

STATE OF WISCONSIN;

TOWN OF OAKLAND;

JEFFERSON COUNTY;

Ord. No. 2023-02

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**ORDINANCE REPEALING AND RECREATING ORDINANCE NO. 2 OF THE  
MUNICIPAL CODE OF THE TOWN OF OAKLAND**

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NOW, THEREFORE, the Board of Supervisors of the Town of Oakland, Jefferson County, Wisconsin, does hereby ordain as follows:

SECTION 1: Ordinance No. 2 is repealed in its entirety and recreated to read as follows:

2.0. Intent. The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource.

2.1. Applicability and Enforcement. This Ordinance shall apply to the waters of Lake Ripley within the jurisdiction of the Town of Oakland. This Ordinance may be enforced by the officers of the Water Safety Patrol or local enforcement officers in the Town of Oakland.

2.2. State Boating and Water Safety Laws Adopted. The regulations of Wis. Stat. §§ 30.50 to 30.71, except for any provision relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted by reference and made part of this Ordinance.

2.3. Definitions. The following terms have the meaning set forth below:

- A. "Boat" means every description of watercraft used or capable of being used as a means of transportation on water, except a seaplane on the water and a fishing raft.
- B. "DNR" means the Wisconsin Department of Natural Resources.

- C. "East/Milwaukee Bay Buoyed Restricted Area" (formerly referred to in Town Ordinances as "Buoyed Restricted Area A") means the surface waters in the Southeast corner of Lake Ripley lying southerly of the boundary line and depicted by white buoys 1–8 on the map in Section 2.18, the GPS coordinates of which are as follows:

White Buoy 1:	42.9964, -88.9857
White Buoy 2:	42.9965, -88.9852
White Buoy 3:	42.9966, -88.9844
White Buoy 4:	42.9967, -88.9837
White Buoy 5:	42.9969, -88.9831
White Buoy 6:	42.9969, -88.9824
White Buoy 7:	42.9970, -88.9817
White Buoy 8:	42.9972, -88.9809

- D. "Houseboat" means a motorboat on which a toilet or food preparation exists or on which persons are living, sleeping, or camping.
- E. "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.
- F. "Public Launching Area" means an area of land at which the general public may gain legal access to Lake Ripley by the process of launching a boat or motor vehicle access to ice-bound waters.
- G. "Slow-No-Wake Speed" means that speed at which a boat moves as slowly as possible while still maintaining steerage control.
- H. "South/Marina Bay Buoyed Restricted Area" (formerly referred to in Town Ordinances as "Buoyed Restricted Area C") means the surface waters in the south bay of Lake Ripley lying southerly of the boundary line and depicted by red buoys 1–6 on the map in Section 2.18, the GPS coordinates of which are as follows:

Red Buoy 1:	42.9959, -88.9961
Red Buoy 2:	42.9959, -88.9953
Red Buoy 3:	42.9959, -88.9945
Red Buoy 4:	42.9959, -88.9937
Red Buoy 5:	42.9958, -88.9930
Red Buoy 6:	42.9958, -88.9922

- I. "Swimming Raft" means a floating platform without railings, roof or walls that is adequately anchored to the bed of navigable waters and is designed for swimming, diving and related activities.
- J. "Swimming Zone" means an area marked by regulatory markers to permit swimming.

2.4. Speed Restrictions.

- A. No person shall operate a motorboat in a buoyed restricted area at a speed faster than slow-no-wake speed.
- B. No person shall operate a motorboat faster than slow-no-wake speed between 7:30 p.m. and 11:00 a.m. This provision shall not apply to boats participating in authorized events under Section 2.11.
- C. No person shall operate a motorboat within 200 feet of the shoreline of Lake Ripley at a speed in excess of slow-no-wake speed. The 200-foot limit is depicted by the yellow buoys 1–6 on the map in Section 2.18, the GPS coordinates of which are as follows:

Yellow Buoy 1:	42.9984, -88.9879
Yellow Buoy 2:	42.9986, -88.9982
Yellow Buoy 3:	43.0073, -88.9994
Yellow Buoy 4:	43.0062, -88.9908
Yellow Buoy 5:	43.0020, -88.9866
Yellow Buoy 6:	42.9996, -88.9828

- D. During periods of high water that cause conditions threatening the public health, safety, welfare, or property in the Town, the Town Chair, or its designee, may declare the entire surface area of Lake Ripley as a slow-no-wake zone. Such declaration is advised when water levels reach an elevation of 836.78 feet above mean sea level, which is 1.7 on the permanent gauge located at W9073 Ripley Road, or otherwise at the Town chair’s discretion. The emergency declaration shall remain in effect for such time as necessary, and shall be lifted by declaration of the Town Chair, or its designee, as soon as the threatening conditions cease to exist. The declarations under this Section shall be effective upon the posting at the public launching areas on Lake Ripley.

2.5. Wake Enhancement Prohibited: No person shall operate a motorboat in a manner that is designed to increase the size of the sustained wake trailing the motorboat through the use of ballast tanks, mechanical hydrofoils, or uneven loading.

Certain Operations Excluded: In no event shall any of the following operations be deemed a violation this Ordinance, provided such operations do not use or employ ballast tanks, water sacks or wake enhancing fins; i) water skiing, ii)tubing, iii) boarding employing a tow rope at all times, iv) transition operation to empty a boat of water, or v) operation of a boat to accelerating to a planing condition.

2.6. Water Skiing Hours. Except as provided in Wis. Stat. § 30.69(b), no person may engage in water skiing, aquaplane, or similar activity between 7:30 p.m. to 11:00 a.m. A person engaged in water skiing, aquaplaning, or similar activity shall wear a personal flotation device at all times.

2.7. Swimming Regulations.

- A. No person shall swim from an unmanned boat.
- B. No person shall swim more than 200 feet from the shoreline, except in a designated swimming zone or when accompanied by a competent person in a boat.
- C. No person shall swim more than 200 feet from the shoreline between sunset and sunrise.
- D. No person shall swim with a snorkel, except in a designated swimming zone or when complying with Wis. Stat. § 30.70.

2.8. Public Launching Area.

- A. Launch fees. Pursuant to Wis. Stat. § 30.77(3)(e), no person shall use a public boat launching area from May 1 through September 30 without paying the below launching and removal fee:

Daily permit fee: \$7.00

Yearly permit fees:

Town Property Owner or Resident	\$25.00
Age 65 or Older	\$20.00
Non-Resident	\$40.00
Replacement Permit	\$15.00

- B. Permit. Daily permits shall be displayed on the dashboard of the motor vehicle that launched the boat. Yearly permits shall be placed on the motor vehicle's rearview mirror. Permits shall be available at locations designated by the Town Board from time to time. Any person failing to display a valid permit shall pay a forfeiture in the amount of \$25.00.
- C. Power-Loading. No person shall use a boat's motor while loading or unloading a boat or raft from a trailer at a public launching area.
- D. Restrictions. No person shall use a public launching area to fish, swim, or loiter.

2.9. Houseboats. At any time between 12:00 midnight and sunrise, anchoring, drifting, or mooring of houseboats is prohibited, unless a houseboat is moored to shore with written permission of the property owner.

2.10. Swimming Rafts. No person shall place or maintain a swimming raft more than 150 feet from the shoreline. No person shall place or maintain a swimming raft within 150 feet of the shoreline, unless the swimming raft is anchored, painted white, has at least six inches of free board above the waterline, and a red reflector of three or more inches in diameter is attached to the swimming raft in an area that is at least 12 inches from each corner or projection of the swimming raft.

2.11. Races, Regattas, Sporting Events, or Exhibitions.

- A. Permit Required. No person shall direct or participate in any boat race, regatta, water ski meet, or other water sporting event or exhibition unless such event has been authorized by the Town Board.
- B. Town Board Approval. A permit issued under this Section shall specify the course or area of water to be used by participants for such event and the permitholder shall place markers, flags, or buoys designating such specified areas. Permits shall be issued upon the Town Board's review that the proposed use of the water can be carried out safely and without danger to, or substantial obstruction of, other boats or persons.
- C. Right-of-Way Participants. Boats and participants in any permitted event under this Section shall have the right-of-way on the marked area and no other person shall obstruct such area or interfere with the event.

2.12. Placement and Number of Buoys.

- A. No person shall place a buoy in Lake Ripley without prior approval from the Town Board.
- B. All buoys placed in the Lake Ripley shall conform to the DNR's Uniform Marking System.
- C. No person shall in any way interfere with posted buoys marking any areas.

2.13. Operation of Aircraft Prohibited. Pursuant Wis. Stat. § 30.78, no person shall operate an aircraft on, or from the surface of, Lake Ripley, except in cases of emergency or prior approval from the Town Board. Such permission shall not be given for commercial purposes, such as where a charge is made to provide passengers leisure or sightseeing rides.

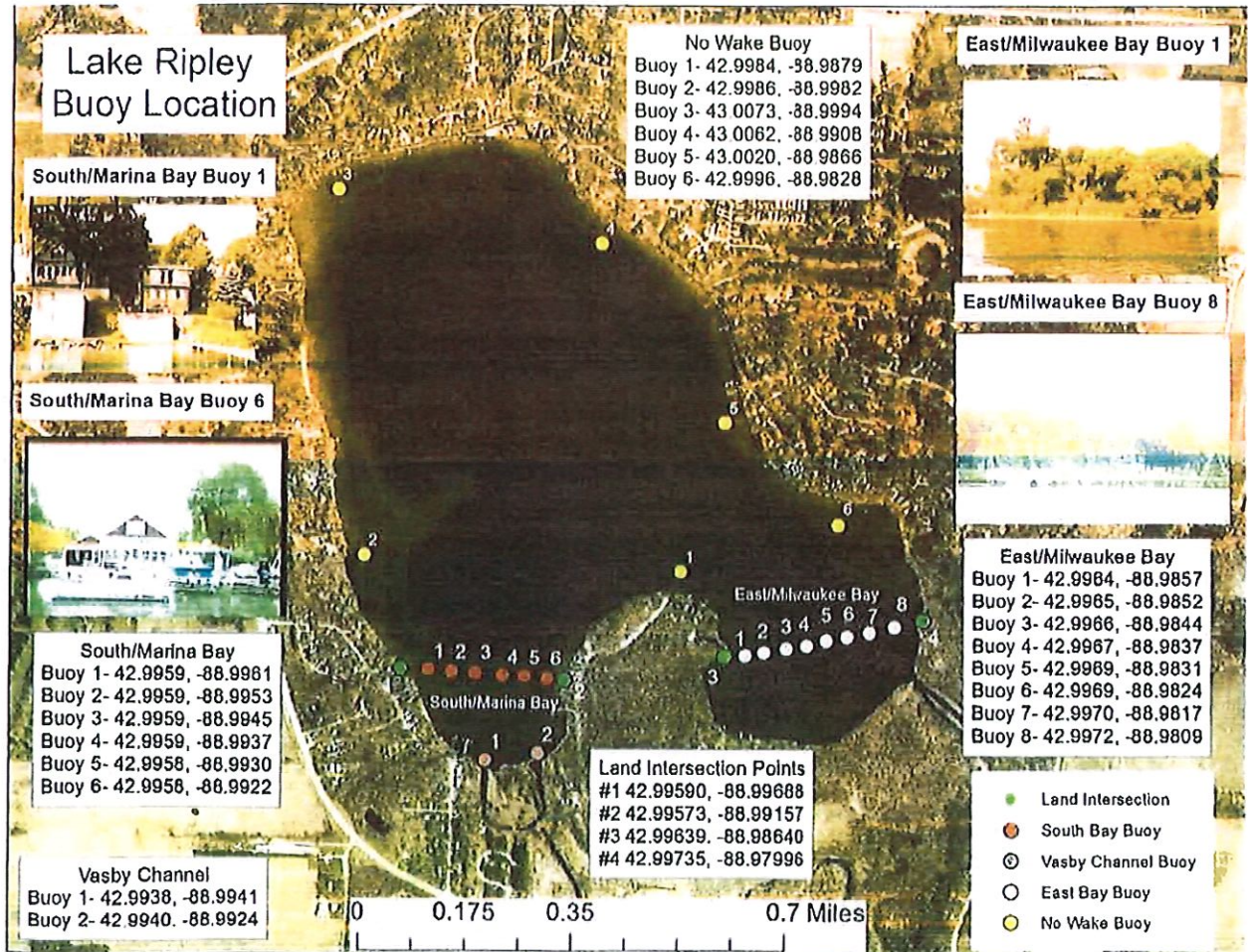
2.14. Littering Prohibited. No person shall deposit, place, or throw from shore, any boat, raft, pier, platform, or similar structure any cans, bottles, debris, refuse, garbage, solid or liquid waste, sewage, or effluent into the water of Lake Ripley or upon the ice when formed.

2.15. Penalties. Forfeitures for violations of any boating regulation set forth in the Wisconsin Statutes and adopted by reference in this Ordinance shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses. This Section shall not be construed to permit prosecution under this Ordinance for any offense described in Wis. Stat. §§ 30.50 to 30.71 for which an imprisonment penalty or fine is required to be imposed upon the defendant. In default of payment of the forfeiture and costs of prosecution, the defendant who is 18 years of age or older may, upon order of the court, be confined to the county jail until such forfeiture and costs are paid, but not to exceed 90 days.

2.16. Each Day Separate Violation. Each day that a violation of this Ordinance exists shall constitute a separate offense. The imposition of any penalty shall not exempt the offender from compliance with this Ordinance.

2.17. Money Deposits. Any officer arresting a person for violating this Ordinance who is unable to bring the person arrested before the Municipal Court or a Circuit Court without unnecessary delay shall permit such person to make a money deposit as provided in Wis. Stat. § 800.02. Such deposits shall be made to the Town of Oakland Police Department or other designated office.

2.18. Lake Ripley Buoy Map. The below Lake Ripley Buoy Map is incorporated by reference and made part of this Ordinance:



SECTION 2: If any portion of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected. All ordinances or parts of this Ordinance conflicting or contravening the provisions of this Ordinance are hereby repealed.

SECTION 3: Upon adoption, this Ordinance shall take effect 30 days after the Public Hearing was held on this Ordinance, and upon publication or posting.

TOWN BOARD, By:

Teddy F. Vratny  
Teddy F. Vratny, Town Chairman

Attest:

Susan Dascenzo  
Susan Dascenzo, Clerk/Treasurer

Vote: Aye: 3 No: 0

Published: April 2, 2024





# Condition Report for Lake Ripley

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## Introduction

Recreational equipment manufacturers continue to innovate and work to sustain market demand for fun and exciting water sports. Over time, we have seen the evolution of hull designs matched to the needs of sport fishermen, the development of large powerful motors that enable high speed water skiing and tubing, and the development of water-jet propulsion that spawned the popularity of personal-water craft.

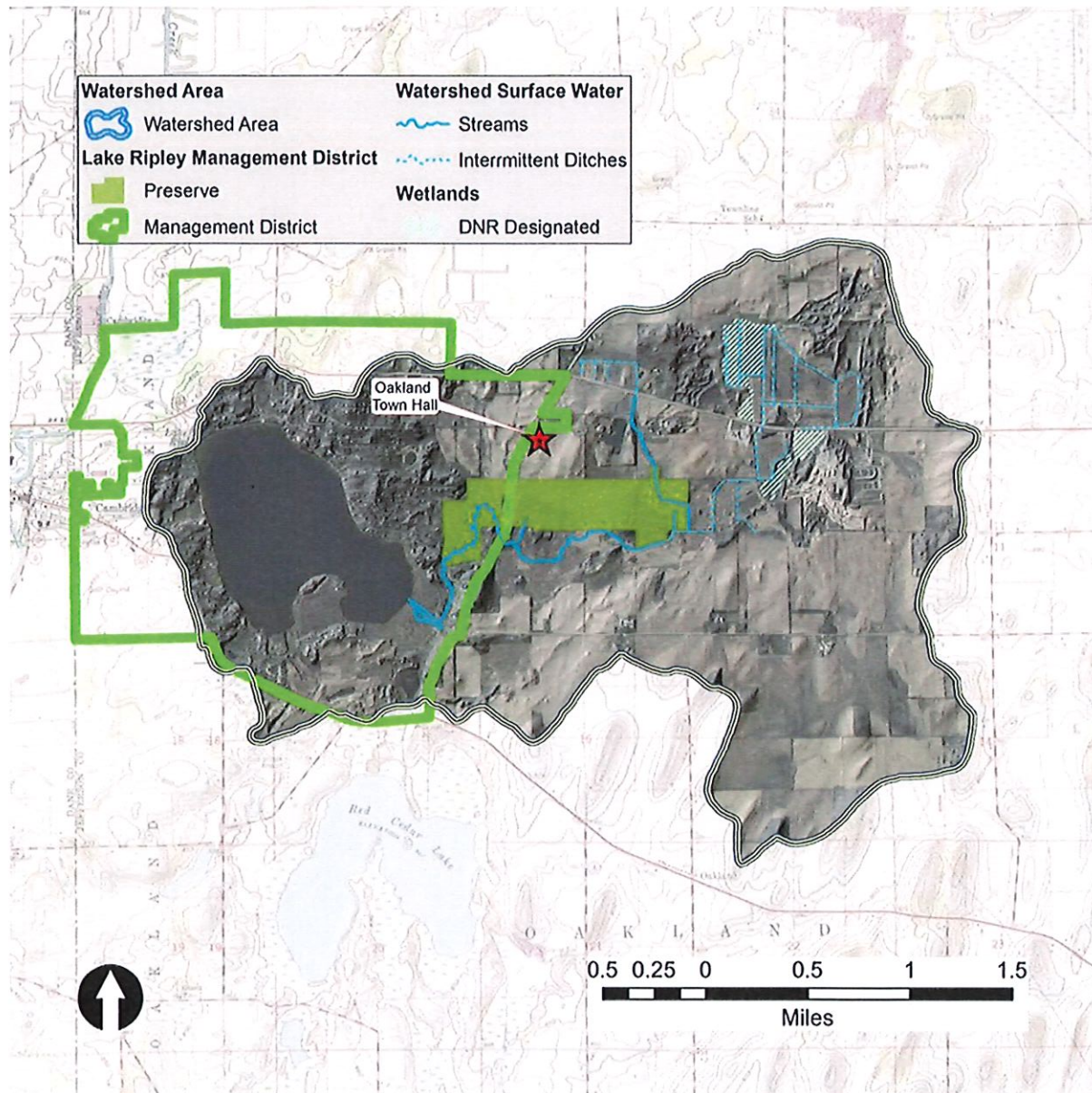
Today, we continue to see an increase of popularity in boats that generate large wakes on which board riders can be towed or surf. The National Marine Manufacturers Association (NMMA) estimated that thirteen thousand wake boats were sold in 2020, up 20% over the previous year (NMMA, 2021). With increasing popularity comes the drive to innovate, usually involving improvements or modifications in the boat’s design that create bigger wakes.

Residents owning lakeshore property and others who engage in recreational activities on Lake Ripley are increasingly concerned that the large wakes produced by “wake boats” impair the health, safety, and welfare of the general public and are calling for appropriate regulation. Residents of the Lake Ripley Management District have articulated such concerns to the District Board.

Since 1991, the Lake Ripley Management District has strived to protect and enhance Lake Ripley's water quality and overall ecological health, while maintaining public access and use of the lake that is safe, fair and practical.

## History

Lake Ripley is located in Township 6 North, Range 13 East, Sections 7-8, Town of Oakland, in western Jefferson County, Wisconsin. It is situated on the eastern edge of the Village of Cambridge (Dane County), and about 25 miles east of Madison. The Lake Ripley watershed covers just over seven square miles of the surrounding landscape within Sections 3 to 10 and 15 to 18. The mostly rural watershed includes the immediate lake area and extends 2.7 miles east of the lake. At its widest points, the watershed stretches four miles along its east-west axis, and three miles along its north-south axis.



Lake Ripley is a natural, glacial kettle lake that formed approximately 12,000 years ago during the retreat of the last ice age. About a seven-square-mile watershed delivers surface water to the lake,

predominantly as stream drainage. The lake, in turn, outflows to Koshkonong Creek and is part of the Lower Rock River and Upper Mississippi River Drainage Basins. Lake Ripley is classified as a drainage lake because it is fed by stream flow, groundwater, precipitation, and runoff and is drained by a stream. Drainage lakes tend to be high in nutrients compared to other lake types, and their water quality is largely determined by watershed conditions.

Lake Ripley is a nutrient-rich mesotrophic lake. Its healthy diverse native aquatic plant community supports a diverse community of fish and wildlife. The 11:1 ratio of the watershed size to lake-size makes Lake Ripley particularly vulnerable to excess nutrient and sediment loading from its watershed. Lakes with watershed-to-lake size ratios greater than 10:1 more often experience water quality problems when compared to lakes with smaller ratios. Artificially enhanced wakes cause the resuspension of sediments that then become a contributing factor to algae blooms.

Development of residences around the lake has created a landscape dominated by impervious surfaces, preventing groundwater recharge and contributing runoff to the lake. Development of agriculture, transforming prairies and wetlands into cropland, with ditches draining into the inlet stream, has increased the nutrient and sediment load the stream carries to the lake.

PHYSICAL AND HYDROLOGIC DESCRIPTORS	
Lake surface area	423.3 acres (main body); 1.7 acres (Vasby's ditch); 2.5 acres (dredged inlet channel)
Watershed area	4,688 acres (7.3 square miles)
Watershed-to-lake area ratio	11:1
Shoreline length	4.1 miles (main body); 0.57 mile (Vasby's ditch); 0.95 (dredged inlet)
Max. lake depth	44 ft.
Mean (average) depth	18 ft.
Lake volume	7,561 acre-feet <sup>(WDNR, 1970)</sup>
Water residence time	2.85 years (amount of time water resides in the lake before it is flushed out and replaced with new water)
Inlet stream	<ul style="list-style-type: none"> <li>• 4.25 miles (2.5 miles in 1907, prior to drainage ditching)</li> <li>• 8'-55' wide</li> </ul>
Outlet stream	20' wide
Ice-cover period	102 days (2014-2019 average)



As of August 2020, there were 179 piers and 323 boat lifts on Lake Ripley. The lake has one public landing, one private landing, one public pier, and one marina.

### Community Posture

Residents of the Town of Oakland are actively engaged in monitoring and protecting the water resources which they recognize as a critical resource to the community. Some residents participate in the DNR sponsored Citizen Lake Monitoring network. Citizens collect and submit various measurements about their lakes, generating data sets that support analysis and research, assessments, trending and alerting, etc. Citizens collect data such as water clarity readings, dissolved oxygen measurement, temperature measurements, lake-water chemistry analysis, aquatic and terrestrial plant monitoring, and water-level fluctuation measurement.

In 2019, the Lake Ripley Management District disseminated a survey to evaluate public perceptions and priorities about lake use, as well as attitudes about general resource conditions, problems, and possible management solutions. This survey found that the top four activities that were enjoyed by the largest number of residents within the Lake Ripley watershed and shoreline were 1) enjoying peaceful, tranquil moments, 2) observing wildlife, 3) slow boat rides, and 4) walking/biking around the lake. Loss of Bird/Fish Habitat was a “big time concern” by 64% of respondents. If one added “some concern” the number rose to 90%. Boat crowding was “somewhat” or “a great deal” of concern for 32% of respondents.

In 2021 the District published their 10-year Lake Management Plan. One of the actions listed under the District’s Fast Boating Goal was to work with the Town of Oakland to pass an ordinance restricting artificial wake enhancement on Lake Ripley.

At previous board meetings, residents have raised concerns about wake boats, specifically, and how the waves produced by these boats cause damage to the shoreline and lake bottom and create safety issues. During the February 2022 board meeting a resident of the Lake Ripley Management District talked at length about his concerns about a possible ordinance limiting artificial wake enhancement. Another person spoke about the same concerns, but this was a lake user, not a resident of the Lake Ripley Management District, but a resident of the Town of Oakland.

During the March 2022 board meeting three residents voiced their support for an ordinance that would limit artificial wake enhancement on Lake Ripley. There was more public comment during the April and May meetings urging the District to follow the scientific research.

On August 22, 2023, the Town of Oakland held a public hearing at the Town Hall to receive comments, objections, or suggestions concerning revisions of the current Town Ordinance #2 that relates to boating rules. **There were 70 people that attended, most of them residents.** DNR Warden Kuhn and Warden Brooks were present.

### Ordinances

The Town of Oakland has a long, established history of enacting local ordinances that are intended to sustain, preserve, and protect the water resources that are so important to local residents, property owners, and visitors of Lake Ripley.

The Town of Oakland has two ordinances that regulate the operators of watercraft that are more restrictive than regulations specified in Wisconsin Statute (S 30.50 to 30.71)

- Town Ordinance #2 adopted in 1990
  - Slow-no-wake restrictions extend to 200' of mainland shoreline
  - Motorboating and water-skiing is restricted to between 11:00 am and 7:30 pm
  - Power loading is restricted at all times
- Town Ordinance #3 adopted in 1996
  - Prohibits the use of watercraft being propelled by motors in the man-made channel area (Vasby's Channel) of Lake Ripley
- Town Ordinance #30 adopted in 1999
  - Prohibits burning yard waste within 25 feet of the Ordinary High Water Mark (OHWM), or within 25 feet of the bank of any drainage channel that continuously conveys surface water to the lake. This also applies to streets, curbsides and ditches in the Town of Oakland right-of-ways.
- Town Ordinance #42 adopted in 1995
  - Prohibits placement of piers, wharves, or rafts to be located, constructed, built, or maintained in any ecologically significant area.
- Town Ordinance #51 adopted in 2001
  - Prohibits any person from intentionally hand-feed or have a stationary feeding system for any species of goose, duck, or other waterfowl on the waters of lake Ripley or within the lake's shoreland zone (1,000 feet from the OHWM).
- Town Ordinance #55 adopted in 2006
  - Prohibits key-holing on Lake Ripley.

The District receives between one and five complaints per week during the summer boating months. Most of the complaints we receive are about "wake boats" and the wakes and associated damage these vessels cause, carrying capacity conflicts, and nuisance aquatic plant growth. We have also received emails asking for regulation around artificially enhanced wakes.

## Enforcement

The Town of Oakland has had a dedicated water patrol team since the 1980's that routinely monitors compliance with local regulations. The department has a small motorboat and a personal watercraft that they use to aid them in patrolling the lake. Typically, two officers are out on the water every Friday, Saturday, and Sunday, from the middle of May to the middle of September.

In 2021, 49 citations were issued. Out of the 49 citations, 18 were for violating the slow-no-wake ordinance. During the 2022 season, 36 citations were issued. Of which, 20 were for violating the slow-no-wake ordinance. Additionally, nine warnings were issued for the same ordinance. The Chief of the Town of Oakland stated that often boaters get pulled over for violating the slow-no-wake ordinance but receive citations for other vessel-related issues found during the stop.



## Discussion

It is our understanding that the current law states that boating restrictions must be done in a safe manner. Posted rules must be followed. State requirements for boat safety equipment, operational distances from other crafts, piers and shorelines must be followed. We have been told in the past to report any unsafe activities with boat ID to local authorities or the DNR Hotline. We feel that this directive is too subjective and hence an opinion of proper boating practices. We are attempting to avoid conflict by requesting this ordinance which provides a concrete directive: outlawing enhanced wake activity on Lake Ripley.

The Lake Ripley Management District Board has determined that artificially enhanced wakes cause environmental damage to lakes and lakeshore, including resuspension of sediment which adds nutrients to the water and possible increased algal blooms, nearshore turbidity, shoreline erosion, and threats to aquatic life and waterfowl. The board has also determined that boats with ballast systems increase the probability of aquatic invasive species, and that artificially enhanced wakes cause physical damage to riparian properties, including damage to shoreline, rip-rap, trees, natural buffers, docks and boat lifts. Artificially enhanced wakes cause dangerous conditions on shore and on docks as well as dangerous water conditions for swimmers, anglers and other watercraft, and the use of ballast causes a boat to be operated in an unsafe manner by causing the bow to rise and obscuring vision forward.

When you take subtract the area of Lake Ripley that is less than or equal to 15 feet, there is only 160 acres left to perform recreational activities. Lake Ripley has historically struggled with carrying capacity issues and user conflicts. The District does not believe that 160 acres is a large enough area to support artificial wakes without doing significant damage to the ecological health of the lake.

We are asking for permission from the Wisconsin DNR to create a local ordinance for Lake Ripley to prohibit the activity of operating a boat with the purpose and outcome of artificially enhancing a boat's wake. This can be done, as we understand, by using ballast bags, fins or rakes, as well as overloading a boat in the rear to operate in a bow high manner so the resulting wake is enhanced and creating a far larger wake than normal. We feel that Lake Ripley is too small for boats to be operated in this manner.

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## Citations

1. "US Boat Sales Reached 13-Year High in 2020", National Marine Manufacturers Association, January 6, 2021, <https://www.nmma.org/press/article/23527>.

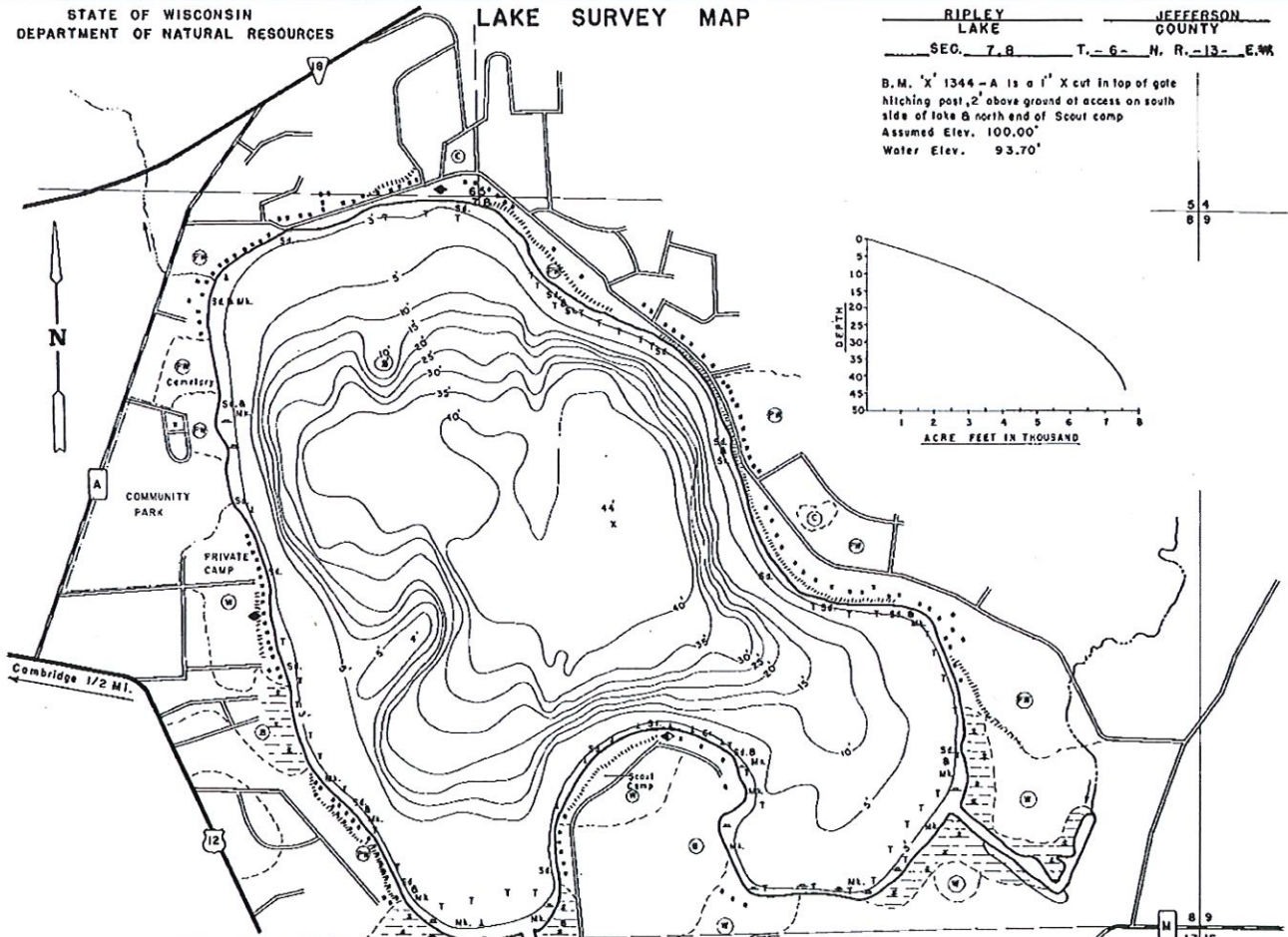
# Appendix 1. Lake Depth – Bathymetric Map of Lake Ripley

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

## LAKE SURVEY MAP

RIPLY LAKE  
JEFFERSON COUNTY  
SEC. 7, 8 T. 6 N. R. 13 E. W.

B.M. 'X' 1344 - A is a 1" X cut in top of gate hitching post, 2' above ground at access on south side of lake & north end of Scout camp  
Assumed Elev. 100.00'  
Water Elev. 93.70'



EQUIPMENT RECORDING SONAR MAPPED AUGUST 1970

- | TOPOGRAPHIC SYMBOLS   |                         | LAKE BOTTOM SYMBOLS |                           |
|-----------------------|-------------------------|---------------------|---------------------------|
| (P) Brush             | Steep slope             | P. Peat             | B. Boulders               |
| (PW) Partially wooded | Inferrible shoreline    | Mt. Muck            | Stumps & Snags            |
| (W) Wooded            | Marsh                   | C. Clay             | Rock damper to navigation |
| (C) Cleared           | Spring                  | M. Muck             | T. Submerged vegetation   |
| (F) Pastured          | Intermittent stream     | Sd. Sand            | J. Emergent vegetation    |
| (A) Agricultural      | Permanent inlet         | Sl. Silt            | Fl. Floating vegetation   |
| B.M. Bench Mark       | Permanent outlet        | G. Gravel           | Gr. Brush shelters        |
| (D) Dwelling          | Dm. Dam                 | R. Rubble           |                           |
| (R) Resort            | D.N.R. State owned land | Bc. Bedrock         |                           |
| (C) Camp              |                         |                     |                           |

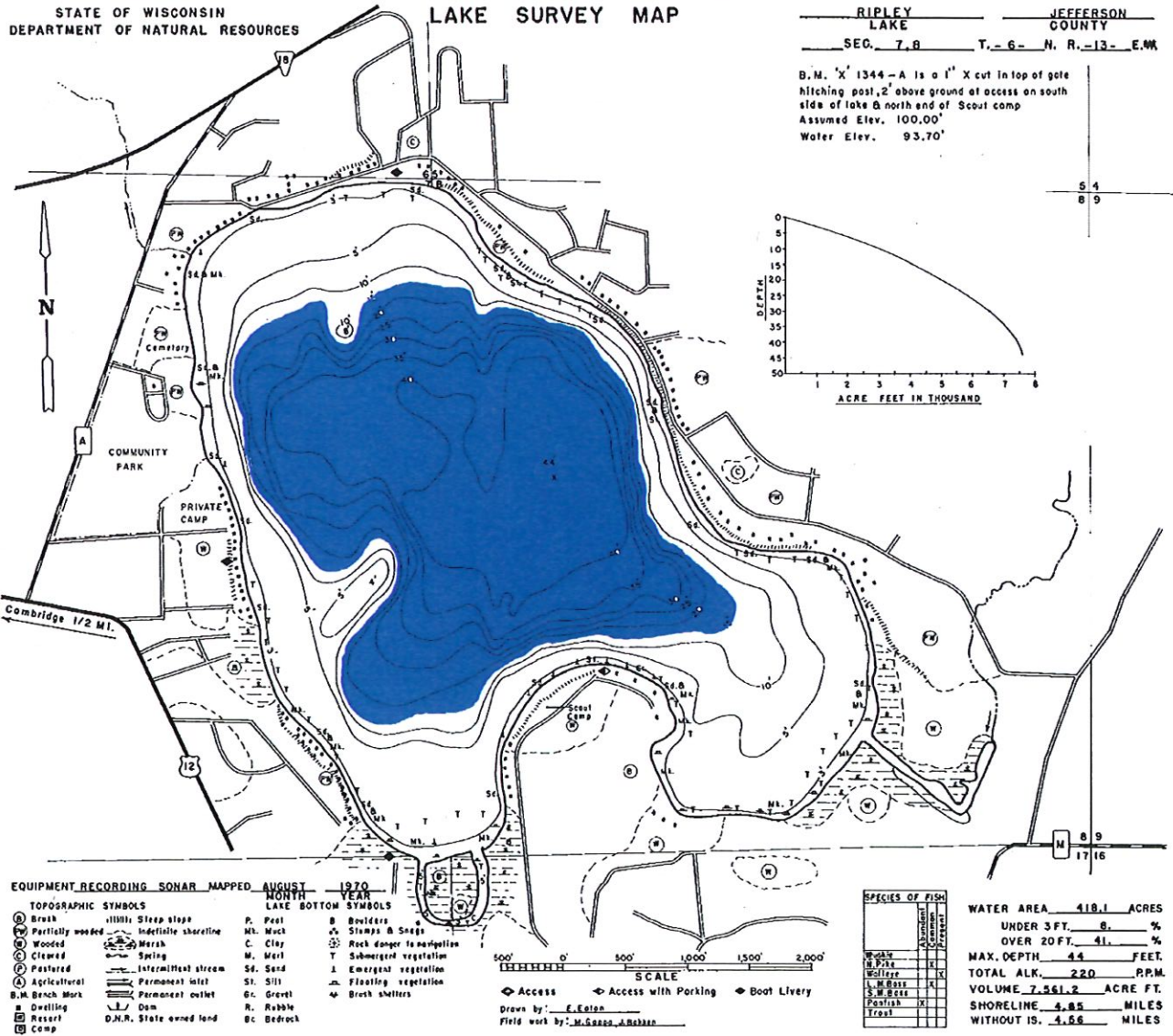
500' 0' 500' 1000' 1500' 2000'  
SCALE  
Access Access with Parking Boat Livery  
Drawn by: F. Eaton  
Field work by: M. Spoon & Rabke

SPECIES OF FISH	
Abundant	Present
Walleye	
Rock Bass	
White Sucker	
Yellow Perch	
Bluegill	
Smallmouth Bass	
Brook Trout	
Crayfish	

WATER AREA 418.1 ACRES  
UNDER 3 FT. 8. %  
OVER 20 FT. 41. %  
MAX. DEPTH 44 FEET.  
TOTAL ALK. 220 P.P.M.  
VOLUME 7,361.2 ACRE FT.  
SHORELINE 4.85 MILES  
WITHOUT IS. 4.56 MILES



Appendix 2. Lake Ripley Map Depicting Area of Lake Greater Than 15 feet Deep



### Appendix 3. Examples of comments, complaints, concerns from residents of Lake Ripley

- *“Good Morning - I hope this email finds you well. I am reaching out with concern about the wake that the newer model wake surf boats make. My fiancé and I were on the lake two weeks ago, it was a very beautiful day with not much wind, Lake Ripley was pretty flat. We were out in the middle of the lake with only 3-4 other boats on the lake. One of them was one of the boats that creates a large wave so that you can surf behind it. I'm sure they are also used for water skiing and tubing. But the rolling wave that this boat created was alarming to say the least. They had to have been at least 250 yds away when they went by, but the wake created by this boat was so large that even in my 20' pontoon, boat we were scared for our wellbeing. Had we been in a smaller fishing boat or a kayak, there is zero doubt in my mind that we would have capsized. It is my strong opinion that this lake is not big enough to support boats like that; and there are many kayakers and smaller watercraft consistently on the lake that should be worried if a boat like that is creating wake and waves that size. Having a 20' pontoon we won't have to worry about capsizing, but I promise you it has potential to capsize much smaller vessels. I wasn't sure if you had received reports like this in the past, but I thought it was important for me to report this in case there has been any other incidents like this. These are very unnatural waves that can create a very surprising situation. All of our belongings on the table of the 20' pontoon went flying off the table when this rogue wave came rolling through. My fiancé was quite scared to say this least and I can't imagine if smaller children would have been with us it would have been a very scary situation for them. I hope you take my email seriously when I say these boats create very dangerous scenarios, not to mention the waves pound against the docks along each shoreline. I can see a use for these boats on much larger bodies of water, but I don't feel Lake Ripley is the right size.”*
- *“On a summer afternoon in 2021, I was enjoying a boat ride on Lake Ripley in my pontoon. It was a beautiful, sunny day with very little breeze, and I decided to drift across the lake. I was having lunch with some friends when all at once several three-foot waves smashed into the side of the pontoon, and before any of us could react our lunch was knocked onto the floor! We were all shocked when we saw the rolling waves hit the boat. As we looked around the lake to see what was happening, we witnessed a wake boat with a surfboard riding its waves over in Milwaukee Bay. The wake that this boat was creating was so large that the surfer could stay behind the boat without a tow rope. Since that day, I've seen at least five wake boats on our lake creating these large-wave events. Wake boats are designed to create a large and specifically shaped wake through the use of ballast tanks and hull design. The larger waves from the wake boats result in accelerated erosion of the shorelines, creating a major negative impact on lakes. Erosion does occur naturally, but it is a slow process; wake boats accelerate erosion, affecting the natural erosion that accrues in all lakes. Just like in 1988 when Eurasian watermilfoil threatened Lake Ripley and led to the successful weed harvesting program, I truly hope that the Oakland Town Board and the Lake District can come up with a balanced ordinance for this type of boat. We must keep reminding ourselves that we're all in this together – we all want to protect our beautiful and serene Lake Ripley!”*
- *“Certainly, much had changed over the years. There has been a tremendous increase in boat traffic. The boats are larger with longer shafts and bigger propellers that cut plants and weeds in huge amounts. These large boats also produce sizeable wakes that push cut weeds to the shore. Summer winds are predominantly coming from the southwest. The winds push more cut weeds to the northeast bay of the lake. We rake up the weeds and dispose of them, but the amount is overwhelming. They rot quickly and erode the shoreline. It's difficult to even fish from our piers with the amount of surface and natural weeds.”*





April 27, 2024

Town of Oakland  
N4450 County Road A  
Cambridge WI 53523

Subject: Lake Ripley - Town of Oakland, Boating Ordinance Review

Dear Town of Oakland Officials:

Thank you for submitting a revised and updated version of the Town of Oakland / Lake Ripley Boating Ordinance.

Wisconsin Statute 30.77(3)(d) requires that local regulations pertaining to the equipment, use or operation of boats on inland lakes shall be subject to advisory review and shall be submitted to the Department of Natural Resources at least 60 days prior to final action. The purpose of the ordinance advisory review is to evaluate the proposed ordinance and identify any inconsistencies within chapter 30.77. The review also serves to provide consideration for all citizens potentially impacted by the proposed ordinance and to give an opinion or suggest changes to the ordinance to ensure the public's right to recreate on Wisconsin's waterways are not significantly or unnecessarily impacted.

On April 24<sup>th</sup>, 2023, you received acceptance of the proposed changes to your ordinance. After this date the Town of Oakland held additional public meetings, open for comment on this ordinance. The verbiage of section "2.5 Wake Enhancement Prohibited" has since changed and been altered prior to final adoption of the ordinance. It has been determined that the final verbiage passed did not affect the intent, meaning or purpose of the ordinance in any way that would change the departments position from version approved on April 24<sup>th</sup>, 2023.

In your Condition Report, you have met the standard identified in ss 30.77 (3)(a) by providing justification for the increased local regulation on boating activities on the waters of Lake Ripley. The Condition Report has served to identify both a Public Safety and a Natural Resources concern on the waters of Lake Ripley.

Upon review of the attached ordinance, we find it to be consistent with ss. 30.50 to 30.71 of the Wisconsin Statutes and the Department rules adopted to implement those sections.

As outlined in s. 30.77 (4), Wis. Stats., no ordinance is valid until it is prominently posted at all access points within your jurisdiction and until a signed copy is received by this office including proof of publication.

The posting requirements of NR 5.15, Wis. Adm. Code are below:

*"Posting requirements. The posting requirements for local authorities under s. 30.77 (4), Stats., shall be a sign with a minimum of 3 inch lettering stating "Local Ordinance" posted at each public landing. The sign shall list, in letters with a minimum height of one inch, a summary, synopsis, or outline of those regulations more restrictive than state law, or shall contain a map made of a durable material showing those areas with local restrictions, or both, including but not limited to speed limits, water ski hours and personal watercraft restrictions, if any."*

Please contact me at (608)235-5885, should you have any questions regarding this review.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Webster". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nick Webster, Recreation Warden  
Wisconsin Department of Natural Resources  
Division of Public Safety and Resource Protection