



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES

The February 10, 2022 Whitewater/Rice Lakes Management District board meeting was called to order at **6:05** PM by: Rich Charts. **Roll Call:** Completed by Rich, Chuck Chamberlain Donna Sherman, Jerry Grant, Norm Prusener Online was Brad Corson, Larry Brady, Tom Potrykus, Jeff Panek, and Amy Rodgers. Guest Carol/Steve Ducommun Not present: Mike Lindemuth
ADMINISTRATIVE – Rich asked for a motioned to approve the February 10, 2022 Agenda –Larry motioned / Norm seconded – all in favor motioned carried.

Rich motioned to approve the January 11, 2022 meeting – Rich made mention of one type under weed harvesting Larry in communication that the aquatic plan update rather than place update. Rich motioned to accept upon that correction Jerry seconded all in favor motion carried.

Public Input- Rich introduced Dan Johnson property owner on Rice Lake

COMMISSIONER REPORTS:

Secretary's Report/Correspondence-Mike no report

Finance- Brad January expenses were \$180.00 Admin fees and an in/out expense of \$44,785.00 payment on the weed trailer then reimbursement from the capital fund which nets to zero.

Brad made a motioned to accept the \$180.00 January 2021 expenses Jerry seconded all in favor motion carried.

Final financial statement for 2021 as described in last month's meeting minutes \$73,436.00 is the surplus number we had estimated in August at the annual meeting to be \$22,700 less than that. Most of this was the bog variance. Because it was not forecasted it was not budgeted for it. Leaving additional funds available but not a specific line item for it. Rich questioned the amount –Brad stated the final variance of \$25,291 is the variance between what we had budgeted in 2021 vs what we estimated in 2020. The numbers are very similar \$25K last year \$22K this year.

2022 service contract has been executed with JNT's

Weed harvesting-Larry not getting a response from SEWRPC he also spoke with Heidi who is also not getting any response Larry also said they are working in remote locations. Rich said if you get a sneak peek just make sure it is clearly defined on where we are putting the material.

Brad mentioned the road to the weed dump that the road was not locked Larry will mention

Chemical – no report

BOG Removal- no report

Equipment-Chuck reported the new trailer is now in storage and ready to go for 2022 harvest season He has applied for the request of the balance due of our grant for the amount of \$17,256.05.

The transport barge is in the shop for repairs and those will be covered under warranty.

The next venture is looking to replace the 7 ft harvester. The cut off for equipment is November 1st he will submit a grant in for January 2023 submission. Larry asked about the truck tail gate repair he

will reach out to JNT's. Rich asked about GPS/sonar for underwater weed view- Chuck said it was researched about 5 years ago. Chuck said its more sonar vs GPS. Chuck said they are grant eligible. Norm asked if that pipe was taken care of that was sticking up at the end of the pier Larry will follow up with Jeff on that as well.

Navigator Team Updates –Carol said we have several items

Jeff Panek speaking about Wakes and Shoreline Erosion Team he is requesting approval of an Own Your Wakes Campaign the team has put together a 1 page to be included in the directory that Lillian puts out to the property homeowners association. This is a result of the survey that was taken

One is the one page Own your Wake (hand out) attached to show best practices

Jeff stated the general statement there is a variety of water sports on the lake and a variety of boats producing wakes that has given a cause of concern and many people have had damage to docks, shoreline this team established to see what course of action could be taken.

The Team is also in the process of reviewing the studies of the erosion that is caused also looking at other lakes as well.

Chuck asked if there has been any discussion about abandoned or properties where they is not seawall protection are not taking care of the shoreline is there anything that can be done. Jeff stated this is tied into the good neighbor's team and it falls under health and human services.

Steve Ducommun added as he is co-chair on this with Jeff but the studies all related to 500Ft but they went with 300 feet as still if within 300 feet there is still shoreline damage.

Jeff said – add this to the directory – newsletters – direct mailers and other avenues to communicate and educate people.

The key line at the bottom protect your rights do not lose them.

Jeff stated the town of whitewater ordinances are in the directory but is asking for the two state of WI ordinances to be included in the directory.

They are as follows:

No person shall operate a motor boat so as to approach or pass another boat in such a manner as to create a hazardous wake or wash.

An operator of a motor boat is liable for any damage caused to the person or property of another by the wake or wash from such a motor boat unless the negligence of such other person was the primary cause of the damage.

So it establishes the hazardous wake or wash requirement and that you're responsible for your wake.

He asked if those could be added to the communication.

Amy said this would be good to add to the Safety Flyer

Amy Rodgers- Boaters Safety

The new buoys on target for end of March delivery

Amy provided the following updates since her January presentation:

1. Seems right to eliminate that requirement - needing someone to stay in the anchored boat - from the flyer, etc. unless it is adopted as an ordinance for our lakes.
2. For the speed limit question, I think it would be good to chat at the February meeting about the philosophical approach to gathering feedback as it relates to proposed ordinances. In local government there is often a period of time - sometimes mandated - between proposal and its adoption that allows interested stakeholders to provide feedback to the decision makers. (In our case the initial decision makers are the Lake Management District and the GWLPOA, who would then forward a recommendation to the Town Boards of Whitewater and Richmond for adoption.)

While we discussed at the January LMD meeting using the GWLPOA's Constant Contact capability to conduct another survey, on further reflection, I do not think that's the best course for us to use. If we offer community members the choice between two options for different speed limits and a third option to have no speed limit, as we discussed at the meeting, we will be hard pressed not to propose the option that garners the highest number of votes and that decision wouldn't necessarily reflect the months-long work and analysis of the Boating Safety Team and subsequent discussions at the LMD meetings.

Administering a survey to determine the "right" answer would be a very different process than giving the public opportunities to provide feedback through emails, phone calls, attending a meeting, etc., which is the more conventional approach and the one that I think has merit. After soliciting feedback for the current option as presented in at the January meeting, the LMD and the GWLPOA could review that feedback and determine a recommendation they want to forward to the Town Boards.

- 3.a. Regarding adding another 100' to the slow-no-wake zone for waterskiing, I have reviewed the language in the state and local statutes, as well as how other lakes around us deal with this issue. The question, I believe, is whether the restricted zone includes the 150 foot no wake zone specified in our ordinance plus another 100 feet, resulting in waterskiing at 250 feet from shore.

Other nearby lakes are explicit about establishing traffic lanes and are explicit that skiing is not allowed outside their traffic lanes, without adding the 100' beyond the slow-no-wake buoys that has been colloquially used for Whitewater. Whitewater's use of the 100' add-on to the slow-no-wake zone to the 150' per our ordinance or to 100' per our buoys, makes our practice unique among the other lakes in the area. Four of the lakes - Beulah, Como, Delevan and Geneva - establish 200' traffic lanes as marked by their buoys without adding 100' on top of that. Lauderdale's traffic lane is established at 100' and they also do not add an extra 100' on top of that. The virtue of that approach is that boaters do not have to judge distances with their naked eyes, but, to be legal, merely need to stay outside the buoys (and, per statutes below: 100' from "any occupied anchored boat, any personal watercraft or any marked swimming area or public boat landing.")

Whitewater's traffic lane per ordinance is unique at 150'. If we believe the right answer is that skiers should stay 200' from shore, we should change our ordinance to 200' and put the buoys at that distance and not require an additional 100' on top of that for skiing. That would enable all of our skiers, including our more vulnerable younger skiers, the safety of "dropping" their tow rope by the buoy and ducking into the slow-no-wake area for safety.

I do not believe that the local Whitewater and the WI State statutes that are concerned with these issues, and are included below, support Whitewater's interpretation of the slow-no-wake zone as a restricted area that requires an additional distance of 100'. The statutes seem clear that the 100' applies only to anchored, occupied boats, PWC's and any marked swimming area (of which Whitewater has three, per below) or a boat launch.

The safest approach seems to be the simplest. Put the buoys where you want the boats and skiers to stay outside of, and don't require insider knowledge to understand the laws.

- 3.b. It's great that the buoys at our three true restricted areas on Whitewater Lake - the swimming areas at Camp Joy, Scenic Ridge and the state park beach - are all marked with buoys 100' from the swimming area. That is very simple for boaters to understand.

4. I agree that the buoy placement and the ordinance should match, otherwise it becomes unclear what the rules and subsequent enforcement is intended to be. It would seem that the goal of our safety program and markings should be to clearly convey to all users, no matter how long they have been here, what constitutes the boating practices that have been determined to result in the highest level of safety for everyone around the lakes.

Jeff read what the state reads no person may operate a motor boat within 100ft of a dock, raft, and pier or buoyed restricted area on any lake at a speed in excess of slow no wake.

Amy said the town ordinance says 150ft from shore she suggested that the town ordinance should be changed to match the buoys – Norm says if it was a round lake and have uniformity that would be easy however he has been out with Shawn and he has been making those decision.

Jeff stated if Shawn would place the buoys all at 150ft he would reduce the size of the useful space of the lake by 25%.

Amy was filling out a permit for the buoys but it is currently expired. Jeff also mentioned not all the chain length/weighted the same that the buoys should be numbered of this issued the older buoys get water logged and sink.

Amy's last item was a speed limit survey question – Carol said right now it would not be advisable to do another survey – Amy made a proposal to 40 MPH or 45 MPH pick a number once that number is selected then from there

Brad's felt there is a difference in density on the lake during the weekend vs during the week. Brad also pointed out the current officer or other officers whatever their number is for enforcement should also match the ordinance. 45 weekends/holidays and 50 on the weekdays similar to Lauderdale Lake

Brad stated on a big fan of rules if they are not accomplishing anything also is speed a concern on the lake. He said are we reacting to create an ordinance to police one person also there are a lot of people on the lake who own wave runners that go over 50MPH

Rich pointed out on the boaters safety report should reference Personal Water Craft

Amy suggested maybe only having a speed limit on the weekends/holidays

Norm said getting back to permits for fishing clubs/tournaments the lake management can inform Shawn – Tom said he is in contact with the DNR and he could be the one to inform Shawn.

Rich pointed out on page 5 of the safety report – also if you are swimming from a boat you have to shut off the boat Larry said no it is recommended but not required. To add to the signage include Personal Water Craft.

Carol wrapped up teams- communications and enforcement

A few from each team to review the language of each team to formulate the communications.

Under the enforcement team Larry – Shawn – Road sheriff- DA officer and the recommendations coming from each of the teams. – Communication Enforcement and Ordinances. So they can come back to WW/RL Management to then communicate to the township any proposals

Norm asked about pier density – Carol said this would be presented at the next meeting. Norm stated all enforcement is through the county.

Fish Stocking –Tom one item he asked if Dan completed the survey he did not – in the survey it was a request for an artificial structure in the lake as it attracts fish. One of the surveyors who studies limnology it was suggested to put in an artificial structure at the bottom of the lake the DNR is in favor of it. Lauderdale Lake has done a lot of work in regards to this and offered to give a demo of what they have done in June. He mentioned fish cribs that could be built 6ftx6ftx6ft sinking them in 18ft of water. Tom reached out to the Lions Club as they tend to donate to the fish committee-he asked lake management \$600 or a piece of equipment to aid in the assembly for 2-3 cribs to get started Would we take from the survey budget- fish stocking budget?

Rich said Don McComb said Tom's presentation about the project to the Lion's Club they were interested in it. Brad asked 18ft of water would there be enough places to accommodate such structures – Tom stated there were several deep spots 20Ft. It was confirmed the DNR would not require a permit. Brad commented to funding we have \$500.00 from the Lion's club contribution in 2021 is still available. Brad said the over spend would be with the approval of the board – Rich mentioned there would be a cap of \$5,000 without going to the membership. Then at the annual

meeting ask for further approval. Brad reminded him right now he would have \$500 /\$3,000 from the fish stocking budget and then in August he can request more.

Rich requested a motion to spend the money earmarked for fish stocking to be used for the fish crib project with the possibility of requesting additional funds to meet the needs of the fish crib project at the annual August meeting – Norm seconded.

Rich mentioned info for the newsletters by March 15, 2022.

Not this Saturday but the next Saturday in the city of whitewater they are hosting a topic of dredging draw downs and dam removals at Starin Park 9am Saturday morning.

Wildlife Management- N/A

Safety-Larry N/A

Audit-N/A

Water Quality – N/A

Lakeshore management-N/A

2021-2022 Schedule-N/A

Old Business: N/A

New Business: N/A

Other Business –

Next meeting date-March 10, 2022

Adjournment- Rich motioned to adjourn Norm Seconded @ 8:21 PM – all in favor motion carried.

Respectfully submitted by -Donna Sherman- Clerk

OWN YOUR WAKE (handout) will be attached here.

Own Your Wake

The Greater Whitewater Lake Property Owners Association, combined with the Whitewater-Rice Lakes Management District is promoting this public campaign urging all boaters to be aware of the risks and problems caused by boat wakes and to take steps to reduce damaging wakes.

Your Rights	Your Responsibilities
Wake surfing and other wake producing activities should be enjoyed without wakes impacting others' safety, creating damaging wakes, or interfering with others' enjoyment	• Be responsible for <u>your</u> wake by observing and monitoring your boat wake - it travels farther and longer than you think
	• Stay in deep water in center of lake
	• Try to maintain a 300-foot operational distance from shore
	• Avoid making turns close to shore to reduce wake height
	• Trim and dump ballast when done surfing or wakeboarding
	• Avoid transition speeds - get boat on plane
• Be considerate of boaters and property owners	

of the lake.	<ul style="list-style-type: none"> - Keep sessions to reasonable length - Switch parts of lake between riders - Avoid repetitive passes in the same area - Give wide berth to swimmers and small boats; consider stopping surf session to allow them to pass without interference from your wakes - Avoid surfing near sensitive shore areas that may be impacted by large wakes - Use reasonable volume of music.
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GENERAL

Balancing competing uses of Whitewater Lake waters remains an ongoing challenge. The recent increased popularity in wake surfing and other water sports employing the use of “enhanced wakes” or “ballast boats” has given rise to concerns by lake survey respondents. The 2021 Whitewater and Rice Lake opinion survey identified concerns and issues associated with watercraft wakes and shoreline erosion. Please follow the suggested guidelines to avoid more serious measures.

Wisconsin law states that you are responsible for your safety, the safety of your passengers and crew, and all other users on the lake that your wakes impact. Be respectful of lake property owners! Know the Local and State Laws. You are responsible for your wake - on the water and the shoreline.

PROTECT YOUR RIGHTS! DO NOT LOSE THEM!

WI State Requirements: <https://docs.legis.wisconsin.gov/statutes/statutes/30/v/68>

30.68 Prohibited operation

(4) CREATING HAZARDOUS WAKE OR WASH.

(a) No person shall operate a motorboat so as to approach or pass another boat **in such a manner as to create a hazardous wake or wash.**

(b) An **operator of a motorboat is liable for any damage caused to the person or property of another by the wake or wash from such motorboat** unless the negligence of such other person was the primary cause of the damage.