

Final Proposed Filing - Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this filing will be considered complete upon filing and acceptance of these forms with the Office of the Secretary of State, and the Legislative Committee on Administrative Rules.

All forms shall be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of these forms will be used to generate a notice of rulemaking in the portal of “Proposed Rule Postings” online, and the newspapers of record if the rule is marked for publication. Publication of notices will be charged back to the promulgating agency.

**PLEASE REMOVE ANY COVERSHEET OR FORM NOT
REQUIRED WITH THE CURRENT FILING BEFORE DELIVERY!**

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Vermont Use of Public Waters Rules

_____/s/ Julia S. Moore_____, on 4/20/2026
(signature) (date)

Printed Name and Title:

Julia S. Moore

Secretary, Agency of Natural Resources

RECEIVED BY: _____

- ☐ Coversheet
- ☐ Adopting Page
- ☐ Economic Impact Analysis
- ☐ Environmental Impact Analysis
- ☐ Strategy for Maximizing Public Input
- ☐ Scientific Information Statement (if applicable)
- ☐ Incorporated by Reference Statement (if applicable)
- ☐ Clean text of the rule (Amended text without annotation)
- ☐ Annotated text (Clearly marking changes from previous rule)
- ☐ ICAR Minutes
- ☐ Copy of Comments
- ☐ Responsiveness Summary

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE
25P 045

3. ADOPTING AGENCY:

Agency of Natural Resources

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Laura Dlugolecki

Agency: Agency of Natural Resources

Mailing Address: One National Life Dr, Davis 2,
Montpelier, VT 05620

Telephone: 1-802-490-6133 Fax:

E-Mail: laura.dlugolecki@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Saige Culbertson

Agency: Agency of Natural Resources

Mailing Address: One National Life Dr, Davis 2,
Montpelier, VT 05620

Telephone: 1-802-480-1940 Fax:

E-Mail: saige.culbertson@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE, EXEMPTING IT FROM INSPECTION AND COPYING?) No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A. § 1424(a); 10 V.S.A. § 1460; 10 V.S.A. § 1461(e).

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

Pursuant to 10 V.S.A. § 1424(a), the ANR Secretary may regulate the use of public waters, including defining areas, allowable uses, and conduct. 10 V.S.A. § 1424(c) requires managing uses reasonably for the benefit of all Vermonters, and 10 V.S.A. § 1424(f) authorizes delegation to municipalities with oversight and revocation. The amendments implement these authorities through petition procedures, municipal delegation, emergency restrictions, and wakesports regulation. Aquatic invasive species provisions are authorized under 10 V.S.A. §§ 1453(a), 1454(h), 1460, and 1461, enabling the Agency to maintain programs, regulate transport and decontamination, adopt control measures, and operate inspection stations. 23 V.S.A. § 3317(b) provides authority to regulate vessel operation and enforce watercraft rules. Together, these statutes provide clear authority for the proposed amendments.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

The proposed amendments to the Use of Public Waters Rules clarify the petition submission and review process and clarifies the procedures for municipal

delegation under 10 V.S.A. § 1424 by authorizing full or partial delegation with State oversight, auditing, and revocation authority. Further, the amendments establish a process for emergency temporary use restrictions and clarifies enforcement of aquatic invasive species transport and decontamination requirements. The wakesports provisions are substantially modified by eliminating the "Home Lake" rule and proof of decontamination requirements, prohibiting wakesports within 500 feet of loon nesting sites and from other users, and requiring wakesports zones to meet new acreage, length, and configuration standards. The Department of Environmental Conservation will maintain an online list of eligible lakes, reducing the number of wakesports-eligible waters from 30 to 18.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

The rules are necessary to implement the Secretary's authority under 10 V.S.A. § 1424 to manage public waters safely, reduce user conflicts, and protect natural resources. The amendments clarify existing requirements, address wakesports safety concerns like hazards to other users and cumulative effects of multiple wakeboats and clarify protections against the spread of aquatic invasive species. The Home Lake requirement was difficult to enforce and did not adequately prevent the spread of aquatic nuisance species. Pursuant to 10 V.S.A. §§ 1454(h) and 1461, the Rules support inspection, decontamination, and existing infrastructure to prevent the spread of aquatic nuisance species. Further, the proposed amendments and updates to the wakesports zone standards allow flexible lake management, and authorize temporary restrictions during emergencies, supporting balanced recreational use and adaptive management under 10 V.S.A. § 1424(c).

16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

The rules are not arbitrary because 10 V.S.A. § 1424(a) authorizes the Secretary to adopt rules regulating the use of public waters by defining where and when various uses may be conducted and regulating conduct within defined areas of public waters. The proposed rule amendments are based on an analysis of scientific literature, legal precedent, implementation

of the existing rules, operational consideration for various types of motorized vessels, wakeboat regulation in other states, and extensive consultation with affected entities and individuals. The proposed rule is a direct result of this analysis and is also consistent with the requirement in Section 2.6(a) of the Use of Public Waters Rules that requires use conflicts to be managed using the least restrictive approach practicable that adequately addresses the conflicts. The proposed rule has been vetted with the public and the rules, definitions, and rationale are easily understandable and derived from a factual basis and scientific information.

17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

All recreational users of Vermont's public waters
Motorized and non-motorized boat owners
Wakeboaters, wakeboarders, and wakesurfers
Anglers, Swimmers, Water Skiers, and Wildlife Enthusiats
Boat Retailers and Marinas
Outdoor Recreation Businesses and Vermont Summer Camps
Lake Associations
State Police Marine Division and Fish and Wildlife Wardens
Shoreland Property Owners

18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

An economic analysis of the impact of these rules considered impacts to wakeboat operators and users and to other users of public waters. Because the total amount of wakeboat operations in Vermont are estimated at less than 1% of all motorized boat usage, overall economic impacts to the boating industry are negligible. Removing wakesports from 12 additional lakes will reduce conflict for other users and support Vermont's lake-based recreational economic activity. Removing the Home Lake rule will reduce costs in administering a sticker program. The allowance for temporary emergency closures will protect private property and public health. Other proposed amendments

to the Use of Public Waters Rules are administrative in nature and are economically neutral.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING, PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 1/27/2026

Time: 05:30 PM

Street Address: Brandon Town Hall, 49 Center Street, Brandon VT

Zip Code: 05733

URL for Virtual: Microsoft Teams,

Meeting ID: 290 972 004 630 68 Passcode: tS7uP3Rt

or call in (audio only) 802-828-7667, 780771711#

Phone Conference ID: 780 771 711#

Date: 2/4/2026

Time: 05:30 PM

Street Address: VTrans Dill Building, 2178 Airport Road, Unit B, Barre VT

Zip Code: 05641

URL for Virtual: Microsoft Teams,

Meeting ID: 272 873 643 223 23 Passcode: Gt2pd3wD

or call in (audio only) 802-828-7667, 684567032#

Phone Conference ID: 684 567 032#

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

Date:

Time: AM

Street Address:

Zip Code:

URL for Virtual:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):
2/27/2026

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE
SEARCHABILITY OF THE RULE NOTICE ONLINE).

Wakeboats

Wakesports

Ballast Tank

Use of Public Waters Rules

UPW

Lakes

Reservoirs



State of Vermont
Agency of Natural Resources
Department of Environmental Conservation
Office of General Counsel
1 National Life Drive – Davis 2
Montpelier, VT 05620-3802

April 20, 2026

Via Email

State of Vermont General Assembly
Legislative Committee on Administrative Rules
115 State Street
Montpelier, VT 05633-5301
lindsey.schreier@vtleg.gov

*Re: Final Proposed Rule Filing; Amendments to the Vermont Use of Public Waters Rule
(SOS # 25P045)*

Dear Representative Squirrel and Members of the Committee:

On December 20, 2025, the Agency of Natural Resources (“ANR” or the “Agency”) filed a Proposed Rule with the Interagency Committee on Agency Rules to make revisions to the Vermont Use of Public Water Rules (the “Rules”). During the formal rulemaking process, the Agency held two public hearings: the first was on January 27, 2026, and the second was on February 4, 2026. Additionally, ANR granted an extension request for the public comment period until February 27, 2026. During the comment period, the Agency received approximately 1,500 public comments, which are attached to the rulemaking package.

The Agency has made the following changes to the Use of Public Waters Rules in response to public comments and based upon the Agency’s final review of the Rule. The “Response Summary” included with this rulemaking package further explains the reasons for these changes.

Section 1.1 Purpose

In response to comments and upon further consideration, the Agency has added statutory references to the purpose statement of the Rules to incorporate legislative directives. The revised purpose provision now reads, in relevant part:

“In accordance with 10 V.S.A. § 1421, § 1424 and § 1451, tThe purpose of these Rules is to aid in the fulfillment of the State’s role as trustee of its navigable waters, to further the maintenance of safe and healthful conditions, and to provide for multiple uses of the waters in a manner to provide for the best interests of the citizens of the State. It is the policy of the State of Vermont to manage the uses of public waters so that the various uses may be enjoyed in a reasonable manner. It is the policy of the State of Vermont to prevent the infestation and proliferation of invasive species in the State that result in negative environmental impacts, including habitat loss and a reduction in native biodiversity along with adverse social and economic impacts and impacts to public health and safety. . . .”

See Response Summary, Comments/Responses 375 and 398.

Section 2: Consideration of Agency-Led Rulemaking and Petitions Filed Under 10 V.S.A. § 1424

In response to comments and upon further consideration, the Agency has added a new provision to Section 2 to establish a periodic review of the Rule:

“2.9 Rule assessment and review. Potential use conflicts, science, and related data shall be reviewed in cycles not to exceed five years to ensure that the rules in place are adequate to meet the purpose of these rules. Where warranted based on this review, the Agency will initiate public engagement as described in Section 2.5. to address potential concerns.”

See Response Summary, Comment/Response 231. As a result of the addition of this provision, subsequent provisions in Section 2 have been renumbered accordingly.

Section 3.7 Wakesports

In response to comments and upon further consideration, the Agency has revised Sections 3.7(d) and 3.7(e) to refer to ballasted vessels, rather than wakeboats, for purposes of decontamination requirements pursuant to 10 V.S.A. § 1454. This revision recognizes that vessels other than wakeboats may utilize ballast systems and may present an elevated risk for the spread of aquatic invasive species. Accordingly, this change applies to both existing and future vessels equipped with ballast tanks and subjects such vessels to specialized decontamination requirements.

Additionally, the Agency has removed the decontamination option of a 14-day drying period for ballasted vessels. Under the revised Rule, a ballasted vessel that moves between waterbodies within a calendar year must undergo hot-water decontamination in

accordance with Agency guidance. The Agency has also removed specific water temperature requirements and instead refers generally to hot-water decontamination as set forth in Agency guidance. This approach provides the Agency with flexibility to respond to evolving best practices in a timely and effective manner. To provide this clarification, the Agency revised subsections 3.7(d) – (e) of this Section to read (footnotes omitted):”

“(d) All provisions of 10 V.S.A. § 1454 regarding aquatic nuisance species inspection and decontamination apply to ballasted vessels, including wakeboats, and ballasted vessel wakeboat users shall drain the ballast tanks of their boats to the fullest extent practicable after leaving waters of the state. This subsection 3.7.d. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone.

(e) Before entering a waterbody, if a ballasted vessel was last launched at a different waterbody ~~within the previous 14 days within the calendar year,~~ the ballasted vessel's wakeboat interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water in accordance with Agency requirements (120°F) for 3 to 5 minutes, and exterior components must be adequately rinsed with high-pressure hot water ~~(140°F) in accordance with Agency requirements~~ to remove particulates.”

See Response Summary, Comments/Responses 200, 230, and 231.

Section 4: General Rules for All Lakes, Ponds, and Reservoirs Including Those Not Located Entirely Within the State of Vermont

In response to comments and upon further consideration, the Agency has added an additional statutory reference to Section 4.1(j) to incorporate relevant legislative directives. The Agency has also revised Section 4.1(j) to clarify the scope of activities that may be performed by Public Access Area Greeters, as well as those activities that are not authorized by statute. The revised purpose provision now reads, in relevant part:

“(j) Aquatic nuisance species inspection stations

(1) Pursuant to 10 V.S.A. § 1461, the Agency shall operate a training program addressing the following:

- i. The inspection of vessels, motor vehicles, trailers and other equipment for the presence of aquatic plants, aquatic plant parts, and aquatic nuisance species.
- ii. The decontamination of vessels, motor vehicles, trailers, and other equipment to prevent the spread of

aquatic plants, aquatic plant parts, and aquatic nuisance species.

- iii. How to address noncompliance with the requirements of 10 V.S.A. § 1454 and in accordance with 10 V.S.A. § 1461, including how:
 - 1. Operators of the inspection station do not have authority to board a vessel unless authorized by the vessel owner; and
 - 2. Operators of the inspection station do not have law enforcement authority to mandate compliance with the requirements of 10 V.S.A. § 1454-; and
 - 3. A person staffing an authorized aquatic nuisance species inspection station may inform a person who owns or controls a vessel whether the vessel requires decontamination, in accordance with Agency training materials and guidance. Information provided in accordance with Agency training materials by a person staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority."

See Response Summary, Comments/Responses 397 and 404.

In response to comments and upon further consideration, the Agency has added clarifying language to Section 4.1(j)(4) regarding compliance with Agency rules and materials. This addition provides further clarity regarding the legislative directives set forth in 10 V.S.A. § 1461 and ensures consistency with those requirements. The proposed language is as follows:

“(4) Compliance with Agency Rules and Materials. Approved operators of aquatic nuisance inspection stations shall conduct all activities in accordance with these Rules, the requirements of 10 V.S.A. Chapter 50, and all other applicable Agency Rules, policies and procedures. Operators shall not act beyond the scope of ~~authority granted~~ directives provided by the Agency pursuant to by law, including but not limited to 10 V.S.A. §§ 1454 and 1461 and the terms and conditions of any agreement(s) entered into with the Agency pursuant to 10 V.S.A. § 1458, and shall not represent themselves as having enforcement powers unless authorized by law. Operators may inform lake users about relevant regulations and what uses are authorized and prohibited on a lake and may alert law enforcement to report any violations. Information provided by an operator of an aquatic

nuisance species inspection station shall not be considered an exercise of law enforcement authority. Operators must not misrepresent the role, authority, or position of the Agency. When representing or operating under the authority of the Agency, operators shall use training materials, signage, and outreach materials furnished or approved by the Agency. Operators shall also comply with all terms and conditions set forth in any agreement entered into with the Agency in connection with the operation of an aquatic nuisance inspection station. Failure to comply with this section may result in revocation of approval to operate an aquatic nuisance inspection station.”

See Response Summary, Comment/Response 404.

In response to comments and upon further consideration, the Agency has added Section 4.4 to reflect the use of the term “ballasted vessels,” as discussed above, and to apply decontamination requirements to lakes, ponds, and reservoirs not located entirely within Vermont, consistent with existing Agency decontamination requirements. This new section reads as follows:

“4.4 Wakesports and ballasted recreational vessels in lakes, ponds, and reservoirs not located entirely within Vermont

(a) All decontamination provisions described in Section 3.7(d) and 3.7(e) apply to ballasted vessels, including wakeboats, in Vermont waterbodies.

(b) In Vermont waters, an individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(c) In Vermont waters, between May 1 and July 31 wakesports are prohibited within 500 feet of any loon nesting site that the Secretary or the Secretary’s authorized representative has identified by signs and buoys or other clear on-site markings.”

See Response Summary, Comments/Responses 312, 313, 314, 407, and 408.

The Agency has also made non-substantive grammatical and punctuation corrections throughout the proposed rule. Please let me know if you have any questions about the foregoing changes.

Sincerely,

Saige Culbertson

Saige Culbertson, Esq.

Associate General Counsel

Department of Environmental Conservation

Adopting Page

Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment if the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

Adopted Rule #24-014, Vermont Use of Public Waters Rules, Effective Date: April 15, 2024.

Economic Impact Analysis

Instructions:

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn’t appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

All recreational users of Vermont's public waters

Motorized and non-motorized boat owners

Wakeboat operators and recreationists

Anglers, swimmers, water skiers, wildlife enthusiasts

Boat retailers and marinas

Outdoor recreation businesses

Vermont summer camps

Lake Associations

Lakefront property owners

Vermont State Police Marine Division

Vermont Fish and Wildlife Game Wardens

An economic analysis of the impact of these rules considered impacts to wakeboat operators and to other recreational users in public waters. Because the total amount of wakeboat operations in Vermont are estimated at less than 1% of all motorized boat usage, overall economic impacts to the boating industry are negligible. For example, at Public Access area stations in 2024, only 127 of the 11,475 motorized watercraft launches were identified as a wakeboat launch and in 2025 only 114 of the 12,793 motorized watercraft launches were identified as a wakeboat launch. Removing wakesports from 12 additional lakes will reduce conflict for other users and support Vermont's lake-based recreational economic activity.

All lakes where wakesports are most popular in the State remain eligible to continue wakesports under these proposed amendments. Removing the Home Lake sticker program will reduce administration costs. The allowance for temporary emergency closures will protect private property and public health. These proposed amendments do not include any new fees on users of public waters.

The new requirement for wakeboats to undergo a hot-wash decontamination when traveling between lakes has the potential to provide a cost burden to the individual wakeboat operator. However, the savings realized by the State of Vermont for spread prevention efforts offset any cost required of the individual. When lakes become infested with aquatic invasive species, management becomes expensive and requires long-term efforts, borne out by communities and taxpayers.

Enforcement costs associated with these proposed amendments are expected to be minimal, as enforcement

is carried out by existing staff, and these amendments are meant to provide clarification to the existing rule and to improve enforceability.

Other proposed amendments to the Use of Public Waters Rules are administrative in nature and are economically neutral.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:

The proposed amendments are not anticipated to have any impact on public education, public schools, school districts, or taxpayers.

5. ALTERNATIVES: *CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

The proposed amendments are not anticipated to have an economic impact on local school districts.

6. IMPACT ON SMALL BUSINESSES:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):

Further restricting the number of waterbodies where wakesports are allowed could potentially decrease the sale of these vessels in Vermont. However, wakeboats represent less than 5% of the current market for motorized vessels in Vermont. Boat dealers will still be able to sell and service wakeboats for the remaining 18 inland lakes, and the 9 other waterbodies that share boundaries with other states or countries. The Agency estimates that there are fewer than 200 wakeboats in Vermont, based on sales estimates.

These rules have no impact on the sale of any vessel. The rules may have a positive impact on outdoor retailers and the tourism industry that rely on smaller boats and non-motorized recreation due to the reduced conflict between wakesports and other users.

Small businesses have the opportunity to provide hot-wash decontamination services for recreational boaters as a fee-for-service. This may be a benefit to small businesses.

7. SMALL BUSINESS COMPLIANCE: *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

Compliance with this proposed amendment will not impact small business, as compliance and enforcement of this proposed amendment take place on public waters. These rules do not prohibit the sale of any vessel.

8. COMPARISON:

COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

If the proposed amendments are not adopted, the Agency estimates that conflict between recreational users will continue, impacting significant Agency staff time responding to individual petitions. Additionally, without adoption of the amendments, there is a financial burden on the State to implement the Home Lake sticker program that does not provide adequate protection for the spread of aquatic invasive species. The proposed inclusion of the requirement for wakeboats to have a hot-wash decontamination when traveling between waterbodies is a more effective tool to prevent the costly spread of aquatic nuisance and invasive species.

9. SUFFICIENCY: *DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

The Agency relied on experience from the on-the-ground implementation of the existing wakesports rule that has been in place for the last year. Most of the proposed changes have little to no economic impact on Vermonters. The analysis provided in this documentation is based on feedback from the public, including boat dealers, representatives of the tourism industry, lakefront property owners, and the general public.

Environmental Impact Analysis

Instructions:

In completing the environmental impact analysis, an agency analyzes and evaluates the anticipated environmental impacts (positive or negative) to be expected from adoption of the rule; compares alternatives to adopting the rule; explains the sufficiency of the environmental impact analysis. If no impacts are anticipated, please specify “No impact anticipated” in the field.

Examples of Environmental Impacts include but are not limited to:

- Impacts on the emission of greenhouse gases
 - Impacts on the discharge of pollutants to water
 - Impacts on the arability of land
 - Impacts on the climate
 - Impacts on the flow of water
 - Impacts on recreation
 - Or other environmental impacts
-

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. GREENHOUSE GAS: *EXPLAIN HOW THE RULE IMPACTS THE EMISSION OF GREENHOUSE GASES (E.G. TRANSPORTATION OF PEOPLE OR GOODS; BUILDING INFRASTRUCTURE; LAND USE AND DEVELOPMENT, WASTE GENERATION, ETC.):*
These rules are not anticipated to have a significant impact on greenhouse gas emissions. The proposed amendments are to provide some additional clarifications to the existing rules and to further regulate wakesports. The proposed updates to the rules increase restrictions on a type of motorized vessel (wakeboats) that emit greenhouse gases. It may be possible that greenhouse gas emissions on lakes where wakesports would be prohibited will decrease, but the use is small and other motorized watersports are allowed on these lakes, making any change in emissions

negligible or unlikely. The greenhouse gas emissions on lakes where wakesports are allowed will likely remain constant.

4. *WATER: EXPLAIN HOW THE RULE IMPACTS WATER (E.G. DISCHARGE / ELIMINATION OF POLLUTION INTO VERMONT WATERS, THE FLOW OF WATER IN THE STATE, WATER QUALITY ETC.):*

The proposed amendments have a neutral impact on water quality.

5. *LAND: EXPLAIN HOW THE RULE IMPACTS LAND (E.G. IMPACTS ON FORESTRY, AGRICULTURE ETC.):*

The proposed amendments have a neutral impact on land use.

6. *RECREATION: EXPLAIN HOW THE RULE IMPACTS RECREATION IN THE STATE:*

The proposed amendments are to regulate wakesports to better manage conflict between recreational uses on public lakes and ponds. The proposed amendments take a State-wide approach to providing opportunities for wakesports to occur on waterbodies that are large enough to accommodate the activity and prohibits wakesports where they have the potential to conflict with other forms of recreation. Vermont will have 18 inland lakes and ponds where wakesports are allowed, as well as recreational opportunities on Lake Champlain and Lake Memphremagog, allowing individuals who enjoy wakesports the opportunity to participate in that form of recreation.

7. *CLIMATE: EXPLAIN HOW THE RULE IMPACTS THE CLIMATE IN THE STATE:*

The proposed amendments have a neutral impact on climate.

8. *OTHER: EXPLAIN HOW THE RULE IMPACT OTHER ASPECTS OF VERMONT'S ENVIRONMENT:*

The proposed amendments are not expected to impact other aspects of Vermont's environment.

9. *SUFFICIENCY: DESCRIBE HOW THE ANALYSIS WAS CONDUCTED, IDENTIFYING RELEVANT INTERNAL AND/OR EXTERNAL SOURCES OF INFORMATION USED.*

The proposed amendments to the Use of Public Waters Rules are based on an extensive review of the scientific literature, meetings with affected user groups, conservation organizations, industry groups, and lake users to obtain input on changes to the

existing rules. The existing rules have only been in place for two boating seasons. In the first year of implementation, the Agency received 12 petitions requesting additional rulemaking on individual lakes and ponds across the State to address wakesports specifically. After careful review of the petitions, the Agency determined that common themes emerged from the petitions received and that State-wide rulemaking was the most equitable way to address concerns included in the petitions. The proposed amendments are derived from information we received from the public on an ongoing basis, information from the petitions received, public comments received during review of the petitions, and from public comments received during the pre-rulemaking process.

Public Input Maximization Plan

Instructions:

Agencies are encouraged to hold hearings as part of their strategy to maximize the involvement of the public in the development of rules. Please complete the form below by describing the agency's strategy for maximizing public input (what it did do, or will do to maximize the involvement of the public).

This form must accompany each filing made during the rulemaking process:

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. PLEASE DESCRIBE THE AGENCY'S STRATEGY TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE, LISTING THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO COMPLY WITH THAT STRATEGY:

During the development of the proposed amendments, the Agency initiated an extensive pre-rulemaking public engagement process to ensure early and meaningful participation. As part of this process, the Agency publicly released draft amendments and opened a pre-rulemaking written comment period from July 1, 2025 through August 15, 2025.

To introduce the proposed changes and explain the rulemaking process, the Agency hosted an informational webinar on July 1, 2025. The webinar provided background on the proposed amendments and an overview of the proposed amendments. The webinar included an open discussion period in which the public was invited to provide comments and ask questions. A recorded version of this webinar was made available on the Department's website for additional public access.

As part of the pre-rulemaking process, the Agency held two hybrid public meetings, on July 30, 2025 in Barre, VT and on July 31, 2025 in Newport, VT. These meetings

provided opportunities for members of the public to offer direct input and ask questions prior to formal rulemaking. Recordings of both meetings were posted online for individuals who could not attend.

During the public comment period, the Department received 408 written comments. The Agency also met individually with interested parties upon request and solicited input from partner State agencies, including the Fish and Wildlife Department and the Department of Forests, Parks and Recreation.

Due to the significant public interest in these proposed amendments, all relevant documents and public comments have been made publicly available on the Lakes and Ponds Rulemaking webpage:

<https://dec.vermont.gov/watershed/lakes-ponds/lakes-and-ponds-rulemaking>. These documents include the draft rule, supporting materials, and the full compilation of written public comments. Additionally, Lakes and Ponds staff have developed and maintained an email list to keep interested parties up to date on this process.

The Agency continued to maximize public involvement during the formal rulemaking phase by broadly distributing notice of the proposed amendments and maintaining all materials on the Department's website. The Agency held two hybrid public hearings (January 27, 2026 and February 4, 2026) in accordance with the Secretary of State requirements. The draft rule was published on the Secretary of State's website on December 24, 2025, opening a public comment period until 4:30 p.m. February 27, 2026. Written comments were accepted during this period, as well as verbal comments taken at the two public meetings held during this time frame. The Agency received 1,458 written comments and over 100 verbal comments. During the public comment period, the agency met with affected user groups and held topical small-group stakeholder meetings to discuss concerns about the proposed rules. Collectively, this approach is designed to ensure broad, accessible, and transparent public participation throughout the process.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

Fish and Wildlife Department

Department of Forests Parks and Recreation

Department of Public Safety

Vermont State Police, Marine Division

Vermont Boat Retailers and Marinas

Federation of Vermont Lakes and Ponds

Vermont Center for Ecostudies

Responsible Wakes for Vermont Lakes

Researchers who study wake science

Wakeboat Industry Groups (NMMA, WSIA)

Wakesports recreation community

Vermont lake associations

Scientific Information Statement

THIS FORM IS ONLY REQUIRED IF THE RULE RELIES ON SCIENTIFIC INFORMATION FOR ITS VALIDITY.

PLEASE REMOVE THIS FORM PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the Scientific Information Statement, an agency shall provide a summary of the scientific information including reference to any scientific studies upon which the proposed rule is based, for the purpose of validity.

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. BRIEF EXPLANATION OF SCIENTIFIC INFORMATION:

The proposed amended rules rely on scientific information submitted with the Use of Public Waters Rules adopted in 2024.

4. CITATION OF SOURCE DOCUMENTATION OF SCIENTIFIC INFORMATION:

"APA Filing Forms - Final Rule Filing", 2024 Use of Public Waters Rules Amendments (Adopted March 25, 2024), Vermont Department of Environmental Conservation - Lakes and Ponds Program.

5. INSTRUCTIONS ON HOW TO OBTAIN COPIES OF THE SOURCE DOCUMENTS OF THE SCIENTIFIC INFORMATION FROM THE AGENCY OR OTHER PUBLISHING ENTITY:

The public may access free, read-only versions of all incorporated materials by contacting the Agency's Primary Contact Person (laura.dlugolecki@vermont.gov) listed on the cover sheet. The public may view and/or obtain copies of the filing

at https://dec.vermont.gov/sites/dec/files/wsm/lakes/docs/apafilingforms_wakeboats%20Final%20Rule%20Filing%202.1.24%20LCAR.pdf.

Incorporation by Reference

THIS FORM IS ONLY REQUIRED WHEN INCORPORATING MATERIALS BY REFERENCE. PLEASE REMOVE PRIOR TO DELIVERY IF IT DOES NOT APPLY TO THIS RULE FILING:

Instructions:

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and how to obtain copies.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g., federal or national standards, or regulations).

Incorporated materials will be maintained and available for inspection by the Agency.

1. TITLE OF RULE FILING:

Vermont Use of Public Waters Rules

2. ADOPTING AGENCY:

Agency of Natural Resources

3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

The proposed amendments incorporate by reference "Guidance for temporary use restrictions proposed under Vermont's Use of Public Waters Rules, Section 4.3", "Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity", and "List of Lakes Eligible for Wakesports under the Vermont Use of Public Waters Rules."

4. FORMAL CITATION OF MATERIALS INCORPORATED BY REFERENCE:

"Guidance for temporary use restrictions proposed under Vermont's Use of Public Waters Rules, Section 4.3", "Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity", and "List of Lakes Eligible for Wakesports under the Vermont Use of Public Waters Rules".

5. OBTAINING COPIES: *(EXPLAIN WHERE THE PUBLIC MAY OBTAIN THE MATERIAL(S) IN WRITTEN OR ELECTRONIC FORM, AND AT WHAT COST):*

The public may access free, read-only versions of all incorporated materials by contacting the Agency's Primary Contact Person listed on the cover sheet. The public may view and/or obtain copies of the incorporated documents by visiting <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

6. MODIFICATIONS *(PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED):*

In the document entitled "List of Lakes Eligible for Wakesports under the Vermont Use of Public Waters Rules", on Page 1, the Agency updated a chart with more accurate numbers for wakesports eligible lakes based on the proposed Rules.

Additionally, in the document entitled "Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity", on Page 1, the Agency added a sentence for clarification.

Run Spell Check

Interagency Committee on Administrative Rules (ICAR) Minutes

Date/Time: December 8, 2025, 2:00 PM

Location: Virtually via Microsoft Teams

Members Present: Nick Kramer, Jared Adler, John Kessler, Natalie Weill, Michael Obuchowski, John Kessler, Jennifer Mojo

Members Absent: Diane Sherman, Nicole Dubuque

Minutes By: Chrissy Gilhuly

- ▶ 2:02 p.m. meeting called to order
- ▶ Review and approval of minutes from the November 17, 2025 [meeting](#).
- ▶ No additions/deletions to agenda. Agenda approved as drafted.
- ▶ No public comments were made.
- ▶ Presentation of Proposed Rules with recommended changes on pages to follow:
 - 1). Vermont Department of Labor (VDOL) – Vermont Workers' Compensation and Occupational Disease Rule 1-27.
 - a. These rules are for the purpose of carrying out the provisions of the Workers' Compensation Act and are consistent with the Act's processes and procedures.
 - 2) Vermont Department of Labor (VDOL) – Unemployment Insurance Self-Employment Assistance Program
 - a. The rule adds procedure for application of benefits through the Employment Assistance Program, as well as what criteria will be considered by the Commissioner in determining eligibility and whether to approve the program.
 - 3) Agency of Natural Resources (ANR) – Vermont Use of Public Waters Rules
 - a. These rules clarify the petition submission and review process and clarifies the procedures for municipal delegation under 10 V.S.A. § 1424 by authorizing full or partial delegation of State oversight, auditing, and revocation authority.

Vermont Agency of Administration

Proposed Rule: Vermont Department of Labor (VDOL) – Vermont Workers' Compensation and Occupational Disease Rule 1-27

Presented By: Dirk Anderson, Esq., Director of Worker's Compensation and Safety

Motion was made to accept the rule by Jennifer Mojo, seconded by Natalie Weill, and passed with one abstention from Jared Adler, with the following recommendations:

- 1) Proposed Filing – Coversheet:
 - a. #11 – include same details that are provided in the Economic Impact portion of the filing.
 - b. #8 – more descriptive, expand on the narrative/overview that was verbally presented to the committee.

Proposed Rule: Vermont Department of Labor (VDOL) – Unemployment Insurance Self-Employment Assistance Program Rule

Presented By: Robert Depper, General Counsel

Motion was made to accept the rule by John Kessler, seconded by Jennifer Mojo, and passed with one abstention from Jared Adler, with the following recommendation:

- 1) Adopting Page:
 - a. #4 – Add clarifying language that explains that the board rules are being amended with the addition of one rule.

Proposed Rule: Agency of Natural Resources (ANR), Department of Environmental Conservation (DEC) – Vermont Use of Public Waters Rules

Presented By: Laura Dlugolecki, Environmental Analyst/Policy and Outreach and Saige Culbertson, Attorney

Motion was made to accept the rules by John Kessler, seconded by Jared Adler, and passed with one abstention from Jennifer Mojo.

Proposed Rule: Green Mountain Care Board (GMCB) - Rule 3.000: Hospital Budget Review Rule

Presented By: Mark Hengstler, Attorney

Motion was made to accept the rule by Jared Adler, seconded by John Kessler, and passed unanimously, with following change flagged by Mark Hegstler:

- 1) Proposed Filing Coversheet: Conformed signature will replace current signature.

Vermont Agency of Natural Resources

Use of Public Waters Rules

Responsiveness summary

Introduction and Background

In April 2024, new Use of Public Waters Rules amendments were adopted regulating wakesports at a Statewide level. The amendments limited wakesports to 30 inland lakes with designated wakesports zones. The wakesports zones were developed and sited in areas that would limit impacts to shoreline erosion and lakebed disturbance, to minimize environmental impacts from wakesports. Wakeboat-specific decontamination requirements were included in the rule amendments to address spread prevention concerns associated with ballast tanks. Within months of adoption of the new rules, the Agency received 9 petitions requesting wakesports prohibitions on 10 specific lakes.

The Agency reviewed these petitions through a pre-rulemaking public participation process in accordance with the [Rules of Procedure for Evaluating Petitions](#). Although these petitions were to request wakesports prohibitions on specific waterbodies, several common themes emerged through the petitions, including the lack of wakesports specific safety considerations, an accounting for the cumulative impacts of multiple wakeboats operating in a wakesports zone, and impacts to loon nesting areas. Additionally, the Agency identified implementation challenges to Home Lake Rule that needed to be fixed through rulemaking to better support spread prevention operations across the State. The Agency determined that addressing the concerns brought up in the individual petitions and from internal on-the-ground experience regarding implementation of aquatic invasive spread prevention as related to wakeboats, warranted a State-wide rulemaking effort. The Agency denied the 9 lake-specific petitions and initiated a pre-rulemaking effort to address external and internal concerns on a statewide level, rather than on a lake-by-lake basis. An additional 5 petitions were received by the Agency requesting to prohibit wakesports. Review for those petitions has been put on hold until this State-wide rulemaking effort is concluded.

The Agency submitted the proposed rule and associated definitions to the Interagency Committee on Administrative Rules (ICAR), which was unanimously approved by ICAR on December 8, 2025. The draft rule was published on the Secretary of State's website on December 24, 2025, opening a public comment period until 4:30 p.m. February 27, 2026. Written comments were accepted during this period, as well as verbal comments taken at

two public meetings held during this time frame. The Agency received 1,458 written comments and over 100 verbal comments on the proposed rule. Following review of the comments, the Agency made eight revisions to the proposed rule, summarized as follows:

1. In response to comments #375 and #398, the Agency has added reference to relevant statutes in Section 1.1.
2. In response to Comment #231, the Agency has added the following language as Section 2.9:
2.9 Rule assessment and review. Potential use conflicts, science, and related data shall be reviewed in cycles not to exceed five years to ensure that the rules in place are adequate to meet the purpose of these rules. Where warranted based on this review, the Agency will initiate public engagement as described in Section 2.5. to address potential concerns.
3. In recognition that the scientific literature and many public comments received by the Agency reference “ballasted vessels,” in general rather than singling out wakeboats as a heightened vector for the spread of aquatic invasive species, the Agency has replaced the term “wakeboat” with “ballasted vessel” in VUPW sections related to decontamination requirements for these watercraft in Sections 3.7 (d) and 3.7 (e). This change will impact existing and future vessels that require specialized decontamination criteria.
4. In response to Comment #200, the Agency is removing the decontamination option of a 14-day drying time for ballasted vessels. If a ballasted vessel moves between waterbodies within a calendar year, it must receive a hot-water decontamination in accordance with Agency guidelines.

Additionally in response to Comments # 230 and #231, the Agency is proposing to remove specific water temperatures stated in 3.7(e) and instead refer to “hot water decontamination in accordance with Agency requirements.” This will allow flexibility for the Agency to respond to changes in best practices in a timely and responsive manner. The revised Section 3.7(e) is as follows:

(e) Before entering a waterbody, if a ballasted vessel was last launched at a different waterbody within the calendar year, the ballasted vessel’s interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-

pressure hot water in accordance with Agency requirements, and exterior components must be adequately rinsed with high-pressure hot water in accordance with Agency requirements to remove particulates.

5. In response to Comments #312, #313, #314, #407 and #408 regarding wakesports use in “non-inland” lakes, ponds, and reservoirs, the Agency added a new Section 4.4, that states the following:

4.4 Wakesports and ballasted recreational vessels in lakes, ponds, and reservoirs not located entirely within Vermont.

(a) All decontamination provisions described in Section 3.7(d) and 3.7(e) apply to ballasted vessels, including wakeboats in Vermont waterbodies.

(b) In Vermont waters, an individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(c) In Vermont waters, between May 1 and July 31 wakesports are prohibited within 500 feet of any loon nesting site that the Secretary or the Secretary’s authorized representative has identified by signs and buoys or other clear on-site markings.

6. In response to Comments #397 and #404, the Agency proposes adding additional language to Section 4.1(j)(1)(iii) of the Vermont Use of Public Waters Rules:

A person staffing an authorized aquatic nuisance species inspection station may inform a person who owns or controls a vessel whether the vessel requires decontamination, in accordance with Agency training materials and guidance. Information provided in accordance with Agency training materials by a person staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.

This language is to provide clarity on the scope of activities that are allowed to be performed by Public Access Area Greeters, in addition to which activities are prohibited.

7. In response to Comment #404, the Agency proposes adding a statutory reference (10 V.S.A. § 1461) to Section 4.1(j)(1)(iii) for clarification purposes.
8. In response to Comment #404, the Agency proposes adding clarifying language

to 4.1(j)(4) regarding compliance with Agency rules and materials the proposed to ensure consistency with, and provide additional clarity regarding, the legislative directives set forth in 10 V.S.A. § 1461. The proposed language is as follows:

Compliance with Agency Rules and Materials. Approved operators of aquatic nuisance inspection stations shall conduct all activities in accordance with these Rules, the requirements of 10 V.S.A. Chapter 50, and all other applicable Agency Rules, policies and procedures. Operators shall not act beyond the scope of ~~authority granted by law~~ **directives provided by the Agency pursuant to, including but not limited to 10 V.S.A. §§ 1454 and 1461 and the terms and conditions of any agreement(s) entered into with the Agency pursuant to 10 V.S.A. §1458,** and shall not represent themselves as having enforcement powers unless authorized by law. **Operators may inform lake users about relevant regulations and what uses are authorized and prohibited on a lake and may alert law enforcement to report any violations. Information provided by an operator of an aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.** Operators must not misrepresent the role, authority, or position of the Agency. When representing or operating under the authority of the Agency, operators shall use training materials, signage, and outreach materials furnished or approved by the Agency. Operators shall also comply with all terms and conditions set forth in any agreement entered into with the Agency in connection with the operation of an aquatic nuisance inspection station. Failure to comply with this section may result in revocation of approval to operate an aquatic nuisance inspection station.

The following is a summary of comments received and the Agency's responses to those comments. Where appropriate, comments have been consolidated or split into multiple comments for clarity. The Agency received many relatively duplicative comments. To make the responsiveness manageable for the Agency and readers, the Agency has selected representative comments or combined comments where appropriate. The original comments are available upon request from the Agency's Lakes and Ponds Program and on the Program's [rulemaking webpage](#).

The comments have been organized by topics related to the rulemaking process.

List of Public Comment Topics

Safety Considerations

Proposed Changes to the Wakesports Zone Definition

Temporary Use Restrictions

Home Lake Rule and Watercraft Decontamination

Lake-Specific Comments

Other Comments

Safety Considerations

Summary of safety considerations

In April 2024, new Use of Public Waters Rules amendments were adopted regulating wakesports at a Statewide level. The amendments limited wakesports to 30 inland lakes with designated wakesports zones. The wakesports zones were developed and sited in areas that would limit impacts to shoreline erosion and lakebed disturbance, to minimize environmental impacts from wakesports. After adoption of the new rules, the Agency received 10 petitions requesting wakesports prohibitions on 11 specific lakes. A common theme among the petitions is the concern that safety wasn't properly addressed in the original rules.

The adopted rule considered existing safety requirements in statute regarding vessel operation under [23 V.S.A. § 3311\(c\)\(1\)](#), which states that:

An individual shall not operate any vessel, seaplane, racing shell, or rowing scull, except a sailboard or a police or emergency vessel, within 200 feet of the shoreline; an individual in the water; a canoe, rowboat, or other vessel; an anchored or moored vessel containing any individual; or anchorages or docks, except at a speed of less than five miles per hour that does not create a wake.

The petitioners asserted that the existing 200-foot safety offset was not sufficient to address safety in relation to wakesports impacts to other uses in public lakes and ponds. Based on the standard used to develop wakesports zones, a 500-foot offset from shore to reduce wave impacts along the shoreline, the Agency proposed increasing the safety offset for wakesports and all other uses to 500 feet. This distance was identified as being similar to the wave impact another user would experience from a traditional motorboat traveling over 5 mph at 200 feet, the current standard.

Safety-related comments:

Comment 1: The proposal to prohibit wakesports within 500 feet of other recreational users will significantly increase a person's sense of security when out on the lake. Likewise, the increased operating distance from loon nesting sites will further protect their fragile nests from flooding. Aligning these two operating distance requirements with the current 500' from shore requirement to me is an essential addition to the rules, as it signifies that all entities are correspondingly worthy of protection from the harm that may be caused by enhanced wakes.

Response 1: The existing Use of Public Waters Rules regarding wakesports adopted in 2024 did not include specific language regarding safety impacts from wakesports on other recreational uses. In accordance with [23 V.S.A. § 3311\(c\)\(1\)](#), vessels shall not operate within 200 feet of other recreational users. This universally applied 200-foot safety setback applies to wakesports, among other vessel users.

Within the existing wakesports rules adopted in 2024, within the definition of 'wakesports zone,' Section 5.18 there is a requirement that wakesports may only occur in a wakesports zone that is located at least 500-foot from shore. The 500-foot setback from shore was determined based on a review of scientific literature¹ that demonstrated that wave impacts on the shoreline from a wakeboat operating in wakesports mode at 500 feet from shore is similar in size and impact on the shoreline to waves generated from a traditional motorboat creating a wake and operating 200 feet from shore.

In Section 3.7(c), the Agency has proposed that wakesports should be conducted 500 feet from other recreational users to be consistent with the intent of 23 V.S.A. § 3311(c)(1). Additionally, Section 3.6 proposes a prohibition on wakesports within 500 feet of any loon nesting sites between May 1 and July 31. These provisions were included in the proposed language to better address safety concerns between wakesports and other recreational users, as well as addressing potential impacts to loon nesting. The intent of this proposed language is to require wakesports to occur further from other uses to allow waves to dissipate to the accustomed level from other motorized vessels.

¹ Francis, J, J. Nohner, J. Bauman, and B. Gunderman 2023. A literature review of wake boat effects on aquatic habitat. Michigan Department of Natural Resources, Fisheries Report 37, Lansing.

Macfarlane G. (2018). Wave Wake Study: HP4099 Motor Boat Working Group. University of Tasmania, Australian Maritime College. 8/28/18.

Marr J., Riesgraf A., Herb W., Lueker M., Kozarek J., and Hill K. (2022). A Field Study of Maximum Wave Height, Total Wave Energy, and Maximum Wave Power Produced by Four Recreational Boats on a Freshwater Lake. University of Minnesota Digital Conservancy.

The current 2024 Use of Public Waters Rules are available at:
<https://dec.vermont.gov/document/vermont-use-public-waters-rules>.

The proposed Use of Public Waters Rules are available under UPW Rulemaking Documents at: <https://dec.vermont.gov/watershed/lakes-ponds/lakes-and-ponds-rulemaking>.

Comment 2: The high bow of wake boats can obstruct the driver's view, increasing the risk of collisions with smaller watercraft or swimmers.

Response 2: The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See Response #1.

Comment 3: The waves from wakesports are a danger to children swimming or playing near the shore, who may be overwhelmed by large waves.

Response 3: The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See Response #1.

Comment 4: Large wakes can create emergency situations where boaters need to be rescued after being capsized.

Response 4: The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See Response #1.

Comment 5: Wakeboats will dominate the wakesports zone in smaller lakes, leading to additional safety hazards.

Response 5: The increased safety offset of 500-feet from other users is intended to reduce safety concerns. The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See Response #1.

Comment 6: Wakeboats pose a risk to the safety of children at summer camps on lakes like Lake Fairlee, where wake boats could overwhelm inexperienced young boaters.

Response 6: Please see the responses to Comments #5 and #318. The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See Comment #1.

Comment 7: Wakeboats have a good safety record, there is no demonstrated need for additional safety offsets. Better boater safety education to ensure safe operation and awareness of existing safety regulations would be more helpful.

Response 7: In Vermont, there is no documentation with Fish and Wildlife Game Warden law enforcement of any observed or reported safety incidents between wakesports activities and other recreational users. The proposal to require that wakesports occur

further from other users, as described in the response to Comment #1, is to align safety offsets for wakesports with an equivalent impact as other motorsports. The Agency acknowledges that boater safety education is important to ensure safe conditions for all recreational uses. Important educational information and trainings are available through the [Vermont Greeter Program](#) and through [Vermont State Police boater safety courses](#).

Comment 8: The State of Vermont should prioritize public safety over the interests of a small group of wakeboat users.

Response 8: The Agency acknowledges this comment. The proposed rule amendments are intended to address public safety concerns while also meeting the Agency's statutory obligations.

Under [10 V.S.A. § 1421](#), the State is required to adopt rules that promote public health, safety, convenience, and general welfare, while also preserving natural beauty and providing for multiple uses of public waters. In addition, [10 V.S.A. § 1424\(c\)](#) requires that public waters be managed so that various uses may be enjoyed in a reasonable manner and in the best interests of all Vermonters.

These proposed changes reflect that balance. They are not designed to prioritize one user group over another, but rather to ensure that all uses—including recreational uses—can occur safely and reasonably, consistent with the Agency's statutory responsibilities

See also Response #1.

Comment 9: New safety offsets would not be enforceable.

Response 9: The Agency acknowledges this comment. Under [10 V.S.A. § 1426](#), a person who violates the Use of Public Waters Rules is subject to civil penalties under [23 V.S.A. § 3317\(b\)](#). Violations are enforceable by law enforcement officers, including deputy State Game Wardens and auxiliary State police officers as set forth in [23 V.S.A. § 3311](#) and [23 V.S.A. § 3302\(3\)](#). These statutory provisions are reflected in Section 1.3 of the proposed Use of Public Waters Rules.

Accordingly, enforcement of the existing Use of Public Waters Rules and vessel operation regulations are conducted by the Vermont State Police Marine Division and the Vermont Fish and Wildlife Game Wardens. The Lakes and Ponds Program at the Agency develops the rules, while enforcement is the responsibility of these divisions, with whom the Program works closely. It is a vessel operator's responsibility to be aware of and comply to the rules to the best of their ability.

The proposed Use of Public Waters Rules are available under UPW Rulemaking Documents at: <https://dec.vermont.gov/watershed/lakes-ponds/lakes-and-ponds-rulemaking>.

Comment 10: Rules to protect non-wakeboat users are unenforceable, relying on wakeboat operators to behave responsibly. Risk of life and limb to non-wakeboat users of our lakes cannot be underestimated. Rules should favor the average Vermonter or other lake users, not the elites who can afford a boat costing well over a hundred thousand dollars.

Response 10: See Response # 9.

Comment 11: I support the new rules as they more adequately address safety. It includes important guidelines for the safety of both humans and wildlife. I support setbacks for people and loons.

Response 11: The Agency acknowledges this comment.

Comment 12: We have concerns about large wakes from wake boats creating hazardous conditions for swimmers, kayakers, and paddleboarders, potentially leading to capsizing or injury. The large, powerful waves can rebound unpredictably off shorelines, creating dangerous conditions for non-motorized users. We need increased safety buffers to protect all lake users from the disruptive impact of wake boats.

Response 12: See Response #1.

Comment 13: In the context of Vermont's wakesports regulations: if a person were issued a citation for performing wakesports outside of a designated wake zone or within 500 feet of shore, but that individual had completed their boating safety course in 2025 using materials that had not yet been updated to reflect the new rule (which had gone into effect the prior year), what potential legal ramifications or defenses might apply?

Response 13: The Agency acknowledges this comment. While the Lakes and Ponds Program administers these rules, enforcement of the Use of Public Waters Rules and vessel operation regulations are conducted by the Vermont State Police Marine Division and the Vermont Fish and Wildlife Game Wardens. See Response # 9.

For more specific information, please refer to the Vermont Boating Handbook, the Vermont Boating Safety Online Education Course, or the Vermont Department of Fish and Wildlife. Boating education materials can be found at

<https://www.vtfishandwildlife.com/fish/boating-in-vermont#education>.

Comment 14: Out of the petitions received by the Agency proposing to ban wakesports on individual lakes, on lakes that remain wakesports eligible, but reported no established wakeboat activity—or no wakeboats ever— 100% of the petitions cited safety concerns that appear precautionary or anticipatory in nature. Where no wakeboat presence has been documented, the inclusion of safety concerns should be carefully reconsidered, as there is

no demonstrated direct safety risk associated with this specific vessel activity on those lakes and therefore such concerns are not supported by documented lake-specific incident data. It may be helpful for the record to further explain how the statewide criteria were calibrated to reflect where documented conflicts were most clearly established, particularly for lakes that submitted petitions despite reporting no wakeboat presence while still citing safety concerns.

Response 14: The Agency acknowledges this comment. See Responses #1 and #7.

Comment 15: There are a number of long distance swimmers who are often accompanied by a craft or a use a floater, but there are occasional swimmers who are not easily spotted. I personally know of close encounters between swimmers and motorboats and expect this possibility with wakeboats.

Response 15: The Agency acknowledges this comment. Please see the response to Comment #1. Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 16: I believe there is a large misconception involving these boats which I am finding people do not even know the difference from any other motorboat on the lake. Many complaints I have heard with safety and "bow high" boats I have seen and they are regular boats that people ride along the shoreline slowly that are not planing their boats out. This can be dangerous for kayakers and swimmers near shore. Wakeboard boats are not near the shoreline when surfing, they must be in deeper water and that is all I have personally seen on the lake I reside on.

Response 16: The Agency acknowledges this comment. In both the existing Use of Public Waters Rules Section 5.18 and in the proposed Use of Public Waters Rules Section 5.19, wakeboats are only permitted to be in 'wakesports mode' where the waterbody is at least 20 feet deep.

The current 2024 Use of Public Waters Rules is available at:

<https://dec.vermont.gov/document/vermont-use-public-waters-rules>.

The proposed Use of Public Waters Rules are available under UPW Rulemaking Documents at: <https://dec.vermont.gov/watershed/lakes-ponds/lakes-and-ponds-rulemaking>.

Comment 17: I am very concerned for the safety of small boaters (using kayaks, canoes, paddle boards, rowing shells) in the presence of wake generation. Drivers of wake boats may not detect the presence of small boats in front of them, since the bow is higher than the stern, where drivers are situated. Further, the height of these wakes is such that small

boats such as the ones listed above would be prone to capsizing - disastrous if this occurs far from shore (as might well happen on Willoughby Lake). Additionally, the waves may propagate far from the generating boat, so small boaters may not have adequate warning of a dangerous wake.

Response 17: The Agency acknowledges this comment. See response to Comment #1. Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 18: We have had serious, documented wake boat related injuries in Minnesota, including at least one broken back, as well as near-misses that could easily have resulted in fatalities.

Response 18: The Agency acknowledges this comment, see response to Comment #1. Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 19: The intensity of wakes generated by wakeboarding creates a safety hazard for other recreational users of the water, including swimmers, paddleboarders and kayakers who may need to cross the wakeboarding zone. Keeping these zones to larger bodies of water just makes sense and it keeps the water accessible to a wider range of users.

Response 19: The Agency acknowledges this comment, see response to Comment #1. Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 20: We would like those in opposition to come to the table and work with us, acknowledge that we are not the villains, we too have rights, and our children have rights. Please stop publicly and privately harassing us. There have been no documented reports of incidents or safety concerns since the 2024 rule was put into place when we or the other boat on our lake surf.

Response 20: As mandated by the Vermont Legislature in [10 V.S.A. § 1421](#) and [10 V.S.A. § 1424](#), Vermont's Use of Public Waters Rules manages public waters so that various uses may be enjoyed in a reasonable manner, in the best interest of all Vermonters. However, some public water uses have the potential to conflict with other uses, especially on waterbodies where space is limited. The Use of Public Waters rules were developed to avoid and resolve conflicts and to consider the interests of current and future generations of lake users to ensure that natural resource values of public waters are fully protected. See response to Comment #7.

Comment 21: While any wake boat has the potential to be unsafe, I do not think it is fair to ban them entirely. However, increasing the minimum lake size to 100 acres and the buffer zone to 500 feet should alleviate the danger they pose and the damage they do to our small lakes here in VT.

Response 21: The Agency acknowledges this comment.

Comment 22: It is clear that many of the safety concerns being raised stem from misinformation or exaggerated commentary that does not reflect the actual experience on the water.

Response 22: The Agency acknowledges this comment. See the responses to Comments #7 and #16.

Comment 23: I believe these changes are unnecessary, difficult to enforce, and unsupported by evidence demonstrating improved safety or environmental outcomes. Imposing a unique and significantly larger setback requirement for wakeboats would create confusion for operators and inconsistent rules on the water. From a practical standpoint, estimating distance on open water is already difficult at 200 feet without specialized equipment such as radar or rangefinders. Accurately maintaining a 500-foot buffer using visual judgment alone would be unrealistic for most operators and would undermine compliance. At distances approaching 500 feet, it becomes increasingly difficult to visually identify swimmers, buoys, or small vessels—the very hazards the rule seeks to address. This creates an unintended safety concern rather than mitigating one. The proposed requirement places an unnecessary cognitive and operational burden on the vessel operator by requiring identification and continuous tracking of potential hazards beyond 200 feet. This expanded monitoring demand may distract operators from managing closer, time-critical interactions with the rider, thereby increasing—rather than reducing—navigational risk.

Response 23: Under 23 V.S.A. § 3311, motorized vessels are required to maintain a 200-foot distance from other users. In addition to these statutory mandates, the Agency has authority to promulgate rules to regulate the use of public waters of the State by defining areas on public waters where certain uses may be conducted, regulating the conduct in these areas, and defining which uses may be conducted in the defined areas, pursuant to [10 V.S.A. §1424\(a\)](#).

Also, see the responses to Comments #1, #9, and #13. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 24: Wakeboats operating in wake sport mode typically travel at approximately 10–11 mph, substantially slower than traditional ski boats. At this speed, the existing 200-

foot buffer provides sufficient time and distance for hazard recognition and avoidance. When wakeboats are not operating in wake sport mode, they function similarly to other ski boats and should not be subject to more restrictive requirements. The proposed distance rule could enable intentional interference with lawful wake sport activity by individuals positioning themselves within the larger buffer, effectively preventing compliant operation despite safe operation.

Response 24: The increased safety offset for wakesports is designed, in part, to decrease wave impact on other vessels. When a wakeboat is not operating in wakesports mode, it is not subject to an increased safety buffer and is required to follow the same safety rules as any other motorized vessel. See also, responses #9 and #13.

Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 25: While we are not convinced that adding a safety buffer alone will reduce conflict, we recommend clarifying this section to strengthen its effectiveness. Specifically, any safety buffer language should explicitly reinforce adherence to existing U.S. Coast Guard right-of-way rules. Reducing conflict requires that all boaters respect established navigation laws and avoid obstruction or unsafe maneuvering that creates hazards. Reinforcing these principles within the rule will improve safety and help reduce user conflict.

Response 25: Under [33 U.S.C. § 2071](#), regulations issued by the U.S. Coast Guard apply to all vessels on inland waters of the United States. Consistent with this, [33 C.F.R. § 83.01\(a\)](#) provides that the Inland Navigation Rules apply to all vessels upon those waters. Accordingly, all vessel operators are required to comply with federal navigation laws and regulations, including U.S. Coast Guard right-of-way rules, in addition to applicable state laws and regulations.

All vessel operators are required to comply with applicable Vermont boating laws including [23 V.S.A. § 3311](#), [23 V.S.A. § 3312](#), [23 V.S.A. § 3317](#), as well as any rules promulgated pursuant to [10 V.S.A. § 1424](#). Additionally, vessel operators are subject to boating safety education requirements under [23 V.S.A. § 3305b](#).

See also, responses #9 and #13.

Source: United States Code of Federal Regulations, Part 83—Navigation Rules, 33 C.F.R., Part 83, available at <https://www.ecfr.gov/current/title-33/chapter-I/subchapter-E/part-83>.

Source: United States Code, Title 33-- Navigation and Navigable Waters, 33 U.S.C. §§ 2001, et seq., available at <https://www.govinfo.gov/content/pkg/USCODE-2024-title33/pdf/USCODE-2024-title33-chap34-subchapl-sec2001.pdf>.

Comment 26: If some sort of perceived safety issue is the issue at hand, I propose that boaters' safety training is the cure. Have any enhanced wake operation criteria been added to VT boaters' safety training? I'll save you the time checking. It has not.

Response 26: Under [23 V.S.A. § 3305b\(a\)](#), anyone born after January 1, 1974 is prohibited from operating a motorboat on the public waters of Vermont without first obtaining a certificate of boating education. The Handbook of Vermont Boating Laws and Responsibilities is the official boating handbook developed by the State of Vermont and provides information about safe boating, including information about the unlawful operation of a vessel in a wake restricted area, causing danger or damage from wake, and maintenance of safe distances from other users, shoreland, and docks. Additionally, Vermont Fish and Wildlife Department enforces the Use of Public Waters Rules including safety offsets, as discussed in responses #9 and #13.

For more information about the Vermont Boating Handbook or Boating Safety Online Education Course, please visit <https://www.vtfishandwildlife.com/fish/boating-in-vermont#education>.

A free copy of The Handbook of Vermont Boating Laws and Responsibilities is available at <https://www.boat-ed.com/vermont/handbook/>.

To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 27: These vessels are dangerous, especially in light of the fact that the VAST majority of users (especially in Vermont) are low-impact users. We are fortunate to have lakes and reservoirs that are beautiful and provide outstanding habitat for wildlife while offering an opportunity for Vermonters to enjoy the water in a number of ways. Unfortunately, when those engaging in Wakesports arrive, many people leave as it is impossible to enjoy being on the water while these boats are around.

Response 27: The agency acknowledges this comment. See also responses #9, #13, #25, and #26. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 28: These regulations are already among the strictest in the nation. To undermine that expertise by rewriting rules based on zero evidence of safety issues, zero documented infractions, and zero proof that the existing framework is inadequate is

unjustifiable. Policy should be guided by facts and professional judgment, not by perception or pressure from uninformed voices.

Response 28: See response to Comment #7. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 29: Anyone who has taken the Boater's Safety Course seriously knows that further rule making is unnecessary because boaters following the existing rules (No matter what type of watercraft they operate) are not creating unsafe conditions on our lakes. Safety is important to me, and I support reasonable, evidence-based regulations that improve it. However, I believe the existing 200-foot separation requirement for all motorboats already establishes a clear safety baseline. The additional 500-foot shoreline requirement for wakeboats further addresses shoreline concerns. Introducing a separate 500-foot moving buffer for user separation does not appear necessary and risks making the system harder to follow.

Response 29: See responses to Comments #1 and #24. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 30: An activity that has been definitively shown to threaten the safety of others and to drive other normal users off our lakes. In failing to fully restrict a few boaters who enjoy wakesports, the DEC has significantly restricted the enjoyment of virtually every other use on our wakesports eligible inland lakes.

Response 30: As mandated by the Vermont Legislature in [10 V.S.A. § 1421](#) and [10 V.S.A. § 1424](#), Vermont's Use of Public Waters Rules manages public waters so that various uses may be enjoyed in a reasonable manner, in the best interest of all Vermonters. . See also responses #7 and #20. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 31: If safety is the central concern, policy and enforcement resources should align with statistically demonstrated risks. Targeted education and enforcement focused on these known contributors would yield measurable safety improvements. With no documented evidence of safety concerns directly attributable to wake boats, the currently proposed regulatory changes lack a demonstrated safety foundation. If safety is truly the priority, Vermont's resources would be more effectively utilized by strengthening boating education requirements and enhancing collaboration with Fish and Wildlife for improved outreach, reporting mechanisms, and resource distribution.

Response 31: See the responses to Comments #1, #7, #13, #25, #26, and #30. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 32: If we err, we should err on the side of safety and caution. As Subchapter 002: Vessels (23 V.S.A. § 3311) sums up: “An individual shall not operate any vessel or manipulate any water skis, surfboard, or similar device in a careless or negligent manner or in any manner to endanger or jeopardize the safety, life, or property of another person.”

Response 32: Please see the responses to Comments # 5, # 25, and #26. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 33: Wake boater’s vision is significantly impaired by the lifting of the bow due to heavy ballast making it difficult for the driver to see and safety separate high-wake activity from other recreational uses. Most people who experience safety issues never report these conflicts. They don’t know who to call to register a complaint, and they are wary of open conflict. Instead, they just choose to avoid the lake or avoid going out when wake boats are operating on the water.

Response 33: The Use of Public Waters Rules webpage provides information on how to file a complaint regarding the Use of Public Waters Rules:

<https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>. See also responses to comments #1, #5, #8, and #20. Any perceived or alleged violations of Vermont’s boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 34: Wake sports have become an easy target for groups who oppose motorized boating altogether. But policymaking must rise above anecdote and emotion. Studies from multiple states, including Minnesota, Wisconsin, and Georgia, have consistently found:

Wake boats, when operated responsibly and at appropriate distances, do not cause disproportionate shoreline erosion. Their wakes dissipate significantly before reaching shore when operated in deep water. They pose no unique safety risk compared to other motorized vessels. Vermont’s existing rules already reflect these findings. Additional restrictions would not be evidence-based- they would be reactionary.

Response 34: Under [3 V.S.A. Chapter 25](#), Agency rules must be consistent with the intent of the Legislature, not arbitrary, and within the authority of the Agency. Additionally, Agency rules must be

See responses to Comments #1 and #7. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 35: When DEC first implemented its wakesports rule, it acknowledged that public safety had not been fully considered and proposed addressing safety on a lake-by-

lake basis through individual petitions. Nine lakes submitted petitions. DEC wisely decided that statewide rule amendments were the more effective way to protect public safety. The current amendments do not move the goalposts—they correct a significant omission in the original rules.

Response 35: The Agency acknowledges this comment.

Comment 36: The hysterical nature of some of the stories shared by people in writing letters to the editor, to the DEC directly and in public meetings is nothing short of ridiculous. So much so, I have asked the Westmore Selectboard, who voted 3-2 in favor of not supporting the Westmore Associations petition, that all further alleged incidents that people claim to have happened to them would need to have been reported to the Vermont State Police in order for the Selectboard to rely on these accusations before making a decision. If the incident was that bad, it needs to be reported and investigated. I have zero tolerance for safety violations on the waters of Willoughby. If I was convinced these reports were true, this letter would be in full support of the petition I have answered approximately 14 emergency calls over the past few years some being 911 pager calls to Westmore Fire-Rescue and some self-responded and I will certify that of those calls ALL were for kayaks and paddle boarders in distress. Most calls were the result of terrible wind conditions, some were welfare checks, and some were caused by suspected overuse of alcohol or drugs. Not one of the calls, that I responded to or have knowledge of, were related to, or because of the unsafe operation of a motor craft of any size or shape on Willoughby. It is my sincere wish that the Vermont Agency of Natural Resources leave the current 200 foot requirement in place to stay away from other users of the lake and leave the current Wake Sports Zone Size at 50 acres.

Response 36: See response to Comments #1, #7, #16, #25, #26, and #82. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 37: As a swimmer, I'm alarmed by a wake boat driver's limited vision due to the heavy ballast lifting the bow. I'm wary of getting swamped by an unnatural wave that I cannot anticipate.

Response 37: See responses to Comments #1, #5, #8, and #20. Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 38: Of all the activities people pursue on and near the lake, from paddling, sailing, waterskiing, swimming, and fishing, to camping, no activity endangers the safety of others as much as wake boating.

Response 38: Please see responses to comments #1 and #7. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 39: Lakes are shared spaces where paddlers, swimmers, anglers, and boaters of all kinds have peacefully coexisted for generations. The current rules already prioritize safety and respectful use while allowing people of all ages to participate in the outdoor activities that best suit them. Restricting access to public waters is neither fair nor balanced. As recreation evolves, we should all be able to continue using these shared resources. As a physician, I understand the importance of both physical activity and mental well-being, and wakesports support both. Making them less accessible by limiting their use to only the largest lakes risks excluding families and individuals from a healthy and joyful way of engaging with the outdoors.

Response 39: See responses to Comments #20 and # 30. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 40: I remain fearful of being on a lake where wakeboats are permitted with a safety buffer of only 500 feet. Even worse is a scenario where I will have no recourse if one of these boats goes off course and comes even closer than this 500 foot buffer. Their mass and wake size pose an imminent threat to my health as well as my right to peaceful recreation and should not be allowed.

Response 40: The Agency acknowledges this comment. See the response to Comment #1.

Comment 41: In December 2024, two public hearings were held on nine lake petitions seeking to prohibit wakesports. At those hearings, many speakers described incidents or near accidents they or others they knew had experienced with wake boats. They spoke passionately about how they and the people they knew had modified their own behavior – leaving a lake when wake boats came out or not venturing onto the water if wake boats were present – to avoid incidents or exposing themselves unnecessarily to danger. Let's be absolutely clear - the lack of reported wake boat-related incidents does not reflect what is actually happening on Vermont's wakesports eligible lakes. On Lake Willoughby residents know that there is no fish and wildlife warden, no regular state police or other law enforcement, and that the nearest authority able to enforce anything is all the way up in Newport. DEC has made it clear that the new rule will not earmark any additional funding for enforcement.

Response 41: See the responses to Comments #7, #9, #16, #25, and #26. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 42: Vermont already operates under a statewide boating safety structure built around a 200-foot framework related to swimmers, shorelines, and other vessels. Major wakesurf research discussions focus on wake energy and wave attenuation, not on collision envelopes or separation bubbles from “any object.” For example, work from the University of Minnesota and St. Anthony Falls Laboratory examines distances needed for wake characteristics to diminish. That is a wake-behavior question, not proof that 500 feet from all objects is required for safe operation. Requiring 500 feet from shore and 500 feet from other vessels or swimmers creates a large moving exclusion zone. In normal lake use, this can make compliance impractical, converting theoretical allowance into practical prohibition. Conclusion: Without a boating-safety or collision-risk study supporting 500 feet from other vessels or swimmers, this reads as a policy restriction rather than a science-based safety threshold.

Response 42: The language in the proposed amendments to the Use of Public Waters Rules states

An individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

The 500-foot offset applies to other recreational users within the wakesports zone and does not apply to “any object.” Please see responses to Comments #1 and #24. The goal of the safety offset is to balance recreational uses and impacts among all users. The Vermont Administrative Procedures Act does not require scientific support for every aspect of a rule, but the statutes delegating our rulemaking authority expressly require consideration of non-scientific factors as part of a balanced regulatory framework. Title 10 (10 V.S.A. [§§ 1421 and 1424\(b\) and \(c\)](#)) directs us to consider public health, safety, welfare, recreational uses, scenic beauty, and multiple use management—factors that are not exclusively dependent on scientific data. Our rulemaking must integrate science, professional judgment, and real-world management needs.

Comment 43: The proposed changes are helpful because of the substantial impact wake surfing imposes on all other public users. This is especially true in small lakes. Thus the expanded safety area required for wakesports and wake surfing is reasonable. Responsible proponents of this sport recognize the dangers involved in their sport and the exclusionary impact that wake surfing has on nearby swimmers, paddlers, anglers, and sailors.

Response 43: The Agency acknowledges this comment.

Comment 44: I am very concerned about the 500-foot safety buffer. Safety is a priority for everyone, but this requirement may actually create a serious concern. Most general boaters do not know what 500 feet looks like on the water, especially when many already struggle to accurately judge the current 250-foot distance. Without clear evidence that this change solves a proven safety issue, it feels like an unnecessary complication for everyone on the lake.

Response 44: Please see the response to Comments #23, #24, and #9.

Comment 45: I support safety considerations but they do not go far enough.

Response 45: Please see response to Comment #1.

Comment 46: I Oppose the 500-Foot Buffer from “Any Object” in a Wake Zone. Wake studies focus on shoreline wave attenuation — not 360° “object exclusion” zones. Vermont already operates under a 200-foot safety framework. This proposal creates a moving exclusion bubble that makes lawful operation extremely difficult and impractical.

Response 46: Please see responses to Comments #9, #23, and #42.

Comment 47: Before the Agency even considers additional restrictions, it must ensure that the existing 2024 rules are fully implemented, communicated to the public, and incorporated into official boater education and enforcement training. Expanding regulations when the current framework has not yet been properly socialized or taught to the average boater undermines the fairness of our laws. Regulatory expansion without a foundation of education does not protect the environment; it only creates confusion and diminishes public trust. I have serious practical concerns about the 500-foot safety buffer. Safety is a shared priority, but a rule is only effective if it can be followed. Most boaters already find it difficult to accurately judge 250 feet on open water. Doubling that distance to 500 feet—nearly the length of two football fields—without a clear, data-backed safety justification will lead to unintentional violations and unnecessary conflict between neighbors.

Furthermore, the expansion of the safety buffer to 500 feet is a practical failure in the making. Expecting the general boating public to accurately judge a distance of nearly two football fields from every shore point is unrealistic. When rules are impossible for a reasonable person to visualize, they do not enhance safety; they merely create a landscape of unintentional violations and unnecessary conflict.

Response 47: The proposed amendments put forth into rulemaking are to address additional considerations not originally included in the Use of Public Waters Rules amendments adopted in 2024. Specifically, these proposed changes are to address safety

considerations and operational considerations that were observed after the existing rule was in place. Additional outreach and education are a priority of the Agency to ensure that the regulated public is familiar with the rules and regulations that apply. GIS-enabled maps have been available to boaters since the adoption of wakesports rules that allow boat operators to know in real-time whether or not they are 500-feet from shore from their smart phone. Maps are also available at access areas and on the [Wakesports webpage](#). Please see responses to comments #23 and #25.

Comment 48: Our lakes belong to all Vermonters. They are shared natural resources, and no single user group should be given preference over another when existing regulations are already in place and functioning. The current 50-acre minimum area requirement and 200 foot safety offset were only recently implemented. From what I have personally observed, these rules are working. Boaters are aware of them and are following them. I have not seen clear evidence of widespread violations or measurable harm that would justify further restrictions at this time.

Response 48: Please see responses to Comments #20 and #7.

Comment 49: Vermont already operates under a statewide boating safety structure built around a 200-foot framework related to swimmers, shorelines, and other vessels. Major wakesurf research discussions focus on wake energy and wave attenuation, not on collision envelopes or separation bubbles from “any object.”

For example, work from the University of Minnesota and St. Anthony Falls Laboratory examines distances needed for wake characteristics to diminish. That is a wake-behavior question, not proof that 500 feet from all objects is required for safe operation. Requiring 500 feet from shore and 500 feet from other vessels or swimmers creates a large moving exclusion zone. In normal lake use, this can make compliance impractical, converting theoretical allowance into practical prohibition. Conclusion: Without a boating-safety or collision-risk study supporting 500 feet from other vessels or swimmers, this reads as a policy restriction rather than a science-based safety threshold.

Response 49: Please see response to Comment #42.

Comment 50: Wake boats are recognized by the U.S. Coast Guard as safe, and there are no reports of accidents or citations related to wake boats. In contrast, fishing boats, personal watercraft, and pontoon boats have been involved in numerous safety incidents. This underscores the fact that wake boats, when operated responsibly, do not pose a unique safety risk in the water or on land.

Response 50: Please see response to comment #7.

Comment 51: Vermont's current rule is already one of the most restrictive in the country. We have operated within these boundaries while respecting other water users and protecting our environment. Further restrictions are unnecessary and unjust.

Response 51: Please see response to Comment #1.

Comment 52: Proposed safety buffer should be raised to 700 feet

Response 52: Please see the response to Comment #1.

Comment 53: The 500-foot rule is a major safety issue and invitation for serious controversy among boaters. Having a wake boat stay 500 ft from any vessel and the other boaters can come within this 500 ft makes absolutely no sense. Controversial boaters will maintain this distance just to shut down all wakeboarding. This would be a major problem on the water. Educating the public is also a major issue. Are the current rules in the boating safety courses?

Response 53: The boating safety course was updated to include references to the Use of Public Waters Rules. *The Handbook of Vermont Boating Laws and Responsibilities*, Page 48. See also, the response to Comment #24.

Additionally, on the Vermont Fish & Wildlife Department's (FWD) page regarding Boating in Vermont, FWD points to the Vermont Use of Public Waters Rules and specifically highlights the wakesports provisions in the rules.

Source: Boating in Vermont, Vermont Fish & Wildlife Department available at <https://vtfishandwildlife.com/fish/boating-in-vermont#education>.

A free copy of *The Handbook of Vermont Boating Laws and Responsibilities* is available at <https://www.boat-ed.com/vermont/handbook/>.

To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 54: Safety incidents more commonly involve fishing boats, personal watercraft, and pontoon boats. This does not mean those vessels should be restricted it simply illustrates that wake boats, when operated responsibly and within established guidelines, do not represent a singular safety concern. I oppose 500 ft from any object in wakezone. This will create confusion and conflict. Follow the US Coast guard rules of 250 Feet. As someone who shares the water with all types of users I believe the focus should remain on responsible operation and enforceable behavior standards rather than vessel-specific restrictions unsupported by comparative data.

Response 54: Please see responses to Comments #25 and #42.

Comment 55: Many wakeboaters are not aware of the wakes they create. The 500-foot safety distance may not be enough.

Response 55: Please see response to Comment #1.

Comment 56: For a safe turnaround in a wakeboat, it's wise to add a significant safety margin, considering factors like boat speed, wind, water currents, and driver skill. A common recommendation would be to add 50% to the estimated turning radius for added safety. Given that a wakeboat typically needs 150-200 feet to turn around, you could add a safety margin of around 75-100 feet. This would bring the total space required to 225-300 feet for a comfortable, safe turn.

Response 56: The wakesports zone definition includes width minimums of 200 feet for the zone and the proposed amendments include the ability to normalize the shape of the wakesports zone, which supports compliance of remaining in the wakesports zone. The existing wakesports zone and proposed amendments to the wakesports zone definition can support space for wakeboats to turn.

Comment 57: I spend hours a week on the lake every summer and have not seen any incidents involving wake surf boats that would justify pushing the new 500-foot safety proposal. The agency summarizes the proposed 2026 changes to improve safety and reduce conflict. The 2024 rule has been in effect for only one boating season, and there have been no statewide reports on wakeboat enforcement violations presented to the public. Safety-based regulations usually follow documented incident data, yet no Vermont statistics have been provided showing any incidents involving injury or shoreline damage under the current 2024 rule. While I did not like the 2024 rule, we accepted it and followed it. What enforcement or incident data shows that the existing rule is inadequate? Policy should respond to documented incidents and facts, not the emotions and assumptions. I believe that the new proposal will cause more harm than good, wake boats travel slow, but having to stop if someone enters the 500 foot safety zone it could cause harm to the surfer or wake boarder behind the boat. I strongly oppose these new rule changes.

Response 57: Please see response to Comments #7, #9, and #24.

Comment 58: I swim the lake every day in any weather, when I am there and in recent years I have been dismayed by the increasing speed of boats, their number and the new dangers they pose to me and my family who swim the edge of the lake. Last summer, even though I drag an orange balloon now for safety, a high speed boat came into our cove way too fast and I had to swim fast toward the shore to get out of their way. Increasingly our enjoyment of the lake is ruined by the roar of high speed boats which we can hear clearly at our cabin. We don't come to the lake to feel like we are by the side of a highway!

Response 58: The Agency acknowledges this comment. Typically, wakeboats travel at slow-speeds. Potential violations of the Use of Public Waters Rules should be reported to law enforcement.

Comment 59: A wakeboat, by the very nature of its wake CANNOT EFFECTIVELY YIELD to other lake users BECAUSE THE WAKE IS SO POWERFUL AND TRAVELS SO FAR.

Response 59: Please see response to Comment #1.

Comment 60: As a Vermonter who loves to kayak on quiet water, often with my young children or friends who have little kayaking experience, I would like to express my support for a strong wakeboat rule that will increase safety offsets between wakesports and other recreational users. These common sense parameters are supported by scientific research and by the experiences of non-wakeboat recreationists on Vermont lakes where wakeboats have already appeared. Increasing offsets provides space for human-powered recreation in peaceful conditions, so that we can share Vermont waters safely and fairly. Our state's way of life and outdoor tourism economy are highly dependent on this type of sharing, and our values demand respect for science, for wildlife, for inclusion and safety of young children and paddling novices, and for experiencing nature in a quiet soundscape.

Response 60: The Agency acknowledges this comment.

Comment 61: I enjoy canoeing and small craft sailing. How am I expected to navigate a lake when a wake boat is present? Must I circumnavigate the perimeter of a lake within the off-shore lane in which the wake boats are prohibited, thus substantially extending the distance I must travel to reach the opposite shore? ... rather than cross mid-lake as might be desirable, but where the wake may cause substantial risk or in some way compromise my safety.

Response 61: The wakesports zone is not exclusive to wakesports use. Other users are able to access the wakesports zone. The proposed 500-foot safety offset for wakesports from other users is intended to decrease the wave impacts to other users. Please see the response to Comment #1.

Comment 62: We again need consistent regulation. Traditional ski boats travel at high speeds, tubers require erratic turns, and early morning fishing boats speed across a lake at the exact time swimmers seek calm water. Safety studies consistently show that speed, visibility, and operator behavior — not boat type — are the primary risk factors in recreational boating incidents across the country. We need better boater education.

Response 62: The Agency agrees that additional boater safety education is important for all motorized recreation. See responses to Comments # 24 and #58.

Comment 63: The wakeboat industry has turned its attention to Vermont. Lake Bomoseen wakeboat owners and commercial marinas, along with professional lobbyists, have showed up to protest the new proposed rule amendments. Please do not allow our public process to be hijacked by industry representatives and self-interested individuals from Vermont's largest inland lake. Lake Bomoseen wakesport enthusiasts will remain largely unaffected by the proposed rule changes. They will continue to enjoy their sport. The marinas will continue to practice business as usual. The main argument from this opposition group is that regulation is unnecessary. The focus should be on education instead. Unfortunately, this begs the question -- if education works, why do they still balk at keeping a safe distance from swimmers and paddlers? Their insistence serves as evidence that education in fact does NOT work! Both science and lived experience argue for increasing the distance from other lake users to protect public safety. It is alarming that wakesport practitioners still insist that swimmers and paddlers are safe at a distance of 200 feet. Lake Bomoseen at 2,400 acres is categorically different from the other truly small Vermont lakes, many of which are closer to 400 or 500 acres . Please stand up for the rest of Vermont and don't allow this special-interest group to derail a carefully researched rule.

Response 63: The proposal to require that wakesports occur further from other users than the standard 200-foot distance, as described in the response to Comment #1, is to align safety offsets for wakesports with an equivalent impact as other motorsports. See response to Comment #65.

Comment 64: There is no precedence for unfettered technological expansion into natural systems. Machines are prohibited from natural systems all the time. Lakes are no different. Just because this nautical technology exists it is no justification for inappropriate access to natural systems. There should be no presumed acceptance of technologies, period. Second, there are many, many safety issues which must take precedence. The list includes young swimmers, boaters, sailors who may be at threat from high wave levels. This is a safety issue for all of the abutting towns tax-paying citizens and their children and it is an issue for the children's summer camps who are responsible for the health and safety of its campers, on the water. Third, where are the studies that determine the ecological safety of wake boats?

Response 64: Please see the response to Comment #20.

Comment 65: The Agency has stated that the 500-foot distance for user separation is "grounded primarily" in shoreline wave-attenuation studies. Those studies—Marr, MacFarlane, and Mercier-Blais & Prairie—address how wave energy dissipates before it reaches the shoreline. They do not evaluate the safety of paddlers, swimmers, or other boaters at varying distances from a moving wakeboat. Using shoreline erosion research to

justify a human-safety buffer is not supported anywhere in the scientific literature. The Agency also referenced an informal field comparison involving a wakeboat, a motorboat, and a kayaker. While I appreciate the attempt to observe real-world conditions, a single uncontrolled demonstration cannot serve as the basis for a statewide regulation. There is no documented methodology, no replicated measurements, and no data that other stakeholders can review. One kayaker's subjective impression at two distances does not constitute evidence for a rule of this scale. More importantly, the Agency's own description of that demonstration undercuts the conclusion being drawn. The kayaker reportedly experienced wave effects from a wakeboat at 500 feet that felt similar to the effects normally experienced 200 feet from a standard motorboat. Under Vermont law, 200 feet is already the accepted safe separation distance for all motorboats when it comes to other water users. If a wakeboat at 500 feet produces roughly the same conditions that are already considered legally safe at 200 feet, then a wakeboat operating at 500 feet is, by definition, within Vermont's existing safety standard. Nothing in the field comparison justifies replacing the long-standing 200-foot rule with a new 500-foot user buffer.

Response 65: The safety offset was not derived from field observations made by Agency staff. Rather the field observations made over time were additional supporting information. The primary justification for the safety offset was derived as described in the response to Comment #1.

The Vermont Administrative Procedures Act does not require scientific support for every aspect of a rule, but the statutes delegating our rulemaking authority allows the Agency consideration of non-scientific factors as part of a balanced regulatory framework. Title 10 (10 V.S.A. [§§ 1421](#) and [1424\(b\) and \(c\)](#)) directs us to consider public health, safety, welfare, recreational uses, scenic beauty, and multiple use management—factors that are not exclusively dependent on scientific data. Our rulemaking must integrate science, professional judgment, and real-world management needs.

Comment 66: The current UPW petition process should require that any non-traditional use activities or new watercraft technologies proposed for use on public waters must first file a petition. The petitioners should clearly prove that their activities do not pose public safety hazards or harm the environment.

Response 66: The current rulemaking process was prompted at the discretion of the Agency pursuant to [10 V.S.A. § 1424](#). To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 67: The current 50 acre minimum area requirement and 200 foot safety offset were only recently implemented. From what I have personally observed, these rules are

working. Boaters are aware of them and are following them. I have not seen clear evidence of widespread violations or measurable harm that would justify further restrictions at this time.

Response 67: Please see the response to Comment #7.

Comment 68: The lack of enforcement provisions make me very worried that they will be on paper only. A geo location tag for all active wakeboats, available on any I phone should be required and submitted to the state after any “wake” usage so that the safety offsets will be documented and violators can be punished.

Response 68: The Agency acknowledges this comment. See responses to Comments #7, #9, and #13.

Comment 69: Across Vermont—and in lake communities across other states—there has been a consistent call for strict regulatory action for wakesports. Residents who value their lakes are witnessing the safety risks firsthand, including dangerous encounters, near misses with swimmers that could have resulted in a fatality, swamped and capsized boats. These incidents are not isolated; they represent a clear collective warning from those who live closest to the dangers. Many people refrain from reporting these incidents due to a lack of enforcement, opting instead to avoid the lake when wakesports commence.

Response 69: The Agency acknowledges this comment.

Comment 70: A 500-foot moving buffer also creates a 1,000-foot exclusion area, which would make wakesports impossible on many lakes, even those with no history of safety problems. The State already considers 200 feet a safe distance between motorboats and other users, and the existing laws on negligent operation and safe boating already address safety concerns.

Response 70: Please see response to comment #42.

Comment 71: Implementation sequencing matters. The State adopted significant wakesports changes in 2024. Before expanding further, it would be prudent to confirm that the current rule has been fully communicated through:

- boating safety instruction
- enforcement guidance
- public outreach
- and inter-agency coordination

Layering additional restrictions before that process is complete risks creating uneven understanding among the boating public. The petition context suggests that documented conflicts may be more limited and localized than a statewide expansion implies. That does

not mean concerns should be ignored — only that they may be better addressed through targeted monitoring and collaborative management rather than immediate broad tightening.

Response 71: The Agency has been engaged in all of the above steps beginning with adoption of the rule amendments to the Use of Public Waters Rules in 2024. The current proposed updates are to address State-wide concerns, rather than lake-by-lake issues.

Comment 72: I support requiring another person, who is at least 13 years of age, to act as a lookout when the boat is in wake sports mode. Note that in New Hampshire lookouts are also required for other sports, not just wake sports. Perhaps someone at ANR could call their NH counterpart to ask how this rule is playing out.

Suggested addition to consider for safety: "RSA 270-D:3 (New Hampshire)

- (a) No person shall operate a motorboat while towing water skiers, aquaplanes, or similar devices, or while engaged in wake surfing, unless another person is present in the motorboat who is physically able to observe and assist the person or appurtenance being towed or wake surfing. The observer shall be 13 years of age or older."

Response 72: The Agency acknowledges this comment. This suggestion would be better suited in the statutory language that regulates motorboat operation: [23 V.S.A. § 3305a](#). Currently, Vermont law states that “an individual under 12 years of age shall not operate a motorboat powered by more than six horsepower on the public waters of this State.” Specifically, towed watersports regulations are described here: [23 V.S.A. § 3315](#).

Comment 73: A 200-foot distance from an operating wake boat to a canoe, kayak, small boat, or swimmer is unsafe on its face. Amazingly, the agency has already noted in previous proceedings that it lacks expertise in swimmer and boater safety. This is an appalling admission by the agency charged with promulgation surface water rules that include safety, which should be a paramount concern! There is no justification for the present rule requiring a 500-foot separation to shorelines but allowing 200 feet to highly vulnerable swimmers and small boaters. As an experienced boater I can say that while a 500-foot distance to swimmers and small boaters is vast improvement over the present rule, it may well prove to be inadequate in practice. There has been no objective demonstration that even 500 feet would be safe. A swimmer confronting the chain of waves produced by an operating wake boat, even at 500 feet, might well be endangered. Children in the water, inexperienced kayakers and canoers might well experience dangerous conditions even at 500 feet, the Agency should commit to continuous study of the issue of safety and should retain experts on the subject matter to provide a definitive safety limit.

Response 73: Please see the response to Comment #1.

Comment 74: The 500 foot zone is inadequate in another sense. Although it is widely perceived to be an attempt at a safety zone for swimmers and paddlers near shore, it ignores the fact that many small boaters like to paddle or sail away from shore. It is no fun to imagine tacking or coming about continuously to sail a small boat around the perimeter of a lake in a 500 foot “safety zone“. Implicit in this “safety design“ is the implication that it would be dangerous for small boaters to venture into open waters if wake boats are operating. From years of experience, I can say that paddling down the middle of a big lake on a good day is one of the great pleasures of canoeing or kayaking. But if a wake boat is out there, you’re not gonna find me or most of my fellow paddlers on the water. Instead, we will be packing up our canoes or kayaks, and driving home in disgust.

Response 74: The wakesports zone is not exclusively for the use of wakesports. Please see the response to Comment #1.

Comment 75: On smaller lakes, docks, swim platforms, moorings, and other fixed in water buoys such as for a ski course should be taken into account such that the zone should be 500 feet from them and not just the shore (per 3.7 (c) An individual shall not engage in wakesports within 500 feet of an individual in the water, a canoe, rowboat, or other vessel; an anchored or moored vessel containing any individual; or anchorage of docks.) Also, on smaller lakes the wakesport zone may take up the bulk of the lake area away from shore, precluding any other boating while a wake boat is operating.

Response 75: Managing a wakesports zone delineation based on temporary structures and objects would not be feasible. The offset from shore is to address shoreline erosion concerns and the offset from other recreational uses is to address safety concerns. The wakesports zone is not exclusively for wakesports use.

Comment 76: When compared to other water sport activities such as skiing, tubing, wake boarding, wake surfing is by far the slowest and least likely to cause a boating accident. To place the burden on the wake boat to stay 500 feet away from any object while in the wakesport zone puts the wake boat at a significant disadvantage as compared to other boats enjoying high speed activities on Vermont’s lakes.

Response 76: Please see the response to Comments #7 and #42.

Proposed changes to the definition of a wakesports zone

Summary of proposed changes to the definition of a wakesports zone

The proposed Use of Public Waters Rules amendments include the following updated definition of a wakesports zone (bolded words are proposed new additions):

“Wakesports zone” means an area of a waterbody that has a minimum of **100** contiguous acres that are at least 500 feet from shore on all sides, at least 20 feet deep, **at least 3,000 feet long**, and at least 200 feet wide, located on a lake, pond, or reservoir on which, per Appendix A, vessels powered by internal combustion motors are allowed and may be used at speeds exceeding 5 miles per hour. **The Secretary shall define the boundaries of the wakesports zone using standard geographic information system methods to delineate and normalize a wakesports zone that supports wakeboat operation.** Wakesports zones are open to all uses permitted on the subject waterbody.

Expanding the wakesports zone from 50 acres to 100 acres and adding a 3,000-foot-long length requirement of the zone were proposed to address concerns about the cumulative impacts of multiple wakeboats in wakesports zones and to address user conflict on smaller lakes. Wakeboats typically travel in a straight line for a run at about 10-12 mph. A 3,000-foot run length allows enough length to provide up to a 3 minute straight run.

Under existing wakesports rules, a 500-foot offset from shore is in place to reduce wave impacts along the shoreline and the proposed rules under consideration identify the addition of a 500-foot safety offset between wakesports and other users. This 500-foot distance was identified in the scientific literature as being similar to the wave impact another user (or the shoreline) would experience from a traditional motorboat traveling over 5 mph (wake-creating speed) at 200 feet from shore or another user, the current standard for all motorboats.

Based on this standard, the Agency has determined that a wakeboat operating in wakesports mode could potentially cause a zone of impact from enhanced wake creation across a width of 1,000 feet (500 feet distance on either side of the boat) and up to 3,000 feet long for a single run.

To address conflict between uses, our goal is to ensure for adequate space for multiple users in the open-water/deeper parts of Vermont’s larger lakes, consistent with the Agency’s authority under [10 V.S.A. § 1421](#) and [§ 1424](#) to manage the State’s waters for multiple uses. Of the 30 inland lakes where wakesports were initially allowed under the 2024 rule, our analysis found that those with 50-99 acres of eligible zone could not practically contain more than one wakesports pathway, defined by a zone of impact of 3,000 feet long by 1,000 feet wide, due to lake size and geometry. Accordingly, use conflicts are more likely to occur on lakes below the 100-acre threshold because the available open-water/deeper areas are insufficient to support either multiple simultaneous wakesports runs or a wakesports run alongside other users.

Ensuring a wakesports zone is large enough to accommodate more than one run of this size is a strategy to reduce conflict with other users. On lakes with wakesports zones of 100 acres or greater, multiple pathways for wakesports can fit inside the wakesports zone. Lakes with wakesports zones of 100 acres in size and larger provide enough space within a wakesports zone to accommodate wakesports and other uses.

The proposed shape normalization is to remove odd-shaped portions of the zone to make compliance easier for wakesports operators and to better reflect on-the-ground operation.

Comments regarding the proposed “wakesports zone” definition

Comment 77: The proposed wakesports zone definition, including shape normalization creates a more uniform and more manageable area for wakesports activities.

Response 77: The Agency acknowledges this comment.

Comment 78: The 100-acre threshold will ensure that there is adequate space for wakesports and remove wakesports from smaller lakes, where there is not enough space for wakesports.

Response 78: The agency acknowledges this comment.

Comment 79: A 3,000-foot length requirement for a wakesports zone is based on assumptions and not scientific data.

Response 79: The proposal to update the wakesports zone definition so that wakesports zones are at least 3,000 feet in length was included to ensure that wakesports zones were large enough to accommodate wakesports usage. Wakeboats typically travel in a straight line for a run at about 10-12 mph. A 3,000-foot run length allows for about a 3 minute straight run and can accommodate shorter runs that are typical.

Scientific research is not the sole basis for rulemaking. Under the Vermont Administrative Procedures Act (APA) ([3 V.S.A. § 838](#) and [3 V.S.A. § 841](#)), agencies may rely on statutory authority and broader policy considerations, provided a rule is not arbitrary. The absence of scientific data alone does not make a rule arbitrary.

Accordingly, not only does the Vermont APA not require scientific support for every aspect of a rule, but the statutes delegating our rulemaking authority expressly require consideration of non-scientific factors as part of a balanced regulatory framework. Title 10 (10 V.S.A. [§§ 1421](#) and [1424\(b\) and \(c\)](#)) directs us to consider public health, safety, welfare, recreational uses, scenic beauty, and multiple use management—factors that are not

exclusively dependent on scientific data. Our rulemaking must integrate science, professional judgment, and real-world management needs.

The development of a 3,000 ft wakesports zone length allows for roughly a 3-minute ride, which represents a reasonable average for wakesports operators. The Agency considered practical navigation and safety concerns specifically, ensuring that other lake users have adequate time and space to move clear of an active run while still maintaining sufficient open water for normal recreational uses.

Comment 80: It is essential that the wake sports zone be increased from 50 to 100 acres and that there be a minimum run of 3000'. This is necessary for the safety of normal and traditional users. It is necessary so that one wakeboat can not usurp an area of a lake from these users. This is what was happening on Joe's Pond, where my family has had a camp for 66 years. The 50-acre wakesport zone was in the only broad and deep part of the lake. This part of the lake has always been the most popular place to recreate for traditional and normal users. Folks who like to fish want to do so in the deep part of the lake. Sailors head to this area because it is the only spot on the lake where they can make long tacks. It is the favorite area for kids to jump off a boat and swim. Kayakers and canoers head to this area for its beauty. And tubers and skiers want to be in this zone to make wide turns. But when one wakeboat is in this zone, it is off limits to all others, who have to avoid it in order to be safe from the large wakes produced by these boats. When a wakeboat is out there, others stay away.

Response 80: The proposed increase in wakesports zone size from 50 acres to 100 acres is designed to reduce conflict in wakesports zones and to ensure that lakes and ponds have sufficient space to accommodate wakesports and other users.

Comment 81: The explanation for the 3,000-foot number is based on the assumption that wakeboats typically travel 10–12 mph for about three minutes. However, this describes assumed boat behavior, not measured environmental impact. In reality, when we do watersports, we travel around 9 miles per hour for less than 3 minutes, which equals about approx 2,000 feet—not 3,000. Setting a fixed length requirement like this is not based on science; it is simply an estimate that does not reflect actual usage.

Response 81: The 3,000-foot length proposed for the wakesports zone can accommodate shorter and longer run lengths. The 3,000-foot length accommodates those who travel at slower and slightly faster speeds and provides space for starting, ending, and turning, while remaining within the boundaries of the wakesports zone.

Comment 82: The current 50-continuous-acre minimum Wake Sport Zone works well. It provides enough space for the safe operation of wakeboats while allowing other lake

activities to continue without conflict. I strongly believe that everyone should be able to use the waters as recreation evolves, and the existing 50-acre standard already supports this balance. Please keep the current Wake Sport Zone requirements in place.

Response 82: Under existing wakesports rules, a 500-foot offset from shore is in place to reduce wave impacts along the shoreline and the proposed rules under consideration identify the addition of a 500-foot safety offset between wakesports and other users. This 500-foot distance was identified as being similar to the wave impact another user (or the shoreline) would experience from a traditional motorboat traveling over 5 mph (wake-creating speed) at 200 feet from shore or another user, the current standard for all motorboats.

Based on this standard, the Agency has determined that a wakeboat operating in wakesports mode could potentially cause an impact from enhanced wake creation across a width of 1,000 feet (500 feet distance on either side of the boat). Additionally, the Agency has determined that a wakeboat operating in wakesports mode could need up to 3,000 feet in length for a full run 10-12 mph speed for up to 3 minutes). Based on this assessment, a wakeboat could potentially create a zone of impact of up to 3,000 feet long by 1,000 feet wide for a single run.

To address conflict between uses, our goal is to ensure for adequate space for multiple users in the open-water/deeper parts of Vermont's larger lakes, consistent with the Agency's authority under [10 V.S.A. § 1421](#) and [§ 1424](#) to manage the State's waters for multiple uses. Of the 30 inland lakes where wakesports were initially allowed under the 2024 rule, our analysis found that those with 50-99 acres of eligible zone could not practically contain more than one wakesports pathway, defined by a zone of impact of 3,000 feet long by 1,000 feet wide, due to lake size and geometry. Accordingly, use conflicts are more likely to occur on lakes below the 100-acre threshold because the available open-water/deeper areas are insufficient to support either multiple simultaneous wakesports runs or a wakesports run alongside other users.

Ensuring a wakesports zone is large enough to accommodate more than one run of this size is a strategy to reduce conflict with other users. When the Agency assessed wakesports eligible lakes across the State, only lakes that had at least 100 acres of wakesports zone could accommodate more than one wakesports "zone of impact" of up to 3,000 feet long by 1,000 feet wide. The proposal to require that a wakesports zone be at least 100 acres in size is to provide enough space within a wakesports zone to accommodate wakesports and other uses.

Please also see the response to Comment #20.

Comment 83: Why did ANR deem 50 acres at first, and then increase to 100 acres. Why do the requirements keep changing without data to support it? What is this driven by? We believe 50 contiguous acres is the correct number, and the opposition acknowledges 60 acres as reasonable, but NOT 100 acres. Why keep moving the goalposts? I urge you to maintain the original rule and clarify what unbiased data backs this current proposed change.

Response 83: The proposed change in the definition of a wakesports zone was driven, in part, by a concern to address conflicts in smaller lakes. Expanding the wakesports zone from 50 acres to 100 acres and adding a 3,000-foot-long length requirement of the zone were proposed to address concerns about the cumulative impacts of multiple wakeboats in wakesports zones and to address user conflict on smaller lakes. Please see the response to Comment #79 and #82.

Comment 84: These changes are reasonable and fair to all parties concerned, including wake boat owners. The lakes that will prohibit wake boats in DEC's proposal are just too small to currently accommodate these vessels that are growing larger and larger every year. The wake boats minimum safety zone of 100 acres significantly addresses swimming and boating safety. A minimum wake sports run of 3,000 feet allows for a wake boater to have more leeway and wiggle room to conform to the regulations.

Response 84: The Agency acknowledges this comment.

Comment 85: Acreage is not a direct scientific variable. Area thresholds are derived from assumed run length, wake width, and setbacks — geometry, not hydrodynamics. Vermont's current rule already requires at least 50 acres, along with shoreline setbacks and depth requirements. Increasing to 100 acres will remove additional waterbodies by definition. That is a policy outcome and should be acknowledged as such. Conclusion: Absent a study showing that 50 acres with existing safeguards is insufficient and 100 acres is necessary, this change functions as a policy lever to restrict access.

Response 85: The Agency can make a rule proposal based on best professional judgment and broader policy considerations, including safety and recreational uses, provided a rule is not arbitrary. The absence of scientific data alone does not make a rule arbitrary. The proposed change in acreage of the wakesports zone is to reduce conflict in smaller lakes through a policy decision on where certain uses are appropriate, and how much space is required for the support of multiple recreational uses. Please see the responses to Comments #20 and #79.

Comment 86: On wakesports zones smaller than 100 +/- acres, a single wake boat dominates the entire area, effectively turning what is normally a shared zone into an

exclusion zone. As zone size increases beyond that 100 or so acres, users have a greater opportunity to spread out; safety is increased, and conflicts may decline.

Response 86: The Agency acknowledges this comment.

Comment 87: The new rules would double the minimum size of a “wake sports zone” to 100 acres, from 50, effectively prohibiting towed water sports on a dozen inland Vermont lakes. The new rules would also require these zones to be at least 3,000 feet long – an arbitrary length not based in real-life boating practices. But at the time of the current rules’ enactment, just two years ago, the DEC said 50 acres was completely sufficient for “wake sports zones”. At 50 acres, “wake boat operation could be carried out with minimal environmental impact while also managing the impact on near-shore uses,” the agency said. These new criteria, proposed without any scientific or evidentiary basis, would force boat owners off their lakes –Requiring them to trailer their boats between other waterways around the state.

Response 87: Please see the response to Comments #79 and #82.

Comment 88: In March 2022, RWVL petitioned the ANR to amend the Vermont Use of Public Waters Rules to regulate wakesports. In their proposal, they stated that 60 contiguous acres would satisfy their concerns. This demonstrates that even advocacy groups seeking regulation identified a significantly lower acreage threshold as adequate. Moving to a 100-acre minimum goes well beyond that position without clear justification. Restricting access to public waters is not the Vermont Way. Vermont’s lakes are shared public resources. All users should be able to enjoy them as recreation evolves and technology advances. Wake surfing and modern wakesports are an evolution of longstanding towed water recreation not a new use of our waters. I formally oppose the proposed rule changes. When decisions move away from actual science and towards a small group of loud people trust is broken. Any changes should be based on clear, Vermont-specific data not fear and untrue stories. I personally have seen watersports in the wakesport zone section and I can tell you that Wakesurfing is NOT the cause for waves on shore!

Response 88: The proposed changes to the wakesports zone definition are not to address shoreline erosion. The existing 500-foot offset from shore included in the existing and proposed wakesports zone definition are designed to address that concern. Please see the response to Comments #20, #79, and #82.

Comment 89: The proposal represents a shift away from evidence and toward a subjective, petition-driven approach that undermines the progress achieved in 2024. The increase from 50 to 100 acres has been introduced without supporting ecological and safety

studies, and the Agency has provided no data explaining why 100 acres is necessary while intermediate sizes like 60 or 80 acres are inadequate. Similarly, the 3,000-foot run requirement lacks industry standard support and hydrodynamic analysis demonstrating superior environmental protection.

Response 89: In accordance with [10 V.S.A. § 1424](#), the public may petition the Agency to address Use of Public Waters conflicts:

On receipt of a written request that the Secretary adopt, amend, or repeal a rule with respect to the use of public waters signed by not less than one person, the Secretary shall consider the adoption of rules authorized under this section and take appropriate action as required under 3 V.S.A. § 806.

The Agency is required to respond to petitions submitted in regard to the Use of Public Waters. However, the current rulemaking process was prompted at the discretion of the Agency pursuant to 10 V.S.A. § 1424. The increase in size of the wakesports zone is intended to address recreational behaviors and supporting multiple uses. Please see the responses to Comments #79 and #82.

Comment 90: The 100-acre threshold functions as a categorical exclusion. It removes lakes by definition rather than through site specific environmental evaluation. Environmental policy should not rely on surface area as a proxy for ecological resilience without demonstrable correlation. If certain lakes are unsuitable due to shallow basins, steep shoreline slopes, or sensitive sediment composition, those conditions should be evaluated directly. Acreage alone is not a scientifically reliable indicator of wake impact. I request that the 100-acre minimum lake size threshold be withdrawn in favor of site-specific environmental criteria. There is no new data to justify a more restrictive 100-acre minimum.

Response 90: The proposed amendments to the Use of Public Waters Rules are meant to address issues on a State-wide basis, rather than on a lake-by-lake basis. The proposed acreage change is to address recreational behaviors and conflict between uses, rather than ecological concerns. Please see the responses to Comments #20, #79, #82, and #88.

Comment 91: -Why 100 acres?

This proposed increase in the minimum area of a wakesports zone responds to safety concerns such as hazards to other users of the lake, and the cumulative effects of multiple wakeboats operating simultaneously.

It is based on the operational needs of wake surfing, which require enough straight-line distance to provide an enjoyable surfing session, as well as distance on both sides of the

surfer to allow for effective dissipation of the wake, and the room necessary for the wakeboat to turn and maneuver at the end of the run.

Length

A wakesports zone needs to be at least 3,000 feet in length in order to accommodate typical wake surfing sessions. Wakesurfers normally travel in a straight line at 10-12 mph. A 3,000-foot run length allows for about a three- minute straight run, which mimics typical surfing behavior. This consideration was not explicitly included into the original state-wide rule.

It takes at least 3000' of distance for a wake surf boat to accelerate, raise and tune its wave, as the surfer stands up; then more distance for the surfer to stabilize on the wave before dropping the rope; then some distance for the actual surfing for perhaps one minute; followed by more distance as the surfer leaves the wave, the boat decelerates, and returns to pick up the surfer. Instructional material from wake boat manufacturers and enthusiasts describes this process in detail, forming the basis of the animated illustration of a typical wake surfing run on the RWVL web site. See A Wake Surfing Session

Width

A wakesports zone needs to be at least 1400 feet wide, in water at least 30 feet deep, to allow for dissipation of the surf waves before they reach the shoreline, docks, moored boats, swimmers, anglers, or other users of the lake. The 1400-foot width is based on the 600-foot-per side recommendations of DEC staff, averaged with the 900-foot-per-side recommendations of the most relevant research studies. A 3000-foot rectangle 1400 feet wide amounts to just under 100 acres. For animated explanations of this, see

A Day on the Lake at <http://responsiblewakes.org/?p=714>, and A Wake Surfing Session at <http://responsiblewakes.org/wp-content/uploads/2022/11/WakeSurfPathsvideo.mov>

Response 91: The Agency acknowledges this comment.

Comment 92: What gives me pause about the proposed expansion is the apparent mismatch between documented activity levels and the scale of the statewide response. Many of the petition materials appear to reflect precautionary concerns on lakes where wakeboats were rarely or never observed. That distinction matters. Responsible regulation should be driven primarily by demonstrated patterns of conflict, not by the possibility that conflicts could occur someday.

Response 92: Please see the response to Comments #7 and #82.

Comment 93: The acreage modeling also raises legitimate questions. If the conceptual wakesports corridor is approximately 3,000 feet long and 1,000 feet wide, the math yields roughly 68.9 acres. Yet the proposed eligibility threshold is set at 100 contiguous acres. That represents a significant increase beyond the modeled footprint and could unnecessarily exclude lakes that otherwise function safely under the current rule.

Response 93: Accommodating the 3,000-foot length within a wakesports zone depends on the shape and depth of the waterbody. A rectangle that is 3,000 feet long by 1,000 feet wide is roughly about 68.9 acres in size. When overlaying the 3,000-foot-long x 1,000-foot-wide rectangle on the 30 wakesports eligible lakes, several of the wakesports zones on smaller lakes were not 3,000 feet long; only the lakes with wakesports zones of 100 acres in size or larger could accommodate more than one rectangle designed to demonstrate a zone of impact from wakesports. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 94: The acreage modeling also raises legitimate questions. If the conceptual wakesports corridor is approximately 3,000 feet long and 1,000 feet wide, the math yields roughly 68.9 acres. Yet the proposed eligibility threshold is set at 100 contiguous acres. That represents a significant increase beyond the modeled footprint and could unnecessarily exclude lakes that otherwise function safely under the current rule.

Response 94: Please see the response to Comment #93.

Comment 95: The Risk of Overpopulation and Congestion By eliminating access on smaller, approved lakes, the state will effectively force the entire wakesport community onto a much smaller number of water bodies. This overpopulation creates significant safety concerns, increases user conflict, and places a disproportionate ecological burden on the few lakes that remain open to us.

Response 95: Most wakesports in Vermont occur on larger lakes like Lake Champlain and Lake Bomoseen. Wakeboat operators tend to stay on one lake and not trailer their boats from lake to lake. When the original wakesports rules were adopted in 2024, there was not evidence of an influx of additional wakesports activity to the remaining 30 lakes. However, reducing the number of wakesports eligible lakes, could require some wakesports operators to travel to different lakes. The lakes that are wakesports eligible under these proposed rules are more compatible with shared uses. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 96: There is no data showing why 100 acres is safe while 60, 70, or 80 acres is not. This change disproportionately eliminates access to specific lakes that families have

enjoyed for years, rather than addressing measured environmental impacts on those specific bodies of water.

Response 96: Please see the responses to Comments #79, #82, and #85.

Comment 97: The increased scrutiny across the country of the effects of 600+ hp engines powering 10,000 pounds of displacement to slowly and relentlessly push water and create 3 - 4 foot waves has documented the need to limit wake surfing to only the largest and deepest lakes. This is step one in a reasoned management for this activity.

Response 97: The Agency acknowledges this comment.

Comment 98: The proposal to increase the minimum wake sport zone size from 50 acres to 100 acres would eliminate wake sport access on several lakes where it currently functions safely and responsibly.

- Many of these lakes have long histories of safe wake sport use under the existing 50-acre standard.
- Expanding the requirement to 100 acres does not align with actual lake use, conditions, or historical safety records.
- This change would unnecessarily restrict access and penalize responsible boaters without evidence of improved safety outcomes.

Wake sports are a valued recreational activity in Vermont, enjoyed by families and communities who take pride in safe and responsible boating. The existing regulations already provide clear standards that balance safety with access. Further restrictions, absent evidence of risk, would unfairly limit participation and diminish the vitality of our lakes.

I urge the Department to reconsider these proposals and instead focus on education, enforcement of existing rules, and collaboration with the boating community. Vermont has an opportunity to lead with fact-based, balanced policy that supports both safety and recreation. Thank you for your consideration of this important matter. I appreciate your commitment to protecting Vermont's waters while ensuring fair access for all users.

Response 98: The proposed rules are designed to address conflict in smaller lakes and to identify where certain uses are appropriate, and how much space is required for the support of multiple recreational uses. Please see the responses to Comments #20, #79, and #82. The Department acknowledges that there are no official safety violations regarding wakesports in Vermont, please see Comment #7.

Comment 99: This revised rule, requiring at least 100 contiguous acres of lake, at least 500 feet from shore and 20 feet deep, would protect the majority of the boating and recreating public, that majority that do not participate in wave producing wakesports. This new rule, including the extension of length required to 3000 feet, would reduce the negative impacts of erosion, harm to loons and other wildlife, and limit the arrival of invasive species (newly arrived in Waterbury—yellow irises), and shoreline impacts of wakes. Wakesports will continue to be allowed on 18 lakes in Vermont; that number is far more than the number of lakes dedicated to paddling where motorboat activity is prohibited. There are far more quiet water users and paddlers than there are wakesports participants in Vermont, so this rule addresses the well-stated and documented concerns of the majority of recreational lake users, while still providing multiple options for wakesports.

Response 99: The Agency acknowledges this comment.

Comment 100: The popularity of wakesports is projected to grow significantly in Vermont and throughout the nation in the coming years. Clearly ANR has taken this into account in the newly proposed definition of a wakesport zone, which will require a minimum of 100 acres and a 3,000-foot length requirement. This change will allow multiple wakeboarders to safely enjoy their sport concurrently and obliges each wake boat operator, when there are multiple wake boats on a lake, to carefully scope out their route, providing greater safety for all when sharing the wakesport zone becomes necessary. In addition, it will lessen conflicts that are likely to arise with an increase in users competing for space within the designated wakesport zone. All in all, these proposed changes will benefit the vast majority of lake users and I appreciate being given the opportunity to provide feedback on your proposals.

Response 100: The Agency acknowledges this comment.

Comment 101: Wake boats only belong on the largest bodies of water in Vermont! I urge you to pass the proposed 100 acre WSZ and 3000' minimum wake sport run. A wake boat sweet spot is 10-12.5 MPH, this translates into a 3minute -25 second run NOT INCLUDING turn around space NOT MUCH OF A RIDE!

Response 101: The Agency acknowledges this comment.

Comment 102: I would prefer no wake boats on Vermont waterways, but a minimum 100-acre zone will provide more room for boats and offer greater protection to others.

Response 102: The Agency acknowledges this comment.

Comment 103: The proposed changes—including a minimum 100-acre wakesports safety zone, a required 3,000-foot wakesports run, and expanded setback distances—are

necessary to address the size, power, and wave energy produced by modern wake boats. These boats are fundamentally different from traditional motorboats and create risks that current rules do not adequately address.

Response 103: The Agency acknowledges this comment.

Comment 104: There is no way wakesports can operate safely in an area as small as currently allowed and so close to shore. Please increase the acreage to at least 100 acres and make it 1000' from shore.

Response 104: The Agency acknowledges this comment. The current proposal retains 500 foot from shore offset, as that is supported as the least restrictive means to prevent shoreline erosion.

Comment 105: The ANR's mission is built on science-based decision making and balanced use. If a rule isn't backed by measured impacts and enforcement trends, it fails that mission. Right now, this process feels driven by interest-group pressure rather than verified findings, which undermines public trust.

-Before expanding restrictions, the state must provide:

-Scientific studies supporting the 3,000-foot requirement.

-Ecological justification for a 100-acre minimum.

-Documented data proving that current rules—which have been in place for less than a year—are failing.

Advancing further restrictions by 2026 based on petitions rather than Vermont-specific research is premature. We should be fact-checking claims, not rushing to eliminate a sport based on unsubstantiated pressure.

Response 105: See the responses to Comments #20, #79, and #89

Comment 106: I do not believe these revisions are necessary, practical to enforce, or supported by evidence showing they would improve safety or environmental protection. Doubling the minimum required acreage for wake sport zones would effectively eliminate access on many lakes where wake sports have been enjoyed safely for decades under the current 50-acre standard.

These lakes have long histories of responsible use without documented safety issues that would justify such a substantial increase. The proposal does not appear to be based on lake-specific conditions, user behavior, or empirical data demonstrating that a 100-acre minimum provides additional safety or environmental benefits.

Without clear evidence that doubling the acreage requirement improves outcomes, this change would unnecessarily restrict access for responsible boaters and limit a legitimate recreational activity.

Response 106: See responses to Comments #7 and #20.

Comment 107: Based on the most recent studies, I believe that the minimum depth should be increased to 30 feet to reduce sediment and latent phosphorous disturbance.

Response 107: The Agency has found that requiring wakesports to occur in areas that are 20 feet deep or more is the least restrictive approach that is protective of natural resources. This is consistent with the Agency's findings during the 2023-2024 rulemaking process.

Lakebed sediment disturbances are dependent on multiple factors, including sediment type, boat size, wind and wave conditions. Review of the current scientific literature confirms that 20 feet of depth for wakesports is generally protective of the resource. See the [2023 Use of Public Waters Rules filing Scientific Information Statement](#) (beginning on page 29 of the PDF document). However, the Agency remains committed to reviewing new scientific literature should it become available. To the extent this response does not address issues raised by this comment, the Agency acknowledges this comment.

Comment 108: Wakeboats should operate further than 1000 feet from shore, in water at least 20 feet deep, in an area of 60 or more contiguous acres. These parameters are supported by scientific research and by the reality of life on Vermont lakes where wakeboats have already appeared. Lowering the distance to 500 feet makes no sense based on the evidence and neither does catering to boats that make swimming and non-motorized boating traumatic. Just as on roads we give precedence to pedestrians over bikes over cars then we should also protect the simplest modes first. This new rule does not go far enough.

Response 108: It is the Agency's position that requiring wakesports to occur 500 feet from shore in waters that are at least 20 feet deep is both protective of the natural resource and the least restrictive approach to managing conflict. The Use of Public Waters Rules does not regulate recreational activities to a "no-impact standard." Please see the [2023 Use of Public Waters Rules filing Scientific Information Statement](#) for more detail regarding the development of the 500-foot offset from shore.

Comment 109: ANR, where is the non-bias fact-based studies that support the new proposed 100 Continuous acre rule? It seems to me the only data being looked at has been given by Responsible Wakes for Vermont Lakes. Responsible Wakes own states "In summary, we propose a 60-contiguous acre minimum Wake Sport Zone for wake boat activities, which is in keeping with previous rulemaking and will help maintain the public benefit provided by the State for the enjoyment of other, less impactful, activities, such as waterskiing, cruising, canoeing, kayaking, sailing, paddleboarding, swimming, and fishing."

Why did ANR deemed 50 acres at first and then increase to 100 acres. Why do the requirements keep changing without data to support it, what is this driven by?

Response 109: The proposed change in the definition of a wakesports zone was driven by a concern to address conflict in smaller lakes. See the response to Comment #82.

Comment 110: Do not to compromise the safety of an entire community to allow a small number of people to pursue their hobby, and to implement a minimum 100-acre WSZ.

Response 110: The Agency acknowledges this comment.

Comment 111: I am writing to urge you to reject the proposed changes to the wakesports regulations and keep the current rules in place specifically, to reject the requirement for 100 contiguous acres and the increase of the safety offset to 500 feet. I respectfully ask that you:

- Reject the proposed 100-acre zone requirement,
- Maintain the current 50-acre minimum, and
- Keep the safety offset at 250 feet, like all other boats

Our lakes are more than scenic landscapes they are places where we stay active, create memories, and build lasting traditions.

Overregulating access, especially when the existing rules are working, would take these opportunities away from families who use the lake respectfully and safely. Restricting access to public waters is neither fair nor balanced. As recreation evolves, everyone should continue to have reasonable access to these shared resources.

Under the current rules, lake users such as campers, anglers, swimmers, paddlers, and wakeboarders have shared the water safely and respectfully.

The Vermont Agency of Natural Resources states that “use conflicts shall be managed using the least restrictive approach practicable that adequately addresses the conflicts.” I urge you to honor that principle. The current wakesports rules reflect this balance by protecting safety and access while allowing diverse recreational uses to coexist.

Let us continue to support policies that reflect law, science, community values, access, and fairness. If wakesports are pushed off most lakes, the remaining lakes will simply become more crowded, which could make the problem worse—not better. That outcome helps no one.

Response 111: See response to Comment #20.

Comment 112: In 2024, LCAR members also anticipated an impending growth of wakesports in the state and cited the cumulative effect of multiple wake boats on a lake as another area of concern. You’ve addressed this by proposing an increase in the acreage for

a wakesport zone to 100 and establishing a minimum length that appropriately accommodates acceleration, run length and deceleration for a moderately experienced wake surfer, as well as a reasonable run length for a wake boarder. Without question, lakes that now support one (or more) wake boats operating without controversy are likely to face significant conflicts, not to mention safety concerns, with the impending increase in the number of wakesport enthusiasts vying for space.

Response 112: The Agency acknowledges this comment.

Comment 113: I am writing to express my strong opposition to the proposal to increase the minimum lake size for wakesports from 50 to 100 contiguous acres. This change lacks a clear scientific basis and threatens to create the very environmental and safety issues the ANR is tasked with preventing.

Lack of Ecological Justification The move from 50 to 100 acres does not appear to be based on any documented ecological thresholds. The current 50-acre standard was finalized a year ago after an extensive rulemaking process that determined it was sufficient for safe and sustainable water use. To double this requirement now—without new, verified scientific data—suggests that this is a targeted restriction of a specific user group rather than an evidence-based environmental protection.

Response 113: The proposed increase in the wakesports zone definition that increase the zone from 50 acres to 100 acres were not proposed to address water quality or ecological concerns. Rather this proposed change is to address safety and cumulative impacts concerns within the wakesports zone.

Scientific research is not the sole basis for rulemaking. Under the Vermont Administrative Procedures Act (APA) ([3 V.S.A. § 838](#) and [3 V.S.A. § 841](#)), agencies may rely on statutory authority and broader policy considerations, provided a rule is not arbitrary. The absence of scientific data alone does not make a rule arbitrary.

Accordingly, not only does the Vermont APA not require scientific support for every aspect of a rule, but the statutes delegating our rulemaking authority expressly require consideration of non-scientific factors as part of a balanced regulatory framework. Title 10 (10 V.S.A. [§§ 1421](#) and [1424\(b\) and \(c\)](#)) directs us to consider public health, safety, welfare, recreational uses, scenic beauty, and multiple use management—factors that are not exclusively dependent on scientific data. Our rulemaking must integrate science, professional judgment, and real-world management needs.

Comment 114: The Risk of Overpopulation and Congestion By eliminating access on smaller, approved lakes, the state will effectively force the entire wakesport community onto a much smaller number of water bodies. This overpopulation creates significant

safety concerns, increases user conflict, and places a disproportionate ecological burden on the few lakes that remain open to us.

Increased Lake-to-Lake Travel Data from 2025 shows that out of 125 monitored boats, 108 stayed on their home lake for the entire summer. Only 17 traveled to different bodies of water. This high rate of "home lake" use is one of our best defenses against the spread of Aquatic Invasive Species (AIS). By removing access to home lakes through a 100-acre minimum, the state is actively incentivizing more travel. This policy will force families to become transient boaters, increasing the frequency of trailering and the subsequent risk of AIS cross-contamination.

Response 114: The proposed rule require that all ballasted boats, including wakeboats are required to decontaminate in accordance with Agency guidelines when traveling between waterbodies. See the response to Comment #95.

Comment 115: Upholding the Standard of Rulemaking Regulations must be data-driven, evenly applied, and based on demonstrated impact. This proposed change fails all three tests. It ignores the current success of the 50-acre rule and replaces it with an arbitrary number that compromises safety and environmental goals.

Response 115: See responses to Comments #20 and #82.

Comment 116: The new 3,000-foot surf zone requirement is being introduced without a cited study showing why this specific distance is necessary. There is no industry standard that supports this number, and no modeling or Vermont-specific data has been shared to explain it. It is difficult to support a rule that lacks a clear, data-backed "why."

Response 116: See response to Comment #79.

Comment 117: The proposed thresholds — 100 acres, 3,000 feet, and 500 feet — would likely remove eligibility across many lakes through mapping. If the agency has Vermont measurements supporting these exact thresholds, please publish them clearly and explain why these numbers were chosen.

Response 117: See response to Comment #82.

Comment 118: A fixed 500-foot buffer and 3,000-foot run length raise questions about how they will be measured on the water and enforced consistently in real conditions.

Response 118: The Agency is not requiring that a run be 3,000 feet long. Rather, the proposed rules require that the wakesports zone be at least 3,000 feet long to accommodate wakesports.

Comment 119: The move to 100 acres appears to be an arbitrary figure rather than one rooted in specific ecological thresholds. We have seen no data explaining why 100 acres provides a "safety zone" that 60 or 80 acres does not. By closing off smaller, previously approved lakes, the state is effectively ending the "home-lake" lifestyle for over 100 families who, according to 2025 data, kept their boats on a single body of water all summer.

Response 119: The proposed rule amendments require that all ballasted boats, including wakeboats are required to decontaminate in accordance with Agency guidelines when traveling between waterbodies. Wakeboats may operate without creating an enhanced wake at any lake where motorboats are allowed. See the responses to Comments #95 and #113.

Comment 120: Lake acreage is a mathematical measurement, not an indicator of environmental response. Wake energy and wave behavior do not change simply because a lake exceeds a certain surface size. This threshold functions as a policy tool to eliminate lakes by definition, not science. A long, narrow lake of 100 acres may actually be more susceptible to wave energy than a circular lake of 60 acres with a deeper center. By focusing on a flat acreage number, the ANR is ignoring the actual mechanics of how wakes interact with the environment.

Response 120: See responses to Comments #79 and #82.

Comment 121: According to the Agency's own documented materials and the Summary of Proposed Changes, increasing the requirement to 100 acres would cause the number of eligible lakes to drop from 30 down to just 18. This is a 40% reduction in accessible water bodies for Vermont families. A restriction of this magnitude should only be implemented if there is a verified, catastrophic failure of the current rules. However, no such evidence has been presented.

Response 121: Please see the responses to Comments #7 and #20.

Comment 122: The current rule—allowing wakesurfing on lakes with at least 50 contiguous acres, a minimum depth of 20 feet, and 500 feet from shore—was just finalized in March 2024. We have only had one full summer season to see how it works. It is incredibly premature to double that minimum to 100 acres without giving the current system a real chance.

Response 122: See response to comment #82.

Comment 123: I support the proposal to increase the minimum wakesports zone to 100 acres with a 3,000-foot run, and I urge the DEC to adopt this requirement as written, without flexibility or compromise. Lakes that cannot meet this standard simply do not have

the physical capacity to safely accommodate high-displacement wakesurf boats alongside swimmers, paddlers, anglers, and traditional boaters.

Response 123: The Agency acknowledges this comment.

Comment 124: The 100-acre threshold, it appears this number originates from a rectangular area model—a spatial visualization of a boat’s path—rather than a hydrodynamic measurement. The University of Minnesota’s St. Anthony Falls Laboratory research, which is frequently cited, focuses on wave energy and attenuation with distance. It does not address acreage-based impacts. If wake energy is a function of physics—specifically depth and distance—how does the total surface size of the lake alter the way a wake interacts with the shoreline? Without this data, the 100-acre rule looks like a policy tool designed to eliminate specific lakes by definition rather than addressing measured impacts.

Response 124: See responses to Comments #79, #82, #90, and #98.

Comment 125: Have anyone in the agency measured what a 3000ft run actually is. There could be an obstacle in a lake that would prevent this. An island, sand bar, thick weeds, etc. no two bodies in Vermont are identical. This also applies to the 100 acres needed to support wakeboard. There are bodies of water less than 109 acres that can support wakeboarding without problems.

Response 125: The Agency agrees that no two waterbodies are identical. Sandbars, protruding rocks, and shallow areas would be excluded from a wakesports area because those areas would not meet the criteria of 100 contiguous acres that are at least 20 feet deep. Wakesports are not required to run a full 3,000 feet, rather the wakesports zone should be at least 3,000 feet long to accommodate that form of recreational use.

Comment 126: With no complaints or violations from the initial rule for wake boats there is no justification to enact more restrictive rules that move to a reduced lake count in Vermont thereby increasing the likelihood of AIS spread in our state lakes.

Response 126: See responses to Comments #7 and #95, and #114.

Comment 127: The 100 acre calculation assumes a continuous 3,000 ft run multiplied by a fixed wake width, creating a static rectangular zone. In real world operation:

- Boats adjust paths
- Riders fall and restart
- Turns and speed changes occur
- Runs are rarely perfectly straight or continuous

Environmental exposure is driven by frequency of passes near sensitive areas, not theoretical maximum rectangle size. The Minnesota research does not model repeated exposure relative to total surface area, nor does it evaluate an acreage threshold. Thus, the 100 acre figure is a sport geometry abstraction, not an ecological impact metric.

Response 127: The proposed rule does not require that wakesports are conducted in a continuous run, or in a straight line. The proposed wakesports zone is designed to accommodate wakesports as a recreational use and to reduce conflict with other recreational uses. See the responses to Comments #79, #82, #90, and #98.

Comment 128: ANR/DEC acknowledges it did not consider public safety when drafting the existing wakesports rule. A minimum 100-acre WSZ will fix this safety omission.

Response 128: The 100-acre minimum wakesports zone size is to address safety consideration and to reduce conflict with other recreational uses.

Comment 129: We need to follow the scientifically proven model of how to keep the lake as it is for all those mentioned above and this can only happen if the state proposes strict guidelines of 1000 ft from shore, more than 20 ft in depth, oversight at the boat ramp for algae on visiting craft and ideally, to ban wake boats in totality.

Response 129: See response to Comment #108.

Comment 130: The 100-acre threshold is a policy filter, not an environmental metric; wake energy does not inherently scale with surface acreage.

Response 130: See response to Comment #82

Comment 131: Increase the 20-foot wakesport water depth requirement to 30 feet deep or greater. Increase the 500 foot shoreline buffer to 700 feet or larger.

Response 131: See response to Comment #108.

Comment 132: 100 acre minimum wakesport zones margins should not have sharp angles and should not encompass/surround "underwater islands". For an example of this concern please view the current wakesport zone as depicted on the DEC website map of Sunset Lake in Benson.

Response 132: The wakesports zones are determined using bathymetric data that is available to the Agency. Shallow areas that are less than 20 feet deep are not included with the contiguous wakesports zone area. The proposed changes include a provision for "shape normalization" of the wakesports zones to remove sharp angles.

Comment 133: I am also concerned about the mathematical foundation of the proposed 3,000-foot run combined with the 1,000-foot corridor width. The basic geometry is straightforward:

$3,000 \text{ ft} \times 1,000 \text{ ft} = 3,000,000 \text{ square feet}$

$3,000,000 \div 43,560 = \text{approximately } 68.9 \text{ acres}$

This figure is materially below the proposed 100-acre threshold. When a regulatory standard exceeds its own modeled footprint by roughly thirty percent, it raises reasonable questions about whether the least restrictive approach has truly been evaluated. A hard statewide 100-acre minimum appears arbitrary rather than “least restrictive practicable.”

Response 133: See response to Comment #93.

Comment 134: Even if one accepts the “3 minutes” framing, the numbers do not support the 3,000-foot run as a mathematical consequence. At 10 mph for 180 seconds, the run length is 2,640 feet. (11 which would be an average of your numbers is 2,940)

The record also recognizes that wakesports speeds can be lower, including around 8 mph, yielding 2,112 feet. (which for the record my boat typically runs 7-10mph for our riders portfolios), which would be even less than the 2112 feet minimum needed. When those run lengths are used in the same corridor equation, the resulting acreage is far below 100 acres (60.6 acres at 10 mph; 48.5 acres at 8 mph). The proposal says wakesports zones under 100 acres can generally accommodate only one run, and that 100 acres provides space for multiple pathways. But if the model’s own inputs are variable — and they are — the “multiple pathways” claim shifts with the assumptions. If a 3-minute run at 7–8 mph is common for some riders, the modeled corridor shrinks, and the minimum acreage needed to accommodate multiple passes changes dramatically. The record explicitly explains that small changes in run length, operating speed, and buffer width yield large changes in acreage outcomes.

Response 134: The 3,000-foot length of a wakesports zone was determined to capture several different speeds and lengths of runs. The 3,000-foot length should be sufficient to allow for a variety of wakesports runs and accommodate other recreational uses.

Comment 135: An increase of the wake sports zone from 50 to 100 acres, with a minimum wake sports run of 3000 feet, provides room for boats to operate safely on larger lakes in Vermont.

Response 135: The Agency acknowledges this comment.

Comment 136: We request removal of the following sentence from Section 5.19: The Secretary shall define the boundaries of the wakesports zone using existing standard geographic information system methods to delineate and normalize a wakesports zone

that supports wakeboat operation along with the **removal of the shape normalization of the wakezone.**

The requested removal reflects the concern that mandatory shape normalization can materially reduce otherwise eligible acreage independent of demonstrated safety, depth, or multi-use constraints. These changes are requested because:

“The specific numeric thresholds and methodologies chosen for the 2025 rule proposal are not explained or supported in the record relative to less restrictive alternatives.”

Response 136: As part of the pre-rulemaking process, the Lakes and Ponds Program created a document detailing the methodology to determine proposed wakesports zones under the proposed conditions, including shape normalization. The goal of “shape-normalization” is to improve the visual clarity of wakesports zones by simplifying and smoothing the borders to remove odd “juts” or “dog legs” that do not match usage patterns.

Source: *Determination of Proposed Wakesports Zones*, July 2025, Vermont Department of Environmental Conservation, available at https://dec.vermont.gov/sites/dec/files/documents/Procedure%20for%20Determining%20Wakesport%20Zones_2025Update.pdf.

Comment 137: This 100-acre threshold reflects a **spatial visualization**, not an environmental measurement.

Response 137: The Agency agrees with this assessment. See the response to comment #82.

Comment 138: 50 acres is a compromise that I can live with, that still allows us to use the lake - if you raise the minimum to 100 acres the lake will no longer be eligible - forcing me to either go to another lake and possibly add to crowding another body of water.

Response 138: the Agency acknowledges this comment.

Comment 139: A regulation that so sharply reduces lawful recreation opportunities must be supported by:

- a clear articulation of the harm being addressed,
- evidence that wakeboats in “wakesports mode” uniquely cause that harm at
- Vermont-relevant lakes,
- and proof that the chosen numeric thresholds are necessary, effective, and the least burdensome feasible approach.

That showing has not been made in the materials available to the public.

Response 139: See responses to Comments #82 and #113.

Comment 140: While we understand that there isn't a collection of scientific publications you can point to about a minimum 100-acre wakesports zone, the threshold is nonetheless grounded in established principles of science, physics, and geometry when considered alongside the requirements DEC has already adopted. **First, geometry and regulatory compliance:** A wake boat operating under the UPW rules must remain 500 feet from shore and, as proposed, maintain a 500-foot separation from other vessels. Wake boat wave disturbance extends roughly 1,000 feet across. On a narrow lake like Fairlee, with a wakesports zone that is +/- 1000 feet wide, a single wake boat centered in the wakesports zone covers the WSZ in only about 3 minutes, effectively occupying the full width and length of the WSZ, making it mathematically impossible for other users to remain safe. The waves of a wake boat operating closer to the edge of the zone don't reach the 200-foot equivalent of ski boat waves until they hit the shore 500 feet away, making what is supposed to be a safe region around the wakesport zone unsafe. **This is not anecdotal information—it is a physical constraint.**

Response 140: The Agency acknowledges this comment.

Comment 141: The 2024 rule's 50-acre WSZ minimum assumed only a 200-foot setback and did not incorporate public safety analysis. Expanding the WSZ minimum to 100 acres follows naturally (and geometrically) from increasing the setback from other users to 500 feet. The ANR has provided a thorough analysis of how it reached this size. The 100-acre minimum is a rational and necessary adjustment to the safety framework. Not all UPWR thresholds are based on lake-specific scientific modeling. Existing provisions—such as the definition of “normal use,” the 300-acre minimum for personal watercraft, and the 75-acre requirement for motorized boating above 5 mph—reflect administratively workable standards designed for clarity and consistency. The 100-acre minimum follows this longstanding regulatory approach.

Response 141: The Agency acknowledges this comment.

Comment 142: Smaller lakes can experience exclusionary impacts from even one wake boat. “The Agency determined that the current 50 minimum acres was inadequate for accommodating multiple uses and determined that 100 acres allow for multiple pathways or runs of a wakeboat in wakesports mode. A rule is arbitrary or capricious if it lacks a rational basis or is applied inconsistently. The 100-acre minimum is rationally connected to the expanded 500-foot setback and establishes a clear, uniform standard. Applying weaker

standards to select lakes without objective criteria would increase vulnerability to claims of arbitrary application.

Response 142: The Agency acknowledges this comment.

Temporary Use Restrictions

Summary of temporary use restrictions

The Agency has proposed the following addition to Section 4 of the Use of Public Waters rules:

4.3 Temporary use restrictions due to public safety, emergency situations, or for other good cause, as determined by the Secretary.

a. Emergency situations. Where a state of emergency has been issued, or a rapid response to a water quality concern is required, the Secretary may temporarily restrict uses on lakes, ponds, or reservoirs. Temporary use restrictions shall be terminated by the Secretary when the emergency situation is resolved. Temporary use restrictions shall not restrict law enforcement or the performance of official duties by a government agency. If the temporary closure is in response to an emergency declaration, or public health concern, the temporary closure may proceed without the public outreach process defined in Section 2.

The devastating flooding that occurred in Vermont in 2024 and 2023 caused extreme high-water levels in some of Vermont's lakes and ponds. During these high-water events, some lakeshore property owners experienced flooding on their properties. Recreational activities on the water had the potential to increase those flooding impacts to private and public property. The Agency was asked by many in lake communities if it is possible to restrict the creation wakes (from any watercraft) due to the flood conditions. The Agency currently doesn't have this authority. The proposed language would grant the Secretary the authority to temporarily restrict specific uses (traveling over 5 mph, for example) under emergency declarations for a time-limited duration.

Comments regarding the proposed addition of "temporary use restrictions" in Section 4.3

Comment 143: Regarding sections 3.7 and 4.3, I oppose moving lake eligibility to administrative discretion. Any temporary suspension for research or management should be limited to one boating season, be based on documented necessity, and automatically expire unless renewed through formal rulemaking.

Response 143: Section 3.7 and Section 4.3 are two different recreational use management mechanisms for two different purposes.

The language proposed for Section 3.7 (g) is as follows:

(g) The Secretary may update a defined wakesports zone or the eligibility of a lake, pond, or reservoir to allow or prohibit wakesports on an annual basis, should surface water level or other characteristics alter wakesports eligibility, as defined at Section 5.18; or, should a lake management activity or scientific research within the body of water result in the potential for wakesports to negatively impact a lake management activity, scientific research, or water quality. The Secretary shall proceed with the public process as defined at Section 2 to determine whether to proceed with a change to wakesports eligibility of a waterbody.³

3: The Secretary shall maintain a “Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity” at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

The intent of this provision is to provide the Agency with additional flexibility to address wakesports eligibility in a timelier manner than rulemaking allows. This provision was added with two scenarios specifically in mind:

1. Temporary or permanent water level changes that impact the eligibility of a waterbody to support a wakesports zone.
2. Potential impacts to a water quality management intervention, like phosphorus inactivation treatments, such as alum, that could be negatively impacted by wakesports.

The scenarios under which wakesports eligibility could be altered are very specific and the language of proposed Section 3.7(g) states that these scenarios will be reviewed on an annual basis.

The language proposed for Section 4.3 is as follows:

4.3 Temporary use restrictions due to public safety, emergency situations, or for other good cause, as determined by the Secretary.

a. Emergency situations. Where a state of emergency has been issued, or a rapid response to a water quality concern is required, the Secretary may temporarily restrict uses on lakes, ponds, or reservoirs. Temporary use restrictions shall be terminated by the Secretary when the emergency situation is resolved. Temporary use restrictions shall not restrict law enforcement or the performance of official duties by a government agency. If the temporary closure is in response to an emergency declaration, or public health concern, the temporary closure may proceed without the public outreach process defined in Section 2.

The intent of this proposed language is to provide the Agency to react to public safety concerns in a timely manner. This provision is not specific to wakesports activities and may apply to any public recreational use. This provision is time-limited to emergency scenarios, shall not apply beyond an emergency scenario. Additionally, as noted in footnote 4 of the proposed rules, any temporary emergency restrictions are required to be consistent with the Secretary's authority stated in statute. The Agency acknowledges this comment and shall take these issues into consideration when developing guidance for temporary use restrictions.

Procedures on how these two proposed provisions are applied are posted to the [Lakes and Ponds Rulemaking webpage](#). If the rule amendments are adopted, these documents will be posted on the [Use of Public Waters Rules webpage](#).

Comment 144: I am requesting that the rule be revised to include specific requirements: suspensions must be based on documented, project-specific necessity showing that wakesports would directly interfere with a project. The scope of any restriction should be limited to the smallest geographic area and the shortest timeframe possible. To prevent these measures from becoming permanent without oversight, no suspension should exceed six months or one boating season without a formal rulemaking review.

Response 144: Any proposed changes to wakesports eligibility from the public or from the Agency under Section 3.7 (g) is required to meet specific criteria that demonstrate that surface water level or other characteristics alter wakesports eligibility, as defined at Section 5.18; or, should a lake management activity or scientific research within the body of water result in the potential for wakesports to negatively impact a lake management activity, scientific research, or water quality. The wakesports eligibility of any of the waterbodies impacted by this provision are to be reviewed on an annual basis. See response to Comment #143.

Comment 145: Any temporary suspension should be limited to one boating season, supported by documented scientific necessity, and automatically expire unless renewed through a transparent public process. Safeguards are essential to prevent temporary measures from becoming indefinite prohibitions.

Response 145: See responses to Comments #143 and #144.

Comment 146: Critically important changes include the allowance for temporary emergency closures to protect private property and public health, particularly given the extreme changes in lake levels in recent years – both high water due to floods and low water due to droughts.

Response 146: The Agency acknowledges this comment.

Comment 147: The language in Section 4.3 allowing for temporary restrictions for "other good cause" is unconstitutionally vague. Discretionary Removal: Combined with the Secretary's authority to add or remove lakes from the "eligible list" based on "research considerations," this creates a de facto pathway for permanent exclusion without formal rulemaking.

Response 147: The language in Section 4.3 is not specific to wakesports and specifically applies to emergency situations. Although flooding and hazardous material spills were contemplated as potential reasons to justify temporary recreational use restrictions, the term "other good cause" covers additional scenarios that may impact public health and safety. Section 4.3 is not to be applied beyond the scope of an emergency situation, and is required to be consistent with the Secretary's authority as is noted in Footnote 4. Potential changes to uses in public waters that are not temporary emergency situations shall continue to be required to go through the rulemaking process.

For example, among other statutory provisions, temporary use restrictions may occur for a reasonable basis set forth in Title 10 such as, but not limited to: operation and maintenance of flood prevention structures under [10 V.S.A. § 954](#); designation of a lake in crisis including testing, sampling, monitoring, surveying, and other analytical operations as set forth in [10 V.S.A. §§ 1310-15](#); or aquatic nuisance control pursuant to [10 V.S.A. Chapter 50](#).

Comment 148: Section 4.3 Temporary Use Restrictions, which authorizes restrictions for public safety, emergencies, or "other good cause." The phrase "other good cause" is undefined and lacks objective standards. When combined with project-based removal authority under Section 3.7, this creates an open-ended mechanism to suspend a lawful recreational use without procedural guardrails.

Response 148: See response to Comment #147.

Comment 149: Section 4.3 Temporary Use Restrictions, which authorizes restrictions for public safety, emergencies, or "other good cause." The phrase "other good cause" is undefined and lacks objective standards.

Response 149: See response to Comment #147.

Comment 150: If temporary suspensions are to be allowed for legitimate lake management, restoration, or research, the rule must include objective limits. I request the rule require that any suspension:

- Be based on documented, project-specific necessity showing direct interference
- Be limited to the smallest geographic and temporal scope necessary

- Not exceed one boating season (or 6 months) without formal rulemaking review
- Not recur within 48 months except for natural emergency events
- Include written scientific findings by the Secretary
- Automatically expire unless renewed through public rulemaking

These safeguards do not prevent environmental management. They ensure that temporary measures remain temporary, that decisions are science-based and transparent, and that public water access is not incrementally removed through administrative processes outside formal rulemaking.

Response 150: See responses to Comments #143 and 144.

Comment 151: Temporary project-based suspensions could therefore function as permanent exclusions.

Response 151: Temporary project-based suspensions of wakesports or alterations of a wakesports zone location, due to potential water quality impacts, are required, under the proposed language, to be reviewed on an annual basis.

Comment 152: Temporary use restrictions are not scientifically based and instead are speculative and make broad assumptions.

Response 152: See responses to Comments #143 and #144.

Comment 153: The rule contains no time limits, no formal re-approval requirement, no defined evidentiary standard, and no consistency protections. Temporary project-based suspensions could therefore function as permanent exclusions. This conflicts with the UPW framework requiring the least restrictive approach practicable to address use conflicts.

Response 153: The proposed language in the rule requires that temporary project-based suspensions of wakesports or alterations of a wakesports zone location, due to potential water quality impacts, are required, to be reviewed on an annual basis. See responses to Comments #143 and #144.

Comment 154: Changes that remove clear lists and shift eligibility management to discretionary determinations (e.g., “Secretary-managed lists,” temporary restrictions, or flexible add/remove authority) raise rule-of-law concerns and increase the risk of arbitrary outcomes unless governed by clear standards and appeal processes.

Response 154: See responses to Comments #143 and #144.

The Home Lake Rule and watercraft decontamination

Summary of proposed changes regarding the existing “home lake rule” and watercraft decontamination

The Use of Public Waters Rules amendments adopted in April 2024 included specific provisions regarding wakeboat decontamination. The specific provisions are the Home Lake Rule and requiring proof of decontamination. The Home Lake Rule requires that wakeboats declare a “home lake” and display a sticker designating the boat’s home lake. The Home Lake provision allowed boats to return to their home lake without decontamination and required that wakeboats decontaminate when traveling to a lake other than the home lake. The proof of decontamination provision required that wakeboats obtain a receipt showing that they were decontaminated at an “Agency-Approved” decontamination station when traveling between lakes.

The DEC is proposing to remove the Home Lake Rule and the proof of decontamination requirements for wakeboats and to replace this language with functionally equivalent protections that more accurately reflect the on-the-ground capabilities and infrastructure in Vermont.

There is no infrastructure to track and register wakeboats from within Vermont, other states, and Canada. The Agency does not have the ability to issue stickers to all wakeboats that could be entering Vermont’s waters in a timely, responsive manner. Importantly, the Home Lake provision does not functionally prevent the spread of aquatic invasive species. Wakeboats accounted for approximately 1% of all motorized boat launches observed at Vermont Public Access Greeter Program stations in 2024 and 2025. Aquatic invasive species spread prevention for wakeboats is very important and wakeboat-specific spread prevention requirements are proposed in this rulemaking effort. However, focusing limited decontamination resources on one type of watercraft is not the most effective use of limited resources. The Agency is taking a broader focus on improving State-wide decontamination efforts designed to meet spread prevention goals for all watercraft.

The Agency is committed to improving decontamination standards and infrastructure across the State, as this is recognized as the best and most efficient way to prevent the spread of aquatic invasive species. To address ballasted watercraft specifically, like wakeboats, the Agency proposes the addition of a requirement for wakeboats traveling between waterbodies to conduct a hot-water decontamination of their ballast tanks or bags. This requirement will impact a small number of boaters and is an equivalent replacement of the Home Lake Rule that removes burdensome administrative tasks.

The Home Lake sticker requirements rely on self-certification that a boat has not been in another waterbody, giving it no greater spread prevention authority than other self-certification methods that are commonly in use. The lack of a reliable and comprehensive wakeboat registration system, limited infrastructure for official decontamination stations, and concerns from Vermont Public Access Greeter Programs over liability and resources also contributed to the decision to remove the Home Lake sticker provision and replace it with a universal requirement for hot-water decontamination of ballasted watercraft that travel between waterbodies. Wakeboats and all other watercraft are required to follow the aquatic nuisance species spread prevention laws (10 V.S.A. § 1454) and wakeboats must inspect and decontaminate in accordance with the Agency-approved guidance when traveling between waterbodies. Additionally, the proposed amendments to the Use of Public Waters Rules include language to strengthen and clarify decontamination standards for all watercraft to prevent the spread of aquatic invasive species.

Comment 155: Removing the Home Lake Rules is a terrible idea. Wake boat ballasts cannot be easily nor completely emptied or cleaned-out. They will only spread invasive contaminants between bodies of water. Please do not remove this provision.

Response 155: The existing Home Lake provision of the Use of Public Waters Rules states the following (UPWR Section 3.8 c. and d.):

c. A wakeboat must have one home lake for a given calendar year and display on the wakeboat's port side bow a current Agency-issued decal identifying the wakeboat's home lake for the calendar year. A wakeboat's home lake is the only lake, pond, or reservoir at which that wakeboat will be used for the calendar year, except when the decontamination requirement of Section 3.8.d. has been satisfied. This subsection 3.8.c. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone listed in Appendix E.

d. Prior to entering a Vermont waterbody other than the wakeboat's home lake, and prior to reentering the waters of the home lake after use of the wakeboat at any other waterbody, the wakeboat must be decontaminated at an Agency-approved decontamination service provider.¹ A wakeboat user may be requested to provide proof of decontamination at public access areas. This subsection 3.8.d. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone listed in Appendix E.

The proposed changes to wakeboat-specific decontamination are as follows (Proposed UPWR 3.7 e.):

(e) Before entering a waterbody, if a wakeboat was last launched at a different waterbody within the previous 14 days, the wakeboat interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water (120° F) for 3 to 5 minutes, and exterior components must be adequately rinsed with high-pressure hot water (140° F) to remove particulates.

The proposed changes above are shown, as submitted to the Inter-Agency Committee on Administrative Rules (ICAR). In response to the public comment period, the Agency proposes the following updates to 3.7. e. (See response to Comment #200):

(e) Before entering a waterbody, if a ballasted vessel was last launched at a different waterbody within the calendar year, the ballasted vessel interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water in accordance with Agency requirements, and exterior components must be adequately rinsed with high-pressure hot water in accordance with Agency requirements to remove particulates.

These changes were made to ensure that the decontamination requirements apply to wakeboats and other ballasted watercraft. The removal of a 14-day drying time is to require hot-water decontamination of ballast tanks when ballasted vessels move between waterbodies, regardless of drying time.

The removal of specific temperatures is to provide timely responsiveness should the science recommend different temperatures, methodologies, and decontamination times in the future. The Agency requirements for this year will use the same requirements to meet decontamination standards there were submitted into rulemaking: *low-pressure hot water (120° F) for 3 to 5 minutes, and exterior components must be adequately rinsed with high-pressure hot water (140° F) to remove particulates—as this is currently the best science available.* However, if the science on decontamination changes, the Agency won't have to enter rulemaking to update these requirements (rulemaking can take up to a whole year to complete) and the Agency has the flexibility to update required decontamination protocols in a timely manner.

These updates to wakeboat/ballasted watercraft decontamination are proposed to address the administrative challenges associated with declaring a “home lake.” However, the spread prevention outcome is unchanged. The Agency recognizes the need for additional

ballast tank decontamination requirements in comparison with traditional motorboats; these proposed rules are written to reflect this intent.

Based on Vermont Public Access Area Greeter data from inland lakes, there is currently very little lake-to-lake travel by wakeboats documented from 2025 to 2024 (22 wakeboat launches in 2024 and 17 wakeboat launches in 2025). Decontamination efforts will be targeted toward these boats that travel between lakes.

Comment 156: If wakeboats are allowed on all the designated lakes we must have the Home Lake Rule. This at least would help to prohibit invasive species.

Response 156: Under both the existing and proposed Use of Public Waters Rules, wakeboats are allowed to conduct wakesports on inland lakes that have wakesports zones and on non-inland lakes. Under the existing “Home Lake Rule,” within the Use of Public Waters Rules, wakeboats may travel to lakes that are not a “home lake,” provided they get a decontamination prior to entering a different lake. There is no change to this requirement in the proposed rules. Under existing and proposed rules, wakeboats can go on any lake that allows motorized watercraft, as long as they follow decontamination requirements. The proposed rules retain the same requirements, except for the administrative step requiring designation of a home lake.

Comment 157: The Home Lake Rule is crucial to the ongoing struggle against the spread of invasive species.

Response 157: See the response to Comment #155.

Comment 158: It was disappointing to learn that the “Home Lake Rule” was not included among the proposed changes. We hope that hot water decontamination, which is included in the new rules, will be effectively enforced for wake boats traveling between waterbodies.

Response 158: The Agency acknowledges this comment.

Comment 159: We need a home lake rule to prevent the spread of invasive species but ideally keep wake boats out of our lakes, period.

Response 159: Please see the responses to Comments #155 and #156.

Comment 160: It is common knowledge that boats transfer invasives in the ballast from contaminated waterways and the current home lake rule was the smartest way to prevent this from happening. I think the majority of lake people would agree to keep our lakes pristine in this day and age of invasive species ruining Vermont's charm.

Response 160: Wakeboats are allowed to conduct wakesports on inland lakes that have wakesports zones and on non-inland lakes. Under the existing rules, wakeboats may travel

to lakes that are not a “home lake,” provided they get a decontamination. Wakeboats can go on any lake that allows motorized watercraft, as long as they follow decontamination requirements. There is no change to this requirement in the proposed rules.

Comment 161: We should be able to keep the home lake rules and greeters should definitely turn away questionable boats to keep our lake pristine!!!

Response 161: Public Access Area Greeters may inform operators of any watercraft as to whether or not the boat meets the criteria for decontamination prior to entering a waterbody. The Greeter must comply with [10 V.S.A. § 1461](#), other applicable statutes, and any other applicable Agency rule. See responses to Comments # 156 and #160.

Comment 162: Besides rejecting a home lake rule, you've made the incomprehensible decision to allow wake boats into the water that greeter/inspectors have judged unacceptable. Once contaminated, these lakes will be a lot less appealing to all who love and enjoy them, including the wake boaters.

Response 162: See response to Comments #155, #156, and #161.

Comment 163: I strongly oppose removing the Home Lake Rule, which is the strongest method to minimize the spread of aquatic invasive species from one lake to another. Relying on users to decontaminate seems unlikely to occur regularly.

Response 163: Under existing rules, wakeboats are required to decontaminate when traveling outside of their home lake. There was never any prohibition on wakeboats traveling between lakes. See responses to Comments #155 and #156.

Comment 164: Changing the decontamination requirements and eliminating the Home Lake Rule only puts our lakes in more jeopardy.

Response 164: See responses to Comments #155, #156, and #163.

Comment 165: I oppose dropping the one/home lake rule, though I think requiring tank cleaning is ALSO a good idea.

Response 165: There was never a prohibition on wakeboats from traveling between lakes. The Agency acknowledges this comment.

Comment 166: Now that the home lake rule is gone and decontamination sites are non-existent, we are basically opening our lakes up to the introduction of harmful invasive species. And when they do appear, it is not fair to expect local resources to manage the devastation. The majority of people in favor of a ban will be coming back to the State for funds to manage, contain or eradicate the problem. The old adage "an ounce of

prevention is worth a pound of cure" comes to mind. If only we had been thoughtful and thorough enough to protect our environment. Such a shame!

Response 166: If a wakeboat cannot decontaminate, it cannot enter a different waterbody. See responses to Comments #155 and #156.

Comment 167: I support adoption of a home lake rule for wakeboats as a necessary and evidence-based management strategy to reduce the risk of aquatic invasive species (AIS) introduction and spread within Vermont's public waters.

Response 167: There is no evidence that a home lake program is a more effective strategy for spread prevention.

Comment 168: A home lake designation for wakeboats is a practical, enforceable, and preventative management tool that directly addresses this documented risk pathway. Limiting wakeboat operation to a single waterbody substantially reduces inter-lake AIS transmission while preserving recreational opportunity within defined parameters. This approach is consistent with the precautionary principle and adaptive management practices used in aquatic resource protection.

Response 168: The Home Lake Rule never limited wakeboats to one lake. The rule required that decontamination occur if a wakeboat leaves its "home lake." The proposed rules retain this requirement.

Comment 169: Increased Lake-to-Lake Travel Data from 2025 shows that out of 125 monitored boats, 108 stayed on their home lake for the entire summer. Only 17 traveled to different bodies of water. This high rate of "home lake" use is one of our best defenses against the spread of Aquatic Invasive Species (AIS). By removing access to home lakes through a 100-acre minimum, the state is actively incentivizing more travel. This policy will force families to become transient boaters, increasing the frequency of trailering and the subsequent risk of AIS cross-contamination.

Response 169: Based on available Vermont Public Access Area Greeter data, there was a decrease in lake-to-lake travel by wakeboats from 2025 to 2024 (22 wakeboats in 2024 and 17 wakeboats in 2025). A very small amount of wakeboats are documented to travel between lakes each year. Most wakeboats stay on one lake per year. It is possible that additional boats may travel if wakesports are no longer available on a particular lake. If a boat travels to different lakes, decontamination of the ballast tanks will be required prior to entering that lake. A summary of this data is available on the [wakesports webpage](#).

To view the Vermont Public Access Greeter Program data, and learn more about the Program, please visit: <https://dec.vermont.gov/watershed/lakes-ponds/aquatic-invasives/spread-prevention/vermont-public-access-greeter-program>.

Comment 170: The Home Lake Rule, which is also meant to deal with the spread of invasives but is not yet practical, would be replaced in these recommendations by hot water decontamination, also important given our recent problems with Eurasian milfoil at the Pond; but neither solution is truly actionable.

Response 170: The ballast tanks of wakeboats are able to be decontaminated.

Comment 171: The only way to prevent the spread of Aquatic Introduce Species (AIS) by wakeboats is to institute a Home Lake Rule and enforce certification of hot water decontamination for all wakeboats. If the costs of properly managing wakeboats are prohibitive, how will the ANR/DEC respond when AIS are spread throughout our inland lands? Please consider our lakes as the treasures that they are and protect them for future generations.

Response 171: See responses to Comments # 155, #156, and #168.

Comment 172: When you remove access to a home lake, you force those boaters to travel. This is where the real environmental risk lies. Currently, Vermont does not have a comprehensive or effective network of decontamination stations at our boat launches. Moving boats from lake to lake without the infrastructure to ensure they are clean, drained, and dry is a direct threat to the health of our waters. We should be encouraging boaters to stay on their home lakes to prevent the spread of Aquatic Invasive Species, yet this rule does the exact opposite.

Response 172: The Agency acknowledges that fewer lakes will meet the requirements to support a wakesports zone under the proposed changes to the definition of a wakesports zone. Most wakeboats stay on one lake per year. If a boat travels to different lakes, decontamination of the ballast tanks will be required prior to entering that lake. The Agency is working to increase the availability of hot water decontamination stations around the State. See response to Comment #168.

Comment 173: The inability for wake boats to completely empty their ballast tanks/bags puts them in violation of Vermont's AIS laws and regulations. Therefore, I respectfully request that the state reinstate the home lake rules and proof of contamination until such time as:

1. The multi-million dollar wake boat industry design and manufacture these boats so that they are easily and completely able to empty their ballast tanks/bags.

2. Adequate decontamination stations are manned and operable at convenient locations at public boat launches.
3. Provide adequate enforcement of compliance to the rules

Response 173: See responses to Comments #9, #155, and #156. The Agency is working to increase availability of hot water decontamination stations around the State.

Comment 174: I have grave concerns about the feasibility and efficacy of the DEC's plans to replace the "Home Lake Rule" with hot water decontamination methods. The funding, infrastructure, space and skill to make decontamination a realistic alternative to the Home Lake Rule are unfortunately lacking. Moreover, the time and expense that would be required (theoretically) to make decontamination an effective means of preventing the spread of AIS are exorbitant. A simple Home Lake Rule is a far better regulatory alternative.

Response 174: See responses to Comments #155 and #156.

Comment 175: Contrary to what DEC representatives stated at the Public Hearing in Newport last summer, Leg Counsel (Deputy Chief Counsel, Office of Legislative Counsel re. S. 224) has testified that the Department of Motor Vehicles is glad to help identify wake boats and home lakes.

Response 175: The Agency acknowledges this comment. During testimony on proposed Senate Bill S.224 in 2026, the Legislative Counsel stated that conversations between Legislative Counsel and the Department of Motor Vehicles indicated a willingness to track wakeboats on motorboat registration provided there was legislation to do so. After adoption of the Use of Public Waters Rules amendments in 2024, and in the absence of a legislative requirement, coordination between the Agency and the Department of Motor Vehicles did not result in implementation of such tracking.

Comment 176: To reduce the number of available lakes from 30 to 18 under the new proposed Rule only makes AIS a more foreseeable byproduct as wake boats currently allowed in 30 lakes will be forced from their home lakes to one of the 18 lakes in Vermont or nearby states giving rise to the potential of transferring AIS back to their home lake.

Response 176: See response to Comment #169.

Comment 177: The proposed elimination of the Home Lake Rule and replacing it with hot water boat decontamination — without a needed timeline & funding source to develop the necessary infrastructure.

Response 177: See response to Comments #155 and #156.

Comment 178: Allowing boats to move between lakes without proof of decontamination undermines community investments in greeter programs and lake protection.

Response 178: The Agency acknowledges that the inability to provide proof of decontamination is a gap. Based on Vermont Public Access Area Greeter data from inland lakes, there is currently very little lake-to-lake travel by wakeboats documented from 2025 to 2024 (22 wakeboat launches in 2024 and 17 wakeboat launches in 2025). Decontamination efforts will be targeted toward these boats that travel between lakes.

Comment 179: The DEC has spent months developing a plan for decontamination. Despite concern from stakeholders - our lakes' direct representatives to this process - the DEC's focus has been and remains on decontamination for all types of vessels rather than the very immediate threat posed by wake boats. While I applaud a draft long range plan, there is no timeline, and there is no funding. This exercise has taken up enormous amounts of staff time. Perhaps some of that could have or should have been spent implementing the home lake rule that would prevent wake boats from traveling between lakes and emptying ballast water that may contain AIS in each. Instead, proposed changes eliminate the home lake rule and any real protection our remaining wakesports eligible lakes would have in the immediate future.

Response 179: Other watercraft besides wakeboats provide a risk to the spread of aquatic invasive species. See responses to Comments #155, #156, and #178.

Comment 180: I realize the challenges of a home lake rule requiring stickers is challenging to enforce, I support all boats being inspected for AIS before launching on any Vermont waters. I support the state's endeavor to provide more decontamination stations.

Response 180: The Agency acknowledges this comment.

Comment 181: I recommend that all wakeboard be required to register a home lake and not be permitted to move to other water bodies during the calendar year.

Response 181: See responses to Comments #155 and #156.

Comment 182: The proposed changes also are removing proof of decontamination after coming from another lake as the state only has 4 functioning decontamination stations- three of which 3 are on Lake Champlain. None in the NEK. It would seem the logic here is that if decon stations are limited, then we should eliminate the requirement to decontaminate? As opposed to developing a system to strengthen decon and monitoring to help protect our clean water.

Response 182: The Agency is not proposing to remove the requirements to decontaminate ballasted watercraft. Please see responses to Comments #155, #156, and #178.

Comment 183: The clean up of spread of invasive species - IF possible- will cost more than any money to be made thru catering to the wakeboat industry or fighting to protect our lakes from them. You need to do your job of protecting our environment which in turn protects our economy. We must have decontamination facilities at all waters they are allowed on , functional enforcement , and home lake rules . If that isn't manageable then ban them until/unless it is. Anything less is unconscionable.

Response 183: The Agency acknowledges this comment. Please see the response to Comments #155 and #156.

Comment 184: Because current "Home Lake" rules—which intended to limit a boat to a single lake per year—are being replaced by decontamination requirements that are difficult to enforce at all access points, pristine lakes like Seymour remain highly vulnerable.

Response 184: See the responses to Comments #155 and #156.

Comment 185: I am VERY CONCERNED about NOT HAVING "THE HOME LAKE RULE" with REAL DECONTAMINATION required for access in any of the wake sports lakes.

REASONING: We at Willoughby Lake have HAD boats coming down from CANADA due to expensive DAILY and weekly launching fees in CANADA. We know that there are definitely Zebra Mussels in various areas of Lake Memphremagog as in DEC Invasive species information. They come down and launch into Willoughby and I'd think other of the lakes and LAUNCH FOR NO FEE AND POTENTIALLY BRING US "POISON PILLS" a/k/a Zebra Mussels !!! With these Zebra Mussels "on our doorstep", maybe we need to REQUIRE ANY CANADIAN BOAT TO BE DECONTAMINATED with a Certificate and as they cross any border station, they should be told that as a courtesy.

Response 185: All ballasted watercraft are required to receive a hot-water decontamination prior to entering a unique waterbody, in accordance with the proposed rules. See responses to Comments #155 and #156.

Comment 186: If it is not possible to restrict these boats to a home lake each season, I have serious concerns regarding the transfer of invasives between lakes. How likely is it that, with a limited state budget, Vermont will have the resources to make restrictions and cleaning services available so that these boats don't wreck all of our beautiful clean waterways?

Response 186: See response to Comment #156.

Comment 187: If the Home Lake Rule is removed, DEC must pair this change with dedicated funding, expanded infrastructure, and clear enforcement mechanisms.

Response 187: The Agency has developed a Watercraft Inspection and Decontamination report with the help of various stakeholders outlining funding and staffing needs for a more robust program. Appropriations of funding for decontamination stations is outside of the authority of this rulemaking process.

Comment 188: Why would you heighten the risk of contamination from milfoil or other invasives to this lake by reducing home lakes while also removing any authority to our greeters to turn away boats? Do we want all our lakes to turn into Carmi?

Response 188: As set forth in [10 V.S.A. § 1461](#), Public Access Greeters do not—and have never—had authority to enforce the Use of Public Waters Rules or any decontamination requirements. Accordingly, Greeters have never possessed the legal authority to deny or turn away vessels seeking access to public waters.

This limitation is not only established in statute but is also consistently reflected in the Vermont Public Access Greeter Program Manual, the Greeter training curriculum, and the terms governing Vermont Fish and Wildlife Department public access permits.

Greeters are expected to adhere to the State’s training and program guidance, which define the scope of their role as educational and voluntary. Any actions that go beyond that scope—including directing or preventing access—would be inconsistent with that guidance.

If members of the public encounter situations where program guidance does not appear to be followed, those instances should be reported to the appropriate program administrators for review. To report any instance where the State’s training and program guidance is not being followed, please contact Kimberly Jensen at kimberly.jensen@vermont.gov or (802) 490-6120.

This framework remains unchanged and will continue to apply even if the current rulemaking efforts are adopted without modification.

To review the Vermont Public Access Greeter Program Manual, please visit <https://dec.vermont.gov/watershed/lakes-ponds/aquatic-invasives/spread-prevention/vermont-public-access-greeter-program>.

Comment 189: The Home Lake Rule required wakeboats to select a single lake on which to operate during a calendar year. This would contain their ballast water to that of a single lake, and certification of decontamination was required if a wakeboat wanted to travel off their home lake to another lake and return to the home lake. Neither certification of decontamination or the Home Lake Rule were implemented by the Agency in 2024 or 2025

and 30 inland lakes in Vermont have been at risk of AIS spread from wakeboats launching on their lakes without restriction.

Response 189: The Agency acknowledges that the existing rules were not implemented entirely as written due to unforeseen feasibility challenges. One of the driving factors of this rulemaking effort is to correct the rules to be implementable and enforceable. When the Agency realized that the existing rules were not feasible, the Agency pivoted to requiring decontamination of wakeboats when traveling between waterbodies, as is consistent with [10 V.S.A. § 1454](#), to preserve the intent of the Home Lake Rule. See responses to Comments #155 and #156.

Comment 190: The Home Lake Rule was claimed to be difficult to administer. It does not have to be. Decals are not necessary. The Agency could create an on-line form for wakeboat owners to choose their home lake for the year. The Agency would issue a registration which would be kept in the watercraft along with their boat registration. Greeter programs would have access to a database of registered wakeboats for all lakes in the state. This is not a complicated issue.

Response 190: The Agency believes the proposed solution preserves the intent of the Home Lake Rule, and is more consistent with legislative intent as set forth in [10 V.S.A. § 1454](#). An on-line form still retains the same administrative hurdles as a sticker program. See responses to Comments #155 and #156.

Comment 191: Because there are no reasonably available decontamination facilities in Vermont, we request that this component of the proposed rule be eliminated and all wakeboats be mandated to stay on their home lake for the year with no transport to other water bodies. Boats visiting from other states or Canada should be required to provide some certification of decontamination to enter one of the 18 eligible inland lakes.

Response 191: The Agency is working to increase availability of hot water decontamination stations around the State. Under the proposed rules, ballasted watercraft from other states and Canada are required to decontaminate prior to entering a lake or pond in Vermont. See responses to Comments #155 and #156.

Comment 192: The spread of aquatic invasives happens easily and quickly: only small particles are necessary to infect a clean lake so it makes no sense to eliminate Home Lake Rule. Home Lake Rule should remain and it's enforcement strengthened.

Response 192: See the responses to Comments #155 and #156.

Comment 193: I am really concerned that the DEC plans to replace the "Home Lake Rule" with hot water decontamination but lacks the necessary funding and timeline to build the

required decontamination stations. This is truly putting the cart before the horse and could cause a host of problems if not well regulated and verified.

Response 193: See response to comment #156.

Comment 194: The spread of invasive species is a significant concern for all types of watercraft, but wake boats are not uniquely problematic. The main issue is that wake boats' internal ballast systems are difficult to inspect, which could potentially contribute to the spread of invasive species. However, all watercraft and trailers can retain water, thus posing a risk. It is arbitrary to single out wake boats.

Modern wake boats are designed to expel nearly all their ballast water, retaining only about 0.1% (approximately 2 quarts). In contrast, sterndrive boats (inboard/outboards) can retain twice as much water (around 4 quarts) in their stern drive engines, and these systems are also hard to inspect. (Doll 2018) Additionally, unlike fishing boats that frequently move between different lakes, most wake boats are used primarily on their owner's home lake, which reduces the risk of spreading aquatic invasive species (AIS). A study in Minnesota (Doll 2018) found that the highest concentration of zebra mussels was in sterndrive boats rather than wake boats. Furthermore, milfoil, often found in shallow water, is not commonly ingested by wake boats as they typically operate in deeper areas

Response 194: The Agency shares the concern that wakeboats should not be singled out as the main focus for spread prevention.

Comment 195: This rule update provided an inaccurate appraisal of ANR resource need. Very limited ANR resources are required if partnering with DMV and the local greeter programs. Both the wakeboat owners and lake advocates believe that the Homelake Rule is an important protective tool for AIS prevention. It's unusual when two seemingly opposed parties agree on something. DEC is the agency who is supposed to protecting the lakes, yet they continue to fail to understand how Homelake Rule is important in prevention the spread of AIS.

Response 195: If Vermont's Department of Motor Vehicles could create a registration process for wakeboats, it would not capture any out of state boaters, which is a primary concern for spread of AIS. Requiring any boats traveling between waterbodies to be decontaminated eliminates the need to register home lakes. The Agency acknowledges this comment. See the responses to Comments #155 and #156.

Comment 196: In the pilot study at Seymour Lake, the greeter program reached out to the wakeboat owners to educate them about the threat of AIS spread and asked them to register their wakeboats, even though ANR had not developed a framework for it. The result was a good working relationship with the lake wakeboat owners who all voluntarily

registered their wakeboats with the program. The greeters are familiar with the homelake wakeboats and there are open lines of communication between the program and wakeboat owners. Visiting watercraft should not be given priority over the health of the resource, particularly wakeboats, which are not considered a “normal use”. Referral to non-regulated waterbodies is simple, just like lakes have been doing for many years in relation to jetskis. Education of the boating public can be very effective and homelake rule provides an opportunity for educational communication. With only 18 waterbodies left where wakeboats will be allowed, only very limited administrative support would be necessary.

Response 196: The existing Home Lake rule provisions allow wakeboats to travel outside of their home lake, provided they receive decontamination. Visiting watercraft are treated the same as boats re-entering a “home lake.” There is no change to this provision in the proposed rule from the current rule, except for the administrative home lake designation. The Agency agrees that education and outreach are important tools for spread prevention and boater safety.

Comment 197: False equivalency between wakeboats and regular motorized watercraft. Wakeboats pose a much greater threat for AIS spread due to the 8-23 gallons of water remaining in the ballasts after draining. It only takes one wakeboat to start an infestation.

Response 197: The Agency acknowledges this comment. See response to Comment #178.

Comment 198: Need interim measure while ANR is setting up statewide decontamination infrastructure. There is currently no budget, timeline or plan for when these stations will be available. Recommend no decontamination until science has been considered.

Response 198: Decontamination has always been an avenue for wakeboats traveling between lakes, even with the home lake provision. The proposed rules do not change this requirement. See response to Comment #187.

Comment 199: Despite continued ANR resistance, Homelake Rule is easy to implement through DMV, requires little ANR resources, provides protection against AIS spread and can provide educational and community outreach opportunities.

The burden of scientific proof has not been met by ANR. Incorrect assumption of excessive resource requirements, incomplete and/or inaccurate data, false equivalency between wakeboats and other watercraft, non-protective decontamination procedures and use of studies that are not scientifically valid are issues that should be addressed. ANR has stated that the stakeholders must provide scientific evidence to impact these rule update recommendations but has not held to these standards themselves. ANR has provided no logical, scientific solution to substitute for the removal of Homelake Rule and the decontamination standards.

Response 199: If Vermont's Department of Motor Vehicles could create a registration process for wakeboats, it would not capture any out of state boaters, which is a primary concern for spread of AIS. Requiring any boats traveling between waterbodies to be decontaminated eliminates the need to register home lakes. See responses to Comments #155, #156, #175, and #189.

Comment 200: Because the 14-day quarantine is not supported by science and not enforceable, removal of this loophole is recommended. DEC stated that they would refer to the *Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination Programs for Dreissenid Mussels in the Western United States* and I believe there was a misinterpretation regarding quarantine in relation to watercraft with ballasts. While the dry time table provided in this report does indicate that 14-days is an adequate time for decontamination of regular motorboats, further on in the report they address watercraft with ballasts as follows: "Research suggests that veligers can survive 27 days in residual water compartments. If these areas maintain water, then the actual time required to achieve 100% mortality either through desiccation or anoxia will most likely exceed the drying time standards recommended. Variation in ballast tanks drainage capabilities will influence the length of time required to dry. For this reason, hot waterflush of ballast tanks is critical for effective decontamination".

Response 200: The Agency agrees that although the 14-day drying time is generally protective against the spread of zebra mussels, that this 14-day drying time may not be protective for other species not yet in Vermont. Due to this concern, the Agency is removing the 14-day drying time as an option for decontamination of ballasted vessels.

Comment 201: The currently proposed alternative to the Home Lake Rule, requiring wakeboats moving from one lake to another to do a hot water decontamination of their ballast tanks, might work in theory, but Lake Willoughby and, I imagine, most other lakes in Vermont don't have such facilities. If this becomes the replacement regulation to deter AIS from invading our mostly pristine lakes, then responsible legislation needs to be included at the same time to provide funding for these facilities at eligible lakes - otherwise this requirement is meaningless in protecting our lakes from AIS.

Response 201: See responses to Comments #155 and #156. Ballasted watercraft must receive a hot-water decontamination prior to entering a different waterbody.

Comment 202: Here in Vermont, we are in the middle of a rulemaking process in which the DEC proposes to eliminate a Home Lake rule that would provide our pristine lakes a modicum of protection from zebra mussels and other invasives. A rule that was promised

for the 2024 boating season but never implemented. We are placing our bets instead on an unfunded 10 year decontamination plan.

Response 202: See responses to comments #155, #156, and #189.

Comment 203: If the Home Lake Rule is replaced by mandatory hot-water decontamination, access to hot water decontamination must actually be available to Lake Champlain wake boat operators and all Vermont boaters who wish to take their boats from one lake to another.

Response 203: The Agency is working to increase availability of hot water decontamination stations around the State. See response to Comment #156.

Comment 204: I am concerned that the ANR will not be able, due to limited manpower and funding, to quickly and effectively get a program and decontamination stations up and running for the 2026 boating season. Additional funding will be required ASAP. Perhaps a modified “one lake per season” could be temporarily utilized until the funding and manpower are available.

Response 204: See response to Comment 156.

Comment 205: The home lake provision of the current rule is intended to address the lack of proper decontamination services and to reduce the risk of spreading aquatic invasive species. This is especially important if the other revisions are approved leaving many of the state’s most pristine lakes likely to attract even more wake boats and therefore become more vulnerable to invasive spread. ANR has provided several justifications for refusing to implement this rule and, now for proposing to eliminate it entirely from the current rule revisions.

Among these justifications has been the difficulty of creating a decal, finding and tracking wake boat owners in the state, and in addressing out-of-state boaters. We disagree with these “excuses” and suggest alternatively, that a relatively straightforward system can be implemented if some of the requirements currently in the rule are modified, computer technology is used, and if assistance from lake associations at the affected lakes is accepted - assistance repeatedly offered. All users of the state’s waters – whether in-state or out-of-state, whether motorized or non – are already expected to know the Vermont Use of Public Water rules and comply with them. It is baffling that ANR should now suggest that, for some reason, wake boat owners could not be expected to know and comply with the home lake rule. The state does not “find and track” owners of other types of motorboats that must be registered each year nor does the state “find and track” every angler who needs a fishing license. Rather, the requirement for motorboats to register, for anglers to acquire a fishing license, etc. is posted on the web, and in the rules and regulations of the

state. The state expects individuals to check regulations and laws of the state and comply with them. There can be no possible reason that this same expectation should not also apply to all wake boat owners.

Response 205: The Home Lake Rule does not prohibit travel of wakeboats between waterbodies, rather it requires that wakeboats receive a decontamination when traveling between lakes. See responses to Comments #155 and #156. The Agency sees little value in registering wakeboats for the goal of spread prevention. The proposed changes streamline the requirements for ballasted boats to meet shared spread prevention goals. The Agency agrees that it is a boat operator's responsibility to know and comply with applicable rules and regulations.

Comment 206: Another reason presented by ANR for the elimination of the home lake rule is that wake boats comprise only 1% of motorized vessels currently on Vermont lakes. However, these data are based on greeter program observations and recordings, and may be significantly compromised because:

- Most of the greeter programs do not have greeters on duty seven days/week throughout the boating season, resulting in many days of use with no data recorded.
- The survey instrument used by the greeters does not allow for accounting for boats that repeatedly enter the same lake regularly and do not travel elsewhere. This skews the total number of boats entering inland lakes.
- It is difficult to visually identify a wake boat, leading to a potentially significant number of misidentified boats and lower wake boat counts.

Although we suspect that wake boats do still comprise a small percentage of the boats on inland lakes, deficiencies in these data make the figure of 1% for the population of wake boats on Vermont lakes highly uncertain. Considering such uncertainty, we urge ANR to adopt rules that are the most protective in this situation since it is not currently possible to measure actual risk.

Further we point out that the fastest growing motorized aquatic sport in the country is wake sports. Given this, we should expect to see more, not fewer, wake boats in the state in the next years. This makes developing strict rules now even more important.

Response 206: The Agency acknowledges that that data we have only reflects data from times that Greeter stations are staffed, and do not reflect every launch of a wakeboat. The numbers reported reflect wakeboat launches, and not individual boats. Greeters ask boat operators whether or not a boat is a wakeboat because it is difficult to differentiate wakeboats between other boats.

Comment 207: Recommendation for Section 3.7

A wake boat must have one home lake for a given calendar year and display on the wake boat's port side bow a current Agency-issued *decal or must present other appropriate proof* identifying the wake boat's home lake for the calendar year. A wake boat's home lake is the only lake, pond, or reservoir at which that wake boat *shall* be used for the calendar year, except when the decontamination requirement of Section 3.7.d. has been satisfied. This subsection applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wake sports zone listed in Appendix E.

Prior to entering a Vermont waterbody other than the wake boat's home lake, and prior to reentering the waters of the home lake after use of the wake boat at any other waterbody, the wake boat must be decontaminated at an Agency-approved decontamination service provider. A wake boat *user must present proof (such as a dated receipt)* of decontamination at public access areas.

This subsection applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wake sports zone listed in Appendix E. *If an approved decontamination service provider is not available, then the wake boat may not operate on any lake except its home lake.*

Response 207: The Agency is not pursuing a home lake registration, as it does not add benefit to spread prevention efforts. See the response to Comment #178.

Comment 208: Recommendation: Section 3.7 "Wake Sports" Addition of voluntary home lake option If the Agency chooses not to implement the home lake rule for all wake sports eligible lakes, then this rule will apply:

Lake Associations or watershed groups that operate state-approved Vermont Public Access Greeter Programs on lakes that support a wake sport zone may voluntarily administer a wake boat home lake program.

Response 208: The addition of voluntary programs are not appropriate to include in the regulatory framework of the Use of Public Waters Rules, and the Agency does not have the authority to comply with this request. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 209: It does seem VT ANR's updated approach/focus on AIS for ALL boats is a step in the right direction. As a Lake host at a boat ramp, we inspect all boats including kayaks, canoes and even paddleboards that are launched. Yes, it's a slippery slope if all boats become limited to one Home Lake per season. We know that will never fly and

therefore ballasted water sports boat should not be singled out. Additionally, us volunteer and paid Lake Hosts are there for education of the boaters, observation/suggestions only and have zero enforcement authority.

Response 209: The proposed rules single out ballasted watercraft for hot water decontamination. See response to Comment #9.

Comment 210: It is our understanding that other affected lake associations in Vermont support the Home Lake rule provision. We strongly support the implementation of the “Home Lake” rule for wake boat owners. This would require wake boat owners to declare a single "home lake" for the calendar year. This means the boat can only be used in that specific lake unless it undergoes decontamination at a state-approved facility when moved to another body of water. This measure is an effective way to safeguard Seymour Lake, as well as other lakes, from the threat of aquatic invasive species. If the State of Vermont does not have the resources to handle this requirement, lets allow the local greeter programs to implement and execute the Home Lake Rule.

Response 210: See the response to Comment #156.

Comment 211: Elimination of the home lake rule is a serious mistake since the back-up plan is to rely on a 10-year, unfunded decontamination plan.

Response 211: See responses to comments #155 and #156.

Comment 212: Cleaning and decontamination of boats should apply to all boats as the wake boat industry is quick to point out. And they are right. Zebra mussels can be introduced on hulls, bait wells and sump areas. That said, wake boats are the best way to introduce them due to the hidden ballast tanks. Unlike a bait wells or water slashing around in a fishing boat – you can’t see what is inside of a ballast tank and they require flushing with scalding water to kill zebra Mussel larvae. The regulations must recognize and treat these boats differently than others so that the danger of introduction is greatly reduced.

Response 212: The proposed regulations to have separate requirements for the decontamination of ballasted watercraft.

Comment 213: The lack of cleaning stations, comprehensive decontaminating procedures, training manuals and boat greater training programs is a problem you cannot overlook. It is hard to believe how your very basic requirements and procedures are going to be effective at stopping the instruction of AIS into our lakes.

Response 213: The Agency is working to increase availability of hot water decontamination stations around the State. See responses to Comments #155 and #156

Comment 214: Absent of designated cleaning stations the risk is too high to allow boats coming from infected waters to enter clean lakes. If you are unable to beef up the cleaning requirements for these boats then I suggest that you ban them altogether until there are safeguards in place.

Response 214: The Agency acknowledges this comment. Ballasted watercraft are required to decontaminate when traveling between waterbodies.

Comment 215: Keep the Home Lake Rule in place until some funding is provided to the towns where eligible lakes are located for hot water decontamination facilities.

Response 215: The Agency acknowledges this comment.

Comment 216: Rather than expending agency time defending or tightening assumptions that remain scientifically unsettled, and in some cases based on undocumented issues, we could more effectively direct that time and funding toward proactive AIS prevention infrastructure and education. A practical, measurable approach would include:

- Identifying high-risk and high-traffic access points

- Phasing in trained, professionally staffed decontamination stations

- Pursuing available federal and regional AIS prevention grants

- Leveraging partnerships with lake associations, municipalities, and stakeholders

Response 216: The Agency agrees that prioritizing decontamination availability at higher risk and higher-trafficked locations is the best use of limited resources. Relying on multiple funding sources and partners is essential to meeting the goals outlined in the Watercraft Inspection and Decontamination report.

Comment 217: Notably, the proposed rule changes include a requirement that boats be cleaned by an approved decontamination station when moving between lakes. At present, there are no approved decontamination stations operating in Vermont. Requiring compliance with infrastructure that does not yet exist creates an implementation gap and places boaters in a position where compliance may be impractical or impossible.

Response 217: The proposed rules remove the language identifying decontamination stations as “approved,” as this infrastructure does not exist. While the rules remove the need to have “approved” decontamination stations, there is an existing infrastructure of high capacity, hot water decontamination stations available for ballasted vessels to use in Vermont. The Agency is working on developing a public/private partnership program to expand the numbers and distribution of these stations.

Comment 218: Vermont's aquatic invasive species transport statute couldn't be much clearer. Boats must be inspected and ballast water must be drained in a way that does not discharge into the waters of the state. Here is the proposed UPWR text for Section 3.7 (d):

(d) **All** provisions of 10 V.S.A. § 1454 regarding aquatic nuisance species inspection and decontamination apply to wake boats, and wake boat users shall drain the ballast tanks of their boats **to the fullest extent practicable after** leaving waters of the state.

It is no secret that by virtue of their physical design, wake boat ballast tanks **cannot** be inspected. Wake boat ballast tanks **cannot** be fully drained. Most wake boats **cannot** be hauled from the water with full ballast tanks because of the weight of ballast water. Wake boat user manuals instruct pumping water from the ballast tanks **before** leaving the water. This raises an important question - Why is the DEC so willing to waive key statutes – and to incorrectly rephrase the statutes in the proposed changes to the rules – so that wake boats are allowed on **any** of Vermont's lakes? The requirements of the statutes supersede anything written in the UPWR.

Response 218: The Agency is unsure which statutes Commenter is alleging have been rephrased or misapplied. Regardless, all ballasted vessels traveling between waterbodies are required to be decontaminated with hot water which is a very effective method to avoid transport of AIS. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 219: Of great concern is the elimination of the Home Lake rule and inadequate requirements for and infrastructure to support full mortality decontamination.

Response 219: See responses to Comments #155 and #156.

Comment 220: Because the 14-day quarantine is not scientifically supported, reconsideration of this is also requested. More recent and thorough scientific reports (Elwell, 2021) have recommended only hot water decontamination, without quarantine options, so removal of this loophole would be most protective of our area water resources. Elwell, L. C., & Phillips, S. (2021). Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination.

Response 220: See response to comment # 200.

Comment 221: ANR also proposes to provide a state-wide decontamination infrastructure for all watercraft, not just wakeboats. Funding sources for this ambitious project as well as the specifics of implementation, have not been provided and seem unlikely to occur in the near future. Because of the high risk of AIS spread from wakeboats, some sort of interim

solution is required. While wakeboats appear to represent a small subset of overall watercraft in VT, the risk from AIS spread presents a significant threat.

Response 221: The goals for more robust state-wide decontamination and inspection infrastructure are not a part of the proposed rules. Ballasted watercraft are required to decontaminate when traveling between waterbodies to prevent the spread of aquatic invasive species.

Comment 222: We need to focus on effective decontamination for everyone rather than limiting a specific group that represents only 1% of motorboats in the state.

Response 222: The Agency acknowledges this comment.

Comment 223: The most important deletion is the absence of mandatory state decontamination of wake boats.

Response 223: Ballasted watercraft, including wakeboats, are required to decontaminate when traveling between waterbodies.

Comment 224: if they can't declare a lake to reside in, they must only be permitted to trailer their boat to Champlain or Memphremagog where there are state authorized decontamination units. Out of state boaters must be directed to Champlain or Memphremagog.

Response 224: Under the proposed rules, all ballasted boats, including wakeboats must decontaminate when traveling between waterbodies.

Comment 225: We recommend directing out-of-state boaters to a decontamination station prior to entrance to any wake boat sanctioned lake.

Response 225: Out of state boaters will be required to follow the appropriate decontamination protocol.

Comment 226: Lack of state designated decontamination equipment and facilities makes the likelihood of Aquatic Invasive Species transmission between lakes due to the inability to access and decontaminate wake boats ballasts exponential.

Response 226: There are locations available for wakeboats to receive a hot-water decontamination. See Comment #178.

Comment 227: Please consider a moratorium on wakeboats that travel from water body to water body until state decontamination stations are up and running.

Response 227: Please see the response to Comment #156.

Comment 228: There is no evidence that wakeboats transport invasive species at higher rates than other trailered vessels. AIS spread is linked to cleaning and decontamination practices.

Response 228: The Agency acknowledges this comment. Although ballasted watercraft are known to be challenging to drain completely, there is no Vermont-specific data to show that wakeboats are more of a spread vector than other boats. See the response to Comment #178. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 229: The ultimate inspection and decontamination protocol will require a system that includes stations offering this service for all boats but specifically for wake boats, with their unique ballast tank cleaning requirements. The inspection and decontamination approaches employed for wake boats must be based on the best science available (see below “*Two reviews of freshwater watercraft ...*”) and include rigorously trained technicians to do proper inspection and decontamination. This service should be done at business locations of boat dealers and marinas, NOT at DEC greeter sites or other boat launch areas, where ballast water could flow back into streams and lakes, allowing the introduction of AIS.

Response 229: Those conducting decontamination for ballasted boats will receive the appropriate training for this procedure. See response to Comment #156 and #178.

Comment 230: Establishing a decontamination protocol will be successful only if it can be adapted to address new developments. Scientific evidence evolves over time, and changes to technology and decontamination protocols will need to be acknowledged and incorporated. This could be accomplished by including a provision in the Use of Public Water Rules or Vermont legislation that allows stakeholders to discuss and make changes to the required protocols and procedures as the need arises. Doing so is analogous to what the DEC has done in the 2026 proposed amended UPW Wakesports Rule, whereby the DEC will allow temporary changes to a decision permitting wakesports in special circumstances, e.g., if flooding occurs or if lake water level changes are needed for dam work.

Response 230: The Agency is proposing to remove specific water temperatures stated in 3.7(e) and instead refer to “hot water decontamination in accordance with Agency requirements.” This will allow flexibility for the Agency to respond to changes in best practices in a timely and responsive manner. The revised Section 3.7(e) is as follows:

(e) Before entering a waterbody, if a ballasted vessel was last launched at a different waterbody within the calendar year, the ballasted vessel’s interior components including

engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water in accordance with Agency requirements, and exterior components must be adequately rinsed with high-pressure hot water in accordance with Agency requirements to remove particulates. See response to Comments #231.

Comment 231: These comprehensive, state-of-the-science reviews are undertaken by blue-ribbon panels of experts (one in the USA and one in Canada) and are published approximately every 5 years, incorporating all the new relevant science since the prior review:

1. The Western [USA] Regional Panel on Aquatic Nuisance Species (WRP) Watercraft Inspection and Decontamination Think Tank Committee that was funded by the U.S. Fish and Wildlife Service: Elwell LC and S Phillips, editors. 2021. Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination Programs for Dreissenid Mussels in the Western United States (UMPS IV). Pacific States Marine Fisheries Commission, Portland, OR. 55 pp.

2. The Canadian organization of Fisheries and Oceans Canada Canadian Science Advisory Secretariat, 200 Kent Street Ottawa ON K1A 0E6: Weise, A.M., Simard, N., Massé-Beaulne, V. and Hill, J.M. 2022. “Clean, Drain, Dry, and Decontaminate” treatments and protocols to prevent the introduction and spread of aquatic invasive species. DFO Can. Sci. Advis. Sec. Res. Doc. 2022/055. x + 91 pp.

Response 231: Please see response to Comment #230. The Agency recognizes that best practices for spread prevention and decontamination can change as science and knowledge advances, and as potential environmental impacts, and species of concern change over time. To address this concern, the Agency has proposed adding the specific language in Section 2.9:

2.9 Rule assessment and review. Potential use conflicts, science, and related data shall be reviewed in cycles not to exceed five years to ensure that the rules in place are adequate to meet the purpose of these rules. Where warranted based on this review, the Agency will initiate public engagement as described in Section 2.5. to address potential concerns.

This language requires the Agency to reexamine best practices on a regular basis. Additionally, to reflect this in practice, the Agency is proposing to remove specific water temperatures stated in 3.7(e) and instead refer to “hot water decontamination in accordance with Agency requirements.” This will allow flexibility for the Agency to respond to changes in best practices in a timely and responsive manner.

Comment 232: Decontamination is also not currently accessible or standardized enough to serve as a reliable substitute for existing safeguards. Wakeboat ballast systems are complex, cannot be fully drained, and retain significant volumes of water. A science-based protocol, standardized training, equipment evaluation, and a proof-of-decontamination system must be developed before existing protections are removed. Interim protective measures are necessary until such infrastructure is operational.

Response 232: See response to Comment #156.

Comment 233: ANR also proposes to provide a state-wide decontamination infrastructure for all watercraft, not just wakeboats. Funding sources for this ambitious project as well as the specifics of implementation, have not been provided and are unlikely to occur in the near future. Because of the high risk of AIS spread from wakeboats, some sort of interim solution is required.

Response 233: Although improvements to the State-wide decontamination infrastructure are not a part of this rulemaking process, the Watercraft Inspection and Decontamination report identifies improvements that can be made over time. Wakeboats and other ballasted watercraft are required to decontaminate when traveling between waterbodies. See response to Comment #156.

Comment 234: there is currently no system in place to ensure that all wake boats can access such equipment and, more importantly, to show proof that their tanks have been cleaned before entering a Vermont waterbody. Given this, wake boats cannot comply with the decontamination requirements of 10 VSA §1454.

Response 234: See response to Comment #233.

Comment 235: Recommendation: Section 3.7 (e) “Wake Sports” Strengthen decontamination requirements Increase number of days out of the water from 14 to 30 and require proof (for example a dated receipt) that decontamination was done by a certified operator. In addition, add: *Wake boats that have been in another waterbody within the previous 30 days and lack proof of decontamination, as well as other watercraft that are not inspected and decontaminated as required, are in violation of 10 VSA §1454 and, therefore, should not enter the waters of the state.*

Response 235: See response to Comment #200. The Agency acknowledges this comment.

Comment 236: Another thing that I heard in the meeting was the desire for decontamination stations to be available for all boats, not just wakeboats. I think that this is one of the few issues both sides can agree on. As Vermonters conservation is always at the forefront of our minds and there is no question that decontamination stations are a

good idea, but the issue that I kept hearing over and over at the hearing is that there is simply no funding. I do have a suggestion for a portion of the funding. The most common vessel that I see at state access ramps is undoubtedly kayaks and paddleboards. These vessels currently do not pay any registration fees yet freely use state access points and undoubtedly travel from lake to lake more than any other class of vessel. I believe that any vessel motorized or not should have to be registered with the State if they are using a state access point to launch and retrieve their vessel.

Response 236: Inspection and decontamination protocols are important for all watercraft. The Agency acknowledges this comment.

Comment 237: I support requiring wake boats to undergo state-approved hot water decontamination when traveling between lakes.

Response 237: The Agency acknowledges this comment.

Comment 238: the state must replace the unverified 'honor system' with a mandate that all ballast decontaminations be performed by certified technicians. Full compliance should require boat operators to present a validated, dated receipt of professional service before launching into any Vermont waterbody.

Response 238: The Agency acknowledges this comment. There is no infrastructure currently to support staffing and funding Stat-run decontamination stations.

Comment 239: All wakeboats, including those from outside Vermont, should be required to complete Vermont-specific decontaminations. Other states' protocols do not always meet stringent disinfection standards for AIS or ballast compartments.

Response 239: The Agency acknowledges this comment.

Comment 240: The state's few, and inconveniently located decontamination facilities make effective boat cleaning difficult. Until a network of accessible state-approved decontamination sites is established, wakesport boats must be prohibited from pristine waters, like Caspian Lake, Echo Lake, and the Averills, which currently have excellent water quality, have no resident wakeboats and vehemently oppose their access.

Response 240: See responses to Comments #155, #156, and #178. All ballasted watercraft are required to decontaminate before entering a unique waterbody.

Comment 241: Permitting high-risk wakesport activities—and the environmental damage they cause—without adequate decontamination infrastructure puts taxpayers on the hook for millions in future management costs and leaves these fragile ecosystems vulnerable to irreversible harm.

Response 241: All ballasted watercraft, including wakeboats must decontaminate prior to entering a unique waterbody.

Comment 242: We recognize that specialized equipment suitable for cleaning the closed ballast tanks of wake boats exists and may be available at some boat dealers. However, there is currently no system in place to ensure that all wake boats can access such equipment and, more importantly, to show proof that their tanks have been cleaned before entering a Vermont waterbody. Given this, wake boats cannot comply with the decontamination requirements of 10 VSA §1454.

Response 242: Please see response to Comments #178 and #241.

Comment 243: Finally, the ballast water of a wakeboat poses a separate concern. LCC supports the Draft Rule's requirement of decontamination, in addition to draining of ballast water, to ensure that all aquatic invasive species are removed from the interior components of a wakeboat. If a wakeboat is transported between another lake and Lake Champlain, the same decontamination practices should be required to limit the spread of aquatic invasive species as is proposed for transport between inland lakes. For clarity, the provisions requiring decontamination of the interior components of wakeboats¹³ should be moved from Section 3 to Section 4 or included in both.

Response 243: The Agency has added decontamination language in Section 4 to specifically identify that ballasted watercraft must follow the same decontamination protocol in the Vermont portions of the non-inland lakes as in the inland lakes.

Comment 244: The Home Rule provision in prior regulations appeared destined to fail, as it is un-enforceable, and the state lacks the facilities to adequately enforce it. Though this rule may be removed, the responsibility for decontamination and removal of invasive species will fall on the boat operator. The continuation of the Invasive Species Greeter program is therefore all the more essential.

Response 244: The agency acknowledges this comment.

Comment 245: Because the 14-day quarantine is not scientifically supported, reconsideration of this is also requested. More recent and thorough scientific reports (Elwell, 2021) have recommended only hot water decontamination, without quarantine options, so removal of this loophole would be most protective of our area water resources.

Response 245: See response to Comment #200.

Comment 246: DEC stated that they would refer to the *Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination Programs for Dreissenid Mussels in the Western United States* and I believe there was a misinterpretation regarding

quarantine in relation to watercraft with ballasts. While the dry time table provided in this report does indicate that 14-days is an adequate time for decontamination of regular motorboats, further on in the report they address watercraft with ballasts as follows: “Research suggests that veligers can survive 27 days in residual water compartments. If these areas maintain water, then the actual time required to achieve 100% mortality either through desiccation or anoxia will most likely exceed the drying time standards recommended. Variation in ballast tanks drainage capabilities will influence the length of time required to dry. For this reason, hot waterflush of ballast tanks is critical for effective decontamination”.

Response 246: See response to Comment #200.

Comment 247: Our boat wash station is not equipped to handle proper inspections and decontamination procedures on wake boats.

Response 247: The Agency acknowledges this comment.

Comment 248: If the DEC doesn’t have money to open up a new decontamination station and enforce certification with a sticker program, introduced AIS are inevitable by virtue of how wakeboats are designed.

Response 248: See responses to comments #155, #156, and #241.

Comment 249: You do not have the funding for a robust and effective decontamination system at this time. It may take years to get this. Until then PLEASE do not leave local lake associations defenseless. DMV agreed to add the wakeboat designation to the boat registration from AND the Home Lake Designation. Your claim this summer that they would not do this was false.

If and when an effective wakeboat decontamination system- with multiple locations is in place, then maybe we can remove the HLR. We know that the HLR is NOT perfect, but please listen to our concerns and allow local lake associations to be the on the ground, local protectors of our lake.

Response 249: If Vermont’s Department of Motor Vehicles could create a registration process for wakeboats, it would not capture any out of state boaters, which is a primary concern for spread of AIS. Requiring any boats traveling between waterbodies to be decontaminated eliminates the need to register home lakes. Multiple locations for wakeboats to receive decontaminations are currently available and efforts are planned for increasing the number and distribution of these stations. See responses to Comments #155, #156, and #175.

Comment 250: AIS infestations continue to increase in our state and nearly every popular lake has one or more invasive species. Zebra mussels are one species that shows no slowdown in its spreading. Science confirms that many gallons of water remain in “drained” ballast tanks and that zebra mussel veligers can continue to live for weeks in these “drained” ballast tanks. I support the intent of hot water (thermal) decontamination, but caution that ballast tanks must be the prime focus of the decontamination. From personal experience, I can confirm that it often takes special effort to get to every ballast tank.

Response 250: The Agency acknowledges this comment.

Comment 251: Across the Adirondack Park, the Adirondack Watershed Institute operates a coordinated network of staffed, state funded hot water decontamination stations positioned at high use public launches and transportation corridors. This network is integrated with trained watercraft inspection stewards and supported by New York State environmental funding. It is fully operational and implemented across a comparable ecological corridor.

The Department’s responsibilities under 10 V.S.A. §1424 include preserving, enhancing, restoring, and conserving Vermont’s natural resources for current and future generations. Regulatory relaxation that precedes the deployment of operational prevention infrastructure is difficult to reconcile with a precautionary interpretation of that mandate. Prevention capacity is not conceptual. It requires legislative appropriations, executive implementation, procurement of equipment, strategic placement of decontamination stations, and reliable seasonal staffing. It requires funding, deployment, and enforcement.

Aquatic invasive species pressures are regional. Prevention must operate at the same geographic scale. The Adirondack experience demonstrates that coordinated, state supported infrastructure is achievable and effective. Vermont has the opportunity (and the obligation) to align policy evolution with operational capacity rather than relaxing safeguards in advance of system readiness.

Response 251: The Agency disagrees that these proposed rules reflect a relaxation of regulatory requirements. See response to Comment #156 and #187.

Comment 252: Instead of limiting the number of lakes for wakesports—which only concentrates more boaters and the potential for AIS onto fewer, more crowded bodies of water—our efforts should focus on comprehensive decontamination, education, and robust enforcement for all watercraft, motorized and non-motorized alike.

Response 252: See responses to Comments #155, #178, and #187.

Comment 253: Allowing boats to move between lakes without proof of decontamination undermines community investments in greeter programs and lake protection.

Response 253: Ballasted boats, including wakeboats are required to decontaminate when traveling between lakes, in accordance with the proposed rules. Please see response to Comment # 178.

Comment 254: Limit wake boats only to lakes that have decontamination stations and greater support of the Greeter Program.

Response 254: The Agency acknowledges this comment.

Comment 255: Reading the proposed rules suggests that any AIS problem is taken care of with hot water decontamination. The problem is hot water decontamination is not easily available in Vermont. There are 2 or 3 stations on Champlain, but they are only staffed part time. They are nowhere near most of the lakes that will remain on the list. Our local boat wash stations are not capable of providing this service, nor will they ever be. The DEC has spent months developing a plan for decontamination. Despite concern from stakeholders - our lakes' direct representatives to this process - the DEC's focus has been and remains on decontamination for all types of vessels rather than the very immediate threat posed by wake boats. While I applaud a draft long range plan, there is no timeline, and there is no funding.

Response 255: See responses to Comments #155, #156, #178, and #187.

Comment 256: The HOME LAKE RULE was a step in the right direction, but it has been eliminated. The proposed requirement to have HOT WATER DECONTAMINATION of ballast tanks is a good one, but adds significantly to the staffing, monitoring and equipment costs that will burden the small communities where these lakes are located.

- FINANCIAL BURDEN - Westmore is a small town with limited funds, despite the size of its lake. It's tax burden is already very high. Our greeter program, which is partly funded by donations, consists of one person in a shack that inspects boats coming into and out of the lake for limited hours on the weekend. This program was developed to ensure that the one invasive species we already have, European milfoil, is not transmitted into our out of our lake. Wake boat decontamination would require additional facilities, staff and staffing hours during the week and on weekends to handle the much more extensive inspection and treatment of these boats.

- STATE FUNDING must be provided on an ongoing, not just one-time, basis to assist communities where wake boats are permitted. This funding must cover the additional decontamination equipment, facilities, staff and staffing hours required to keep our lake safe from invasive species.

Response 256: See responses to Comments #155, #156, #178, and #187.

Comment 257: Even with cleaning protocols, complete decontamination is not reliably achievable. The Home Lake Rule directly addressed this risk by limiting wake boats to a single, designated lake, thereby reducing cross-lake transmission. Eliminating this rule removes one of the most effective preventative tools currently available.

Response 257: See response to Comment #156.

Comment 258: Because there are no reasonably available decontamination facilities in Vermont, we request that this component of the proposed rule be eliminated and all wakeboats be mandated to stay on their home lake for the year with no transport to other water bodies. Boats visiting from other states or Canada should be required to provide some certification of decontamination to enter one of the 18 eligible inland lakes.

Response 258: See responses to Comments #155 and #156.

Comment 259: I do not support the addition of the word IF in Section3/Decontamination, as in "required IF an inspection station is available." Mostly Vt inspection stations are not available and if decontamination is required, it should be required.

Response 259: Section 3 does not have a qualifier stating that decontamination is only required if an inspection station is available.

Comment 260: There is the concern for boats carrying invasive species. This is a very important issue to address, but wake boats aren't the only water craft that can transport invasive species into the lake. From what I know, most wake boat owners don't transport their boats from lake to lake. They also clean them very well and take good care of them. I also know that fishing boats and jet skis can get transported and are transported from lake to lake very easily. The majority of boats that I see at the boat launch coming in and out of the lake are fishing boats and jet skis. While invasive species are definitely a big issue that needs to be addressed, I don't think it's right to put the blame on only wake boats because restricting one type of water craft will not solve this issue.

Response 260: The Agency agrees that wakeboats are not the primary threat to the spread of aquatic invasive species in Vermont. See response to Comment #178.

Lake Specific Comments

Summary of lake-specific comments

Although the rulemaking is for state-wide amendments to the Use of Public waters Rules, many lake-specific comments were submitted.

The following is a summary of lake-specific comments received by the Agency

Comment 261: I oppose wakesports on Caspian Lake. It seems that allowing wakeboats on Caspian Lake serves a small number of people while it is detrimental in many ways to the shoreline and to a number of people.

Response 261: This rulemaking effort is, in part, to address concerns about use conflicts with wakesports at a State-wide level, and to propose additional amendments regarding the administration of the Use of Public Waters Rules. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 262: As a property and home owner on Caspian Lake, I am steadfastly against any rule that would allow wakeboats on Caspian for the following reasons: shoreline erosion, threat to loons, safety to small watercraft and swimmers, and noise. Allowing wakeboats on Caspian Lake serves a small number of people while it is detrimental in many ways to the shoreline and to a number of people.

Response 262: The existing and proposed rules address concerns and provide protection for shoreline erosion, nesting loons, and safety. See the response to Comment #261.

Comment 263: I ask that you ban wakeboats on Caspian Lake. I am a long distance swimmer and kayaker and I don't feel safe with the waves generated by wakeboats. I am concerned about our degrading shoreline and the impact of the waves when we have high water and flooding events. You have the ability to keep the culture, waters, the loons, and the birdlife safe by protecting Caspian Lake.

Response 263: See the responses to Comments #261 and #262.

Comment 264: Vermont needs important protections against the environmental damage, water degradation, public safety hazards, and harm to wildlife that can result from wake boats on lakes that are ill-suited for them. I strongly oppose wake boats on Lake Caspian or any other Vermont lakes that are at risk.

Response 264: See the responses to Comments #261 and #262.

Comment 265: There are so many reasons for not allowing wake boats, on our "watery home", Lake Caspian! Churning up vegetation on the lake's floor, where fish lay their eggs & provide food for the little "fry". We have a number of loon pairs, who raise their young, on the surface of the water & where they learn to fly & fish!

Response 265: The requirement that wakesports occur in areas of the lake that are at least 20 feet deep is to prevent turbidity, stirring up the lakebed sediments, and to protect vegetation on the lakebed. Please see responses to Comments #261 and #262.

Comment 266: Caspian has been a quiet lake for swimming, canoeing, kayaking, sailing and fishing all of which are greatly disrupted and imperiled by huge waves. Regardless of proposed distance restrictions on Wake boats, how would enforcement occur? And even if Wake boats adhere to those restrictions, how can the safety and enjoyment of other lake users be ensured when huge waves dominate? Please prohibit Wake Boats on Caspian Lake and all VT Lakes other than Champlain and Memphremagog.

Response 266: See responses to Comments #261 and #262.

Comment 267: Quoting a F&W fisheries biologist, Nov. 2024 “There are two reasons to ban wake boats on these waters: 1. Aquatic Invasive Exotics - particularly in Echo, the Averills, Caspian, Shadow, Parker, and Willoughby Lakes; 2. Lake Trout population - sediment from wake boats might disturb the spawning substrate (no voids to provide oxygen).”

Response 267: All ballasted watercraft are required to decontaminate when traveling between waterbodies. See the responses to Comments # 261, #262, and #265.

Comment 268: The Caspian petition to ban wakesports did not contain any confirmation that wakesports are present.

Response 268: The Agency acknowledges this statement.

Comment 269: Caspian barely clears the size threshold, and that technical distinction leaves residents exposed to the very same risks that these rules are meant to prevent elsewhere. The frustration of my constituents deserves to be heard this evening. I recognize the pressure the DEC is under. Well-funded interests representing only 1% of boat owners are pushing hard to expand wake boat access.

Response 269: See responses to Comments #261 and #262.

Comment 270: Wakesport boats must be prohibited from pristine waters, like Caspian Lake, Echo Lake, and the Averills, which currently have excellent water quality, have no resident wakeboats and vehemently oppose their access.

Response 270: See responses to Comment #261.

Comment 271: The Petition to ban wakesports on Great and Little Averill Lakes states that wakesports and wakeboats have never been seen on these lakes and concerns are precautionary.

Response 271: The Agency acknowledges this statement.

Comment 272: Great Averill and Little Averill are special. They are still relatively quiet, calm, clean and undeveloped. My family and friends have enjoyed this special environment

for over 60 years. I have seen changes and development on Averill, but it remains much better than so many other lakes. Vermont must keep the Averill lake this way. There are plenty of lakes for noisy motorized play.

Response 272: See response to Comment #261.

Comment 273: Please don't allow wake boats in the small pristine lakes in the Northeast Kingdom. And specifically Little Averill lake. The lake is way too small to efficiently use one of these boats and the benefit does not equal the damage that will be caused by spreading various invasives and shoreline damage.

Response 273: See response to Comment #261.

Comment 274: Wake sports are NOT an appropriate use of the Averill Lakes. The majority of the public has stated they do not want this recreation. Wake Sports craft and their wakes disturb the shorelines and are harmful to the Lake, Shores and Vermonters and the existing culture there. The proposed changes do not go far enough to protect our natural resources!

Response 274: See responses to Comments #261 and #262.

Comment 275: The proposed ruling changes will ban wake boat sporting on all VT lakes except 18. 11 of them are in the NEK and 2 of those 11 lakes are the Averill Lakes. This sort effectively pushes wake boats towards the cleanest lakes in your state. Likely, the NEK lakes are your cleanest. And the Averills are 2 of the cleanest of the cleanest. THIS MAKES NO SENSE! In addition, I will make note here, that Averill is one the least publicly served towns and areas in VT. The Averills are clean, AIS free and remote. However we are close to the borders of Canada and NH and will now be on the shrinking list of VT allowable lakes.

Response 275: See responses to Comments #185 and #261.

Comment 276: If the state implements the revised wake sports rules, both Great and Little Averill will be 2 of only 18 inland lakes in Vermont that will qualify for wake sports. The private launch owner on Little Averill has banned wake boats from this launch, but no one at DEC seems willing to publish a note on the state's website detailing this prohibition. This is an open invitation to introduce AIS, erode shorelines and disturb the primary users (families with small children, fishermen, kayakers, sailors, swimmers and loons). Some of Vermont's lakes (about 24, including Great and Little Averill), are classified as oligotrophic and are called "pristine" because of their clean, clear water and deep basins.

Response 276: The Agency acknowledges that the Little Averill boat launch is privately owned and the private owners prohibit wakeboats from launching at this site. DEC staff have offered to add language to the webpage: <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules/wakeboats> stating that the launch is privately

owned and that the owner of the ramp has restrictions on wakeboat usage of the private boat ramp. Little Averill still has a wakesports zone. The Little Averill access area is managed by the organization Averill Recreational Camp Owners (ARCO). The Lakes and Ponds Program within the Vermont Department of Watershed Management does not have authority to regulate public access areas, as that is delegated to the Vermont Fish and Wildlife Department (FWD). However, because this is a privately owned access area, this is not a fishing access area managed by the FWD. Therefore, the FWD does not provide guidance on permitted activities for non-FWD access points.

Comment 277: Lake Bomoseen hosts the most wakeboats and has the highest number of AIS of any lake in Vermont outside of Lake Champlain. In my opinion Lake Bomoseen is not a good model for the rest of us.

Response 277: The Agency acknowledges this comment.

Comment 278: Our family has the privilege to be able to spend quality time together wakesurfing on Lake Bomoseen. We are to support and cheer each other on and laugh together through this awesome water sport. We are always adamant about safety, whether it being aware of boats around us, canoes or kayaks, or wildlife. We pick up trash we find floating while we are out as well. It would be devastating to our kids and family to lose this amazing pastime.

Response:278: The proposed rules would not effect the ability to conduct wakesports on Lake Bomoseen. Under the proposed rules, Lake Bomoseen has a wakesports zone.

Comment 279: These boats make more sense on large lakes like Champlain and Memphremagog and maybe Bomoseen.

Response 279: The Agency acknowledges this comment.

Comment 280: The wakeboat industry has turned its attention to Vermont. Lake Bomoseen wakeboat owners and commercial marinas, along with professional lobbyists, have showed up to protest the new proposed rule amendments. Please do not allow our public process to be hijacked by industry representatives and self-interested individuals from Vermont's largest inland lake. Lake Bomoseen wakesport enthusiasts will remain largely unaffected by the proposed rule changes. They will continue to enjoy their sport. The marinas will continue to practice business as usual. Lake Bomoseen at 2,400 acres is categorically different from the other truly small Vermont lakes, many of which are closer to 400 or 500 acres.

Response 280: The Agency acknowledges that the people who advocate for conducting wakesports in Vermont have a right to provide input on the public process. To the extent

that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 281: Claims of sediment resuspension are not backed by data: ANR data indicate phosphorous levels in Lake Bomoseen, which has a relatively high concentration of vessels, are declining: water quality is getting better, not worse. The ANR's own rulemaking documents concede these proposed rules will not improve water quality.

Response 281: The existing wakesports zones are located in depths greater than 20 feet to prevent turbidity. The Agency acknowledges this comment.

Comment 282: In the petition to ban wakesports on Echo Lake, the petitioners state that no wakesports have ever been present on the lake. All concerns are precautionary.

Response 282: The Agency acknowledges this comment.

Comment 283: With this year's drought, Echo's acreage is down severely- and the area considered twenty-foot depth is also wholly inaccurate now.

Response 283: The Agency acknowledges that water level can fluctuate. The proposed changes in Section 3.7 provide the Agency with flexibility to update wakesports zone boundaries in response to water level fluctuation.

Comment 284: Please ban wake boats on Echo Lake in Charleston, VT. It is too small, and wake boats are dangerous for swimmers, kayakers, canoers, and wildlife.

Response 284: See responses to Comments #261 and #262.

Comment 285: Echo Lake personnel are very capable of monitoring a Home Lake Rule.

Response 285: The Agency acknowledges this comment.

Comment 286: I believe the approval of wake sports on Echo Lake in East Charleston would result in a negative impact on our business. Echo is a small lake, and wake sports on this lake would easily result in hazardous conditions for children, adults and wildlife.

Response 286: Wakesports have never been prohibited on Echo Lake. See responses to Comments #261 and #262.

Comment 287: At Seymour Lake we have worked for 25 years to prevent the introduction of AIS. We have also reversed a steeply rising trend in phosphorus pollution. We maintain a collaborative relationship with wake boat owners and do not face all of the threats seen on smaller lakes. Both the Seymour Lake Association and FOVLAP have proposed plans to implement the home lake rule. Please work with us to make this happen.

Response 287: The Agency acknowledges this comment.

Comment 288: Currently there are 7 wake boats on Seymour, all residents. We as a group have worked very hard to promote good relations with other Lake users and follow current rules to our best ability. We have excellent relations with our Lake Greeters and work closely with them to help enforce current rules. They have assured us they can handle the enforcement of the Home Lake Rule and ballast cleaning for visiting boats. Please do not take this last rule away from our pristine lakes, it is our only hope to prevent invasive species from coming to our lakes. Seymour Lake will suffer the infusion of more wake boats because we are the largest body of water within the State. Allow us to police our own investment and future well being of Seymour Lake.

Response 288: All ballasted watercraft must decontaminate prior to entering a unique waterbody. See responses to Comments #261 and #262.

Comment 289: Harvey Lake is way too small for wake boards. It disrupts the shore line dismantles the parked boats. It is an aggressive way to have fun!

Response 289: See responses to Comments #261 and #262.

Comment 290: “Harvey’s Lake Diagnostic-Feasibility Study 1980-1983 Final Report” that discusses the alga *Oscillatoria rubescens* (a blue-green algae) in Lake Harvey and states that it was found at a depth of 10 meters. The report indicates that this algae holds phosphorus. In a conversation with the State’s limnologist and permitting staff, it was stated that the State does not have data/evidence to either support or defeat this concern and further stated that the lack of data is not data itself.

Data that was provided by the State regarding the scouring of sediments in support of the 20’ minimum depth in the Wake Sports rule, actually showed that the impact of a wake boat’s propeller is felt at a depth of 10 meters (33 feet). The rule does not address the algae situation in Harvey’s. It is unknown whether this algae is still present in Lake Harvey, whether it extends across the entire lake, or whether the phosphorus it holds is released when disturbed by wake boats, and thereby negatively impact water quality.

Response 290: *Planktothrix rubescens* (previously *Oscillatoria*) is a cyanobacteria that has been observed around the state. *P. rubescens* is adapted to low-light conditions where it can also access nutrients from the hypolimnion. It is unlikely that mixing *P. Rubescens* to the surface would result in major surface blooms, since this is a species that prefers the metalimnetic (layer in a stratified lake that lies between the warm surface water and the cold bottom water environment). The Agency has no record of recent reports of *P. Rubescens* blooms surfacing in Harvey’s Lake. See responses to Comments #261 and #262.

Comment 291: I implore you to add Lake Harvey (Harvey's Lake) to the list of lakes exempt from wakesports. From the dimensional viewpoint, although the total area of the lake meets the minimum criteria for wakesports, the shape of the lake does not. The minimum required 100-acre wakesports safety zone with a minimum required run of 3000' simply does not fit in the lake without violating the minimum buffer of 500' to shoreline.

Response 291: See responses to Comments #261 and #262.

Comment 292: Opening Harvey Lake to wakesports is not financially responsible, and it will contribute to degradation of an important community resource.

Response 292: Wakesports have never been prohibited on Harvey's Lake. See responses to Comments #261 and #262.

Comment 293: Proposed rule does not go far enough. It should NOT allow wake boats on Harvey Lake for two main reasons. 1) TOO SMALL! and 2) Virtually NO LAW there! Wake boats should not be allowed on any body of water without law enforcement present to protect the public!

Response 293: See responses to Comments #261 and #262.

Comment 294: While the proposed rule change will be a plus for many lakes, i believe for Harveys Lake there will be HARM. Why? Because these rules will direct Wake Boaters to the few lakes still permitted for Wake Boats

Response 294: See responses to Comments #95, #261, and #262.

Comment 295: While Lake Harvey meets the size requirements on paper, the practical reality is that wakeboard boats are not being operated in accordance with boating laws. This has resulted in significant damage to the shoreline and personal property, and has created serious safety concerns for others trying to enjoy the lake.

Response 295: Any perceived or alleged violations of Vermont's boating laws or the Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 296: Lake Harvey only has one wakeboat on the lake.

Response 296: The Agency acknowledges this comment.

Comment 297: Lake Harvey is smaller than four of the twelve lakes you have exempted from wakesporting. We are, by far, the smallest of the eighteen lakes that are required to allow wakesporting. We also have the smallest Wake Sport Zone (WSZ) of the eighteen lakes, 116 acres, while the other WSZs range from 160 acres to over 2,000 acres. Our WSZ

is 3,506 feet in length while the other seventeen lakes have WSZs of 4,486–30,000 feet in length. Of the seventeen other WSZ lakes, Fairfield is the next smallest but is 50% larger than Harvey. The next largest lake, Island Pond, is over twice the size of Harvey.

Response 297: See responses to Comments #82, #261, and #262.

Comment 298: we believe that shape utilization can and should be applied to Lake Harvey to deal with the narrow end of the WSZ and also to deal with the State launch area which is within less than 500 feet of the south end of the WSZ. The launch is busy with over 600 boats launched every season. The area, especially on weekends, is congested with boats being launched and others waiting to be taken out. There is a 60-footlong floating dock extending perpendicular to the shoreline which would be buffeted by a wakeboat being too close. In addition, we have the forty plus year-old water-skiing course at the East end which extends 275 feet from the shoreline. If a 5 would be substantially reduced probably not meeting the 100-acre requirement.

Response 298: The wakesports zone on Lake Harvey is located 500 feet from shore on all sides. The presence of docks and a waterski course does not alter the shape of a wakesports zone.

Comment 299: Wake sports are too big for diminutive 320-acre Holland Pond.

Response 299: Under the proposed rules, Holland Pond would not meet the criteria to support a wakesports zone.

Comment 300: The wake boats pose a clear threat to the loons as well as our activities on our canoe, kayak and paddle board on the pond. Please do not allow them on Holland Pond.

Response 300: See response to Comments #262 and #299.

Comment 301: Lake Iroquois - from top to bottom, this area is approximately 4000', but most days we only use the lower half as there are other users on the lake & we respectfully keep away as best as possible in order to share the lake with other users (Kayaks, SUPs, Fishermen, other boaters)

Response 301: Under the proposed rules, Lake Iroquois would not meet the criteria to support a wakesports zone.

Comment 302: Given public discussion that certain lakes (including Fairlee and Lake Iroquois) are focal points, the Agency should avoid any rule structure that appears engineered to exclude particular waterbodies via assumption-driven math. The solution is

transparency: publish sensitivity analyses showing how outcomes change when speeds, run lengths, and widths vary.

Response 302: See responses to Comments #82 and #261.

Comment 303: Lake Iroquois does not experience heavy wakeboat traffic; We see a variety of motor boats each season(fishing boats, ski boats, open bow boats), but you can count on one hand how many wakeboats are stationed here, and we coexist respectfully with all lake users. While I agree that specific rules are necessary for certain bodies of water, applying a broad mandate across diverse lakes is a mistake.

Response 303: See response to Comment #261.

Comment 304: The people who love wakesports have plenty of much larger lakes they can practice their recreation on, I would strongly suggest banning wakesports completely on smaller lakes such as Crystal Lake.

Response 304: See response to Comment #261.

Comment 305: Currently there are **no inspection and cleaning stations near Willoughby**. The Boat **greeters have not received the necessary training** nor do they have the equipment to identify the presence of zebra mussel larvae (veligers) which can be floating in tanks, bilges etc, and can be attached to boat hulls.

Response 305: Under the proposed rules, ballasted watercraft are required to decontaminate prior to entering a unique waterbody. See responses to Comments #166 and #191.

Comment 306: The best thing for Willoughby is “no wake boats” on Willoughby and re-appeal to the State of Vermont to not let Willoughby down and, instead, join us in protecting our notably magnificent, notably pristine glacial lake by supporting a ban of wake sports on Willoughby.

Response 306: Please see response to Comment #261.

Comment 307: We don't want our pristine, peaceful, beautiful Lake Willoughby to become the "go to" lake for these sports! We have welcomed day visitors for fishing, paddleboarding, kayaking, canoeing, and electric "hover boarding". We have had visitors wind-surfing and of course water skiing and tubing. I want to leave the lake to these sports and to the wildlife that coexists with these pursuits. KEEP HOME RULE and then you will have my full support.

Response 307: See responses to Comments #155, #261, and #262.

Comment 308: We at Willoughby Lake have HAD boats coming down from CANADA due to expensive DAILY and weekly launching fees in CANADA. We know that there are definitely Zebra Mussels in various areas of Lake Memphremagog as in DEC Invasive species information. They come down and launch into Willoughby and I'd think other of the lakes and LAUNCH FOR NO FEE AND POTENTIALLY BRING US "POISON PILLS" a/k/a Zebra Mussels !!! With these Zebra Mussels "on our doorstep", maybe we need to REQUIRE ANY CANADIAN BOAT TO BE DECONTAMINATED with a Certificate and as they cross any border station, they should be told that as a courtesy.

Response 308: See response to Comments #155, #166, #191, and #261.

Comment 309: Willoughby is right across the border from and a major destination for Canadian tourists who swim, boat, kayak, paddle board and ski on our lake. Wake boats have already begun to come to Willoughby and we expect that to increase significantly once Willoughby becomes widely known as a wake boat destination.

Response 309: The Agency acknowledges this comment.

Comment 310: The current proposal does not go far enough to protect Vermont's most ecologically sensitive and iconic lakes. In the case of Lake Willoughby, the proposed rules may actually result in increased wakesports activity, placing this unique and fragile resource at greater risk.

Response 310: See responses to Comments #95 and #261.

Comment 311: Lake Willoughby is the only lake in Vermont designated as a National Natural Landmark by the federal government. It is an irreplaceable natural asset, valued not only for recreation but also for its ecological integrity, scenic character, and cultural significance. As such, it deserves special consideration and stronger protections than those afforded under a uniform statewide approach.

Response 311: See responses to Comment #261.

Comment 312: Add depth and distance requirements for wake boats operating in Vermont portions of Lake Champlain, Lake Memphremagog, Wallace Pond, and the Connecticut River Reservoirs.

Response 312: See response to Comment #407.

Comment 313: To provide equal protection of public uses on Lake Champlain and other non-inland waterbodies, LCC suggests that portions of proposed Section 3 (General Rules of Lakes, Ponds, and Reservoirs Located Entirely Within the State of Vermont) be moved to or repeated in Section 4 (General Rules for all Lakes, Ponds, and Reservoirs Including

Those Not Located Entirely Within the State of Vermont) to make them applicable to the Vermont waters of all interstate and international lakes, including Lake Champlain.

Response 313: See response to Comment #407. The Agency has proposed adding a Section 4.4 to the Use of Public Waters Rules that clarifies that within non-inland waterbodies, ballasted vessels must decontaminate in accordance with Section 3.7(d)&(e), that those engaging in wakesports must stay 500 feet away from other recreational users, and that wakesports must stay at least 500 feet away from loon nesting sites.

Comment 314: Due to the size of Lake Champlain, creation of a specific wakesports zone is unnecessary, but concerns about public safety, erosion, and the disturbance of sediment caused by wakeboats are equally applicable to Lake Champlain and other interstate and international lakes. Therefore, the portions of the proposed rule that address distance from other uses and lake depth should be moved to or replicated in Section 4. Specifically, the proposed requirement that a wakeboat must provide at least a 500 foot distance as a buffer should be moved to or duplicated in Section 4. Public safety on a body of water of any size is important and a distance of 500 feet from an individual in the water or another motorized or unmotorized vessel, such as a swimmer or a kayaker, should be required on Lake Champlain and other interstate and international lakes. Further, erosion control on these large lakes should be considered as well, requiring wakesports to be at least 500 feet from shore. Finally, since wakesports on Lake Champlain will have the same impacts on nesting loons as on inland lakes, the 500-foot buffer distance between the wakesport and the nesting site should be moved from Section 3 to Section 4.10

Response 314: See response to Comment #313.

Comment 315: If a wakeboat is transported between another lake and Lake Champlain, the same decontamination practices should be required to limit the spread of aquatic invasive species as is proposed for transport between inland lakes. For clarity, the provisions requiring decontamination of the interior components of wakeboats¹³ should be moved from Section 3 to Section 4 or included in both.

Response 315: See response to Comment #313.

Comment 316: Lake Whitingham (Harriman Reservoir) is the largest lake entirely in Vermont and wake boats continue to pose a significant safety hazard for not only kayakers but also swimmers and users of smaller craft. These boats cause waves to form of such height and intensity that is only ever seen on the lake from storms so ferocious that nobody in their right mind would be on the water. The two areas in the DEC map of designated wake boat areas are not near the three motorboat launch facilities which are not overseen by any

state personnel. There is to my knowledge no state-owned buoys marking areas for wake boats to operate so basically they face no restrictions. Department of Fish & Wildlife patrols they are infrequent.

Response 316: See responses to Comments # 261 and #262. Any perceived or alleged violations of boating or Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 317: While wake sports are not allowed by law on Lake Groton, there are several wake boats on the lake and we believe that some of them are at times engaging in prohibited wake sports. The infrastructure is not in place to police these rules and neighbors tend not to report their neighbors for noncompliance, nor should it be our responsibility. Additionally, there are wake boats that come into the state campground or are visitors to property owners.

Response 317: Wakesports are prohibited on Lake Groton. Wake boats may operate without creating an enhanced wake on Lake Groton. Any perceived or alleged violations of boating or Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 318: Wake sports are creating dangerous conditions for all of us who enjoy recreating on Lake Fairlee. They should be prohibited from a lake the size of Lake Fairlee and I ask that the DEC maintains the rule as currently proposed as thus prohibit the use of these boats on Lake Fairlee

Response 318: Under the proposed rules, wakesports are prohibited on Lake Fairlee. Wakeboats may operate without creating an enhanced wake. See responses to Comments # 261 and #262.

Comment 319: reject the so-called compromise for Lake Fairlee that allows 2 people to have limited use of wake boats on the lake. The ecological health of Lake Fairlee is already severely compromised and any action allowing wake boats will further negatively impact the health of the lake.

Response 319: Under the proposed definition of a wakesports zone, Lake Fairlee would not meet the criteria to support a wakesports zone. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 320: Lake Fairlee is too small for wakesports

Response 320: See response to Comment #318.

Comment 321: We are in a home on Lake Fairlee directly affected by the wakeboarding zone and thus only the half of the peanut sized lake is in use for wakeboard. Funny that the only wakeboarding owners are not on that side of the lake. Four of the camps are on this side with novice (especially Ohana) boaters and it's not rare that we have to rescue a few here and there! We don't allow people to drive too fast on certain roads, smaller lakes need protection. I am a waterski boat owner and over the years also have cut back on my timing for tubing and skiing to protect the camps. That said when the wave boat is out no-one can ski or tube safely anyway and we all scam to the other side of the lake if we want to be safe. I am sorry for all the people that wrote in about injuries, we are lucky that we keep a close eye on the waterfront and have rescued the toddlers quickly. I appreciate there is one owner, and perhaps the solutions of grandfathering could be explored with caution, but if others bring a wake boat then two boats cannot possibly safely perform in the zones involved. Knowing when there might be a wake boat is so important and the fun of a few cannot override the safety of many.

Response 321: The Agency acknowledges this comment.

Comment 322: The Lake Fairlee Association (LFA - of which I am a member) filed for an exemption (to prohibit wakesports) within 24 hours of the rules being published, without any discussion from members of the LFA or other stakeholders. Over the following season the LFA did no studies nor collected any information to evaluate without prejudice the effectiveness of the 2024 rules.

Response 322: The Agency acknowledges this comment.

Comment 323: If wakesports continue on Lake Fairlee, our ability to safely serve participants across a spectrum of ages, abilities, and comfort levels will be compromised. This threatens not only the wellbeing of campers and families but the long-term trust they place in us—and, by extension, the vitality of the camps and the surrounding community. A safe, dependable, and welcoming waterfront for people of all ages and abilities is at the heart of the Aloha Foundation's programs and the reason families have trusted us for generations. Wakesports, by their nature, make the lake less accessible and less safe for those who depend on calm water most: children learning to swim, participants using small craft, and families engaging in shared waterfront activities.

Response 323: See response to Comment #318.

Comment 324: Wake surfing has occurred on Lake Fairlee for the past 16 years. Yet the petitioner's own words acknowledge one of the most successful loon nesting records in Vermont. There has been no verified impact presented within the petition itself demonstrating harm caused by wake surfing activity.

Response 324: The Agency acknowledges this comment.

Comment 325: Knowing well how active the five historic camps still are on the water, Lake Fairlee is not an appropriate water body for such an impact sport. Many of the campers are young and trying to learn a new sport (kayaking, stand up paddleboards, sailing, snorkeling, and even swimming across the lake to earn a badge.) The visibility from the cockpit of a wakeboat is seriously compromised by the raised bow. I have heard about several instances on Lake Fairlee of swamping a low-lying vessel and uncomfortably close calls with swimmers. The camp counselors, directors, and nearly every property owner on the lake is vehemently opposed to having such a real danger invade their otherwise peaceful range of safe activities.

Response 325: The Agency acknowledges this comment. See response to Comment #318.

Comment 326: Given the 500-foot setbacks, Lake Fairlee's resulting sub-100-acre wakesports zone is not only too small, but also poorly located. Any activity in the wakesports zone must occur in front of at least one active camp waterfront (the zone is centered between four camp waterfronts). Wakesports boats are obviously designed to generate large wake, creating hazardous conditions for swimmers and small craft.

Response 326: The Agency acknowledges this comment. See response to Comment #318.

Comment: 327: This issue seemed to begin percolating around the time of the covid pandemic, when it seemed that everybody and anybody was buying or borrowing a motor boat to enjoy on the lake (And I'm sure in many other lakes in VT). Many summer days during that time, especially on weekends, the wake from too many boaters driving too close to shore would send high ripples of water onto our property shoreline. At these peak times, our family usually chose to stay close to shore and wait till the activity slowed down. And during these peak times, we observed that some of those operating their motor boats did not appear to understand the rules of the "road", so to speak. It was during this time that some issues of wake boats causing distress and possible harm to people using the lake surfaced at our Lake Fairlee Association (LFA) meetings. I did not fully understand then, that the LFA was contemplating using these events to target specifically wake boats with in board, fillable tanks- which I call surf boats. (Of which there are two resident ones on Lake Fairlee- we have owned one of them since 2022). As a long-time member and supporter of the Lake Fairlee Association, I care deeply for the health of the lake and the ability of all residents and community members to enjoy the lake safely.

Response 327: The Agency acknowledges that the public comment record shows that wakeboats and wakesports are not always easily identifiable. The agency acknowledges this comment.

Comment 328: It is also critical to put wake boat usage into proper context. Wake boats represent only a very small fraction of overall lake activity (as repeatedly noted by the arguments regarding the one family and use of the word “selective” when referring to their opposition) . My family uses Lake Fairlee approximately 15–20 hours per summer, and even then, not always with a full ballast. It would be interesting to see research that directly correlates the *actual frequency and duration* of wake boat use on this lake with the environmental and other concerns being raised. Our experience is that there is minimal wakeboat use on this lake in addition to ours and the one family that has a house on the lake. It is difficult to justify restrictions that appear disproportionate to the level of use. Given the limited number of wake boats and their infrequent operation, a compromise is not only reasonable but it would seem more appropriate for our small community.

Response 328: The Agency acknowledges this comment. See response to Comment #261.

Comment 329: Those looking for "compromise" on the rules fail to recognize that you cannot compromise physical dimensions. The lake is too small to accommodate wake boats and non-wake recreational boaters. While I'm almost always in favor of compromise, there are certain situations where compromise is impossible, and this is one of those.

Response 329: See responses to Comments #261 and #319.

Comment 330: Lake Fairlee has the highest density of young, inexperienced paddlers, sailors, swimmers, and water skiers on any Vermont inland lake.

Response 330: The Agency acknowledges this comment. Please see the response to Comment #261.

Comment 331: The dramatic stories being told of children being tossed off floating docks at Lake Fairlee are not the fault of wakeboats. In fact, it is entirely possible that a wakeboat in wakesport operation wasn't even involved in those incidents. A boat towing a tuber while traveling in circles creates compounded wakes that are often far more disruptive, as does a standard bowrider coming too close to the shoreline. To directly identify the wakeboat as the primary problem on Lake Fairlee is inaccurate and, frankly, feels like a fabricated narrative.

Response 331: The Agency acknowledges this comment. Please see response to Comment #327.

Comment 332: I am deeply concerned about the proposed changes to the wakesports zone regulations, which would significantly restrict access and block usage on Lake Fairlee all together. The current wakesports rules are working. During the 2024 and 2025 boating season, No complaints were filed. This demonstrates that the current framework is

effective in balancing recreational use with safety and environmental stewardship. There is no compelling evidence to suggest that more restrictive measures are necessary.

The proposed requirement for a wakesports zone to contain 100 contiguous acres that are at least 500 feet from shore and 20 feet deep would effectively eliminate wakesports on Lake Fairlee. This change is not only unnecessary but also inconsistent with the agency's stated goal of using "the least restrictive approach practicable that adequately addresses the conflicts."

Response 332: See responses to Comments #7, #82, and #261.

Comment 333: It is far too easy for a single boat on Lake Fairlee to cause personal injury (my own experience is described below), and scare other users (the majority of which do not engage in wakesports) off of the lake and sometimes away from their shoreline. The suggested "compromises" of allowing wakesports at certain hours or places on Lake Fairlee would require countless people, including the hundreds of campers who use the lake each summer, to limit their use of the lake when their use of the lake interferes with no one. After 12 years as a lakefront homeowner, I can confidently say, I will paddle board around motor boats, swim next to kayaks and sail with everyone. I will not be able to enjoy Lake Fairlee with wakeboarding boats barreling around.

Response 333: See responses to Comments #261 and #319.

Comment 334: I feel that wake boat type of craft should only be used on very large bodies of water and well away from shorelines where their waves will increase erosion dramatically. There really is no location on Lake Fairlee where their use is safe, and doesn't impair the use of the lake by all of the other users. One active wake boat shuts down the entire Lake for all other craft, swimmers and even people on docks. When we see them and look around everyone on the Lake heads for the shoreline. They are that much of a menace.

Response 334: See responses to Comments #261 and #318.

Comment 335: Why send the Fairlee surf boats over to Morey for an arbitrary 4 acres? This is so obvious of an assumption to satisfy the extreme fringe anti wake boat people. Perhaps those people could just sell and move to a smaller pond without any power boating?

Response 335: See response to Comments #82 and #261.

Comment 336: In my opinion, wakesports should not be allowed at all on Lake Morey, and any proposed language to the contrary should be altered accordingly for Lake Morey (and all similar small Vermont lakes) for the following reasons: It would be disastrous to allow wake sports to occur on such a fragile lake and to put the past year's costly but thrillingly

successful alum treatment investments made by State, Town of Fairlee, and private contributors at serious risk, in addition to contributors from the businesses sector who are understandably concerned about what a return to toxic cyanobacteria blooms would do to the town's economy and its future. We need to closely and scientifically monitor the health of Lake Morey with a dependable, ongoing management program that cannot effectively take place on a lake in which wake sports are allowed, and which has no guaranteed protection into the future.

So for Lake Morey, the risks are too great, and THERE SHOULD BE NO WAKE SPORTS ALLOWED AT ALL, at any depth! But if wake sports are regrettably permitted on other unfortunate lakes, the proposed 20' depth suggested at which wake sports would be allowed is totally inadequate

Response 336: Consistent with [10 V.S.A. §§ 1455-56](#), Section 3.7 of the proposed Use of Public Waters Rules provides the Agency with the authority to alter wakesports zones or wakesports eligibility on waterbodies in which wakesports could negatively impact water quality. See responses to Comments #143. and #261. To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 337: My extended family has a hundred-year history with Lake Morey in Fairlee, VT. As you are likely aware, Lake Morey has struggled with toxic blooms of cyanobacteria in recent years, which have recently been staved off with an alum treatment (and we are appreciative of the state's support for this). My understanding is that the commonly cited guidance that wakesports are safe in an area with 20 ft of water depth are outdated and have been shown to be insufficient in studies. In addition to disrupting the efficacy of the alum treatment, disruption of the sediment throughout the lake releases phosphorus, which fuels the blooms.

Response 337: See responses to Comments #143 and #336.

Comment 338: Lake Morey had a very successful and expensive alum treatment in 2024, to suppress the dangerous Cyanobacteria that had caused illness, death and decline in property values. Prior to the alum treatment, the lake was unusable and dangerously toxic. The water is now clean, thanks to the \$1 million treatment paid for by the state. It is back to being a lake that attracts residents, campers, visitors, recreational users and breeding loons. It is a Vermont gem. The biggest threat to this idyllic lake is the wake boats and the effect they have on the health and safety of Lake Morey. In 2025, it was evident that several wake boat drivers were not following the defined requirements in terms of distance from shore or depth of water to avoid accidents and harm. We need to follow the scientifically proven model of how to keep the lake as it is for all those mentioned above and this can

only happen if the state proposes strict guidelines of 1000 ft from shore, more than 20 ft in depth, oversight at the boat ramp for algae on visiting craft and ideally, to ban wake boats in totality.

Response 338: See responses to Comments #143 and #336.

Comment 339: Lake Morey has long been a shared resource for residents, boaters, swimmers, and families who enjoy a range of recreational uses. Thanks to recent scientific assessments and the successful alum treatment conducted in 2024, the lake is in excellent condition, with phosphorus levels well below state thresholds. The health of the lake continues to benefit from collaborative stewardship and sound environmental management.

While concerns have been raised about wake sports, it's important to note that Vermont's 2024 wakeboat rule already imposes strict operational guidelines—minimum lake size, depth, and setback requirements—to protect shoreline integrity and water quality. Lake Morey currently meets those standards. Additional restrictions or outright bans would not only penalize responsible boaters who are already operating within the law but would also set a concerning precedent of regulating based on perception rather than data.

Response 339: See responses to Comment #143 and #336.

Comment 340: I own property on Lake Morey. Every time a wake boat passes my dock I watch the shoreline further erode. The shoreline on the east side of Lake Morey is already badly eroded and the continued damage that wakeboats produce is unacceptable. The destruction of the shoreline for the pleasure of a few people seems very much out of balance. I implore you to save our shoreline and ban wake sports in Lake Morey.

Response 340: See response to Comment #261.

Other comments

This section includes comments pertaining to enforcement concerns, normal use, water quality concerns, Section 4 decontamination, and other general comments not completely tied to one of the sections above.

Comment 341: Opposition to wake boats on all interior lakes due to the degrading affects on water quality/increased phosphorus levels and inevitable spread of AIS. The rules rely on boat owner/operator to ensure bilge tanks are clear of AIS (which is impossible) and to operate within the parameters set by the state wakeboat maps for each lake deemed eligible. Water levels change. What was 20 feet of depth in 2024 was significantly lower in 2025 droughts- Echo level was down dramatically for example. Release of legacy phosphorus is an imminent and obvious threat.

Response 341: The existing rules regulating wakesports are based on practices that prevent impacts to water quality. Under the proposed rules, all watercraft are required to decontaminate prior to entering a unique waterbody.

Comment 342: Why would ANR consider wakesports use on any lake that currently restrict PWC use?

Response 342: The considerations for prohibiting wakesports and personal watercraft are different.

Comment 343: Several of the petitions referenced in reopening this rulemaking acknowledge that wakesurf boats are not currently present on those lakes. From the rental side of the industry, that signals the policy discussion may be moving away from addressing documented conditions and toward regulating based on potential future use. In the rental business, we are constantly balancing safety, access, and responsible use. When we tighten procedures, it is typically because we have observed a consistent issue — not simply because demand might increase at some point. That same measured approach is important in statewide policy.

Response 343: The Agency acknowledges that several petitions requesting a prohibition on wakesports were from lakes that currently do not have documented wakesports activity. This rulemaking process reviewed wakesports-related conflict at a State-wide level, rather than on a lake-by-lake basis.

Comment 344: Alternative narrative to the 2025 proposed rule : proceed: 2,200 ft run / 50 acres / 225 ft buffer, with a requirement for replicated testing before further expansion.

Response 344: The Agency acknowledges this comment. See response to Comment #82.

Comment 345: Ban wake boats from all lakes under 400 acres.

Response 345: The Agency acknowledges this comment. See response to Comment #82.

Comment 346: Waves on Vermont lakes will encounter steeply rising floors (sometimes cliff-like, e.g., Willoughby Lake) and must therefore react much more suddenly & significantly to maintain total wave energy when impacting on quick rising shores. Unfortunately, this issue was not addressed in the 2024 rules nor is it addressed in the rules currently under consideration. Wave energy drives a process called shoaling as the bottoms of waves encounter a rising lake floor. Interaction with the floor both slows the bottom of the wave and shortens its wavelength. The physics relationship of speed, wavelength, and amplitude requires that total wave energy stay unchanged – and the incoming wave maintains this by sharply raising its amplitude (its height). Let us consider what happens – and how forcefully – as strong waves hit the sudden inflections of Vermont

lake beds. Damaging waves reach way up onto shore and wash shoreline back into the lake. High waves also stir away the egg-laying and fertilizing circles which lake fish prepare near shorelines. Similarly, quick rising waves destroy loon nests, typically located only 2 to 8 inches above the waterline, etc. The rare and precious ecology of our lakes is defenseless against such onslaught. Human safety is also threatened when waves rise suddenly. Along the shore is where small children swim and most kayaking, canoeing, paddleboarding, etc. takes place.

Response 346: Wakesports zones were determined using depth, distance from shore, and length. Steepness of lake bottom geography waws beyond the scope of wakesports zone development.

Comment 347: The main argument from this opposition group is that regulation is unnecessary. The focus should be on education instead. Unfortunately, this begs the question -- if education works, why do they still balk at keeping a safe distance from swimmers and paddlers? Their insistence serves as evidence that education in fact does NOT work! Both science and lived experience argue for increasing the distance from other lake users to protect public safety. It is alarming that wakesport practitioners still insist that swimmers and paddlers are safe at a distance of 200 feet.

Response 347: The Agency acknowledges this comment.

Comment 348: Change the proposed rule. Require operators to show access greeters that they have the on their phone a working zone map. Without it no entry.

Response 348: Wakesports operators are required to remain within the wakesports zone when operating in wakesports mode. Requiring that a wakesports operator have a map on their phone to enter the public water is beyond the scope of authority of the Use of Public Waters Rules.

Comment 349: The newly adopted 2024 wake boat restrictions have only been in place for one season. There have been no reported violations of the 2024 wake boat restrictions. The concern for AIS is targeting wake boats with no evidence that they are contributing to the problem in an adverse way.

Response 349: See responses to Comments #7 and #228.

Comment 350: Just because a lake has the space and capacity to meet the wakesports zone requirements should not mean that the lake is necessarily one on which wakesports should be allowed. Some small lakes might have considerable boisterous and widespread recreational activity in progress on a continual basis into which the injection of wakesports could be a welcome addition.

Response 350: The Agency acknowledges this comment.

Comment 351: According to public meetings the data DEC has provided was garnered from the Survey 1,2,3 app that greeter programs use. There are multiple issues with the use of this data as follows:

- Many waterbodies do not even have greeter programs, so there is zero data collection occurring there.
- Greeter programs have limited hours
- Wakeboats are difficult to identify as stated in the 2025 Greeter Manual
- Numbers in the NEK would be impacted by severe flooding and decrease in visits over the last two years

The likelihood of increased wakeboat visits to the 18 remaining waterbodies was not taken into consideration. The data provided represented the entire state, so the risk was significantly understated. The result of these issues is that wakeboat movement is likely grossly underreported.

Response 351: See response to Comment #206.

Comment 352: Before adding additional restrictions, the state must ensure existing rules are fully implemented, communicated and incorporated into official boater education and enforcement training. Regulatory expansion without proper education undermines compliance, fairness, legal implementation and public trust.

Response 352: See response to Comment #82.

Comment 353: Unfortunately, the number of confrontations I have witnessed between low-impact users and those using wakeboats continues to grow. Many of the occasions when this occurs, it is because the distance between wakeboat users and others is not being properly followed. This creates a dangerous situation for other users and, unfortunately, those who participate in Wakesports often do not care. That is, obviously, not always the case but it happens far more frequently than it should.

Response 353: The Agency acknowledges this comment.

Comment 354: On lakes which have never had resident wake boats and have both Town and lake association support, wake sports should not be allowed now or in the future. With no wake boats now or in the past, there is no effect on existing wake boat owners or the local economy.

Response 354: See response to comment #261.

Comment 355: On lakes which do not have AIS, wake sports should not be allowed, thus eliminating the possibility of AIS transfer via wake boat usage and their required ballast tank emptying (not 100% empty as we know).

Response 355: Under the proposed rules, all ballasted watercraft must decontaminate when moving between waterbodies. See response to Comment #261.

Comment 356: There will always be conspiracies and false statements presented and backed up by groups with self-serving agendas. Often this is centered on conflict of interest. Our bodies of water in Vermont are for public use and enjoyment for all boaters and families. There is room for everyone without major constrictions to one user.

Response 356: the Agency acknowledges this comment.

Comment 357: The wake boats/sports regulations should be based on the size of the boat: a 26ft boat would not be appropriate for our lake, the current active boats are 21 ft. Many residents on our lake have been "fear mongered", they have been subjected to misinformation and thus have developed irrational fears about wake sports.

Response 357: Boat size restrictions are beyond the scope of review in this rule-making effort.

Comment 358: I am so concerned about the proposed changes to wakesports rules in Vermont and the effort to redefine "Normal Use" in a way that excludes wakeboats. The fact that technology has evolved does not make the activity itself a "new use." Wake surfing is simply an evolution of boating recreation much like cell phones and social media. There was a time when waterskiing and tubing were not considered "normal use." Those activities were once viewed as new, disruptive, or unnecessary. Today, they are widely accepted as part of Vermont's recreational culture. The same pattern is repeating itself.

Response 358: Consistent with 10 V.S.A. § 1424(c), the Use of Public Waters Rules manage the public waters so that the *various* uses may be enjoyed in a reasonable manner—this includes both normal and non-normal uses. If an activity is not defined as a "normal use," that activity is not prohibited from taking place in public waters. Rather, regulatory efforts to reduce conflict are designed to protect normal uses and restrict "non-normal" uses in the least restrictive approach. Title 10 V.S.A. § 1424(c) requires that the Use of Public Waters Rules provide for all normal uses. The only change between how the Agency manages conflicts between normal and non-normal uses is the provision number—the Use conflicts provision is section 2.6 in the existing rules and will change to 2.7 in the proposed rules.

You can view a marked copy of the proposed Use of Public Waters Rules at https://dec.vermont.gov/sites/dec/files/documents/Use_of_Public_Waters_Rules_TrackChanges.pdf.

To the extent that the issues raised by this comment were not addressed, the Agency acknowledges this comment.

Comment 359: There is so much hatred, controversy, and unrest in our country right now, why are we just adding more. Leave the rules adopted in 2024 as they were.

Response 359: The Agency acknowledges this comment.

Comment 360: I disagree with the assertion that wakesports should be classified as a "non-normal use" simply because modern boats have evolved since 1993. Towed watersports behind inboard motorboats clearly predate 1993. Towboats and ballast-modification practices were in use well before that date, and wakesurfing itself emerged as a sport in the late 1980s. The law was intended to prevent entirely novel or incompatible uses, not to freeze technology at 1993 levels. Improved equipment within a longstanding recreational category does not create a new legal use.

Response 360: See the response to Comment #358.

Comment 361: I urge Vermont to completely disallow use of wakeboats on Shadow Lake in Glover, Holland Pond, Peacham Pond, Lake Parker, Lake Fairlee, and Harvey's Lake. At the very least, Vermont must not weaken or compromise existing rules regarding wakeboat use on those water bodies as proposed by a small group of wakeboat advocates at the January 16, 2026 Agency of Natural Resources meeting convened by Laura Dlugolecki to "brainstorm alternative ideas and strategies to resolve conflict." I suggest that any conflict in this issue was generated by wakeboats and their users. I have been informed that that meeting was held outside the formal public rulemaking process. This was perhaps a violation of Vermont's Open Meeting law.

Response 361: Meetings with affected user groups are a routine and appropriate component of the rulemaking process. The Agency documented these meetings in its filing with the Secretary of State, available at https://dec.vermont.gov/sites/dec/files/documents/Paperwork_12172025_SOSFiling.pdf. In addition, the Agency conducted extensive public outreach and stakeholder engagement during both the pre-rulemaking and rulemaking phases, as described at <https://dec.vermont.gov/watershed/lakes-ponds/lakes-and-ponds-rulemaking>. See also, response to Comment #319.

With respect to the January 16, 2026 meeting, the small group stakeholder meeting was a discussion meeting where no formal action was taken. Accordingly, it was conducted consistent with the requirements of [1 V.S.A. § 312](#).

The Vermont Agency of Natural Resources is committed to transparency and public accountability in the conduct of its work, consistent with Chapter I, Article VI of the Vermont Constitution and applicable public meeting laws. The Agency strives to provide meaningful opportunities for public participation while complying with all legal requirements. To the extent that the issues raised by this comment were not addressed by this response, the Agency acknowledges this comment.

Comment 362: The only conclusions that one can reasonably draw from the 2024 DEC report are (1) people on and around our lakes know enforcement of any of Vermont's boating regulations is rare, (2) there is no established/clear process for reporting incidents when they do occur and (3) the responsibility falls to the individual (since there is no enforcement) to opt out of risky situations to stay safe.

Response 362: Any perceived or alleged violations of Vermont's boating regulations or Use of Public Waters Rules should be reported to the Vermont Fish and Wildlife Game Wardens or the State Police.

Comment 363: As to enforcement, it appears that there is no mechanism or funding for enforcing the rules. Leaving everything from decontamination to setbacks and personal safety to the prerogative of the wake boater is unrealistic and likely to result in tragic consequences. Unless there is a method of documenting and enforcing non-compliance, the regulation is ineffective.

Response 363: See responses to Comments #9 and #362.

Comment 364: Please do not claim that "you cannot enforce" this rule. We know that enforcement does not prevent so many of the DEC rules- what about jetskis? Do you enforce this? I think not. The local associations do that and more. You do not receive the funding to enforce many of the DEC rules.

Response 364: See responses to Comments #9 and #362.

Comment 365: As a fisherman who fishes on Echo and Seymour lakes, as well as on numerous ponds in the Northeast Kingdom, I have repeatedly seen flagrant abuse of current rules. For example, the ordinance that motorboats create no wake within 200 feet of shore is routinely violated by boat owners—time and time again. For this reason, the expectation that wakeboat owners will stay within their specified zones is highly unlikely, and there is no practical recourse to warn or fine boats not following the law. Let me also

reiterate a self-evident fact about wakeboats. Even if these boats stay in their zone, their wake disrupts virtually all other activity on the lake.

Response 365: See response to Comment #362.

Comment 366: In proposed section 3.7(g) – The rule provides for modifications to wakeboat restrictions based on evidence of potential negative impacts on “a lake management activity, scientific research, or water quality.” It is not clear if negative aquatic ecosystem impacts, such as degradation of fish spawning habitat would trigger a review and possible change in wakesport restrictions on a waterbody. Ecosystem impacts should be included as a potential factor

Response 366: The Agency acknowledges this comment.

Comment 367: Wakeboat wakes are destructive causing erosion to the shoreline and damage to personal property. Some shoreline properties have had to reinforce the shoreline with large rocks to prevent erosion. Large wakes can cause small objects tied to docks to bang against the dock.

Response 367: The existing rules regarding the location of wakesports zones are designed to prevent shoreline erosion.

Comment 368: The issues of sediment disruption on lake beds and disturbing aquatic life is enormous.

Response 368: The existing rules regarding the depth requirement of wakesports zones are designed to prevent sediment disruption of the lakebed.

Comment 369: If a lake has no wakeboats, no wakeboats should be permitted

Response 369: See response to Comment #261.

Comment 370: What benefit is there to appease the wake sport industry at the expense of safety and normal use of our lakes.? Wake boats are high powered turbulence creating machines and they are significantly different than any other type of boat currently in use. I am sure they are a lot of fun for the owners and riders -but not for anyone else nearby.

Response 370: The Agency is charged with balancing recreational access, safety, and impacts to natural resources. See response to Comment #82.

Comment 371: If a lake is A-1 eligible, no wakesports should be permitted

Response 371: The Agency acknowledges this comment.

Comment 372: Noise concerns-- many people enjoy the quiet of the lake and allowing one more mechanized watercraft adds to the potential for more noise

Response 372: Review of noise concerns is beyond the scope of review under the Use of Public Waters Rules.

Comment 373: Ban wakesports on all inland lakes

Response 373: The Agency acknowledges this comment.

Comment 374: Most disappointing (and cowardly) is that the DEC has no intent to manage or enforce ongoing wake boat regulations. This ownership of this responsibility is foisted on the towns where these lakes exist. Many of these towns do not have the infrastructure, finances, or wherewithal to take this new responsibility. How can the DEC feel good about this? Who, in their right mind, thinks this is the proper thing to do to the denizens of these communities, many of whom are against wake boats? Why is the ongoing enforcement of such a controversial issue not a top concern?

Response 374: See responses to Comments #9 and #362.

Comment 375: The introductory paragraph (1.1) of the purpose states that managing uses to avoid “negative environmental impacts” is an objective, but only in relation to invasive aquatic species. The statement should be much more expansive, so that it addresses all negative shoreline and aquatic ecosystem impacts, not just invasive species. See response to Comment #398.

Response 375: The proposed language for the introductory paragraph Purpose, VUPWR Section 1.1 states:

The purpose of these Rules is to aid in the fulfillment of the State’s role as trustee of its navigable waters, to further the maintenance of safe and healthful conditions, and to provide for multiple uses of the waters in a manner to provide for the best interests of the citizens of the State. It is the policy of the State of Vermont to manage the uses of public waters so that the various uses may be enjoyed in a reasonable manner. It is the policy of the State of Vermont to prevent the infestation and proliferation of invasive species in the State that result in negative environmental impacts, including habitat loss and a reduction in native biodiversity along with adverse social and economic impacts and impacts to public health and safety.

This language covers a scope beyond the prevention of aquatic invasive species to include the maintenance of safe and healthful waters, and to provide for multiple uses. The policy

statement set forth in [10 V.S.A. § 1421](#) encompasses additional jurisdictions beyond the Scope of the Use of Public Waters and is general policy for all of Chapter 49.

Comment 376: By eliminating access on smaller, approved lakes, the state will effectively force the entire wakesport community onto a significantly smaller number of water bodies. This overpopulation creates serious safety concerns, increases the likelihood of user conflict, and places a disproportionate ecological burden on the few lakes that remain open.

Response 376: See response to Comment #95.

Comment 377: Data from 2025 highlights a critical trend: out of 125 monitored boats, 108 stayed on their home lake for the entire summer, while only 17 traveled to different bodies of water. This high rate of home-lake use is one of our best defenses against the spread of aquatic invasive species. By removing access to home lakes through a 100-acre minimum, the state is actively incentivizing more travel. This policy will force families to become transient boaters, increasing the frequency of trailering and the subsequent risk of cross-contamination between different bodies of water.

Response 377: The proposed rules require that all ballasted boats, including wakeboats are required to decontaminate in accordance with Agency guidelines when traveling between waterbodies. See the response to Comment #95.

Comment 378: In addition to creating more restrictions of wake boats it is important to also provide funds for extra policing on the ponds to stop the wake boats immediately as needed. We need to be able to monitor the ballast before they enter the lake.

Response 378: Appropriation of funds for enforcement is beyond the authority of this rulemaking process.

Comment 379: It is amazing that despite all the public input, the DEC still fails to acknowledge the profound impact the use of a few wakeboats on our lakes has had on the vast majority who simply want to enjoy our lakes in traditional ways. It is incomprehensible that we bend the rules to allow these boats on our lakes when, by virtue of their design, they are unable to meet statutory requirements (10 VSA 1454) designed to protect our lakes from the spread of AIS. It's clearly time to prioritize stewardship over access.

Response 379: See response to Comment #370.

Comment 380: Ban wakesports statewide except on Champlain and Memphremagog

Response 380: The Agency acknowledges this comment.

Comment 381: Nearly 23 years ago, personal watercraft, a.k.a. jet skis, were banned from the Averill Lakes at the request of a few petitioners. Apparently, the Wake Sports Industry has more money and influence than the Personal Watercraft Industry.

Response 381: See response to comment #342.

Comment 382: Adding a statement within the UPW rules of and commitment to the Precautionary Principle during decision considerations especially for all watercraft that is not a “normal use”: “When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically.”

Response 382: The Agency acknowledges this comment. The existing Use of Public Waters Rules, in Section 1.1, requires that the rules manage uses in a manner that is considered “the best interests of both current and future generations.” This requirement is precautionary in nature and has not been changed in the proposed rules. The existing Use of Public Waters Rules Section 2.8, and the proposed Rules Section 2.7, also require that non-normal uses be managed in the “least restrictive manner” to resolve conflict.

Comment 383: Wakesports are not considered normal use and have been shown to endanger public safety, disrupt longstanding recreational activities, and cause environmental harm—clear violations of UPW rules. Permitting such activities, or any action that conflicts with UPW rules, the decontamination requirements of 10 V.S.A. § 1454, or the protection of navigable waters and shorelands under § 1424, undermines the Agency’s mission, conservation principles, and public trust obligations. Authorizing wakesports is fundamentally incompatible with the Agency’s statutory duty to protect human health, public safety, and Vermont’s public waters—resources held in trust for the public good and for the benefit of all current and future generations.

Response 383: See response to Comment #358.

Comment 384: Wakeboats are not a normal use

Response 384: See response to Comment #358.

Comment 385: After reviewing the public comments, re-reading the most recent petitions, and reflecting on the Small-Group meeting held on January 16, 2026, it is clear that a workable path forward we must both allow reasonable access and meaningfully address community concerns. We believe such a compromise is achievable.

As the two resident wakeboat owners on Lake Fairlee, we respectfully propose the following revisions to the current draft rules. We recognize that Vermont’s regulations are already among the most restrictive in the country. However, we believe there is a balanced

approach that maintains safety, reduces conflict, and preserves limited access. We propose that lakes between 80–120 acres allow only one enhanced wake sports operation at a time within the designated wakesport zone. This would create a clear and easily enforceable standard that directly addresses concerns about multiple enhanced wake activities occurring simultaneously. Limiting use to a single operator in the center of the zone reduces cumulative impact while preserving reasonable access.

Under the proposed rule the allowed continuous acres would support 68.9 acres. For Example; a rectangular plot at Length x Width= Total Square feet ($3,000 \times 1,000 = 3,000,000$ total Sq. Feet)/ Divide that total by /43,560 (the number of square feet in one acre) = 68.9 Acres. At our proposal $2,500 \times 1,000 = 2,500,000 / 43,560 = 57.39$ acres would be a sufficient threshold. It is important to recognize that the original petition supports 60 continuous acres. By allowing single use from 80- 120 this would adhere to the original petitioner's recommendation and still allow for restricted use with actual mathematical support.

Response 385: See response to Comment #319.

Comment 386: The petition record indicates that over 50% of petition lakes lacked established wakeboat activity (it was noted in their petitions), however they were considered if the statewide expansion should exist. That does not mean concerns are illegitimate; it means statewide expansion should be calibrated carefully and transparently under the least restrictive practicable approach. My request is straightforward: keep the 2024 rule in place, fully implement and educate on it, monitor conflicts, AIS concerns, and safety issues in real time. If adjustments are needed later, Vermont will be able to justify them with Vermont-specific data rather than assumptions. The Agency's own summary indicates that approximately 7 of petition lakes lacked established wakeboat activity.

Response 386: The Agency acknowledges this comment.

Comment 387: I would at least like to see the regulations changed to allow towns to decide if they want wakesports on their lake

Response 387: Recreational uses on public waters of the State are jurisdictional the Use of Public Waters. Towns may petition the State to receive municipal delegation to administer the Use of Public Waters Rules in a manner that is consistent with the Rules.

Comment 388: As a 75 year old kayaker who hopes to be able to kayak until 80 at least I would ask that the state be considerate of the quiet users of our lakes. Why should the enjoyment of a few people prohibit the enjoyment of the majority of users on our lakes - kayakers, anglers, swimmers, canoists, sailors, sail boarders etc.

Response 388: See response to Comment #370.

Comment 389: I understand the deadline was extended and if it was at the request of Woodard Marine on Bomoseen it is a sneaky, underhanded lobbying tactic to mobilize for their financial gain.

Response 389: The public comment period was extended for one week. The Agency considers reasonable requests to extend public comment periods during rulemaking. The reasonable request was for an extension through the 2026 boating season. The Agency granted a one-week extension and provided responses to specific questions asked in the formal request.

Comment 390: The final question on the UPW rulemaking public comment submission form -- is it standard agency practice to include question options beyond support or oppose? In particular, asking whether someone “support but don’t go far enough” without an equal option for “oppose and the existing regulations already go too far...” This is biased.

Response 390: The Agency created an online form for the public to submit public comments during the public comment period. In addition to supplying space to provide written comment, the form asked a question about whether the commentor’s opinion on the proposed rulemaking effort. The 4 options were: support, support, but regulations do not go far enough, oppose, and other.

The point of this question was to use this information as a tool to organize the anticipated high volume of comments and to create a general interest/high-level summary of the types of comments the Agency anticipated to receive.

Rulemaking decisions are not based off the total number of comments received for one viewpoint (oppose/support) versus another. This question should not be interpreted as a vote for how the rulemaking should go. The answers to this question does not weigh into the Agency’s decision process about rulemaking. Each individual comment is reviewed and input from those comments is considered and incorporated where applicable.

The multiple-choice responses for this question were derived from the most popular categories of responses that were received during the pre-rulemaking comment period for this round of rulemaking, the pre-rulemaking period held for 9 individual petitions requesting bans on wakesports, and from the pre-rulemaking and rulemaking held when developing the original rule in 2023/2024.

The question allowed the commentor to select the “other” category as a response. The commentor can reflect additional view points in the written comments.

The responses to this question were only used for high-level summary purposes (to support categorization and coding of the over 700 comments the Agency has received). The response to this question was not used for decision making.

Comment 391: I am resubmitting because I answered “other” in a previous comment and I think that may have made my comment moot.

Response 391: Public comments are considered with the same weight and merit, regardless of how the final question on the form was answered. See the response to Comment #390.

Comment 392: The integrity of the public comment process has been compromised. This forum, intended to reflect the voices of Vermonters, has been flooded by individuals who may not be residents, not property owners, and live hundreds or thousands of miles away. These commenters have no connection to Vermont’s lakes or communities and are using this vulnerable platform to advance broad anti-boating agendas that do not reflect Vermont’s needs or realities.

Response 392: There is no requirement that a commentor be from Vermont to participate in the rulemaking process.

Comment 393: A decision to reopen the comments seems to have been done with no basis. It ignores the fact that hundreds of commenters observed its original deadline, yet the ANR extended the comment period in response to a request from a wake boat proponent. This action appears prejudiced and works to the detriment of those who oppose wake boats or are concerned that the rule does not go far enough or should be further modified. The agency’s objectivity appears compromised.

Response 393: See response to Comment #389.

Comment 394: The current proposals appear to be based more on perception than evidence. To date, there is no credible data demonstrating that wake boats pose a unique safety risk compared to other recreational vessels. Regulatory decisions should be guided by facts, not false narratives. When operated under existing regulations, they are not a safety concern. The focus should remain on responsible operation and education, not unnecessary restrictions.

Response 394: The Agency acknowledges this comment and the proposed language in this rulemaking effort are meant to address potential safety concerns. See response to Comment #1.

Comment 395: Most concerning, the revised rule prohibits greeters from turning away a watercraft, even when there is a reasonable concern that it may be contaminated with AIS.

This restriction undermines inspection programs and removes the last meaningful line of defense for uninfected lakes. At a time when Vermont is already losing ground in the fight against AIS, weakening inspection authority is both illogical and dangerous.

Response 395: The Agency has not weakened the authority of Public Access Area Greeter programs. The proposed rule amendments in this section reference existing statute.

Comment 396: Section 4 of this update provides very severe language that can easily be misinterpreted and limits the greeter's ability to educate and inform watercraft owners. The greeter programs are subsequently threatened with loss of the ability to operate on a fishing access which equates to leaving a lake wide open for AIS. It's beyond my comprehension why ANR would include such inappropriate language in a rule. The greeter programs have been doing the difficult, on-the-ground work of AIS spread prevention in "partnership" with ANR for 25 years. This language is insulting. Miscommunication regarding access to waterbodies has occurred in the last 25 years, but it's certainly not a serious or common issue that rises to the level of threats being codified in the rule.

Response 396: The Agency acknowledges and values the partnership with the volunteers and paid staff who do the very important work of spread prevention at access areas through the Greeter Program. Public Access Area Greeters may inform operators of any watercraft as to whether or not the boat meets the criteria for decontamination prior to entering a waterbody. The Greeter must comply with [10 V.S.A. § 1461](#), other applicable statutes, and any other applicable Agency rule. The Agency is committed to ensuring that roles and responsibilities are well-defined in accordance with existing statutes.

Comment 397: There is currently a bill in the senate that address this issue and it is recommended that the language from this bill replace the current Section 4, as follows: "A person staffing an authorized aquatic nuisance species inspection station is authorized to inform a person who owns or controls a wakeboat whether wakeboats are authorized for use on a lake. Information provided by a person staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority."

Response 397: In response to this comment, the Agency has proposed to add the following language to Section 4(j)(1)(iii) of the Vermont Use of Public Waters Rules:

A person staffing an authorized aquatic nuisance species inspection station may inform a person who owns or controls a vessel whether the vessel requires decontamination, in accordance with Agency training materials and guidance. Information provided in accordance with Agency training materials by a person

staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.

Comment 398: We appreciate that part of the purpose of the rules as stated in 10 VSA §1421 was added, but once again, we recommend the entire paragraph be added to present the list in the order that the legislature intended and that particularly highlights water quality and aquatic habitat protections as the first items in the list.

We agree and appreciate the addition of the statement regarding AIS.

We recommend that Section 1.1 read in full:

“The purposes of the rules shall be to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish, and aquatic life; control building sites, placement of structures, and land uses; reduce fluvial erosion hazards; reduce property loss and damage; preserve shore cover, natural beauty, and natural stability; and provide for multiple use of the waters in a manner to provide for the best interests of the citizens of the State.”

It is the policy of the State of Vermont to prevent the infestation and proliferation of invasive species in the State that result in negative environmental impacts, including habitat loss and a reduction in native biodiversity along with adverse social and economic impacts and impacts to public health and safety.

Response 398: The policy statement in [10 V.S.A. § 1421](#), as quoted in the comment above, applies to the entire Chapter 49: Protection of Navigable Waters and Shorelands. The proposed language put forth in the rule addresses aquatic invasive species spread prevention, the maintenance of safe and healthful waters, and to provide for multiple uses. The policy statement set forth in 10 V.S.A. § 1421 encompasses additional jurisdictions beyond the scope of the Use of Public Waters. The Agency has proposed adding statutory references to the purpose statement.

Comment 399: Recommendation: Add limits on size of motors and boats. The boating industry continues to manufacture and market larger and more powerful boats. Yet the proposed rule revisions contain no limitations on the size of motorized vessels that can operate on the state’s public waters. This is of particular concern to the inland lakes and especially the smaller lakes. Currently, large boats with enormous motors and the capability of operating at great speed and creating large and powerful wakes are available and are not prevented from operating on any of the lakes that allow motorized boats and that have no speed limit.

This is of concern with regard to wake boats since their purpose is to create very large waves which have already been recognized as creating a safety hazard and a potential source of shoreline damage. However, other types of boats with sufficiently large and powerful engines can do the same.

For this reason, we urge ANR to proactively consider adding a provision in these rules limiting the amount of boat displacement that can operate on inland lakes. We believe that this is well within the authority of the Agency (10 VSA §1424 (1c)).

Response 399: Adding limits to the size of boats either in specific lakes or in all lakes is beyond the scope of this rulemaking effort.

Comment 400: Recommendation: Add criteria to better protect A(1) eligible and AIS-free lakes. Vermont has some of the cleanest, most pristine, and AIS-free lakes in the country. Continuing pressures on our water resources from the warming climate and changes in federal environmental regulations makes it even more urgent that these lakes receive the highest protection possible to ensure that such waters survive for future generations.

For this reason, we urge ANR to include additional criteria not only for determining wake sports eligibility but also for determining eligibility for other activities that could potentially damage these lakes, including activities that disrupt lake bottoms, cause shoreline erosion, or have the potential to spread aquatic invasives. Such criteria should include historic activities, special designations, or A(1) eligibility.

Response 400: The existing rules were determined with the assumption that the wakesports zones are protective of shoreline erosion and lakebed disturbance on all eligible waterbodies. In addition, there are ballasted watercraft-specific decontamination requirements to prevent the spread of aquatic invasive species.

Comment 401: Recommendation: Section 3.5 “Use of Internal Combustion Motors.” This section should be clarified to explain if it applies only to internal combustion motors or to all motors. Is the intent that no motorized boats are meant to be on the lakes affected by this rule? Or would electric motors be allowed?

Response 401: Currently, every lake in Vermont that has a prohibition on internal combustion motors (VUPW 3.5) also has a prohibition on vessels powered by any type of motor exceeding 5 mph (VUPW 3.2). Because of this speed limit, even if electric motors were used on these lakes, the impact is equal. Additional rulemaking on this topic is not warranted at this time.

Comment 402: Recommendation: Section 3.7 (e) “Wake Sports” Strengthen decontamination requirements. Increase number of days out of the water from 14 to 30

and require proof (for example a dated receipt) that decontamination was done by a certified operator.

In addition, add: *Wake boats that have been in another waterbody within the previous 30 days and lack proof of decontamination, as well as other watercraft that are not inspected and decontaminated as required, are in violation of 10 VSA §1454 and, therefore, should not enter the waters of the state.*

Response 402: See response to Comment #155.

Comment 403: Recommendation: Revise proposed Section 4.1 (a – c) “Aquatic Nuisance Control Inspections Stations and Greeter Programs” This section should be entitled: 4.1: “Aquatic Nuisance Control”

For some reason only parts of 10 VSA §1454 are quoted verbatim while other sections are not. In particular, we note that the beginning of 10 VSA §1454 (c) is not included. 10 VSA §1454 (c) should be included in full to ensure that any boater consulting these rules is made aware of the potential for a fine if that section is violated. Therefore, we recommend revising parts (a – c) to read:

In order to prevent the spread of aquatic invasive species, a person shall not transport an aquatic plant, aquatic plant part, or aquatic nuisance species to or from any Vermont water

Pursuant to 10 VSA 1454:

(a) A person transporting a vessel to or from a water shall, prior to launching the vessel and upon leaving a water, inspect the vessel, the motor vehicle transporting the vessel, the trailer, and other equipment, and shall remove and properly dispose of any aquatic plants, aquatic plant parts, and aquatic nuisance species.

(b) It shall be a violation of this section for a person transporting a vessel to or from a water to not have the vessel, the motor vehicle transporting the vessel, the trailer, and other equipment inspected and decontaminated at an approved aquatic nuisance species inspection station (as defined in 10 VSA 1461) prior to launching the vessel and upon leaving a water if:

(1) an aquatic nuisance species inspection station is maintained at the area where the vessel is entering or leaving the water;

(2) the aquatic nuisance species inspection station is open; and

(3) an individual operating the aquatic nuisance species inspection station identifies the vessel for inspection or decontamination.

Response 403: Proposed language for Sections 4.1(b) and 4.1(c) of the Vermont Use of Public Waters Rules state that (emphasis added):

- (b) Pursuant to 10 V.S.A. § 1454(a), the transport of an aquatic plant, aquatic plant part, or aquatic nuisance species to or from any Vermont water is prohibited.
- (c) Pursuant to 10 V.S.A. § 1454(b), A person transporting a vessel to or from a waterbody shall, prior to launching the vessel and upon leaving a water, inspect the vessel, the motor vehicle transporting the vessel, the trailer, and other equipment, and shall remove and properly dispose of any aquatic plants, aquatic plant parts, and aquatic nuisance species.
 - 1) Pursuant to 10 V.S.A. § 1454(c), if an aquatic nuisance inspection station, as defined in Section 5.2 of these Rules is available at the launch site, a vessel shall be subject to an inspection.
 - 2) Aquatic nuisance inspection station operators may require decontamination for vessels identified subsequent to the inspection and prior to entering a waterbody.

This proposed language is derived from statute and states the same intent as described in the comment.

Comment 404: Recommendation: Section 4.1 (i): Remove this section in its entirety. It is unclear why this section has been added. It is completely irrelevant, as it provides no information for users of the public waters or for citizens wishing to petition for changes to these rules.

In addition, part (4) goes well beyond what is stated in the statute, suggesting that greeters may not inform lake users of the state's statutes or UPW rules and that lake specific materials may not be used.

The tone of this paragraph is entirely inappropriate. To include in these rules threats aimed at the very people doing the hard day-to-day work of trying to prevent the spread of AIS in the state's public waters is unacceptable.

Response 404: Public Access Area Greeters may inform operators of any watercraft as to whether or not the boat meets the criteria for decontamination, in accordance with the Agency-approved training materials provided, prior to entering a waterbody. The Greeter must comply with [10 V.S.A. § 1461](#), other applicable statutes, and any other applicable Agency rule. After review, the Agency has determined that Section 4.1(j) is consistent with 10 VSA §1454 and 10 VSA §1461. See also the response to Comment #397. The Agency has proposed the following update to clarify the intent of this provision Section 4.1(j):

*Compliance with Agency Rules and Materials. Approved operators of aquatic nuisance inspection stations shall conduct all activities in accordance with these Rules, the requirements of 10 V.S.A. Chapter 50, and all other applicable Agency Rules, policies and procedures. Operators shall not act beyond the scope of **the roles** by law, including but not limited to 10 V.S.A. §§ 1454 and 1461, and shall not represent themselves as having enforcement powers unless authorized by law. **Operators may inform lake users about relevant regulations and what uses are authorized and prohibited on a lake and may alert law enforcement to report any violations. Information provided by an operator of an aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.** Operators must not misrepresent the role, authority, or position of the Agency. When representing or operating under the authority of the Agency, operators shall use training materials, signage, and outreach materials furnished or approved by the Agency. Operators shall also comply with all terms and conditions set forth in any agreement entered into with the Agency in connection with the operation of an aquatic nuisance inspection station. Failure to comply with this section may result in revocation of approval to operate an aquatic nuisance inspection station.*

Comment 405: Recommendation: Section 5.5 “Internal Combustion motor” Revise definitions. Section 5.5 specifies internal combustion motor. However, Section 3.2 says only “motor” whereas Section 3.5 says “internal combustion motors”. These terms and definitions should be clarified to avoid confusion. If the word “motor” is used anywhere in the rules does that mean both internal combustion and electric motors? If it specifically says “internal combustion motor” does that mean electric motors would be allowed?

Water jet pumps can also be used to power boats of various types. This should be addressed as well.

Response 405: Section 3.2 applies to all types of motors. See response to Comment #401.

Comment 406: Recommendation: Develop more accurate and reliable data and data collection methods. Among the recurring issues encountered over the years as regulations governing wake sports have been discussed, developed, enacted, and now revised is the persistent lack of accurate and reliable data on the number, size, type, usage, and movement of wake boats across the state’s lakes.

This data gap is not unique to wake boats but extends to other types of watercraft as well. We strongly urge the ANR to develop and implement reliable, practical data-collection protocols to inform sound policymaking.

Response 406: At the time the Agency can only share the information that it has and collects. Adding additional data collection requirements regarding wakesports is beyond the scope of this rulemaking process.

Comment 407: Recommendation: Add depth and distance requirements for wake boats operating in Vermont portions of Lake Champlain, Lake Memphremagog, Wallace Pond, and the Connecticut River Reservoirs.

Wake boats operating in the shallow areas of these waterbodies, for example in St. Albans Bay with an average depth of 11 feet, risk causing considerable lakebed disturbance releasing phosphorus and nutrients into waters that already are at high nutrient levels. In addition, the decision to create 500 foot shoreline buffers to reduce erosion and the 500 foot distance from other lake users should also apply to these lakes for the same reason as for inland lakes: to reduce erosion, and to protect the safety of other lake users. In addition, the wake sport zones should be mapped so that shallow areas to avoid are clear to wake boat operators.

Response 407: The Agency recognizes that depth requirements and distance from shore requirements for wakesports on non-inland lakes that do not have wakesports zones may be beneficial to protect water quality. In addition to barriers in mapping and identifying wakesports zones in cross-jurisdictional waterways with fluctuating water levels, the Agency has determined that including a depth and distance from shore requirement in non-inland lakes is a significant enough change that would require additional public input, consultation with other states, and consultation with enforcement. However, the Agency recommends that wakesports occur in at least 20 feet of water and 500 feet from shore as a best practice in non-inland lakes that do not have wakesports zones.

Comment 408: The 20-foot depth requirements established in the wakesports zone definition should also apply to Lake Champlain and other interstate and international lakes. While enforcement without establishment of a wakesports zone could seem challenging, some parts of Lake Champlain, including Missisquoi Bay, Button Bay, parts of Malletts Bay and the Inland Sea are all less than 20 feet deep, so it would be relatively easy to educate boaters that these areas must be avoided. For Lake Champlain, this depth requirement is particularly crucial as the State of Vermont has taken extraordinary steps in the past ten years to reduce phosphorus discharge into the rivers of the Lake Champlain Basin.

Wakesports in shallow waters churn up sediment, and with this, reintroduce the phosphorus in that sediment to the waters of the Lake. This will further exacerbate phosphorus levels and undermine the clean water projects and program dedicated to

reducing cyanobacteria blooms.¹² Allowing wakesports only in waters greater than 20 feet deep will limit these impacts.

Response 408: See response to Comment #407.

Comment 409: Section 5.18 defines “Wakesports” as:

A. to operate a wakeboat with ballast tanks, bags, or other devices or design features engaged to increase the size of the boat’s wake; or

B. to use a surfboard, wakeboard, hydrofoil, or similar device to ride on or in the wake:

i. directly behind a wakeboat without a rope; or

ii. directly behind a wakeboat with or without a rope, when the wakeboat has ballast tanks, bags, or other devices or design features engaged as described in Section 5.17.A.

As a citizen reviewing the proposed language, I understand that scientific research is not the sole basis for rulemaking. Under the Vermont Administrative Procedure Act (3 V.S.A. § 838 and § 841), agencies may rely on statutory authority and broader policy considerations, provided a rule is not arbitrary. Please note, that I also recognize that the absence of scientific data alone does not automatically make a rule arbitrary.

However, the language in Section 5.18(B)(i) raises concern for me because it does not appear to be clearly tied to measurable wake impact. As written, the provision regulates rope-less riding behind a wakeboat even when no ballast or wake-enhancing features are engaged, specifically with a surfboard, wakeboard, hydrofoil, or similar device.

There are many hydrofoils designed to be used behind any style boat, not needing ballast or enhancements, and also without a rope. In that situation, the wake produced may be comparable to many other common recreational boats.

From a common-sense and impact-based perspective, this distinction appears difficult to justify in the record. While I respect the Agency’s authority to regulate in this area, in my opinion this provision risks being overbroad and on the verge of arbitrary because it regulates based on the activity and vessel label rather than on whether the wake is actually enhanced.

For these reasons, I respectfully request that the Agency to **remove Section 5.18(B)(i)** so the rule more clearly aligns with an impact-based and consistent regulatory approach.

Response 409: This definition is to identify that the creation of an enhanced wake **and** the recreational activity done on the wake are considered “wakesports.” Wakesports is the activity that is regulated and required to be located within a wakesports zone.

ENVIRONMENTAL PROTECTION RULE CHAPTER 32
VERMONT USE OF PUBLIC WATERS RULES

**State of Vermont Agency
of Natural Resources
Department of Environmental Conservation
Effective Date: ~~April 15, 2024~~ TBD**

VERMONT USE OF PUBLIC WATERS RULES

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VERMONT USE OF PUBLIC WATERS RULES

SECTION 1: APPLICABILITY AND PURPOSE

1.1 General Purpose

In accordance with 10 V.S.A. § 1421, § 1424, and § 1451, the purpose of these Rules is to aid in the fulfillment of the State's role as trustee of its navigable waters, to further the maintenance of safe and healthful conditions, and to provide for multiple uses of the waters in a manner to provide for the best interests of the citizens of the State. It is the policy of the State of Vermont to manage the uses of public waters so that the various uses may be enjoyed in a reasonable manner. It is the policy of the State of Vermont to prevent the infestation and proliferation of invasive species in the State that result in negative environmental impacts, including habitat loss and a reduction in native biodiversity along with adverse social and economic impacts and impacts to public health and safety.

~~(a) The Use of Public Waters Rules (Rules) govern the aquatic resources management of the public waters of Vermont by the Agency of Natural Resources under 10 V.S.A. § 1424 (Use of public waters) and contain aquatic nuisance control provisions that are also authorized under 10 V.S.A. § 1460 (Aquatic Nuisance Control Rulemaking). The Rules establish a number of general management rules to protect normal uses on all lakes, ponds, and reservoirs. The Rules are to establish:~~

- ~~(a) General management rules to protect normal uses on all public lakes, ponds, and reservoirs, in additions to provisions under 23 V.S.A. Chapter 29: Snowmobiles, Vessels, and Water Sports.~~
- (b) Lake-specific rules to protect uses and resolve conflicts. Appendices attached to these Rules are rules of the Agency adopted pursuant to the authority of 10 V.S.A. § 1424.
- (c) ~~The Rules also provide~~ Guidance for the review of petitions filed pursuant to 10 V.S.A. § 1424 seeking the adoption of rules regulating the use of particular public waters. The Rules attempt to avoid, where possible, and resolve, when necessary, conflicts in the use of public waters in a comprehensive and integrated manner so that the various uses may be enjoyed in a reasonable manner, considering the best interests of both current and future generations of the citizens of the State and ensuring that natural resource values of the public waters are fully protected.

1.2 Authority

These Rules are adopted by the Agency pursuant to the authority granted by 10 V.S.A. § 1424 and 10 V.S.A. § 1460.

1.3 Enforcement

Violations of these rules are subject to enforcement under applicable Vermont law including, but not limited to the provisions of 10 V.S.A. § 1454(h), the requirements set forth in 10 V.S.A. § 1424, and 23 V.S.A. § 3317(b).

~~4.3~~ 1.4 Severability

The provisions of these Rules are severable, and the invalidity of any section, phrase, clause, or part of these Rules shall not affect the validity or effectiveness of the remainder of the Rules.

SECTION 2: CONSIDERATION OF AGENCY-LED RULEMAKING AND PETITIONS FILED UNDER 10 V.S.A. § 1424

In addition to any applicable rules or procedures of the Agency, the Secretary shall comply with the following requirements when considering proposed rule amendments from the Secretary's own motion or from petitions filed pursuant to 10 V.S.A. § 1424(e).

2.1 Petitions

(a) Exceptions or modifications to the general rules in Section 3 and petitions for lake-specific rules or delegations under 10 V.S.A. § 1424(f) shall be considered on a case-by-case basis in response to petitions filed in accordance with 10 V.S.A. § 1424. In reviewing all such petitions, the criteria and policies in this section shall be applied. The petitioner shall have the burden of persuasion that the requested exceptions or modifications are consistent with the criteria and policies in this section and applicable statutory requirements.

(b) An administratively complete petition shall be compiled in accordance with the "Procedure for evaluating petitions to adopt, amend, or repeal surface water and wetland rules," and the Land Use Review Board's "Rules of procedure," or Agency-issued equivalents.

(1) Petitions may be submitted electronically to the Secretary, Department Commissioner, and the Director of the Watershed Management Division.

(c) In addition to any applicable rules or procedures of the Agency, such petitions shall:

(1) Identify all normal uses affected by the petition and include a statement as to why the petition complies with the applicable provisions of Section 2 of these rules, and

(2) Describe those actions that the petitioners have taken to review the concerns prompting the petition with local officials and users of the body of water in question.

2.42.2 Public meetings. Except when public safety or emergency situations require otherwise, or for other good cause:

(a) At the Secretary's discretion, the Secretary may hold an the initial public meeting regarding rules proposed in response to those petitions seeking to regulate summer recreational uses on a specific body of water, prior to making a rulemaking determination will be held during the months of June through September;

(b) The Secretary shall hold an initial public meeting regarding rules proposed in response to the Secretary's own motion or in response to a petition to amend general rules in Sections 3 and 4, prior to making a rulemaking determination

~~(b)(c)~~ all such Ppetitions may will be considered in a consolidated rulemaking proceeding once a year. Consideration of petitions filed after May 1 may be deferred until the following calendar year; and

~~(e)(d)~~ Aa public meeting shall be held in a place convenient to the waters affected, or offered in a virtual or hybrid platform when requested by 25 or more persons, the legislative body of any municipality in which the affected waters are located, any governmental subdivision or agency, or an association having 25 or more members, or when otherwise determined necessary by the Secretary.

2.22.3 General criteria.

(a) The Secretary may establish rules regarding the Use of Public Waters that:

(1) Define areas on public waters wherein certain uses may be conducted

(2) Define the uses which may be conducted in the defined areas

(3) Regulate the conduct in these areas, including the size of motors allowed, size of boats allowed, allowable speeds for boats, and prohibiting the use of motors or houseboats; and

(4) Regulate the time various uses may be conducted.

(b) In evaluating petitions, proposed rule amendments from the Secretary's own motion, and associated public comments, the following factors, at a minimum, shall be considered:

(1) The size and flow of navigable waters;

(2) The predominant use of adjacent lands;

(3) The depth of the water;

(4) The predominant use of the waters prior to regulation;

(5) The uses for which the water is adaptable

(6) The availability of fishing, boating, and bathing facilities;

and (7) The scenic beauty and recreational uses of the area.

~~(a)~~ The public waters shall be managed so that the various uses may be enjoyed in a reasonable manner, considering safety and the best interests of both current and future generations of citizens of the State and the need to provide an appropriate mix of water-based recreational opportunities on a regional and statewide basis.

~~2.3 Recreation-related criteria. In evaluating normal recreational and other uses, the following uses shall be among those considered: fishing, swimming, boating, waterskiing, fish and wildlife~~

~~(c) habitat, wildlife observation, the enjoyment of aesthetic values, quiet solitude of the water body, and other water-based activities.~~

- 2.4 Recreation-related criteria. In evaluating normal recreational and other uses, the following uses shall be among those considered: 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.

~~2.5~~

- ~~2.6~~ 2.5 Consultation and public involvement. When considering the establishment of either general or specific rules for the use of public waters under 10 V.S.A. § 1424, the following persons and entities, at a minimum, shall be consulted: the Department of Public Safety, affected municipalities, lake associations, regional planning commissions, affected recreational user groups, environmental and conservation organizations that have expressed an interest, and the public.

2.6 Delegation to municipality.

~~2.7~~ (a) Any delegation of authority to manage the use of public waters to eligible municipalities (10 V.S.A. § 1424(f)) shall be made only when it is found that such action is consistent with:

~~(a)~~ (1) The provisions of 10 V.S.A. § 1424 and any other applicable Vermont law;

~~(b)~~ (2) The provisions these Rules, and

~~(3)~~ Any surface water use management plan adopted in accordance with 10 V.S.A. § 1423 by the Secretary.

(b) Full or partial delegation request.

(1) A municipality may request that it be delegated the authority to implement the provisions of 10 V.S.A. § 1424, in lieu of the Agency, through implementation of a bylaw or ordinance for regulation of all types of conduct in the public water located adjacent to or within the municipality. This is called full delegation.

(2) A municipality may request that it be partially delegated the authority to implement the provisions of 10 V.S.A. § 1424, in lieu of the Agency, through implementation of a bylaw or ordinance for regulation of specific types of conduct in the public water located adjacent to or within the municipality. This is called partial delegation.

(c) Process for delegation. Any delegation, whether partial or full, must be consistent with 10 V.S.A. § 1424 and the Rules set forth herein:

(1) A municipality seeking full or partial delegation shall submit the following information to the Agency in writing:

- i. Declaration whether the request for delegation is for full or partial delegation.
- ii. The name, mailing address, and phone number of the chair of the local legislative body of the municipality submitting the request.
- iii. The name of the public water, the location of the public water, and the location of the municipality in relation to the public water in compliance with 10 V.S.A. 1424(f)(1).
- iv. Detail of the scope of the delegation requested, including a proposed management plan for the use or uses proposed to be managed at the local level.
- v. The names and contact information of the committee or board that will be implementing the municipality bylaw or ordinance.
- vi. A statement signed by the Chair of the local legislative body committing to administer the program in accordance with these rules and 10 V.S.A. § 1424.
- vii. Evidence that the local lake association(s), if applicable, has been notified of the delegation request.
- viii. For delegation requests on waterbodies adjacent to more than one municipality, separate requests from each municipality for delegation of authority shall be submitted, as well as a copy of an inter-municipal agreement signed by the Chair of each local legislative body indicating the process agreed upon and the role and responsibilities of the member municipalities.
- ix. A copy of the proposed ordinance or bylaw the municipality shall implement if delegated authority from the Agency.

(d) Municipalities receiving delegation. Pursuant to 10 V.S.A. § 1424(f), whether full or partial, will be considered finalized only when:

- (1) The Agency delegates authority to regulate the use of public waters to a municipality by Rule; and
- (2) The municipality has created or amended a municipal bylaw or ordinance for the regulation of public waters.

(e) Responsibilities of delegated municipalities.

- (1) The delegated municipality shall administer the bylaw or ordinance in conformance with these Rules and the procedures and practices adopted by the Secretary that interprets these Rules.
- (2) The delegated municipality shall submit an annual report including a summary of management activity related to the delegation, decisions issued and the associated decision process, and any enforcement actions taken.
- (3) The delegated municipality shall make timely and appropriate enforcement for violations of the municipality implemented bylaw or ordinance and for violations of these Rules within the municipality's boundaries pursuant to 10 V.S.A., Chapter 49.
- (4) The delegated municipality shall be responsible for all costs of administering these Rules pursuant to the delegation agreement. If delegation is revoked pursuant to 10 V.S.A. § 1424(f)(2) and Rule 2.5(g), the municipality shall promptly provide copies of all documents related to the regulation and enforcement by the municipality during the period of delegation to the Secretary. Electronic copies will be acceptable.
- (5) Should a delegated municipality seek to amend a bylaw or ordinance that has been previously approved by the Secretary, the Agency and the municipality, the delegated municipality must submit the proposed amendment to the Agency for review. Pursuant to 10 V.S.A. § 1424, any such amendment shall require rulemaking to be formally implemented.
- (6) A delegated municipality shall allow the Secretary or their designee to enter municipal property during normal working hours to review records related to the municipality's administration of these Rules.

(f) Agency Responsibilities

- (1) Upon delegating either partial or full authority to implement these Rules to a municipality, the Secretary shall deliver a delegation agreement to the municipality that requires the municipality to adhere to these Rules and 10 V.S.A. § 1424.
- (2) The Secretary may audit a delegated municipality's administration of these Rules to ensure the municipality's administration complies with these Rules, to perform quality

control and ensure a level of consistency between the municipality's review and the review by the Secretary, to gather information, or to investigate a complaint received in reference to the municipality's administration of these Rules.

(3) The Secretary, after consultation with the delegated municipality, may institute enforcement proceedings against a person for violation of these Rules within the delegated municipality's boundaries when the delegated municipality does not or cannot address non-compliance, or when the Secretary determines that enforcement is necessary to protect human health and the environment.

(4) The Secretary shall review amendments of a bylaw or ordinance related to the delegated authority to ensure consistency with these Rules.

(5) As set forth in 10 V.S.A. § 1424(f)(2), appeals from a final act of the municipality under a bylaw or ordinance implemented pursuant to these Rules shall be taken to the Environmental Division.

(g) Expiration and revocation of delegation.

(1) Municipal delegation agreements expire 10 years after the establishment of the rule authorizing municipal delegation. The municipality shall apply for reauthorization of delegation prior to its expiration.

(2) The Secretary may terminate a delegation of authority, for cause or without cause, upon six (6) months' notice to the delegated municipality as set forth in 10 V.S.A. § 1424(f)(2).

2.82.7 Use conflicts.

(a) Use conflicts shall be managed in a manner that provides for all normal uses to the greatest extent possible consistent with the provisions of Section 2.2 of these Rules.

(b) When regulation is determined to be necessary, use conflicts shall be managed using the least restrictive approach practicable that adequately addresses the conflicts.

2.92.8 Uniformity of rules. When addressing issues common to more than one body of water, uniform and consistent rules shall be adopted when appropriate.

2.9 Rule assessment and review. Potential use conflicts, science, and related data shall be reviewed in cycles not to exceed five years to ensure that the rules in place are adequate to meet the purpose of these rules. Where warranted based on this review, the Agency will initiate public engagement as described in Section 2.5. to address potential concerns.

- 2.10 Regulation of vessels. When regulation is determined to be necessary to resolve conflicts involving the operation of vessels, priority will be given to managing the manner in which vessels are used or operated, such as by imposing speed limits or separating conflicting uses by designating specific times or places where various uses are allowed.
- 2.11 Regulation of normal uses. When regulation is determined to be necessary to resolve conflicts between two or more normal uses, priority will be given to resolving the conflict by separating the conflicting uses, such as by designating specific times or places where various uses are allowed.
- 2.12 Management of waters providing wilderness-like recreational experiences. Those water bodies which currently provide wilderness-like recreational experiences shall be managed to protect and enhance the continued availability of such experiences.

SECTION 3: GENERAL RULES FOR LAKES, PONDS, AND RESERVOIRS LOCATED ENTIRELY WITHIN THE STATE OF VERMONT¹

3.1 Rule Applicability

~~a-~~ (a) The rules in this section shall apply to all lakes, ponds, and reservoirs that are public waters and are located entirely within the State of Vermont¹ regardless of their surface area unless:

- (1) they are in conflict with rules adopted by the Water Resources Panel or the Agency under 10 V.S.A. § 1424 that address issues unique to a particular body of water; such rules for particular bodies of water are set out in Appendix A hereto;
- (2) they are in conflict with the terms of a license, permit, or rule adopted or issued by another agency having jurisdiction over the public waters or a particular use of the waters; or
- (3) law enforcement, emergencies, or the performance of official duties by a governmental agency require otherwise.

~~b.~~ (b) Rules for Vermont waterbodies adopted under the authority of 10 V.S.A. § 1424 are set out in Appendix A.

~~⁴ Except for subsections 3.8.c. 3.8.e. (wakeboat decal and decontamination provisions), this section does not apply to Lake Champlain, Lake Memphremagog, Wallace Pond, and the Connecticut River Reservoirs.~~

3.2 Maximum Speed Limits and Other Operational Requirements

Vessels powered by motor shall, in addition to the requirements of 23 V.S.A. § 3311(a) pertaining to careless and negligent operation:

~~a.~~ (a) ~~N~~ot exceed five m.p.h. on lakes, ponds, and reservoirs upon which the operation of vessels powered by motor at substantially higher speeds is not a normal use, that have a surface area of 75 acres or less, that have less than 30 contiguous acres outside the shoreline safety zone, or upon which the use of internal combustion motors is prohibited; and

~~b.~~ (b) ~~N~~ot be operated in such a manner that either the hull of the vessel or its underwater exhaust outlet completely leaves the water as a result of crossing or jumping the wake of any vessel, including its own wake, or for any other reason.

3.3 Use of Personal Watercraft

~~a.~~ (a) The use of personal watercraft is prohibited on lakes, ponds, and reservoirs:

(1) ~~T~~hat have a surface area less than 300 acres, or

(2) ~~T~~hat as of May 1, 1995, had a maximum speed limit of five m.p.h. or less, or

(3) ~~O~~on which the use of internal combustion motors to power vessels is prohibited.

~~b.~~ (b) The above prohibition on personal watercraft may be modified on a case-by-case basis in response to petitions filed pursuant to 10 V.S.A. § 1424.

3.4 Use of Aircraft on Public Waters

Except where the use by aircraft is specifically authorized in accordance with 5 V.S.A. Chapter 9, the use of aircraft is prohibited from May 1 through November 30 on all lakes, ponds, and reservoirs:

~~a.~~ (a) ~~T~~hat have a surface area of less than 75 acres, or

~~b.~~ (b) Where the maximum speed limit for vessels powered by motors is five m.p.h. or less, or

~~c.~~ (c) Where the use of internal combustion motors is prohibited.

3.5 Use of Internal Combustion Motors

Use of internal combustion motors to power vessels on lakes, ponds, and reservoirs is prohibited where the use of such motors was not a normal use prior to January 1, 1993.

3.6 Protection of Loon Nesting Sites

Between May 1 and July 31 all persons and vessels are prohibited from public waters within 300 feet of any loon nesting site that the Secretary or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings.

Wakesports are prohibited within 500 feet of any loon nesting site within the timeframe and under the conditions described in this Section.

~~3.7~~ Petitions

~~a. Exceptions or modifications to the general rules in this section and petitions for lake-specific rules or delegations under 10 V.S.A. § 1424(f) will be considered on a case-by-case basis in response to petitions filed in accordance with 10 V.S.A. § 1424. In reviewing all such petitions, the criteria and policies in Section 2 above shall be applied. The petitioner shall have the burden of persuasion that the requested exceptions or modifications are consistent with the criteria and policies in Section 2 and applicable statutory requirements.~~

~~b. In addition to any applicable rules or procedures of the Agency, such petitions shall:~~

~~(1) identify all normal uses affected by the petition and include a statement as to why the petition complies with the applicable provisions of Section 2 of these rules, and~~

~~(2) describe those actions that the petitioners have taken to review the concerns prompting the petition with local officials and users of the body of water in question.~~

~~c. The Secretary may hold a preliminary hearing prior to determining whether to initiate a rulemaking in response to any petition.~~

~~3.8~~ 3.7 Wakesports

~~a.~~ (a) Wakesports are prohibited on lakes, ponds, and reservoirs that do not have a defined wakesports zone as defined at Section ~~5.195-18~~ and ~~listed in Appendix E~~. A list of lakes, ponds, and reservoirs with a wakesports zone as defined at Section 5.19 shall be made available to the public by the Secretary¹.

(b) Wakesports shall not take place outside the boundaries of a wakesports zone. ~~listed in~~

Appendix E.

~~b.~~ A wakeboat must have one home lake for a given calendar year and display on the wakeboat's port side bow a current Agency issued decal identifying the wakeboat's home lake for the calendar year. A wakeboat's home lake is the only lake, pond, or reservoir at which that wakeboat will be used for the calendar year, except when the decontamination requirement of Section 3.8.d. has been satisfied. This subsection 3.8.c. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone listed in Appendix E.

~~c.~~ Prior to entering a Vermont waterbody other than the wakeboat's home lake, and prior to re-entering the waters of the home lake after use of the wakeboat at any other waterbody, the wakeboat must be decontaminated at an Agency approved decontamination service provider.⁴ A wakeboat user may be requested to provide proof of decontamination at public access areas. This subsection 3.8.d. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone listed in Appendix E.

(c) An individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(d) All provisions of 10 V.S.A. § 1454 regarding aquatic nuisance species inspection and decontamination apply to ballasted vessels, including wakeboats², and ballasted vessel wakeboat users shall drain the ballast tanks of their boats to the fullest extent practicable after leaving waters of the state. This subsection 3.7.d~~8-e~~ applies to Lake Champlain,

¹ The Secretary shall maintain a "List of Lakes Eligible for Wakesports under the Vermont Use of Public Waters Rules" at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

² Refer to the Secretary's website for current aquatic nuisance species inspection and decontamination criteria, materials, or equivalent.

Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone ~~listed in Appendix E.~~

~~(e) Before entering a waterbody, if a ballasted vessel wakeboat was last launched at a different waterbody within the previous 14 days within the calendar year, the ballasted vessel's wakeboat interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water in accordance with Agency requirements (120°F) for 3 to 5 minutes, and exterior components must be adequately rinsed with high-pressure hot water (140°F) in accordance with Agency requirements to remove particulates.~~

~~d. —~~

~~e. (f) The above prohibition on wakesports (subsection 3.78.a.) may be modified on a case-by-case basis in response to petitions filed pursuant to 10 V.S.A. § 1424.~~

~~(g) The Secretary may update a defined wakesports zone or the eligibility of a lake, pond, or reservoir to allow or prohibit wakesports on an annual basis, should surface water level or other characteristics alter wakesports eligibility, as defined at Section 5.18; or, should a lake management activity or scientific research within the body of water result in the potential for wakesports to negatively impact a lake management activity, scientific research, or water quality. The Secretary shall proceed with the public process as defined at Section 2 to determine whether to proceed with a change to wakesports eligibility of a waterbody.³~~

~~⁴ A list of Agency approved decontamination service providers is available at the Agency's Lakes and Ponds Website.~~

SECTION 4: GENERAL RULES FOR ALL LAKES, PONDS, AND RESERVOIRS INCLUDING THOSE NOT LOCATED ENTIRELY WITHIN THE STATE OF VERMONT

4.1 Control of Aquatic Nuisance Infestations

(a) Aquatic nuisances are aquatic plants or animals that are not native to Vermont and which constitute a nuisance to normal uses of the affected waters.

(b) Pursuant to 10 V.S.A. § 1454(a), the transport of an aquatic plant, aquatic plant part, or aquatic nuisance species to or from any Vermont water is prohibited.

(c) Pursuant to 10 V.S.A. § 1454(b), A person transporting a vessel to or from a waterbody shall, prior to launching the vessel and upon leaving a water, inspect the vessel, the

³ The Secretary shall maintain a "Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity" at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

motor vehicle transporting the vessel, the trailer, and other equipment, and shall remove and properly dispose of any aquatic plants, aquatic plant parts, and aquatic nuisance species.

(1) Pursuant to 10 V.S.A. § 1454(c), if an aquatic nuisance inspection station, as defined in Section 5.2 of these Rules is available at the launch site, a vessel shall be subject to an inspection.

(2) Aquatic nuisance inspection station operators may require decontamination for vessels identified subsequent to the inspection and prior to entering a waterbody.

~~(a)~~(d) Where necessary to prevent, control, or contain the spread of aquatic nuisance infestations, the Secretary or the Secretary's authorized representative may identify by signs, buoys, or other means, areas of public waters as temporarily closed to all persons, to all vessels, or both in order to prevent, control, or contain the spread of aquatic nuisance infestations provided that:

- (1) the total area closed constitutes not more than 10 percent of the surface area or 50 acres, whichever is less, of the lake, pond, or reservoir;
- (2) the total area adjacent to the shoreline closed constitutes not more than 10 percent of the shoreline of the lake, pond, or reservoir;
- (3) every reasonable effort has been made to configure the area closed to minimize the impact on the use of any public access area and to provide access to the body of water for all shoreline property owners; and
- (4) such action will enhance the efficacy of an active program designed and implemented to prevent, control, or contain the spread of an aquatic nuisance infestation.

~~(b)~~(e) For areas to be temporarily closed for a period not exceeding 90 days, the Secretary shall provide written notice of the designation of all areas being closed within five days of the date of the notice to: the clerk of each Vermont municipality in which the lake, pond, or reservoir is located, the lake association, if any, for the affected body of water, and any person or organization requesting such notice in writing to the Secretary. Such notice shall indicate the target aquatic nuisance and include a map indicating all areas of a lake, pond, or reservoir being temporarily closed.

~~(c)~~(f) For areas to be temporarily closed for a period exceeding 90 days, the

Secretary shall first provide written notice and an opportunity for comment for not less than 15 days prior to the effective date of the closure. Such notice shall be provided to: the clerk of each Vermont municipality in which the affected body of water is located, the lake association, if any, for the affected body of water, and any person or organization requesting such notice in writing to the Secretary. In addition, the Secretary shall publish the same notice in a newspaper of general circulation in the area of the affected body of water no less than 15 days prior to the effective date of the closure. Such notice shall indicate the target aquatic nuisance and describe all areas of a lake, pond, or reservoir being temporarily closed. Upon receipt, within the notice period, of a written request for a public informational meeting from a municipality or 10 or more persons in interest, the Agency shall hold a public informational meeting at a location convenient to the affected water body. Notice of the meeting shall be given to all persons receiving written notice, all persons who filed written comments or who request the informational meeting within the comment period, and other persons the Agency considers appropriate.

~~(d)~~(g) The area(s) temporarily closed under subsection (d) shall be periodically reviewed by the Secretary to determine whether the purpose of preventing, controlling, or containing the spread of the target aquatic nuisance is being achieved. This review shall, at a minimum, occur within 15 days of the first anniversary of the initial designation and every two years thereafter.

~~(e)~~(h) Upon written request by any person required to receive notice under subsections (c) or (d) of this section, or 10 or more persons in interest, the Secretary shall consider whether to reopen any area closed under the provisions of this section.

~~(f)~~(i) In implementing the provisions of this section, the Secretary shall display notice and a map of the areas closed under the provisions of section 4.1(c) and (d) at any public access areas to the affected lake and may authorize employees and persons not employed by the Agency to enter identified areas for the purposes of:

(1) the placement of signs, buoys, or other markers, or

(2) taking such actions as are authorized by the Secretary to control the aquatic nuisance infestation.

(j) Aquatic nuisance species inspection stations

(1) Pursuant to 10 V.S.A. § 1461, the Agency shall operate a training program addressing the following:

- i. The inspection of vessels, motor vehicles, trailers and other equipment for the presence of aquatic plants, aquatic plant parts, and aquatic nuisance species.
 - ii. The decontamination of vessels, motor vehicles, trailers, and other equipment to prevent the spread of aquatic plants, aquatic plant parts, and aquatic nuisance species.
 - iii. How to address noncompliance with the requirements of 10 V.S.A. § 1454 and in accordance with 10 V.S.A. § 1461, including how:
 - 1. Operators of the inspection station do not have authority to board a vessel unless authorized by the vessel owner; and
 - 2. Operators of the inspection station do not have law enforcement authority to mandate compliance with the requirements of 10 V.S.A. § 1454; and-
 - 3. A person staffing an authorized aquatic nuisance species inspection station may inform a person who owns or controls a vessel whether the vessel requires decontamination, in accordance with Agency training materials and guidance. Information provided in accordance with Agency training materials by a person staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.
- (2) The Agency's training programs include online training, in person training, recorded material, training manuals, and other materials and resources -. All operators of aquatic nuisance inspection stations shall meet the Agency's training requirements, including attendance at all trainings required by the Agency, unless otherwise approved by the Agency.
- (3) As set forth in 10 V.S.A. § 1461 and 10 V.S.A. § 1454, in order to establish an aquatic nuisance inspection station for the purposes of inspection and decontamination requirements, the following conditions must be met:
- i. A municipality, a lake association, or the Commissioner the Department of Environmental Conservation shall apply to the Agency for approval
 - ii. Except where the proposed operator is the Commissioner of the Department Environmental Conservation, as a condition of approval, the applicant(s) seeking approval to operate aquatic nuisance species inspection stations shall complete the training programs established by the Agency
 - iii. Except where the applicant is the Commissioner of the Department of Environmental Conservation, where the operator is approved to operate an

aquatic nuisance inspection station, the approved applicant shall provide operators of the aquatic nuisance inspection station with training materials furnished by the Agency regarding how to conduct inspection and decontamination of vessels, motor vehicles, trailers, and other equipment for the presence of aquatic plants, aquatic plant parts, and aquatic nuisance species.

(4) Compliance with Agency Rules and Materials. Approved operators of aquatic nuisance inspection stations shall conduct all activities in accordance with these Rules, the requirements of 10 V.S.A. Chapter 50, and all other applicable Agency Rules, policies and procedures. Operators shall not act beyond the scope of directives provided by the Agency pursuant to authority granted by law, including but not limited to 10 V.S.A. §§ 1454 and 1461, and the terms and conditions of any agreement(s) entered into with the Agency pursuant to 10 V.S.A. § 1458, and shall not represent themselves as having enforcement powers unless authorized by law. Operators may inform lake users about relevant regulations and what uses are authorized and prohibited on a lake and may alert law enforcement to report any violations. Information provided by an operator of an aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority. Operators must not misrepresent the role, authority, or position of the Agency. When representing or operating under the authority of the Agency, operators shall use training materials, signage, and outreach materials furnished or approved by the Agency. Operators shall also comply with all terms and conditions set forth in any agreement entered into with the Agency in connection with the operation of an aquatic nuisance inspection station. Failure to comply with this section may result in revocation of approval to operate an aquatic nuisance inspection station.

(2)

4.2 Performance of Official Duties

This section shall not restrict law enforcement or emergency operations or the performance of official duties by a governmental agency.

4.3 Temporary use restrictions due to public safety, emergency situations, or for other good cause, as determined by the Secretary.

(a) Emergency situations⁴. Where a state of emergency has been issued, or a rapid

⁴ The Secretary shall develop and make available guidance outlining applicable scenarios and procedural steps for temporary use restriction declarations. The Secretary shall maintain a "Guidance for temporary use restrictions proposed under Vermont's Use of Public Waters Rules, Section 4.3" at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>. These actions shall be consistent with the Secretary's authority under 10 V.S.A. § 1424 and other

response to a water quality concern is required, the Secretary may temporarily restrict uses on lakes, ponds, or reservoirs. Temporary use restrictions shall be terminated by the Secretary when the emergency situation is resolved. Temporary use restrictions shall not restrict law enforcement or the performance of official duties by a government agency. If the temporary closure is in response to an emergency declaration or public health concern, the temporary closure may proceed without the public outreach process defined in Section 2.

4.4 Wakesports and ballasted recreational vessels in lakes, ponds, and reservoirs not located entirely within Vermont.

(a) All decontamination provisions described in Section 3.7(d) and 3.7(e) apply to ballasted vessels, including wakeboats, in Vermont waterbodies.

(b) In Vermont waters, an individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(c) In Vermont waters, between May 1 and July 31 wakesports are prohibited within 500 feet of any loon nesting site that the Secretary or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings.

SECTION 5: -DEFINITIONS

For the purposes of these Rules, the terms below shall have the following meanings unless a different meaning clearly appears from the context.

5.1 "Agency" means the Vermont Agency of Natural Resources.

~~5.15.2~~ "Aquatic nuisance species inspection station" means a station operated by the Agency, a municipality, a lake association, or other organization that has completed training provided by the Agency to prevent the spread of aquatic nuisance species in accordance with 10 V.S.A. § 1454 and 10 V.S.A. § 1461.

~~5.25.3~~ "Board" means the former Water Resources Panel of the Vermont Natural Resources Board or the Water Resources Panel's delegate under 10 V.S.A. § 1424(f).

~~5.35.4~~ "Disturbing wake" means the wake caused by a vessel traveling at a speed: (a) greater than the slowest speed at which it is still possible to maintain steerage and

statutes authorizing regulation of the use of public waters and areas for public safety, environmental protection, flooding, droughts, aquatic nuisance response, shoreland protection, or other reasonable bases pursuant to 10 V.S.A. Chapter 49.

headway, or (b) which is greater than 10 mph, whichever is less.

5.45.5 "Internal combustion motor" means a motor, such as a gasoline or a diesel motor, in which fuel is burned within the motor proper rather than in an external furnace as in a steam engine.

5.55.6 "Navigable water or navigable waters" means Lake Champlain, Lake Memphremagog, the Connecticut River, all natural inland lakes within Vermont, and all streams, pond, flowages and other waters within the territorial limits of Vermont, including the Vermont portion of boundary waters, which are boatable under the laws of this State (see 10 V.S.A. § 1422(4)).

5.65.7 "Normal use" means any lawful use of any specific body of public water that occurred on a regular, frequent, and consistent basis prior to January 1, 1993.

5.75.8 "Personal watercraft" means a Class A vessel which uses an inboard engine powering a water jet pump as its primary source of motive power and which is designed to be operated by a person or persons sitting, standing, or kneeling on, or being towed behind, the vessel rather than in the conventional manner of sitting or standing inside the vessel (see 23 V.S.A. § 3302(10)).

5.85.9 "Private pond" means: (a) a natural pond of not more than 20 acres, or (b) an artificial pond of any size, when such natural or artificial pond is located entirely upon lands owned by one person or entity.

5.95.10 "Private preserve" means a private pond created or used solely for the purpose of fish culture.

5.405.11 "Public waters" means navigable waters excepting those waters in private ponds and private preserves as set forth in 10 V.S.A. §§ 5202 and 5210. (see 10 V.S.A. § 1422(6) and 23 V.S.A. § 3302(11)).

5.415.12 "Recreational user group" means an organized group representing a discrete group of recreational users of public waters.

5.425.13 "Secretary" means the Secretary of the Vermont Agency of Natural Resources.

5.435.14 "Shoreline safety zone" means that portion of the surface area of public waters within 200 feet of the shoreline.

5.445.15 "Surface area" means the surface area of a lake, pond, or reservoir as shown on

Appendix A.

~~5.155.16~~ "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

~~5.165.17~~ "Wakeboat" means a motorboat that has one or more ballast tanks, ballast bags or other devices or design features used to increase the size of the motorboat's wake.

~~5.175.18~~ "Wakesports" means:

- A. to operate a wakeboat with ballast tanks, bags, or other devices or design features engaged to increase the size of the boat's wake; or
- B. to use a surfboard, wakeboard, hydrofoil, or similar device to ride on or in the wake:
 - i. directly behind a wakeboat without a rope; or
 - ii. directly behind a wakeboat with or without a rope, when the wakeboat has ballast tanks, bags, or other devices or design features engaged as described in Section 5.17.A.

~~5.185.19~~ "Wakesports zone" means an area of a waterbody that has a minimum of ~~10050~~ contiguous acres that are at least 500 feet from shore on all sides, at least 20 feet deep, at least 3,000 feet long, and at least 200 feet wide, located on a lake, pond, or reservoir on which, per Appendix A, vessels powered by internal combustion motors are allowed and may be used at speeds exceeding 5 miles per hour². The Secretary shall define the boundaries of the wakesports zone using standard geographic information system methods to delineate and normalize a wakesports zone that supports wakeboat operation. Wakesports zones are open to all uses permitted on the subject waterbody.

APPENDIX A

LAKE-SPECIFIC RULES REGULATING THE USE OF PUBLIC WATERS

10 V.S.A. § 1424

Notes about this Appendix

1. This Appendix sets out rules for Vermont waterbodies subject to regulation by the Agency of Natural Resources pursuant to 10 V.S.A. § 1424.

These waterbodies are covered by the general rules of Section 3 of the Vermont Use of Public Waters Rules (VUPW Rules), specific rules adopted by the Water Resources Board, Water Resources Panel, or Agency. Where a waterbody is not presently subject to either a general or specific rule, it is noted.

This Appendix is not a complete list of all waterbodies subject to the Agency's jurisdiction as it includes only lakes and ponds which are greater than 20 acres in surface area. It does not include many smaller lakes or ponds or many rivers and streams that may fall within the definition of a "public water." See, 10 V.S.A. Ch. 49.

2. The number in the parentheses following the name and location of the waterbody is its surface area in acres. Where an asterisk (*) appears after such number, the waterbody has been determined to have less than 30 contiguous acres outside the "shoreline safety zone" ("That portion of the surface area of public waters within 200 feet of the shoreline," see VUPW 5.13) and is therefore subject to the general five mph speed limit imposed by VUPW Rule 3.2(a).

3. References in the rules are either to *petition numbers* for waterbody-specific rules (e.g., UPW No. 94-03) or to the *general rule* from Section 3 of the Rules (e.g., VUPW Rule 3.3).

4. The date which follows a reference to a rule is the date that the initial or amended rule went into effect in accordance with the Vermont Administrative Procedure Act, 3 V.S.A. § 845(d); exact dates are sometimes unclear for some rules adopted in the early 1970s. The date that the Water Resources Board or the Water Resources Panel voted to adopt a rule is not reflected in this Appendix.

5. Certain VUPW Rules apply to *all* Vermont waterbodies:

3.2 Maximum Speed Limits and Other Operational Requirements

Vessels powered by motor shall, in addition to the requirements of 23 V.S.A. § 3311(a) pertaining to careless and negligent operation:

...

²~~See Appendix E for a list of lakes, ponds, and reservoirs with defined wakesports zones.~~

(b) not be operated in such a manner that either the hull of the vessel or its underwater exhaust outlet completely leaves the water as a result of crossing or jumping the wake of any vessel, including its own wake, or for any other reason.

3.6 Protection of Loon Nesting Sites

Between May 1 and July 31 all persons and vessels are prohibited from

public waters within 300 feet of any loon nesting site that the Secretary of the Agency of Natural Resources or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings.

Wakesports are prohibited within 500 feet of any loon nesting site within the timeframe and under the conditions described in this Section .

These rules are not repeated in the lake-specific rules in this Appendix.

6. All general rules from Section 3 of the Rules are subject to the exceptions which appear in VUPW Rule 3.1.

7. When the Water Resources Board adopted the first set of general UPW Rules in 1995 (No. UPW 95-00, January 1, 1995), the Board deemed many earlier rules for specific waterbodies to be obsolete (e.g., a rule which prohibited waterskiing was obsolete in light of a five mph speed limit). Further, early rules for many waterbodies included provisions, referenced in the UPW Notes 5.13 - 5.16, which the Board subsequently found to serve "no useful purpose." *In re Lake Hortonia (Hubbardton, Sudbury)*, No. UPW 85-01, Decision (Sep. 26, 1985). When the 1995 UPW Rules were adopted, therefore, many of these earlier rules were repealed. This Appendix contains no reference to these earlier, obsolete (and now repealed) rules, nor does it specifically reference those lake-specific rules which were amended by the 1995 UPW Rules.

8. When the Water Resources Board adopted the first set of general UPW Rules in 1995 (No. UPW 95-00, January 1, 1995), the Board determined that the use of internal combustion motors was not a normal use prior to January 1, 1993 on some waterbodies. References to VUPW Rule 3.5 in the lake-specific rules in this Appendix reflect these determinations.

9. Please note that other Vermont statutes also govern the operation of vessels on Vermont waters. See 23 V.S.A. Ch. 29, subch. 2.

Lake Abenaki, Town of Thetford (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Adams Reservoir, Town of Woodford (21*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rule a, January 1, 1987 (No. UPW 86-05)

Amherst Lake, Town of Plymouth (81)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Arrowhead Mountain Lake, Towns of Milton and Georgia (760)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour within the northeastern arm of the Lake.
- b. Personal watercraft are prohibited from operating within the northeastern arm of the Lake, except for a corridor within 200 feet of the shoreline between the public fishing access and the main body of the Lake. As shown on the map on page C-2.
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rules a and b, January 3, 1996 (No. UPW 95-02)

Athens Pond, Town of Athens (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Austin Pond, Town of Hubbardton (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Baker Pond, Town of Barton (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Baker Pond, Town of Brookfield (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Bald Hill Pond, Town of Westmore (108)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Ball Mountain Reservoir, Town of Jamaica (76*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Batten Kill River, Town of Arlington ⁹

- a. The following rule pertains to that section of the Batten Kill in the Town of Arlington between the Water Street Bridge on Vermont Route 313 and continuing downstream to the Vermont/New York border. For purposes of these rules this section of the river shall be known as the "regulated section."
- b. The use of all motors, including electric motors to power vessels in the regulated section is prohibited.
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, February 22, 1999 (No. UPW 98-04)

Bean Pond, Towns of Lyndon and Wheelock (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Bean Pond, Town of Sutton (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Beaver Pond, Town of Holland (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Beaver Pond, Town of Weathersfield (49*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Beebe Pond, Town of Hubbardton (111)

- a. Waterskiing is prohibited.
- b. Vessels powered by motors exceeding ten horsepower are prohibited.
- c. A person operating a vessel powered by motor shall not exceed a speed limit of five miles per hour.
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- f. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rules a, b, and c, October 2, 1973 (No. UPW 72-05)

Belvedere Pond, Town of Eden (97)

See: Long Pond (Belvedere Pond), Town of Eden

Berlin Pond, Town of Berlin (293)1

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors to power vessels is prohibited (VUPW Rule 3.5)
- e. The use or presence of all other internal combustion motors, including tools powered by internal combustion, is prohibited.
- f. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule e. effective November 1, 2016

**Big Pond (Woodford Lake), Town of Woodford
(31*)**

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Billings Marsh Pond, Town of West Haven (56*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Black Pond, Town of Hubbardton (20*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1986 (No. UPW 85-02)

Black Pond, Town of Plymouth (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Bliss Pond, Town of Calais (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Blueberry Lake (Warren Lake), Town of Warren (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Bomoseen, Towns of Castleton and Hubbardton (2415)

No lake-specific rules; but see VUPW Rules, Section 3

Bourn Pond, Town of Sunderland (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Branch Pond, Town of Sunderland (34*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Bristol Lake, Town of Bristol (248)

See: Winona Lake (Bristol Lake), Town of Bristol

Brownington Pond, Towns of Brownington and Derby (139)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Bruce Pond, Town of Sheffield (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Buck Lake, Town of Woodbury (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Burbee Pond, Town of Windham (50*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Burr Pond, Town of Pittsford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Burr Pond, Town of Sudbury (85)

- a. No vessel powered by motor shall be operated anywhere on Burr Pond in excess of five miles per hour between the hours of 6:00 p.m. and 10:00 a.m. local time.
- b. Any motorboat launched at the public Fish and Game access is to be utilized solely for the purpose of fishing on Burr Pond and shall be limited to a speed of five miles per hour regardless of when or where operated on Burr Pond.

- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rules a and b, September 29, 1972 (No. UPW 72-03)

Lake Carmi, Town of Franklin (1402)

No lake-specific rules; but see VUPW Rules, Section 3

Caspian Lake, Town of Greensboro (789)

- a. Vessels powered by motor shall not exceed a speed of forty miles per hour between one half hour before sunrise and one half hour after sunset.
- b. Vessels powered by motor shall not exceed a speed of ten miles per hour between one half hour after sunset and one half hour before sunrise.
- c. Use of personal watercraft or any other Class A vessel which uses an inboard engine powering a water jet pump as its primary source of motive power is prohibited.
- d. Ski slalom courses must comply with the following:
 - I. Construction
 - A. Length of the course measured on the surface of the water shall be no more than 600 feet.
 - B. There shall be no more than 16 buoys providing for no more than four slalom turns.
 - C. The buoys may be attached to an underlying framework located at least five feet below the surface of the lake.
 - II. Location
 - A. There may be no more than one course on the lake at any one time.
 - B. The location each year must be at least 1,000 feet from the prior year's location measured from the closest buoy of each such location.
 - C. The course must run as nearly parallel as possible to the nearest shore.

- D. All buoys must be at least 800 feet from shore.

III. Use

- A. Sanctioned or public competition or exhibitions are prohibited.
- B. Use by personal watercraft or any vessel powered by motor other than a motorboat towing a water skier is prohibited.
- C. Boat shall turn away from the nearest shore upon entrance to and exist from the course.

Rules a, b, c and d, February 1, 1992 (No. UPW

91-01) Rule c, amended December 10, 2001 (No.

UPW 01-01)

Cedar Lake (Monkton Pond), Town of Monkton (123)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Center Pond, Town of Newark (79)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Champlain (172,800 in Vermont)

No lake-specific rules; but see VUPW Rules, Section 3

Chandler Pond, Town of Wheelock (68)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Charleston Pond (Lubber Lake), Town of Charleston (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Chipman Lake (Tinmouth Pond), Town of Tinmouth (79)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Chittenden Reservoir, Town of Chittenden (702) ¹

- a. Vessels powered by motor shall not exceed five miles per hour.
- b. The use of personal watercraft is prohibited.
- c. Waterskiing is prohibited.
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a, b, and c, November 30, 2002 (No. UPW 02-02)

Clark Pond, Town of Glover (33*)

See: Tildy's Pond (Clark Pond), Town of Glover

Clyde Pond, Town of Derby (186)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Cobb Pond, Town of Derby (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Cogman Pond, Town of West Haven (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Coits Pond, Town of Cabot (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Colby Pond, Town of Plymouth (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Colchester Pond, Town of Colchester (186) ⁵

- a. The operation of vessels powered by motor is prohibited.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, March 8, 1993 (No. UPW 91-03)

Cole Pond, Town of Jamaica (41*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed a speed of five miles per hour.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1993 (No. UPW 90-02)

Rule b, February 1, 1992 (No. UPW 90-02)

Coles Pond, Town of Walden (99)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Colton Pond, Town of Sherburne (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Connecticut River Reservoirs

No lake-specific rules; but see VUPW Rules, Section 3

Cranbury Meadow Pond, Town of Woodbury (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Crescent Lake, Town of Sharon (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Crystal Lake, Town of Barton (763)

No lake-specific rules; but see VUPW Rules, Section 3

Curtis Pond, Town of Calais (72*)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour (m.p.h.) north of the narrows as shown on the map on page C-1.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, February 14, 1995 (No. UPW 94-04)

Cutler Pond, Town of Highgate (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Danby Pond, Town of Danby (71)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Daniels Pond, Town of Glover (66)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Danyow Pond, Town of Ferrisburgh (192*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Deer Park Pond, Town of Halifax (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Dennis Pond, Town of Brunswick (49*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Derby, Town of Derby (207)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Dewey's Mill Pond, Town of Hartford (56*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Dog Pond, Town of Woodbury (88*)²

See: Valley Lake (Dog Pond), Town of Woodbury

Lake Dunmore, Towns of Salisbury and Leicester (1037)

No lake-specific rules; but see VUPW Rules, Section 3

East Long Pond, Town of Woodbury (188)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Echo Lake, Town of Charleston (550)

No lake-specific rules; but see VUPW Rules, Section 3

Echo Lake (Keeler Pond), Towns of Sudbury and Hubbardton (54*)

- a. The operation of vessels powered by a motor at speeds exceeding five miles per hour or in such a manner as to cause a disturbing wake is prohibited.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, November 29, 1982 (No. UPW 82-01)

Echo Lake, Town of Plymouth (104)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Eden, Town of Eden (194)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Elfin Lake, Town of Wallingford (16*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1988 (No. UPW 87-03)

Lake Eligo (Eligo Pond), Towns of Craftsbury and Greensboro (174)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Elmore, Town of Elmore (219)

- a. The provisions of Section 3.3(a)(1) notwithstanding, the use of personnel watercraft is allowed between 10:00 a.m. and 7:00 p.m.
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, February 28, 1997 (No. UPW 96-02)

Emerald Lake, Town of East Dorset (28*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1987 (No. UPW 86-02)

Evar's Pond, Town of Windsor (62*)

See: Lake Runnemede (Evar's Pond), Town of Windsor

Ewell Pond, Town of Peacham (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Fairfield Pond, Town of Fairfield (446)

No lake-specific rules; but see VUPW Rules, Section 3

Fairfield Swamp Pond, Towns of Swanton, St. Albans and Fairfield (152*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Fairlee, Towns of Fairlee, West Fairlee and Thetford (457)

a. The use of personal watercraft (jet skis) is prohibited.

~~a.b.~~ Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 22, 1999 (No. UPW-~~97-0498-03~~)

Fern Lake, Town of Leicester (69*)

- a. No vessel powered by motor shall be operated on Fern Lake at speeds in excess of five miles per hour or in such a manner as to cause a disturbing wake.

- b. Except as may be authorized by the Vermont Aeronautics Board, no aircraft shall land on or take off from Fern Lake except under emergency conditions.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, November 17, 1980 (No. UPW 80-02)

Flagg Pond, Town of Wheelock (111)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Forest Lake, Town of Averill (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Forest Lake (Nelson Pond), Towns of Calais and Woodbury (133)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Forsythe Pond, Town of Thetford (20*)

See: Mud Pond (Forsythe Pond), Town of Thetford

Fosters Pond, Town of Peacham (61)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Gale Meadows Pond, Towns of Winhall and Londonderry (195) ⁶

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, February 1, 1992 (No. UPW 90-03)

Gates Pond, Town of Whitingham (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Gillett Pond, Town of Richmond (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Glen Lake, Towns of Castleton, Fair Haven and Benson (206) ⁶

- a. No vessel powered by motor shall be operated anywhere on Glen Lake at speeds in excess of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, April 1, 1978 (No. UPW 75-01)

Great Averill Lake, Town of Norton (828)

- a. The use of personal watercraft (i.e., jet skis) is prohibited.

Rule a, February 15, 2004 (No. UPW 03-01)

Great Hosmer Pond, Towns of Craftsbury and Albany (149*)^{2, 7}

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9.
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule b, January 1, 1995, (No. UPW 95-00)

Green River Reservoir, Towns of Hyde Park and Eden (653)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Greenwood Lake, Town of Woodbury (96*)²

- a. Unless otherwise prohibited by law, vessels powered by motor when towing water-skier(s) shall travel in a counterclockwise direction.
- b. Unless otherwise prohibited by law, waterskiing shall be limited to the following days and times:

Monday, Wednesday, Friday, Saturday and Sunday from noon until 7:00 p.m.

- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, February 1, 1992 (No. UPW 90-

01) Rule b, amended, February 28, 1997 (No.

UPW 96-03)

Lake Groton (Groton Pond), Town of Groton (422)

- a. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Grout Pond, Town of Stratton (84)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, August 28, 1974 (No. UPW 73-02)

Half Moon Pond, Town of Hubbardton (23*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1987 (No. UPW 86-03)

Half Moon Pond, Town of Fletcher (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Halfway Pond, Town of Norton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Halls Lake, Town of Newbury (85)

- a. Waterskiing is limited to the hours between 9:00 a.m. and 7:00 p.m.
- b. Vessels powered by motor shall not exceed a speed of 10 mph between one half hour after sunset and one half hour before sunrise.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, February 1, 1992 (No. UPW 89-01)

Lake Hancock (Sucker Pond), Town of Stamford (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Hardwick Lake, Town of Hardwick (92*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Hardwood Pond, Town of Elmore (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Harriman Pond, Town of Newbury (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Harriman Reservoir, Towns of Whitingham and Wilmington (2046)

No lake-specific rules; but see VUPW Rules, Section 3

Harvey's Lake, Town of Barnet (351)

No lake-specific rules; but see VUPW Rules, Section 3

Haystack Pond, Town of Wilmington (27*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

High Pond, Town of Sudbury (20*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Hinkum Pond, Town of Sudbury (60*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Holland Pond, Town of Holland (325)

- a. No lake-specific rules; but see VUPW Rules, Section 3
~~No lake specific rules; but see VUPW Rules, Section 3~~

Horse Pond, Town of Greensboro (32*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Hortonia (Horton Pond), Towns of Hubbardton and Sudbury (479)

a. Wakesports are prohibited (VUPW Rule 3.7)

~~— No lake specific rules; but see VUPW Rules, Section 3~~

Hough Pond, Town of Sudbury (16*)

See: Huff (Hough) Pond, Town of Sudbury

Howe Pond, Town of Readsboro (52*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Huff (Hough) Pond, Town of Sudbury (16*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, August 7, 1984 (No. UPW 83-01)

Indian Brook Reservoir, Town of Essex (50*)

- a. The operation of vessels powered by internal combustion motors is prohibited.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off from Indian Brook Reservoir.
- c. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Inman Pond, Town of Fair Haven (85) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Lake Iroquois, Towns of Hinesburg and Williston (243)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

a.

Island Pond, Town of Brighton (626)

No lake-specific rules; but see VUPW Rules, Section 3

Jacksonville Pond, Town of Whitingham (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Jobs Pond, Town of Westmore (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Joe's Pond, Towns of Cabot and Danville (396)

- a. Wakesports are prohibited (VUPW Rule 3.7)

~~— No lake specific rules; but see VUPW Rules, Section 3~~

Keeler Pond, Towns of Sudbury and Hubbardton (54*)

See: Echo Lake (Keeler Pond), Towns of Sudbury and Hubbardton

Keiser Pond, Towns of Peacham and Danville (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Kennedy's Pond, Town of Windsor (77)

See: Mill Pond (Kennedy's Pond), Town of Windsor

Kenny Pond, Town of Newfane (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Kent Pond, Town of Killington (99) ^{4, 6}

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Kettle Pond, Towns of Groton, Peacham and Marshfield (109) ^{4, 6}

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Knapp Brook Pond #1, Towns of Reading and Cavendish (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Knapp Brook Pond #2, Towns of Reading and Cavendish (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lakota Lake, Town of Barnard (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Lamoille, Town of Morristown (148)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour outside the northeastern arm of the lake as shown on the map on page C-4.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, December 10, 2001(No. UPW 01-02)

Lamson Pond, Town of Brookfield (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lefferts Pond, Town of Chittenden (80)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Levi Pond, Town of Groton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lewis Pond, Town of Lewis (68)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour (mph).
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, November 20, 1991 (No. UPW 89-03); reaffirmed (No. UPW 92-01)

Lily Pond, Town of Londonderry (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lily Pond, Town of Poultney (21*)

- a. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5
- b. V.S.A. Ch. 9 (VUPW Rule 3.4) Wakesports are prohibited (VUPW Rule ~~3.83.7~~) And see: Lake St. Catherine rules

Lily Pond, Town of Vernon (41*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Little Averill Pond, Town of Averill (467)

- a. The use of personal watercraft (i.e., jet skis) is prohibited.

Rule a, February 15, 2004 (No. UPW 03-01)

Little Elmore Pond, Town of Elmore (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Little Hosmer Pond, Town of Craftsbury (180) ⁶

- a. Vessels powered by motors of more than ten horsepower are prohibited on Little Hosmer Pond.
- b. No person shall operate a vessel powered by motor at any time at a speed in excess of five miles per hour on Little Hosmer Pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, October 4, 1973 (No. UPW 73-01)

Little Pond, Town of Franklin (95)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Little Lake, Town of Wells (177)

- a. Wakesports are prohibited (VUPW Rule ~~3.83.7~~) And see: Lake St. Catherine rules.

Long Pond (Belvedere Pond), Town of Eden (97)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Long Pond, Town of Greensboro (100)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, September 22, 1975 (No. UPW 74-02)

Long Pond, Town of Milton (47*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Long Pond, Town of Sheffield (38*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Long Pond, Town of Westmore (90) ³

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Love's Marsh, Town of Castleton (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lowell Lake, Town of Londonderry (109)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, April 13, 1988 (No. UPW 87-04)

Lower Pond (Lake Sunset), Town of Hinesburg (58*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lower Syme's Pond, Town of Ryegate (57*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lubber Lake, Town of Charleston (40*)

See: Charleston Pond (Lubber Lake), Town of Charleston

Lyford Pond, Town of Walden (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, *except where authorized under 5 V.S.A. Ch. 9* (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Madeline, Town of Sandgate (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Maidstone Lake, Town of Maidstone (745)

No lake-specific rules; but see VUPW Rules, Section 3

Lake Mansfield, Town of Stowe (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Marshfield Pond, Town of Marshfield (69*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Martin Pond, Town of Williamstown (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Martins Pond, Town of Peacham (82)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

May Pond, Town of Barton (85)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1988 (No. UPW 87-02)

McAllister Pond, Town of Lowell (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

McConnell Pond, Town of Brighton (87)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

McIntosh Pond, Town of Royalton (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Memphremagog, Towns of Derby and Coventry and City of Newport (5966 in Vermont)

See Appendix D, attached.

VUPW Rules, Appendix D, November 17, 2000 (No. UPW 00-01); amended, February 6, 2006 (No. UPW 05-01, amended December 10, 2021

**Metcalf Pond, Town of Fletcher
(81*)²**

DRAFT

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mile Pond, Town of Ferdinand (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Miles Pond, Town of Concord (205)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

a.

Mill Pond (Parson's Mill Pond), Town of Benson (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mill Pond (Kennedy's Pond), Town of Windsor (77)

- a. The operation of vessels and vehicles powered by an internal combustion motor except snowmobiles on a designated trail is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rule a, March 9, 1989 (No. UPW 88-02)

Miller Pond, Town of Strafford (64)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Milton Pond, Town of Milton (24*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Minards Pond, Town of Rockingham (46*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Mirror Lake (No. 10 Pond), Town of Calais (85)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. A no-wake zone shall apply to the entire pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, December 17, 1978 (No. UPW 78-02); amended
February 14, 2005 (No. UPW 04-02)

Rule b, February 14, 2005 (No. UPW 04-02)

Lake Mitchell, Town of Sharon (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Molly's Pond, Town of Cabot (38*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Molly's Falls Reservoir, Town of Cabot (397)

a. Wakesports are prohibited (VUPW Rule 3.7)

~~—No lake-specific rules; but see VUPW Rules, Section 3~~

Monkton Pond, Town of Monkton (123)

See Cedar Lake (Monkton Pond), Town of Monkton

Lake Morey, Town of Fairlee (547)

- a. Vessels powered by motor shall not exceed a speed of forty miles per hour.
- b. The use of personal watercraft (jet skis) is prohibited.

Rule a, February 1, 1992 (No. UPW 88-05)

Rule b, February 22, 1999 (No. UPW 98-03)

Mud Pond, Town of Craftsbury (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Pond, Town of Granby (55*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Pond, Town of Leicester (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Pond (North), Town of Morgan (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Pond, Town of Peacham (34*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Pond (Forsythe Pond), Town of Thetford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mud Creek Pond, Town of Alburg (333)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Mudd Pond, Town of Hubbardton (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

N.E. Developers Pond, Town of Wells (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Neal Pond, Town of Lunenburg (185)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Nelson Pond, Towns of Calais and Woodbury (133)

See: Forest Lake (Nelson Pond), Towns of Calais and Woodbury

Newark Pond, Town of Newark (153)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Nichols Pond, Town of Woodbury (171) ³

- a. Vessels powered by motor shall not exceed 5 mph. (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Ninevah, Town of Mount Holly (171)

- a. Vessels powered by motor shall not be operated at speeds exceeding five miles per hour.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off from Lake Ninevah.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, April 20, 1989 (No. UPW 88-01)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Norford Lake, Town of Thetford (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

North Pond, Town of Brookfield (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

North Pond, Town of Whitingham (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

North Hartland Reservoir, Towns of Hartland and Hartford (108*)²

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

North Montpelier Pond, Towns of East Montpelier and Calais (42*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

North Springfield Reservoir, Towns of Weathersfield and Springfield (290)

- a. Vessels powered by motor shall not exceed a speed limit of five miles per hour on North Springfield Reservoir.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3-83.7~~)

Rule a, May 25, 1972 (No. UPW 71-01); amended
October 5, 1994 (No. UPW 93-01)

Norton Pond, Town of Norton and Warren Gore (667) 8

- a. The use of personal watercraft (i.e., jet skis) is prohibited.
- b. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9.
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, November 30, 2002 (No. UPW 02-01)

Rule b, March 1, 2007 (No. UPW 06-01)

Notch Pond, Town of Ferdinand (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Noyes Pond (Seyon Pond), Town of Groton (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Nulhegan Pond, Town of Brighton (37*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Old Marsh Pond, Town of Fair Haven (131)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Osmore Pond, Town of Peacham (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Oxbow Pond, Town of Swanton (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Paran, Towns of Bennington and Shaftsbury (40*)

- a. The operation of vessels powered by motor is prohibited.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, July 14, 1980 (No. UPW 80-01); amended
October 5, 1994) (No UPW 93-01)

Lake Parker (Parker Pond), Town of Glover (250)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- a.b. Wakesports are prohibited (VUPW Rule 3.7)

Parson's Mill Pond, Town of Benson (39*)

See: Mill Pond (Parson's Mill Pond), Town of Benson

Patch Pond, Town of Rutland (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Pauline, Town of Ludlow (32*)

See: Reservoir Pond (Lake Pauline), Town of Ludlow

Paul Stream Pond, Town of Brunswick (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Peacham Pond, Town of Peacham (340)

- a. Wakesports are prohibited (VUPW Rule 3.7)

~~—No lake-specific rules; but see VUPW Rules, Section 3~~

Pensioner Pond, Town of Charleston (173)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Perch Pond, Town of Benson (24*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, October 25, 1974 (No. UPW 73-04)

Pigeon Pond, Town of Groton (69)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Pine Pond, Town of Castleton (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Pineo, Town of Hartford (50*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Pleasant Valley Reservoir, Town of Brattleboro (25*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Raponda, Town of Wilmington (121)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Reading Pond, Towns of Reading and Plymouth (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rescue Lake, Town of Ludlow (229)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Reservoir Pond (Lake Pauline), Town of Ludlow (32*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Richmond Pond, Town of Richmond (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Richville Pond, Town of Shoreham (129*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Ricker Pond, Town of Groton (95)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Roach Pond, Town of Hubbardton (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rood Pond, Towns of Williamstown and Brookfield (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Round Pond, Town of Milton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Round Pond, Town of Newbury (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Runnemedede (Evert's Pond), Town of Windsor (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sabin Pond (Woodbury Lake), Towns of Calais and Woodbury (142)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sadawga Pond, Town of Whitingham (194)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Salem (Salem Pond), Town of Derby (764)

No lake-specific rules; but see VUPW Rules, Section 3

Schofield Pond, Town of Hyde Park (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Searsburg Reservoir, Town of Searsburg (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Seymour Lake, Towns of Morgan and Charleston (1763)

No lake-specific rules; but see VUPW Rules, Section 3

Seyon Pond, Town of Groton (39*)

See: Noyes Pond (Seyon Pond), Town of Groton

Shadow Lake, Town of Concord (128)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Shadow Lake, Town of Glover (210)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- ~~a.b. Wakesports are prohibited (VUPW Rule 3.7)~~

Lake Shaftsbury, Town of Shaftsbury (27*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1987 (No. UPW 86-04)

Shelburne Pond, Town of Shelburne (452)

- a. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sherman Reservoir, Towns of Readsboro and Whitingham (117)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Shippee Pond, Town of Whitingham (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Shrewsbury Pond, Town of Shrewsbury (66*)

See: Spring Lake (Shrewsbury Pond), Town of Shrewsbury

Silver Lake, Town of Barnard (84)

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, May 19, 1972 (No. UPW 71-03), amended,
December 30, 2011 (No. UPW 11-01)

Silver Lake, Towns of Georgia and Fairfax (27*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Silver Lake, Town of Leicester (101)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sodom Pond, Towns of East Montpelier and Calais (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Somerset Reservoir, Towns of Somerset and Stratton (1568)

- a. The use of personal watercraft (jet skis) is prohibited.
- b. Waterskiing is prohibited.
- c. The use of vessels powered by internal combustion motors at speeds in excess of 10 miles per hour is prohibited except as provided for in rule e below.
- d. A no disturbing wake zone shall apply to the entire reservoir except as provided for in rule e below.
- e. The prohibitions established by rules c and d above shall not apply to vessels operated on behalf of the owner of Somerset Dam ~~Trans Canada~~ in conjunction with its operation of the reservoir.
- f. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a, b, c and e, February 4, 1995 (No. UPW 94-05) Rule c, amended January 3, 1996 (No. UPW 95-04)

Rule d, February 6, 2006 (No. UPW 05-04); amended January 11, 2009 (No. UPW 07-01)

Rule e, amended February 6, 2006 (No. UPW 05-04)

South Pond, Town of Eden (103)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

South Pond, Town Marlboro (68) ^{1, 9}

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

South America Pond, Town of Ferdinand (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

South Stream Pond, Town of Pownal (54*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Spectacle Pond, Town of Brighton (103)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Spring Lake (Shrewsbury Pond), Town of Shrewsbury (66*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. A person operating a vessel powered by motor shall not exceed a speed limit of five miles per hour
- c. Except as may be authorized by the Vermont Aeronautics Board, no aircraft shall land on, or take off from, Spring Lake except under emergency conditions. (VUPW Rule 3.4)
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a, b and c, June 6, 1974 (No. UPW 73-03)

Spruce Pond, Town of Orwell (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

St. Albans Reservoir (North), Town of Fairfax (35*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

St. Albans Reservoir (South), Town of Fairfax (27*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake St. Catherine, Towns of Wells and Poultney (883)

- a. Waterskiing is prohibited in the following waters:
 - (1) All portions of Lily Pond and the channel connecting Lily Pond and Lake St. Catherine.
 - (2) All portions of the channel connecting Little Lake (also known as Little Pond) and Lake St. Catherine.
- b. The operation of vessels powered by motor at speeds exceeding five miles per hour or in such a manner as to cause a disturbing wake is prohibited in the following waters:
 - (1) All portions of Lily Pond and the channel connecting Lily Pond and Lake St. Catherine.
 - (2) All portions of the channel connecting Little Lake (also known as Little Pond) and Lake St. Catherine.
 - (3) Forest House Bay - defined for purposes of this rule as those waters south and southwest of a straight line between the southerly corner of Camp 102 and the northeasterly corner of Camp 110A.
 - (4) Hall's Bay - defined for purposes of this rule as those waters north and northeast of a straight line between the southerly corner of Camp 224 and the northerly corner of Camp 207.
 - (5) Horseshoe Bay - defined for purposes of this rule as those waters west of a straight line between the easterly corner of Camp 38 and northerly corner of Camp 46A.
 - (6) Oxbow Bay - defined for purposes of this rule as those waters west of a straight line between the northerly corner of Camp 21 and the northerly corner of Camp 36.
 - (7) With regard to Forset House Bay, Hall's Bay, Horseshoe Bay and Oxbow Bay, it is permissible for a boat to start and return to its own dock at speeds in excess of five miles per hour for purposes of water skiing. In starting, the boat must head directly out of the safety zone. In returning,

the boat must go directly to its dock, at the lowest speed necessary to sustain the skier.

- c. For purposes of this regulation only, the term "channel" as used in rules a and b above, shall mean those waters within and contiguous to Lake St. Catherine which are less than 400 feet in width and which serve to connect that Lake with Lily Pond or Little Lake (also known as Little Pond).
- d. The provisions of Section 3.3 (a)(1) of these rules notwithstanding, the use of personal watercraft at speeds not exceeding five (5) miles per hour is allowed on Little Lake and Lily Pond for purposes of obtaining access to, and returning from, Lake St. Catherine.

Rules a and b(1) and (2), and c, November 17, 1980
(No. UPW 79-02)

Rule b(3) – (7), October 5, 1994, (No. UPW 93-01)

Rule d, October 14, 1997 (No. UPW 97-03)

Stannard Pond, Town of Stannard (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Star Lake, Town of Mt. Holly (63)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Stevens Pond, Town of Maidstone (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Stiles Pond, Town of Waterford (135) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Stoughton Pond, Town of Weathersfield (56*)

- a. Vessels powered by motor shall not exceed a speed limit of five miles per hour on Stoughton Pond
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 – November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, May 25, 1972 (No. UPW 71-01)

Stratton Pond, Town of Stratton (46*)

- a. The operation of vessels powered by motor is prohibited.
- b. No docks or floats, whether permanent or temporary, are permitted on the pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rules a and b, October 7, 1974 (No. UPW 73-02)

Sucker Pond, Town of Stamford (51*)

See: Lake Hancock (Sucker Pond), Town of Stamford

Sugar Hill Reservoir, Town of Goshen (63*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sugar Hollow Pond, Towns of Brandon and Pittsford (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Sunrise Lake, Towns of Benson & and Orwell (57*)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, February 1, 1992 (No. UPW 89-05)

Sunset Lake, Towns of Benson and Orwell (202)

- a. Waterskiing on Sunset Lake is restricted to the hours from 10:00 a.m. to 6:00 p.m.
- b. No more than one water-skier shall be pulled by a vessel at any time.

c. Use of personal watercraft is prohibited (VUPW Rule 3.3)

d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, October 25, 1974 (No. UPW 73-04)

Sunset Lake, Town of Brookfield (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Lake Sunset, Town of Hinesburg (58*)

See: Lower Pond (Lake Sunset), Town of Hinesburg

Sunset Lake, Town of Marlboro (96) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.8~~3.7)

Sweet Pond, Town of Guilford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Thompsons Pond, Town of Pownal (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Thurman W. Dix Reservoir, Town of Orange (123) ⁴

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Ticklenaked Pond, Town of Ryegate (54*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Tildy's Pond (Clark Pond), Town of Glover (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Tinmouth Pond, Town of Tinmouth (79)

See: Chipman Lake (Tinmouth Pond), Town of Tinmouth

Tiny Pond, Towns of Ludlow and Mt. Holly (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Toad Pond, Town of Charleston (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Townshend Reservoir, Town of Townshend (108*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Turtle Pond, Town of Holland (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Turtle Pond, Town of Hardwick (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Upper Symes Pond, Town of Ryegate (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Valley Lake (Dog Pond), Town of Woodbury (88*) 2

- a. Waterskiing on Valley Lake shall be restricted to the hours from 10:00 a.m. to 6:30 p.m.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, October 4, 1973 (No. UPW 72-06,)

Wallace Pond, Town of Canaan (107 in Vermont*)

No lake-specific rules; but see VUPW Rules, Section 3

Wallingford Pond, Town of Wallingford (87*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Wantasquet Pond, Town of Weston (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Wapanaki, Town of Wolcott (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Warden Pond, Town of Barnet (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Warren Lake, Town of Warren (48*)

See: Blueberry Lake (Warren Lake), Town of Warren

Waterbury Reservoir, Towns of Waterbury and Stowe (839)

- a. Except as provided for in parts c or d of this rule, vessels powered by motor shall not exceed five (5) miles per hour or create a disturbing wake in the following portions of Waterbury Reservoir:
 - (1) that portion of the eastern arm of the Waterbury Reservoir easterly of a line two hundred (200) feet west of the end of the peninsula separating the two bays, as shown on the map on page C-3, and
 - (2) that portion of the northern arm of the Waterbury Reservoir northerly of the point of land on the western shoreline located approximately 5500 feet southerly of the mouth of Cotton Brook, as shown on the map on page C-3 of this Appendix.
- b. The two 5 m.p.h. no disturbing wake zones provided for in part a of this rule shall each be clearly marked by buoys.
- c. The provisions of part a of this rule shall not apply to either:
 - (1) participants in events authorized under 23 V.S.A. Section 3316(a), for a maximum of five events per calendar year for a maximum of two days for each such event, or
 - (2) a single vessel using waterski slalom course number #1(as identified in part d(1) below).
- d. Unless otherwise regulated by law, only two water-ski slalom courses may be located in the Reservoir, by the person(s) or organization designated by the Board as provided for in part e of this rule as follows:
 - (1) one slalom course located at one of the following locations indicated as shown on the map on page C-3:
 - (a) southerly of the mouth of Cotton Brook within that portion of the northern arm of the reservoir, indicated as Course #1 described in part a (2) of this rule, or
 - (b) north of the Little River State Park in the northern arm of Waterbury Reservoir, indicated as Course #1 Alternate A, or
 - (c) south of the Little River State Park in the northern arm of

Waterbury Reservoir, indicated as Course #1 Alternate B.
(d) west of Blush Hill boat access in the eastern arm of Waterbury Reservoir, indicated as Course #2.

- e. The waterski slalom courses allowed by part d of this rule shall be installed, maintained, and utilized in accordance with the following requirements:
- (1) Each course shall be installed following recognized National Design Standards, shall consist of not more than 26 buoys and include underwater alignment and anchoring devices and shall be configured to occupy not more than 2.0 acres of the Reservoir's surface area, and
 - (2) be available for use by any member of the general public, and
 - (3) be installed and maintained by a person(s) or organization designated by the Board who shall file with the Commissioner of the Department of Forests, Parks and Recreation (Commissioner) by April 1 each year a certificate of insurance, including proof of liability insurance protecting the State of Vermont to a degree equal to or greater than that provided to the Commissioner by the American Waterski Association and Green Mountain Water skiers in May, 1996.
 - (4) except as may be provided for under part c (1) of this rule, waterski slalom course #1 shall be subject to the following requirements:
 - (a) only one vessel at a time shall be allowed to use the course, and
 - (b) the course shall be lowered to the bottom of the Reservoir each time that the course is not in active use. While on the water surface, the course shall not be left unattended.
 - (5) The granting of approval under this rule by the Board does not relieve the designee from responsibility to comply with any other applicable requirements of federal, state or local law.
 - (6) The Board may revoke any designation under this rule for failure to comply with the above requirements.

~~(6)f.~~ Wakesports are prohibited (VUPW Rule 3.7)

Rules a, b and c, June 2, 1989 (No. UPW 88-04);
amended February 28, 1997 (No. UPW 96-05 and 96-06)

Rules d and e, February 28, 1997 (No. UPW 96-05 and
96-
06)

Rules d and e(6), amended February 15, 2004 (No.
UPW 03-02)

Weathershead Hollow Pond, Town of Guilford (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

West Hill Pond, Town of Cabot (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

West Mountain Pond, Town of Maidstone (60)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

West River/ Retreat Meadows Basin

- a. Waterskiing is prohibited.
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 11, 2009 (No. UPW 08-01)

Wheeler Pond, Town of Brunswick (66)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Lake Willoughby, Town of Westmore (1687)

- a. The use of personal watercraft (jet skis) is prohibited.

Rule a, February 14, 2005 (No. UPW 04-01)

Winona Lake (Bristol Lake), Town of Bristol (248)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Wolcott Pond, Town of Wolcott (74)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Woodbury Lake, Towns of Calais and Woodbury (142)

See: Sabin Pond (Woodbury Lake), Towns of Calais and Woodbury

Woodford Lake, Town of Woodford (31*)

See: Big Pond (Woodford Lake), Town of Woodford

Woodward Reservoir, Town of Plymouth (106)

- a. Vessels powered by motor shall not be operated anywhere on Woodward Reservoir at a speed in excess of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, September 28, 1972 (No. UPW 71-02); amended,
February 14, 1995 (No. UPW 94-01)

Worcester Pond, Town of Worcester (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Wrightsville Reservoir, Towns of East Montpelier and Middlesex and City of Montpelier (150)

- a. The operation of vessels powered by a motor at speeds exceeding two miles per hour or in such a manner as to cause a disturbing wake is prohibited northerly of the narrows which is immediately to the north of the "Roadside Park Boat Launch Ramp."
- b. The provisions of '3.3(a)(1) notwithstanding, the use of personal watercraft is allowed southerly of the narrows referred to in Rule (a) above.
- c. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

Rule a, January 1, 1985 (No. UPW 84-01)

Rule b, January 3, 1996 (No. UPW 95-03)

Zack Woods Pond, Towns of Hyde Park and Wolcott (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule ~~3.83.7~~)

ENDNOTES

- * This waterbody has been determined to have *less* than 30 contiguous acres outside the shoreline safety zone (i.e. more than 200 feet from any shore) and is therefore subject to the five mph speed limit imposed by VUPW Rule 3.2(a).
- 1. Restrictions adopted by authorities other than the Natural Resources Board may also apply - - for example, restrictions on recreational uses established by the State or a local board of health to protect public water supplies.
- 2. Despite having less than 30 contiguous acres outside the shoreline safety zone, the Water Resources Board, in its 1995 Rules, determined that high speed boating is a normal use on this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 3. The Water Resources Board, in its 1995 Rules, specifically determined that high speed boating is not a normal use on this body of water and established a maximum speed limit of five mph for vessels being propelled by motor. See, No. UPW 95-00 (Appendix A), January 1, 1995; *and see*, VUPW Rule 3.2(a).
- 4. Despite the fact that this waterbody does not appear to have any of the restrictions noted in VUPW Rule 3.2(a), the Water Resources Board, in its 1995 Rules, established a maximum speed limit of five mph for this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 5. Despite the fact that this waterbody appears to meet the speed limit provisions of VUPW Rule 3.2(a) because internal combustion motors are prohibited, the Water Resources Board, in its 1995 Rules, specifically did not establish a maximum speed limit for this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 6. While UPW Rule 3.4 would prohibit the use of this waterbody by aircraft, the Water Resources Board, in its 1995 Rules, specifically allowed aircraft use of this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 7. While UPW Rule 3.4 would allow the use of this waterbody by aircraft, the Water Resources Board, in its 1995 Rules, specifically prohibited aircraft use of this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 8. While UPW Rule 3.4 would allow the use of this waterbody by aircraft, the Water Resources Panel specifically prohibited aircraft use of this waterbody. See, No. UPW 96-01.
- 9. 23 V.S.A. § 3320(a) states: "The use and operation of motor propelled boats on the waters impounded by the Dufresne Dam, so-called, on the Battenkill River in the town of Manchester is prohibited."

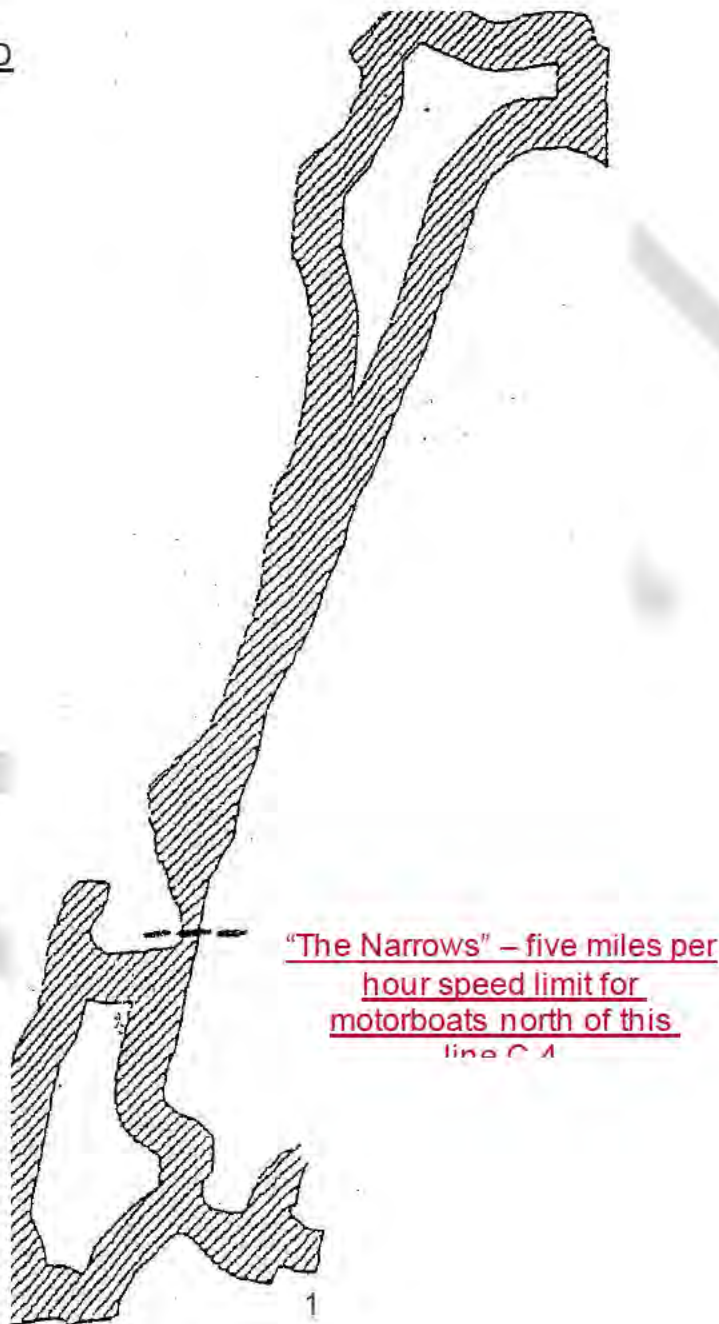
23 V.S.A. § 3321(a) states: “The use and operation of motor propelled boats on the waters of South Pond in the town of Marlboro is prohibited.”

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APPENDIX **BC**

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CURTIS POND



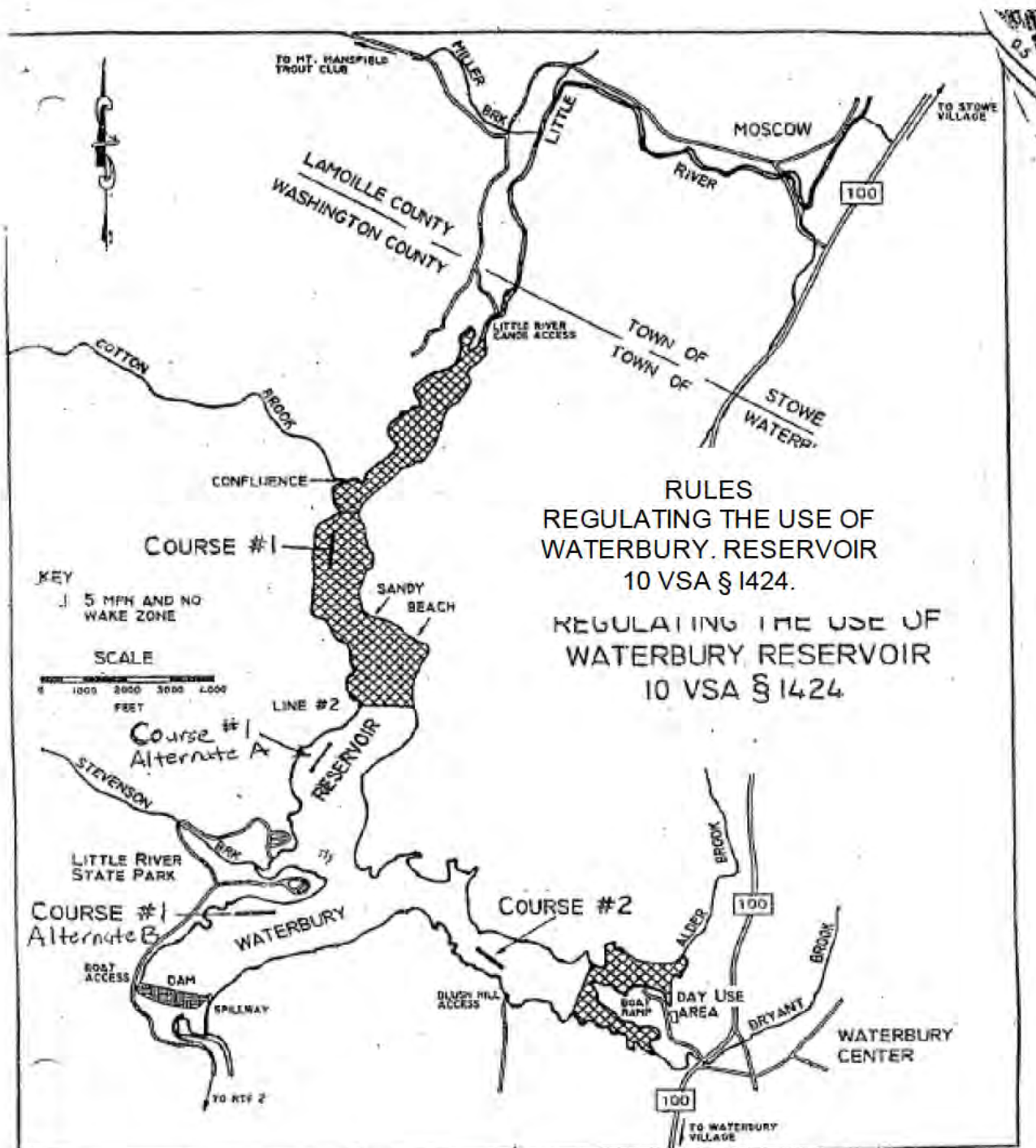
"The Narrows" – five miles per
hour speed limit for
motorboats north of this
line C A

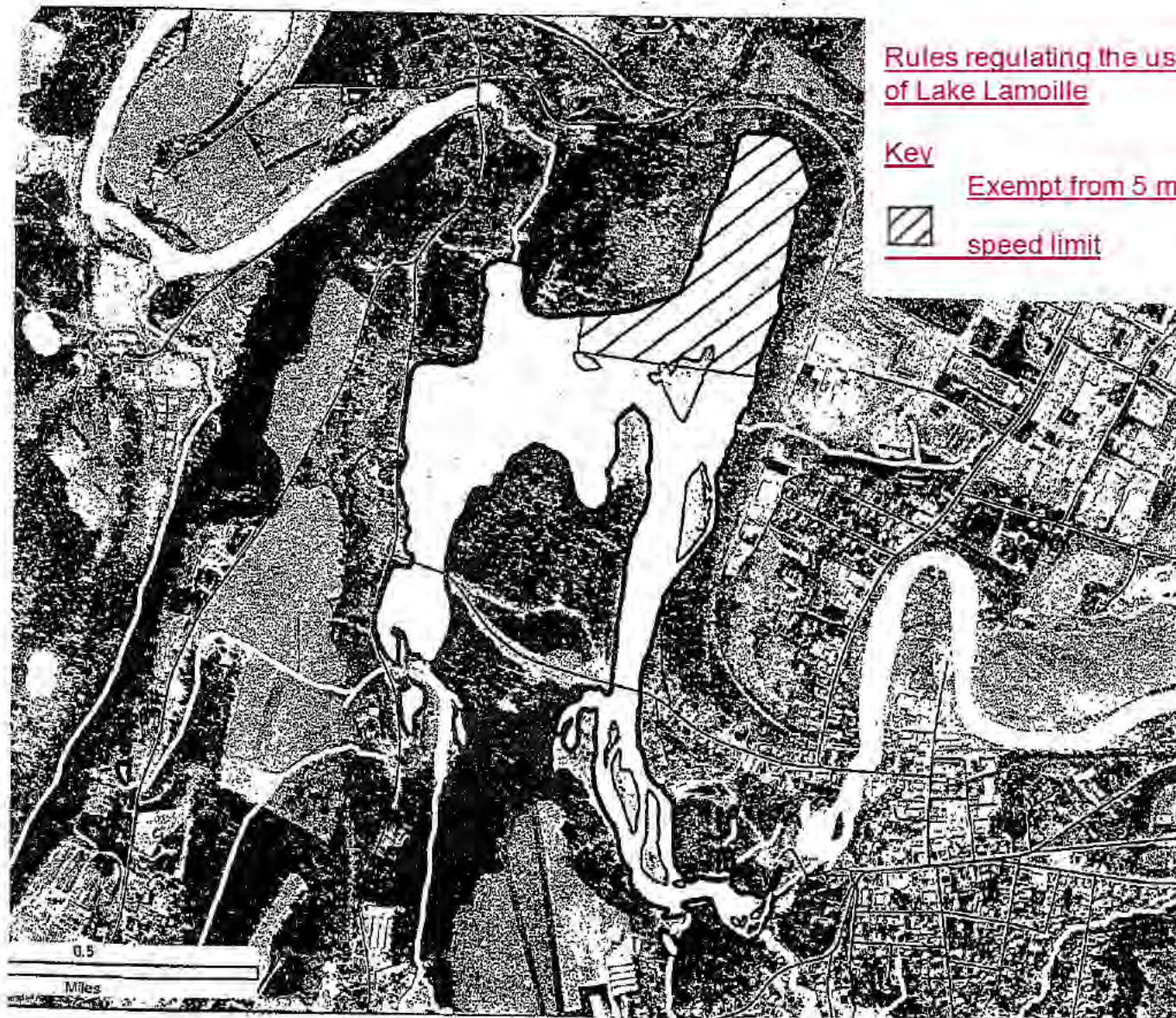
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APPENDIX CD

RULES REGULATING THE MOORING OF VESSELS WITHIN LAKE MEMPHREMAGOG AND OTHER PUBLIC WATERS WITHIN THE CITY OF NEWPORT, VERMONT

10 V.S.A. § 1424(f)

Initial Rules Adopted November 2, 2000.

Amended Rules Effective December 30, 2011

Amended Rules Effective December 10, 2021

Rule 1. All public waters in Lake Memphremagog, the Clyde River, and the Black River within the city limits of the City of Newport, Vermont ("City"), are hereby designated a Mooring Management Area. The Mooring Management Area is depicted on a map, entitled "Newport City Mooring Management - Attachment A, Ordinance #114 Pertaining To Mooring Management of Public Waters (September 11, 2000 Revision 4)," hereby incorporated and referred to as the City's "Attachment A."

Rule 2. Within the Mooring Management Area, ten (10) Mooring Management Zones ("MMZ") are hereby created and designated as depicted in Attachment A by the letters A, B, C, D, E, F, G, H, J, and K described by coordinates in a document, entitled "Newport City Mooring Management - Attachment B, Ordinance #114 Pertaining To Mooring Management of Public Waters (September 11, 2000), hereby incorporated and referred to as "Attachment B."

Rule 3. Pursuant to 10 V.S.A. § 1424(f), the Board delegates authority to the City to regulate mooring and anchoring in the Mooring Management Area to protect the public health, safety, and general welfare by prohibiting impediments to navigation and conflicts with normal uses of public waters. The City shall not restrict swimming, fishing, boating, and any other public uses conducted in accordance with state law, except mooring, in the Mooring Management Area. This delegation shall be implemented through the MMZ created by Rule 2. Moorings are prohibited in all navigable public waters within the City not specifically identified as MMZ in Rule 2.

This delegation shall be effective only when both of the following requirements are met:

- a. The City has duly adopted an Ordinance for implementing this delegation pursuant to Section 23 of the City Charter; and

- b. The Board has determined in writing that the implementing Ordinance, is consistent with the provisions of 10 V.S.A. § 1424, any general management policies pertaining to the use of public waters adopted by the Board, and these Rules.

Rule 4. When the delegation to the City is in effect, moorings are prohibited in the Mooring Management Area except as may be allowed in the MMZ under the implementing ordinance.

Rule 5. The City's implementing ordinance shall contain the following provisions:

- a. No existing moorings shall be "grandfathered" in the Mooring Management Area. However, in the first year that the Ordinance is in effect, first priority in the issuance of Certificates of Registration shall be given to persons with existing moorings as of September 18, 2000, to assure an orderly transition to management of moorings within the MMZ.
- b. Within any MMZ, the City may prohibit new moorings or require relocation of existing moorings taking into consideration the actual or potential adverse impacts on fairways, recreational and other uses of the waters, including, but not limited to, private or public water supplies, Class I and II wetlands, endangered plant and animal species as provided for in 10 V.S.A. Chapter 123, fish or wildlife habitat, underwater historic property, public lands and natural scenic areas.
- c. Certificates of Registration authorizing moorings shall be for a specified period of time determined by the City with due regard for the economic considerations attending the regulated activity. All such Certificates of Registration shall expire within a period not to exceed one year if not used. All Certificates of Registration shall be issued for a period not to exceed the term of this delegation.

Rule 6. The City's implementing Ordinance shall identify classes of applicants, describe the process for obtaining Certificates of Registration, establish criteria for granting Certificates of Registration, set forth the grounds for forfeiture and revocation of Certificates of Registration and address enforcement of the implementing Ordinance.

Rule 7. The City's implementing Ordinance shall ensure that the general public is able to compete for available mooring capacity in all MMZ on an equitable basis with City residents: After the first year the Ordinance is in effect, Certificates of Registration shall be allocated on a first-come, first-serve basis for all moorings. If maximum mooring capacity within regulated MMZ is reached, the City

shall institute a lottery or such other measures as are necessary to assure that all applicants will eventually be allocated mooring locations.

Rule 8. The City shall require all applicants to demonstrate that:

- a. Moorings are located within a reasonable distance of a point of access;
- b. The point of access has adequate on-shore support facilities for the number of moorings served; and
- c. The point of access support facilities are consistent with applicable zoning requirements and state law.

Rule 9. The City may establish and collect reasonable fees for Certificates of Registration.

However, said fees shall be established only to meet the administrative costs of the City directly related to the regulation of moorings within the MMZ. Any schedule of fees shall be adopted on an annual basis by the City Council, posted at the City Clerk's office, and be provided to the public upon request made to the City Clerk or Harbormaster.

Rule 10. The City may enforce the implementing Ordinance through its general police power, consistent with the penalty and enforcement provisions of the City Charter.

Rule 11. The City may appoint a Harbormaster to administer and enforce the implementing Ordinance and a Harbor Commission to, among other things, hear appeals, hear and decide revocation proceedings, consider waiver requests, recommend Ordinance amendments and proposed Rules and Regulations to the City Council, and conduct studies and make recommendations to the City Council on water use and the conditions of navigable waters within the City limits.

Rule 12. The City's implementing Ordinance shall provide for a process by which a person in interest aggrieved by a decision or act of the Harbormaster may appeal to the Harbor Commission. The Ordinance also shall specify that appeals from any final action of the City, other than an enforcement action, shall be filed with the Environmental Court within 30 days.

Rule 13. The City may, from time-to-time, amend the implementing Ordinance consistent with its delegated authority and pursuant to Section 23 of the City Charter, provided that a copy of any proposed amendment(s) is filed with the Secretary at least 45 days prior to its/their adoption by the City

Council. The Secretary shall review, submit written comment, and, if necessary, recommend corrective action to assure that proposed changes are within the authority delegated under 10 V.S.A. § 1424(f) and consistent with these Rules. Failure to timely notify the Secretary of proposed Ordinance amendments or to take corrective action may constitute grounds for termination of the delegation authorized by these Rules.

Rule 14. The City may adopt Regulations to facilitate the administration of the implementing Ordinance, provided that these Regulations are consistent with powers expressly delegated to the City by these Rules and the provisions of the Ordinance. Such Regulations may be adopted, amended, or repealed in the same manner as prescribed for any ordinance under the Section 23 of the City Charter. A copy of any proposed Regulations shall be filed with the Secretary and the Secretary reserves the right to file written comment and take corrective action as provided for in Rule 13.

Rule 15. Any powers not expressly delegated to the City by these Rules and incorporated in the implementing Ordinance as approved by the Secretary under Rule 3 and, if amended, under Rule 13, shall be retained by the Secretary. If another state or federal agency has jurisdiction over the navigable waters within the City limits otherwise subject to regulation under 10 V.S.A. § 1424, the other agency's rules shall apply if inconsistent with, or more restrictive than, the implementing Ordinance.

Rule 16. This delegation shall expire on December 31, 2031. The Secretary may terminate this delegation, for cause or without cause, upon six months notice to the City as provided for in 10 V.S.A. § 1424(f)(2).

Rule 17. The Secretary may propose rules extending and/or expanding the scope of this delegation of authority to the City when the City petitions the Secretary under 10 V.S.A. § 1424(f) for such an extended and/or expanded delegation.

Rule 18. For purposes of these Rules, the terms below shall have the following meanings:

- a. Anchoring shall mean to secure a vessel by use of an anchor or by attachment to another vessel or object for a period not exceeding seventy-two (72) hours. Vessels anchored within a MMZ for a period exceeding seventy-two (72) hours shall be considered to be moored.
- b. Certificate of Registration shall mean a written mooring registration, granted by the City, and its associated numbered identifying tag that shall be attached above the water in a

visible location on each mooring buoy.

- c. Existing Mooring shall mean any mooring determined by the City to have been established before and including September 18, 2000.
- d. New Mooring shall mean any mooring determined by the City to have been established after September 18, 2000.
- e. Mooring shall mean any equipment, structure or system(s) for securing a vessel in the water beyond the mean water level. Each vessel shall be considered to be attached to a separate mooring for the purpose of counting moorings. Mooring shall not mean docks that are either exempt or permitted pursuant to 29 V.S.A. Chapter 11. Mooring shall not mean anchoring.
- f. Mooring Management Zones (MMZ) shall mean clearly delineated areas of navigable waters within the City limits, in which the Board or Secretary and City have determined that the placement of moorings requires regulation in the public interest.
- g. On-shore Support Facilities include, but are not limited to, roads or other means of access, parking areas, sanitary waste disposal facilities and trash disposal.
- h. Rule or Rules mean "Rules Regulating the Mooring of Vessels within Lake Memphremagog and Other Navigable Waters of the City of Newport, Vermont," adopted by the Board or Secretary.
- i. Vessel shall mean every description of watercraft used or capable of being used as a means of transportation on water including but not limited to amphibian or pontoon aircraft.

APPENDIX E

LIST OF LAKES, PONDS, AND RESERVOIRS WITH DEFINED WAKESPORTS ZONES

~~Lakes, Ponds and Reservoirs in the table below meet the criteria for wakesports zones as defined in Section 5.18 of these rules and are therefore eligible for wakesports. Wakesports zone maps can be found on the Agency website.~~

No.	Name	Total Lake Area (acres)	Wakesports Zone Area (acres)
1	BOMOSEEN (CASTLETON, HUBBARDT.)	2415.1	>1000
2	CARMI (FRANKLIN)	1415.2	755.2
3	CASPIAN (GREENSBORO)	789.8	437.1
4	CRYSTAL (BARTON)	771.6	420.5
5	DUNMORE (SALISBURY)	1039.6	330.5
6	ECHO (CHARLESTON)	546.5	315
7	FAIRFIELD	463.3	170
8	FAIRLEE	461.8	116.6
9	GREAT AVERILL	835	422
10	HARRRIMAN (WHITINGHAM)	1949.4	565.2
11	HARVEYS (BARNET)	357.2	133
12	HOLLAND	329.1	90.2
13	HORTONIA (SUDBURY, HUBBARDTON)	500.9	56.8
14	IROQUOIS (HINESBURG / WILLISTON)	247	51
15	ISLAND (BRIGHTON)	614.2	261
16	JOES (DANVILLE)	405	54.1
17	LITTLE AVERILL	470.2	261.3
18	MAIDSTONE	755.8	399.4
19	MILES (CONCORD)	221.1	66.3
20	MOLLYS FALLS (CABOT / MARSHFIELD)	402.4	52
21	MOREY (FAIRLEE)	549.8	284.1
22	PARKER (WEST GLOVER)	253.1	88.4

23	PEACHAM	347.4	94.9
24	SALEM (DERBY)	776.4	301.8
25	SEYMOUR (MORGAN)	1777.2	1150
26	SHADOW (GLOVER)	217.3	86.2
27	ST. CATHERINE (WELLS)	885.4	391.2
28	SUNSET (BENSON)	205.1	74
29	WATERBURY	869.2	56.1
30	WILLOUGHBY (WESTMORE)	1733.6	1079.3

ENVIRONMENTAL PROTECTION RULE CHAPTER 32
VERMONT USE OF PUBLIC WATERS RULES

**State of Vermont Agency
of Natural Resources
Department of Environmental Conservation
Effective Date: TBD**

VERMONT USE OF PUBLIC WATERS RULES

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Appendices

Appendices attached to these Rules are rules of the Agency of Natural Resources adopted pursuant to the authority of 10 V.S.A. § 1424.

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VERMONT USE OF PUBLIC WATERS RULES

SECTION 1: APPLICABILITY AND PURPOSE

1.1 Purpose

In accordance with 10 V.S.A. § 1421, § 1424, and § 1451, the purpose of these Rules is to aid in the fulfillment of the State's role as trustee of its navigable waters, to further the maintenance of safe and healthful conditions, and to provide for multiple uses of the waters in a manner to provide for the best interests of the citizens of the State. It is the policy of the State of Vermont to manage the uses of public waters so that the various uses may be enjoyed in a reasonable manner. It is the policy of the State of Vermont to prevent the infestation and proliferation of invasive species in the State that result in negative environmental impacts, including habitat loss and a reduction in native biodiversity along with adverse social and economic impacts and impacts to public health and safety.

The Use of Public Waters Rules (Rules) govern the aquatic resources management of the public waters of Vermont by the Agency of Natural Resources under 10 V.S.A. § 1424 (Use of public waters) and contain aquatic nuisance control provisions that are also authorized under 10 V.S.A. § 1460 (Aquatic Nuisance Control Rulemaking). The Rules are to establish:

- (a) General management rules to protect normal uses on all public lakes, ponds, and reservoirs, in additions to provisions under 23 V.S.A. Chapter 29: Snowmobiles, Vessels, and Water Sports.
- (b) Lake-specific rules to protect uses and resolve conflicts. Appendices attached to these Rules are rules of the Agency adopted pursuant to the authority of 10 V.S.A. § 1424.
- (c) Guidance for the review of petitions filed pursuant to 10 V.S.A. § 1424 seeking the adoption of rules regulating the use of particular public waters. The Rules attempt to avoid, where possible, and resolve, when necessary, conflicts in the use of public waters in a comprehensive and integrated manner so that the various uses may be enjoyed in a reasonable manner, considering the best interests of both current and future generations of the citizens of the State and ensuring that natural resource values of the public waters are fully protected.

1.2 Authority

These Rules are adopted by the Agency pursuant to the authority granted by 10 V.S.A. § 1424 and 10 V.S.A. § 1460.

1.3 Enforcement

Violations of these rules are subject to enforcement under applicable Vermont law including, but not limited to the provisions of 10 V.S.A. § 1454(h), the requirements set forth in 10 V.S.A. § 1424, and 23 V.S.A. § 3317(b).

1.4 Severability

The provisions of these Rules are severable, and the invalidity of any section, phrase, clause, or part of these Rules shall not affect the validity or effectiveness of the remainder of the Rules.

SECTION 2: CONSIDERATION OF AGENCY-LED RULEMAKING AND PETITIONS FILED UNDER 10 V.S.A. § 1424

In addition to any applicable rules or procedures of the Agency, the Secretary shall comply with the following requirements when considering proposed rule amendments from the Secretary's own motion or from petitions filed pursuant to 10 V.S.A. § 1424(e).

2.1 Petitions

- (a) Exceptions or modifications to the general rules in Section 3 and petitions for lake-specific rules or delegations under 10 V.S.A. § 1424(f) shall be considered on a case-by-case basis in response to petitions filed in accordance with 10 V.S.A. § 1424. In reviewing all such petitions, the criteria and policies in this section shall be applied. The petitioner shall have the burden of persuasion that the requested exceptions or modifications are consistent with the criteria and policies in this section and applicable statutory requirements.
- (b) An administratively complete petition shall be compiled in accordance with the "Procedure for evaluating petitions to adopt, amend, or repeal surface water and wetland rules," and the Land Use Review Board's "Rules of procedure," or Agency-issued equivalents.
 - (1) Petitions may be submitted electronically to the Secretary, Department Commissioner, and the Director of the Watershed Management Division.

(c) In addition to any applicable rules or procedures of the Agency, such petitions shall:

- (1) Identify all normal uses affected by the petition and include a statement as to why the petition complies with the applicable provisions of Section 2 of these rules, and
- (2) Describe those actions that the petitioners have taken to review the concerns prompting the petition with local officials and users of the body of water in question.

2.2 Public meetings. Except when public safety or emergency situations require otherwise, or for other good cause:

- (a) At the Secretary's discretion, the Secretary may hold an initial public meeting regarding rules proposed in response to those petitions seeking to regulate summer recreational uses on a specific body of water, prior to making a rulemaking determination
- (b) The Secretary shall hold an initial public meeting regarding rules proposed in response to the Secretary's own motion or in response to a petition to amend general rules in Sections 3 and 4, prior to making a rulemaking determination
- (c) Petitions may be considered in a consolidated rulemaking proceeding once a year
- (d) A public meeting shall be held in a place convenient to the waters affected, or offered in a virtual or hybrid platform when requested by 25 or more persons, the legislative body of any municipality in which the affected waters are located, any governmental subdivision or agency, or an association having 25 or more members, or when otherwise determined necessary by the Secretary.

2.3 General criteria.

- (a) The Secretary may establish rules regarding the Use of Public Waters that:
 - (1) Define areas on public waters wherein certain uses may be conducted
 - (2) Define the uses which may be conducted in the defined areas
 - (3) Regulate the conduct in these areas, including the size of motors allowed, size of boats allowed, allowable speeds for boats, and prohibiting the use of motors or houseboats; and

(4) Regulate the time various uses may be conducted.

(b) In evaluating petitions, proposed rule amendments from the Secretary's own motion, and associated public comments, the following factors, at a minimum, shall be considered:

- (1) The size and flow of navigable waters
- (2) The predominant use of adjacent lands
- (3) The depth of the water
- (4) The predominant use of the waters prior to regulation
- (5) The uses for which the water is adaptable
- (6) The availability of fishing, boating, and bathing facilities
- (7) The scenic beauty and recreational uses of the area.

(c) The public waters shall be managed so that the various uses may be enjoyed in a reasonable manner, considering safety and the best interests of both current and future generations of citizens of the State and the need to provide an appropriate mix of water-based recreational opportunities on a regional and statewide basis.

2.4 Recreation-related criteria. In evaluating normal recreational and other uses, the following uses shall be among those considered: 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.

2.5 Consultation and public involvement. When considering the establishment of either general or specific rules for the use of public waters under 10 V.S.A. § 1424, the following persons and entities, at a minimum, shall be consulted: the Department of Public Safety, affected municipalities, lake associations, regional planning commissions, affected recreational user groups, environmental and conservation organizations that have expressed an interest, and the public.

2.6 Delegation to municipality.

(a) Any delegation of authority to manage the use of public waters to eligible municipalities (10 V.S.A. § 1424(f)) shall be made only when it is found that such action is consistent with:

- (1) The provisions of 10 V.S.A. § 1424 and any other applicable Vermont law
- (2) The provisions these Rules, and

(3) A surface water use management plan adopted in accordance with 10 V.S.A. § 1423 by the Secretary.

(b) Full or partial delegation request.

(1) A municipality may request that it be delegated the authority to implement the provisions of 10 V.S.A. §1424, in lieu of the Agency, through implementation of a bylaw or ordinance for regulation of all types of conduct in the public water located adjacent to or within the municipality. This is called full delegation.

(2) A municipality may request that it be partially delegated the authority to implement the provisions of 10 V.S.A. § 1424, in lieu of the Agency, through implementation of a bylaw or ordinance for regulation of specific types of conduct in the public water located adjacent to or within the municipality. This is called partial delegation.

(c) Process for delegation. Any delegation, whether partial or full, must be consistent with 10 V.S.A. § 1424 and the Rules set forth herein:

(1) A municipality seeking full or partial delegation shall submit the following information to the Agency in writing:

- i. Declaration whether the request for delegation is for full or partial delegation.
- ii. The name, mailing address, and phone number of the chair of the local legislative body of the municipality submitting the request.
- iii. The name of the public water, the location of the public water, and the location of the municipality in relation to the public water in compliance with 10 V.S.A. 1424(f)(1).
- iv. Detail of the scope of the delegation requested, including a proposed management plan for the use or uses proposed to be managed at the local level.
- v. The names and contact information of the committee or board that will be implementing the municipality bylaw or ordinance.
- vi. A statement signed by the Chair of the local legislative body committing to administer the program in accordance with these rules and 10 V.S.A. § 1424.
- vii. Evidence that the local lake association(s), if applicable, has been notified of the delegation request.
- viii. For delegation requests on waterbodies adjacent to more than one

municipality, separate requests from each municipality for delegation of authority shall be submitted, as well as a copy of an inter-municipal agreement signed by the Chair of each local legislative body indicating the process agreed upon and the role and responsibilities of the member municipalities.

- ix. A copy of the proposed ordinance or bylaw the municipality shall implement if delegated authority from the Agency.

(d) Municipalities receiving delegation. Pursuant to 10 V.S.A. § 1424(f), whether full or partial, will be considered finalized only when:

- (1) The Agency delegates authority to regulate the use of public waters to a municipality by Rule; and
- (2) The municipality has created or amended a municipal bylaw or ordinance for the regulation of public waters.

(e) Responsibilities of delegated municipalities.

- (1) The delegated municipality shall administer the bylaw or ordinance in conformance with these Rules and the procedures and practices adopted by the Secretary that interprets these Rules.
- (2) The delegated municipality shall submit an annual report including a summary of management activity related to the delegation, decisions issued and the associated decision process, and any enforcement actions taken.
- (3) The delegated municipality shall make timely and appropriate enforcement for violations of the municipality implemented bylaw or ordinance and for violations of these Rules within the municipality's boundaries pursuant to 10 V.S.A., Chapter 49.
- (4) The delegated municipality shall be responsible for all costs of administering these Rules pursuant to the delegation agreement. If delegation is revoked pursuant to 10 V.S.A. § 1424(f)(2) and Rule 2.5(g), the municipality shall promptly provide copies of all documents related to the regulation and enforcement by the municipality during the period of delegation to the Secretary. Electronic copies will be acceptable.
- (5) Should a delegated municipality seek to amend a bylaw or ordinance that has been previously approved by the Secretary, the Agency and the municipality, the delegated municipality must submit the proposed amendment to the Agency for review. Pursuant

to 10 V.S.A. § 1424, any such amendment shall require rulemaking to be formally implemented.

- (6) A delegated municipality shall allow the Secretary or their designee to enter municipal property during normal working hours to review records related to the municipality's administration of these Rules.

(f) Agency Responsibilities

- (1) Upon delegating either partial or full authority to implement these Rules to a municipality, the Secretary shall deliver a delegation agreement to the municipality that requires the municipality to adhere to these Rules and 10 V.S.A. § 1424.
- (2) The Secretary may audit a delegated municipality's administration of these Rules to ensure the municipality's administration complies with these Rules, to perform quality control and ensure a level of consistency between the municipality's review and the review by the Secretary, to gather information, or to investigate a complaint received in reference to the municipality's administration of these Rules.
- (3) The Secretary, after consultation with the delegated municipality, may institute enforcement proceedings against a person for violation of these Rules within the delegated municipality's boundaries when the delegated municipality does not or cannot address non-compliance, or when the Secretary determines that enforcement is necessary to protect human health and the environment.
- (4) The Secretary shall review amendments of a bylaw or ordinance related to the delegated authority to ensure consistency with these Rules.
- (5) As set forth in 10 V.S.A. § 1424(f)(2), appeals from a final act of the municipality under a bylaw or ordinance implemented pursuant to these Rules shall be taken to the Environmental Division.

(g) Expiration and revocation of delegation.

- (1) Municipal delegation agreements expire 10 years after the establishment of the rule authorizing municipal delegation. The municipality shall apply for reauthorization of delegation prior to its expiration.

(2) The Secretary may terminate a delegation of authority, for cause or without cause, upon six (6) months' notice to the delegated municipality as set forth in 10 V.S.A. § 1424(f)(2).

2.7 Use conflicts.

(a) Use conflicts shall be managed in a manner that provides for all normal uses to the greatest extent possible consistent with the provisions of Section 2.2 of these Rules.

(b) When regulation is determined to be necessary, use conflicts shall be managed using the least restrictive approach practicable that adequately addresses the conflicts.

2.8 Uniformity of rules. When addressing issues common to more than one body of water, uniform and consistent rules shall be adopted when appropriate.

2.9 Rule assessment and review. Potential use conflicts, science, and related data shall be reviewed in cycles not to exceed five years to ensure that the rules in place are adequate to meet the purpose of these rules. Where warranted based on this review, the Agency will initiate public engagement as described in Section 2.5. to address potential concerns.

2.10 Regulation of vessels. When regulation is determined to be necessary to resolve conflicts involving the operation of vessels, priority will be given to managing the manner in which vessels are used or operated, such as by imposing speed limits or separating conflicting uses by designating specific times or places where various uses are allowed.

2.11 Regulation of normal uses. When regulation is determined to be necessary to resolve conflicts between two or more normal uses, priority will be given to resolving the conflict by separating the conflicting uses, such as by designating specific times or places where various uses are allowed.

2.12 Management of waters providing wilderness-like recreational experiences. Those water bodies which currently provide wilderness-like recreational experiences shall be managed to protect and enhance the continued availability of such experiences.

SECTION 3: GENERAL RULES FOR LAKES, PONDS, AND RESERVOIRS
LOCATED ENTIRELY WITHIN THE STATE OF VERMONT

3.1 Rule Applicability

(a)The rules in this section shall apply to all lakes, ponds, and reservoirs that are public waters and are located entirely within the State of Vermont¹ regardless of their surface area unless:

- (1) they are in conflict with rules adopted by the Water Resources Panel or the Agency under 10 V.S.A. § 1424 that address issues unique to a particular body of water; such rules for particular bodies of water are set out in Appendix A hereto;
- (2) they are in conflict with the terms of a license, permit, or rule adopted or issued by another agency having jurisdiction over the public waters or a particular use of the waters; or
- (3) law enforcement, emergencies, or the performance of official duties by a governmental agency require otherwise.

(b)Rules for Vermont waterbodies adopted under the authority of 10 V.S.A. § 1424 are set out in Appendix A.

3.2 Maximum Speed Limits and Other Operational Requirements

Vessels powered by motor shall, in addition to the requirements of 23 V.S.A. § 3311(a) pertaining to careless and negligent operation:

(a)Not exceed five m.p.h. on lakes, ponds, and reservoirs upon which the operation of vessels powered by motor at substantially higher speeds is not a normal use, that have a surface area of 75 acres or less, that have less than 30 contiguous acres outside the shoreline safety zone, or upon which the use of internal combustion motors is prohibited; and

(b)Not be operated in such a manner that either the hull of the vessel or its underwater exhaust outlet completely leaves the water as a result of crossing or jumping the wake of any vessel, including its own wake, or for any other reason.

3.3 Use of Personal Watercraft

(a) The use of personal watercraft is prohibited on lakes, ponds, and reservoirs:

- (1) That have a surface area less than 300 acres, or

(2) That as of May 1, 1995, had a maximum speed limit of five m.p.h. or less, or

(3) On which the use of internal combustion motors to power vessels is prohibited.

(b) The above prohibition on personal watercraft may be modified on a case-by-case basis in response to petitions filed pursuant to 10 V.S.A. § 1424.

3.4 Use of Aircraft on Public Waters

Except where the use by aircraft is specifically authorized in accordance with 5 V.S.A. Chapter 9, the use of aircraft is prohibited from May 1 through November 30 on all lakes, ponds, and reservoirs:

(a) That have a surface area of less than 75 acres, or

(b) Where the maximum speed limit for vessels powered by motors is five m.p.h. or less, or

(c) Where the use of internal combustion motors is prohibited.

3.5 Use of Internal Combustion Motors

Use of internal combustion motors to power vessels on lakes, ponds, and reservoirs is prohibited where the use of such motors was not a normal use prior to January 1, 1993.

3.6 Protection of Loon Nesting Sites

Between May 1 and July 31 all persons and vessels are prohibited from public waters within 300 feet of any loon nesting site that the Secretary or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings. Wakesports are prohibited within 500 feet of any loon nesting site within the timeframe and under the conditions described in this Section.

3.7 Wakesports

(a) Wakesports are prohibited on lakes, ponds, and reservoirs that do not have a defined wakesports zone as defined at Section 5.19. A list of lakes, ponds, and reservoirs with a wakesports zone as defined at Section 5.19 shall be made available to the public by the Secretary¹.

¹ The Secretary shall maintain a "List of Lakes Eligible for Wakesports under the Vermont Use of Public Waters Rules" at

(b) Wakesports shall not take place outside the boundaries of a wakesports zone.

(c) An individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(d) All provisions of 10 V.S.A. § 1454 regarding aquatic nuisance species inspection and decontamination apply to ballasted vessels, including wakeboats², and ballasted vessel users shall drain the ballast tanks of their boats to the fullest extent practicable after leaving waters of the state. This subsection 3.7.d. applies to Lake Champlain, Lake Memphremagog, Wallace Pond, the Connecticut River Reservoirs, and the waterbodies with a defined wakesports zone.

(e) Before entering a waterbody, if a ballasted vessel was last launched at a different waterbody within the calendar year, the ballasted vessel's interior components including engines, ballast systems, pumps, bilge areas, and water containment device(s), shall be drained and flushed using low-pressure hot water in accordance with Agency requirements, and exterior components must be adequately rinsed with high-pressure hot water in accordance with Agency requirements to remove particulates.

(f) The above prohibition on wakesports (subsection 3.7.a.) may be modified on a case-by-case basis in response to petitions filed pursuant to 10 V.S.A. § 1424.

(g) The Secretary may update a defined wakesports zone or the eligibility of a lake, pond, or reservoir to allow or prohibit wakesports on an annual basis, should surface water level or other characteristics alter wakesports eligibility, as defined at Section 5.18; or, should a lake management activity or scientific research within the body of water result in the potential for wakesports to negatively impact a lake management activity, scientific research, or water quality. The Secretary shall proceed with the public process as defined at Section 2 to determine whether to proceed with a change to wakesports eligibility of a waterbody.³

SECTION 4: GENERAL RULES FOR ALL LAKES, PONDS, AND RESERVOIRS INCLUDING THOSE NOT LOCATED ENTIRELY WITHIN THE STATE OF VERMONT

4.1 Control of Aquatic Nuisance Infestations

<https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

² Refer to the Secretary's website for current aquatic nuisance species inspection and decontamination criteria, materials, or equivalent.

³ The Secretary shall maintain a "Procedure for assessing wakesports zone eligibility due to impacts from wakesports to a lake management activity" at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>.

- (a) Aquatic nuisances are aquatic plants or animals that are not native to Vermont and which constitute a nuisance to normal uses of the affected waters.
- (b) Pursuant to 10 V.S.A. § 1454(a), the transport of an aquatic plant, aquatic plant part, or aquatic nuisance species to or from any Vermont water is prohibited.
- (c) Pursuant to 10 V.S.A. § 1454(b), A person transporting a vessel to or from a waterbody shall, prior to launching the vessel and upon leaving a water, inspect the vessel, the motor vehicle transporting the vessel, the trailer, and other equipment, and shall remove and properly dispose of any aquatic plants, aquatic plant parts, and aquatic nuisance species.
 - (1) Pursuant to 10 V.S.A. § 1454(c), if an aquatic nuisance inspection station, as defined in Section 5.2 of these Rules is available at the launch site, a vessel shall be subject to an inspection.
 - (2) Aquatic nuisance inspection station operators may require decontamination for vessels identified subsequent to the inspection and prior to entering a waterbody.
- (d) Where necessary to prevent, control, or contain the spread of aquatic nuisance infestations, the Secretary or the Secretary's authorized representative may identify by signs, buoys, or other means, areas of public waters as temporarily closed to all persons, to all vessels, or both in order to prevent, control, or contain the spread of aquatic nuisance infestations provided that:
 - (1) the total area closed constitutes not more than 10 percent of the surface area or 50 acres, whichever is less, of the lake, pond, or reservoir;
 - (2) the total area adjacent to the shoreline closed constitutes not more than 10 percent of the shoreline of the lake, pond, or reservoir;
 - (3) every reasonable effort has been made to configure the area closed to minimize the impact on the use of any public access area and to provide access to the body of water for all shoreline property owners; and
 - (4) such action will enhance the efficacy of an active program designed and implemented to prevent, control, or contain the spread of an aquatic nuisance infestation.
- (e) For areas to be temporarily closed for a period not exceeding 90 days, the Secretary shall provide written notice of the designation of all areas being closed within five days of the date of the notice to: the clerk of each Vermont municipality in

which the lake, pond, or reservoir is located, the lake association, if any, for the affected body of water, and any person or organization requesting such notice in writing to the Secretary. Such notice shall indicate the target aquatic nuisance and include a map indicating all areas of a lake, pond, or reservoir being temporarily closed.

(f) For areas to be temporarily closed for a period exceeding 90 days, the Secretary shall first provide written notice and an opportunity for comment for not less than 15 days prior to the effective date of the closure. Such notice shall be provided to: the clerk of each Vermont municipality in which the affected body of water is located, the lake association, if any, for the affected body of water, and any person or organization requesting such notice in writing to the Secretary. In addition, the Secretary shall publish the same notice in a newspaper of general circulation in the area of the affected body of water no less than 15 days prior to the effective date of the closure. Such notice shall indicate the target aquatic nuisance and describe all areas of a lake, pond, or reservoir being temporarily closed. Upon receipt, within the notice period, of a written request for a public informational meeting from a municipality or 10 or more persons in interest, the Agency shall hold a public informational meeting at a location convenient to the affected water body. Notice of the meeting shall be given to all persons receiving written notice, all persons who filed written comments or who request the informational meeting within the comment period, and other persons the Agency considers appropriate.

(g) The area(s) temporarily closed under subsection (d) shall be periodically reviewed by the Secretary to determine whether the purpose of preventing, controlling, or containing the spread of the target aquatic nuisance is being achieved. This review shall, at a minimum, occur within 15 days of the first anniversary of the initial designation and every two years thereafter.

(h) Upon written request by any person required to receive notice under subsections (c) or (d) of this section, or 10 or more persons in interest, the Secretary shall consider whether to reopen any area closed under the provisions of this section.

(i) In implementing the provisions of this section, the Secretary shall display notice and a map of the areas closed under the provisions of section 4.1(c) and (d) at any public access areas to the affected lake and may authorize employees and persons not employed by the Agency to enter identified areas for the purposes of:

(1) the placement of signs, buoys, or other markers, or

(2) taking such actions as are authorized by the Secretary to control the aquatic

nuisance infestation.

(j) Aquatic nuisance species inspection stations

(1) Pursuant to 10 V.S.A. § 1461, the Agency shall operate a training program addressing the following:

- i. The inspection of vessels, motor vehicles, trailers and other equipment for the presence of aquatic plants, aquatic plant parts, and aquatic nuisance species.
- ii. The decontamination of vessels, motor vehicles, trailers, and other equipment to prevent the spread of aquatic plants, aquatic plant parts, and aquatic nuisance species.
- iii. How to address noncompliance with the requirements of 10 V.S.A. § 1454 and in accordance with 10 V.S.A. § 1461, including how:
 1. Operators of the inspection station do not have authority to board a vessel unless authorized by the vessel owner;
 2. Operators of the inspection station do not have law enforcement authority to mandate compliance with the requirements of 10 V.S.A. § 1454; and
 3. A person staffing an authorized aquatic nuisance species inspection station may inform a person who owns or controls a vessel whether the vessel requires decontamination, in accordance with Agency training materials and guidance. Information provided in accordance with Agency training materials by a person staffing an authorized aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority.

(2) The Agency's training programs include online training, in person training, recorded material, training manuals, and other materials and resources . All operators of aquatic nuisance inspection stations shall meet the Agency's training requirements, including attendance at all trainings required by the Agency, unless otherwise approved by the Agency.

(3) As set forth in 10 V.S.A. § 1461 and 10 V.S.A. § 1454 , in order to establish an aquatic nuisance inspection station for the purposes of inspection and decontamination requirements, the following conditions must be met:

- i. A municipality, a lake association, or the Commissioner the Department of Environmental Conservation shall apply to the Agency for approval

- ii. Except where the proposed operator is the Commissioner of the Department Environmental Conservation, as a condition of approval, the applicant(s) seeking approval to operate aquatic nuisance species inspection stations shall complete the training programs established by the Agency
 - iii. Except where the applicant is the Commissioner of the Department of Environmental Conservation, where the operator is approved to operate an aquatic nuisance inspection station, the approved applicant shall provide operators of the aquatic nuisance inspection station with training materials furnished by the Agency regarding how to conduct inspection and decontamination of vessels, motor vehicles, trailers, and other equipment for the presence of aquatic plants, aquatic plant parts, and aquatic nuisance species.
- (4) Compliance with Agency Rules and Materials. Approved operators of aquatic nuisance inspection stations shall conduct all activities in accordance with these Rules, the requirements of 10 V.S.A. Chapter 50, and all other applicable Agency Rules, policies and procedures. Operators shall not act beyond the scope of directives provided by the Agency pursuant to 10 V.S.A. §§ 1454 and 1461 and the terms and conditions of any agreement(s) entered into with the Agency pursuant to 10 V.S.A. § 1458, and shall not represent themselves as having enforcement powers unless authorized by law. Operators may inform lake users about relevant regulations and what uses are authorized and prohibited on a lake and may alert law enforcement to report any violations. Information provided by an operator of an aquatic nuisance species inspection station shall not be considered an exercise of law enforcement authority. Operators must not misrepresent the role, authority, or position of the Agency. When representing or operating under the authority of the Agency, operators shall use training materials, signage, and outreach materials furnished or approved by the Agency. Operators shall also comply with all terms and conditions set forth in any agreement entered into with the Agency in connection with the operation of an aquatic nuisance inspection station. Failure to comply with this section may result in revocation of approval to operate an aquatic nuisance inspection station.

4.2 Performance of Official Duties

This section shall not restrict law enforcement or emergency operations or the performance of official duties by a governmental agency.

4.3 Temporary use restrictions due to public safety, emergency situations, or for other good cause, as determined by the Secretary.

(a) Emergency situations⁴. Where a state of emergency has been issued, or a rapid response to a water quality concern is required, the Secretary may temporarily restrict uses on lakes, ponds, or reservoirs. Temporary use restrictions shall be terminated by the Secretary when the emergency situation is resolved. Temporary use restrictions shall not restrict law enforcement or the performance of official duties by a government agency. If the temporary closure is in response to an emergency declaration or public health concern, the temporary closure may proceed without the public outreach process defined in Section 2.

4.4 Wakesports and ballasted recreational vessels in lakes, ponds, and reservoirs not located entirely within Vermont.

(a) All decontamination provisions described in Section 3.7(d) and 3.7(e) apply to ballasted vessels, including wakeboats, in Vermont waterbodies.

(b) In Vermont waters, an individual shall not engage in wakesports within 500 feet of an individual in the water or another motorized or unmotorized vessel.

(c) In Vermont waters, between May 1 and July 31 wakesports are prohibited within 500 feet of any loon nesting site that the Secretary or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings.

SECTION 5: DEFINITIONS

For the purposes of these Rules, the terms below shall have the following meanings unless a different meaning clearly appears from the context.

5.1 "Agency" means the Vermont Agency of Natural Resources.

5.2 "Aquatic nuisance species inspection station" means a station operated by the Agency, a municipality, a lake association, or other organization that has completed training provided by the Agency to prevent the spread of aquatic nuisance species in accordance with 10 V.S.A. § 1454 and 10 V.S.A. § 1461.

5.3 "Board" means the former Water Resources Panel of the Vermont Natural Resources

⁴ The Secretary shall develop and make available guidance outlining applicable scenarios and procedural steps for temporary use restriction declarations. The Secretary shall maintain a "Guidance for temporary use restrictions proposed under Vermont's Use of Public Waters Rules, Section 4.3" at <https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>. These actions shall be consistent with the Secretary's authority under 10 V.S.A. § 1424 and other statutes authorizing regulation of the use of public waters and areas for public safety, environmental protection, flooding, droughts, aquatic nuisance response, shoreland protection, or other reasonable bases pursuant to 10 V.S.A. Chapter 49.

Board or the Water Resources Panel's delegate under 10 V.S.A. § 1424(f).

- 5.4 "Disturbing wake" means the wake caused by a vessel traveling at a speed: (a) greater than the slowest speed at which it is still possible to maintain steerage and headway, or (b) which is greater than 10 mph, whichever is less.
- 5.5 "Internal combustion motor" means a motor, such as a gasoline or a diesel motor, in which fuel is burned within the motor proper rather than in an external furnace as in a steam engine.
- 5.6 "Navigable water or navigable waters" means Lake Champlain, Lake Memphremagog, the Connecticut River, all natural inland lakes within Vermont, and all streams, pond, flowages and other waters within the territorial limits of Vermont, including the Vermont portion of boundary waters, which are boatable under the laws of this State (see 10 V.S.A. § 1422(4)).
- 5.7 "Normal use" means any lawful use of any specific body of public water that occurred on a regular, frequent, and consistent basis prior to January 1, 1993.
- 5.8 "Personal watercraft" means a Class A vessel which uses an inboard engine powering a water jet pump as its primary source of motive power and which is designed to be operated by a person or persons sitting, standing, or kneeling on, or being towed behind, the vessel rather than in the conventional manner of sitting or standing inside the vessel (see 23 V.S.A. § 3302(10)).
- 5.9 "Private pond" means: (a) a natural pond of not more than 20 acres, or (b) an artificial pond of any size, when such natural or artificial pond is located entirely upon lands owned by one person or entity.
- 5.10 "Private preserve" means a private pond created or used solely for the purpose of fish culture.
- 5.11 "Public waters" means navigable waters excepting those waters in private ponds and private preserves as set forth in 10 V.S.A. §§ 5202 and 5210. (see 10 V.S.A. § 1422(6) and 23 V.S.A. § 3302(11)).
- 5.12 "Recreational user group" means an organized group representing a discrete group of recreational users of public waters.
- 5.13 "Secretary" means the Secretary of the Vermont Agency of Natural Resources.

- 5.14 “Shoreline safety zone” means that portion of the surface area of public waters within 200 feet of the shoreline.
- 5.15 “Surface area” means the surface area of a lake, pond, or reservoir as shown on Appendix A.
- 5.16 “Vessel” means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.
- 5.17 “Wakeboat” means a motorboat that has one or more ballast tanks, ballast bags or other devices or design features used to increase the size of the motorboat’s wake.
- 5.18 “Wakesports” means:
- A. to operate a wakeboat with ballast tanks, bags, or other devices or design features engaged to increase the size of the boat’s wake; or
 - B. to use a surfboard, wakeboard, hydrofoil, or similar device to ride on or in the wake:
 - i. directly behind a wakeboat without a rope; or
 - ii. directly behind a wakeboat with or without a rope, when the wakeboat has ballast tanks, bags, or other devices or design features engaged as described in Section 5.17.A.
- 5.19 “Wakesports zone” means an area of a waterbody that has a minimum of 100 contiguous acres that are at least 500 feet from shore on all sides, at least 20 feet deep, at least 3,000 feet long, and at least 200 feet wide, located on a lake, pond, or reservoir on which, per Appendix A, vessels powered by internal combustion motors are allowed and may be used at speeds exceeding 5 miles per hour. The Secretary shall define the boundaries of the wakesports zone using standard geographic information system methods to delineate and normalize a wakesports zone that supports wakeboat operation. Wakesports zones are open to all uses permitted on the subject waterbody.

APPENDIX A
LAKE-SPECIFIC RULES REGULATING THE USE OF PUBLIC WATERS
10 V.S.A. § 1424

Notes about this Appendix

1. This Appendix sets out rules for Vermont waterbodies subject to regulation by the Agency of Natural Resources pursuant to 10 V.S.A. § 1424.

These waterbodies are covered by the general rules of Section 3 of the Vermont Use of Public Waters Rules (VUPW Rules), specific rules adopted by the Water Resources Board, Water Resources Panel, or Agency. Where a waterbody is not presently subject to either a general or specific rule, it is noted.

This Appendix is not a complete list of all waterbodies subject to the Agency's jurisdiction as it includes only lakes and ponds which are greater than 20 acres in surface area. It does not include many smaller lakes or ponds or many rivers and streams that may fall within the definition of a "public water." See, 10 V.S.A. Ch. 49.

2. The number in the parentheses following the name and location of the waterbody is its surface area in acres. Where an asterisk (*) appears after such number, the waterbody has been determined to have *less* than 30 contiguous acres outside the "shoreline safety zone" ("That portion of the surface area of public waters within 200 feet of the shoreline," see VUPW 5.13) and is therefore subject to the general five mph speed limit imposed by VUPW Rule 3.2(a).

3. References in the rules are either to *petition numbers* for waterbody-specific rules (e.g., UPW No. 94-03) or to the *general rule* from Section 3 of the Rules (e.g., VUPW Rule 3.3).

4. The date which follows a reference to a rule is the date that the initial or amended rule went into effect in accordance with the Vermont Administrative Procedure Act, 3 V.S.A. § 845(d); exact dates are sometimes unclear for some rules adopted in the early 1970s. The date that the Water Resources Board or the Water Resources Panel voted to adopt a rule is not reflected in this Appendix.

5. Certain VUPW Rules apply to *all* Vermont waterbodies:

3.2 Maximum Speed Limits and Other Operational Requirements

Vessels powered by motor shall, in addition to the requirements of 23 V.S.A. § 3311(a) pertaining to careless and negligent operation:

...

(b) not be operated in such a manner that either the hull of the vessel or its underwater exhaust outlet completely leaves the water as a result of crossing or jumping the wake of any vessel, including its own wake, or for any other reason.

3.6 Protection of Loon Nesting Sites

Between May 1 and July 31 all persons and vessels are prohibited from public waters within 300 feet of any loon nesting site that the Secretary of the Agency of Natural Resources or the Secretary's authorized representative has identified by signs and buoys or other clear on-site markings. Wakesports are prohibited within 500 feet of any loon nesting site within the timeframe and under the conditions described in this Section .

These rules are not repeated in the lake-specific rules in this Appendix.

6. All general rules from Section 3 of the Rules are subject to the exceptions which appear in VUPW Rule 3.1.

7. When the Water Resources Board adopted the first set of general UPW Rules in 1995 (No. UPW 95-00, January 1, 1995), the Board deemed many earlier rules for specific waterbodies to be obsolete (e.g., a rule which prohibited waterskiing was obsolete in light of a five mph speed limit). Further, early rules for many waterbodies included provisions, referenced in the UPW Notes 5.13 - 5.16, which the Board subsequently found to serve "no useful purpose." *In re Lake Hortonia (Hubbardton, Sudbury)*, No. UPW 85-01, Decision (Sep. 26, 1985). When the 1995 UPW Rules were adopted, therefore, many of these earlier rules were repealed. This Appendix contains no reference to these earlier, obsolete (and now repealed) rules, nor does it specifically reference those lake-specific rules which were amended by the 1995 UPW Rules.

8. When the Water Resources Board adopted the first set of general UPW Rules in 1995 (No. UPW 95-00, January 1, 1995), the Board determined that the use of internal combustion motors was not a normal use prior to January 1, 1993 on some waterbodies. References to VUPW Rule 3.5 in the lake-specific rules in this Appendix reflect these determinations.

9. Please note that other Vermont statutes also govern the operation of vessels on Vermont waters. See 23 V.S.A. Ch. 29, subch. 2.

Lake Abenaki, Town of Thetford (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Adams Reservoir, Town of Woodford (21*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1987 (No. UPW 86-05)

Amherst Lake, Town of Plymouth (81)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Arrowhead Mountain Lake, Towns of Milton and Georgia (760)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour within the northeastern arm of the Lake.
- b. Personal watercraft are prohibited from operating within the northeastern arm of the Lake, except for a corridor within 200 feet of the shoreline between the public fishing access and the main body of the Lake. As shown on the map on page C-2.
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, January 3, 1996 (No. UPW 95-02)

Athens Pond, Town of Athens (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Austin Pond, Town of Hubbardton (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Baker Pond, Town of Barton (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Baker Pond, Town of Brookfield (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule 3.7)

Bald Hill Pond, Town of Westmore (108)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Ball Mountain Reservoir, Town of Jamaica (76*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Batten Kill River, Town of Arlington ⁹

- a. The following rule pertains to that section of the Batten Kill in the Town of Arlington between the Water Street Bridge on Vermont Route 313 and continuing downstream to the Vermont/New York border. For purposes of these rules this section of the river shall be known as the “regulated section.”
- b. The use of all motors, including electric motors to power vessels in the regulated section is prohibited.
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, February 22, 1999 (No. UPW 98-04)

Bean Pond, Towns of Lyndon and Wheelock (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Bean Pond, Town of Sutton (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Beaver Pond, Town of Holland (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Beaver Pond, Town of Weathersfield (49*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Beebe Pond, Town of Hubbardton (111)

- a. Waterskiing is prohibited.
- b. Vessels powered by motors exceeding ten horsepower are prohibited.
- c. A person operating a vessel powered by motor shall not exceed a speed limit of five miles per hour.
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- f. Wakesports are prohibited (VUPW Rule 3.7)

Rules a, b, and c, October 2, 1973 (No. UPW 72-05)

Belvedere Pond, Town of Eden (97)

See: Long Pond (Belvedere Pond), Town of Eden

Berlin Pond, Town of Berlin (293)1

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors to power vessels is prohibited (VUPW Rule 3.5)
- e. The use or presence of all other internal combustion motors, including tools powered by internal combustion, is prohibited.
- f. Wakesports are prohibited (VUPW Rule 3.7)

Rule e. effective November 1, 2016

Big Pond (Woodford Lake), Town of Woodford (31*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Billings Marsh Pond, Town of West Haven (56*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Black Pond, Town of Hubbardton (20*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1986 (No. UPW 85-02)

Black Pond, Town of Plymouth (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Bliss Pond, Town of Calais (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Blueberry Lake (Warren Lake), Town of Warren (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Bomoseen, Towns of Castleton and Hubbardton (2415)

No lake-specific rules; but see VUPW Rules, Section 3

Bourn Pond, Town of Sunderland (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Branch Pond, Town of Sunderland (34*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Bristol Lake, Town of Bristol (248)

See: Winona Lake (Bristol Lake), Town of Bristol

Brownington Pond, Towns of Brownington and Derby (139)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Bruce Pond, Town of Sheffield (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))

- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Buck Lake, Town of Woodbury (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Burbee Pond, Town of Windham (50*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Burr Pond, Town of Pittsford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Burr Pond, Town of Sudbury (85)

- a. No vessel powered by motor shall be operated anywhere on Burr Pond in

excess of five miles per hour between the hours of 6:00 p.m. and 10:00 a.m. local time.

- b. Any motorboat launched at the public Fish and Game access is to be utilized solely for the purpose of fishing on Burr Pond and shall be limited to a speed of five miles per hour regardless of when or where operated on Burr Pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, September 29, 1972 (No. UPW 72-03)

Lake Carmi, Town of Franklin (1402)

No lake-specific rules; but see VUPW Rules, Section 3

Caspian Lake, Town of Greensboro (789)

- a. Vessels powered by motor shall not exceed a speed of forty miles per hour between one half hour before sunrise and one half hour after sunset.
- b. Vessels powered by motor shall not exceed a speed of ten miles per hour between one half hour after sunset and one half hour before sunrise.
- c. Use of personal watercraft or any other Class A vessel which uses an inboard engine powering a water jet pump as its primary source of motive power is prohibited.
- d. Ski slalom courses must comply with the following:
 - I. Construction
 - A. Length of the course measured on the surface of the water shall be no more than 600 feet.
 - B. There shall be no more than 16 buoys providing for no more than four slalom turns.
 - C. The buoys may be attached to an underlying framework located at least five feet below the surface of the lake.
 - II. Location
 - A. There may be no more than one course on the lake at any one time.

- B. The location each year must be at least 1,000 feet from the prior year's location measured from the closest buoy of each such location.
- C. The course must run as nearly parallel as possible to the nearest shore.
- D. All buoys must be at least 800 feet from shore.

III. Use

- A. Sanctioned or public competition or exhibitions are prohibited.
- B. Use by personal watercraft or any vessel powered by motor other than a motorboat towing a water skier is prohibited.
- C. Boat shall turn away from the nearest shore upon entrance to and exist from the course.

Rules a, b, c and d, February 1, 1992 (No. UPW 91-01) Rule c, amended December 10, 2001 (No. UPW 01-01)

Cedar Lake (Monkton Pond), Town of Monkton (123)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Center Pond, Town of Newark (79)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Lake Champlain (172,800 in Vermont)

No lake-specific rules; but see VUPW Rules, Section 3

Chandler Pond, Town of Wheelock (68)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Charleston Pond (Lubber Lake), Town of Charleston (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Chipman Lake (Tinmouth Pond), Town of Tinmouth (79)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Chittenden Reservoir, Town of Chittenden (702) ¹

- a. Vessels powered by motor shall not exceed five miles per hour.
- b. The use of personal watercraft is prohibited.
- c. Waterskiing is prohibited.
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a, b, and c, November 30, 2002 (No. UPW 02-02)

Clark Pond, Town of Glover (33*)

See: Tildy's Pond (Clark Pond), Town of Glover

Clyde Pond, Town of Derby (186)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Cobb Pond, Town of Derby (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Cogman Pond, Town of West Haven (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Coits Pond, Town of Cabot (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Colby Pond, Town of Plymouth (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Colchester Pond, Town of Colchester (186) ⁵

- a. The operation of vessels powered by motor is prohibited.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, March 8, 1993 (No. UPW 91-03)

Cole Pond, Town of Jamaica (41*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed a speed of five miles per hour.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1993 (No. UPW 90-02)

Rule b, February 1, 1992 (No. UPW 90-02)

Coles Pond, Town of Walden (99)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Colton Pond, Town of Sherburne (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Connecticut River Reservoirs

No lake-specific rules; but see VUPW Rules, Section 3

Cranbury Meadow Pond, Town of Woodbury (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Crescent Lake, Town of Sharon (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Crystal Lake, Town of Barton (763)

No lake-specific rules; but see VUPW Rules, Section 3

Curtis Pond, Town of Calais (72*)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour (m.p.h.) north of the narrows as shown on the map on page C-1.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 14, 1995 (No. UPW 94-04)

Cutler Pond, Town of Highgate (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Danby Pond, Town of Danby (71)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Daniels Pond, Town of Glover (66)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Danyow Pond, Town of Ferrisburgh (192*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Deer Park Pond, Town of Halifax (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Dennis Pond, Town of Brunswick (49*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Derby, Town of Derby (207)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Dewey's Mill Pond, Town of Hartford (56*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Dog Pond, Town of Woodbury (88*)²

See: Valley Lake (Dog Pond), Town of Woodbury

Lake Dunmore, Towns of Salisbury and Leicester (1037)

No lake-specific rules; but see VUPW Rules, Section 3

East Long Pond, Town of Woodbury (188)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Echo Lake, Town of Charleston (550)

No lake-specific rules; but see VUPW Rules, Section 3

Echo Lake (Keeler Pond), Towns of Sudbury and Hubbardton (54*)

- a. The operation of vessels powered by a motor at speeds exceeding five miles per hour or in such a manner as to cause a disturbing wake is prohibited.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, November 29, 1982 (No. UPW 82-01)

Echo Lake, Town of Plymouth (104)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- b. Wakesports are prohibited (VUPW Rule 3.7)

Lake Eden, Town of Eden (194)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Elfin Lake, Town of Wallingford (16*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1988 (No. UPW 87-03)

Lake Eligo (Eligo Pond), Towns of Craftsbury and Greensboro (174)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Lake Elmore, Town of Elmore (219)

- a. The provisions of Section 3.3(a)(1) notwithstanding, the use of personnel watercraft is allowed between 10:00 a.m. and 7:00 p.m.
- b. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 28, 1997 (No. UPW 96-02)

Emerald Lake, Town of East Dorset (28*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1987 (No. UPW 86-02)

Evert's Pond, Town of Windsor (62*)

See: Lake Runnemede (Evert's Pond), Town of Windsor

Ewell Pond, Town of Peacham (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Fairfield Pond, Town of Fairfield (446)

No lake-specific rules; but see VUPW Rules, Section 3

Fairfield Swamp Pond, Towns of Swanton, St. Albans and Fairfield (152*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lake Fairlee, Towns of Fairlee, West Fairlee and Thetford (457)

- a. The use of personal watercraft (jet skis) is prohibited.
- b. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 22, 1999 (No. UPW97-04)

Fern Lake, Town of Leicester (69*)

- a. No vessel powered by motor shall be operated on Fern Lake at speeds in excess of five miles per hour or in such a manner as to cause a disturbing wake.

- b. Except as may be authorized by the Vermont Aeronautics Board, no aircraft shall land on or take off from Fern Lake except under emergency conditions.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, November 17, 1980 (No. UPW 80-02)

Flagg Pond, Town of Wheelock (111)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Forest Lake, Town of Averill (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Forest Lake (Nelson Pond), Towns of Calais and Woodbury (133)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Forscythe Pond, Town of Thetford (20*)

See: Mud Pond (Forscythe Pond), Town of Thetford

Fosters Pond, Town of Peacham (61)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule 3.7)

Gale Meadows Pond, Towns of Winhall and Londonderry (195) ⁶

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 1, 1992 (No. UPW 90-03)

Gates Pond, Town of Whitingham (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Gillett Pond, Town of Richmond (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Glen Lake, Towns of Castleton, Fair Haven and Benson (206) ⁶

- a. No vessel powered by motor shall be operated anywhere on Glen Lake at speeds in excess of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, April 1, 1978 (No. UPW 75-01)

Great Averill Lake, Town of Norton (828)

- a. The use of personal watercraft (i.e., jet skis) is prohibited.

Rule a, February 15, 2004 (No. UPW 03-01)

Great Hosmer Pond, Towns of Craftsbury and Albany (149*)^{2, 7}

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9.
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule b, January 1, 1995, (No. UPW 95-00)

Green River Reservoir, Towns of Hyde Park and Eden (653)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Greenwood Lake, Town of Woodbury (96*)²

- a. Unless otherwise prohibited by law, vessels powered by motor when towing water-skier(s) shall travel in a counterclockwise direction.
- b. Unless otherwise prohibited by law, waterskiing shall be limited to the following days and times:

Monday, Wednesday, Friday, Saturday and Sunday from noon until 7:00 p.m.

- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, February 1, 1992 (No. UPW 90-

01) Rule b, amended, February 28, 1997 (No.

UPW 96-03)

Lake Groton (Groton Pond), Town of Groton (422)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Grout Pond, Town of Stratton (84)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, August 28, 1974 (No. UPW 73-02)

Half Moon Pond, Town of Hubbardton (23*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1987 (No. UPW 86-03)

Half Moon Pond, Town of Fletcher (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Halfway Pond, Town of Norton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Halls Lake, Town of Newbury (85)

- a. Waterskiing is limited to the hours between 9:00 a.m. and 7:00 p.m.
- b. Vessels powered by motor shall not exceed a speed of 10 mph between one half hour after sunset and one half hour before sunrise.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, February 1, 1992 (No. UPW 89-01)

Lake Hancock (Sucker Pond), Town of Stamford (51*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Hardwick Lake, Town of Hardwick (92*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Hardwood Pond, Town of Elmore (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Harriman Pond, Town of Newbury (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Harriman Reservoir, Towns of Whitingham and Wilmington (2046)

No lake-specific rules; but see VUPW Rules, Section 3

Harvey's Lake, Town of Barnet (351)

No lake-specific rules; but see VUPW Rules, Section 3

Haystack Pond, Town of Wilmington (27*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

High Pond, Town of Sudbury (20*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Hinkum Pond, Town of Sudbury (60*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Holland Pond, Town of Holland (325)

- a. No lake-specific rules; but see VUPW Rules, Section 3

Horse Pond, Town of Greensboro (32*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lake Hortonia (Horton Pond), Towns of Hubbardton and Sudbury (479)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Hough Pond, Town of Sudbury (16*)

See: Huff (Hough) Pond, Town of Sudbury

Howe Pond, Town of Readsboro (52*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Huff (Hough) Pond, Town of Sudbury (16*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, August 7, 1984 (No. UPW 83-01)

Indian Brook Reservoir, Town of Essex (50*)

- a. The operation of vessels powered by internal combustion motors is prohibited.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off from Indian Brook Reservoir.
- c. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, April 20, 1989 (No. UPW 88-06)

Inman Pond, Town of Fair Haven (85)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Iroquois, Towns of Hinesbug and Williston (243)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Island Pond, Town of Brighton (626)

No lake-specific rules; but see VUPW Rules, Section 3

Jacksonville Pond, Town of Whitingham (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Jobs Pond, Town of Westmore (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Joe's Pond, Towns of Cabot and Danville (396)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Keeler Pond, Towns of Sudbury and Hubbardton (54*)

See: Echo Lake (Keeler Pond), Towns of Sudbury and Hubbardton

Keiser Pond, Towns of Peacham and Danville (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Kennedy's Pond, Town of Windsor (77)

See: Mill Pond (Kennedy's Pond), Town of Windsor

Kenny Pond, Town of Newfane (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Kent Pond, Town of Killington (99) ^{4, 6}

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Kettle Pond, Towns of Groton, Peacham and Marshfield (109) ^{4, 6}

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Knapp Brook Pond #1, Towns of Reading and Cavendish (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Knapp Brook Pond #2, Towns of Reading and Cavendish (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lakota Lake, Town of Barnard (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Lamoille, Town of Morristown (148)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour outside the northeastern arm of the lake as shown on the map on page C-4.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lamson Pond, Town of Brookfield (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lefferts Pond, Town of Chittenden (80)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Levi Pond, Town of Groton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lewis Pond, Town of Lewis (68)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour (mph).
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, November 20, 1991 (No. UPW 89-03); reaffirmed
(No. UPW 92-01)

Lily Pond, Town of Londonderry (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lily Pond, Town of Poultney (21*)

- a. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5
- b. V.S.A. Ch. 9 (VUPW Rule 3.4) Wakesports are prohibited (VUPW Rule 3.7) And see: Lake St. Catherine rules

Lily Pond, Town of Vernon (41*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Little Averill Pond, Town of Averill (467)

- a. The use of personal watercraft (i.e., jet skis) is prohibited.

Rule a, February 15, 2004 (No. UPW 03-01)

Little Elmore Pond, Town of Elmore (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Little Hosmer Pond, Town of Craftsbury (180) ⁶

- a. Vessels powered by motors of more than ten horsepower are prohibited on Little Hosmer Pond.
- b. No person shall operate a vessel powered by motor at any time at a speed in excess of five miles per hour on Little Hosmer Pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, October 4, 1973 (No. UPW 73-01)

Little Pond, Town of Franklin (95)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Little Lake, Town of Wells (177)

- a. Wakesports are prohibited (VUPW Rule 3.7) And see: Lake St. Catherine rules.

Long Pond (Belvedere Pond), Town of Eden (97)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Long Pond, Town of Greensboro (100)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, September 22, 1975 (No. UPW 74-02)

Long Pond, Town of Milton (47*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Long Pond, Town of Sheffield (38*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Long Pond, Town of Westmore (90) ³

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Love's Marsh, Town of Castleton (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lowell Lake, Town of Londonderry (109)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, April 13, 1988 (No. UPW 87-04)

Lower Pond (Lake Sunset), Town of Hinesburg (58*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule 3.7)

Lower Syme's Pond, Town of Ryegate (57*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lubber Lake, Town of Charleston (40*)

See: Charleston Pond (Lubber Lake), Town of Charleston

Lyford Pond, Town of Walden (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, *except where authorized under 5 V.S.A. Ch. 9* (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lake Madeline, Town of Sandgate (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Maidstone Lake, Town of Maidstone (745)

No lake-specific rules; but see VUPW Rules, Section 3

Lake Mansfield, Town of Stowe (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Marshfield Pond, Town of Marshfield (69*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Martin Pond, Town of Williamstown (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Martins Pond, Town of Peacham (82)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

May Pond, Town of Barton (85)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1988 (No. UPW 87-02)

McAllister Pond, Town of Lowell (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

McConnell Pond, Town of Brighton (87)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

McIntosh Pond, Town of Royalton (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Lake Memphremagog, Towns of Derby and Coventry and City of Newport (5966 in Vermont)

See Appendix D, attached.

**Metcalf Pond, Town of Fletcher
(81*)²**

VUPW Rules, Appendix D, November 17, 2000 (No. UPW 00-01); amended, February 6, 2006 (No. UPW 05-01,
amended December 10, 2021

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Mile Pond, Town of Ferdinand (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Miles Pond, Town of Concord (205)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Mill Pond (Parson's Mill Pond), Town of Benson (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mill Pond (Kennedy's Pond), Town of Windsor (77)

- a. The operation of vessels and vehicles powered by an internal combustion motor except snowmobiles on a designated trail is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, March 9, 1989 (No. UPW 88-02)

Miller Pond, Town of Strafford (64)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Milton Pond, Town of Milton (24*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Minards Pond, Town of Rockingham (46*)¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mirror Lake (No. 10 Pond), Town of Calais (85)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. A no-wake zone shall apply to the entire pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, December 17, 1978 (No. UPW 78-02); amended
February 14, 2005 (No. UPW 04-02)

Rule b, February 14, 2005 (No. UPW 04-02)

Lake Mitchell, Town of Sharon (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Molly's Pond, Town of Cabot (38*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Molly's Falls Reservoir, Town of Cabot (397)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Monkton Pond, Town of Monkton (123)

See Cedar Lake (Monkton Pond), Town of Monkton

Lake Morey, Town of Fairlee (547)

- a. Vessels powered by motor shall not exceed a speed of forty miles per hour.

- b. The use of personal watercraft (jet skis) is prohibited.

Rule a, February 1, 1992 (No. UPW 88-05)

Rule b, February 22, 1999 (No. UPW 98-03)

Mud Pond, Town of Craftsbury (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Pond, Town of Granby (55*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Pond, Town of Leicester (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Pond (North), Town of Morgan (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Pond, Town of Peacham (34*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Pond (Forscythe Pond), Town of Thetford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mud Creek Pond, Town of Alburg (333)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Mudd Pond, Town of Hubbardton (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

N.E. Developers Pond, Town of Wells (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Neal Pond, Town of Lunenburg (185)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Nelson Pond, Towns of Calais and Woodbury (133)

See: Forest Lake (Nelson Pond), Towns of Calais and Woodbury

Newark Pond, Town of Newark (153)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Nichols Pond, Town of Woodbury (171) ³

- a. Vessels powered by motor shall not exceed 5 mph. (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule 3.7)

Lake Ninevah, Town of Mount Holly (171)

- a. Vessels powered by motor shall not be operated at speeds exceeding five miles per hour.
- b. Except in an emergency situation or as authorized by the Vermont Transportation Board in accordance with 5 V.S.A. Chapter 9, aircraft are prohibited from landing or taking off from Lake Ninevah.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, April 20, 1989 (No. UPW 88-01)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Norford Lake, Town of Thetford (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

North Pond, Town of Brookfield (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

North Pond, Town of Whitingham (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

North Hartland Reservoir, Towns of Hartland and Hartford (108*)²

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

North Montpelier Pond, Towns of East Montpelier and Calais (42*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

North Springfield Reservoir, Towns of Weathersfield and Springfield (290)

- a. Vessels powered by motor shall not exceed a speed limit of five miles per hour on North Springfield Reservoir.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)
Rule a, May 25, 1972 (No. UPW 71-01); amended
October 5, 1994 (No. UPW 93-01)

Norton Pond, Town of Norton and Warren Gore (667) 8

- a. The use of personal watercraft (i.e., jet skis) is prohibited.
- b. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9.

- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, November 30, 2002 (No. UPW 02-01)

Rule b, March 1, 2007 (No. UPW 06-01)

Notch Pond, Town of Ferdinand (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Noyes Pond (Seyon Pond), Town of Groton (39*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Nulhegan Pond, Town of Brighton (37*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Old Marsh Pond, Town of Fair Haven (131)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Osmore Pond, Town of Peacham (48*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Oxbow Pond, Town of Swanton (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Paran, Towns of Bennington and Shaftsbury (40*)

- a. The operation of vessels powered by motor is prohibited.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, July 14, 1980 (No. UPW 80-01); amended

October 5, 1994) (No UPW 93-01)

Lake Parker (Parker Pond), Town of Glover (250)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Parson's Mill Pond, Town of Benson (39*)

See: Mill Pond (Parson's Mill Pond), Town of Benson

Patch Pond, Town of Rutland (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Pauline, Town of Ludlow (32*)

See: Reservoir Pond (Lake Pauline), Town of Ludlow

Paul Stream Pond, Town of Brunswick (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Peacham Pond, Town of Peacham (340)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Pensioner Pond, Town of Charleston (173)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- b. Wakesports are prohibited (VUPW Rule 3.7)

Perch Pond, Town of Benson (24*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, October 25, 1974 (No. UPW 73-04)

Pigeon Pond, Town of Groton (69)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Pine Pond, Town of Castleton (40*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Pineo, Town of Hartford (50*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

- V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Pleasant Valley Reservoir, Town of Brattleboro (25*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Raponda, Town of Wilmington (121)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Reading Pond, Towns of Reading and Plymouth (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rescue Lake, Town of Ludlow (229)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Reservoir Pond (Lake Pauline), Town of Ludlow (32*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Richmond Pond, Town of Richmond (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Richville Pond, Town of Shoreham (129*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Ricker Pond, Town of Groton (95)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Roach Pond, Town of Hubbardton (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rood Pond, Towns of Williamstown and Brookfield (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Round Pond, Town of Milton (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Round Pond, Town of Newbury (30*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Runnemedede (Evert's Pond), Town of Windsor (62*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Sabin Pond (Woodbury Lake), Towns of Calais and Woodbury (142)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Sadawga Pond, Town of Whitingham (194)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Lake Salem (Salem Pond), Town of Derby (764)

No lake-specific rules; but see VUPW Rules, Section 3

Schofield Pond, Town of Hyde Park (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Searsburg Reservoir, Town of Searsburg (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Seymour Lake, Towns of Morgan and Charleston (1763)

No lake-specific rules; but see VUPW Rules, Section 3

Seyon Pond, Town of Groton (39*)

See: Noyes Pond (Seyon Pond), Town of Groton

Shadow Lake, Town of Concord (128)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Shadow Lake, Town of Glover (210)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Lake Shaftsbury, Town of Shaftsbury (27*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1987 (No. UPW 86-04)

Shelburne Pond, Town of Shelburne (452)

- a. Wakesports are prohibited (VUPW Rule 3.7)

Sherman Reservoir, Towns of Readsboro and Whitingham (117)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Shippee Pond, Town of Whitingham (24*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Shrewsbury Pond, Town of Shrewsbury (66*)

See: Spring Lake (Shrewsbury Pond), Town of Shrewsbury

Silver Lake, Town of Barnard (84)

- a. Vessels powered by motor shall not exceed 5 mph.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, May 19, 1972 (No. UPW 71-03), amended,
December 30, 2011 (No. UPW 11-01)

Silver Lake, Towns of Georgia and Fairfax (27*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Silver Lake, Town of Leicester (101)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Sodom Pond, Towns of East Montpelier and Calais (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Somerset Reservoir, Towns of Somerset and Stratton (1568)

- a. The use of personal watercraft (jet skis) is prohibited.
- b. Waterskiing is prohibited.
- c. The use of vessels powered by internal combustion motors at speeds in excess of 10 miles per hour is prohibited except as provided for in rule e below.
- d. A no disturbing wake zone shall apply to the entire reservoir except as provided for in rule e below.
- e. The prohibitions established by rules c and d above shall not apply to vessels operated on behalf of the owner of Somerset Dam in conjunction with its operation of the reservoir.
- f. Wakesports are prohibited (VUPW Rule 3.7)

Rules a, b, c and e, February 4, 1995 (No. UPW 94-05) Rule c, amended January 3, 1996 (No. UPW 95-04)

Rule d, February 6, 2006 (No. UPW 05-04); amended January 11, 2009 (No. UPW 07-01)

Rule e, amended February 6, 2006 (No. UPW 05-04)

South Pond, Town of Eden (103)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

South Pond, Town Marlboro (68) ^{1, 9}

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

South America Pond, Town of Ferdinand (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

South Stream Pond, Town of Pownal (54*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Spectacle Pond, Town of Brighton (103)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Spring Lake (Shrewsbury Pond), Town of Shrewsbury (66*)

- a. The operation of vessels powered by an internal combustion motor is prohibited.
- b. A person operating a vessel powered by motor shall not exceed a speed limit of five miles per hour
- c. Except as may be authorized by the Vermont Aeronautics Board, no aircraft shall land on, or take off from, Spring Lake except under emergency conditions. (VUPW Rule 3.4)
- d. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a, b and c, June 6, 1974 (No. UPW 73-03)

Spruce Pond, Town of Orwell (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

St. Albans Reservoir (North), Town of Fairfax (35*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

St. Albans Reservoir (South), Town of Fairfax (27*) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake St. Catherine, Towns of Wells and Poultney (883)

- a. Waterskiing is prohibited in the following waters:
 - (1) All portions of Lily Pond and the channel connecting Lily Pond and Lake St. Catherine.
 - (2) All portions of the channel connecting Little Lake (also known as Little Pond) and Lake St. Catherine.
- b. The operation of vessels powered by motor at speeds exceeding five miles per hour or in such a manner as to cause a disturbing wake is prohibited in the following waters:
 - (1) All portions of Lily Pond and the channel connecting Lily Pond and Lake St. Catherine.
 - (2) All portions of the channel connecting Little Lake (also known as Little Pond) and Lake St. Catherine.
 - (3) Forest House Bay - defined for purposes of this rule as those waters south and southwest of a straight line between the southerly corner of Camp 102 and the northeasterly corner of Camp 110A.
 - (4) Hall's Bay - defined for purposes of this rule as those waters north and northeast of a straight line between the southerly corner of Camp 224 and the northerly corner of Camp 207.
 - (5) Horseshoe Bay - defined for purposes of this rule as those waters west of a straight line between the easterly corner of Camp 38 and northerly corner of Camp 46A.
 - (6) Oxbow Bay - defined for purposes of this rule as those waters west of a straight line between the northerly corner of Camp 21 and the northerly corner of Camp 36.
 - (7) With regard to Forset House Bay, Hall's Bay, Horseshoe Bay and Oxbow Bay, it is permissible for a boat to start and return to its own dock at speeds in excess of five miles per hour for purposes of water skiing. In starting, the boat must head directly out of the safety zone. In returning, the boat must go directly to its dock, at the lowest speed necessary to sustain the skier.
- c. For purposes of this regulation only, the term "channel" as used in rules a and b above, shall mean those waters within and contiguous to Lake St. Catherine which are less than 400 feet in width and which serve to connect that Lake with

Lily Pond or Little Lake (also known as Little Pond).

- d. The provisions of Section 3.3 (a)(1) of these rules notwithstanding, the use of personal watercraft at speeds not exceeding five (5) miles per hour is allowed on Little Lake and Lily Pond for purposes of obtaining access to, and returning from, Lake St. Catherine.

Rules a and b(1) and (2), and c, November 17, 1980
(No. UPW 79-02)

Rule b(3) – (7), October 5, 1994, (No. UPW 93-01)

Rule d, October 14, 1997 (No. UPW 97-03)

Stannard Pond, Town of Stannard (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Star Lake, Town of Mt. Holly (63)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Stevens Pond, Town of Maidstone (26*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Stiles Pond, Town of Waterford (135) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Stoughton Pond, Town of Weathersfield (56*)

- a. Vessels powered by motor shall not exceed a speed limit of five miles per hour on Stoughton Pond
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 – November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, May 25, 1972 (No. UPW 71-01)

Stratton Pond, Town of Stratton (46*)

- a. The operation of vessels powered by motor is prohibited.
- b. No docks or floats, whether permanent or temporary, are permitted on the pond.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, October 7, 1974 (No. UPW 73-02)

Sucker Pond, Town of Stamford (51*)

See: Lake Hancock (Sucker Pond), Town of Stamford

Sugar Hill Reservoir, Town of Goshen (63*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Sugar Hollow Pond, Towns of Brandon and Pittsford (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Sunrise Lake, Towns of Benson & and Orwell (57*)

- a. Vessels powered by motor shall not exceed a speed of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, February 1, 1992 (No. UPW 89-05)

Sunset Lake, Towns of Benson and Orwell (202)

- a. Waterskiing on Sunset Lake is restricted to the hours from 10:00 a.m. to 6:00 p.m.
- b. No more than one water-skier shall be pulled by a vessel at any time.
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rules a and b, October 25, 1974 (No. UPW 73-04)

Sunset Lake, Town of Brookfield (25*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Sunset, Town of Hinesburg (58*)

See: Lower Pond (Lake Sunset), Town of Hinesburg

Sunset Lake, Town of Marlboro (96) ¹

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Sweet Pond, Town of Guilford (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

No. 10 Pond, Town of Calais (85)

See: Mirror Lake (No. 10 Pond), Town of Calais

Thompsons Pond, Town of Pownal (28*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Thurman W. Dix Reservoir, Town of Orange (123)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Ticklenaked Pond, Town of Ryegate (54*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Tildy's Pond (Clark Pond), Town of Glover (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Tinmouth Pond, Town of Tinmouth (79)

See: Chipman Lake (Tinmouth Pond), Town of Tinmouth

Tiny Pond, Towns of Ludlow and Mt. Holly (29*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Toad Pond, Town of Charleston (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Townshend Reservoir, Town of Townshend (108*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Turtle Pond, Town of Holland (27*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)

- e. Wakesports are prohibited (VUPW Rule 3.7)

Turtle Pond, Town of Hardwick (21*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- c. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Upper Symes Pond, Town of Ryegate (20*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Valley Lake (Dog Pond), Town of Woodbury (88*) 2

- a. Waterskiing on Valley Lake shall be restricted to the hours from 10:00 a.m. to 6:30 p.m.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, October 4, 1973 (No. UPW 72-06,)

Wallace Pond, Town of Canaan (107 in Vermont*)

No lake-specific rules; but see VUPW Rules, Section 3

Wallingford Pond, Town of Wallingford (87*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)

- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Wantasiquet Pond, Town of Weston (44*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Wapanaki, Town of Wolcott (22*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Warden Pond, Town of Barnet (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Warren Lake, Town of Warren (48*)

See: Blueberry Lake (Warren Lake), Town of Warren

Waterbury Reservoir, Towns of Waterbury and Stowe (839)

- a. Except as provided for in parts c or d of this rule, vessels powered by motor shall not exceed five (5) miles per hour or create a disturbing wake in the following portions of Waterbury Reservoir:
 - (1) that portion of the eastern arm of the Waterbury Reservoir easterly of a line two hundred (200) feet west of the end of the peninsula separating the two bays, as shown on the map on page C-3, and
 - (2) that portion of the northern arm of the Waterbury Reservoir northerly of the point of land on the western shoreline located approximately 5500 feet southerly of the mouth of Cotton Brook, as shown on the map on page C-3 of this Appendix.
- b. The two 5 m.p.h. no disturbing wake zones provided for in part a of this rule shall each be clearly marked by buoys.
- c. The provisions of part a of this rule shall not apply to either:
 - (1) participants in events authorized under 23 V.S.A. Section 3316(a), for a maximum of five events per calendar year for a maximum of two days for each such event, or
 - (2) a single vessel using waterski slalom course number #1(as identified in part d(1) below).
- d. Unless otherwise regulated by law, only two water-ski slalom courses may be located in the Reservoir, by the person(s) or organization designated by the Board as provided for in part e of this rule as follows:
 - (1) one slalom course located at one of the following locations indicated as shown on the map on page C-3:
 - (a) southerly of the mouth of Cotton Brook within that portion of the northern arm of the reservoir, indicated as Course #1 described in part a (2) of this rule, or
 - (b) north of the Little River State Park in the northern arm of Waterbury Reservoir, indicated as Course #1 Alternate A, or
 - (c) south of the Little River State Park in the northern arm of Waterbury Reservoir, indicated as Course #1 Alternate B.
 - (d) west of Blush Hill boat access in the eastern arm of Waterbury Reservoir, indicated as Course #2.
- e. The waterski slalom courses allowed by part d of this rule shall be installed, maintained, and utilized in accordance with the following requirements:

- (1) Each course shall be installed following recognized National Design Standards, shall consist of not more than 26 buoys and include underwater alignment and anchoring devices and shall be configured to occupy not more than 2.0 acres of the Reservoir=s surface area, and
 - (2) be available for use by any member of the general public, and
 - (3) be installed and maintained by a person(s) or organization designated by the Board who shall file with the Commissioner of the Department of Forests, Parks and Recreation (Commissioner) by April 1 each year a certificate of insurance, including proof of liability insurance protecting the State of Vermont to a degree equal to or greater than that provided to the Commissioner by the American Waterski Association and Green Mountain Water skiers in May, 1996.
 - (4) except as may be provided for under part c (1) of this rule, waterski slalom course #1 shall be subject to the following requirements:
 - (a) only one vessel at a time shall be allowed to use the course, and
 - (b) the course shall be lowered to the bottom of the Reservoir each time that the course is not in active use. While on the water surface, the course shall not be left unattended.
 - (5) The granting of approval under this rule by the Board does not relieve the designee from responsibility to comply with any other applicable requirements of federal, state or local law.
 - (6) The Board may revoke any designation under this rule for failure to comply with the above requirements.
- f. Wakesports are prohibited (VUPW Rule 3.7)
- Rules a, b and c, June 2, 1989 (No. UPW 88-04);
amended February 28, 1997 (No. UPW 96-05 and 96-06)
- Rules d and e, February 28, 1997 (No. UPW 96-05 and 96-06)
- Rules d and e(6), amended February 15, 2004 (No. UPW 03-02)

Weathershead Hollow Pond, Town of Guilford (33*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5

V.S.A. Ch. 9 (VUPW Rule 3.4)

- d. Wakesports are prohibited (VUPW Rule 3.7)

West Hill Pond, Town of Cabot (46*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

West Mountain Pond, Town of Maidstone (60)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

West River/ Retreat Meadows Basin

- a. Waterskiing is prohibited.
- b. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 11, 2009 (No. UPW 08-01)

Wheeler Pond, Town of Brunswick (66)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Lake Willoughby, Town of Westmore (1687)

- a. The use of personal watercraft (jet skis) is prohibited.

Rule a, February 14, 2005 (No. UPW 04-01)

Winona Lake (Bristol Lake), Town of Bristol (248)

- a. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- b. Wakesports are prohibited (VUPW Rule 3.7)

Wolcott Pond, Town of Wolcott (74)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Woodbury Lake, Towns of Calais and Woodbury (142)

See: Sabin Pond (Woodbury Lake), Towns of Calais and Woodbury

Woodford Lake, Town of Woodford (31*)

See: Big Pond (Woodford Lake), Town of Woodford

Woodward Reservoir, Town of Plymouth (106)

- a. Vessels powered by motor shall not be operated anywhere on Woodward Reservoir at a speed in excess of five miles per hour.
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, September 28, 1972 (No. UPW 71-02); amended,
February 14, 1995 (No. UPW 94-01)

Worcester Pond, Town of Worcester (35*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

Wrightsville Reservoir, Towns of East Montpelier and Middlesex and City of Montpelier (150)

- a. The operation of vessels powered by a motor at speeds exceeding two miles per hour or in such a manner as to cause a disturbing wake is prohibited northerly of the narrows which is immediately to the north of the "Roadside Park Boat Launch Ramp."
- b. The provisions of '3.3(a)(1) notwithstanding, the use of personal watercraft is allowed southerly of the narrows referred to in Rule (a) above.
- c. Wakesports are prohibited (VUPW Rule 3.7)

Rule a, January 1, 1985 (No. UPW 84-01)

Rule b, January 3, 1996 (No. UPW 95-03)

Zack Woods Pond, Towns of Hyde Park and Wolcott (23*)

- a. Vessels powered by motor shall not exceed 5 mph (VUPW Rule 3.2(a))
- b. Use of personal watercraft is prohibited (VUPW Rule 3.3)
- c. Use of aircraft is prohibited May 1 - November 30, except where authorized under 5 V.S.A. Ch. 9 (VUPW Rule 3.4)
- d. Use of internal combustion motors is prohibited (VUPW Rule 3.5)
- e. Wakesports are prohibited (VUPW Rule 3.7)

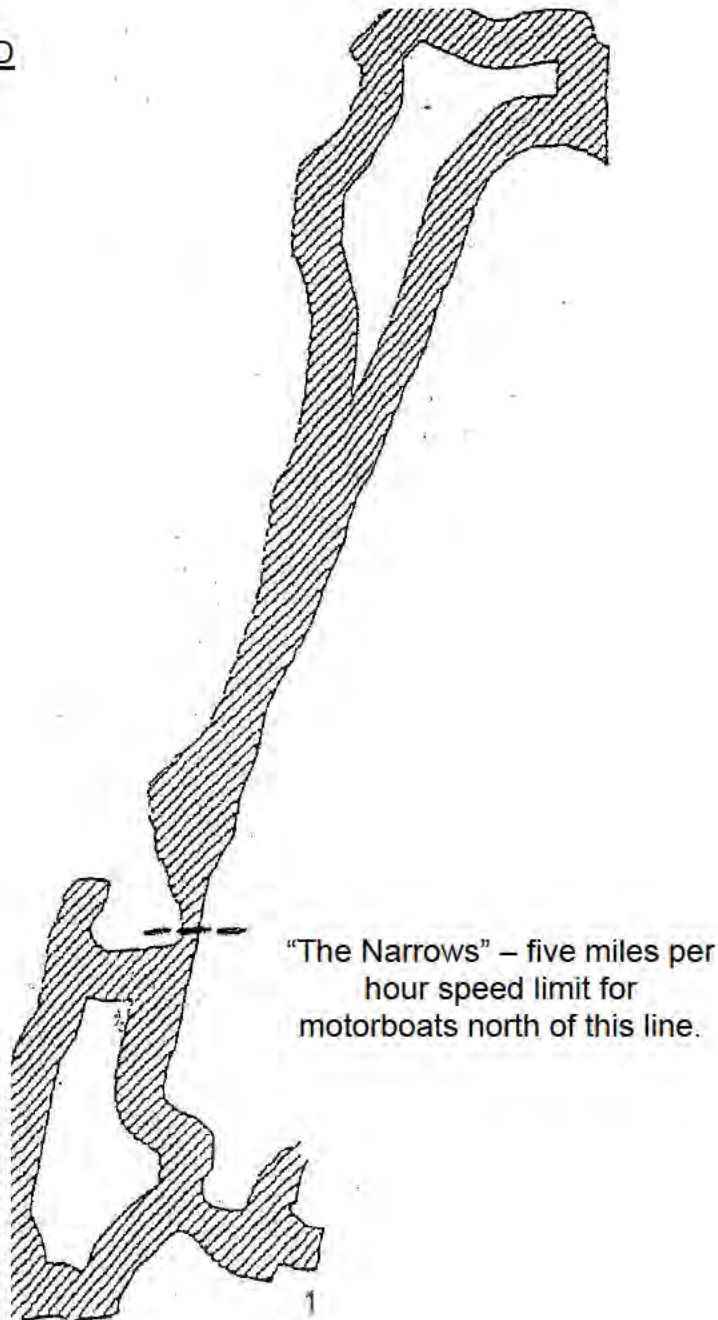
ENDNOTES

- * This waterbody has been determined to have *less* than 30 contiguous acres outside the shoreline safety zone (i.e. more than 200 feet from any shore) and is therefore subject to the five mph speed limit imposed by VUPW Rule 3.2(a).
- 1. Restrictions adopted by authorities other than the Natural Resources Board may also apply - - for example, restrictions on recreational uses established by the State or a local board of health to protect public water supplies.
- 2. Despite having less than 30 contiguous acres outside the shoreline safety zone, the Water Resources Board, in its 1995 Rules, determined that high speed boating is a normal use on this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 3. The Water Resources Board, in its 1995 Rules, specifically determined that high speed boating is not a normal use on this body of water and established a maximum speed limit of five mph for vessels being propelled by motor. See, No. UPW 95-00 (Appendix A), January 1, 1995; *and see*, VUPW Rule 3.2(a).
- 4. Despite the fact that this waterbody does not appear to have any of the restrictions noted in VUPW Rule 3.2(a), the Water Resources Board, in its 1995 Rules, established a maximum speed limit of five mph for this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 5. Despite the fact that this waterbody appears to meet the speed limit provisions of VUPW Rule 3.2(a) because internal combustion motors are prohibited, the Water Resources Board, in its 1995 Rules, specifically did not establish a maximum speed limit for this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 6. While UPW Rule 3.4 would prohibit the use of this waterbody by aircraft, the Water Resources Board, in its 1995 Rules, specifically allowed aircraft use of this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 7. While UPW Rule 3.4 would allow the use of this waterbody by aircraft, the Water Resources Board, in its 1995 Rules, specifically prohibited aircraft use of this waterbody. See, No. UPW 95-00 (Appendix A), January 1, 1995.
- 8. While UPW Rule 3.4 would allow the use of this waterbody by aircraft, the Water Resources Panel specifically prohibited aircraft use of this waterbody. See, No. UPW 96-01.
- 9. 23 V.S.A. § 3320(a) states: "The use and operation of motor propelled boats on the waters impounded by the Dufresne Dam, so-called, on the Battenkill River in the town of Manchester is prohibited."

23 V.S.A. § 3321(a) states: "The use and operation of motor propelled boats on the waters of South Pond in the town of Marlboro is prohibited."

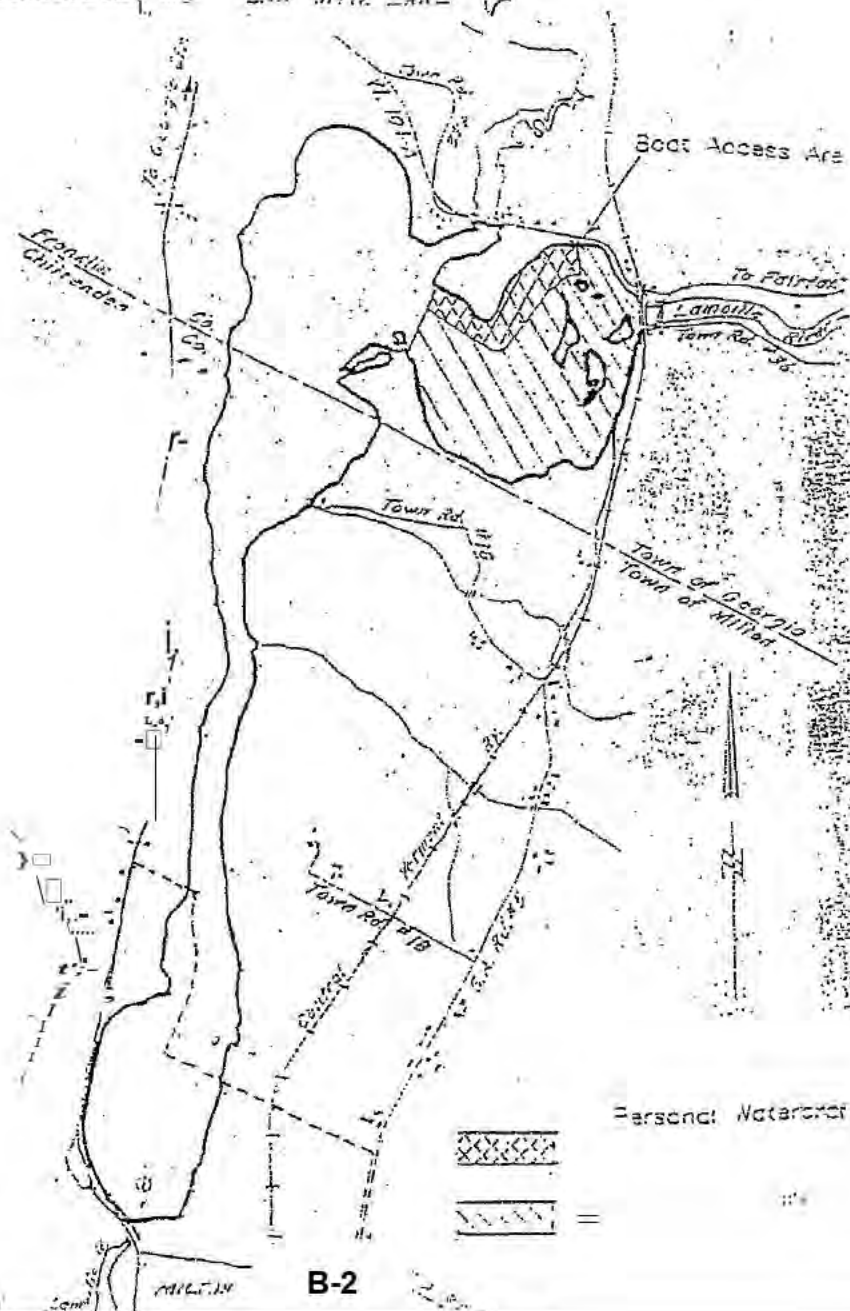
APPENDIX B

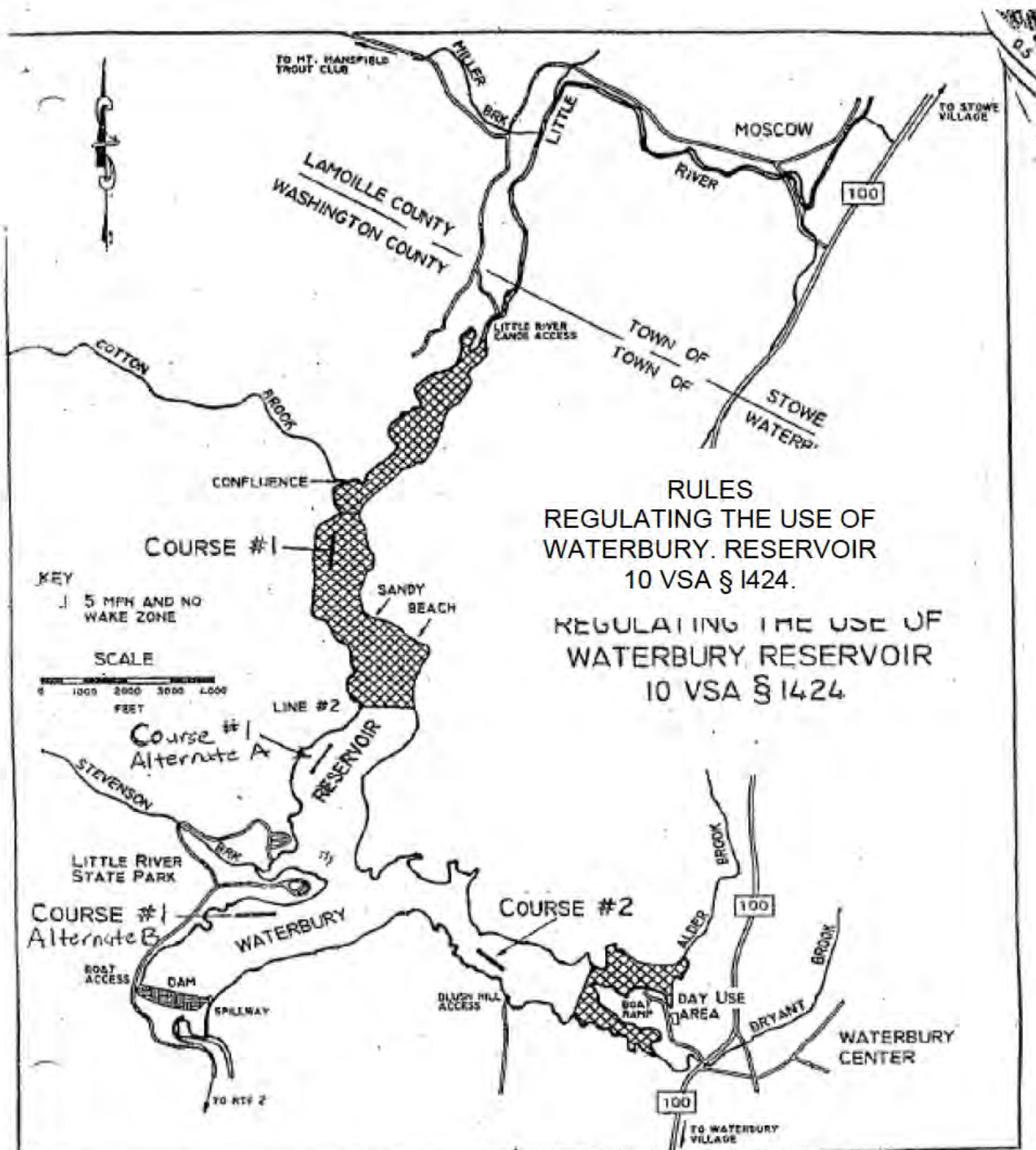
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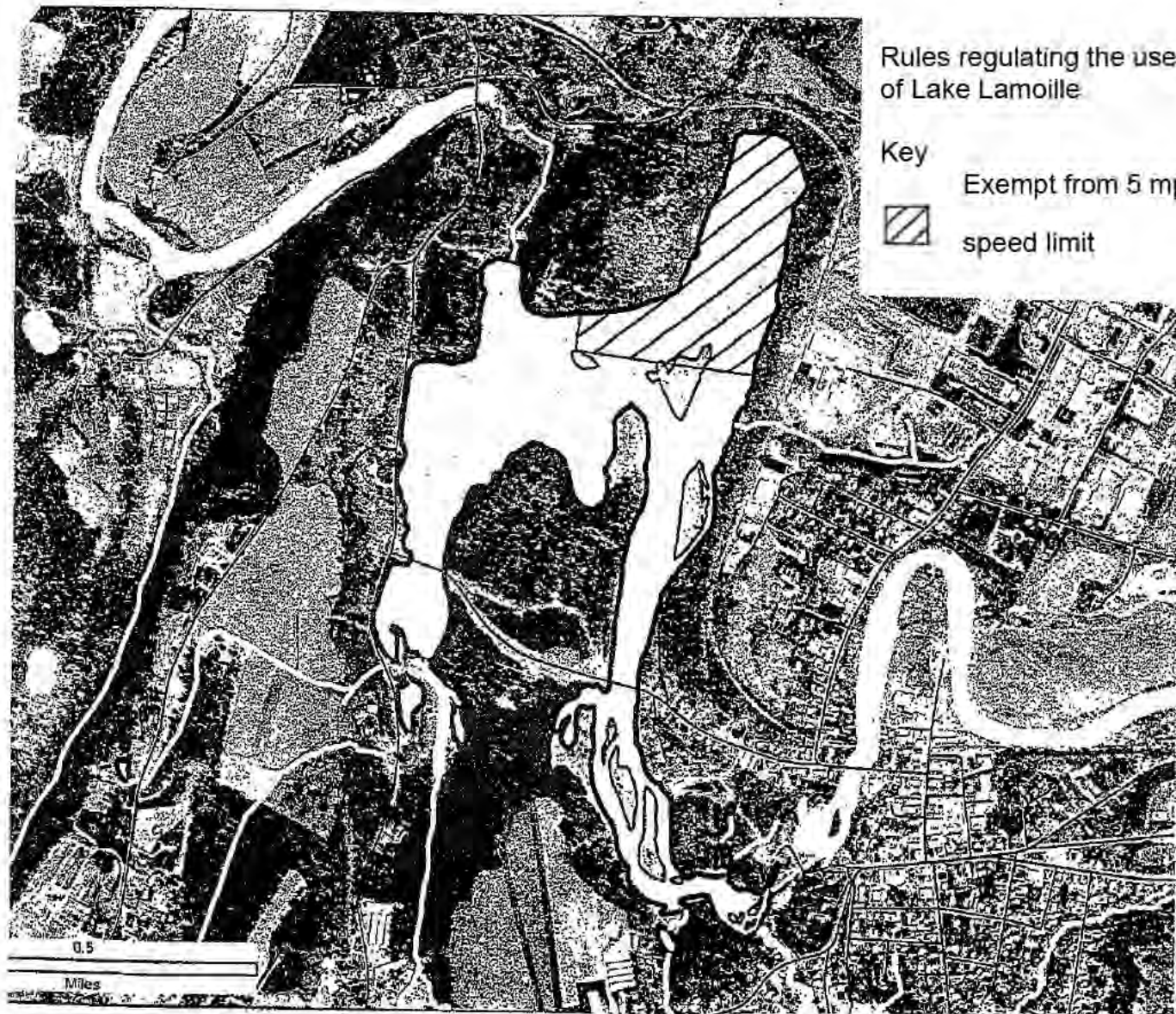
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RULES
REGULATING THE USE OF
WATERBURY RESERVOIR
10 VSA § 1424.

REGULATING THE USE OF
WATERBURY RESERVOIR
10 VSA § 1424.



APPENDIX C

RULES REGULATING THE MOORING OF VESSELS WITHIN LAKE MEMPHREMAGOG AND OTHER PUBLIC WATERS WITHIN THE CITY OF NEWPORT, VERMONT

10 V.S.A. § 1424(f)

Initial Rules Adopted November 2, 2000.

Amended Rules Effective December 30, 2011

Amended Rules Effective December 10, 2021

Rule 1. All public waters in Lake Memphremagog, the Clyde River, and the Black River within the city limits of the City of Newport, Vermont ("City"), are hereby designated a Mooring Management Area. The Mooring Management Area is depicted on a map, entitled "Newport City Mooring Management - Attachment A, Ordinance #114 Pertaining To Mooring Management of Public Waters (September 11, 2000 Revision 4)," hereby incorporated and referred to as the City's "Attachment A."

Rule 2. Within the Mooring Management Area, ten (10) Mooring Management Zones ("MMZ") are hereby created and designated as depicted in Attachment A by the letters A, B, C, D, E, F, G, H, J, and K described by coordinates in a document, entitled "Newport City Mooring Management - Attachment B, Ordinance #114 Pertaining To Mooring Management of Public Waters (September 11, 2000), hereby incorporated and referred to as "Attachment B."

Rule 3. Pursuant to 10 V.S.A. § 1424(f), the Board delegates authority to the City to regulate mooring and anchoring in the Mooring Management Area to protect the public health, safety, and general welfare by prohibiting impediments to navigation and conflicts with normal uses of public waters. The City shall not restrict swimming, fishing, boating, and any other public uses conducted in accordance with state law, except mooring, in the Mooring Management Area. This delegation shall be implemented through the MMZ created by Rule 2. Moorings are prohibited in all navigable public waters within the City not specifically identified as MMZ in Rule 2.

This delegation shall be effective only when both of the following requirements are met:

- a. The City has duly adopted an Ordinance for implementing this delegation pursuant to Section 23 of the City Charter; and

- b. The Board has determined in writing that the implementing Ordinance, is consistent with the provisions of 10 V.S.A. § 1424, any general management policies pertaining to the use of public waters adopted by the Board, and these Rules.

Rule 4. When the delegation to the City is in effect, moorings are prohibited in the Mooring Management Area except as may be allowed in the MMZ under the implementing ordinance.

Rule 5. The City's implementing ordinance shall contain the following provisions:

- a. No existing moorings shall be "grandfathered" in the Mooring Management Area. However, in the first year that the Ordinance is in effect, first priority in the issuance of Certificates of Registration shall be given to persons with existing moorings as of September 18, 2000, to assure an orderly transition to management of moorings within the MMZ.
- b. Within any MMZ, the City may prohibit new moorings or require relocation of existing moorings taking into consideration the actual or potential adverse impacts on fairways, recreational and other uses of the waters, including, but not limited to, private or public water supplies, Class I and II wetlands, endangered plant and animal species as provided for in 10 V.S.A. Chapter 123, fish or wildlife habitat, underwater historic property, public lands and natural scenic areas.
- c. Certificates of Registration authorizing moorings shall be for a specified period of time determined by the City with due regard for the economic considerations attending the regulated activity. All such Certificates of Registration shall expire within a period not to exceed one year if not used. All Certificates of Registration shall be issued for a period not to exceed the term of this delegation.

Rule 6. The City's implementing Ordinance shall identify classes of applicants, describe the process for obtaining Certificates of Registration, establish criteria for granting Certificates of Registration, set forth the grounds for forfeiture and revocation of Certificates of Registration and address enforcement of the implementing Ordinance.

Rule 7. The City's implementing Ordinance shall ensure that the general public is able to compete for available mooring capacity in all MMZ on an equitable basis with City residents: After the first year the Ordinance is in effect, Certificates of Registration shall be allocated on a first-come, first-serve basis for all moorings. If maximum mooring capacity within regulated MMZ is reached, the City

shall institute a lottery or such other measures as are necessary to assure that all applicants will eventually be allocated mooring locations.

Rule 8. The City shall require all applicants to demonstrate that:

- a. Moorings are located within a reasonable distance of a point of access;
- b. The point of access has adequate on-shore support facilities for the number of moorings served; and
- c. The point of access support facilities are consistent with applicable zoning requirements and state law.

Rule 9. The City may establish and collect reasonable fees for Certificates of Registration.

However, said fees shall be established only to meet the administrative costs of the City directly related to the regulation of moorings within the MMZ. Any schedule of fees shall be adopted on an annual basis by the City Council, posted at the City Clerk's office, and be provided to the public upon request made to the City Clerk or Harbormaster.

Rule 10. The City may enforce the implementing Ordinance through its general police power, consistent with the penalty and enforcement provisions of the City Charter.

Rule 11. The City may appoint a Harbormaster to administer and enforce the implementing Ordinance and a Harbor Commission to, among other things, hear appeals, hear and decide revocation proceedings, consider waiver requests, recommend Ordinance amendments and proposed Rules and Regulations to the City Council, and conduct studies and make recommendations to the City Council on water use and the conditions of navigable waters within the City limits.

Rule 12. The City's implementing Ordinance shall provide for a process by which a person in interest aggrieved by a decision or act of the Harbormaster may appeal to the Harbor Commission. The Ordinance also shall specify that appeals from any final action of the City, other than an enforcement action, shall be filed with the Environmental Court within 30 days.

Rule 13. The City may, from time-to-time, amend the implementing Ordinance consistent with its delegated authority and pursuant to Section 23 of the City Charter, provided that a copy of any proposed amendment(s) is filed with the Secretary at least 45 days prior to its/their adoption by the City

Council. The Secretary shall review, submit written comment, and, if necessary, recommend corrective action to assure that proposed changes are within the authority delegated under 10 V.S.A. § 1424(f) and consistent with these Rules. Failure to timely notify the Secretary of proposed Ordinance amendments or to take corrective action may constitute grounds for termination of the delegation authorized by these Rules.

Rule 14. The City may adopt Regulations to facilitate the administration of the implementing Ordinance, provided that these Regulations are consistent with powers expressly delegated to the City by these Rules and the provisions of the Ordinance. Such Regulations may be adopted, amended, or repealed in the same manner as prescribed for any ordinance under the Section 23 of the City Charter. A copy of any proposed Regulations shall be filed with the Secretary and the Secretary reserves the right to file written comment and take corrective action as provided for in Rule 13.

Rule 15. Any powers not expressly delegated to the City by these Rules and incorporated in the implementing Ordinance as approved by the Secretary under Rule 3 and, if amended, under Rule 13, shall be retained by the Secretary. If another state or federal agency has jurisdiction over the navigable waters within the City limits otherwise subject to regulation under 10 V.S.A. § 1424, the other agency's rules shall apply if inconsistent with, or more restrictive than, the implementing Ordinance.

Rule 16. This delegation shall expire on December 31, 2031. The Secretary may terminate this delegation, for cause or without cause, upon six months notice to the City as provided for in 10 V.S.A. § 1424(f)(2).

Rule 17. The Secretary may propose rules extending and/or expanding the scope of this delegation of authority to the City when the City petitions the Secretary under 10 V.S.A. § 1424(f) for such an extended and/or expanded delegation.

Rule 18. For purposes of these Rules, the terms below shall have the following meanings:

- a. Anchoring shall mean to secure a vessel by use of an anchor or by attachment to another vessel or object for a period not exceeding seventy-two (72) hours. Vessels anchored within a MMZ for a period exceeding seventy-two (72) hours shall be considered to be moored.
- b. Certificate of Registration shall mean a written mooring registration, granted by the City, and its associated numbered identifying tag that shall be attached above the water in a

visible location on each mooring buoy.

- c. Existing Mooring shall mean any mooring determined by the City to have been established before and including September 18, 2000.
- d. New Mooring shall mean any mooring determined by the City to have been established after September 18, 2000.
- e. Mooring shall mean any equipment, structure or system(s) for securing a vessel in the water beyond the mean water level. Each vessel shall be considered to be attached to a separate mooring for the purpose of counting moorings. Mooring shall not mean docks that are either exempt or permitted pursuant to 29 V.S.A. Chapter 11. Mooring shall not mean anchoring.
- f. Mooring Management Zones (MMZ) shall mean clearly delineated areas of navigable waters within the City limits, in which the Board or Secretary and City have determined that the placement of moorings requires regulation in the public interest.
- g. On-shore Support Facilities include, but are not limited to, roads or other means of access, parking areas, sanitary waste disposal facilities and trash disposal.
- h. Rule or Rules mean “Rules Regulating the Mooring of Vessels within Lake Memphremagog and Other Navigable Waters of the City of Newport, Vermont,” adopted by the Board or Secretary.
- i. Vessel shall mean every description of watercraft used or capable of being used as a means of transportation on water including but not limited to amphibian or pontoon aircraft.

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 10 : Conservation and Development

Chapter 159 : Waste Management

Subchapter 001 : GENERAL PROVISIONS

(Cite as: 10 V.S.A. § 6603)

§ 6603. Secretary; powers

In addition to any other powers conferred on him or her by law, the Secretary shall have the power to:

(1) Adopt, amend, and repeal rules pursuant to 3 V.S.A. chapter 25 implementing the provisions of this chapter.

(2) Issue compliance orders as may be necessary to effectuate the purposes of this chapter and enforce the same by all appropriate administrative and judicial proceedings.

(3) Encourage local units of government to manage solid waste problems within their respective jurisdictions or by contract on a cooperative regional or interstate basis.

(4) Provide technical assistance to municipalities.

(5) Contract in the name of the State for the service of independent contractors under bond, or with an agency or department of the State, or a municipality, to perform services or to provide facilities necessary for the implementation of the State plan, including the transportation and disposition of solid waste.

(6) Accept, receive, and administer grants or other funds or gifts from public and private agencies, including the federal government, for the purpose of carrying out any of the functions of this chapter. This would include the ability to convey such grants or other funds to municipalities or other instruments of State or local government.

(7) Prepare a report that proposes methods and programs for the collection and disposal of household quantities of hazardous waste. The report shall compare the advantages and disadvantages of alternate programs and their costs. The Secretary shall undertake a voluntary pilot project to determine the feasibility and effectiveness of such a program when in the Secretary's opinion such can be undertaken without

undue risk to the public health and welfare. Such pilot program may address one or more forms of hazardous waste.

(8) Provide financial assistance to municipalities.

(9) Manage the hazardous wastes generated, transported, treated, stored, or disposed in the State by administering a regulatory and management program that, at a minimum, meets the requirements of subtitle C of the Resource Conservation and Recovery Act of 1976 and amendments thereto, codified as 42 U.S.C. Chapter 82, subchapter 3, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.

(10) Require a facility permitted under section 6605 of this title or a transporter permitted under section 6607 of this title to explain its rate structure for different categories of waste to ensure that the rate structure is transparent to residential consumers. (Added 1977, No. 106, § 1; amended 1983, No. 148 (Adj. Sess.), § 2; 1989, No. 30, § 2, eff. April 27, 1989; 2011, No. 148 (Adj. Sess.), § 3.)

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Title 10 : Conservation and Development

Chapter 159 : Waste Management

Subchapter 001 : GENERAL PROVISIONS

(Cite as: 10 V.S.A. § 6607)

§ 6607. Transportation of hazardous wastes

(a) In accordance with the Administrative Procedure Act, the Agency of Transportation, in consultation with the Secretary, shall issue rules for the transportation of hazardous wastes. Such rules shall be consistent with applicable rules issued by the U.S. Department of Transportation, and consistent with any rules and standards of this chapter.

(b) The provisions of this section shall apply equally to those persons transporting hazardous wastes generated by others and to those transporting hazardous wastes they have generated themselves, or combinations thereof, as well as persons transporting hazardous wastes through the State of Vermont.

(c) For purposes of their transportation, the following, in waste or usable form, shall not be considered hazardous wastes, but shall be handled as solid waste: mercury-added consumer products, pesticides, paint (whether water based or oil based), paint thinner, paint remover, stains, and varnishes. This exclusion shall not apply with respect to hazardous wastes that are regulated under federal law. (Added 1977, No. 106, § 1; amended 1991, No. 75, § 1; 1991, No. 210 (Adj. Sess.), § 3; 1993, No. 157 (Adj. Sess.), § 5; 1995, No. 141 (Adj. Sess.), § 7, eff. April 30, 1996; 1997, No. 151 (Adj. Sess.), § 1.)

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

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Title 10 : Conservation and Development

Chapter 159 : Waste Management

Subchapter 001 : GENERAL PROVISIONS

(Cite as: 10 V.S.A. § 6608)

§ 6608. Records; reports; monitoring

(a) For purposes of implementation of this chapter, the Secretary shall adopt, and revise as appropriate, rules that prescribe:

- (1) the establishment and maintenance of such records;
- (2) the making of such reports;
- (3) the taking of such samples, and the performing of such tests or analyses;
- (4) the installing, calibrating, using, and maintaining of such monitoring equipment or methods; and
- (5) the providing of such other information as may be necessary.

(b) Six months after adoption of the rules relating to hazardous waste, it shall be unlawful for any person to generate, store, transport, treat, or dispose of hazardous wastes in this State without reporting such activity to the Secretary according to the procedures described in said rules.

(c) Information obtained by the Secretary under this section shall be available to the public, unless the Secretary certifies such information as being proprietary. The Secretary may make such certification where any person shows, to the satisfaction of the Secretary, that the information, or parts thereof, would divulge methods or processes entitled to protection as trade secrets. Nothing in this section shall be construed as limiting the disclosure of information by the Secretary to office employees as authorized representatives of the State concerned with implementing the provisions of this chapter or to the Department of Taxes for purposes of enforcing the solid waste tax imposed by 32 V.S.A. chapter 151, subchapter 13.

(d) Where the Secretary has determined that the disposal of a hazardous waste at an uncontrolled hazardous waste site presents a hazard to health or the environment, the Secretary shall provide notice to a town of the location of that uncontrolled site

which has been found to exist in the town and to be regulated under this chapter. The notice shall identify the location of the site, the wastes involved, the actions proposed to be taken by the Secretary under this chapter and the location where the records on the site are being maintained by State government. The Secretary shall also notify the town when conditions noticed under this subsection are no longer a hazard. These notices shall be recorded in accord with 24 V.S.A. § 1154.

(e) When necessary to carry out the purposes of this chapter, the Secretary may require the owner or operator of a solid waste facility to provide the Secretary with information concerning the revenues and costs of its operation and management, and the revenues and costs necessary for its future compliance with State and federal laws pertaining to those facilities. Disclosure of information generated pursuant to this subsection is prohibited, except to a licensed attorney representing the Secretary, or to the Secretary's designee, if that designee is directly responsible for solid waste planning at any level and has furnished the Secretary a written assurance of compliance with the prohibition contained in this subsection.

(f) All generators of regulated hazardous waste shall register with the Secretary, renew the registration annually, and pay the fee specified in 3 V.S.A. § 2822. (Added 1977, No. 106, § 1; amended 1983, No. 148 (Adj. Sess.), § 12; 1987, No. 246 (Adj. Sess.), § 1, eff. June 13, 1988; 2001, No. 65, § 31; 2013, No. 34, § 7; 2015, No. 57, § 37, eff. June 11, 2015; 2015, No. 97 (Adj. Sess.), § 34; 2017, No. 74, § 18.)



Proposed Rules Postings

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Deadline For Public Comment

Deadline: Mar 31, 2026

The deadline for public comment has expired. Contact the agency or primary contact person listed below for assistance.

Rule Details

Rule Number:	26P002
Title:	Vermont Hazardous Waste Management Regulations.
Type:	Standard
Status:	Final Proposed
Agency:	Agency of Natural Resources
Legal Authority:	10 V.S.A. §§ 6603(9), 6607, and 6608a
Summary:	Vermont has maintained the Hazardous Waste Management Regulations since 1980. The Regulations are being revised to better align with federal regulations and guidance regarding the management and disposal of polychlorinated biphenyl (PCB) bulk product waste, and to reduce the regulatory burden pertaining to the disposal of such waste in Vermont by introducing a new conditional exemption. The revisions also include a

	change to the management of state-listed cleanup debris generated as a result of an emergency response and cleanup actions; the revision will allow such wastes to be immediately transported from the outdoor locations where the wastes are generated to secure, indoor transfer facilities where the waste will be permitted to be temporarily stored as it undergoes waste characterization.
Persons Affected:	Affected parties include: hazardous waste transfer facilities; permitted hazardous waste transporters; permitted hazardous waste treatment, storage and disposal facilities; hazardous waste generators; environmental contractors and consultants engaged in cleanup and corrective action projects; Vermont schools undergoing PCB-related remediation; permitted Subtitle D landfills; the Vermont Agency of Transportation; drivers using Vermont roadways; Vermont public at large.
Economic Impact:	In comparison to the current regulations, these revisions will have a positive economic impact on Vermont government agencies which fund the PCB-related remediation work at schools, as the costs of waste transportation and disposal will significantly decrease with the introduction of the new conditional exemption for PCB-containing bulk product waste. The economic impact of the revision to the management of debris from emergency response and corrective action will be positive for businesses engaged in cleanup activities and hazardous waste transporters, as well as the Agency of Natural Resources Environmental Contingency Fund (ECF). The economic impact upon the Agency of Natural Resources and Department of Environmental Conservation staff is expected to be negligible.
Posting date:	Feb 06,2026

Hearing Information

	Information for Hearing # 1	
Hearing date:	03-17-2026 4:00 PM	ADD TO YOUR CALENDAR
Location:	Agency of Natural Resources	
Address:	1 National Life Drive, Davis Building 2nd Floor	
City:	Montpelier	
State:	VT	
Zip:	05620-3521	
Hearing Notes:	Also virtually via MS Teams at: https://teams.microsoft.com/meet/21455607750170?pJAF5vyPoDMY7QI7YWu	

Information for Hearing # 2

Hearing date: 03-17-2026 4:00 PM [ADD TO YOUR CALENDAR](#)

Location: Virtually via MS Teams

Address: <https://teams.microsoft.com/meet/21455607750170?pJAF5vyPoDMy7QI7YWu>

City: Montpelier

State: VT

Zip: n/a

Hearing Notes: Virtually via MS Teams at: <https://teams.microsoft.com/meet/21455607750170?pJAF5vyPoDMy7QI7YWu>

Contact Information

Information for Primary Contact

PRIMARY CONTACT PERSON - A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE.

Level: Primary

Name: Anna Bourakovsky

Agency: Agency of Natural Resources

Address: 1 National Life Drive, Davis 3,

City: Montpelier

State: VT

Zip: 05620-3521

Telephone: 802-477-2981

Fax:

Email: anna.bourakovsky@vermont.gov

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Website: <https://dec.vermont.gov/waste-management/hazardous-waste>

Address: [VIEW WEBSITE](#)

Information for Secondary Contact

SECONDARY CONTACT PERSON - A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON.

Level: Secondary

Name: Matthew Chapman

Agency: Agency of Natural Resources

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Keyword Information

Keywords:

Polychlorinated biphenyls (PCBs)

PCB bulk product waste

emergency response

transfer facility

hazardous waste

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	Vermont Lawyer (hunter.press.vermont@gmail.com)	Attn: Will Hunter
	VT Digger (legals@vtdigger.org)	Attn: Legals

FROM: APA Coordinator, VSARA

Date of Fax: April 13, 2026

RE: The "Proposed State Rules " ad copy to run on

February 19, 2026

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PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/>. The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

Vermont Hazardous Waste Management Regulations.

Vermont Proposed Rule: 26P002

AGENCY: Agency of Natural Resources

CONCISE SUMMARY: Vermont has maintained the Hazardous Waste Management Regulations since 1980. The Regulations are being revised to better align with federal regulations and guidance regarding the management and disposal of polychlorinated biphenyl (PCB) bulk product waste, and to reduce the regulatory burden pertaining to the disposal of such waste in Vermont by introducing a new conditional exemption. The revisions also include a change to the management of state-listed cleanup debris generated as a result of an emergency response and cleanup actions; the revision will allow such wastes to be immediately transported from the outdoor locations where the wastes are generated to secure, indoor transfer facilities where the waste will be permitted to be temporarily stored as it undergoes waste characterization.

FOR FURTHER INFORMATION, CONTACT: Anna Bourakovsky, Agency of Natural Resources, 1 National Life Drive, Davis 3, Montpelier VT 05620-3521 Tel: 802-477-2981 E-Mail: anna.bourakovsky@vermont.gov URL: <https://dec.vermont.gov/waste-management/hazardous-waste>.
FOR COPIES: Matthew Chapman, Agency of Natural Resources, 1 National Life Drive, Davis 3, Montpelier VT 05620-3521 Tel: 802-249-4393 E-Mail: matt.chapman@vermont.gov.
