

# Existing Uses and Warm Water Fisheries in The North Lake Basin

Existing uses of waters and the level of water quality necessary to protect those existing uses shall be maintained and protected regardless of the water's classification (DEC, 2022). The ANR may identify existing uses of waters during the tactical basin planning process or on a case-by-case basis during application reviews for State or Federal permits. Consistent with the federal Clean Water Act, the VWQS stipulate that existing uses may be documented in any surface water location where that use has occurred since November 28, 1975. Pursuant to the definition of Class B(1) in Act 79, the ANR may identify an existing use as Class B(1) when that use is demonstrably and consistently attained.

The ANR stipulates that all lakes and ponds in the state have existing uses of swimming, boating, and fishing. The ANR recognizes that fishing activities in streams and rivers are widespread and too numerous to thoroughly document for the basin. In the case of streams too small to support significant fishing activity, the ANR recognizes these as potential spawning and nursery areas, which contribute fish stocks downstream where fishing may occur. These small streams support the use of fishing and therefore, are protected at a level commensurate with downstream areas.

Existing uses listed in the basin plan should be viewed as a partial accounting of known existing uses based upon limited information. The list does not change protection under the Clean Water Act or VWQS for unlisted waters. Existing uses are listed on the [Northern Lake Champlain Direct Drainages webpage](#) and include swimming, boating, fishing, and public water sources.

The public is encouraged to recommend waters for the existing uses of swimming, boating, fishing, public water source, and ecological significance given that they provide evidence of such use.

## EXISTING USES

### Swimming

Most of the swimming in the basin takes place on the many lakes and ponds which have a presumed existing use of contact recreation. During the basin planning process, no locations of swimming use on rivers were identified that are accessed through publicly owned lands such as stream crossing rights-of-way.

### Recreational Boating

It is the Agency's long-standing stipulation that all lakes and ponds in the basin have existing uses of boating and so only boating locations on rivers are listed below. A number of locations are good whitewater or flatwater boating stretches in the basin; some highly rated by the Vermont Paddlers Association, listed in the AMC or New Hampshire or Vermont paddlers Guide. The Clyde River is

part of the Northern Forest Canoe Trail and includes some spectacular flat-water canoeing. All sites listed on Table 22 are rated significant for recreational boating (Jenkins, 1992) or were otherwise brought to DEC's attention. Many canoe access areas and dam portages have been established. Anyone boating these reaches should carefully scout routes before launching. This basin plan makes no representations as to the suitability or safety of the listed reaches with respect to the individual skills of the reader of this plan or those of prospective boaters.

**Table 1. Determination of existing uses of flowing waters for boating in The North Lake Basin.**

Waterbody	Town	Basis for determining the presence of an existing use
LaPlatte River Mouth to RM 1	Shelburne	Lake Champlain Land Trust Shelburne River Park canoe and kayak launch at RM 1 <sup>1</sup> . Majority of riparian buffer is part of a Nature Conservancy Preserve

**Table 2 Determination of existing uses of flowing waters for fishing in The North Lake Basin.**

Waterbody	Town	Basis for determining the presence of an existing use
Mud Creek - Lake Champlain to the dam in Alburgh (just upstream of Route 78 bridge).	Alburgh	General state fishing regulations pertaining to Lake Champlain apply. Parking at Fish and Wildlife Mud Creek Wildlife Management Area off Rte. 78.
Mill River - Lake Champlain to the falls in Georgia (just upstream of Georgia Shore Rd bridge).	Georgia	General state fishing regulations pertaining to Lake Champlain apply. Town of Georgia parking lot at Georgia Shore Road bridge provides access to area with conservation easement.

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<sup>1</sup> RM is river mileage measured from the river terminus.

Malletts Creek to the first falls upstream of Roosevelt Highway (US 2 and US 7) in Colchester.	Colchester	General state fishing regulations pertaining to Lake Champlain apply. During spring high water, the stretch can be canoed (personal communications, Bernie Pientka, DFW fisheries biologist).
LaPlatte River to the falls in Shelburne (under Falls Road Bridge)	Shelburne	General fishing regulations pertaining to Lake Champlain apply. State Fish and Wildlife access ramps located at mouth of LaPlatte. Falls can be reached by boat from the Lake Champlain Land Trust Shelburne River Park canoe and kayak launch at RM 1

**Table 3 Determination of existing uses of waters for public surface water supplies in The North Lake Basin.**

<b>Waterbody</b>	<b>Town</b>	<b>Basis for determining the presence of an existing use</b>
Colchester Pond	Colchester	Classified at an A (2) (Water Resources Panel 2006)
St. Albans Reservoir North	Fairfield	Water source for one or more community water supplies regulated by the Water Supply Division
Northeast Arm - Lake Champlain	N/A	Same as above
Main Lake – Lake Champlain	N/A	Same as above
Malletts Bay – Lake Champlain	N/A	Same as above
Burlington Bay	N/A	Same as above
Shelburne Bay	N/A	Same as above

## **WARM WATER FISHERIES**

Warm Water Fish Habitat. All wetlands, except those designated as cold-water fish habitats in § A-02 of this appendix, and the following waters are designated as warm water fish habitat for purposes of these rules.

(A) All streams, creeks, and brooks in Grand Isle County.

- (B) Lake Carmi, Franklin
- (C) Lake Champlain, between the Ferrisburgh-Charlotte town boundary and the Canadian boundary, where depths are less than 25 feet at Low Lake Level (93 feet NGVD) - June 1, through September 30, only.
- (D) Bartlett Brook, South Burlington (E) Cutler Pond, Highgate (F) Englesby Brook, Burlington
- (G) Holmes Creek, Charlotte,
- (H) Indian Brook, Colchester from Vermont Routes 2 & 7 to its confluence with Lake Champlain.
- (I) Jewett Brook, St. Albans Town
- (J) Kimball Brook, Ferrisburgh
- (K) Lake Iroquois, Hinesburg/Williston
- (L) LaPlatte River from its confluence with Patrick Brook in Hinesburg extending downstream to the Spear Street extension bridge in Charlotte annually from the period June 1, through September 30, only.
- (M) Long Pond, Milton
- (N) Lower Lake, (Lake Sunset), Hinesburg
- (O) Malletts Creek, Colchester, from Vermont Routes 2 & 7 to its confluence with Lake Champlain.
- (P) McCabe's Brook, Shelburne
- (Q) Milton Pond, Milton
- (R) Mud Creek Pond, Alburgh
- (S) Murr (Monroe) Brook, Shelburne
- (T) Pond Brook, Colchester
- (U) Potash Brook, South Burlington
- (V) Rock River from the Canadian boundary to its confluence with Lake Champlain.
- (W) Round Pond, Milton
- (X) Rugg Brook, Georgia
- (Y) St. Albans Reservoir
- (N), Fairfax
- (Z) Stevens Brook, St. Albans
- (AA) Trout Brook, Milton