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Testimony of Rep. Walter Riseman introducing
**LD 693, An Act to Protect Inland Water Quality, Shorelines, Wildlife and
Public Safety by Prohibiting Operation of a Wake Boat to Create an
Enhanced Wake Close to Shore or in Shallow Water**
Before the Inland Fisheries and Wildlife Committee

Senator LaFountain, Representative Landry and distinguished members of the Inland Fisheries and Wildlife Committee, my name is Walter Riseman and I proudly represent House District 83 which consist of the towns of Harrison, Bridgton and Denmark in the Maine House of Representatives. In these three towns, there are twenty-two lakes and ponds and we are in an area known as the “Lake Region”.

Today, I present LD 693, An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water for your consideration.

I bring this bill before you today to help ensure that our lakes remain pristine and beautiful for years to come and to maintain the long tradition of allowing a wide variety of users to share these communal and publicly owned spaces. Maine’s lakes and ponds are used by all types of people, they are the economic drivers in many communities, and they are home to some of the most iconic wildlife in the state. No one user group should dominate a lake or pond at the expense of others and we need to make sure that new activities on our lakes do not have lasting environmental or ecological impacts.

Wake surfing is a newer sport in which a powerful boat – usually 300 horsepower or more - intentionally creates a very large wake for riders to surf on behind the boat. Once the rider is pulled up on the wake, they no longer need a rope and can surf behind the boat for as long as they can stay up. This type of activity requires specialized boats that can create uniform wakes that can be 3 feet tall or larger. To create these large wakes, the boat plows through the water (meaning the boat’s bow sticks up) at low speeds. Most of these boats have multiple ballast tanks that can be quickly filled with thousands of pounds of lake water to displace more volume and thus make a larger wake. Many also have devices called “wake plates”, which stick out from the boat to increase the size of the wake.

While it requires specialized and expensive boats, the sport of wake surfing is rapidly growing in Maine and has had some unintended consequences. The large wakes these boats create take a much longer distance to dissipate in size than the wake from traditional motor boats operating on plane. Because of this, this sport can impact other users on the water, causing shoreline erosion, and lower water clarity by stirring up bottom sediments, and harm wildlife - like loons and ducks who nest near the shore.

The good news is these impacts can be drastically reduced by simply wake surfing farther away from shore and in deeper water. The proposed 500-foot setback for this sport is based on a sound, peer reviewed, and unbiased study by experts in the field of hydrodynamics. This study was not funded by a person, a particular lake group, or the industry. It was performed by the University of Minnesota Saint Anthony Water Research lab.

The 20-foot depth restriction is intended to prevent bottom sediments from being re-suspended back into the water column from these powerful boats, whose propellers are angled downward toward the lake bottom. Lakebottom sediments are full of the nutrient phosphorus. This is the nutrient that controls the amount of algae in our lakes. The Maine DEP as well as most towns across the state have programs and regulations to strictly limit phosphorus from being introduced into our lakes. We don't need more phosphorus or more algae in our lakes. Further, according to trade publications put out by the wake surf and boating industries, wake surfing in shallow water provides a poor experience for the surfer and can damage these expensive boats.

We cannot and should not let one new specialized sport change the nature of Maine's lakes for everyone else, including canoeist, kayakers, anglers, paddle boarders, swimmers, lake front property owners, and our wildlife.

This bill is not seeking to stop this new sport from occurring in Maine waters, it is simply trying to reduce the negative impacts of wake surfing by creating reasonable restrictions on where this activity can occur.

I would also like to make some modifications in this bill. The first modification that is included in my testimony will clarify that this regulation only applies to boats trying to make their wake larger and does not apply to boats equipped with devices like boat trim tabs which are intended to reduce the size of wakes. Finally, I have heard that some summer youth camps are concerned about this proposed regulation and I would recommend the committee to form a stakeholder group on this particular issue so that we can come to a compromise solution and develop a report back in time for the work session.

Language modifications: Wake enhancement equipment:

27-B. Wake-enhancing equipment. "Wake-enhancing equipment" means ballast tanks, ballast bags, compartments, containers or similar devices or mechanical systems
Designed to increase the height or size ~~alter or enhance the characteristics~~ of a boat's wake.