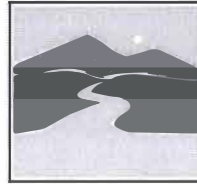


Application for use of a **Powered Mechanical Device**
 under an **Aquatic Nuisance Control Permit**
 Per 10 VSA Chapter 50, § 1455



VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
 LAKES & PONDS PROGRAM

For Aquatic Nuisance Control Permit Program Use Only

Application Number: **2235-ANC**

Submission of this application constitutes notice that the entities listed below intend to use a powered mechanical device in waters of the State to control aquatic nuisance plants, insects, or other aquatic life; and that the entities below have demonstrated that (1) there is acceptable risk to the nontarget environment; (2) there is negligible risk to public health; and (3) there is either benefit to or no undue adverse effect upon the public good. Submit an application fee of \$35 for a private pond or \$175 for all other waterbodies, made payable to the State of Vermont. All information required on this form must be provided, and the requisite fees must be submitted to be deemed complete.

A. Applicant Information

1. Entity's Name: Newport Marina Condominium Association attn: Mike Hamblett

2a. Mailing Address: PO Box 353

2b. Municipality: Newport

2c. State: VT

2d. Zip: 05855

3. Phone: 802 334-2326

4. Email: mjhamblett@gmail.com

B. Powered Mechanical Device Operator Information (Check box if same as above in Section A:)

1. Entity's Name:

2a. Mailing Address:

2b. Municipality:

2c. State:

2d. Zip:

3. Phone:

4. Email:



C. Application Preparer Information (Check box if same as above: Section A or B)

1. Preparer's Name: Mitch Wonson

2a. Mailing Address: 865 Twin Bridge Road

2b. Municipality: Holland

2c. State: VT

2d. Zip: 05830

3. Phone: 802 895-4928

4. Email: dial-up: mitchlw@pshift.com

D. Waterbody Information

1. Name of waterbody: Memphremagog Lake - Newport

2. Newport - Orleans

3. Are there wetlands associated with the waterbody? Yes No

Contact the Vermont Wetland Program: (802) 828-1535 for additional information.

4. Are there rare, threatened or endangered species associated with the waterbody? Yes No

Contact the Vermont Fish & Wildlife Natural Heritage Inventory: (802) 241-3700 for additional information.

5a. Is this waterbody a private pond? Yes No If No, Skip to Question D6.

5b. Is this private pond totally contained on Applicant's property? Yes No

6. List the uses of the waterbody – check all that apply:

Water supply Irrigation Boating Swimming Fishing Other:

E. Device Activity Information

1a. Proposed annual activity start date: May 15 1b. Proposed annual activity end date: October 1

2. Nuisance(s) to be controlled:
Eurasian Millfoil

3. Powered mechanical device to be used:
Four foot wide sickle by Canadianpond - see attached

Submit additional information as needed.

Submit a copy of the manufacturer's information, if applicable.

4. Include a detailed waterbody map indicating the exact proposed activity location(s).

5. Enclose labeled photo(s) or schematic(s) of powered mechanical device.

6. Attach a narrative description of the proposed project to include the following items:

- a) Reason(s) to control the aquatic nuisance;
- b) Brief history of the aquatic nuisance in the waterbody; and,
- c) Description of the proposed control activity.

F. Applicant/Operator Certification

As APPLICANT, I hereby certify that the statements presented on this application are true and accurate; guarantee to hold the State of Vermont harmless from all suits, claims, or causes of action that arise from the permitted activity; and recognize that by signing this application, I agree to complete all aspects of the project as authorized. I understand that failure to comply with the foregoing may result in violation of the 10 VSA Chapter 50, § 1455, and the Vermont Agency of Natural Resources may bring an enforcement action for violations of the Act pursuant to 10 V.S.A. chapter 201.

Applicant/Operator Signature: *Michael Hamblet*

Date: *10-31-2016*

G. Application Preparer Certification (if applicable)

As APPLICATION PREPARER, I hereby certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Application Preparer Signature: *Michael Wason*

Date: *10/31/16*

H. Application Fees

Print Form

Submit this form and the \$35 or \$175 fee to:
(Municipalities are exempt from fees)

**Vermont Department of Environmental Conservation
Watershed Management Division
Aquatic Nuisance Control Permit Program
1 National Life Drive, Main 2
Montpelier, VT 05620-3522**

Direct all correspondence or questions to the Aquatic Nuisance Control Permit Program at:
ANR.Shoreland@vermont.gov

For additional information visit: www.watershedmanagement.vt.gov

Michael L. "Mitch" Wonson Land Use Consultant
Permitting * Zoning * Traffic and Transportation Studies
865 Twin Bridge Rd Holland VT 05830 Phone/Fax 802 895-4928 mitchlw@pshift.com

Date: November 1, 2016

Mr. Misha Cetner
Vermont Dept of Environmental Conservation
1 National Life Drive
Montpelier, VT 05620

Dear Misha:

Please find enclosed the application, required attachments, and check for the proposed milfoil harvesting at the private Newport Marina, which we have discussed.

Please contact me if you need further information or have questions concerning the proposal. Also, if you could remind Ms. White that I have dial up internet, so any notices I get can be transmitted without the full application attached.

Thank you for your continued assistance with this project.

Sincerely,



Mitch Wonson



cc:

Narrative for Newport Marina mechanical device aquatic nuisance control permit November, 2016

The Newport Marina Condominium Association is the owner of the Newport Marina located on the west side of Lake Memphremagog in the City of Newport - see location map. The marina has been the subject of numerous permits since 1982, with the most recent being State and Federal permits to dredge an area on the north side of the facility which periodically accrues sediment from a drainage system associated with the City of Newport storm water system.

The current proposal is to harvest milfoil from three areas at the marina which provide access to the various slips at the facility. While milfoil has been a continuing problem over a number of years and has typically been harvested by hand, the extremely low water conditions of 2016 have led to a significant increase in milfoil which has rendered hand harvesting infeasible. Milfoil is also a continuing problem in many other areas of the lake.

As noted, the reason for this proposal is to allow continued viable access to the facility. On a number of occasions, boats have become stuck in approaching their slips and had to be towed through the obstructed areas. On other occasions, motor boats have had propeller damage as a result of trying to free themselves. In some situations, the owners' slips have become unusable in the later stages of the boating season. The harvesting method will be to use a tow behind four foot wide sickle cutter (see attachments for photos of the proposed device) with the cut milfoil gathered from the boat with a rake and disposed off site away from any water bodies. The intent is to limit as much as possible disturbance to native species. Harvesting is proposed on an as needed basis, likely two to four times per year from May 15 to October 1.

Three areas are proposed for milfoil removal as shown on the attached map of the facility and photos. Area 1 is to the south of Building C and contains approximately 4,000 sq ft. This area provides access to slips in Building C, as well as those located adjacent to the shore. Area 2 is located between Buildings C and A and consists of approximately 8,000 sq ft of area which provides access to Buildings A, B, and C. Area 3 is located on the north side of the facility and consists of approximately 8,000 sq ft providing access to Building A slips, as well as the public launch. This is the area for which dredging permits scheduled for fall 2017 were recently received. While the dredging will eliminate the milfoil problem for a number of years, the recent low water has led to a significant growth of milfoil this past summer severely disrupting access to the slips and boat launch. This area is included to allow initial harvesting at the beginning of the 2017 boating season and as needed until dredging occurs. Given the overall milfoil problem, it is anticipated that harvesting will need to be done in this area some years after the dredging occurs.

List of abutters for Newport Marina mechanical device aquatic control permit - November, 2016

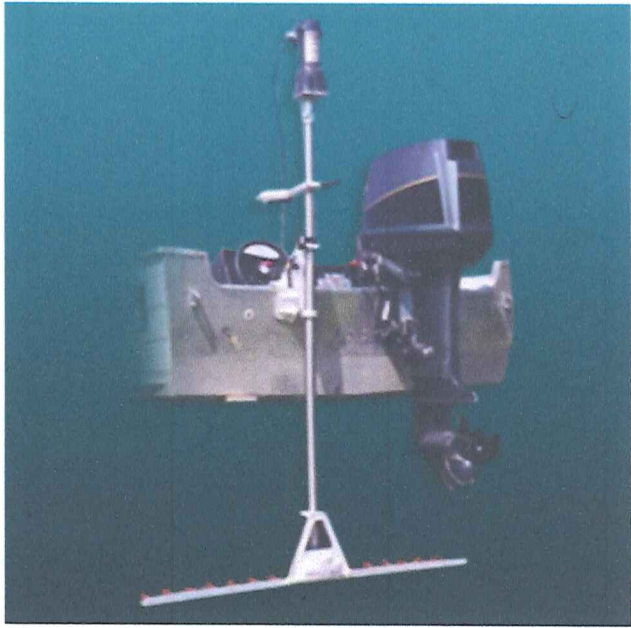
1) Central Maine & Quebec Railroad Attn: Tom Tardiff
700 Main Street, Suite 3, Bangor, ME 04401

2) Jim Mulkin
99 Farrant Point, Newport, VT 05855

3) Numia Holdings LLC
84 Farrant Street, Newport, VT 05855







← 1/4 → Water Weedsickle HD

Newport Marina application for aquatic nuisance control - November, 2016

Approximate Scale: 1" = 75'

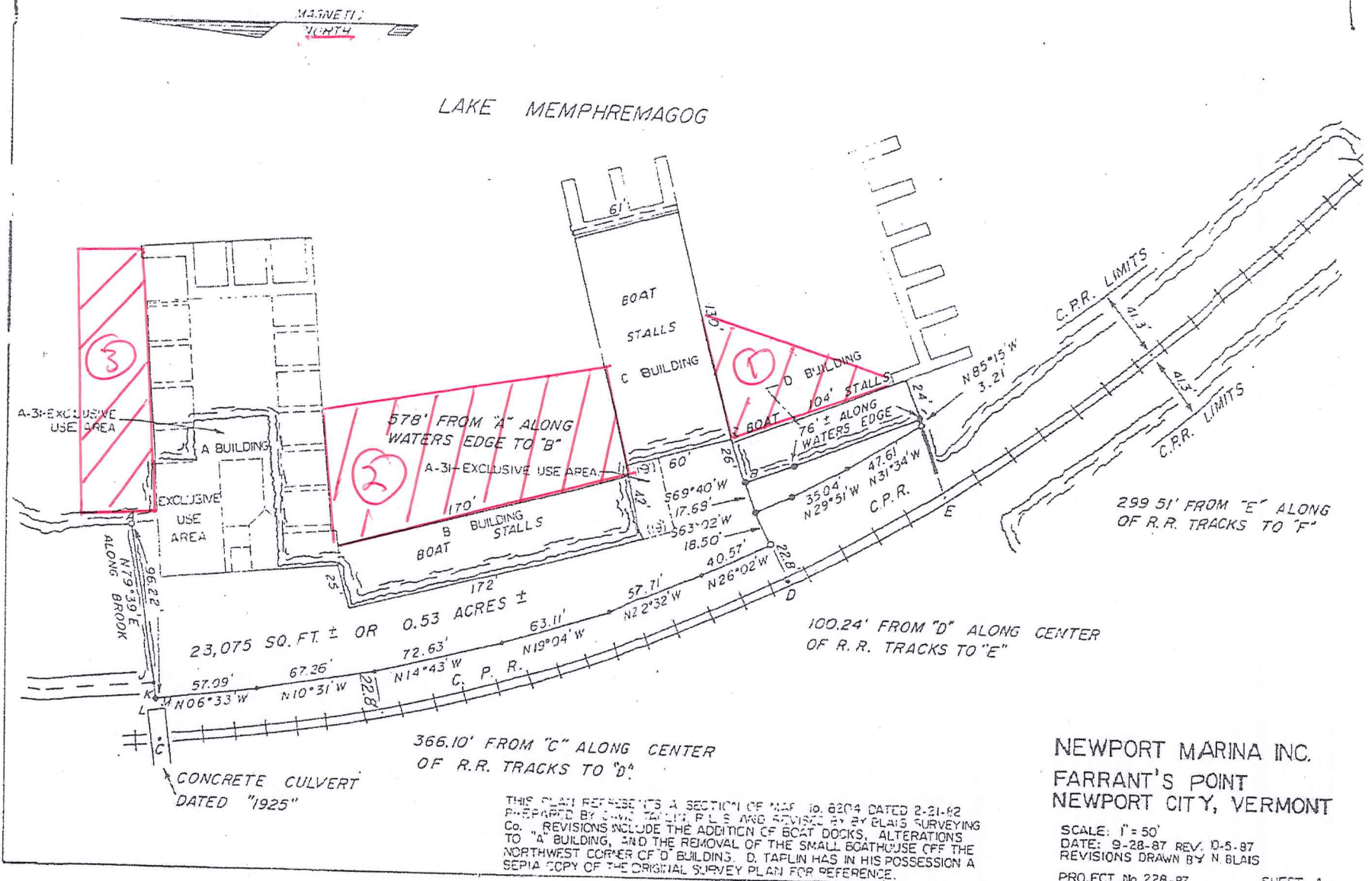


EXHIBIT B

Aerial view of Marina



Area 1
Area 1



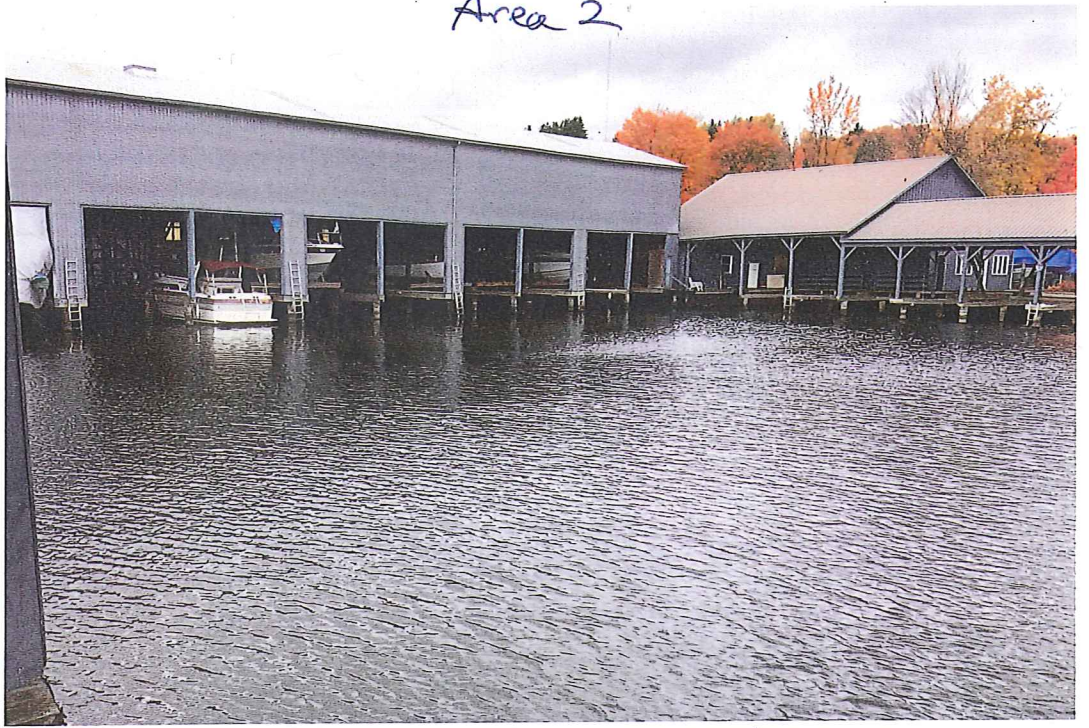
Area 2
Area 2



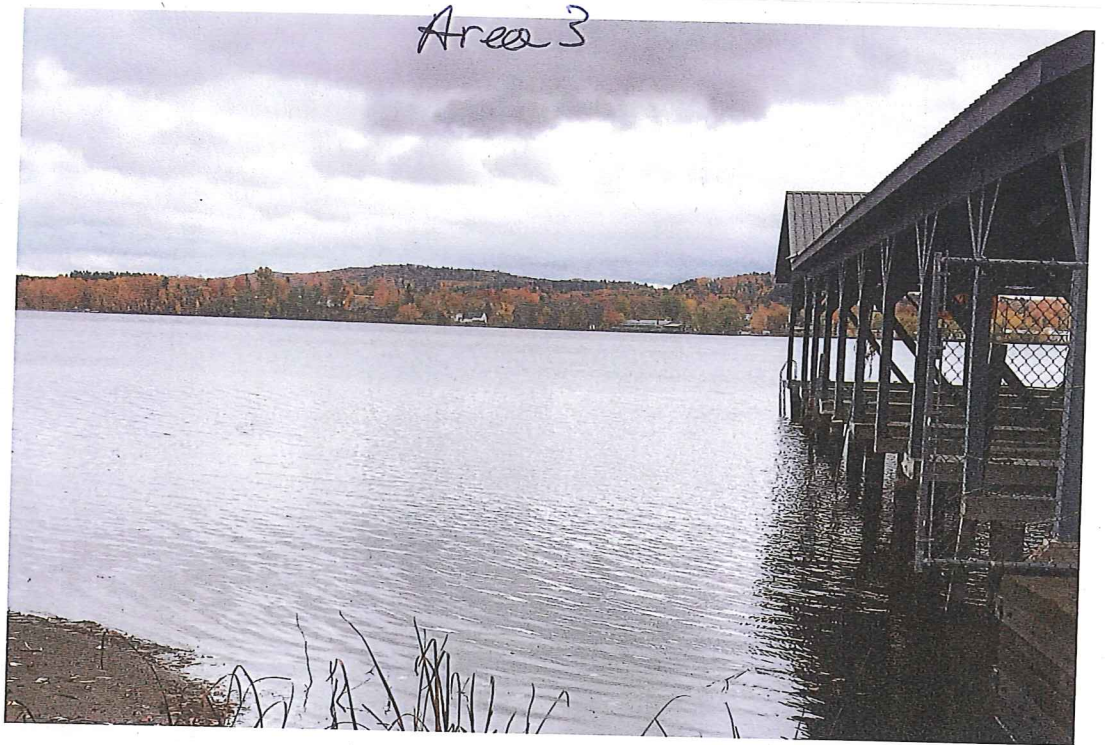
Area 3
Area 3



Area 2



Area 3



Area 1

