



# WISCONSIN LAKES

*We Speak for Lakes!*

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PO Box 7723 / Madison WI 53590

608.661.4313

[info@wisconsinlakes.org](mailto:info@wisconsinlakes.org)

## **Wisconsin Lakes Policy Recommendations Regarding Regulation of Enhanced Wakes**

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In the last decade, the ability for watercraft to create “enhanced wakes” rose in capability and popularity. Wakeboats, boats with a construction and mechanics dedicated to the creation of enhanced wakes, especially through the use of ballast tanks to weigh down the boat’s stern, are a more and more common sight on lakes of all sizes in Wisconsin. Enhanced wakes are also created by aftermarket add-ons to existing boats, and are used for sports like wakeboarding and wakesurfing.

Under the public trust doctrine of the Wisconsin Constitution, our state’s waters are held in trust for all and are “forever free.” The doctrine has quite rightly been interpreted over the years to include a right of the public to recreate on our waters, which makes decisions about how and when to regulate an individual’s right to use certain watercraft or partake in certain types of activities complicated and as such should only be undertaken with great restraint.

But wakeboats introduced watercraft with a size, power, and function not ever seen on our inland waters. Waves often vastly greater in intensity than any other wave, including those generated by periodic storms or general winds, crash into the shoreline. The downward thrust of the stern-heavy boats’ propellers scour the bottom in a way no other craft does to date. And the current design of the ballast tanks used to weigh down the stern of the boats do not sufficiently drain to prevent aquatic invasive species like zebra mussels, starry stonewort, or other plants and animals to be removed before the watercraft moves to another lake.

*Wisconsin Lakes is a statewide non-profit conservation organization of waterfront property owners, lake users, lake associations, and lake districts who in turn represent over 80,000 citizens and property owners. For over 30 years, Wisconsin Lakes has been a powerful bipartisan advocate for the conservation, protection, and restoration of Wisconsin’s lake resources.*

Wisconsin Lakes advocates sound, science-based solutions to protect our lake environments and the rights of all of Wisconsin's lake users. As such, **we make the following recommendations towards building a statewide policy around enhanced wakes in Wisconsin:**

- 1) ***Minimum state standards while maintaining local control:*** More than most states, Wisconsin features thousands of lakes, all with their own unique characteristics. While it is in the state's interest to set minimum standards for enhanced wakes statewide for reasons of public safety, the protection of private property, and protection of the lake environment, Wisconsin Lakes believes the best solutions for each lake come from the communities that call its waters home. The ability through the local boating ordinance process to enact enhanced wake ordinances stronger than any state standard for a particular lake should continue to be allowed.
- 2) ***No enhanced wakes within at least 500 feet of the shore:*** Based on the best available science, enhanced wakes should be prohibited within at least 500' from the shore.
- 3) ***No enhanced wakes in water shallower than at least 30 feet:*** Current studies are still in progress that will likely indicate impacts in waters deeper than 20 feet. We are currently recommending a prohibition of enhanced wake creation in depths of less than 30 feet to prevent bottom scouring or the stirring up of lakebed

*In addition to advocating for these basic, minimum state standards, we also call for the following:*

- 4) ***Prevention of aquatic invasive species transport:*** As currently designed, many of these boats do not allow for the complete draining of their ballast tanks. Wisconsin law currently prohibits a boater from transporting AIS from lake to lake, and these tanks make it almost a given that boaters are unwittingly violating that law and could contribute to the spread of species such as zebra mussels or starry stonewort. Steps should be taken - whether voluntarily by the boat manufacturers or by mandate in state law - to fix the drainage system of the tanks to fully allow complete drainage both for new models and by a retrofit of existing boats. Additionally, the state should put in place meaningful decontamination regulations for *all* watercraft backed by sufficient funding to ensure enforcement of those laws and regulations.
- 5) ***Best practices for wakes to be included in boater certification courses:*** All boaters taking certification courses in Wisconsin should be taught best practices if creating an enhanced wake to limit environmental damage, maintain the safest lake environment for other users, and cause the least infringement of the enjoyment of the lake by *all* lake users.