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## RESOLUTION PROPOSAL

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**DATE:** May 27, 2010

**SUBJECT:** Amend PM 06.05 Facilities Rules and Regulations: Boats, Marina and Boat Slips to prohibit wake enhancers

**SPONSOR:** Rob Beck, Chair Lake Preservation Committee

**BACKGROUND INFORMATION:**

Over the last decade the size and frequency of the wakes caused by motorboats have increased considerably, even though their number actually out on the lake even at peak periods has stayed about the same. This is mainly due to the increased use of passive towed equipment, such as wake boards or tubes. Those induce the towing boats to steer a slalom course to increase the fun and excitement for those riding the towed equipment. This effect is even enhanced by the use of wake enhancing techniques and Wake Enhancing Devices (WEDs). Many such devices are commercially available, factory installed on boats or after market and described as causing "orbit launching boarding wakes", "double the size of your wakes" and causing "substantially greater turbulence"

There is no doubt that these increased wakes are a nuisance to other boaters everywhere, and also increase shore line erosion. At Lake Monticello there is the particular problem that our lake is narrow, that the wakes have no room to dissipate before they reach the shoreline and then reflect from vertical wooden seawalls with almost the same energy. These reflected waves interfere with the original waves, forming a bubble pattern with peak heights of about double the original wave, surrounded by troughs of lower level. This wave pattern causes the bouncing around of even a regular size pontoon boat. It is even worse for a canoe or kayak, and that could pose a safety hazard for those boaters.

The wake enhancing phenomenon has spread all over the country. Several private lakes have succeeded in issuing a ban on all wake enhancing devices and techniques. However attempts to restrict their use on public waters have been hotly contested and none have so far succeeded.

Most proposed restrictions have been based on the argument of shoreline erosion caused by wake enhancing. The standard argument against the restriction for that reason has been that it is not possible to calculate the exact amount of damage, and that its seasonal (summer weekend) effect might be negligible compared to the erosion by natural waves year round. Opponents of a ban on wake enhancing argue against restriction of the pleasure of wake boarders without a lot of research about the amount of erosion.

The more dedicated proponents of wake enhancing have published all kind of techniques to fool the law enforcement about their use, and possible techniques to achieve the desired effect without visible adaptations of the boats.

A proposed ban on the use of wake enhancing based on shoreline erosion, which would come under the objectives of LPC will no doubt lead to the same kind of opposition and arguments, as has happened in 2004, and is not likely to succeed.

## **TAB 15.2**

The only remaining argument for a proposed ban for Lake Monticello would be the nuisance and potential hazard wake enhancing causes for other boats. A proposed amendment to PM 6.05 follows.

Since a proposed ban on the use of WEDs would be based mainly on public nuisance, safety and security, it should involve the Committees dealing with those issues. Additional ways to be considered to reduce the effects of slalom steering and wake enhancing could be public education on that subject, restriction of the periods when those techniques can be used (at least on peak season days) or area restrictions.

### **STAFF RECOMMENDATION:**

**PROPOSED FINANCIAL IMPACT:** NA

**PROPOSED SOURCE OF FUNDING:** NA

### **STRATEGIC PLAN REFERENCE:**

2.1 Protect and improve the lakes and ponds through ecologically sound measures implemented by the Association and individual property owners

### **POSSIBLE MOTION:**

(First Reading)

**PERSON RESPONSIBLE FOR FOLLOW-UP:** General Manager