

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

### What to do with an unsafe tree?

It is up to the landowner to determine whether a tree may be removed under the dead, diseased, or unsafe exemption. Generally, a tree is considered unsafe when it is both near a target (home, power line, etc.) and damaged enough that it poses an immediate risk of falling.

1. Contact your regional Lake & Shoreland Permit Analyst. You may be required to consult a forestry professional regarding tree status.
2. Take photos. It is helpful to have documentation of the tree and surrounding landscape should any questions arise later.
3. Is it necessary to remove the entire tree? Tree removal should be a last resort – if a tree is healthy except for a dead limb, remove just the limb in question. If a landowner feels confident that they have identified a tree as dead, diseased, or unsafe, they do not need to seek permission from Shoreland Permitting to remove the tree.
4. Leave the roots. The below-ground root system provides structure and stability to lakeshore property, and prevents the loss of soil through erosion.
5. Consider less intrusive alternatives: Can you move the dock over a few feet? Can you prune just the dead limb? If the tree is at the shore, can you allow it to fall into the lake naturally?

### The benefits of a dead tree

It is highly encouraged that a tree posing no hazard to a target is left in place and allowed to come down on its own. Dead trees provide unique habitat – birds and small mammals use dead trees for nesting, foraging, and sheltering their young. Birds and bats rely heavily on the insects found in dead trees as a food source. Dead trees help retain soil moisture during dry periods, and allowing them to decompose naturally improves the soil through the addition of organic matter and nitrogen-fixing bacteria. Additionally, allowing a tree to fall on its own is much less expensive than removal with heavy equipment.



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**A storm damaged white oak near a house (target). This tree could be identified as unsafe and removed.**



**Kingfishers and Flycatchers often use dead standing trees along lakeshores as a place to perch while foraging.**

### Leaning trees

Trees along the shoreline may naturally lean over the bank towards the water. Leaning does not necessarily mean the tree is dead, diseased, or unsafe. Trees planted close to each other may lean away from neighboring objects, or curve to better reach sunlight. Trees leaning over a lake shade and cool the surrounding water temperature – both actions help slow the growth of algae and aquatic plants. Insects that fall from leaning lakeshore trees provide a vital food source to fish.



**These leaning lakeshore trees are stabilizing the shoreline, as well as shading and cooling the water below.**

### Fallen trees in the water

Trees that have naturally fallen into a lake must remain in the water. Just as they do on land, trees and woody debris in the water provide unique habitat to fish, birds, insects, amphibians, reptiles, bryozoans, and freshwater sponges. It is possible to move a fallen tree that has blocked boating and swimming access – please contact a regional Lake & Shoreland Permitting analyst before moving a tree in the water.



**Trees within the water provide habitat for fish and wildlife. Many species, including turtles, require access to both land and water, and fallen trees offer connectivity between the two systems.**

### Managing diseased and infested trees

The Vermont Department of Forests, Parks & Recreation (FPR) has a set of [forest health programs](#) that monitor for insects, diseases, tree condition, and other ecosystem features. Additionally, FPR has established plans for managing forest pests through prevention, early detection, and integrated management. When forest health may be jeopardized by the existence of a forest pest, management projects may need to occur within the Protected Shoreland Area. Think you've found an invasive forest pest on one of your trees?

Please report it here: <http://www.vtinvasives.org/get-involved/report-it>.

### Resources

Unsafe tree determination: [https://www.na.fs.fed.us/spfo/pubs/uf/sotuf/chapter\\_3/appendix\\_b/appendixb.htm](https://www.na.fs.fed.us/spfo/pubs/uf/sotuf/chapter_3/appendix_b/appendixb.htm)

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

Regional Lake & Shoreland Permitting Analysts: <http://dec.vermont.gov/watershed/lakes-ponds/permit/contact>

Benefits of a dead tree: <https://www.fs.fed.us/pnw/sciencef/scifi20.pdf>