



Lake Rescue Association Response to January 24, 2020 Dock Settlement Meeting with VT Fish & Wildlife

Summary. We would like to thank the Fish and Wildlife representatives for meeting with the Lake Rescue Association on Friday, January 24, 2020 in Ludlow to discuss the proposed fishing access boat launch dock. We appreciate all the information that was shared about the goals of the state regarding access issues, state funding sources, your acknowledgment of the work lake associations do and the importance of nurturing a good working partnership, and for listening to our concerns. We also appreciate your stated willingness to reach an agreement.

The LRA put an enormous amount of work and expense over the course of a year compiling a data-driven report based on a wide range of evidence, including: launch usage data, lake comparison data, state permit document analyses, extensive video surveillance and photographic review, two sources of expert testimony, bathymetric and milfoil reports, and other sources of evidence, as well as cogent arguments outlining the reasons the permit application is flawed not only in concept but also in the permitting process.

We were disappointed that the state came to the meeting only with a 4-page revised Dock Doctors proposal written in late December that offered an unacceptable alternative in a slightly shorter dock moved to the other side of the boat ramp. While we appreciate Attorney Gjessing's concern about our sense of being dismissed throughout this process, there was then no significant effort during this meeting, spoken or in writing, to address the numerous valid concerns expressed in our reports. This included any discussion weighing the level of public good offered by a dock against myriad adverse impacts, and addressing the contradiction inherent in the state permitting public good requirements versus jurisdictional arguments obviating those same requirements. You simply offered an 8' shorter dock.

As stated in the Conclusion to the LRA report: *"We do not take issue with a dock, per se. We do take issue with the location of this particular dock in this particularly challenged launch site, and with the permitting process itself. We believe this permit decision is fraught with contradictions, conflicts of interest, jurisdictional confusion, and a lack of interagency organization. In summary, the Appellants maintain that the permit application be withdrawn and serious effort be made to consider 1) alternative solutions, and/or 2) alternative lake locations in Windsor or nearby counties."*

As you know, we vastly prefer a no-dock solution, and believe we have compellingly argued this solution in our original report. However, if the state will not consider this, the LRA would like to propose two alternatives; 1) a kayak/boat tie up dock, or less preferably, 2) a 24' dock removed approximately 10' to the west of the boat ramp.

Solution #1. Kayak/Canoe Launch Dock. At the end of the January settlement meeting, we proposed an ADA-accessible kayak/canoe launch dock that could service BOTH motorized and non-motorized traffic. This solution addresses ALL CONCERNS ON BOTH SIDES OF THIS ISSUE. Here we offer a more detailed conceptual description of this proposal. In our conversation during the meeting, there was general acknowledgment that *launching a boat single-handedly is not an issue* at Lake Rescue, and that it is supremely unlikely a wheelchair-bound or otherwise disabled person would do so. (And again, if there was such a person, the public good vs. adverse impact analysis must be undertaken.) Rather, that person would almost certainly have assistance, and would mostly need to be able to board a docked/beached boat safely.

We submit that the general conceptual design depicted on the following pages (or a similar concept) would:

improve safety

improve accessibility beyond what a long dock would provide

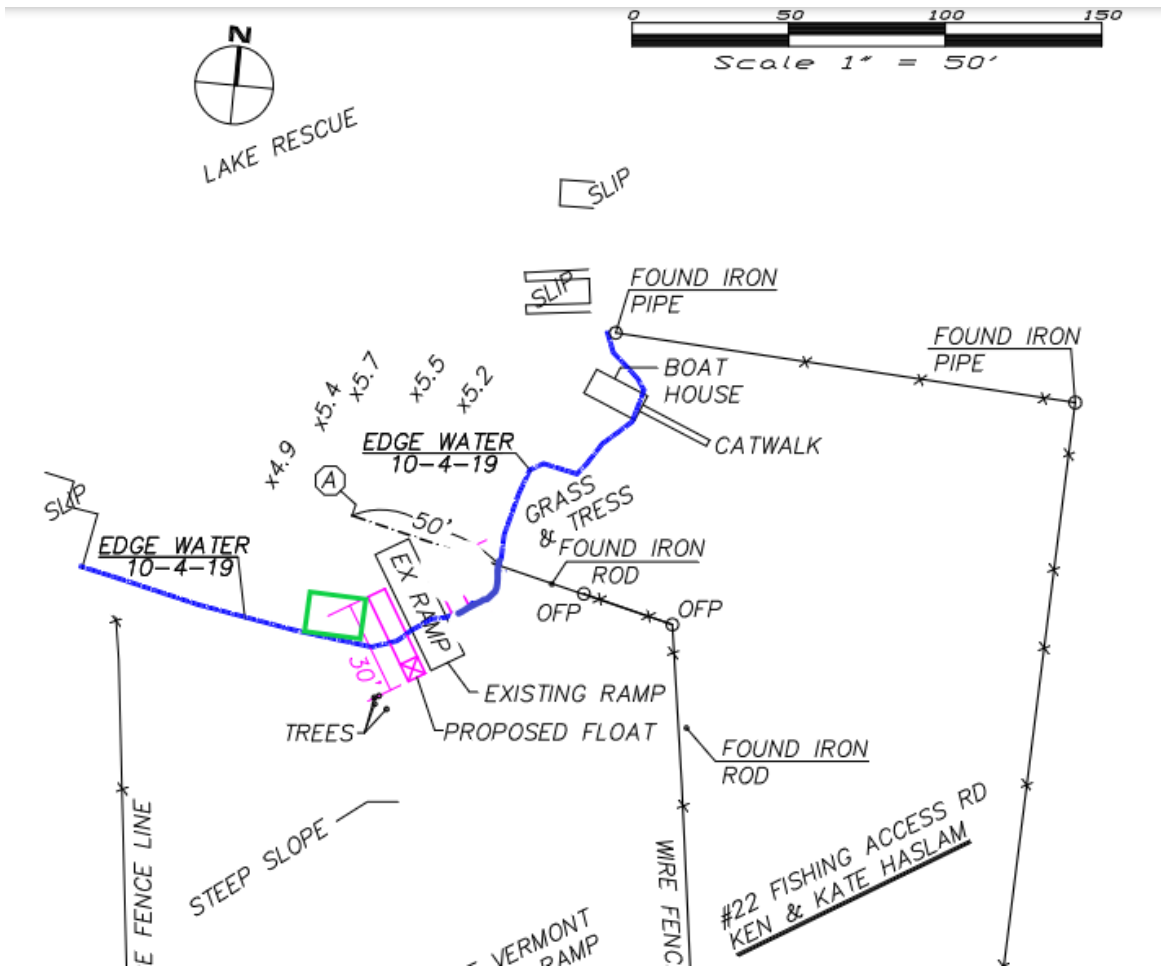
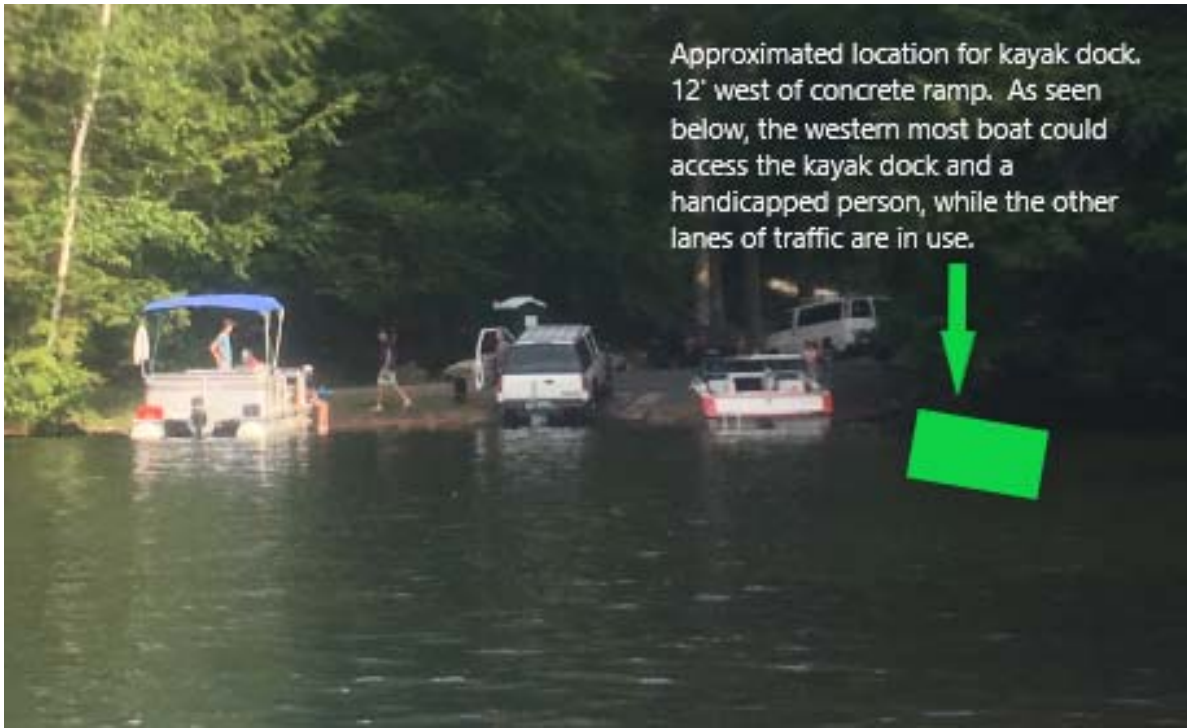
service both motorized and non-motorized watercraft

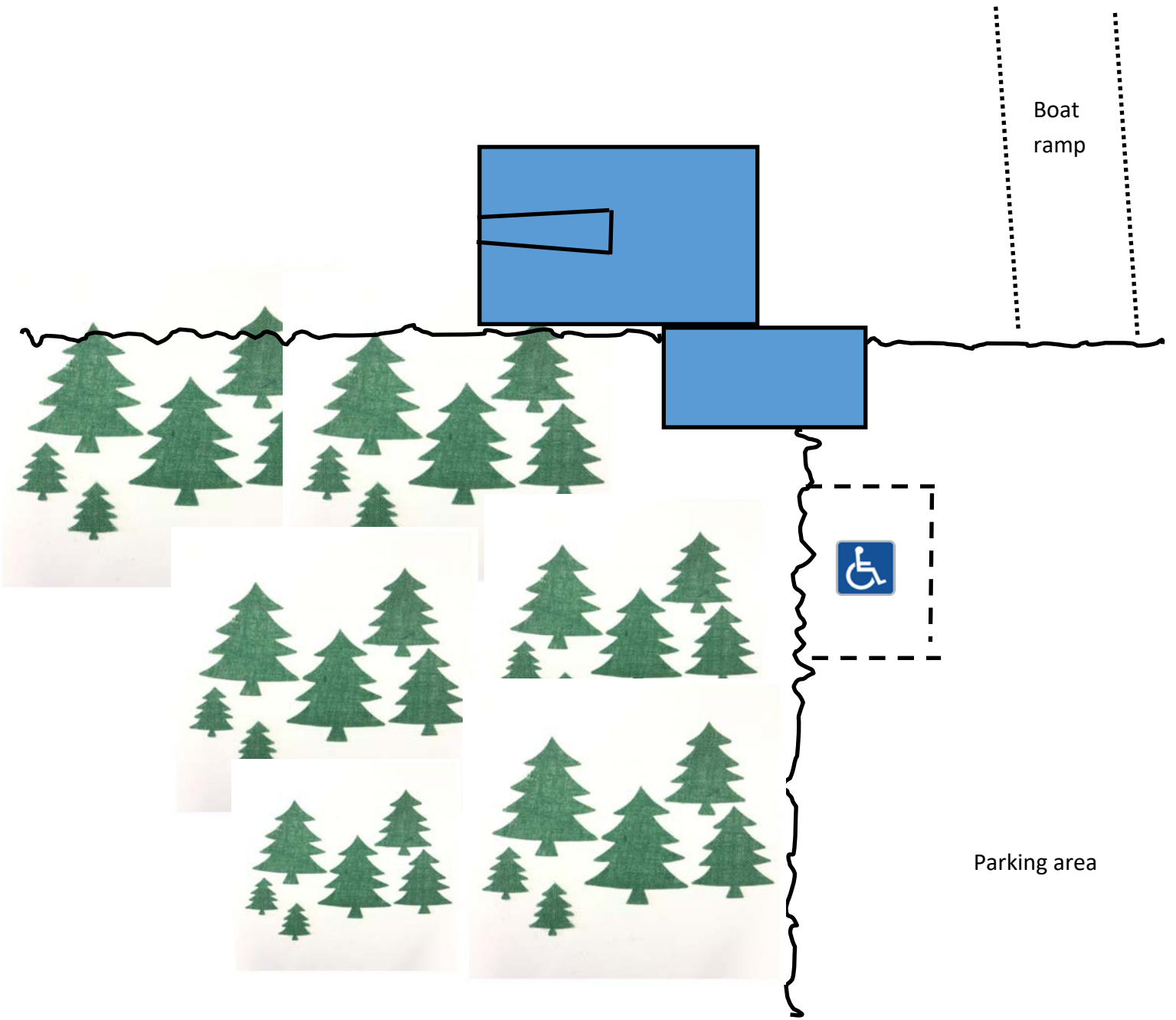
decrease navigation concerns and congestion

expands the usable state-owned space

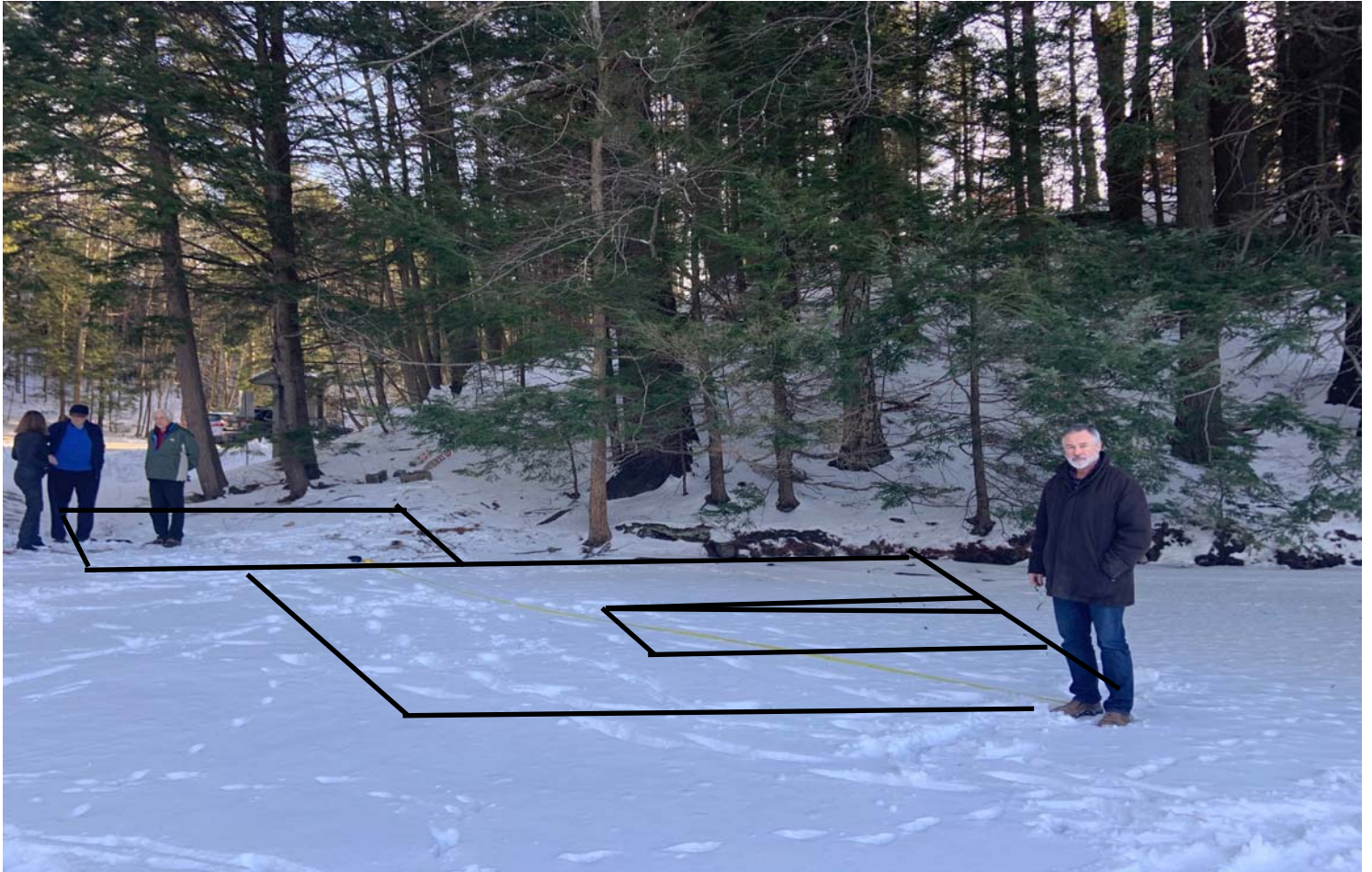
Specifically, benefits include:

1. Provides a courtesy dock (or boarding pier), enabling a disabled/elderly person to access a boat tied up alongside, which is exactly what a dock would provide, in addition to providing a kayak/canoe launch. In fact, we believe ADA-accessibility is more flexible and IMPROVED with this design over a straight dock.
2. Launching a boat could continue as it is presently done. Single boaters could either pull the boat ashore on the east beach, as is done now, or have the additional option of tying up to the courtesy dock if the beach is crowded with other watercraft, or assistance in boarding is needed.
3. Moving the dock further west, away from the side of the boat ramp, allows for the current lanes of traffic to remain (about 25' on the east side and about 10-12' on the west side), and provides additional docking space.
4. The state has 170' of available shoreline, of which about 125' is currently unusable. What is usable (about 50') is very crowded and busy, as has been described. This would extend the usable state shoreline to the west by perhaps 30' or more, depending on the dock design, and re-direct much of the boat traffic (both motorized and non-motorized) away from the launch area, improving safety and decreasing congestion.
5. Providing access to the west side of the boat launch allows for easier navigation from the (paved) handicapped parking spot to the accessible ramp that connects to the dock.
6. Other than removing some overhanging branches, it does not appear that significant tree work or shoreline disruption needs to be addressed.



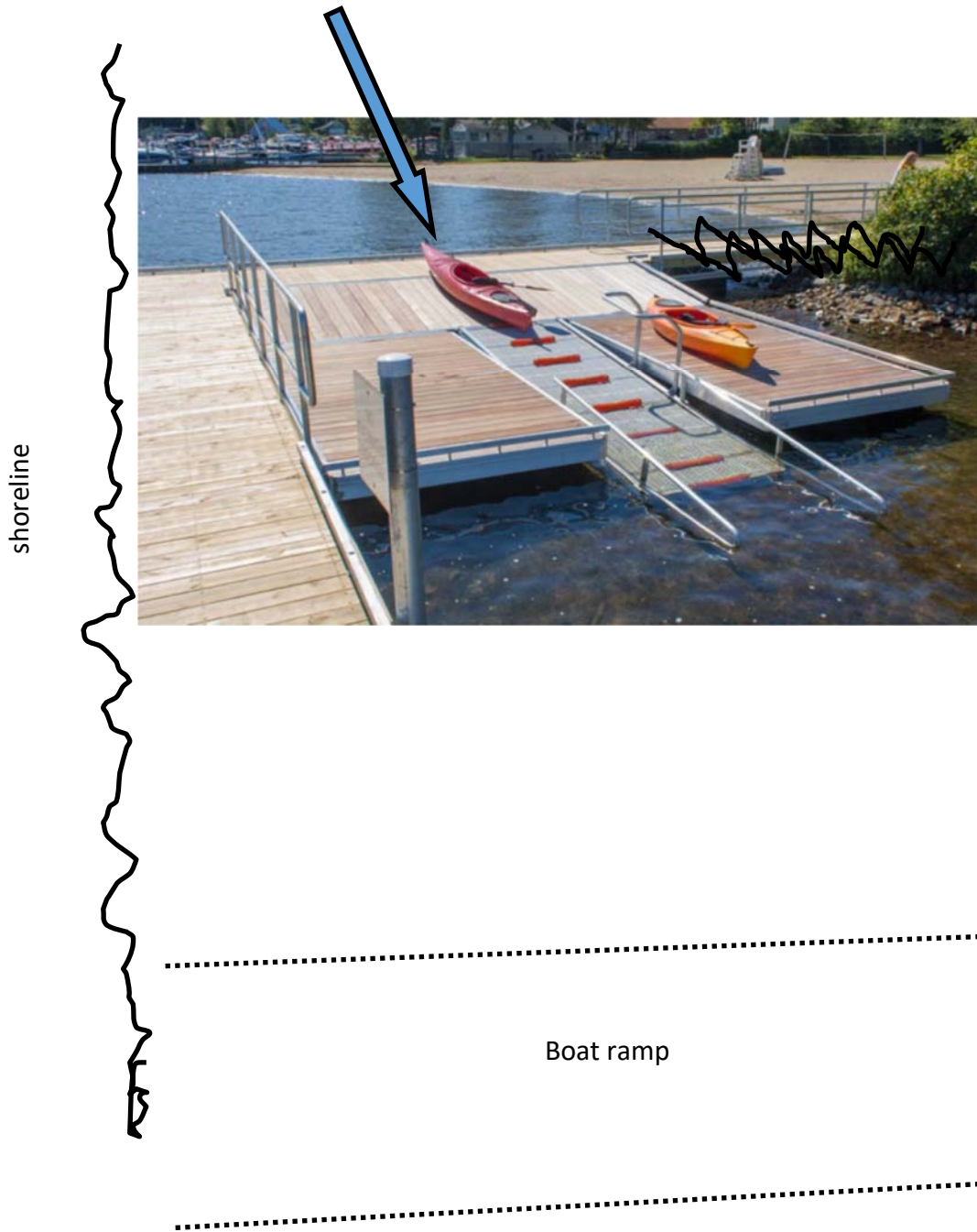


Drawing not to scale



Rough simulation of possible kayak/canoe dock configuration. Drawing not to scale. Boat ramp is to the east (left) of photograph.

Flip ramp to west side



Something similar to this (Dock Doctors model) but with the kayak slide flipped to the opposite side (west side), and the ramp along the shoreline to a paved area. Existing boat ramp about 12-15 feet from ramp entrance. Drawing not to scale.

Solution #2. 30' Dock (24' in the water plus 6' ramp). We believe any built structure will increase traffic with the concomitant adverse impacts, including compromising safety and navigation, as has been described. However, if the sound logic of a kayak/canoe launch dock is rejected (again, we believe accessibility is BETTER served with a kayak launch dock design over a straight dock), we would settle for a shorter straight dock, as long as it is removed approximately 10' to the west of the boat ramp.

The benefits of moving the dock 10' away from the ramp are similar to placing a kayak dock 10' feet away:

1. Launching a boat could continue as it is presently done. Single boaters could either pull the boat ashore on the east or west beach, as is done now, or tie up to the 24' dock, if desired.
2. Moving the dock further west, away from the side of the boat ramp, allows for the current lanes of traffic to remain (about 25' on the east side and about 10-12' on the west side), and provides additional docking space and IMPROVES SAFETY AND REDUCES CONGESTION.