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*A Newsletter for People
Interested in Wisconsin's
Inland Lakes*



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IN THE WAKE OF A LOON

Since the last issue, a number of staff members have played professional musical chairs. Ron Hennings, our hydrogeologist (ground water), has seeped down two floors to the Wisconsin Geological and Natural History Survey. While Ron is still part of Extension and will be working with us frequently, he will no longer have direct responsibility in the lake program.

George Gibson has assumed Ron's position. George has a Ph.D in resource development from Michigan State University. He has extensive experience in water quality sampling and testing at Michigan State as well as at the University of Maryland. In Michigan, George was actively involved with lake associations and is currently publishing a riparian's manual. He has already assumed the authorship of Eco Notes.

I remain with the lake program, but have, in addition, accepted the Chair of the Environmental

Resources Unit in University of Wisconsin Extension. In cooperation with other units, we provide information on:

- Environmental Appreciation
- Coastal Management
- Citizen Participation and Action
- Drinking Water
- Energy
- Inland Lakes
- Sea Grant
- Soils

Because of these new responsibilities, I must be as efficient as possible with my time -- in and out of the office. If you would like me to participate in a meeting, please give me a call early so I can arrange several meetings in the same vicinity.

George and I look forward to working with you and the Office of Inland Lake Renewal in DNR. We hope to continue the traditions of service and informality that have characterized our relationship in the past.

Sincerely,

Lowell L. Klessig
Lake Management Specialist

AUTUMN LEAVES AND LAKE MANAGEMENT

Autumn is the season of crisp air, geese and ducks on the wing, brisk walks to enjoy the fall colors -- and leaf raking. Depending upon ones attitude, this annual chore may be either a source of pleasure or an absolute nuisance. In either case, for lake residents it is also an opportunity for individuals to participate directly in water quality management.

Many lake residents are already aware of the fact that reduction of the amount of phosphorus entering their lake is a major objective of water quality improvement. But not many realize that each falling leaf contains about 0.2 percent phosphorus by weight. When these leaves decompose, they release that phosphorus to the lake (directly in the case of shoreside trees, and indirectly through runoff and storm drains in the case of trees located further back from the lake). This source of phosphorus then joins the many others such as lawn fertilizer, detergents, agricultural runoff from fields and barnyards, and septic tank or sewer drainage to contribute to the nutrient enrichment of the lake and subsequent weed or algae problems.

The amount of phosphorus tree leaves may contribute to any given lake is, of course, variable.

But an average estimate of autumn leaf fall per tree is about 75 pounds of leaves. If approximately 0.2 percent of this is phosphorus, the average deciduous tree sheds 0.15 pounds of phosphorus each fall. If an individual lake lot has three trees, the potential contribution from that lot is about half a pound of phosphorus. This is, of course, only a rough estimate of tree cover, but it suggests that a 100 lot lake community in which everyone carefully rakes and disposes of his leaves, could divert about 50 pounds of phosphorus which might otherwise enter the lake.

Each lake property owner, by carefully performing his fall leaf raking chores, can directly contribute to good lake management. The leaves should be raked up and either bagged for municipal collection, or else composted on the off-lake side of the property. The composted leaves may later be used as garden or flower bed conditioner. If the leaves are composted near the lake, the leaf raking effort will be wasted when the spring rains come.

Similarly, burning the leaves at the side of the road (which eventually drains to the lake) or near the shore on ones property will not only allow the phosphorus to enter the lake, but may result in a more concentrated effect through the ash residue. Also, pleasant as the smell of burning leaves may be, no matter where they are burned, the problem of

air pollution and air-borne phosphorus entering the lake remains.

Though leaf burning should be avoided, there is an option to raking and composting. While not as effective, mulching the fallen leaves into the lawn with a power mower may be preferred by residents who need to avoid too much strenuous activity. For the landowner who feels compelled to fertilize his lake-front lawn, leaf mulching should be considered as at least a partial substitute for commercial fertilizer.

Overall, however, in the interest of protecting water quality, the conscientious lake resident should refrain from applying fertilizers to his downslope lawn, and should rake fallen leaves to the back of his property away from the lake for removal or composting.

Additional information sources regarding this subject are:

Report of the Dane County Advisory Council for Lake Quality Improvement, a Framework for Lake Management, 1975. Dane County Extension Office, Room 114 City-County Building, Madison, WI

Planning and Management Guidelines for Inland Lake Property Owners. N.D. Inland Lake Management Unit, Michigan Department of Natural Resources, Stevens T. Mason Building, Lansing, Michigan

THE TRIAL OF LAKE TAHKODAH

Mary Quilling, Summer Resident

Lake Tahkodah is a small, almost pristine lake near Mt. Telemark, and at the edge of the Chequamegon National Forest. Two years in the making, the Tahkodah Lake District finally came into being on July 25, 1977 when the Circuit Court concluded:

The Ordinance creating the Lake Tahkodah District is found to be a valid exercise of the authority of the County Board, properly acting in its capacity and in accord with Statutes. The Statutes are determined to be constitutional.

The history of the organization of our lake is checkered with emotional moments and controversy. The initial meeting in July, 1975, at which we hoped to start a voluntary association was so well attended that the crowd couldn't fit on the porch. Evidently the need to organize was strongly felt, and the time spent personally contacting everyone around the lake paid off in near-perfect attendance and enthusiasm. The committee chosen that night to propose a specific organizational form "discovered" the lake district option and invited Lowell Klessig to the next session, a month later. Also well-attended, this 5-hour meeting resulted in a decision to petition the Bayfield County Board for formation of a district.

On October 22, 1975 a petition was filed containing signatures of approximately 80% of the property owners. On a cold and damp Friday night, the county board committee held the hearing in the Cable Community Center. It was November 14th and the summer people had left for the season, except for some who drove back to testify for creation of the lake management district. Two property owners and an attorney came to testify in

opposition and raise numerous technical objections. The County Board declined to form the district because it was uncertain that the procedure could withstand a legal challenge.

Nonetheless, we found hope in the Board's finding that the district was necessary, and in their encouragement to try again, correcting the problems, some of which were resolved in the 1976 amendments to Chapter 33, the lake management law. We decided to proceed. But we wondered whether we could sustain our own momentum and motivate the residents to sign another petition. Did we really need a lake district enough to put out the extra effort necessary to overcome the well-funded opposition? Could we ultimately win? Here there was disagreement, with the optimists having faith that the political system would work right, and the pessimists doubting that a somewhat naive, dispersed group of "little people" would have their way. There were moments when we were all discouraged and frustrated.

Since we had been challenged, we knew that perfection was necessary and we made the decision to retain our own attorney. We sought and received advice from many quarters, and accepted most of it. Officials from national, state, county and local offices took time to listen to our story and respond to our requests. Though they were simply doing their job, their responsiveness felt like support.

As the second petition drive neared its end, a second effort of long distance phone calls, 100-mile round trips, and hour-long personal visits was mounted to collect the missing signatures. About 60 people crowded into the Drummond Town Hall in July, 1976 for the second public hearing. The proponents far outnumbered the opponents. It was a moving evening, with people in attendance who had never been to a

hearing, had never before spoken in public, who rearranged their factory shift to come, who were terminally ill. Our lawyer was a surprise to the opposition, who came prepared not only with a lawyer, but also with an engineer who testified that the watershed was incorrect. The meeting was conducted more like a trial than a hearing.

This time the County Board found favor with our procedure, but because of the watershed testimony, removed some land from the District. On August 3, 1976, the District was created. About a month later, the opposition appealed with a petition for judicial review of the County's resolution and a ten-month legal process was initiated. While not directly involved in the legal case, the District followed it closely, relying particularly on county supervisors for information about the proceedings and for assistance in moving them along. In this period, the hearing testimony was transcribed, depositions were gathered, three court hearings were held, and each side developed its argument. In the end, the political and judicial system worked, almost in textbook-like fashion. As organizers of the district, we were immensely gratified; children around the lake sang ditties about winning; and my friends in Massachusetts, where I live, observed that the outcome could well have been different in a state other than Wisconsin.

Editor's Note: In the Lake Tahkodah case, the court also concluded "that only persons who are residents of the State may be designated as commissioners of the inland lake protection district. This ruling is binding in the territory of the Circuit Court in which it was made. (Ashland, Bayfield, Iron, Price and Taylor Counties)

COMMISSIONERS' CORNER - INSURANCE

Insurance has been the most perplexing problem that has faced many lake districts in 1977. We did some background research in winter and found most units of government were having difficulty obtaining adequate coverage at reasonable rates. No firm was writing policies for lake districts. Ted Priebe, Assistant Attorney General, discussed the problem at our workshops in March. He offered suggestions on minimizing exposure such as requiring contractors to provide the insurance, but the general question could not be answered satisfactorily. We were still left with: "How can a district be sure that the personal assets of its commissioners are protected?"

There have been two significant developments in recent weeks to help answer that question:

1. Assembly Bill 377 has passed both Houses of the Legislature and is expected to be signed by the Governor. It allows the Commissioner of Insurance to establish an insurance pool for municipal liability insurance. If your district believes such a pool is necessary, you may want to write Louis Hannes, Office of the Commissioner of Insurance, 7th Floor, 123 West Washington Avenue, Madison.
2. The Laub Group, Box 1084, Wausau, WI 54401 (Bob Borland - 715/842-2043), which has been writing policies for

town boards, sanitary districts and other small rural units, has begun writing insurance packages for lake districts. If we learn of other agencies writing policies for lake districts, we will provide information regarding their services.

RUMBLINGS IN THE ROTUNDA

The Legislature has concluded its September session. Two bills amending Chapter 33 were acted on. Assembly Bill 537 makes a single change: town boards creating lake districts must go through the same process as county boards are now required to do. Landowners would petition and the town board would send notice and hold a hearing before a decision would be made. Assembly Bill 537 has been passed by both houses and is waiting for the Governor's signature.

Assembly Bill 754 has passed the Assembly and will be acted on by the Senate early next year. It clarifies the financing powers of districts and gives jurisdiction in multi-county districts to the county with the largest portion, by property valuation, in the (proposed) district. See July issue of Lake Tides for more details.