpelier, and am writing to add my voice and my deep concern regarding the use of our drinking supply as a recreational body of water. There are many ponds and some lakes within a short commute of Montpelier available for recreational purposes; I do not support the addition of Berlin pond to that list.

Please act to prohibit the use of Berlin Pond for recreation.

Regards,

Shirley R. Bate
1 Colonial Drive
Montpelier, VT 05602
802-223-4101

From: [Jane Fitzwilliam](#)
To: [Woods, Laura](#)
Subject: Please protect Berlin Pond
Date: Thursday, May 29, 2014 1:04:08 PM

Dear Ms. Woods:

I am concerned about the long-term threat to Montpelier's water supply if the recreational access allowed by the May 2012 Vermont Supreme Court decision continues. I urge you to stand up for the cleanest possible water and pass in full the [Citizens To Protect Berlin Pond Petition](#).

Thank you,

Jane Fitzwilliam

--

Jane Fitzwilliam
802.376.9449

From: [Cynthia Hartnett](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Protection
Date: Thursday, May 29, 2014 3:14:17 PM

Dear Ms. Woods,

We are writing to lend our strong support for the petition from the Citizens to Protect Berlin Pond to restore Berlin Pond to its former full protection.

The reasons for doing so were well articulated in detail by many supporters at the May 27 meeting at Berlin Elementary School: increased human use will lead (or already has led) to contamination requiring more chlorine, a known carcinogen; a place for quiet recreation is rare, even in Vermont, and there are at least 20 ponds or lakes for boating and swimming recreation in Central Vermont; class 2 wetlands are part of the Pond's ecosystem; water resources will become more scarce and dear in the coming decades as water needs and human activity increase; invasive species brought in on boats or fishing rods will result in a perpetual problem of cleanup and threaten water quality; many bird and animal and fish species make Berlin Pond a unique biological site, and more human activity on the Pond will only compromise this uniqueness.

Finally, we are dumbfounded that here in Vermont, where we value so highly our beautiful surroundings and the environment, we should have to ask our Agency of Natural Resources to ensure such protection for a resource as valuable and as indispensable as water.

Most sincerely,
Cynthia and David Hartnett
Montpelier

From: [Steve Smead](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 2:21:36 PM

To whom it may concern: My name is Steve Smead. I live on Berlin Pond almost across from the proposed access. I strongly feel that access to the pond should be allowed. I am not in favor of anything motorized being used. I do feel that paddlers in canoes and kayaks will do no harm to the water. The Canadian geese that land there in flocks stir up the water much more than a paddle. There is no science that I know of to show that the water would be effected. I own a business in Montpelier and have had no concerns about drinking the water since there has been recreational use on the pond. Thank you for considering this. Please do not support the petition to protect Berlin Pond.



(802) 223-2100 • 1-800-639-6011 • Fax (802) 229-5149
79 River Street • P.O. Box 428 • Montpelier, VT 05601
www.leahypress.com

From: [Geza Carr](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 2:33:07 PM

Dear Laura,

I am writing to you concerning the issue of non - motorized boat access to Berlin pond. Let me just say right off the bat that as an outdoor enthusiast and catch and release fisherman, I am hugely invested in the proper care and preservation of this beautiful and unique fish and wildlife habitat.

As someone who has been paddling and fishing the pond about once a week since its opening in 2012 I can tell you right now that, contrary to the opinion of certain people, I haven't seen much (if any) negative impact on the pond and the wildlife that live in and around it. As I'm sure you already know, last year the loons nested successfully for the first time in several years. Each year I have had loons and otter swimming as close to ten feet away from my boat with no sign of fear or aggression, and I have also seen deer wading in the shallow narrows between the first and second basins. I can also tell you that boat traffic has been extremely low, in fact I am often the only person on the pond when I go out and this year the only times I have seen anyone else it was never more than one other watercraft. Based on these first hand experiences it is my belief that as long as people continue to paddle and fish these waters responsibly, there is no reason why they shouldn't be able to legally do so.

Of course there is the whole water supply issue, and since I'm no expert on this matter all I can offer is this: I am a former Montpelier resident and for as long as I can remember the water seems it has been heavily treated. It has a very strong taste of chlorine. A possible reason behind this, and I'm guessing here, is that Berlin pond is a very weedy, marshy body of water inhabited by large numbers of wildlife that are constantly using it as a bathroom. So my question here is as follows: is it possible that a few people fishing and paddling in the pond could have such a huge impact on the already heavily treated Montpelier water?

And lastly, I would like to state my opinion on this group of people who are staunchly against access to the pond of any kind and forgive me if I do not have the kindest words for these folks as they, actually one individual particularly, have been quite rude to me in the past. Last summer as I was unloading my small canoe I observed something that I found to be quite disturbing. I saw someone painstakingly gather as much trash as she could scare up from the entire stretch of road near the culvert, which didn't amount to very much at all I might add. She then took a picture of the very small pile (seriously, I bet you could find just as much or more trash on any small stretch of road in central VT) and then I watched in disgust as she just walked away, LEAVING THE TRASH BEHIND. Now, I think that this is, in a nutshell, what this group is really all about. What they really care about is getting their way, which is having the pond to themselves. They simply do not want to share it with others because they aren't used to it. These friggin people think they own the place and I have been accosted, glared at, and downright harassed all the while just minding my own business. It has also come to my attention that this group of people has been going around and essentially lying to members of the community in order to gain more support. They are saying the water supply is in IMMEDIATE DANGER, they are saying that Montpelier will be forced to put chlorine in the water when they have ALREADY been doing so for a very long time, and they are saying that there is danger that they will be allowing gas powered motor boats when from everything I've observed the real discussion has always been about non motorized watercraft (with the exception of electric trolling motors). I urge you not award this disingenuous, and frankly childish type of behavior.

Sincerely,

Geza Carr

From: [Warren, Susan](mailto:Warren.Susan)
To: [Woods, Laura](mailto:Woods.Laura)
Subject: FW: Protect Berlin Pond
Date: Thursday, May 29, 2014 2:37:16 PM

From: Joy Spontak [mailto:jspontak@wcysb.org]
Sent: Thursday, May 29, 2014 2:37 PM
To: Welts, Leslie; Warren, Susan; Markowitz, Deb; Mears, David; Porter, Louis; jhollar@montpelier-vt.org; wfraser@montpelier-vt.org
Subject: Protect Berlin Pond

It is clear to me that our responsibility as a community is to assure the safest drinking water possible. Vermont is an idyllic place. We have not had to consider an issue like this until now. But the water supply globally is being threatened and we need to take local action when this happens here. We are facing a dystopian future on the planet with "water wars" already in the consciousness of many. In our fabulous lush state we have many other areas in which to recreate. We need to be able to make a wise decision now if we truly value our quality of life and that of the next generations.

Please pass the petition to return Berlin Pond to the full protection that was in place prior to 5/12.

Thank you.

--

Joy Spontak
Montpelier

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From: [Welts, Leslie](#)
To: [Woods, Laura](#)
Subject: FW: Keep Berlin Pond clean!!
Date: Thursday, May 29, 2014 3:28:57 PM

From: Tolya S. Stonorov [mailto:tolya@stonorovworkshop.com]
Sent: Thursday, May 29, 2014 9:57 AM
Cc: Tolya S. Stonorov
Subject: Keep Berlin Pond clean!!

I am writing to urge you to support full protection of Berlin Pond, as has been in place for a century. This is our children's drinking water. It is essential that it be kept clean! I have two small children and live in Montpelier. This is a very important issue to us!

**Thank you,
Tolya Stonorov**

Tolya Cyril Stonorov, AIA
Stonorov Workshop, Principal
www.stonorovworkshop.com
415.497.7337

Assistant Professor of Architecture
School of Architecture and Art
Norwich University
Northfield, Vermont

From: [Welts, Leslie](#)
To: [Woods, Laura](#)
Subject: FW: Berlin Pond
Date: Thursday, May 29, 2014 3:03:37 PM

From: Laurie Graves [mailto:glaurie35@yahoo.com]
Sent: Thursday, May 29, 2014 2:03 PM
To: Welts, Leslie
Subject: Fw: Berlin Pond

On Thursday, May 29, 2014 1:42 PM, Laurie Graves <glaurie35@yahoo.com> wrote:

I know that ponds are more shallow and smaller than lakes with lots of vegetation on the bottom. I don't understand why human beings feel the need, or the right, to use up every natural resource there is. Vermont has abundant lakes & ponds for recreation. Aside from pollution and it being Montpelier's drinking water supply, I have been walking around the pond for over 40 years appreciating one of the few pristine, peaceful places with abundant wildlife that is/was left in this state. I hope the right decision is made.

Laurie Graves

From: [Welts, Leslie](#)
To: [Woods, Laura](#)
Subject: FW: Berlin Pond
Date: Thursday, May 29, 2014 3:29:09 PM

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

From: Mary Jane Grace [<mailto:mjgrace1954@gmail.com>]
Sent: Thursday, May 29, 2014 9:58 AM
To: Welts, Leslie
Subject: Berlin Pond

Leslie Welts:

I write to express my belief that Berlin Pond should be treated like other bodies of water in Vermont. I'd not like to see motorized boats on the pond but think it would be a wonderful place for paddling, fishing, bird watching, etc.

I am increasingly dismayed at the amount of time and expense being sucked up by this single body of water. Montpelier residents need to realize they are no different than other Vermonters. Though, that may not be true. Montpelier residents do seem to be more vocal and more powerful than other Vermonters. I do hope ANR will do what is best for all--not just the vocal few in the capital city.

Mary Jane Grace
86 South Main St.
Waterbury VT 05676

From: [Bill Boedecker](#)
To: [Woods, Laura](#)
Cc: [Mears, David](#); [Markowitz, Deb](#)
Subject: Please Protect Montpelier's Drinking Water Supply!
Date: Thursday, May 29, 2014 3:48:38 PM

It is difficult to even understand why this is being debated. There isn't much (anything?) that is more important than a good drinking water supply. I strongly suggest we don't take unnecessary risks by allowing people to access Berlin Pond. I certainly don't want to (as a tax payer) pay more to purify the water if it isn't necessary. Please pass in full the Citizens To Protect Berlin Pond Petition.

Best Regards,

Bill Boedecker

From: [Welts, Leslie](#)
To: [Woods, Laura](#)
Subject: FW: Berlin Pond
Date: Thursday, May 29, 2014 3:29:26 PM

From: John [mailto:JDseymour@myfairpoint.net]
Sent: Thursday, May 29, 2014 10:13 AM
To: Markowitz, Deb
Cc: Welts, Leslie
Subject: Berlin Pond

Because of the limited area and volume of Berlin Pond and thus the ease that it could be compromised from pollution, we support the prohibition of using it for any recreational purpose.

John and Doris Seymour
8 Colonial Drive
Montpelier VT 05602
Telephone 229-4763

From: [Nate Rouillard](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Comment (pro access)
Date: Thursday, May 29, 2014 4:07:17 PM

Hi Laura,

Thank you for taking comment on the petition from Citizens to Protect Berlin Pond. I'm not a fisherman and have never canoed or kayaked on Berlin Pond. But I strongly support the right of those who wish to access the pond for these uses. Regarding water quality concerns, my understanding is that the water filter system is more than adequate to handle any water issues that might come from recreation use.

I also frankly don't see any issues of "disturbance" of wildlife from recreational use. There is already use of the area from joggers and walkers. The day the Times Argus ran an article on the Citizen's to Protect BP issue, there was also an ad for a 5 mile fun run/walk around Berlin Pond.

Regarding the issue that there are already a considerable number of ponds and lakes within a half hour drive, "so why do you need to use Berlin Pond?" - I'm sympathetic to those people who might only have an hour or two after work to relax and Berlin Pond is close by to those who live in this area. Having to take an hour or so for a round trip to Groton for example, would mean either the trip couldn't be taken, or would be significantly shortened.

In short, in the absence of any demonstrable harm (and there does not seem to be any re water quality), I whole heartedly support the continued open access of Berlin Pond for fishing and/or canoeing/kayaking.

Thank you for your time.

Sincerely,

Nathan Rouillard

From: [Morrill, Jim](#)
To: [Woods, Laura](#)
Subject: BERLIN POND NON MOTORIZED ACCESS
Date: Thursday, May 29, 2014 4:15:08 PM

Hi Laura

Just a quick note to let you know I am a supporter of access to Berlin Pond for fishing / kayaking / non motorized use and think it's great we currently have access

Please deny the petition filed from Citizens to Protect Berlin Pond to deny access

Thank You

Jim Morrill
Service Solutions Center
Quote Writer
Milton Cat Inc
802 434 7818
Home address
81 The Commons , Unit 13
Moretown VT 05660

From: mountaindeertaxidermy.tds.net
To: [Woods, Laura](#); [Markowitz, Deb](#); [acummings](#); [adonahue](#); fwboard@list.state.vt.us; [Casey A Elmer](#); [Mark McCarthy](#); [Scott, Mark](#); [Larry Pyne](#); [Gallant, Keith](#); [Kate Webb](#); [Frank Stanley](#); [Northfield News Advertising](#)
Subject: berlin pond meeting
Date: Thursday, May 29, 2014 3:36:11 PM

The meeting for "public comment" on the fate of the pond raised some questions for me. Why was the petitioner the one presenting to the public, the contents of the petition, a second time, after you had already done so? This took eleven minutes, (roughly)(not two!) time from the meeting and came off as a sales gimmick followed by a thunderous applause and (standing ovation!), which should have been squelched by yourselves because of the hurt feelings and possible withholding of citizens thoughts due to the "crowd mentality". Yet you failed to say a thing.? This process turned detrimental to the collection of accurate data on everyone's wishes besides wasting time. It gave the appearance that the panel was holding the meeting as a formality and had already passed judgment. An uncontrolled meeting flies in the face of democracy and you must explain your actions. Since when do elected official's (Montpelier's mayor, police, reps. Kitsmiller) leave political ethics behind and use their " political muscle" to further the crowds cause, at a public citizen's comments gathering, "claiming to speak for thousands!" I understand you may not be used to much public comment collecting by such a large gathering but this was one of the worst possible ways to conduct such a meeting. People will not want to participate in their government as individuals and will throw in the towel to the "crowd". Anyone who would watch the film of this meeting after listening to these words would move to have your jobs. I move that this meeting and your short comings be accessed. Often times, there are things that are unsaid, but they exist. The feeling that your minds where made up, was portrayed. The feeling that the state capital's residents will get what they want at the expense of all and any, was portrayed. If public trust is to be unraveled by uniqueness, what of roads or private ownership? This was not an example of good democracy, just laziness. If the people of our state always held such meetings filled with permitted show-boating our children are doomed to servitude, wild places enslaved and polluted, and we will no longer be the land of the free. Politian's everywhere should read the definition of a public servant. ON this I take a stand! The ponds fate takes second place to bad government! The "Petitioning protectors" made many thoughtful and well said words but strongly failed to be respectful of the democratic process and only wished to show their master it, wondering why we all can't agree! You can see a toilet bowl of water, it's tangible. I can't show you the feeling of the granddaughter's first fish, it's intangible. Of what value are all things? Recreation's only redeeming quality in mother natures eyes is the interconnectedness of man's nature. We are her children to and belong here, it is our home. Dr. Phil says all things are negotiable, to bad we can't respectfully share especially in government.

Strongly disappointed,
Rodney Elmer

From: [Jim Mitchell](#)
To: [Woods, Laura](#)
Subject: Working Vermonters Pond
Date: Thursday, May 29, 2014 4:20:24 PM

Please Keep Berlin Pond open for Vermonters
We agree with non-motorized access. Winter
is to long Taxes to high
outdoor recreation and areas to Kayak are not
to much for us to ask for..

jim Mitchell President of Addison Kayak &
Campers Club

From: [John Mueller](#)
To: [Woods, Laura](#)
Cc: [Mears, David](#); [Markowitz, Deb](#); [Warren, Susan](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 4:16:52 PM

Department of Environmental Conservation,

In addition to concerns regarding the long-term threat to Montpelier's water supply if the recreational access allowed by the May 2012 Vermont Supreme Court decision continues, I am also particularly anxious about the welfare of the wildlife within and dependent upon a healthy Berlin Pond environment.

The cleanest possible water for we humans and a continuing undisturbed animal refuge (a precious rarity) are in all our interests, therefore I urge you to support passage in full of the Citizens To Protect Berlin Pond Petition.

Regards,
John R. Mueller
1413 Brookfield Road
Berlin, Vermont 05602

From: [Matt Nadeau](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 4:31:25 PM

Hi Laura,
Please keep Berlin Pond open to the public for Non Motorized use.
Thank you,
Matt

[Matthew Nadeau](#)

From: JeffinGoshen@aol.com
To: [Woods, Laura](#)
Subject: Continued Public Access to Berlin Pond
Date: Thursday, May 29, 2014 4:32:45 PM

I strongly support the continued access of the public to Berlin Pond for recreation such as fishing, canoeing and kayaking. A few negative NIMBY activists should not be able to prevent the public from enjoying a great resource for public recreation.

I grew up in the Barre area and never understood the logic of closing Berlin Pond to the Public. Is the State going to close lake Champlain to all public access to protect the large numbers of people who get their drinking water from it?

As an engineer, I see no rationale for preventing public access due to concerns about water purity. That is why the City of Montpelier has gotten State and Federal grants to construct a state of the art treatment system that protects the drinking water quality. As a taxpayer, perhaps we should investigate their use of that money, if it was not effectively used.

Jeffrey P. Whiting
65 Hayes Road Extension
Goshen, VT 05733

From: [Ernest Broe](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 4:40:14 PM

Laura,

I think that Berlin Pond should be open for public recreation. Especially for non-motorized craft and fishing.

I lived in Berlin and E. Montpelier for many years so I am familiar with the pond.

The Barre City water supply now open to fishing and no one is dying over it.

The people that want Berlin Pond closed really have no basis for their wishes except they want their way.

I now live in Cornwall, VT but my kids live in Orange and Williamstown so I'll be coming back to Central Vermont.

I hope the Pond remains open to the public.

Thanks, Ernest Broe

From: [Kelly Keene](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 4:54:36 PM

I am writing to ask that Berlin Pond be kept open for access such as fishing and swimming. I do not currently live in the city of Montpelier so the water is not my drinking water and I do not live on the pond. I, however, used to live on Berlin Pond and I would still have felt the same way as I do now. I was one of the landowners back 15 years ago who wanted the pond opened up to swimming etc. Since there is a treatment plant that filters the water I do not see a need to keep the access prohibited. I listened to the women who want all access cut off to the pond on the Mark Johnson show this morning and side with the people who have called in to cite Lake Champlain as an example that it is Burlington's drinking water and they allow motor boating on that lake. My personal drinking water is from the town I live in and we have had issues with our water in the past and our water is from a well.

Anyway, I am for keeping this access open to the public. The next thing the people who live on Berlin Pond will be wanting is for people to stop walking around the lake because it causes dust and that somehow affect's their pristine lifestyle. Like I said earlier, I used to live on Berlin Pond and I am very happy that I moved!

Thank you,
Karleen Keene, Williamstown VT

Kelly Keene, Programmer/Analyst
Catch Data Systems, Inc.
PO Box 962
Lebanon, NH 03766

(802) 433-6002 (o)
(802) 279-4436 (c)
www.catchdata.com

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From: [Joel Carminati](#)
To: [Woods, Laura](#)
Subject: I am in favor of recreation use on Berlin pond.
Date: Thursday, May 29, 2014 5:09:03 PM

Sent from Huawei Mobile

From: [Dennis Havey](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 5:33:12 PM

As an outdoor enthusiast and tax payer in the State of Vermont I find it difficult to believe that a group can come up with a petition of over 500 pages to try and deny me access to public waters of the State. After reading the paperwork submitted by this group it is obvious they just wished to make a big splash whether the facts had any basis or not!

As an avid hunter of waterfowl I know that nesting migratory birds and the not now endangered loon species are not bothered by human interaction and in fact will nest right next to my boat dock and successfully raise a brood with dogs swimming almost daily within feet of their nest!

We got the right decision the last time we fought this fight and hope that sane minds still reside in the halls of the Capitol in Montpelier.

Thanks for listening,

Dennis Havey

295 Brook Dr
Bristol, Vt 05443

PS- I sit on the National Board of Directors of Ducks Unlimited, the largest wetlands conservation organization in the world and would be happy to have one of our biologists (who already has the history of this area and agrees that public access will cause no harm) talk to any concerned citizens who want true, unbiased facts about this area (instead of scare tactics that seem so prevalent in this appeal) talk to them

From: [David Angstreich](#)
To: [Woods, Laura](#)
Subject: berlin pond petition
Date: Thursday, May 29, 2014 6:25:16 PM

Dear Ms. Woods,

I am writing to lend my support to those who are asking that the petition be denied, and that limited access for non-motorized small craft should be continued on Berlin pond. I attended the May 27 meeting. It seemed to me that the speakers in favor of the petition were repeating a litany of alarmist, unsubstantiated allegations that had no basis in fact. They proudly defended the high quality of Montpelier's water, which we know originates in a watershed surrounded by a busy road, ringed by homes, camps and farms, crossed at its north end by the interstate, and home to all manner of wildlife. The pond has been open to boating since 2012 without ill effect.

While the treated water is, by their own admission, currently free of any contamination from those factors listed above, we are to believe that canoes, kayaks and fisherman will lead to irreparable deterioration of water quality, overwhelming the treatment facility and leading to a cancer outbreak among the population as well as other forms of toxic threats. It was stated as a given that HUMAN presence on the water will inevitably degrade the pond. In fact I believe that canoeists and kayakers are among the most respectful recreational boaters and have a long record of concern for and activism in support of clean, unspoiled waters. There is nothing inherent in these small craft that endangers the pond.

Finally, by raising the spectre of terrorism, the supporters of the petition progressed from hyperbole to farce.

I am a resident of Berlin, whose voters have endorsed the idea of a modest, safe access to the pond that DF&W have proposed developing. I request that your agency deny the petition and permit this very sensible project to proceed so that the court's ruling may be realized.

Yours,

David Angstreich
27 Rowell Hill rd
Berlin

From: [Eric Duncan](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Access-In Favor of Recreational Use
Date: Thursday, May 29, 2014 6:27:59 PM

Ms. Woods,

I am writing to share my family's support for recreational access to the Berlin Pond and opposition to establishing ground water regulations at the state level for the waterway.

We live here in central Vermont and use the waterway for kayaking, fishing and animal watching. It is a great habitat and a wonderful light recreational area.

I know that the Vermont Department of Environmental Conservation and all of the folks at the ANR understand the science behind what recreational use of Berlin Pond really means so I won't restate what you already know.

I appreciate the professional work that you all do and your understanding that the proposed use of the pond will not have a negative impact on our environment.

I hope that there is still time to hear from supporters for the recreational use of the Berlin Pond and that our responsible use will be allowed.

I have sat in on conversations about the access and have been stunned by the emotion behind the surrounding land owners and can't help but feel that there is something to the idea that they are arguing to keep the waterway closed so that it is only there for them.

Thank you for your time and for your unbiased efforts to represent the science behind all of our desires for the use of our great and beautiful state.

Eric Duncan
Northfield Vermont

From: [Joel Williams](#)
To: [Woods, Laura](#)
Subject: continued use support for Berlin Pond
Date: Thursday, May 29, 2014 6:28:21 PM

Good Day,

Please consider continuing Non-motorized use of Berlin Pond for recreational purposes and please deny the petition to ban public recreational access. I believe the Supreme Court has already weighed in on this issue in a case in 2012.

This is a slippery slope when considering more than 1/2 our population of the State of Vermont gets their drinking water from lakes and ponds. Should the City of Montpelier have their way it will set a bad precedent as the first time the state has ruled to prohibit all access to a public water body.

Also, just as a go with, Deb Markowitz should retire from public office. She really is a ditz in my opinion. I know that has nothing to do with this issue but after watching her in her last political appointment, it makes one wonder what good partisan rewards are good for.

Joel Williams
Poultney, Vermont

From: [Ian Sweet](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 6:30:14 PM

Hi Laura

I am writing to show my support or everyone to have easy access to Berlin Pond. Kayaking, canoeing, fishing and swimming will do nothing to change the quality of the water. I had the opportunity to kayak and fish on the Pond and I must say it was a memorable occasion. I'm hoping or many more this season.

Kind Regards
Ian Sweet

Sent from my iPad

From: [Morgan W. Brown](#)
To: [Woods, Laura](#)
Cc: [Porter, Louis](#); [Markowitz, Deb](#); [Mears, David](#); [EXE - Webmail](#)
Subject: Berlin Pond Written Public Comments Submission
Date: Thursday, May 29, 2014 6:54:37 PM

Laura Woods
Department of Environmental Conservation
Agency of Natural Resources
State of Vermont

re: Berlin Pond Written Public Comments

Dear Laura, et al:

Ever since the May 2012 Vermont Supreme Court decision concerning issues of jurisdiction over access to Berlin Pond essentially opened it to human recreational use, which it is my understanding had up until then been protected for over a century, I have been seriously concerned about the very real threat that human recreational access creates for the public water supply for Montpelier as well as a portion of Berlin.

There are plenty of other bodies of water in the area that are available for recreational use. Although I am someone who enjoys as well as strongly supports reasonable recreational use of Vermont's waters, it is my opinion that there is absolutely no reasonable purpose as well as no compelling need whatsoever to continue the allowance of human access to and use of public water supplies along the lines of Berlin Pond.

Therefore I urge the State of Vermont to stand up for the cleanest possible water supply standards and approve in full the Citizens To Protect Berlin Pond Petition.

Thank you in advance for considering these written public comments of mine.

Morgan W. Brown: morganbrown@gmail.com
Montpelier

From: [David Morey](#)
To: [Woods, Laura](#)
Subject: Berlin Pond Access
Date: Thursday, May 29, 2014 7:16:38 PM

Dear Ma'am,

I am writing in support of continued recreational access for Berlin Pond. The assertions against its recreational use are ludicrous and are brought by a group that wishes to exclude any users from the pond. I believe they feel that the citizens of the state are not worthy of access to "their" pond. I encourage you to look past their ridiculous claims and preserve the use of the pond for all of the citizens of the state, not just an elite few.

Thank you for your time and consideration.

Respectfully,

David J. Morey II
Westminster, VT

From: [Craig Lantagne](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 7:19:54 PM

A body of water that is State owned should be made available to the citizens of the state the same as all other bodies of water in the state are. If for some reason you decide to ban access and fishing it should be for all people even the camps that are on the pond. There is no reason they should have access to their own private pond if it is considered state waters. Based on its size it is state owned .

Keep state waters open to citizens of the state.

Thanks for your time
Craig Lantagne
Lyndonville Vt.

Sent from my iPhone
Craig

From: [Dylan Smith](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 7:31:14 PM

Laura,

As an avid fisherman and outdoor writer that spends around 175 days on the water each year, I can't imagine any topic more close to home than access rights. I have seen both the good and bad side of human presence while outdoors but Berlin Pond has, for about the last two years, been an exception.

I am an ambassador for Recycled fish which is a non-profit organization of anglers living a lifestyle of stewardship both on and off the water because "our lifestyle runs downstream" Berlin Pond has always amazed me at the minimal amount of trash in "high traffic" areas compared to just about every other access area. And believe me, I pick up trash just about everywhere I go. Be it a few concerned anglers or just respectful fishermen, this pond maintains much of its natural beauty that has long been preserved. I would be more concerned with the average Joe Schmoe driving the roads tossing beer cans and cigarettes out.

As for impacts on water quality and the natural world, is this even a concern? How many reservoirs across this country have proven that any possible effects from internal combustion engines are easily remedied by just about any water treatment plant? The waterfowl, white tailed deer, muskrats, and even the green herons that I have never seen anywhere else, seem to be undisturbed by a boat or two cruising by.

While I feel that we the people don't have much say here because this is just another foolish political popularity contest, it is important for me to exercise my rights. Don't close Berlin Pond!

Dylan Smith

From: [connie.covey](#)
To: [Woods, Laura](#)
Subject: Regarding access to Berlin Pond for recreational use.
Date: Thursday, May 29, 2014 8:25:59 PM

Dear Ms. Woods,

I would like to make know my feelings on the access of the Berlin Pond for recreational use. This water body is an important natural resource for all of us as well as for future generations. I do not feel that the pond should be restricted for the use of only a few.

It is well known to wildlife biologists and environmentalists that in order to keep a thriving habitat, it must be maintained. Allowing the pond to exist for too long without some sort of predatory intervention is no more beneficial to the pond and the surrounding area than over extending its use would be.

I believe that the Vermont department of fish and wildlife is capable of regulating the use of this pond so that it continues to remain a pristine and valuable resource for us all.

In my opinion the naysayers are only being selfish and short sighted.

I would support the regulated use of this pond for fishing and boating as is currently the case.

--

Kindest Regards,

Francis & Connie
fccovey@gmail.com

From: [Regina Librizzi](#)
To: [Woods, Laura](#)
Subject: Protect Berlin Pond
Date: Thursday, May 29, 2014 8:42:20 PM

ANR:Please~

I am a Montpelier resident. I have lived here since 1992. I grew up in NYC and was sent to finish my last year of High school in Vershire. I was pretty sure that bucolic Vermont was a state that embodied the ideal of sustainable values along with being picturesque.

When I graduated, I went home and eventually set out to hitchhike across America several times. Upon my return to NYC I was on the subway back to my parent's home and noted the headline of the Newspaper of the person across from me. It said "Mayor Koch says they have found that there is plutonium in the NYC drinking supply." I thought to myself, "that is a headline today and in a week things will go on business as usual". I knew from an environmental science class I had taken at Hunter college that plutonium had this whole half-life business and how would NYC go on in light of this fact.

I say this because that was enough for me to rethink my love for NYC as a place for continued residence.

In the recent years and still when I go to NYC for visits, if I am out to eat and am offered a glass of nice cold water, I drink it, it is clear and frankly; tastes delicious. How is that? Is it such a sophisticated cocktail of chemicals that achieve this magic?

As I heard in the hearing last night, there are several places for recreation and there is no justifiable reason to use the drinking supply as one of them. The water from the tap already smells and tastes quite like chlorine. I was already planning to install a filtration system in my home; and people want to make that worse?

The risks outweigh the benefits by a long shot.

There are many states in the U.S., and countries in the world that are so desperately in need of reliable water, it makes me cringe that we should be able to consider this recreation option as viable. It is arrogant and irreverent.

Why rely on a water treatment plant for damage control rather than benefiting from an unadulterated resource? That technology could be better used, as someone stated last night, to "true up" the supply as it is.

Vermont is known for many "firsts" in the nation. We can be an example to other municipalities and states for protecting a resource so precious that it has been speculated that future wars will be fought over water.

It seems a bit cavalier to treat this as an experiment.

It is a small sacrifice for insurance against a possibly huge regret with all kinds of implications. Why gamble with the people's health or pocketbooks?

Have we learned nothing from the national / international landscape?

Please take into consideration. Thank you.

Sincerely,
Regina Librizzi
176 Berlin Street

Montpelier, Vt. 05602

"An ounce of prevention is worth a pound of cure."

"A stitch in time saves nine."

From: mosslander@myfairpoint.net
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 8:53:06 PM

Dear Ms. Woods,

I would very much like to weigh in on the Berlin Pond debate. There is absolutely no scientific evidence that non-motorized access to the pond will in any way harm the quality of the drinking water or the wildlife. Vermont has so little water for recreation we should celebrate the few ponds and lakes that are good for that purpose. I hope that we can keep this valuable resource open to the public.

Sincerely,

Bart Johnston

From: [Michael Phillips](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 9:31:40 PM

Greetings Ms. Woods,

I would like to state my opposition to the petition to close Berlin Pond to public access and support the pond staying open for recreational use.

Thank you for this consideration.

*Sincerely,
Michael J. Phillips*

..... Mike Phillips Burlington, Vermont motorfisher1@msn.com (802) 999-9236

From: [Sue](#)
To: [Woods, Laura](#)
Subject: Berlin pond access
Date: Thursday, May 29, 2014 9:15:03 PM

hello,
I am writing in support of keeping the access at Berlin Pond open to recreation.

Thank you for your consideration,
Sue Webster
Georgia Center, VT

From: [Eric Jacobsen](#)
To: [Woods, Laura](#)
Subject: Berlin Pond
Date: Thursday, May 29, 2014 10:25:54 PM

Dear Ms Wood, I support non-motorized vehicle and pedestrian access to Berlin Pond. It is not only goes against Traditional Vermont Values of open public access it sets a terrible precedent for closing access to other Public Vermont Waters.

Thank you,

Eric Corey Jacobsen

WJOY/WKOL/WOKO

Hall Communications

[70 Joy Drive, South Burlington, VT 05403](#)

C: [518-572-0821](tel:518-572-0821) O: [800-554-9890](tel:800-554-9890) F: [802-862-0786](tel:802-862-0786)

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From: [Amy Holt](#)
To: [Woods, Laura](#)
Subject: Support for Berlin Pond Access
Date: Thursday, May 29, 2014 11:21:59 PM

Hello,

I would like it known that I fully support the continued access of Berlin Pond by all.

Bodies of water, like wildlife, do not belong to a single entity or a city, they are natural resources we all should have equal right and responsibility to care for and enjoy.

People have been enjoying this body of water for years without ill effect; this petition is simply ridiculous!

I implore you, do not infringe on this right, do not support this petition; rather, uphold Vermont tradition and maintain our heritage.

Thank you,
Amy Holt