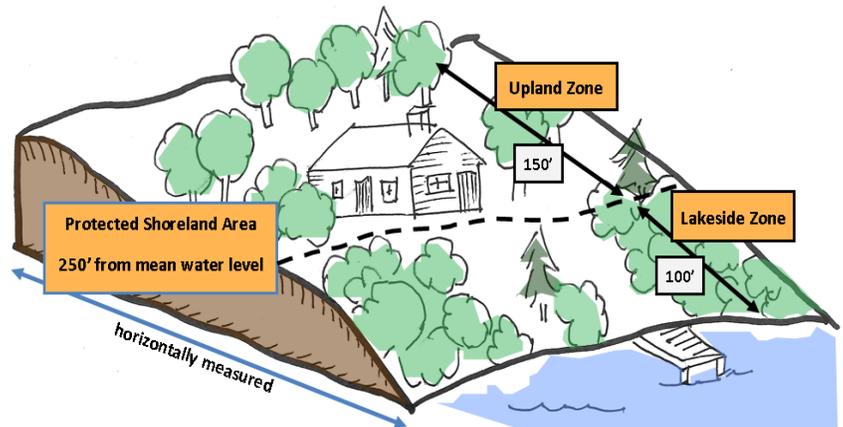


The Vermont Shoreland Protection Act

What is the Shoreland Protection Act?

The Shoreland Protection Act (Chapter 49A of Title 10 §1441 *et seq.*) establishes a state regulation for guiding development within 250 feet of the mean water level, in what is known as the Protected Shoreland Area. The Act applies to all lakes and ponds greater than 10 acres in size. The intent of the Act is to prevent degradation of lake water quality, preserve habitat and natural stability of shorelines, and maintain the economic benefits of lakes and their Shorelands.



How does the Shoreland Protection Act protect Vermont lakeshores?

Setback: The Lakeside Zone is especially sensitive – excessive development in this area has a negative impact on fish and wildlife habitat, water quality, and soil stability. By setting new development back into the Upland Zone, the lake can maintain its natural defense.



Slope: Steep slopes are prone to erosion and may become unstable. Retaining natural vegetation and directing development to level areas minimizes the loss of soil through erosion.

Impervious surface: Hard surfaces (roofs, paved or unpaved driveways, etc.) prevent the natural infiltration of stormwater into the ground. Instead of soaking into the natural forest floor, runoff from these hard surfaces erode soil, which reduces water quality as sediment and pollutants enter a lake. Minimizing impervious surface in the Protected Shoreland Area will reduce the amount stormwater runoff flowing directly into a lake.

Cleared area: Areas where natural vegetation has been removed are considered cleared. Native shrubs, trees, and groundcover in the Protected Shoreland Area provide essential fish and wildlife habitat, as well as a natural buffer that allows pollutant-heavy runoff to infiltrate, rather than run directly into a lake. Roots and woody vegetation provide structure and prevent the loss of land due to erosion. Grass lawn provides limited stability and habitat value.

The Vermont Shoreland Protection Act

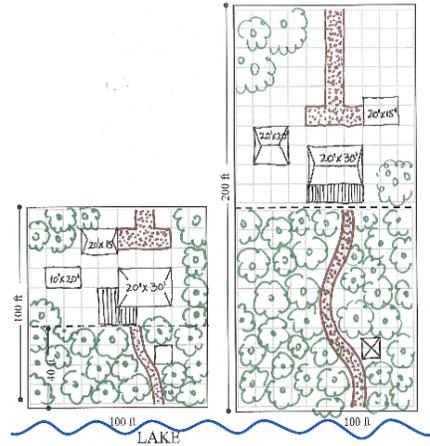
Permits

Applicants must submit a [Shoreland Permit application](#) for the creation of new cleared area or new impervious surface in the Protected Shoreland Area. It is strongly recommended that applications be submitted at least 45 days before the proposed project start date.

Shoreland Protection Act standards

Shoreland Permit Program staff will work with landowners to incorporate Best Management Practices into projects that exceed any of the following standards.

- The project is setback at least 100 feet from mean water level (unless parcel size or site limitations prevent)
- The project is on a site with a slope of less than 20%
- No more than 20% of the Protected Shoreland Area is impervious surface
- No more than 40% of the Protected Shoreland Area is cleared area
- Existing development in the Lakeside Zone cannot be expanded closer to a lake



Registrations

Applicants can submit a [Shoreland Registration form](#) for smaller projects. Registrations take effect 15 days after being received by the Shoreland Permit Program unless additional information or a full permit is required. Throughout the lifetime of a parcel, registrations are limited to the allowances outlined below:

- **Registration A:** Up to 100 square feet of new cleared area or new impervious surface location located between 25 feet and 100 feet from mean water level.
- **Registration B:** Up to 500 square feet of new cleared area or impervious surface located between 100 feet and 250 feet from mean water level. The parcel must meet the 20% slope, 20% impervious surface, and 40% cleared area standards of the Act. Parcels that exceed those standards are not eligible for a Registration B.

The size of the parcel on the left prevents it from meeting the 100-foot setback – in this situation, existing development cannot be expanded toward the lake.

Activities not requiring a Shoreland Permit or Registration

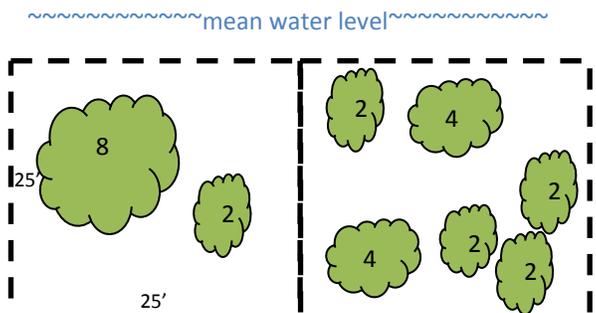
- Reconstruction of existing impervious areas without changing the existing footprint, such as rebuilding a house in the exact same spot.
- Changing one type of impervious surface for another, such as building a garage over the footprint of an existing driveway.
- Creation of a 6-foot wide footpath to access the lake through the Protected Shoreland Area.
- Tree removal using the Vegetation Protection Standards (see below).
- The installation or repair of a wastewater system permitted by the Vermont Agency of Natural Resources.
- Dead, diseased, or unsafe trees may be removed, so long as below-ground root structures are left intact.

Vegetation Protection Standards (VPS)

The VPS uses a point-and-grid system to selectively thin trees. Trees can be removed if at least 12 “points” are in each 25-foot by 25-foot plot. Points are assigned based on tree diameter – larger trees are worth more points. In addition to 12 points, at least 5 saplings and all vegetation less than three feet in height, including the duff layer, must be retained in each plot.

Contact us

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Email: ANR.WSMDShoreland@vermont.gov



The plot on the left has only 10 points, so all vegetation must remain. The plot on the right has 16 points – some trees can be thinned.