



State of Vermont

AGENCY OF ENVIRONMENTAL CONSERVATION

Brendan Whittaker

~~XXXXXXXXXXXXXXXXXXXX~~, Secretary

Montpelier, Vermont 05602

VERMONT WATER RESOURCES BOARD

August 7, 1978

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Department of Fish and Game
Department of Forests and Parks
Department of Water Resources
Environmental Board
Division of Environmental Protection
Division of Recreation
Division of Planning
Natural Resources Conservation Council
Vermont Water Resources Board

Dear Friends of Lake Iroquois,

At its regular meeting on July 26, 1978, The Vermont Water Resources Board decided to deny the petition requesting that it establish rules regulating the surface use of Lake Iroquois. The Board took this action after careful consideration of its record in this matter including the comments offered at the public hearing held on June 26, 1978 and the written comments filed on or before July 21, 1978.

In denying the petitioners request for rules regulating the surface use of Lake Iroquois, the Water Resources Board gave consideration to the following facts:

1. The Vermont Statute (section 1424 of Title 10 V.S.A.) which empowers the Water Resources Board to establish rules regulating the surface use of public waters provides in part:

"The Board shall attempt to manage the public waters so that the various uses may be enjoyed in a reasonable manner, in the best interests of all the citizens of the state. To the extent possible, the Board shall provide for all normal uses."

2. The practical effect of the requested restrictions on horsepower and speed would eliminate the use of Lake Iroquois for waterskiing and other established uses of the Lake.
3. Testimony at the public hearing on June 26th indicated that the majority of the incidents cited by the petitioners on behalf of their requests are violations of the "Laws and Regulations Governing Use and Registration of Motorboats" (yellow booklet) and could be most effectively addressed by efforts to better inform motorboat operators regarding their responsibilities and by local efforts to coordinate enforcement action, when needed, with the Department of Public Safety.
4. Several of the problems discussed at the public hearing would be alleviated by clear and uniform delineation of safety zones in specific areas of the Lake to assist boat operators in maintaining the proper distance. In this regard the Board notes that the placement of marking buoys do not require prior state approval, provided that the buoys themselves are properly installed and are not a hazard to navigation (see Chapter 11 of Title 29 V.S.A.). Furthermore

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the "Laws and Regulations Governing Use and Registration of Motorboats" (section 310) provides some guidance as to how swimming areas are properly marked.

5. With regard to problems attributed to transient boaters, the Board notes that the use of all State Fishing Accesses for purposes other than fishing are prohibited by regulation of the Vermont Fish and Game Board. Furthermore, it is the Water Resources Board's understanding that the deed conveying the property on which the Lake Iroquois Fishing Access is located contains a similar covenant.
6. The Board notes that the record in this matter suggests that there may be a need to consider restricting boat speeds and/or water skiing in the immediate vicinity of Spruce Island if local efforts alleviating safety problems prove unsuccessful.

In denying the petitioners request for regulation of Lake Iroquois, the Board does not intend to suggest that the concerns prompting that request are without merit. However, at this time the Board feels that a number of untried alternatives exist for dealing with the problems identified at the June 26th hearing and that these essentially local efforts should be made before any further consideration is given to establishing specific regulations for Lake Iroquois.

The Board appreciates the many thoughtful suggestions offered at the hearing and in writing. By separate correspondence, it has endorsed suggestions that the existing motorboat regulations be posted at the fishing access and North Beach. As noted in paragraph #4, the placement of buoys at the NorthBeach swimming area and at Spruce Island can be accomplished by local officials or the campers association. Without presuming to give direct advice, it does seem that the campers association, perhaps working with appropriate town officials, would be the best forum for developing a simple educational program regarding boating courtesy and for acting as a liaison with law enforcement officials if the need arises.

If there are any questions or comments regarding this matter, please feel free to contact me at the above address or at 828-2761.

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