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From: **Miller, Robin L - DNR** <Robin.Miller@wisconsin.gov>

Date: Thu, May 15, 2025 at 2:46 PM

Subject: RE: Condition Report for Worcester wake boat ordinance

To: Jim Michler <jrmichler@gmail.com>

Jim,

I've received the condition report and will review it. I'll let you know if I have questions.
Thank you.

Regards,

Robin Miller

Recreation Warden – RSOS Bureau/Division of Public Safety and Resource Protection

Wisconsin Department of Natural Resources

Cell Phone: 715.292.4489

robin.miller@wisconsin.gov

From: Jim Michler <jrmichler@gmail.com>

Sent: Friday, May 9, 2025 10:29 AM

To: Miller, Robin L - DNR <Robin.Miller@wisconsin.gov>

Cc: Town of Worcester <townwor@outlook.com>; Jeremy Pesko
<townworsup1@gmail.com>; Russ Long <maddiestransport@gmail.com>; Solberg Lake
<solberglakeassoc@gmail.com>; Ann Patros <annmpea@yahoo.com>

Subject: Condition Report for Worcester wake boat ordinance

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Robin,

Attached is the condition report for the proposed Town of Worcester wake boat ordinance. Please let me know if we need to make any changes.

Thanks,

Jim Michler

Town of Worcester Chair

715-682-5575

Condition Report to Support Ordinance 2025-2-19:

Restricting Artificially Enhanced Wakes in Lakes within the
Township of Worcester, in Price County, Wisconsin

Introduction

The Township of Worcester received a petition signed by residents who were against the effects of wake boats, specifically artificially enhanced waves (AHW). The group spoke at several town meetings, and a request from the town was emailed to all constituents requesting feedback on both sides of the topic. Seventy residents signed the petition against AHW, and two residents sent letters supporting such aquatic activity.

Upon town board discussion, and on advise of council, an ordinance has been written and proposed to restrict artificially enhanced wave activity on waters within the Township of Worcester, in Price County, Wisconsin.

Purpose of Ordinance 2025-2-19

The proposed ordinance covers the lakes within the Township of Worcester, in Price County, Wisconsin.

The purpose of this ordinance is to:

1. Protect public and private property and mitigate damage to lake shorelines from environmental damage
2. Mitigate resuspension of sediment that poses a threat to aquatic life and waterfowl
3. Mitigate further transfer of invasive species coming from ballast intake tanks
4. Protect nesting sites of native birds and fowl
5. Protect fish spawning areas
6. Keep our lakes safe

Ordinance Restrictions

As it relates to artificially enhanced wakes produced for recreational purposes, the Town of Worcester, in Price County, Wisconsin recommends the following restrictions on bodies of water within its confines:

Prohibited Operation: operating a boat in an artificially bow-high manner having the effect of increasing the boat's wake. Including wake enhancement by use of ballast tanks, ballast bags, or mechanical fins, or continuous operation of a boat below planing speed, in plowing mode.

Excluded Operations: Operations listed above are allowed provided ballast tanks, water sacks, or wake enhancing fins are not used. Some examples of allowable operations could include water skiing, tubing, wake boarding with tow rope, brief emptying boat of bilge water, brief transition from acceleration to planing condition.

Conditions that require protection

Price County, Wisconsin, is home to a significant number of lakes. These lakes vary in size and depth, and many are known for their fishing opportunities. The Township of Worcester, within Price County, holds dozens of those lakes, including Musser Lake Flowage and Solberg Lake, that are part of the Elk Lake Chain. These waters provide a critical ecological, recreational, and economic resource for the area. They also support a wide variety of native wildlife and plants.

Local DNR officials, alongside town, county, and city resources, have been working diligently to eradicate invasive species, particularly the aggressive Eurasian Water-Milfoil (*Myriophyllum spicatum*), which is an invasive aquatic plant native to Europe, Asia, and North Africa. This invasive has become a major threat to aquatic ecosystems in North America. It rapidly spreads—even from small fragments, allowing it to quickly colonize new areas—outcompeting native aquatic plants, and forming dense mats that can interfere with recreational activities and alter aquatic habitats.¹

So far, attempts to control and contain milfoil plants have been challenging. With the recent uptick in boats that produce artificially enhanced wakes, where propellers can dislodge fragments and spread the pieces of the invasive plant to new areas, the battle has increased exponentially.

Potential risks posed by artificially enhanced waves

- Docks and boat damage: breaking mooring ropes due to enhanced wakes
- Shoreline damage: erosion and high turbidity with clear lakes turning murky as sediment is stirred to the surface
- Fish and habitat damage: including significant invasive plants chopped and floating in the water and further spreading and colonizing
- Prop wash can effect bottom sediment at 24 feet. The two largest lakes—Musser Flowage and Solberg Lake— are measured at only 15' and 16' in their deepest spots, respectively.
- Safe distance: other boaters and swimmers may have to curtail their water activity due to safety concerns when one or two boats are operating:
 - Kayaks could be swamped by wake surfing activity
 - Towed water skiers or tubers are at risk of outsize waves and wash when sharing the water with a large wakes like those produced by artificially enhanced activity.
 - Anglers may be unable to safely stand and fish in their boats
 - There may be a high risk of collision with boats being operated in a bow-up manner that severely obstructs the view of a wake boat driver.
 - Pontoon boats could be swamped or completely re-routed to avoid entire areas of the lake when a wake boat is generating artificially enhanced wakes.

Expectations for waterways in the Township of Worcester with Ordinance 2025-2-19 in place

¹ Ontario Invading Species Awareness Program (<https://www.invadingspecies.com/>)

With safety of boaters and swimmers being the highest priority, and protection of waterways a close second, the Township of Worcester offers the following expectations for a future with Ordinance 2025-2-19 in place:

1. **Consistency:** other townships have enacted similar ordinances. Having unified maritime considerations will mitigate confusion for those using the waterways in the area. It will also provide a community message of safety and environmental protection.
2. **Costs:** protecting shorelines from wake damage will avoid costly repairs
3. **Aquatic Invasives:** significant time, energy, and money has been invested in controlling the spread of invasive species in the waters within the Township of Worcester. This ordinance will be a tool to keep invasive plants at bay and help continue the work of eliminating the prevalent Eurasian Water-Milfoil infestation.
4. **Coalition evidence:** Several Wisconsin non-profit organizations are actively involved in efforts to address the impacts of wake boating on the state's lakes, including Lakes at Stake Wisconsin, Last Wilderness Alliance, Wisconsin's Green Fire, Wisconsin Wildlife Federation, and Wisconsin Lakes. These groups, along with others, have formed a coalition to advocate for tougher regulations and restrictions on wake-enhanced boating.

Possible negative effects of Ordinance 2025-2-19

If neighboring townships enacting similar ordinances to restrict artificially enhanced waves presents a unified front for the area community, adopting this ordinance may cause wake surfing enthusiasts to trailer their boats to unregulated waters to pursue their sport.

Populations affected by Ordinance 2025-2-19

- Wake boat owners who are not able to use their boats for the purpose of wake surfing
- Other wake surfers who do not own boats but participate in the activity

Proposed Signage

Upon acceptance and approval of the proposed ordinance, appropriate signage will be placed at all public landings, in accordance with Wisconsin law. Based on the experiences of other Wisconsin municipalities that have adopted ordinances regulating artificially enhanced wakes, such signage and general education regarding the ordinance will ensure compliance.

RELEVANT RESEARCH STUDIES AND SURVEYS

Lake Waramaug Wave Impact Study: *this comprehensive report, dated November 14, 2024 is currently the best summary of wake boating and artificially enhanced waves.*

Link:

https://www.warrenct.gov/sites/g/files/vyhlf3991/f/uploads/lake_waramaug_final_report.pdf

STATEMENTS FROM RESIDENTS IN REGARDS TO WAKE BOATS

These statements came after multiple requests from the Township of Worcester for feedback on wake boats and wake boating. The people who signed the petition felt that their signatures on the petition were sufficient, and declined to submit separate written statements. Two statements from wake boat owners were submitted. The petition and the two statements from wake boat owners are linked below.

Petition to prohibit wake boat operation in the Town of Worcester:

<https://townofworchester.com/worcester/wakeboats/Pros%20vs.%20Cons/Signatures>

Statement by wake boat owner 1:

<https://townofworchester.com/worcester/wakeboats/Emails/Thread%204.pdf>

Statement by wake boat owner 2. *Includes Solberg Lake trophic state data since 1971. <https://townofworchester.com/worcester/wakeboats/Emails/Thread%205.pdf>*