

Charlene Dindo

From: Kenneth Hamblet <kenjh49@gmail.com>
Sent: Saturday, January 27, 2024 10:10 AM
To: Charlene Dindo
Subject: [External] Restrict Wake/Power Boats, Please

[External]

I ask the LCAR, as called for in 3 VSA 842, to return the weak 500-foot proposal and send it back to the ANR, and for them to amend the proposal to a 1,000-foot rule.

Please listen to the will of what I believe is the majority of your fellow citizens and users/enjoyers of Waterbury Reservoir and other treasured small bodies of waters.

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Charlene Dindo

From: Rudy Chase <rudy.chase@yahoo.com>
Sent: Saturday, January 27, 2024 10:16 AM
To: Charlene Dindo
Subject: [External] Wake Boats in Vermont

[External]

I am writing in opposition to wake boats in Vermont.

Vermont's beautiful lakes would be exposed to an unnatural occurrence that would affect beaches, property values, wildlife, and other water sports enthusiasts; just to name a few.

Our lakes are such a beautiful asset, and environmentally so important to our entire ecosystem. Why would we disrupt this balance so a few people can ride on 5', or higher, waves? It doesn't make sense! I'm not opposed to boating, but I am strongly opposed to wake (wave manufacturing) boats on our pristine lakes. A 500' to 1000' stand out away from beaches won't work. There is no way of enforcing such a regulation.

Wake boats would seemingly cause erosion, add to noise pollution, and put other enthusiasts at risk. Just imagine a young mother in the water with her young child on a sunny Sunday afternoon, and all of the sudden they are swamped with a five foot wave. The results could be catastrophic and tragic. You don't want to bring this to Vermont.

I do, however, have a potential solution. Why not allow wake boats only on Lake Champlain? The overall size of the lake would allow far less disruption to my above mentioned points. Make Lake Champlain a destination spot for such uses. This could help bring in enthusiasts dollars similar to a Mount Mansfield, or any number of Outdoor Centers.

In conclusion, I ask that wake boats not be allowed on Vermont's interior lakes.
All Vermonters will thank you!

Thank you,
Rudy Chase
Craftsbury

Sent from my iPad

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Charlene Dindo

From: Elizabeth Bjorkman <eqbjork@comcast.net>
Sent: Saturday, January 27, 2024 10:20 AM
To: Charlene Dindo
Subject: [External] Concern about easing restrictions for wake boats on Crystal Lake

[External]

I so hope you will hear concern from us property owners on Crystal Lake's shore that our small special lake needs as much environmental preservation as possible vs the opposite. As it is now, boats often exceed shore line speeds and wake boats would augment that situation.

I also hope you realize that Crystal Lake has a Preservation Association run by property owners which works hard to keep milfoil under control in the lake. Ideally Crystal will not be inviting even more high speed boats to our lake which simply increases the exposure to milfoil. I hope the state might recognize grass roots efforts of us locals to preserve these natural gems which draw both local and down country folks to visit and enjoy.

Elizabeth and Henry Bjorkman
64 Lake Front Lane
Barton, VT

PS Henry's mother was born and raised in Barton. Happily the Northeast Kingdom so far has been nicely preserved :-)

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Charlene Dindo

From: Peggy Lipscomb <mtlipsc@gmail.com>
Sent: Saturday, January 27, 2024 10:30 AM
To: Charlene Dindo
Subject: [External] Wake boats

[External]

I do not understand why wake boats are even being considered on Vermont's smaller lakes. They benefit very few and cause harm to many. We do not need them. Actually, nobody NEEDS them. Wake boats are just another case of the wealthy bullying the common citizen. Please do not permit them on ANY lake other than Champlain or Memphremagog.

Thank you,
Margaret Lipscomb
1183 The Bend Road
Greensboro

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Charlene Dindo

From: Sara Sorensen <sarasorensen0@gmail.com>
Sent: Saturday, January 27, 2024 10:44 AM
To: Charlene Dindo
Cc: Mark MacDonald; Christopher Bray; Virginia Lyons; David Weeks; Seth Bongartz; Mark Higley; Carol Ode; Trevor Squirrel
Subject: [External] Testimony for LCAR hearing, Feb 1, 2024 on ANR proposed ruling on Wake Boats.

[External]

I ask the LCAR, as called for in 3 VSA 842, to return the weak 500-foot proposal and send it back to the ANR, and for them to amend the proposal to a 1,000-foot rule, in response to the overwhelming public comments on the rule to be consistent with current laws and to be consistent with the mission of the ANR for the following reasons:

ANR has not, as called for in 16 VSA 840, “considered fully all written and oral comments and testimony.” Wake-Surf-boats, where allowed, will diminish the environment that attracts many other quiet users to lakes and ponds – literally drive them away and damage waterfront property. Wake boat use will create safety hazards for other recreational users – especially paddle sports, fishermen, and shoreline users.

ANR has “decided in a final proposal to overrule substantial arguments and considerations raised for and against the original proposal,” as explained in 3 VSA 841, That decision is arbitrary, as described in eVSA 842(a)(3)

The proposed rule is contrary to the intent of the Legislature, as spelled out in 3 VSA 842.

The legislature intended for ANR to preserve and protect the health and traditional uses of our lakes and ponds. Specifically, the legislature at 10 VSA 1424 tasked the ANR “to manage the public waters so that the various uses may be enjoyed in a reasonable manner, in the best interests of all the citizens of the state.

The remainder of this document consists mainly of personal testimonies of the impact of wake boats on watersports’ activities and waterfront properties. It was collected from published commentaries and privately circulated documents. Additionally, there is a commentary of wave physics of Wake Boats at the bottom. Wake boats are powerboats designed to create large (3- to 5-foot) wakes, enabling surfing behind the boat without a tow rope. Wake boats are enormously expensive limiting the number of people who can afford them. Their disruptive nature to other lake users and lakeside owners is all out of proportion to their numbers.

Normal uses for this purpose were defined as those existing prior to Jan. 1, 1993: fishing, swimming, boating, waterskiing, fish and wildlife habitat, wildlife observation, the enjoyment of aesthetic values, quiet solitude of the water body, and other water-based activities. Wake boat use is not considered a normal use, nor was such a use ever contemplated in the originating legislation and regulations.

A citizen coalition, along with lake associations and DEC staff, designed a rule that would keep wake boats off Vermont’s smallest lakes and protect the traditional enjoyments of swimming, canoeing, sailing, fishing, and kayaking. That proposed rule called for an offset of 1000 feet from shore, a distance supported by the latest science and economic analysis. The original 1000 ft was sent upward through Governor Scott Administration

channels but came back reduced to a 500 ft rule without justification or explanation. This truly begs the question of what happened.

Public opinion massively supported the 1000 ft rule, by anywhere from 8:1 to 30:1 depending on how some comments were counted for identical copies of a letter with different signatures – whether 29 separate comments or a single comment as the U.S. Air Force does in their consideration of public opinion submission. That change doubled the number of unprotected lakes. Small lakes such as Fairlee, Shadow, Parker, Iroquois, and Joe's Pond would be left open to wake surfing. No matter the actual ratio, this is obviously a situation of ignoring public opinion violating the intent and letter of the originating legislation.

The remainder of this document consists mainly of personal testimonies of the impact of wake boats on watersports' activities and waterfront properties. It was collected from published commentaries and privately circulated documents. Additionally, there is a commentary of wave physics of Wake Boats at the bottom.

The testimonies (The names of these folks are not included here, to protect them from possible retribution.)

"We have owned our camp on Joe's Pond about 13, maybe 14 years. Now, on any given summer day, our shoreline is hit with countless, large, artificial waves created by so-called wake boats, waves that are significantly larger and more powerful than any waves mother nature can create on our small pond. Some of these intentionally created artificial waves crash up and OVER our docks, something we've never seen before. We are no longer able to moor our antique wooden runabout out on the water, or tied alongside our dock, as it is buffeted and banged by large artificial waves arriving randomly from all directions, often simultaneously. We now keep our boat pretty much out of the water."

"What used to be a relatively quiet sandy area in front of our camp, suitable for small children and toddlers, wading and swimming, is now dangerous. When the big artificial waves arrive, small children are easily swamped or knocked over. If they're going to be in the water, they require especially strict supervision, with an adult in the water to right them, when they get knocked over. We can no longer simply watch them from the shore."

"The plying back and forth of wake boats, designed to create large artificial waves, so that teenage boys can pretend that they're surfing, is irrevocably changing the essence of Joe's Pond. What used to be a relatively quiet body of water with the occasional boat wake has become a veritable washing machine, with large, artificial waves never seen before on Joe's Pond, now arriving from all directions. Large, powerful wake boats have fundamentally changed the nature of boating, sailing, swimming, paddle-boarding, kayaking, shoreline enjoyment and maintenance, on our small pond."

"In 2021, a resident on Lake Fairlee was treating an elderly couple to a pontoon boat ride recently when they noticed a motorboat with a surfer riding in its wake. It passed down the east side of the lake and turned at the north end near the shallows that support the only loons' nest, to make a pass along the west side. It was then that a strong wave crashed into the pontoon boat. It broke over the front of the boat that sits about 2 feet above the water and washed along the entire length of the deck. The 93-year old man and his 90-year old wife had their lower extremities drenched. As the motorboat came around again it hit its own wake, which was still powerful, and with poetic justice, knocked the wake surfer off his board."

“In 2020 my four-year-old grandson was playing in the water next to our dock on Lake Iroquois. A large wave from a wake boat washed him under the dock. As he was wearing a life jacket he was caught between the water and the underside of the dock. One of his cousins pulled him out before other waves arrived so he was not hurt, but easily could have been. This event reinforced my concern over the generation of such large wakes on small lakes. “

“As a swimmer, I came damn close to being run over by a wake boat on Lake Willoughby. At the time, I’d never heard the term “wake boat.” I was invisible to the pilot of the boat coming at me. Nor was he visible to me — until the boat passed. The wakeboarder behind the boat glanced at me in surprise as he swept by. Had the wake boat not angled slightly to my left, I would not be writing this.” Both Lake Fairlee and Joe’s Pond would have been off-limits to wake boats under the RWVL proposal. But under the administration’s plan they’d lose their place on the “no-wake” list and be forced to welcome wake surfing. The Aloha Foundation owns and operates five summer camps on Lakes Fairlee and Morey in the upper valley.

“Our primary concern is the wake boats’ impact on the lake environment. The artificially enhanced wakes created by these boats cause environmental damage by degrading water quality, hastening erosion, and causing physical damage to shorelines and property,” said ...“Our second concern is that these artificially enhanced wakes can present safety hazards for swimmers and traditional, unpowered boaters. Canoeing, kayaking, paddle boarding, and sailing are integral to our programs and to the culture of both of our home lakes.” “Upon reopening our camp programs for the summer of 2021, we experienced these enhanced wakes firsthand, and determined that they are incompatible with traditional recreational uses. The enhanced wakes create significant safety issues, including potential capsizing of canoes, smaller sailboats and paddleboards, in particular when operated by our youngest and least experienced campers and staff. “

“A friend of mine was injured when a wake boat wave knocked her down as she was attempting to get into her kayak. During Lake Fairlee’s busy Fourth of July weekend, a couple of kayaks were capsized by a wake boat; the wake boat operator didn’t stop to help. Were they even aware of what they had caused? Someone from shore hopped into a boat to assist the kayakers. Luckily no one was hurt this time.”

https://vtdigger.org/2023/09/18/philip-logsdon-wake-boats-and-wave-physics-in-vermont-lakes/?utm_medium=email

Philip Logsdon: Wake boats and wave physics in Vermont lakes

The science of wave dynamics physics and our unique Vermont lakes speak compellingly in support of restricting wake boat use to a minimum 1,000-foot distance from shore.

This commentary is by Philip Logsdon, a physics professor delighting in the Lake Sunset ecosystem in Benson with family and friends for 50 years.

As a university physics professor, I am pleased when science is applied to decision making. Those studying appropriate distance from Vermont lake shorelines for wake boat use have heard strong biology/ecology science arguments for a 1,000-foot restriction.

That science is extremely compelling. Because physics predicts significant adverse consequences of any limits set below 1,000 feet, I implore Agency of Natural Resources Secretary Julie Moore to factor wave dynamics science, explained below, into her agency’s recommendations.

The law of conservation of energy. This law states that energy can neither be created nor destroyed. When applied to wave physics, this means that total wave energy remains unchanged.

Wave energy is a function of wave speed, length and height. When any of these components changes, the remaining components must adjust to the changes to maintain the energy level contained within the wave.

Nature of wake energy in Vermont. Waves and wave energy behave differently on Vermont's glacially scooped out lakes compared to lakes with gradually upward sloping shoreline, such as the one included in the 2015 industry-sponsored Goudey and Girod wake boat study in Florida.

Wave energy drives a process called shoaling as the bottom portions of waves encounter a rising lake floor. As this happens, the wave both slows and the wavelength shortens, forcing the wave to maintain its energy level by increasing its height.

Waves on Vermont lakes more often encounter steeply rising floors — sometimes cliff-like. This causes waves to react more forcefully than they would on gradually sloping lake beds, and the waves produced are bigger and more powerful. Extreme examples of this process are tsunamis.

Effect of wake boats on wave energy. Wake boats exacerbate the shoaling process by injecting high-speed jets of water deep into lakes. Some of this wave energy rises immediately to create the "surf" plume behind the boat. Other energy becomes longitudinal deep-water waves and transverse air-water interface waves that radiate toward the shore.

Wave energy travels much faster and more powerfully longitudinally through incompressible deep water than through air or air-water surfaces. This is why submarines fear depth charges. Deep water energy must forcefully move upward when meeting a steep lakebed rise, the type encountered in many Vermont lakes. Upon encountering sharply rising Vermont lake beds, radiating wake boat waves become tall transverse waves very quickly.

These high, powerful waves wildly toss about swimmers, kayaks, canoes, paddleboards, and even boats and docks — as has been extensively documented in oral and written public testimony presented to the Agency of Natural Resources. After deep water waves blast upward — as wave energy physics requires — they bounce off arcing shoreline coves to recombine dramatically near the cove-center nesting areas of loons and other wondrous aquatic life. Cove centers are also where young and old humans enjoy swimming and tranquil paddling.

Impact of multiple wake boats on wave energy. The above concerns are greatly exacerbated if more than one wake boat is operating at a time. Waves from multiple wake boats operating simultaneously can combine to create enormous waves. Moreover, the incredible wave energy generated by wake boats grows each year as new boat designs consistently increase wake boat size, weight, and power.

Future prospects for multiple, simultaneously operating wake boats underscore the need for the Agency of Natural Resources to apply the precautionary principle as it develops a strong 1,000-foot minimum operating distance from shore rule for wake sports.

The science of wave dynamics physics and our unique Vermont lakes speak compellingly in support of restricting wake boat use to a minimum 1,000-foot distance from our near-shore precious lives, ecosystems and activities.
THANK YOU FOR YOUR CONSIDERATION, Sara Sorensen, Waterbury resident

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Charlene Dindo

From: John Dostal <dostal@myfairpoint.net>
Sent: Saturday, January 27, 2024 12:15 PM
To: Charlene Dindo
Subject: [External] regarding wake boat regulation hearing

[External]

I'd like to add a written comment for the hearing on Monday. Please send me the protocol.

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Charlene Dindo

From: Wendy Turnbull <awturnbull@mac.com>
Sent: Saturday, January 27, 2024 3:00 PM
To: Charlene Dindo; Robert Starr; Katherine Sims
Subject: [External] Wake surfing boats

[External]

Re: Wake Boating proposed rule

As the LCAR considers the ANR's proposed rule on use of wake surfing boats in Vermont Lakes, we wish to weigh in with our opinion on the issue and our rationale.

In regards to natural resources, the potential downsides of the practice are many and varied. Since we are not credentialed in natural resource sciences, we will only say that:

- (1) it is known that the activity causes a variety of environmental impacts, and
- (2) it is not necessary to parse the specific degrees and facets of damage caused, because there is no inherent need to accommodate the activity in the first place. A simple prohibition will ensure that no damage will be caused.

In regards to outdoor recreation management, we would simply point out that the enjoyment accrues exclusively to the few people who can afford the specialized equipment and who choose to profligately burn fuel, create noise, and create a chain of externalized costs, both environmental and social. Any enjoyment that this small fraction of enthusiasts gain from wake boarding is offset many times over by the lost enjoyment of Vermonters who enjoy other forms of lake-based recreation.

Vermont is not magically protected from degrading the quality of its lakes. We need to take specific actions to protect all of our natural resources into the future, and we urge you to act to protect every lake in the state by establishing a clear and cogent policy to **prohibit the practice on all state waters**.

Please note for the record that we do not own lakefront property or have any other vested interests in this matter. We are motivated only by the joy we, our neighbors, and our family and friends derive from Vermont's clean and healthy environment.

Sincerely,

Alan Turnbull
Wendy Turnbull

200 N. Craftsbury Road
Craftsbury, VT 05826

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Charlene Dindo

From: Devon Bonady <devon@fernhillsanctuary.com>
Sent: Saturday, January 27, 2024 3:49 PM
To: Charlene Dindo
Subject: [External] Wake boat hearing

[External]

Dear LCAR,

As a Vermont citizen who loves and appreciates the beauty and recreation of local lakes and ponds, I am upset to hear that the Agency of Natural Resources has chosen to allow a proposed 500-foot-from-shore limit for wake boats.

I spend a lot of time with my children in the water paddling and swimming. I ask that for a ban on wake boats on Vermont's lakes and ponds, or at least a 1000 ft operating limit from shore.

Even one wake-surf boat can dominate a lake causing degradation of normal recreational experiences which include "...fishing, swimming, boating, waterskiing, fish and wildlife habitat, wildlife observation, enjoyment of aesthetic values, quiet solitude of the water body, and other water-based activities." (4.1.3 Uses considered: UPW Rule 2.3, 10 V.S.A 1421-1424)

Thanks for your consideration.

Best,
Devon Bonady, Calais resident
devon@fernhillsanctuary.com

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Charlene Dindo

From: Rolf Mueller <info@vermonthub.com>
Sent: Saturday, January 27, 2024 4:30 PM
To: Charlene Dindo
Subject: POSSIBLE SPAM: [External] Wake boats

[External]

It's the rights of a few obnoxious rich people who think they have the right to do whatever they want, against the rights of the rest of us and the environment that we all share and personal enjoyment & safety of OUR PUBLIC WATERS THAT BELONG TO ALL OF US?

I vote No for all wake boats, period.

Rolf Mueller
2257 Lightening Ridge Rd
Plainfield, Vt. 05667

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Charlene Dindo

From: Shawn White <shawnw1022@gmail.com>
Sent: Saturday, January 27, 2024 5:14 PM
To: Charlene Dindo
Cc: Mark MacDonald; Trevor Squirrel; Christopher Bray; Virginia Lyons; David Weeks; Seth Bongartz; Mark Higley; Carol Ode
Subject: [External] Rejecting the 500-ft wake boat rule

[External]

Dear members of the LCAR committee,

I am writing to strongly urge you to return the ANR's reckless 500-ft wake boat rule back to ANR for amendment to outlaw the use of wake boats on all inland Vermont lakes.

My opposition to these boats stems from both my professional background in surface water quality and aquatic habitat and my personal use of Vermont lakes in Vermont.

Wake boats destroy water quality and fish & wildlife habitat. The wakes created by these boats, even with the 500-ft rule, will exacerbate erosion on lakeshores. Since phosphorus is often bound to soil particles, this erosion will cause a decline in water quality and an increase in blooms of phosphorus-dependent blue-green algae. These blooms in turn reduce the amount of dissolved oxygen in the water – oxygen that fish and other organisms depend on. Wake boats will therefore negatively impact water quality, fish, and aquatic habitat. Shorelines are also important habitat for birds, amphibians, and mammals like beavers, mink, and muskrats. Shoreline erosion will disrupt these areas.

The state is already spending hefty amounts of money to lower the phosphorus load in streams and lakes. Allowing wake boats undermines the clean water investment money the state is spending.

The vast majority of users value the qualities of lakes that will be destroyed by wake boats. I recently bought a kayak to use to “get away from it all” and explore the beauty and serenity of Vermont lakes. I often go to the Waterbury Reservoir, Molly's Falls Pond, Lake Iroquois, Joe's Pond, Peacham Pond, or Maidstone, many of which I also camp on, all of which will be open to wake-boating if the 500-ft rule is adopted. I am rarely the one paddling, camping, fishing, or swimming in these lakes. In fact, most people don't even use motorboats.

Wake boats are affordable only by the wealthiest and will be even rarer than motorboats. Most Vermonters, including myself, could never dream of buying one, not that the vast majority would want to. I strongly believe that Vermont lakes are for all users, and one could argue that wake-boaters are users too. Allowing wake boats on our lakes, however, destroys the use the vast majority people have for lakes – to fish, have a quiet paddle, swim safely, sit on the beach and watch a peaceful sunset, witness a heron catch a frog.

Allowing wake boats will hurt tourism. Vermont has a reputation for being a green, peaceful place with citizens who care about the environment. Visitors travel to this state to escape big cities, gaze upon its physical beauty, and unwind in its quiet places. Many more people will come to Vermont for the quiet than for wake-boating, and many might decide to go elsewhere if wake-boating is allowed.

Wake boating creates unsafe conditions for other users. The wakes created by wake boats, even at 500 ft, can cause kayaks and canoes to capsize. Children learning to swim will have to contend with the large waves created by these boats. It is simply unfair to drive children and paddlers off the lakes so that a very small minority can partake in a loud, unsafe, environmentally destructive activity.

Thank you for rejecting the 500-foot wake boat rule and sending it back to the ANR. Wake boats should be prohibited on all Vermont lakes. They really don't belong here.

Shawn White

Montpelier, VT

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Charlene Dindo

From: Don Heise <donheise8@gmail.com>
Sent: Saturday, January 27, 2024 6:25 PM
To: Charlene Dindo
Subject: [External] Wake boats

[External]

Hi Charlene. Thanks for taking on this "nobody wins" kind of controversy. I'm an active member of the Curtis Pond Assoc. here in Maple Corner, Calais and can only speak for myself. Wake boats are ridiculous. A 200 ft buffer zone is ridiculous. The only lake in Vt. that could safely support that "sport" is lake Champlain. Put a 1/2 mile buffer zone on that body of water and the die hards who want to wake boat can do it there. If you want to surf folks, go to Maine and ride the real waves.

Once in a while Vermont has a chance to step up and do the right thing. Let's not miss this opportunity and ban wake boats statewide. Thanks for listening, Don Heise

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Charlene Dindo

From: Elizabeth Bjorkman <eqbjork@comcast.net>
Sent: Saturday, January 27, 2024 7:04 PM
To: Charlene Dindo
Subject: [External] PS

[External]

I should have added to my plea for restrictions on wake boats on Crystal Lake a huge thank you for the terrific park rangers you have at the state park every year. They do a great job and are special people!!!



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Charlene Dindo

From: Karl Stein <ksteinhome@gmail.com>
Sent: Saturday, January 27, 2024 8:24 PM
To: Charlene Dindo
Subject: [External] wake boat regulations

[External]

I am a many generations resident of the NEK and a kayaker and loon watcher. The proposed regulations for wake boats seem to me to benefit a few wealthy people at the expense of a lot of swimmers, kayakers, canoers, and the lake environments. It makes no sense to me to ignore the request of many Vermonters to extend the limit to 1000 feet—wake boaters still have places to go and the rest of us are safer and less disrupted. Please consider who the 500 foot limit benefits and who it hurts. Thank you for listening. Judy Carpenter, Greensboro Bend

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Charlene Dindo

From: Lewis Franco <lewisjfranco@gmail.com>
Sent: Sunday, January 28, 2024 6:54 AM
To: Heidi Thompson; Charlene Dindo
Subject: [External] No wake boats please

[External]

Hi, I'm just writing to register my opposition to allowing these huge waves on our Vermont lakes.

Sincerely,

Lewis Franco

Calais Vermont

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Charlene Dindo

From: Heidi Thompson <heidi.thompson4@gmail.com>
Sent: Sunday, January 28, 2024 7:16 AM
To: Lewis Franco
Cc: Charlene Dindo
Subject: [External] Re: No wake boats please

[External]

No wake boats! Small waves are fine. No huge waves, with huge boats.

On Sun, Jan 28, 2024 at 6:54 AM Lewis Franco <lewisifranco@gmail.com> wrote:

Hi, I'm just writing to register my opposition to allowing these huge waves on our Vermont lakes.

Sincerely,

Lewis Franco

Calais Vermont

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Charlene Dindo

From: Josh Marcellino <jmim747@gmail.com>
Sent: Sunday, January 28, 2024 10:27 AM
To: Charlene Dindo
Subject: [External] Wat reservoir wake boats

[External]

Totally disrespectful to most people using the reservoir, maybe wake boat activity could be contained to the far end of the reservoir, where there are fewer canoes/kayaks. Move the waterskiing course there as well.

Sent from my iPhone

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Charlene Dindo

From: Dave Sellers <dsellers@gmavt.net>
Sent: Sunday, January 28, 2024 12:48 PM
To: Charlene Dindo; Connie + Trav + Trav Colman/Travers
Subject: [External] wake boats

[External]

Dear Charlene.

The wake boat issue needs to be looked at from the perspective of the major and threateneing climate change and the resulting limitations of human behavior.

The entire world is seeing the need to reduce the toxic gas emissions and ependence on fossil fuels. Vermont has a superior track record regarding the constellation of issues related to these...The natural environment and the need to respect and honor it is the future.

From my perspective, being 85 years old and seeing the evolution of kayaking, small boat sailing, swimming , snorkeling and caring for our natural world, the wake boat issue stands As a prime example an activity that doesn't fit with the values of caring and protecting and nurturing our natural world. This activity is not soft footprints but large boot gouges that are not compatable with Vermont.

Surfing on ocean waves is similar to kayaking across a mirrored lake. Both are dependent on the natural condittions of the natural world. Too often the disruption of that world for Entertainment selfishly violates the overall respect that we teach our kids and our civil society.

Please consider a dialogue with all Vermonters that discusses the total ban on wake boats.

Sincerely, ,

David Sellers, Warren. 802-496-2787

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Charlene Dindo

From: Sandy Meyerhofer <meyerhofers1@gmail.com>
Sent: Sunday, January 28, 2024 1:18 PM
To: Charlene Dindo
Cc: Trevor Squirrel; macdonald@leg.state.vt.us; Christopher Bray; Virginia Lyons; David Weeks; Seth Bongartz; Mark Higley; Carol Ode
Subject: [External] Wake Boarding

[External]

I urge LCAR to reject ANR's proposed regulations for wake boats. The proposed reg should be returned to ANR and amended to a 1000 foot limit. The 500 foot limit is far too low to prevent serious disruption to other on-water users, both motorized and non-motorized, as well as shoreline property owners and recreational users. In addition, there is well documented evidence that these boats cause significant environmental damage. Lastly, these boats are extremely expensive. Opening more of our public waters to them will only benefit the wealthy. To allow them, flies in the face of the idea that our natural resources should be enjoyed by all Vermonters and visitors.

Sandra Meyerhofer
meyerhofers1@gmail.com
860-987-9779

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Charlene Dindo

From: Sarah Williams <sarahwilliamsdemocracy@gmail.com>
Sent: Sunday, January 28, 2024 1:43 PM
To: Charlene Dindo
Subject: [External] Fwd: no wake-boarding boats on lakes in VT

[External]

To Whom it May Concern:

I pay taxes in Vermont for our home in Greensboro, VT and am very concerned that the Agency of Natural Resources has chosen to reject the requests of hundreds of Vermonters who have sought to ban wake boats from operating in lakes. The reason we all live and spend time in this beautiful state is because of the respect for wildlife, places where we can still feel quiet and peaceful, and the commitment to preserve these sacred places.

The boat lobby and/or the gasoline lobbies that are pushing these lax regulations should not be able to control our government and restrict our freedom to enjoy public spaces.

Please ban wake-boats from lakes in Vermont.

Thank you for your service.

Sarah

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Charlene Dindo

From: Sarah Gillen <sgillen.energy@gmail.com>
Sent: Sunday, January 28, 2024 1:44 PM
To: Charlene Dindo
Subject: [External] LCAR, Please Reject Proposal from ANR

[External]

As a taxpayer, mother, open-water swimmer, and naturalist, I am appalled that the Agency of Natural Resources proposes to let wake boats in Vermont waters at all.

It is very difficult to find safe, clean, unclogged water in which to swim. When I'm swimming, I am not hurting any being.

Having one wake boat can wipe out loon populations, kill all the fish and most of the ducks in a lake, and make the lake unusable or unenjoyable by anyone else, human or other-than-human.

Let the damage to shores, nests, or anyone attempting to use the lake, has anyone considered what happens under water when such fierce and damaging forces exert the amount of pressure necessary to make a 5-foot standing wave? Humans have unlimited entertainment options, lots of which do not harm the natural world.

Nature has already been severely damaged. The earth is fighting for her life. The storms, floods, fires and droughts prove that, and it's getting worse extremely rapidly.

Wake boats should be outlawed. Surfers can surf elsewhere, and there are lots of other sources of entertainment. Killing entire ecosystems is not a fair price for 2 people's momentary fun.

Please reject the proposal to allow wake boats.

--

Sarah Gillen

"Deep peace of the running wave to you.

Deep peace of the quiet earth to you.

Deep peace of the shining stars to you." ~ancient Celtic rune

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Charlene Dindo

From: noreen bryan <noreen1945@yahoo.com>
Sent: Sunday, January 28, 2024 1:58 PM
To: Charlene Dindo
Cc: Larry Bush; David Ellenbogen; Colleen Bloom; Galen Whittaker
Subject: [External] Opposition to Wake Boats

[External]

As the Chair of the Calais Lakes and Streams Committee, I am writing to request that wake boats be disallowed on all of Vermont's lakes and ponds. The Committee strongly opposes wake boats on Vermont's water bodies. The irrevocable harm that they will cause to the fish and wildlife habitats in the littoral areas and the shorelines cannot be justified under any circumstances. Swimmers would be under continuous peril and long-distance swimming would be too dangerous to undertake. The grievous loss of quiet and serenity valued by most would be lost. How can this be fair? How can the well-being of so many be sacrificed to a few?

Thank you for your consideration,

Noreen Bryan

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Charlene Dindo

From: Claire Lindberg <clindberg6@gmail.com>
Sent: Sunday, January 28, 2024 3:19 PM
To: Charlene Dindo
Subject: [External] Wake boats do not belong on Vermont Lakes

[External]

I am a resident of Vermont (Waitsfield). I am very concerned that the legislature appears poised to approve a 500 foot (from shore) regulation for wake boats. Maintaining a healthy environment should be the first concern of Vermonters. Wake boats are destructive to flora and fauna that inhabit the lakes by churning up the water fish live in and altering the ecology of the lake bottom where fish and plants should be left alone to thrive. These boats also create hazards for the many swimmers, and others who use the lake to kayak, canoe, and fish. Tourists come to Vermont for the peace and quiet and beautiful environment. Why would we let a few hot shots who want to wake surf, ruin the pristine nature of our state lakes? If they want to surf, they can head for the Atlantic or Pacific coasts and surf in the ocean! Vermont's lakes should be left as they are for the enjoyment of Vermonters and those who wish to visit to partake in our way of life, not change it!

Thanks for your attention to this matter,
Claire Lindberg, Waitsfield

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Charlene Dindo

From: Bonnie Miller <bewm.vt@gmail.com>
Sent: Monday, January 29, 2024 8:18 AM
To: Charlene Dindo
Subject: [External] ANR Proposed Rules regarding Wake Boats

[External]

As a year round Vermont resident, I am writing to express my deep concern regarding safety and environmental issues that are unaddressed by the proposed rules developed by the Agency of Natural Resources to control wake surfing boats on Vermont lakes and other waterbodies.

I request that the Legislature Committee on Administrative Rules reject the proposed ANR rules and require greater protections for other water users and wildlife, including outright ban in many of the lakes currently covered by the proposed rules and a much wider shoreline distances for our largest water bodies.

Thank you,

Bonnie Miller
7827 VT-14
Craftsbury, VT
828-279-8744
Been.vt@gmail.com

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Charlene Dindo

From: Dorothy Tod <dtod@madriver.com>
Sent: Sunday, January 28, 2024 3:42 PM
To: Charlene Dindo
Subject: [External] Testifying Feb 1

[External]

I would like to speak regarding the Wake Boat Regulations Feb 1 Thank you.
Dorothy Tod

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Charlene Dindo

From: Laurie Gullion <Laurie.Gullion@unh.edu>
Sent: Sunday, January 28, 2024 3:42 PM
To: Charlene Dindo
Subject: [External] Wake boat rules

[External]

I oppose ANR's proposed wake boat rules for the following reasons:

1. The proposed 500-foot distance from shore is too small to prevent shoreline erosion and interference with non-motorized lake users. A 1,000-foot distance from shore should be required if wake boats are permitted.
2. The ballast necessary in create waves churns the lake bed and enhances the spread of invasive species. Because ballast takes cannot be completely emptied, the transfer of invasive species between lakes is enhanced.
3. Wake boating is disruptive to and potential unsafe for non-motorized lake users who represent a greater percentage of lake users.

Please do not accept the regulations as proposed. Thank you.

Laurie Gullion Lindwall
P.O. Box 54
949 Morey Hill Rd.
Craftsbury, VT 05826
H: 802-586-9930
C: 802-330-1423 Service unavailable in Craftsbury

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Charlene Dindo

From: Katherine Williams <kjwilliamsphd@gmail.com>
Sent: Sunday, January 28, 2024 4:03 PM
To: Charlene Dindo
Subject: [External] Wake boats

[External]

Our family pays taxes in Vermont and I am distressed to hear that the question of whether to allow wake boats on Vermont waters has not been soundly answered in the negative. One of the most precious attributes of Vermont is the beauty of an environment in general, and the lakes and ponds in particular, that hasn't been sullied by the effects of commercial development. The only reason I can imagine why anyone would think to allow wake-boats on those precious waters would be to attract tourists. But what attracts tourists to Vermont is the possibility of quiet, of unsullied lakes and ponds. Tourists come to Vermont (and citizens choose to live in Vermont) because they appreciate the wisdom shown in choosing NOT to allow wildlife habitats to be disrupted, NOT to allow noise and water pollution, NOT to allow boats that will disrupt shorelines and lake floors.

If you must have wake boats, Lake Champlain is a far more understandable choice to attract tourists than smaller lakes sought out by people who want to live and support wildlife or have vacation homes in peace and quiet.

So much of value is being sundered in these tumultuous times — clean air and water are becoming more challenging to provide. Wildlife species are being eradicated. Why hasten the destruction of the valuable resources Vermont possesses by introducing wake-boats?

Sincerely,

Katherine J. Williams

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Charlene Dindo

From: Jeffrey Whalen <jeff@flexrealtyvt.com>
Sent: Sunday, January 28, 2024 5:26 PM
To: Charlene Dindo
Cc: Mark MacDonald; Christopher Bray; Trevor Squirrel; Virginia Lyons; David Weeks; Seth Bongartz; Mark Higley; Carol Ode
Subject: [External] Testimony for LCAR hearing, Feb 1, 2024 on ANR proposed ruling on Wake Boats

[External]

Respected Committee Members,

I am writing to you express my favor of the 1,000ft rule for wake/surf boats and respectfully ask that you send the current ruling with 500ft limitation back to ANR to be amended to 1,000ft.

Simply put, 500ft is just not safe for other users when considering smaller bodies of water and in general is not good for the preservation of our shorelines.

My family and I boat exclusively on the Waterbury Reservoir, in a 18ft fiberglass bowrider. There have been more than one condition when our (sea worthy) vessel had been almost capsized by full ballast wake boats from the immense swells they produce. One time was not more than 100ft off a very sensitive shoreline by the campground. The other time we were enjoying a remote camping site while a wake boat was circling 200ft off in the distance at the reservoirs main intersection. Even 200ft +/- away the distant action sent waves to the shoreline, over a 2ft extended swim platform, over the back of our boat, and into our vessel. Again, causing a potential safety issue and severely impacting the natural shoreline of that area.

With a 1,000ft distance in place, not only would shorelines of larger waterbodies remain protected but the rule would remove this type of watercraft from smaller bodies of water providing enhanced protection for the more susceptible shorelines of smaller bodies of water. Not to mention the improved safety of others on those smaller bodies of water where vulnerable non powered vessels are more prominent.

Please consider working with ANR to amend this rule to 1,000ft. Thank you for your time and consideration.

Kind regards,

Jeff



Jeff Whalen

Broker/Realtor®

Cell: 802-310-4480
FlexRealtyVT.com
Jeff@FlexRealtyVT.com
19 Roosevelt Hwy Ste 100
Colchester, VT 05446

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Charlene Dindo

From: Greg Wimer & Kari Little <wimer.little@comcast.net>
Sent: Sunday, January 28, 2024 5:29 PM
To: Charlene Dindo
Subject: [External] Regulations of wake boats

Hello, I am a resident of East Montpelier. I would like to request that the proposal by the ANR be rejected in favor of regulation that either BANS wake boats OR institutes a 1,000 ft limit from shore. These boats are a disaster for Vermonts small lakes and ponds. Thank you, Kari Little

Charlene Dindo

From: Bob Fairbanks <rmfairbanks1@gmail.com>
Sent: Sunday, January 28, 2024 6:19 PM
To: Charlene Dindo
Cc: steve; John Hasen; John Dillon
Subject: [External] Wake boat regulation/LCAR hearings

[External]

Dear Charlene:

Please accept the following comments
for review by LCAR of the ANR proposal of wake boat regulation.

First of all, I am opposed to the ANR proposed rule for a number of reasons. Rather than repeat what many have said before, I would refer you to filings submitted by John Dillon, Steve Sease, John Hasen and others, as examples of my position. I am opposed to any use of wake boats on any Vermont lake or pond. A complete ban is the only way to ensure that our lakes are protected.

With that said, I would like to comment on the ANR's change of position of the "normal use" standard. As pointed out by others, the change, with hardly any discussion or analysis, is not only arbitrary and capricious, it is downright deceitful and dishonest.

My family as been spending summers on Caspian Lake since the early 1930's and has owned a lakefront cottage for over 70 years. I have spent a lifetime observing the summer use of Caspian from our porch, dock, various water craft, and from numerous cottages and houses around the lake. I consider myself easily qualified to judge what is "normal use" of Caspian. The overwhelming use is non-motorized craft (canoe, kayak, sculling etc) swimming, fishing (small trolling) sailing and occasional water skier and "booze barge".

Wake boats are not "normal use" on Caspian lake under any circumstance.

Only once, in the summer of 2023, have I observed a wake boat, operating in a non-wake mode, on Caspian. The boat made only one pass down the lake and disappeared. Hardly "normal use", at least for Caspian.

Given the 1983 benchmark and that wake boats have only been around a few years, a much more thorough, and honest analysis needs to be undertaken on this issue. I'm confident many lakes in Vermont have the same experience.

Thanks for the opportunity to express my views.
Sincerely

Bob Fairbanks
18 Deerfield Dr
Montpelier, VT 05602

Sent from my iP. [. hone

Charlene Dindo

From: Julie Michals <julie_michals@yahoo.com>
Sent: Sunday, January 28, 2024 9:15 PM
To: Charlene Dindo
Subject: [External] Proposed regulations for the use of wake- surfing boats on Vermont's lakes and ponds

[External]

Dear Ms Dindo,

I am writing in regard to **my opposition to the proposed 500 ft shoreline** set back for wake-surfing boats on Waterbury Reservoir and other Vermont lakes and ponds.

As an avid paddle boarder, kayaker and swimmer at the Waterbury Reservoir, and a birder along its shores/trails, I recommend a 1,000 ft shoreline set back as an appropriate and fair distance that can accommodate the many users of the beautiful and pristine reservoir. The proposed 500 ft set back will negatively impact the experiences of non-motorized recreational users by creating unnatural waves that disrupt navigating the waters, creating noise and air pollution for those enjoying the shoreline and campsites, and will only increase the impact on shoreline habitat and wildlife. Ideally, the reservoir would be free of motorized boats other than small fishing boats. A set back of 1,000 feet seems like a reasonable solution that can protect the full range of recreational experiences offered by the reservoir, including the intended uses of the reservoir ". fishing, swimming, boating, water skiing, fish and wildlife habitat, wildlife observation, enjoyment of aesthetic values, quiet solitude of the water body, and other water-based activities." (4.1.3 Uses considered: UPW Rule 2.3, 10 V.S.A 1421-1424)

Thank you for the consideration of my position.

Regards,
Julie Michals
102 Baird Rd
Stowe VT 05672

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Charlene Dindo

From: Jennelle Alvin <jennelle.alvin@gmail.com>
Sent: Sunday, January 28, 2024 9:35 PM
To: Charlene Dindo
Subject: [External] comments on wake boats

[External]

I would like to offer the following comments on the proposed wake boat legislation.

I'm a lifelong Vermont resident and one of the things that keeps me here is the abundant opportunities for outdoor recreation. Nearly every day I am outside, and in the warmer months this includes fishing, swimming, kayaking, paddle boarding, and boating in our many beautiful lakes. While I appreciate the good intent and hard work done developing the new legislation proposals, I don't believe the 500 foot operating limit will appropriately mitigate environmental and social impacts. I also have concerns that the proposals will lack adequate enforcement.

Despite boater education requirements, I routinely see wake boats (not exclusively) routinely disregard the existing operating distances to shore and other users and enforcement on and around water bodies is extremely limited in Vermont. The current research on wake boats does not account for the impact of sustained operation, multiple boat traffic or longitudinal stressors from the wave energy displacement on erosion or shoreline disturbance. Erosion aside, the potentially permanent damage from introduction of invasive species could devastate these ecosystems, and is much riskier for boats routinely taking on and releasing large volumes of water for ballast.

I have had many encounters with wake boats in the past several years ranging from unpleasant to dangerous, having to abandon my open water swims, give up fishing locations, and move children out of the water due to the intensity of the waves. The unpredictable and unsafe shift in water conditions is especially challenging for individuals who may be new to water sports, have mobility issues, or children. I can appreciate that it must be a fun activity, and barriers to activities you enjoy may be frustrating. However, sharing resources requires decisions be made on a communal basis, accounting for the needs of all humans, and our ecosystems. Limitations on recreation for safety, community, and ecological purposes is not novel; you can't make a log cabin by cutting down trees in a state park, no matter how much personal enjoyment that might bring you. Wake boats are a luxury item enjoyed by a very small percentage of motor boat owners, who should not be entitled to disturb the peace of all others.

When considering the ecological implications and disproportionate negative impact on others, it seems logical that wake boating would be most appropriate on large bodies of water with reasonable requirements for responsible use. A boundary of 1000' would functionally restrict the number of bodies of water these boats can operate in, reducing environmental damage, easing the burdens of proper enforcement and maximizing enjoyment and safety for the greatest number of users.

I hope you will support a 1000 foot rule in this case, and also appropriately designate enforcement funding. I also encourage legislators to review the systems in place at Lake George as a model for responsible management, where every boat is required to be inspected, cleaned and tagged at certified stations prior to a monitored launch.

Thank you,

--

Jennelle Alvin

East Montpelier, VT

Tel: 802-345-5630

jennelle.alvin@gmail.com

Pronouns: she/her (what's this?)

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Charlene Dindo

From: Anna Colavito <meowanna@gmail.com>
Sent: Monday, January 29, 2024 5:55 AM
To: Charlene Dindo; Jed Lipsky; Speaker; Mark MacDonald; Trevor Squirrel; Christopher Bray; jbenning@leg.state.vt.us; Virginia Lyons; Seth Bongartz; Mark Higley; Carol Ode
Subject: [External] Wake Boat Regulations

[External]

On February 1, please consider a 1000-foot distance from shoreline of wake boat use. The presence of wake boats negatively impacts the experience of the majority of users of many of Vermont's bodies of water, more importantly, threatens the future of the body of water itself and its animals, fish, habitat. Quoting from the 'Use of Public Waters, 96-05 and 96-06', "The Reservoir needs to be viewed as 'commons' and managed so that no one use is conducted in such a manner that it displaces or substantively diminishes other normal uses."

When wake boats operate, they create a wave that can be as high as 5 feet. The wakes are substantially increased if there are multiple wake-surf boats operating at the same time. That wave then travels towards shore, creating water disturbance that endangers other motor boaters, kayakers, canoeists, paddleboarders, paddlers, swimmers, and fishing boats. There are other negative impacts of this activity, such as:

- Damage to shoreline habitat
- Danger to shoreline wildlife and birds
- Disruption of floor of the lake
- Disruption of quiet solitude from over-amped sound systems on these boats
- Disturbance of user expectations at the remote campsite experiences
- Domination of the lake by these boats prevents other users from enjoying the Waterbury Reservoir.

In short, even 1 (one) wake-surf boat can dominate a lake

- Degradation of normal recreational experiences which include "...fishing, swimming, boating, waterskiing, fish and wildlife habitat, wildlife observation, enjoyment of aesthetic values, quiet solitude of the water body, and other water-based activities." (4.1.3 Uses considered: UPW Rule 2.3, 10 V.S.A 1421-1424).

Thank you for your consideration in this important matter and voting for a 1000-foot shoreline distance, NOT a 500-foot (or less) shoreline distance.

Anna Colavito

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Charlene Dindo

From: Tyler K <tylerkeefe84@gmail.com>
Sent: Monday, January 29, 2024 9:57 AM
To: Charlene Dindo
Subject: [External] LCAR Testimony 2/1/24

[External]

Hi Charlene,

Tyler Keefe here. I would like to sign up to testify at the LCAR meeting on 2/1/24.

I am a resident and small business owner in Waterbury and also serve on the Board of Directors for the Friends of the Waterbury Reservoir. I am also a member of the New England Chapter of the Antique and Classic Boat Society.

Please let me know if I am able to testify on Thursday and if you need anything else from me.

Thank you,

Tyler

Sent from my iPhone

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Robert Popp

242 Holt Road, Plainfield, VT

29 January 2024

RE: Wake Boat Final Rule

To Legislative Committee on Administrative Rules:

Please accept these comments in regard to the above referenced rule.

Although I am very disappointed by the rule proposed by ANR that calls for an inadequate 500 ft buffer, it is better than no buffer and all and will likely be helpful to ameliorate some of the environmental harm caused by wake boat turbulence. I am optimistic that once the harm to the environment becomes more obvious, the legislature or ANR will adopt more stringent regulations. In the meantime, I support individual lakes petitioning to impose more stringent conditions regarding the use of wake boats. My rationale for recommending more restrictions follows.

I recently retired as the state botanist in the Fish & Wildlife Department for over 30 years. In that time I have reviewed many permits for aquatic nuisance control and wetland and stream alteration. So be assured that I totally understand the concept of multiple use and the need to accommodate multiple users of our aquatic resources. It is and will always be a balancing act to accommodate multiple and often conflicting uses. I appreciate the hard decisions that the Lakes & Ponds staff have made and continue to make that often result in intense criticism of the Program. However, the state is not able to continue to accommodate every new use or demand that comes along. With gains in technology we can only guess what the next new request will entail. For instance, who could have predicted the abundant use of jet skis, drones or fat bikes twenty years ago. At some point ANR must take a firm stand that the environmental harm outweighs any benefit from a proposed new use.

I have reviewed the draft rule governing wake boats and have concluded that their use is so onerous that they should not be allowed. The potential damage from wake boats to the environment, other lake users and shoreline owners should not be justified to accommodate a small number of users. I am most concerned about environmental impacts resulting from the unnatural turbulence that churns up bottom sediments. This results in increased eutrophication from buried phosphorous and other nutrients and also sediment deposition on leaves of submersed aquatic plants reducing their photosynthetic capacity. I also assume there would be similar impacts to fish and macroinvertebrates but these are not my expertise. Even allowing wake boat use within 500 or 1,000 ft of shore and beyond certain depths doesn't solve the concerns. Although it might lessen the impact to the environment, it creates another unfunded mandate for the state to enforce these limits. There are no staff available to implement this, and they would largely rely on the honor system. Another enforcement nightmare would be restricting movement of the boats among lakes in the state so as not to further the spread of aquatic invasives.

The simple solution is to ban the use of wake boats outright on all inland lakes, i.e. other than Champlain and Memphremagog. There comes a time when the state has to just say no after weighing all the evidence. I draw a parallel to Vermont's bold decision to ban billboards along our interstate. Although it was highly controversial at the time, it has served the state well over time.

Sincerely,

Robert Popp (802) 454-1514

Charlene Dindo

From: sarah williams <sarah5432@gmail.com>
Sent: Monday, January 29, 2024 10:29 AM
To: Charlene Dindo
Subject: [External] wake-boat legislation

[External]

Hello,

Please add my name to the growing list of Vermonters that are strongly in favor of banning wake-boats on all Vermont lakes. As I am sure you are aware, the negative impacts of wake-boating include damage to shorelines and shoreline wildlife, damage to underwater areas near the shores, damage to floating docks and boats moored near shores, and disruption of quiet environment for so many of us who would otherwise enjoy a pleasant paddle or swim. These wake-boats would endanger other boaters and paddlers and swimmers, since any wake moves all the way to the shore every time - a wake does not diminish significantly as distance increases. PLEASE ban these harmful recreational vehicles.

Thanks - Sarah williams, Montpelier

--

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www.avast.com

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Charlene Dindo

From: Nancy <nelliegray21@gmail.com>
Sent: Monday, January 29, 2024 10:47 AM
To: Charlene Dindo
Subject: [External] Wake boats - comment

[External]

Hi,

A short comment. As a frequent swimmer, paddler and boater on the Waterbury Reservoir, who also enjoys the presence there of loons, eagles, osprey and herons, I don't think Wake Boats with their extremely high wakes belong on the Waterbury Reservoir.

I have experienced the negative effects of their high wakes personally. I consider their type of boating very out of place at Waterbury Rez, both socially and environmentally, for the wakes' effects on other people's recreation and enjoyment, and for the disturbing effects on wildlife at the lake.

Please don't let the size requirements/distance from shore requirements overcome Vermont common sense: Wake Boats don't belong on Waterbury Reservoir.

Thank you,
Nancy Brennan

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Charlene Dindo

From: Meg Baird <mbaird56@gmail.com>
Sent: Monday, January 29, 2024 1:52 PM
To: Ann Cummings; Charlene Dindo; Anne Watson; Conor Casey; Kate McCann; Andrew Perchlik
Subject: [External] Wake boats

[External]

Vermont Legislature,

As a Montpelier resident I am writing to ask that you act to minimize the destruction to the environment, shore habits and possible injury to humans from wake boats. My hope would be to have them completely banned. It is time that humans start to put the planet first. If an outright ban is not possible then the minimum should be 1,000 feet from shore.

Thank you for putting the interest of the planet earth first.

Meg Baird

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Charlene Dindo

From: Brian Slopey <brianslopey@gmail.com>
Sent: Monday, January 29, 2024 11:01 AM
To: Charlene Dindo
Subject: [External] Wake boats

[External]

Please vote to either ban wakeboats or at least restrict them to at least 1000 feet

These boats are dangerous to the environment and people

Thanks

Brian slopey and Meg Baird

Montpelier

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**WATER QUALITY VOLUNTEER'S COMMENT
TO LCAR REGARDING WAKE BOATS**

Feb. 1, 2024

My name is Chris Owen. I have spent hundreds of hours over 34 years collecting water samples on Holland Pond as a volunteer for the Agency of Natural Resources.

You've heard many opinions about wake boats by now. For brevity, I will offer this comparison: Wake boats are like tractor trailers on a class 4 road. Wake boats do not belong on Vermont's inland lakes.

Every year legislators appropriate tens of millions of dollars to protect water quality. Wake boats contradict this use of taxpayer money. LCAR is urged to persist for a stronger rule governing this newly introduced, destructive craft.

Thank you.

submitted by Chris Owen
18 Mill Road
Worcester Vermont 05682
802 249 2738
chrisowenvt@yahoo.com

Charlene Dindo

From: Peggy Leon <peggykleon@gmail.com>
Sent: Monday, January 29, 2024 11:43 AM
To: Charlene Dindo
Subject: [External] Wake surfers, wake boats-Noo!!!!

[External]

Hi Charlotte,

I live in Middlesex and am an active sea kayaker. Wake boats are dangerous for quiet boaters like me. I can't kayak in 5 foot wakes, no less, 3 foot wakes. It not only keeps me from kayaking in the middle and edges of the Waterbury Reservoir, Joe's Pond, and Lake Champlain, but they harm the flora and fauna on the shore and on the bottom of these water bodies. They are noisy, interfering with the calm and tranquility for the rest of us who recreate in these water bodies. One wake boat can dominate the water body and effect all who are on it.

Why is the legislature letting their lobby twist its arm? They are a small group compared to the hundreds of us who recreate on these waters. Why should they be allowed to ruin it for all of us?

I say no!!! To any of these proposals! Even 1000 ft. allowance is not enough. I am a tax payer and I vote!

Margaret Leon
peggykleon@gmail.com
2 Church St
Middlesex, VT

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Charlene Dindo

From: Alva Ware-Bevacqui <alvawb1@gmail.com>
Sent: Monday, January 29, 2024 11:53 AM
To: Charlene Dindo
Cc: tsquirell@leg.state.vt.us; nmacdonald@leg.state.vt.us; Christopher Bray; Virginia Lyons; David Weeks; Seth Bongartz; Mark Higley; Carol Ode
Subject: [External] Wake surf at Waterbury Reservoir

[External]

Dear Agency of Natural Resources,

I'm an avid open water swimmer, kayaker, and birder at the Waterbury Reservoir and I recently learned that there are plans to allow wake surfers to be close to the shoreline. Doing so would cause damage to shoreline birds and other wildlife, make a peaceful place no longer peaceful, and making it hard for anyone besides the wake boaters to enjoy the lake. Open water swimming and kayaking would be seriously negatively impacted.

Given the impact this can have on anyone using the lake who isn't in a motorized boat, please consider amending the proposal from 500 feet to the 1,000-foot rule. This will allow for enjoyment by all who use the lake.

Warm regards,
Alva Ware-Bevacqui
alvawb1@gmail.com
802 279 3609
Waterbury resident

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Charlene Dindo

From: Giulia (Lafayette College Gov Lab) <govlab@lafayette.edu>
Sent: Thursday, January 25, 2024 11:31 AM
To: Charlene Dindo
Subject: [External] College Students Requesting Your Advice -- Final Reminder!

[External]

Hi there!

I'm writing with a final reminder that our survey will remain open until next Wednesday, January 31st!

Our non-partisan student research team -- the Lafayette College Gov Lab -- specifically wanted to reach out to you because of your experience as a member of a state lawmaker's staff. We spent months preparing for the project, and we're really excited to learn from you and your experiences!

While our work is far from perfect, it would really mean a lot to us if you have around **15 minutes** to share your thoughts and advice by completing the survey.

If you think you have the time to help us out, you can click here to complete the survey before Wednesday, January 31st.

Please feel free to reach out to us or our faculty advisor (Prof. Andrew Clarke) with any additional questions, comments, or concerns you might have!

Thank you for your help,

Giulia

P.S. This email is meant to reach people who were invited but have not yet completed the survey. However, it's actually hard for us to know if we're doing this correctly because all survey responses are encrypted to remain fully anonymous! So, I do apologize if you are receiving this email and you have already completed the survey, and let me thank you again for being so incredibly generous with your time.

And please remember you can always remove your email address from our contact list: [simply click here to unsubscribe](#)

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Charlene Dindo

From: Katherine Sims
Sent: Monday, January 29, 2024 3:12 PM
To: Wendy Turnbull; Charlene Dindo; Robert Starr
Subject: Re: [External] Wake surfing boats

Hi Wendy -

Thanks so much for reaching out. It's always great to hear from you.

I've been following the wake boat issue closely for all the reasons that you mentioned. I even introduced a bill to allow any community to ban wake boats:

<https://legislature.vermont.gov/bill/status/2024/H.64>.

That said, we are now at the stage when the ANR final rules on wake boats goes to the Legislative Committee on Administrative Rules (LCAR) this week on February 1st. This is a committee made up of four senators and four representatives. Their job is to vote to adopt a proposed rule or not. They do not have the ability to amend or change a rule. This means that right now, in the February meeting when the wake boat rule will be up, there are two options: vote to adopt the proposed 500' rule or not. If they do not adopt the rule, there will be no rule governing wake boats in place. While the 500' may not be the most desirable outcome, from my perspective, it is better than no rule at all, which would leave all lakes vulnerable to wake boats and not rules for their use on those lakes.

This is also just a starting point. If LCAR adopts the 500' rule, we will have immediate protections for our lakes. It also outlines a process by which communities can seek to have wake boats banned on their lake. Also, it doesn't prevent future legislation to increase the distance (or all out ban wake boats) from being introduced and taken up in future legislative sessions.

I think this rule is still a positive next step for our lakes to provide protections against wake boats

Happy to talk more about this or other issues as the session moves along.

Best, ks

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From: Wendy Turnbull <awturnbull@mac.com>
Sent: Saturday, January 27, 2024 3:00 PM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>; Robert Starr <RStarr@leg.state.vt.us>; Katherine Sims

<KSims@leg.state.vt.us>

Subject: [External] Wake surfing boats

[External]

Re: Wake Boating proposed rule

As the LCAR considers the ANR's proposed rule on use of wake surfing boats in Vermont Lakes, we wish to weigh in with our opinion on the issue and our rationale.

In regards to natural resources, the potential downsides of the practice are many and varied. Since we are not credentialed in natural resource sciences, we will only say that:

- (1) it is known that the activity causes a variety of environmental impacts, and
- (2) it is not necessary to parse the specific degrees and facets of damage caused, because there is no inherent need to accommodate the activity in the first place. A simple prohibition will ensure that no damage will be caused.

In regards to outdoor recreation management, we would simply point out that the enjoyment accrues exclusively to the few people who can afford the specialized equipment and who choose to profligately burn fuel, create noise, and create a chain of externalized costs, both environmental and social. Any enjoyment that this small fraction of enthusiasts gain from wake boarding is offset many times over by the lost enjoyment of Vermonters who enjoy other forms of lake-based recreation.

Vermont is not magically protected from degrading the quality of its lakes. We need to take specific actions to protect all of our natural resources into the future, and we urge you to act to protect every lake in the state by establishing a clear and cogent policy to **prohibit the practice on all state waters**.

Please note for the record that we do not own lakefront property or have any other vested interests in this matter. We are motivated only by the joy we, our neighbors, and our family and friends derive from Vermont's clean and healthy environment.

Sincerely,

Alan Turnbull
Wendy Turnbull

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Craftsbury, VT 05826

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Loring Starr
385 Powder Horn Glen Road
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January 30, 2024

Testimony submitted to the Legislative Committee on Administrative Rules, 1/30/24

23-P17 - Agency of Natural Resources/Vermont Use of Public Waters Rules

Wake boats testimony

Thank you to the Department of Environmental Conservation for working on this important and difficult issue. The proposed rule is a good start. But it is weak. **We need to ban wake boats on Vermont's inland lakes.** Yes, alas, we need to ban them. Wake boats are something entirely different from motorboats. You must look at the physics.

If we don't ban wake boats completely, we need a 1,000-foot distance from shore, not 500 feet.

Wake boats make big, hard waves. They are not like storm waves. Unless you're talking hurricanes, storm waves are on the surface. Wake boat waves are extremely powerful, and go deep. They churn up lakes bottoms.

I am a motorboater, a sailor, a canoer, a kayaker, a swimmer, and sometimes a fisherman. I have also been a water skier. Water skiing is tremendous fun, and you need a powerful motorboat, going fast. But with water skiing, the motorboat is planing. It is zooming across the surface of the water, not churning up a big, deep wave.

Here's the math: wave power increases exponentially with height. That means a 2-foot wave is 4 times as powerful as a 1-foot wave. And a wake boat wave isn't just on the surface, it goes deep. So, the proposed rule won't protect our lakes' littoral zones.

What is a littoral zone?

"The shallow down-sloping shelf of a lake or pond is commonly referred to as the lake's "littoral zone". The zone is an area where the water meets the land. Plants here support wildlife such as wading birds, turtles and crabs. Littoral Zones are crucial components of healthy ecosystems ... A primary function of a planted littoral zone is to absorb pollutants from water that ultimately drain into our canals and rivers, particularly water generated from storms. Littoral zone vegetation also prevents shoreline erosion." —University of Florida

Our lakes' littoral zones are where loons nest. They are where beavers build their lodges. They are where all our fish spawn, and where all the fish nests are, making baby fish that will grow up into big fish. They are where our boat docks are, and where people launch kayaks and canoes, and where kids swim. Wake boat waves smash against the shore, and churn up the lake floor along the shore, deeply damaging the littoral zone. And unlike big storm waves, which we can avoid by anchoring our boats carefully, and staying off the water, wake boat waves happen when the rest of us are playing in the water.

Thousands of Vermonters, and thousands of summer visitors, use and enjoy our lakes and ponds. Most of us aren't rich, we just love the water. Most of us can't afford a \$100,000 to \$300,000 wake boat, let alone the heavy-duty trailer needed to haul it around.

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I regret having to say this, but the proposed rule is pandering to the hundred or so wake boaters in Vermont, as opposed to all the rest of us. Wake boats are a truly bizarre invention. If we want to protect our lakes and ponds, AND all the people and creatures who use them, we need to keep them off our waters.

As reporter John Dillon said, in the Montpelier Bridge, "Remember, the water belongs to everyone, held in "public trust" for all to use. But the state's draft rule means our public waters would be hogged by the few at the expense of the many."

Again, major thanks to the staff at the DEC. The proposed rule show that you are taking this problem seriously. But it is not good enough. The DEC's job is to "ensure that the natural values of the public waters are fully protected." This proposed rule does not do that.

With thanks,
Loring Starr
East Montpelier

From ANR's own overview of the proposed rule:

"An economic analysis of the impact of this rule considered two scenarios, with and without regulation, ten years into the future. It shows that the economic benefits of regulation outweigh the costs by ten to one. The annual benefits — estimated at \$93 million — include the preservation of water quality, the continuation of affordable small-scale recreational activities that form the core of Vermont's water-based recreation, and the protection of the tourist economy that depends on clean and safe lakes. The potential annual costs — about \$8 million — are based on limitations that this rule would place on the growth of the wakeboat industry. Wakesurfing close to shore discourages the thousands of swimmers, paddlers, sailors, anglers, non-wakeboat water skiers and boarders, and other small-craft users who form the foundation of Vermont's lake-based economic activity. Moreover, even a few wakesurfers close to shore cause costly environmental damage, while contributing little to the state's economy."

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