



WISCONSIN LAKES

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COMMENTS TO NATURAL RESOURCES BOARD RE ENHANCED WAKE LOCAL ORDINANCES

May 22, 2024

Wisconsin Lakes thanks you for the opportunity to address the Natural Resources Board today. We are not only representing ourselves but also the Wisconsin Wildlife Federation, Wisconsin's Green Fire, Last Wilderness Alliance, and Lakes at Stake Wisconsin with a joint appeal. All have asked us to represent them here today. All five of us are nonprofit conservation organizations working to reduce and manage the impact on Wisconsin's lakes and other surface waters from wakeboats and the practice of wakesports through reasonable, science-based education and, where appropriate, regulation.

We appear before you today to discuss what we see as an opportunity for the DNR and engaged citizens of Wisconsin to work together in order to realize just such a goal now, regardless of what future action the legislature might take on the issue. We understand that the agency and Natural Resources Board are currently reviewing its authority and options in regards to wakesports, and offer these suggestions today to enhance those discussions.

With the increase in size, power, and number of watercraft on Wisconsin waterbodies, local boating ordinances are becoming more and more important as a tool to regulate and set community norms for recreation on our waters. This is even more the case in regards to wakesports. In fact, 18 local governments have either enacted or are in the process of enacting local ordinances to regulate wakesports. More lake districts, towns, villages, and cities are becoming interested in doing so every day.

Groups like ours, especially Last Wilderness Alliance, already work closely with local governments wishing to enact such regulations. But we often hear skepticism whether such ordinances would be "approved" by DNR. They incorrectly believe that these ordinances violate the public trust doctrine, or that it is best to "just wait for DNR to do something."

We believe that if the DNR, most likely within the enforcement division, provided public information specifically about wake-related ordinances, working in conjunction with groups like ours, more local governments would become comfortable taking on this important tool in managing this specific recreational impact to their waters.

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.

For example, the agency could:

- Designate one or two staff persons as agency contacts regarding wake-related ordinance development
- Provide guidance that ordinances regulating artificial wake creation are legal
- Offer model ordinance templates, including the template developed by Last Wilderness Alliance and used, with agency approval, by a number of local governments already
- Develop a checklist for local officials that provides and easy to follow flow chart based on the ordinance development information provided in the “Guideline for Creating Local Boating Ordinances” document
- Provide regular online informational sessions on wake-related ordinance development (similar to the presentations provided by Warden Kuhn at the WI Lakes & Rivers Convention), perhaps in conjunction with our groups.

In addition, we believe that updating the boater registration form to include a checkbox indicating if a boat contains ballast tanks or other equipment designed to create enhanced wakes would provide the state with more information about how many of such boats are on our waters.

In making these suggestions, we fully understand the financial and personnel constraints that exist for the agency. The enforcement division, under which these activities would likely fall, is certainly no stranger to those pressures. We do not believe these suggestions would be particularly costly to implement. All of our organizations acknowledge the need to continue to work with the Governor and the legislature to ensure that the agency receives the resources it needs in all of its work, including providing education and assistance to local governments working to get a hold of the impacts of recreation on local waters, as well as fully playing its role in enforcement of water regulations in the state.

In the end, all we are really asking is that DNR continue its current service of providing information on local ordinances, but also specifically provide information on ordinances related to artificial wake creation because of their importance in these times.

This small step would provide a major tool empowering local governments to make their own decision on the issue and cut through a lot of the perceived issues that can derail that process unnecessarily.

We stand ready and willing to work with you on this issue, and thank you for your consideration and time.

Presented to the Natural Resources Board by Wisconsin Lakes on behalf of:

- *Wisconsin Wildlife Federation*
- *Wisconsin’s Green Fire*
- *Last Wilderness Alliance*
- *Lakes at Stake Wisconsin*