

Vermont Agency of Natural Resources

Department of Environmental Conservation

Re: Public Comment on Proposed Wakeboat Rule Changes

To Whom It May Concern,

I am writing to submit public comment regarding the proposed wakeboat rule changes currently under consideration. I appreciate the Agency's responsibility to steward Vermont's waterways and the thoughtful work that goes into balancing environmental protection with public recreational access. It is in that spirit of balance and science-based policymaking, that I respectfully oppose the proposed rule changes.

My concerns begin with the proposed 3,000-foot straight run requirement. To date, I have not seen scientific or environmental research establishing 3,000 feet as a necessary threshold for protecting shoreline integrity, sediment stability, or aquatic habitat. Wake and wave studies typically evaluate hydrodynamic energy, shoreline attenuation, and depth interaction, not rider path geometry or recreational run length. The 3,000-foot figure appears to stem from typical operational riding patterns rather than environmental necessity. As a result, it functions less as a resource protection measure and more as an access limitation tool absent clear scientific grounding.

Similarly, I oppose the proposed requirement establishing 500 feet from "any object" within the wake zone. Existing wake research focuses on shoreline interaction and wave dissipation, not 360-degree exclusion buffers surrounding arbitrary objects. Vermont has long operated under a 200-foot safety framework that addresses vessel operation around hazards and shorelines in a manner that is both enforceable and effective. Expanding this to a 500-foot radius around "any object" creates a moving and often indeterminate exclusion zone that would make compliant operation extremely difficult, if not impossible, on many Vermont lakes, again without a corresponding environmental study justifying the expansion.

I also oppose the increase to a 100-acre minimum lake size threshold. The 2022 petition referenced 50 acres within its scientific and regulatory framing. Increasing that number to 100 acres is not supported by new hydrodynamic or environmental response data. Lake acreage is a geometric measurement, it does not inherently alter wake energy, sediment transport mechanics, or shoreline interaction. A boat operating in identical depth and setback conditions will produce the same physical forces regardless of total lake surface area. For that reason, acreage thresholds operate primarily as policy filters that remove lakes by definition rather than through measured environmental sensitivity.

Another area of concern is the classification of wakeboats under a “non-normal use” framework. Towed watersports conducted behind inboard boats clearly predate 1993 and have long been part of Vermont’s recreational boating landscape. Technological evolution, whether ballast systems, hull design, or surf wave shaping, does not transform a long-standing activity into a novel water use. Wake surfing represents an advancement within an established recreational category, much like advancements seen across many marine and outdoor recreation technologies over time. Reclassifying it as a new or abnormal use mischaracterizes both its history and its place within Vermont’s boating community.

Finally, I would like to address Section 3.7, the Lake Management Project / Research Provision. As written, this section creates a pathway through which an otherwise approved lake could be restricted or removed from use under a “management” or “research” designation without a clearly defined reinstatement timeline. This introduces significant regulatory uncertainty for lake users, municipalities, and businesses that rely on predictable access. Without defined study parameters, transparent criteria for designation, and a guaranteed reinstatement schedule tied to measurable findings, the provision functions less as a research mechanism and more as an indefinite access suspension tool.

If such a pathway is to exist, it should include clear guardrails, defined scientific scope, transparent stakeholder communication, measurable impact thresholds, and a set timeline for review and reinstatement. Research designations should operate as structured study processes, not open-ended regulatory off-ramps.

In closing, I want to reiterate that I support science-driven regulation that protects Vermont’s natural resources. Where measurable impacts are demonstrated, reasonable mitigation is appropriate. However, where restrictions appear derived from operational geometry, precautionary assumptions, or policy preference absent supporting data, the result risks disproportionate limitation of public water access rather than balanced environmental stewardship.

Thank you for the opportunity to provide comments and for your continued work on behalf of Vermont’s lakes and waterways.

Respectfully submitted,

John Casella II

Vermont Resident