

Clear Lake residents spar

By Jeff Brown
Reporter staff

Residents who live on Clear Lake appeared before the Milton town board at its monthly meeting on July 8 and urged the board to keep an emergency slow/no-wake order in place on the lake to ensure boater safety.

"There are safety concerns out on that lake that need to be discussed," said Todd Carter. "It's this town board that needs to set any kind of rules for that lake."

Clear Lake is the largest lake in Rock County, which makes it popular with area boaters. However, the lake's surface only covers 82 acres, and on most summer weekends it's crowded with fisherman, pontoon boats, kayaks, canoes, swimmers, and runabouts towing skiers and tubers.

Town chairman Bryan Meyer said state law authorizes towns to impose slow/no-wake orders only to address shoreline erosion, and not to enforce boating regulations. "I have no intentions of using the slow/no-wake ordinance to address boater safety. Slow/no-wake is intended to protect jeopardized shoreline during emergency situations."

Meyer said the town addressed boater safety on the lake in 2004 by passing an ordinance prohibiting the use of personal watercraft on the lake on weekends and holidays, a move that came after a nine-year old girl who was tubing on the lake was killed in a collision with a jet ski.

Carter said the board should do more and regulate the operation of boats on the lake, not just personal watercraft. "There needs to be something done so we don't have another incident."

The town board imposed an emer-

gency slow/no-wake order on the lake after historic flooding in the spring of 2008 dramatically raised the water level on the lake. Clear Lake is spring-fed, which means that extra water in the lake comes down after flooding only as fast as the surrounding earth can absorb it. When that earth is saturated by flooding, it can take a long time for the water level to come down.

The emergency slow/no-wake order remained in effect until last month, when the board voted to lift the order at its monthly meeting on the recommendation of the town's police chief, Tom Kunkel, who said he had been out to the lake and saw boats making wakes with no discernible damage to the shoreline. A representative with the state Department of Natural Resources also pressured the board to lift the order, saying the high-water emergency had passed sometime in 2010.

Then, two weeks ago, town chairman Bryan Meyer reinstated the slow/no-wake order after fielding calls from several residents along the lake who said the water had risen significantly after a series of thunderstorms dumped nearly seven inches of rain on the Milton area between June 21 and June 26.

Carter was not alone. Three other residents echoed his concerns about boater safety, and one said she has had to pull her children out of the water when swimming or kayaking because of boat traffic on the lake.

Richard Hymen said that in the five years the emergency slow/no-wake order was in place, wildlife returned to the lake. "I've lived out on the lake since 1976. This is the first year I've seen five white pelicans out on the lake." Hymen also said it was unlikely the lake level would drop any time soon. "There's so much

over slow/no-wake

pressure on the aquifer now, it's not going to go down."

Meyer said he had learned the lake level might not be as high as some residents led to him to believe when they called him and asked him to re-instate the emergency slow/no-wake order after the heavy rains last month. "Learning that may have been exaggerated really disturbs me."

Other residents who live along the lake and attended the meeting disagreed with Carter.

Tom Glassy said the lake was an important recreational asset. "In Wisconsin we only get a few days each summer to enjoy boating. It's the largest lake in Rock County, and it's probably the only lake in Rock County that does have full boating service." Jill Trebandy, who learned to water ski on the lake when she was a girl, said all lakes with boat traffic have safety issues. "Wherever you have water there's going to be an issue of safety."

Other residents in favor of lifting the slow/no-wake order disputed Hymen's contention that boat traffic has kept wildlife away, and said that after the board lifted the emergency slow/no-wake last month they saw a bald eagle at the lake.

Kunkel wondered why buoys, purchased by Blackhawk Campgrounds years ago, weren't in the water to demarcate the permanent 100-foot wide no-wake zone stretching out from the shoreline that state law mandates on all lakes in Wisconsin. Glassy said some of the buoys were behind his garage; other residents said some of the buoys had ended up on their property.

Kunkel said the putting the buoys back in would help keep the lake safe once the emergency slow/no-wake order was lifted. "Well, why aren't

they in the water?" said Kunkel, his voice rising. "You guys, you gotta do your share here too. You want the town to do everything."

Residents on both sides of the issue told Kunkel they would help put the buoys out on the lake. Kunkel said the DNR has written model ordinances that allow towns to impose slow/no-wake orders to address boater safety issues under certain conditions, such as during hours of peak boating, and offered to meet with residents on both sides of the issue to attempt to craft an ordinance to address boater safety and submit it to the DNR for approval.

Residents agreed to sit down with Kunkel, but hard feelings might make it hard to reach consensus. Ann Roe, co-president of the Clear Lake Improvement Association, told the board she met with slow/no-wake advocates last summer and got nowhere. "They were uninterested in any sort of compromise; they simply wanted no-wake now and forever."

Adversarial attitudes present an additional obstacle. After Meyer said he would inspect the shoreline of Clear Lake next week to assess the water level and any shoreline erosion and make a decision on lifting the slow/no-wake order Joyce Szymberski, who supports lifting the slow/no-wake order, grilled him on the criteria he would use in making his determination and quarreled with him over the relationship between lake levels and shoreline erosion.

"The erosion is different than the water level," said Szymberski. "I certainly will take input, but I'm not going to use opinions," said Meyer. "Is there going to be science with that?" asked Szymberski, talking over Meyer. "I'm going to base it on the water level, not safety," said Meyer.