



# LAKE TIDES

Spring 1989  
Vol. 14, No. 2

## Community Focus

### Apple River Flowage

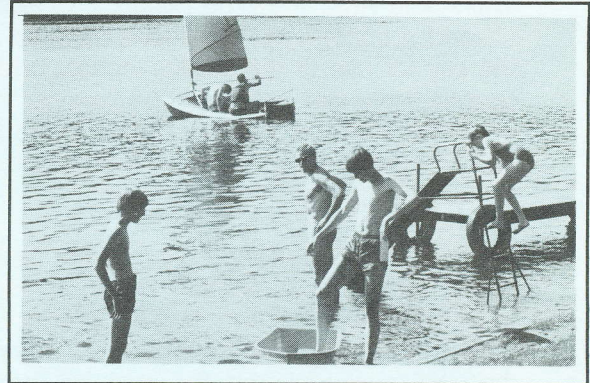
by Lloyd Christenson

Amery is located in northwestern Wisconsin about 40 miles northeast of Minneapolis/St. Paul. Here the Apple River flows southwest through Polk County until it enters the Mississippi near Stillwater, Minnesota.

During the logging years of the 1870s, trees were cut and floated down the Apple. To insure plenty of water to float the logs, a dam was constructed near the site of present day Amery-- a settlement called Big Dam. It created the Apple River Flowage, which is approximately five miles long and covers 634 acres. The deepest part of the channel is 18 feet. There are several small islands including one large enough for a home.

Even though half of the flowage's shoreline is well developed, it is heavily wooded. Much of the rest is retired farmland. Environmentally-conscious property owners have built their homes with minimum destruction of vegetation or tree removal. The effect is a beautiful, uncrowded-looking shoreline.

In 1974 the DNR ordered the dam opened to lower the water level to the original river channel for dam repairs. A year and a half later, the dam was closed and the water returned to original levels. DNR restocked the river with musky, largemouth bass, and German brown trout. We were told that pan fishing would take a few years to recover. There had



**The Apple River Flowage provides summer enjoyment for many different interests.**

been too many panfish before the drawdown, resulting in stunting. As predicted, in about three years we were catching nine and ten inch bluegills. This led to some very active winter fishermen!

With the help of Dr. Lowell Klessig of UW-Extension, Apple River (Flowage) Protection and Rehabilitation District was formed in 1975. In 1976, we voted to have a feasibility study on management of the flowage. A state grant provided 60%; we were credited with \$2915.00 for volunteer help with sediment measurements, water depth determinations, and water sample collection. After the study, the DNR met with our board to discuss our study and the following management options:

1. At a cost of \$500,000, dredge the delta formed by the Beaver Brook inlet;
2. Harvest the weeds; or
3. Do nothing.

We decided to contract for weed harvesting, and it has been done since 1981. Property owners can sign up for harvesting 100 feet in front of their shoreline at their own expense, while the district pays for keeping the



### *Community Focus continued*

channels and public accesses open. Care is taken to avoid spawning beds.

In 1988 a petition was filed with the board asking for a special hearing to purchase a weed harvester. An overflow crowd attended. The group was split on the issue, and the discussion was very lively. The harvester purchase was voted down three to one.

The Apple River Flowage District has also purchased a commercial dock and donated it to the city for use at the public access, built and posted "No wake" signs on the flowage in cooperation with the Town of Lincoln and the City of Amery, and monitored and tested water quality with help from the DNR.

The Apple River Flowage offers great fishing. At the 1988 annual meeting area fish manager Rick Cornelius stated, based on shocking done in fall 1987, that the flowage was one of the best musky lakes in the area, having an average of two per acre. It's common to see pictures of 20 to 30 pound muskies in the Amery Free Press caught by folks from Minnesota, Iowa, Illinois, and Indiana. People here enjoy the warm and friendly community spirit and the year-round recreational opportunities the region offers.

*Lloyd Christenson has recently retired as chairman of the Apple River (Flowage) Lake District, a position he held for 13 years.*

## **Jargon Busters**

**Fall overturn:** The autumn mixing, top to bottom, of lake water caused by cooling and wind-derived energy.

**Fecal coliform test:** Most common test for fecal material from warm-blooded animals. Coliforms are not necessarily harmful, but indicate the potential presence of other disease-causing organisms in the water.

**Flood plain:** Land adjacent to lakes or rivers which is covered as water levels rise and overflow the normal water channels.

**Flushing rate:** The rate that water enters and leaves a lake relative to lake volume, usually expressed as time needed to replace the lake volume with inflowing water.

**Forage fish:** Fish that are prey for game fish, including a variety of panfish and minnows.

**Food web:** The pattern of production and consumption of organic matter in an ecosystem. Green plants are the ultimate source of energy for all food chains-- the beginning of the food web.

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## **Last Call-- Conventioneers**

This spring issue was rushed to you to provide one last reminder of the Wisconsin Lakes Convention - April 7-8, 1989, Holiday Inn, Stevens Point.

**Don't miss the keynote by DNR Secretary Buzz Besadny.**

**Don't miss the community reports-- other lake leaders sharing their experiences.**

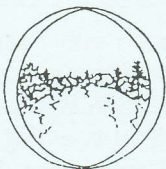
**Don't miss the workshops-- the baker's dozen of 13 is too long to list here.**

**Don't miss the Stewardship Awards and possibly a Stewardship message from the Governor.**

**Don't miss the conclusion and benediction from internationally-renowned limnologist Charles Goldman.**

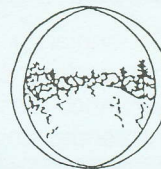
Call Diane Lueck (715/346-3783) if you haven't registered yet. See you at the Registration Table at 11 a.m. on Friday, April 7.





## Eco-Note

### Protecting Our Wetlands



#### Protecting Wetlands Around Your Lake



*This is the second of a three-part series on wetlands.*

by Mary Ellen Vollbrecht and Eric Macbeth

Associations and lake districts can participate in the protection of wetlands around lakes. And you'll safeguard the fishing, water quality and appearance of your body of water at the same time. Consider trying a few of these suggestions for adding wetland protection to your lake management work:

##### A. Locating your wetlands

You can make a map of your lake's wetlands. This will help locate these valuable areas for future reference. Here's how: first, get a watershed map from your DNR lake management coordinator or county extension agent. If one does not exist, ask the county conservation office to draft one for you. Next, get a copy of the Wisconsin Wetlands Inventory map. Then, you can transfer the wetland areas from the Inventory map to the watershed map using topographic landmarks as a guide. Share your effort! Hand out copies of the new wetlands map so others can learn where these areas are near the lake.

##### B. Getting to know your wetlands

Try writing down what you learn about local wetlands values. It's good copy for your

newsletter and information to present at public hearings or in letters to the editor.

Or become a wetland steward. Observe animals and plants to document the wetland's value to fish and wildlife or interview members of a sporting club for their impressions of its importance. See whether any wetlands in your area are threatened by unwise development.

Help others get "wet." When people are more aware of wetlands they are more apt to obey regulations and make good management decisions. Children's poster and photo essay contests have been used to draw attention to wetlands. Scenic or open space values could be a contest theme in your community. Spread the word by inviting a newspaper reporter along when your group visits wetlands.

##### C. Getting involved in wetlands policy

You can try calling or visiting the local zoning office to find out the status of wetlands zoning. If your community is or will soon be adopting a wetland ordinance, ask for the schedule of public hearings and meetings. Maybe your group can develop a position and offer input to the planning commission and county or town board.

Notify authorities about activities that are damaging wetlands. Try getting a good description and its location. Maybe you have a camera and can take photographs. If you think the activity is on the bed of a water body, contact the local DNR water management specialist and the Corps of Engineers' field office.

##### D. Exploring wetlands protection options

Why not consider buying wetlands or the development rights to them? Acquisitions can range from fee simple purchases of all property rights to easements. The Nature



Conservancy or a local land trust-- a private, non-profit organization involved in the protection and conservation of open land-- can give you some help.

### Wetland Policy Update

On January 18, 1989, the EPA announced a new policy to achieve "no net loss" of the nation's remaining wetlands. The Agency also said that it would move to improve the quality of degraded wetlands and to restore some of those areas already lost.

The initiative calls for the replacement (in the same quantity, quality, and ecological area) of marsh areas that are destroyed. It sends, according to EPA administrator Lee Thomas, "a clear message that wetlands protection is a top agency priority"--the first federal agency to do so.

President Bush has indicated he will support such a wetlands policy.

—New York Times Service

If you own wetlands, and need to obtain some economic return, you can lease them with conditions or sell conservation easements to a public organization or environmental group. You can usually reduce estate, property, and income taxes by selling or donating these easements, even if you retain ownership. Easements typically are irreversible, while leases are less permanent.

How about restricting the future use of your wetlands property by retaining a conservation easement when you sell it? Or donate wetlands to a sympathetic organization. Donations normally result in large income tax reductions. Some owners may want to retain lifetime use of the land by reserving a life estate. You can also attach deed restrictions or establish restrictive covenants with neighboring landowners.

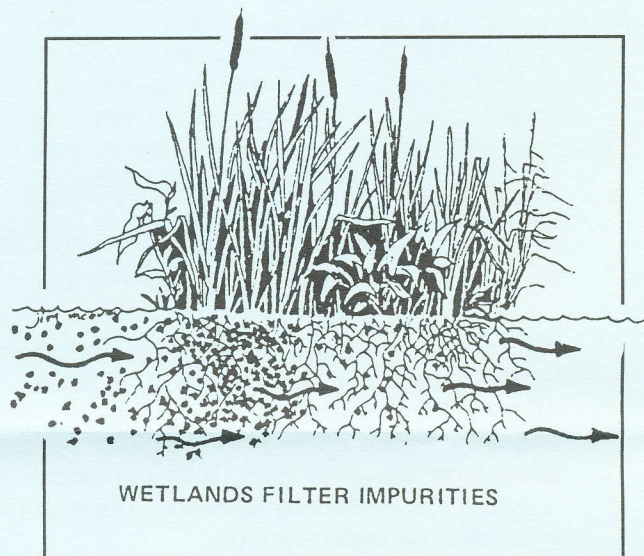
### E. It's up to you

Wetlands have many important values and functions when left in their natural state. Lake

management organizations can become involved in the protection of these areas. Remember-- effective protection will always depend on concerned citizen involvement. Write and tell us what you plan to do or have done!

Next issue: The mechanics of wetlands restoration.

Mary Ellen Vollbrecht is a Shoreland Management Specialist with DNR. Eric Macbeth is a graduate student in Natural Resources at UW-Stevens Point.



### Wetlands Resources

NALMS Lake Management Guide. North American Lake Management Society, 1000 Connecticut Ave. NW, Washington DC 20036; 202/833-3382.

Wisconsin Wetland Inventory Maps; Topographic Maps (Index). WI Geologic and Natural History Survey, 3817 Mineral Point Rd., Madison WI 53705; 608/263-7389.

Wetlands Adoption Kits. Contains information packet. Send \$2.00 to Izaak Walton League of America, 1401 Wilson Blvd., Arlington VA 22209; 703/528-1818.

Additional materials available from Wisconsin Department of Natural Resources Bureau of Water Regulation and Zoning, PO Box 7921, Madison WI 53707.

Wisconsin Wetlands Association. 111 King St., Madison WI 53703; 608/256-0565.

Nature Conservancy. 1045 E. Dayton St., Madison WI 53703; 608/251-8140.

U.S. Army Corps of Engineers regional field offices. Duluth 217/720-5262; Green Bay - 414/465-2730; In the Fox Valley 414/766-3531; Waukesha - 414/547-6986.



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## Capitol Report

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### 1989-91 Legislative Session

by Paul Heinen

The Legislature is now in full swing. The number one priority until July 1, 1989 will be the budget. However, there are some bills of interest that have been introduced and others that are being drafted. Those that have already been introduced are:

**Senate Bill 21** - Senator Davis has introduced this bill to increase penalties for a boat owner's failure to stop and aid someone involved in a boating accident. Penalties range from \$200 up to \$10,000 and a 5-year jail sentence.

**Senate Bill 22** - Senator Helbach has introduced this bill increasing bait dealers' license fees and revising the definition of "bait."

**Assembly Bill 16** - You may recall that last session the Legislature instituted a boat titling program. AB 16, introduced by Representative Black, will set a \$5.00 fee for boat titles. DNR will be sending out notices to all boat owners.

Proposals approved by the Natural Resources Board for drafting include:

**Ban the Sale of Trout and Salmon Eggs** - There is a highly-profitable market for trout and salmon eggs. As a result, people are using illegal methods and taking more than their limits of fish to strip the eggs, litter the carcasses, and then sell the eggs. The only enforceable way to stop this practice is to ban the sale of eggs.

**Authority to Remove Exotic Fish** - Within the last year, the DNR has become increasingly aware of occurrences of exotic (non-native) fish in some waters of the state. Several of the species identified may adversely affect our

native species through hybridization, predation, or direct competition. This proposal would give the Department the discretionary authority to remove these exotic fish.

**Authority to Ban Exotic Bait Species** - One way that exotic fish get into Wisconsin waters is by being used as bait. This proposal would increase our now-limited authority to regulate live bait use.

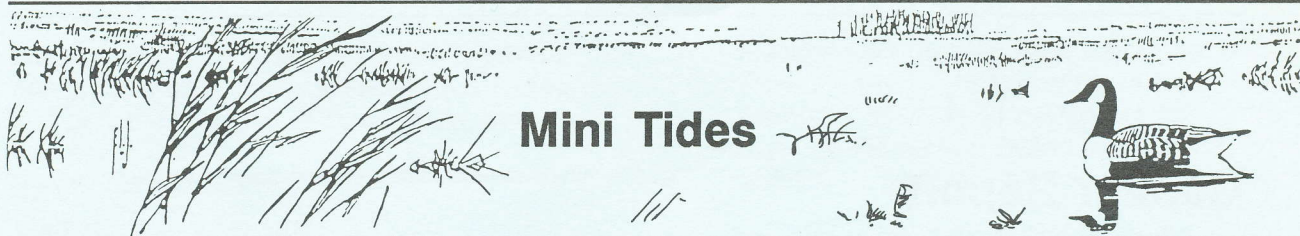
**Chapter 31 Rewrite** - While there have been amendments to Chapter 31 (Dams and Bridges) since it was enacted in 1915, it is an outdated statute. This proposal would delete archaic and outdated language, clarify regulations on dams and bridges, reduce the number of notice requirements, and increase penalties for violations of this chapter.

**Riparian Bill** - A 1986 court decision held that an easement on navigable waters does not grant riparian status. Until recently, a person having the permission of the landowner could exercise their right to apply for certain waterway use permits and construct structures. Now, only the owner may do so. About 5,000 pier owners and 1,200 people with permits from DNR could be affected by this decision. Hundreds more could be affected in the future by limitations of their ability to construct piers or obtain permits. This proposal would allow persons who have the permission of the landowner to apply for permits and do what the owner has consented to.

**Lower Wisconsin River** - This proposal would create a Lower Wisconsin Riverway Project providing for protection, acquisition, and regulation of lands along the 92-mile stretch of the lower Wisconsin River. This proposal is in the Governor's budget.

*Paul Heinen is DNR Legislative Liaison.*





## New Regulations for Chemical Aquatic Plant Control

by Brad Wolbert

There will be some changes this spring in DNR regulations of herbicide applications in lakes. The changes are designed to do a better job of protecting the ecological health of lakes while still allowing reasonable control of nuisance plants. In making the changes, the DNR relied on the help of a citizens' advisory committee and on suggestions received at public meetings held around the state.

The new regulations allow the DNR to restrict treatments in ecologically-critical portions of lakes, by designating them as "sensitive areas." These areas might include fish spawning and rearing beds, waterfowl feeding areas, or places where vegetation prevents shoreline erosion. DNR field managers will begin identifying sensitive areas on several lakes around the state this spring.

People wanting to use herbicides to control vegetation still must apply for a DNR permit. The new permit application process requires applicants to consider alternative methods of plant control, such as mechanical harvesting, hand-raking, and sediment screens. In addition, those applicants wanting to treat more than 10 acres, or more than 10 percent of the nearshore zone, must hold a public informational meeting if five or more people or groups request one.

There will be higher fees for permits to help pay for the permitting program. Most individual treatments--less than 1/4 acre, and private ponds--will cost \$20. For larger treatments, the fee will vary depending on the size of the proposed treatment area.

If you are considering using herbicides to control aquatic plants this year, you can learn more about the new rules. The DNR will include a copy of the new rules with each blank application form. In addition, the Wisconsin Lakes Convention in Stevens Point will have a session on plant management and the new regulations. If you have any questions about the new rules, contact your District DNR Office, or Brad Wolbert, DNR Box 7921, Madison WI 53707 (phone 608/266-2498).

*Brad Wolbert is an Environmental Specialist with DNR's Bureau of Water Resource Management.*

## WI Open Meeting Law

by Bernard J. Kasierski

The Wisconsin Open Meeting Law (WI Stats. 19.81-19.98) provides for the public scrutiny of the affairs of government, and lake districts must comply with its public notice requirements. If one-half or more of a district's commissioners convene, the meeting is affected by this law. These meetings must be preceded by public notification and held in open session, except under certain exemptions (see WI Stats. 19.85). They must be accessible to everyone including citizens with disabilities.

Public notice of meetings must be given at least 24 hours in advance. Even in emergencies, meetings require at least two hours prior notice. In addition, any news media must be given notification if they have requested it in writing. If none have filed requests, send notices to major local media such as a hometown newspaper. The notice must include the time, date, place, and agenda of the meeting.



### *Mini Tides continued*

and of any closed sessions. Notices should be detailed enough to permit the public to understand the agenda.

Lake districts are not required to print paid legal notices; however, public posting is an important means of notification. The state attorney general, in a 1977 opinion, suggested posting notices in at least three public places, such as town, city, or village halls, banks, and restaurants.

It is the responsibility of the lake district commission chair to issue public meeting notices. This task may be delegated to another person, but the transfer of responsibilities should be recorded in the official minutes. To make the process of notification easier, districts should set deadlines for the submission of agenda items and establish a routine for the preparation, distribution, and posting of public notices.

For more information about the Wisconsin Open Meeting Law, consult your legal counsel and refer to WI Stats. 19.81-19.98.

*Bernard Kasierski is a Extension Resource Agent in Green Lake County.*



## Reflections

In late afternoon, we embarked out onto shallow Nine-Mile Lake. Each ripple was blue-gray, with a lavender edge. The lavender turned dark, and we turned toward shore. The clouds, like white puffs of smoke exploding from the sun, were cumulostratus, and extended in rays across the sky. Their reflections made little circles of peach in each ripple on the water. To the west, the purple and gold filigree partially hid the sun. Up to the tree-lined shore rolled the molten gold and bronze--it flowed to the boat and trapped us in metal.

by Diane Lueck

## Calendar

**1989 Wisconsin Lakes Convention.** Holiday Inn, Stevens Point, Wisconsin. April 7-8, 1989.

"Making Nonpoint Pollution Control Programs Work: A National Conference." Clarion Hotel, St. Louis, Missouri. April 23-26, 1989. For info call: 202/547-6223 or write National Assn. of Conservation Districts (NACD) NPS Conference, PO Box 855, League City TX 77574-0855.

## Model Bylaws

**NOW AVAILABLE** are the 1988 Model Bylaws for associations and lake districts. Copies will be distributed at the 1989 Wisconsin Lakes Convention or may be obtained by writing: UW-Extension, College of Natural Resources, University of Wisconsin, Stevens Point WI 54481.





**-Mini Tides**

**-1989-91 Legislative Session**

**-Protecting Wetlands Around Your Lake**

**-Last Call Conventioneers**

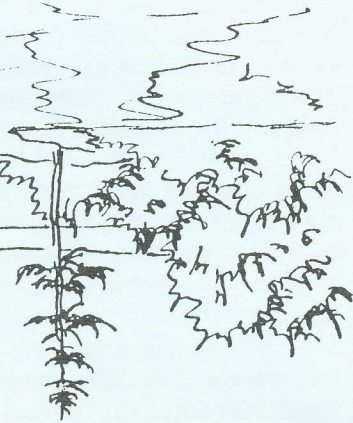
**-Community Focus: Apple River Flowage**

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A newsletter for people interested in Wisconsin lakes



**WEX** COOPERATIVE EXTENSION SERVICE  
UNIVERSITY OF WISCONSIN-EXTENSION

College of Natural Resources  
University of Wisconsin  
Stevens Point, WI 54481

Nonprofit Organization

U. S. POSTAGE

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STEVENS POINT, WIS.



LAKETIDES

Editor: Lowell Klessig

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Published quarterly by season.

Subscription rate: No charge.

Articles and news items are  
welcomed and should be sent  
by Nov. 10, Feb. 10, May 10,  
or Aug. 10 to:

Diane Lueck

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