



OF MOSQUITOS AND KILLER BEES

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There have been many headaches for lakefront property owners in Michigan over the years, particularly with regard to the latest watercraft “toy”. During the 1960’s and 1970’s, the main safety problem on inland lakes was speed boats (with or without water skiers) operated in a fast or unsafe fashion. During the 1980’s, the proliferation of jet skis or personal watercraft struck many riparians as a nuisance and safety hazard. Today, riparians are becoming increasingly concerned about the popularity of “wave boats” (also sometimes referred to as bladder boats, wave runner boats or wakeboard boats). Unfortunately, the impact of wave boats on Michigan inland lakes appears to be dramatically worse than the negative consequences of personal watercraft and conventional speed boats. As one law enforcement officer put it, personal watercraft are mosquitos and problem speed boats are bumble bees, while wave boats are African killer bees!

What is a wave boat? It is a watercraft of speed boat size (or slightly larger in some cases) that uses mechanical means to fill its reservoirs (sometimes called “bladders”) with water or other liquid to increase the boat’s weight and mass, and to raise or lower the boat in the water. Depending upon how a wave boat is operated, it can throw a tremendous wake and create huge artificial waves. In fact, such boats are actually designed and intended to throw huge waves. That is part of the fun associated with these watercraft – they create waves that can be “surfed” by water skiers or wake boarders.

There are three major concerns regarding the use of wave boats in inland lakes. First, on many lakes, they have had severe negative environmental impacts. If one of the purposes of a wave boat is to create huge waves, that goal has proven all too successful! On some lakes, wave boats have caused considerable erosion along the shoreline and banks of the lake. Many riparian landowners have had to install new seawalls, rocks and other shoreline protection devices to guard against the huge waves and wakes intentionally generated by wave boats. Some riparians have even had to install larger seawalls to guard against increased erosion as their existing seawalls are not adequate. Wave boats also keep the water “churned up,” particularly in shallower areas, thus disturbing plant life, fish, aquatic insects and other natural lake organisms.

The second negative impact of wave boats is property destruction (beyond the negative impacts of erosion). Riparians throughout the state have reported instances of moored boats being swamped, boat tether lines snapping, adjoining anchored boats being slammed into each other and similar property destruction caused by the huge waves generated by wave boats.

The third and final problem associated with wave boats involves safety. There have been reports throughout Michigan of people

being thrown off swim rafts and even other boats due to the waves generated by a wave boat passing too close. The risk for bodily injury and even death to others associated with wave boats passing too close to (or even running into) other boats, swim rafts, fishing boats, or swimmers is obvious.

Can anything be done to solve the problems associated with wave boats? Many believe that wave boats should only be operated on the Great Lakes (and at some distance from the shore) or in very large inland lakes far away from the shore. However, there is no statute in Michigan that regulates or treats wave boats differently than conventional speed boats or pontoons. For decades, it has been the general policy of the State of Michigan not to “discriminate” against any particular type of boat or watercraft. A cynic might say that state officials believe that any type of substantial regulation of watercraft (including even potentially dangerous watercraft) would adversely impact tourism.

It is likely that the most practical way of minimizing the adverse impacts of wave boats is to vigorously enforce state boating laws. For example, any type of motor or power boat operated at greater than a slow or no-wake speed must remain at least 100 feet away from the shore, a dock or swim raft, a marked swim area, a swimmer or an anchored vessel. Both careless and reckless uses of a watercraft are illegal. Water skiers and wakeboard users must also generally remain at least 100 feet away from any dock, swimming area or an anchored vessel. If such regulations are vigorously enforced, it could minimize the dangerous aspects of wave boats and even lessen shoreline erosion, but not completely solve the problem.

In addition, associations for lakes with heavy power boat usage (including potentially wave boats) should consider “purchasing” extra sheriff marine safety patrol hours. That is a fairly common practice for many populated lakes throughout Michigan. The physical presence of law enforcement officials on a given lake normally does have a big impact upon boating speed and safety.

Some owners of wave boats argue that it is not fair to “profile” or “discriminate against” a particular type of watercraft. However, it cannot be denied that the impacts of wave boats on inland lakes in Michigan (particularly smaller lakes) can be much more severe than conventional speed boats. Few would argue that it would be appropriate to use a huge cabin cruiser or a “cigar” power boat in a small inland lake. Highly specialized race cars of the type used at the Indianapolis 500 or the Daytona 500 races could be driven on the streets of a residential subdivision, but that certainly would not be safe or reasonable! The problems associated with wave boats are different from other watercraft, not only in kind but also in magnitude and intensity. ●●●