

From: "Office of Governor Peter Shumlin" <vt-cms-support@egov.com>
Date: 11/13/2016 9:17:01 AM
To: "governorvt@vermont.gov" <governorvt@vermont.gov>
Cc:
Subject: Form submission from: Send a Message to Governor Peter Shumlin

<APP>CUSTOM
<FIRST>Judson </FIRST>
<LAST>Witham</LAST>
<EMAIL>NotJuris@GMail.com</EMAIL>
<ADDR1>15215 Aiken</ADDR1>
<ADDR2></ADDR2>
<CITY>Wake Forest</CITY>
<STATE>NC</STATE>
<PHONE>8016029131</PHONE>
<AFFL></AFFL>
<ISSUE>Other</ISSUE>
<MSG>FOIL , FOIA, Open Records DEMAND FOR RECORDS

The History of the Lake Level Fluctuations on Lake George during Winter Ice Cover has been the focus of several US Court Litigations and Conservation Commission / DEC Expenditures and Activities for many decades.

EXAMPLE

Vermont v. New York - Wikipedia

https://en.wikipedia.org/wiki/Vermont_v._New_York

Vermont v. New York, ... Court giving the State of Vermont permission to file an original complaint against the State of New York and International Paper Corporation. ...

Apperson & Schaefer Timeline - union.edu

<https://www.union.edu/library/arl-collections/timeline>

... of water level of Lake George. 1915. Apperson begins ... Lake George water level to reduce island damage ... of New York State. Apperson ...

Adirondack Legal History: The Lake George Trespass Case ...

www.adirondackalmanack.com/2013/07/the-lake-george-trespass-case...

Jul 02, 2013 · Adirondack Legal History: The Lake George ... The 60 year-old controversy over Lake George water levels has been fully ... Lake George island ...

This FOIL Demand seeks records from the State of New York, The State of Vermont and the United States of America, It's Agencies, Officials, Representatives and Contractors which reflect the ANNUAL DAMAGE by Ice Levels to Islands, Boat Houses, Docks and Shoreline on Lake George New York.

1. Said records sought are EVIDENCE PRESENTED to the United States Supreme Court which appertain to the 75 Days of Testimony and Exhibits employed by the State of Vermont to show the Ice Damage to the Islands and Structures on Lake George.
2. Said records that reveal the day to day operations of the Dam and Penstocks at the Northern End of Lake George and the Ponding Back and Releasing of Water during the Winter Months and or Ice Cover.
3. Said records that reveal the performance and capacity characteristics and design operations abilities of the Ticonderoga Dam and Pen Stocks to safely and adequately control ICE LEVELS during Winter Operations.
4. Each Spring large numbers of Construction Permits Issue for the Replacement and Repair of Docks, Boat Houses and Bulkheads / Sea Walls and for other Shoreline Repairs associated with the Fluctuating Lake / Ice Levels on Lake George. Those records and data are requested.
5. The trial exhibits, witness lists and records of the State of Vermont, New York State and the United States Government regarding the Rising and

Falling Lake Levels on Lake George caused by the Operations of the Dam at the Northern end of Lake George and the use of the Penstocks to Pond Back Water and Release Water during Winter Months / Ice Cover are herein demanded. Said Records seem to go as far back as 1900 and 1905 and exist for the entire period 1900 - 2016. Records which appertain to these Ice and Water matters are requested.

6. All maps, photographs, films, charts and memoranda whether paper, electronic , recorded or otherwise are requested.

The materials being voluminous would best be produced in digital or electronic format so they can be inexpensively produced. I ask that the materials be made available for PUBLIC DISSEMINATION and In The Public Interest for furthering the Educational and Historical Story of the Ice Damage to Lake George Islands and Public and Private Property.

This is a FOIA and a FOIL demand and a request for access to Vermont State Records in accordance with Vermont's Open Records Laws.

Thank You

Judson Witham

NotJuris@GMail.com

cc: School of the Very High Mountains

Union College

Adirondacks Museum

US EPA

US Army Corp of Engineers

State of Vermont

State of Vermont Attorney General

State of Vermont DEC

</MSG>

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