

**VERMONT NATURAL RESOURCES BOARD
WATER RESOURCES PANEL**

RULES DETERMINING MEAN WATER LEVELS

As amended, effective December 30, 2011

"Mean water level" for purposes of 29 V.S.A. §401 and "normal mean water level" for purposes of 10 V.S.A. §1422(8) shall be referenced to National Geodetic Vertical Datum of 1929 (NGVD 29), and shall be determined according to the following rules:

Rule 1. For Lake Champlain, the mean water level shall be 95.5 feet NGVD 29.

Rule 2. For those lakes and ponds that have an artificial structure which controls the flow of water at the outlet, the mean water level shall be the elevation of the spillway plus the mean depth of flowage over the spillway as measured during the period June 1 to September 15 or, if water does not consistently flow over the spillway, the mean water level that has customarily maintained during said period.

Rule 3. For those lakes and ponds that have natural outlets, exclusive of Lake Champlain, the mean water level shall be the elevation of the low point in the natural control section plus the mean depth of flowage over it as measured during the period June 1 to September 15.

Rule 4. Rules 2 and 3 above do not apply to lakes and ponds for which the former Water Resources Board or Water Resources Panel has promulgated rules or may in the future promulgate rules pursuant to 10 V.S.A. § 6025(d)(1). For such lakes and ponds the mean water level shall be the highest of any such levels established by the Board or Panel to be maintained during the period June 1 to September 15.

Rule 5. The Department of Environmental Conservation shall collect water level data on lakes and ponds and shall determine mean water levels pursuant to these rules, based on that data, hydrologic or hydraulic analyses, watermarks, or similar data or methods.