

# DEPARTMENT OF ENVIRONMENTAL CONSERVATION LEGISLATIVE REPORT

## **Report on Act 135 Surface Water Withdrawals Registration and Reporting**

**Year: 2025**

**Date reported: February 4, 2026**

**Authorizing statute: 10 V.S.A. § 1045**

**Committees: House Committees on Environment and Energy and on Agriculture, Food Resiliency, and Forestry and Senate Committees on Natural Resources and Energy and on Agriculture**

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## **Executive Summary**

This is the fourth annual report submitted pursuant to 10 V.S.A. § 1045, which requires the Secretary of Natural Resources, after consultation with the Secretary of Agriculture, Food and Markets, to provide the data submitted to the Secretary pursuant to 10 V.S.A. § 1042 (a) and (b), the Surface Water Withdrawal Registration and Reporting Program, and data submitted to the Secretary of Agriculture, Food, and Markets under 6 V.S.A. § 4927, Agricultural Surface Water Withdrawal Reporting. Act 135 took effect on July 1, 2022 and required any person withdrawing 10,000 gallons or more within a 24-hour period or 150,000 gallons or more of surface water over any 30-day period for farming (as defined in 6 V.S.A. § 4802) to file a report with the Secretary of Agriculture, Food and Markets by January 15, 2023. Additionally, the Act required other surface water users withdrawing water at the same volumes to register their water withdrawal with the Secretary of Natural Resources beginning January 1, 2023, and report total water withdrawn the following year.

In the third year of the Department of Environmental Conservation (Department) Surface Water Withdrawal Registration and Reporting Program, 26 registrations were received for 32 water withdrawals. The most common uses reported for the registered withdrawals were for golf course irrigation, industrial and snowmaking.

The Agency of Agriculture, Food and Markets received reports from two farms and four fish culture stations as part of the Agricultural Surface Water Withdrawal Reporting Program. The most common uses reported for the water withdrawals were crop irrigation and fish production.

## Key Takeaways

- A total of 26 entities registered 32 surface water withdrawals with the Department of Environmental Conservation in 2025. Of the 26 registrations, 22 reports were received withdrawing a total of 296.6 million gallons of surface water.
- The Agricultural Surface Water Withdrawal Reporting Program administered by the Agency of Agriculture, Foods, and Markets received surface water withdrawal reports from two farms and four fish culture stations which reported a total 1.26 million gallons and 1.7 billion gallons of water withdrawn for crop irrigation and fish production respectively. For Fish Culture Stations, the surface water withdrawn for production is returned to the contributing surface water at the downstream end of the station.
- In 2025, Vermont saw a rapid shift in hydrologic conditions characterized by an exceptionally wet spring to a widespread drought in late summer – early fall. Most notable in 2025 was the extensive drought conditions across the State with 98 percent of the State experiencing severe or extreme drought conditions from September into early October. The drought conditions resulted in record low surface water and ground water levels affecting hundreds of wells across the State, public water systems issuing water conservation measures, and extensive agricultural and crop damage.
- Despite the drought conditions and responses from the public and agriculture sectors identifying a greater reliance on surface water during this period, the number of registered and reported water use fell as compared to past years. This highlights the continued need for outreach to surface water users about the requirements of both the Surface Water Registration and Reporting Program and the Agricultural Surface Water Reporting Program to ensure surface water users understand applicable water withdrawals must be reported annually.

## Discussion

The Department of Environmental Conservation's Surface Water Registration and Reporting Program began on January 1, 2023, as required by Act 135. During the third year of the Program, 26 registrations were received and are outlined in Table 1. Surface water users were able to register their water withdrawal(s) via an online form. Registrants are required to provide the location of each water withdrawal and impacted surface water, frequency and rate of each withdrawal in gallons per minute, a description of the use or uses of the water to be withdrawn, the capacity of the withdrawal system, and a schedule for the withdrawal. Of the registrations, 22 surface water withdrawal reports were received totaling 296.6 million gallons, with three registrants reporting withdrawal of no surface water during 2025.

A summary of agricultural surface water withdrawal reports filed with the Secretary of the Agriculture, Food, and Markets, pursuant to 6 V.S.A. § 4927 for 2023, are provided in Table 2. A total of two farms and four fish culture stations filed water withdrawal reports for seven withdrawals, reporting total withdrawals of 1.7 billion gallons for crop irrigation and fish production purposes.

The hydrologic conditions in Vermont during 2025 were characterized by a rapid shift from exceptionally wet spring conditions to the swift onset of a statewide drought in the late summer and fall. The statewide drought was the worst since 2000 with 98 percent of the state was in extreme or severe drought at the peak at the end of September. The drought conditions resulted in hundreds of wells running dry, record low surface water level and ground water levels, and extensive crop damage.

Environmental conditions can have a substantial effect on the quantity of water withdrawn, especially for sectors whose water use is closely tied to the amount of precipitation received. However, despite the severe to extreme drought conditions and the responses from the public and agriculture sectors identifying a greater reliance on surface water during this period, the water withdrawal reports received were less than in years prior. Nevertheless, the water withdrawal data for facilities that reported in all three years of the program typically show a correlation in the amount of water withdrawn and hydrologic condition, with more water being withdrawn in years with less precipitation, as would be expected. This highlights a need for increased awareness of the surface water users obligations under Act 135 and a need for more outreach to achieve this.

For the upcoming year, the Department will continue to work to develop the rules for Act 135 pursuant to 10 VSA § 1046. As part of the process, the Department will be conducting outreach and education and soliciting stakeholder input as part of the process. Additionally, the Department will continue to provide technical assistance to ensure that surface water users are aware of the requirement and that data being collected and reported is accurate. Additionally, the Department will prioritize reaching out to water users who registered or reported in previous years to remind them of the annual requirement, as well as will increase its effort to reach water users who may not be aware of the new registration and reporting requirements for surface water withdrawals.

Table 1. Summary of Surface Water Withdrawal Registration and Reports filed with the Department of Environmental Conservation for January 1 – December 31, 2025.

Withdrawal Year	Permit Number (Click to Open Database)	Permit Name	Total Withdrawals	Surface Water	Rate	Total water withdrawn
2025	<a href="#">1002-103</a>	Ekwanok Country Club	1	001 - Lake Davis	001 - 500 gpm	4460000
2025	<a href="#">1003-102</a>	Ryegate Associates	1	001 - Connecticut River	001 - 183 gpm	87398750
2025	<a href="#">1006-102</a>	Columbia Forest Products Lake Pump	1	001 - Lake Pump	001 - 500 gpm	150307
2025	<a href="#">1014-102</a>	Williston Golf Club	1	001 - Pond on golf course	001 - 300 gpm	7518582
2025	<a href="#">1016-102</a>	Rutland Country Club	1	001 - River	001 - 200 gpm	3535719
2025	<a href="#">1017-102</a>	Newport Country Club	1	001 - South Bay	001 - 260 gpm	4492800
2025	<a href="#">1019-102</a>	Fox Run Golf Club	1	001 - Fox Run Golf Club	001 - 100 gpm	13212173
2025	<a href="#">1020-102</a>	Ralph Myhre Golf Course	1	001 - Otter Creek	001 - 300 gpm	
2025	<a href="#">1024-101</a>	Crown point country club	1	001 - Storm water pond on 18th hole	001 - 200 gpm	
2025	<a href="#">1025-102</a>	Cobble Creek Nursery, LLC	1	001 - Lewis Creek	001 - 60 gpm	1210000
2025	<a href="#">1029-102</a>	Mad River Glen Co-Op	1	001 - Brook	001 - 450 gpm	9392208
2025	<a href="#">1030-102</a>	Jay Peak Golf Course	1	001 - Pond	001 - 500 gpm	8704157
2025	<a href="#">1032-101</a>	Bellows Falls Country Club	2	001 - Pond 002 - Pond	001 - 250 gpm 002 - 250 gpm	6221100
2025	<a href="#">1034-101</a>	Stowe Mountain Club	1	001 - reservoir	001 - 1000 gpm	7344304
2025	<a href="#">1035-102</a>	Westrock Converting LLC	1	001 - Missisquoi River	001 - 200 gpm	90842282
2025	<a href="#">1036-101</a>	Woodstock Country Club	1	001 - Pond	001 - 100 gpm	11104000
2025	<a href="#">1039-102</a>	Saskadena Six Snowmaking	1	001 - Barnard Brook	001 - 800 gpm	14558731.5
2025	<a href="#">1040-101</a>	Middlebury Snowbowl Snowmaking	1	001 - Pond	001 - 700 gpm	21965037
2025	<a href="#">1051-101</a>	Northfield-Montpelier RT12 and MSH	1	001 - Dog River	001 - 164 gpm	
2025	<a href="#">1064-101</a>	Arlington pond Fill	1	001 - 25000	001 - 50 gpm	30000
2025	<a href="#">1065-100</a>	Jericho BF 0209(10)	1	001 - Mill Brooke	001 - 82 gpm	2091400
2025	<a href="#">1067-100</a>	Barre Town -Orange STP PS23(1)	6	001 - Thurman W. Dix Reservoir 002 - Orange Reservoir 003 - Jail Branch 004 - Riddel Pond 005 - Waits River 006 - Little John Quarry	001 - 33 gpm 002 - 33 gpm 003 - 33 gpm 004 - 33 gpm 005 - 33 gpm 006 - 33 gpm	
2025	<a href="#">1068-100</a>	Chelsea-Washington FPAV (70)	1	001 - First Branch White River	001 - 160 gpm	116000
2025	<a href="#">1069-100</a>	Montpelier-Waterbury IM 089-2(56)	1	001 - yes	001 - 200 gpm	142500
2025	<a href="#">1070-100</a>	Rocky Ridge Golf Club	1	001 - Irrigation Pond	001 - 250 gpm	2092031
2025	<a href="#">1071-100</a>	Ely Copper Mine Superfund Site	1	001 - Stream runoff	001 - 200 gpm	33000

Table 2. Summary of the Surface Water Reports filed with the Secretary of Agriculture, Food, and Markets for the period of January 1 – December 31, 2025.

Surface Water User Name	Discription of Use	Total Withdrawals	Surface Water	Rate (Gallons per Minute)	Total Water Withdrawn (gallons)
Intervale Community Farm	Irrigation	1	Winooski River	001 - 350 gpm	812,585
MacLennan Farm	Irrigation	1	Connecticut River	001-202 gpm	454,500
Vermont Fish and Wildlife Department - Bald Hill Fish Culture Station	Aquaculture	2	Bean Brook Kelsey Brook	001-1050 gpm 001-160 gpm	388,400,000 53,100,000
Vermont Fish and Wildlife Department - Bennington Fish Culture Station	Aquaculture	1	South Stream	001-715 gpm	289,840,000
Vermont Fish and Wildlife Department - Ed Weed Culture Station	Aquaculture	1	Lake Champlain	001-3000 gpm	985,390,000
Vermont Fish and Wildlife Department - Roxbury Fish Culture Station	Aquaculture	1	Flint Brook	001-100 gpm	7,230,000

