

I am speaking on behalf of Responsible Wakes for Vermont Lakes. Thank you for this opportunity to offer our strong support for these proposed amendments to the Vermont Use of Public Waters Rules.

As many of you know, Responsible Wakes for Vermont Lakes represents more than 1,000 people -- anglers, boaters, swimmers, lake associations, lake residents, citizens, visitors and statewide advocates for water quality and safe outdoor recreation. Four years ago, we petitioned DEC to develop wakesport regulations. The original rules were approved by this committee and adopted in 2024.

When this committee met to review those rules, ANR made two important points: first, wakesports are not a “normal use” as defined by the Use of Public Waters Rules; and second, ANR had not adequately considered public safety in the development of those 2024 Rules. ANR urged LCAR to nevertheless approve the rules as written, proposing to address safety on a lake-by-lake basis through individual lake petitions. Nine lake associations representing ten lakes subsequently submitted petitions.

In evaluating those petitions, DEC came to appreciate that public safety was in fact a statewide concern, best addressed through statewide rule amendments. The amendments before you now are the result of two additional years of collaboration, public input, and review. The process has been exhaustive and transparent. ANR held multiple pre-rulemaking public meetings and reviewed over 500 public comments in the pre-rulemaking phase. It held additional public hearings, reviewing and responding to more than 1,500 comments during formal rulemaking. DEC conducted site visits, demonstrations, and small-group meetings with affected user groups, including wakeboat owners. It even extended the period for public comment in response to a request from the boating industry. ANR has met every standard that Vermont law demands — and then some.

As you know, today’s hearing asks: Did DEC adhere to the state-dictated process for developing rule amendments? The answer is an unequivocal “yes.”

You might hear people today argue that changing the rules so soon after 2024 is confusing or unnecessary. Such arguments ignore the record. The current amendments correct significant omissions in the 2024 rules. Multiple petitions

from lakes across the state, raising common themes of public safety, user conflict, and risk of the spread of invasive species, gave ANR both the statutory authority and indeed the obligation to act. Vermont law expressly provides that when issues are common across waterbodies, uniform statewide rules are appropriate. ANR has followed that directive.

On the substance of two key changes: First, the 500-foot safety offset from other lake users is grounded in the same scientific studies ANR used for the original rule —studies establishing that wave energy from a wakeboat requires at least 500 feet to dissipate to levels comparable to the wake from a traditional motorboat at the existing 200-foot standard. The amendments stem from research using principles of physics, universally applicable to all bodies of water.

Second, the 100-acre/3,000-foot-long wakesport zone is grounded in ANR's spatial analysis of all 30 wake sport eligible lakes under the 2024 rule. ANR followed an evidence-based process, carefully mapping the "zone of impact" for a single wakeboat run — 1,000 feet wide by 3,000 feet long. In zones under 100 acres, that single run would dominate the entire eligible zone, allowing no space for other users. In zones above 100 acres, multiple pathways could exist. The proposed size threshold reflects physical reality without targeting any particular lakes for inclusion or exclusion. Establishing size thresholds for wakesport zones fits squarely within ANR's authority. Vermont statute allows ANR to define areas where uses may be conducted, and to regulate conduct within those areas.

DEC has now achieved a balanced and defensible approach to regulating wakesports -- one that addresses public safety concerns, protects water quality and shoreline habitat, while also protecting normal uses, and supporting responsible recreation. We strongly support the proposed amendments, and ask you to please approve them today, so they can be in place for the 2026 boating season.

Thank you,

Meg Handler, Responsible Wakes for Vermont Lakes