

Mon, Sep 22, 5:21 PM (16 hours ago)

Woods, Laura

Good afternoon,

I'd like to follow up and provide my evaluation of the site and proposed project.

As we're all aware, flooding events from 2023 and 2024 caused a significant amount of sand, gravel, and other sediments, to be deposited into Caspian Lake. These deposited sediments created a delta of land and pushed the mean water level further lakeward than where it has historically been located.

With these scenarios (which we've seen more of over the last few years), there are a couple of ways they've generally been handled. One way is to dredge/remove these recently deposited sediments and restore the lakebed to previously existing depths. The other way is to leave deposited sediment in place.

Based on my understanding of the project as discussed on September 10, 2025, on site with Dori Barton of Arrowwood Environmental and representatives from Highland Lodge, deposited sediment will be left in place. Existing sediment will be regraded (referred to as "skim" in the proposal sent to the Town of Greensboro) to smooth over uneven areas on the newly formed shoreline. It was my understanding that no sediment would be removed from the site.

By leaving the deposited sediment in place, this has created some new land and pushes mean water level out further lakeward than where it was prior to these past flooding events.

As we discussed on site, no work is being proposed at or beyond this new mean water level. Work is being kept several feet away from the existing waterline and on the shore. Provided this remains the case, then a Lake Encroachment permit would not be required for regrading along the shoreline. Greensboro is a shoreland delegated municipality, so the Town of Greensboro and not the State would have jurisdiction over activities occurring on the shore above the mean water level. However, if I were to review this under the lens of Shoreland Protection, I did not see this as a project that proposed the creation of new impervious surfaces or new cleared areas, the 2 jurisdictional triggers under the Shoreland Protection Act. Regrading is not considered a creation of an impervious surface, and it will be occurring in an area that is clear of vegetation.

Regarding the stone breakwater – this was considered an existing encroachment as it was installed prior to the 1968 enactment of Lake Encroachment regulations. Generally, for pre-existing encroachments, there is an exemption for "ordinary repair and maintenance." Repositioning of rocks disturbed by ice or wave energy fit into that exemption. The addition of new material would generally require authorization under a Lake Encroachment permit. However, based on current conditions and in my opinion,

the breakwater appears to now be located on land on the shore and now subject to review under shoreland regulations (Town of Greensboro zoning).

I recommended that if any work was being proposed within Porter Brook, that the Regional River Management Engineer from the VTDEC Rivers Program should be contacted to evaluate for jurisdiction under their rules and regulations.

Please let me know if there are any questions, need for clarification, or if there's anything else I can do to assist you.

Thanks,
Laura

Laura Woods (she/her) | Lake and Shoreland Ecologist
Franklin, Orleans, Essex, Caledonia Counties and the Town of Cabot
Vermont Department of Environmental Conservation
Watershed Management Division, Lakes and Ponds
Program
1 National Life Drive, Davis 3 | Montpelier, VT 05620-3522
802-490-6100 | laura.woods@vermont.gov
<https://dec.vermont.gov/watershed/lakes-ponds>