

Regulating Wakesports in Vermont

Vermont Department of Environmental Conservation
Watershed Management Division
Lakes and Ponds Program
May 6, 2025



Vermont Use of Public Waters Rules

- Rules are under the authority of 10 V.S.A. § 1424.
- The Vermont Use of Public Waters (UPW) Rules were adopted on October 5, 1994 and were originally administered by the former Water Resources Panel of the Natural Resources Board.
- Administration of the UPW Rules and rulemaking authority was transferred from the Water Resources Panel to the Agency of Natural Resources in 2012 under Act 138.
- The UPW Rules apply to lakes, ponds, and reservoirs and their intent is to allow all Vermonters and visitors to use these shared resources in a reasonable manner while minimizing conflicts between recreational uses.
- The UPW Rules may restrict the type of watercraft that may be operated on certain waterbodies, speeds, boat size, motor size.

Vermont Use of Public Waters Rules

- There are universal UPW Rules that apply to all lakes, ponds, and reservoirs, and lake-specific rules (listed in the Appendices).
- Examples:
 - Prohibition of vessels exceeding 5 mph on lakes with less than 75 acres
 - Prohibition of personal watercraft (jet skis) on lakes less than 300 acres
- The Agency can initiate rulemaking of its own accord or in response to a petition.
- Enforcement is delegated to Department of Motor Vehicles 23 V.S.A. § 3311
“Operation of vessels; prohibited acts; authority of law enforcement officers”
 - Vermont State Police, Marine Division
 - Vermont Fish and Wildlife Game Wardens

Definitions

What is a wakeboat?

A wakeboat is a type of motorboat that can create a large wake or wave. Typically these boats have large ballast tanks or bags that can be filled with water. When these boats travel at slower speeds, usually around 10 to 12 miles per hour, the increased weight of the boat creates a large wave for recreation purposes.

Although typical motorboats, speedboats, waterski boats, or even pontoon boats can create wakes, these are not considered “wakeboats.”

What are wakesports?

When a wakeboat operates in “wakesports mode” to create a wake, the act of creating the large wake or recreating on the large wake (surfing or wakeboarding on the wake) are considered wakesports activities. Wakeboats are capable of operating as a regular motorboat when their ballast tanks or bags are not filled and the boat is not creating an enhanced wake.

Vermont's Existing Wakesports Rule

- As of April 15, 2024 “Wakesports” may only occur on lakes that have a “wakesports zone”.
- Wakesport zones are defined as having 50 contiguous acres that:
 - Are 500-foot distance from shore on all sides; and
 - Have a minimum depth of 20 feet.
- This rule limits wakesports to 30 inland lakes (Wakesports Rule does not apply to lakes with a shared boundary, including Lake Champlain and Lake Memphremagog)
- The rule includes a wakeboat decontamination criteria when traveling between waterbodies and a “home lake” provision intended to help reduce the risk of wakeboats spreading aquatic invasive species.
- First statewide rule to regulate wakesports and most protective of its kind.

The First Year of Implementation

- No substantiated complaints/violations about wakesports from law enforcement
- Data from the Public Access Area Greeter Program showed that wakeboats represented 1.1% of all motorized boat launches observed during the summer of 2024.
- No evidence of increased wakesports on specific lakes or new wakesports recreation on lakes where it did not occur before.
- Existing decontamination infrastructure is insufficient.

Petitions

- Out of the 30 inland lakes eligible for wakesports zones, ten lake associations or municipalities, representing 11 lakes that are eligible for wakesports, have submitted petitions under the Use of Public Waters Rules requesting to prohibit wakesports on individual lakes.
- Except for one petition, the petitions were reviewed together.
- Two public meetings were held in December of 2024 and a 46-day public comment period was opened in regard to the nine petitions received.
- In evaluating existing statewide rule and the first of year of implementation, as well as the petitions and the 581 comments received (455 written, 126 verbal):
 - The existing wakesports rule needs to be updated.
 - Existing decontamination opportunities and associated infrastructure around the State needs to be improved.
 - A statewide rule provides a more a more consistent and equitable approach to regulating wakesports.

Decontamination Workgroup

Spread prevention concerns are not limited to wakeboats

Stakeholder workgroup exploring and recommending Aquatic Invasive Species Watercraft Inspection and Decontamination Program Alternatives

Recommendations report is forthcoming this summer

Planning for “pilot” decontamination stations that can accommodate wakeboats and larger motorboats this summer. In addition to the Lake Champlain Basin Boat Steward decontamination stations, this would provide options for the hot wash method decontamination that is recommended for watercraft with ballast tanks.

Next Steps and Timeline

The existing wakesports rule will be in place as it was last year without any changes to the language.

- Wakeboats are subject to inspections by public access greeters, and just like any other watercraft, would be required to decontaminate if they did not pass inspection
- Maps, resources, and decontamination information will be made available

Spring 2025: Announce pre-rulemaking public engagement meetings and respond to petitions

June/July 2025: Hold public stakeholder engagement meetings

July/August 2025: Internal revisions based on stakeholder feedback; Final decontamination stakeholder report

August 2025: Submit proposed rule to ICAR

Proposed rule changes, if adopted could go into effect in early 2026