

Greetings, please distribute this to the LCAR committee with reference to the proposed new, unnecessary boating operating rules.

My name is Ben McLaughlin, and I own lakefront property on Lake Fairlee in West Fairlee Vermont. I'm a Lake Fairlee Association board member and past president. My family has been on Lake Fairlee for over 50 years. I am writing to OPPOSE THE NEW RULES for enhanced wake operation in the State of Vermont.

First, Vermont already has in place the most restrictive operating rules for enhanced wake operation in the country. These rules were enacted, and there has been **no evidence** since they were enacted that they were not comprehensive enough. The existing rules are a compromise to the exceedingly loud lobby organization that has gotten a hold of anyone who will listen and whipped them all up into a lather of fear, uncertainty, and death. That compromise never seems to be enough for these folks, and that is sad since they preach fairness and sharing of the VT waters, except of course for the enhanced wake operators. This is against managing conflict and promoting fair access to Vermont's inland waters.

The proposal to increase the continuous acreage requirement from 50 to 100 acres is not supported by anything! It is completely arbitrary. Even the original petition acknowledged that 60 contiguous acres would provide adequate space for wake sport operation while allowing other traditional lake activities to continue. The 100 contiguous acres is **just** above the Lake Fairlee 96.8 acres and one of the board members of the wake lobby group owns two properties on Lake Fairlee; Is this just a coincidence?

In regards 3,000-Foot Straight Run Requirement: We wake surf on Lake Fairlee at about 9mph which for 3,000ft calculates to 3 minutes and 47 seconds. That time is more than enough for a straight run ride down the middle of the wake -sport zone.

The 500' buffer from any object is confusing and not scientifically stated. This requirement does not match any other water operating rules anywhere. Vermont already operates under a 200-foot general safety framework. This proposed rule creates a moving zone that operators cannot reasonably control, especially when other vessels enter or cross within that distance. This rule (along with some other proposed rules) will create a network of citizens' police and possibly flotilla protesters that will

further denigrate the boating and lake community. We have operated successfully on Lake Fairlee doing enhanced wake operations since 2009 (Others came before my family). I believe this proposed rule is foolish and punitive. 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.

In regard to Normal Use and Recreational Evolution: The evolution of all facets of life can be considered not "Normal Use". Until they are. This is a silly argument with little basis in reality or science. Was motor boating once not normal use? Yes. Was canoeing once not normal use? Yes. Was water skiing once not normal use? Yes. Was tubing behind a boat once considered not normal use? Yes. Evolution of water use will happen, and this is one of the most recent. Not *too* recent, however, since enhanced wake operation has been around for decades. We have been wake surfing with enhanced wake operation on Lake Fairlee since 2009 and that is just our family. More came before us.

Lake Fairlee

I endorse the idea of compromise for operation on Lake Fairlee. We have been clear with the ANR in public meetings that we would continue our very conservative operation on Lake Fairlee like we have since the active rules were put in place. This is the compromised way we operate in the wake sports zone when operating in enhanced wake operation as follows but limited to: 1) We do straight runs through the wake sports zone along the length which puts us almost 1,000 feet from each shore every time we operate. 2) We are vigilant in how we operate around other lake users to be conservative and respectful. (This has been publicly acknowledged by Lake Fairlee operators and the camps) 3) We have measured the effects of our operation (waves to shore) on several points along the shore when operating in FULL BALLAST mode and we have found that our waves reach shore at around +/- 2" to +/- 3.5". (I submitted these results in the last petition and are available) These shore waves ARE LESS than traditional boaters who operate 200ft from shore. 4) We operate as any good boater would, we are respectful, follow the rules and allow for all people to enjoy the lake.

In Summary, I vehemently oppose the new proposed rules. I encourage the ANR and legislature to see beyond the fear of injury and death that is

proposed by the lobbyist group. They have created a fear that that is not based on truth, science or actual use. I implore the ANR and community to look at the science and uphold the original rules. I propose common sense, safe operation, and compromise for ALL citizens.

Regards,

Ben McLaughlin

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