

State of Vermont  
Water Resources Board

Wrightsville Reservoir  
located in the  
Towns of Middlesex, East  
Montpelier, and the City of  
Montpelier

Rules to Regulate to  
the of Public Waters  
10 V.S.A. §1424

I. Petition to Adopt Rules

On January 30, 1984 the Wrightsville Beach Recreation District, an intermunicipal district formed under 24 V.S.A. §121, petitioned the Vermont Water Resources Board under the provisions of 10 V.S.A. §1424 to promulgate rules regulating the use of the public waters of Wrightsville Reservoir. The petition was filed in anticipation of changes in the configuration of the Wrightsville Reservoir due to the construction of a hydro-electric generating facility at the reservoir which will have the effect of enlarging the permanent pool of the reservoir from 90 acres to 190 acres, raising the water level by 15 feet, and increasing the length of the reservoir from its current 1.3 miles to 2.1 miles.

In conjunction with the construction of the hydro-electric generating facility, a public swimming beach and picnic area will be constructed on the northwest shore of the reservoir approximately 500' north of the narrows which demarcates the northern portion of the reservoir. The Wrightsville Beach Recreation District was formed solely to operate and maintain the beach and picnic area facility (hereinafter "Wrightsville Beach"). The District is comprised of the Towns of East Montpelier, Middlesex, Worcester, and the City of Montpelier. The District's petition requested the Board to adopt rules which would prohibit motorboats from operating at speeds exceeding 5 mph on the northern half of the reservoir in order to enhance the safety of swimmers using the Wrightsville Beach facility.

In response to this petition the Board conducted a preliminary hearing on April 10, 1984 to receive public comment prior to making a decision as to how to respond to the petition. On April 12, 1984, the Board voted to propose rules regulating use of motorboats in the the northern portion of Wrightsville Reservoir.

In accordance with the Vermont Administrative Procedures Act the proposed rules were filed with the Secretary of State's Office which published a public notice. In its filing with the Secretary of State, the Board did not schedule a second public hearing and indicated that the deadline for requesting a second hearing on the proposed rules would be June 4, 1984 and that the deadline for filing written comments would be June 11, 1984.

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On May 29, 1984 a petition bearing 39 signatures, was filed with the Water Resources Board requesting that a second hearing be held to consider additional public comment on the Board's proposed rules. This hearing was held on July 3, 1984. The period for filing written comments was extended until July 10, 1984.

## II. Board Decision:

Having considered the testimony received at the second public hearing on July 3, 1984 and all written testimony filed by July 10, 1984, the Vermont Water Resources Board has decided to file the following final proposed rules:

RULE 1: Vessels powered by a motor shall not exceed 2 mph or be operated in such a manner as to cause a disturbing wake on that portion of the Wrightsville Reservoir northerly of the narrows which are located approximately 500 feet south of the Wrightsville Reservoir Picnic and Beach Area.

RULE 2: Vessels operated by agencies of the State of Vermont will comply with Rule 1 at all time except in cases where law enforcement, emergencies or the performance of official duties requires otherwise.

## III. Consideration of Public Comment

In adopting the final proposed rules which are in the same form as the initially proposed rules, the Board overruled arguments in favor of a rule which totally prohibits motorboats from using the northern portion of Wrightsville Reservoir. The primary argument offered by those in favor of a no motorboat rule was that such a rule is necessary to adequately provide for the safety of swimmers using the proposed Wrightsville Beach.

The Board rejected this argument because it felt that its initially proposed rules adequately provide for the safety of swimmers by restricting motorboats to extremely low speeds. Furthermore, the Board notes that there are a number of nonregulatory actions which can be taken by individual parents and by those operating the public beach to enhance the safety of swimmers, particularly young children, by marking off the swimming area with ropes and floats.

In deciding not to totally prohibit motorboats from using the northern portion of the Reservoir, the Board was also guided by the provisions of 10 V.S.A. §1424(c) which directs that:

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

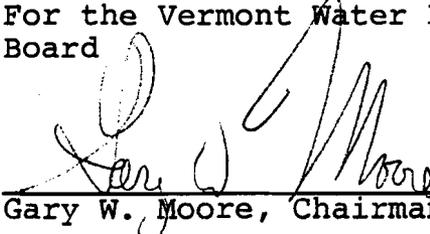
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Due to the enlargement of the permanent pool, the northerly portion of Wrightsville Reservoir will extend for a distance exceeding one mile north of the proposed Wrightsville Beach. The northerly portion of the Reservoir is currently and will continue to be used for fishing and duck hunting. The use of motorboats in conjunction with these existing uses is common. A total prohibition on the use of motorboats would significantly diminish the continued use of the northern portion of the Reservoir for fishing and duck hunting.

Finally the Board notes that the Wrightsville Beach Recreation District has indicated its agreement with the proposed rules. In the event that actual experience at the Wrightsville Beach shows that additional restrictions, including the possibility of a total ban on all motorboats in the northerly portion of the reservoir are warranted, the Board could be petitioned to amend its current rules based on actual experience.

Dated at Barton, Vermont, this 7th day of August, 1984.

For the Vermont Water Resources  
Board



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Gary W. Moore, Chairman

Water Resources Board  
members voting in favor  
of this decision:

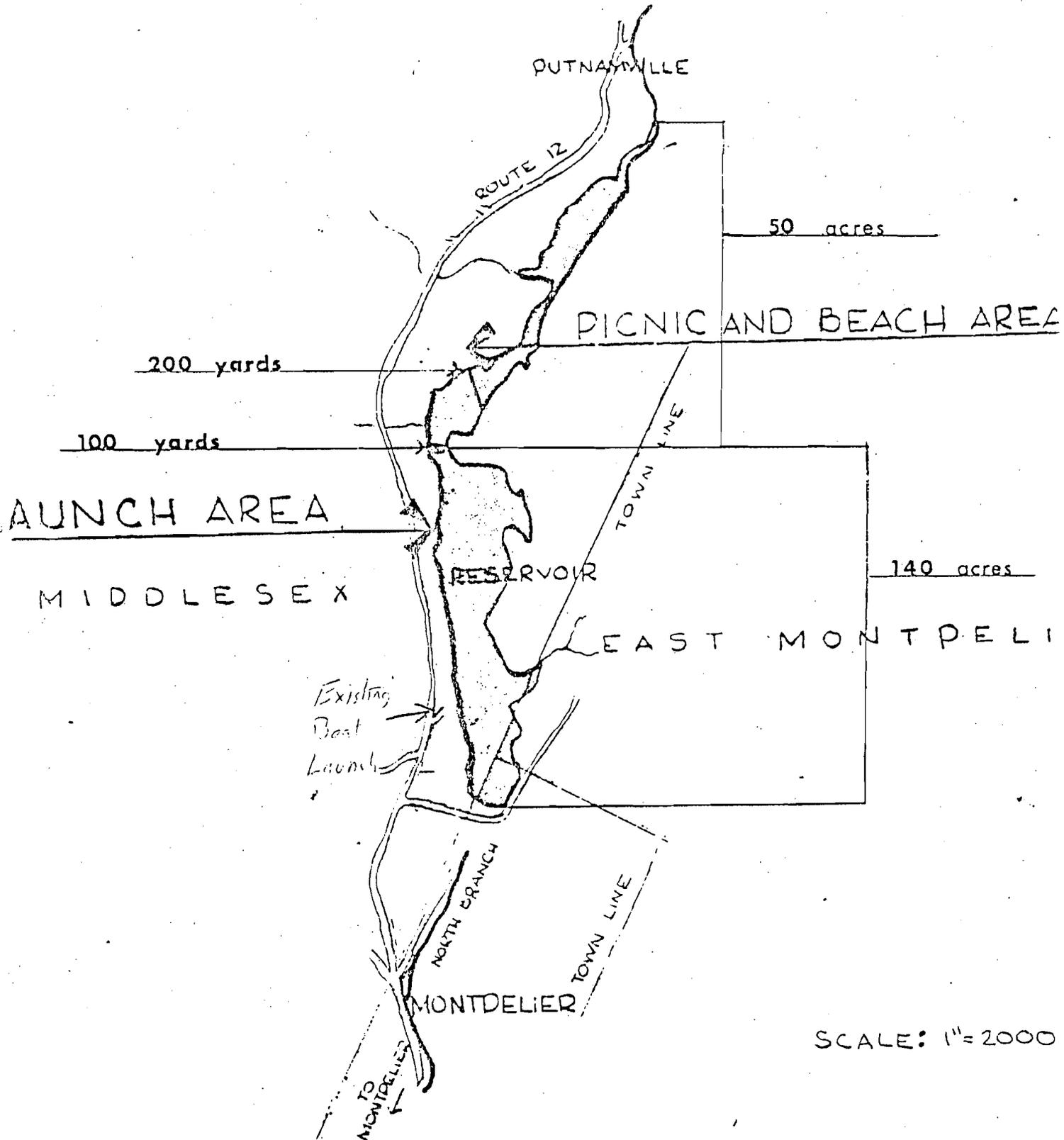
Gary W. Moore, Chairman  
Catharine B. Rachlin  
W. Byrd LaPrade  
William Boyd Davies

Board member voting in  
opposition to this decision:  
William D. Countryman

RULES REGULATING THE USE OF WRIGHTSVILLE RESERVOIR

ATTACHMENT A

# WRIGHTSVILLE RESERVOIR



SCALE: 1"=2000

## LOCATION PLAN