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## LOOKING BACK: At Natural Shorelines

*Protection of natural shoreline beauty is one of the expressed purposes of shoreland zoning ordinances required in every Wisconsin county. The view of natural shorelines and the sense of serenity they offer are the reasons many folks live or play near our waters. But the regulations that protect this natural beauty and the quality of our waters are not always complied with as stringently as we might hope. Limited staff resources and uncertainty about the requirements and objectives of the regulations have reduced their effectiveness in some parts of the state. However, things are changing...*

By Jerry Bowker

My wife and I live along Lambs Creek Road. It is an older developed area of small, picturesque summer homes and modest year-round residences. It has a low bank and houses were built close to the water. Our house is about 35 feet from the shore and a low deck extends into the 35-foot strip. Five large trees provide shade (we face south) but do not obstruct the view as their lower limbs are well about head level. When we purchased this property the lawn was mowed right down to the water and frankly that attracted us. We didn't want trees or vegetation that screened our house from the lake to screen our view of the lake.

Curiously, although I like our lake-side yard, I prefer other yards that have been left natural. Across the channel are wooded grounds that are only partly mowed; the rest of it grows native plants in the filtered light. I can only identify fern colonies from a distance, but the variety of texture and color in the unmowed area is simply more interesting to contemplate. When fishing along the shore, I usually bypass areas of manicured lawn frontage—they are impoverished habitat compared to the darkened recesses formed by overhanging trees. I also have a feeling of imposing on private space to spend time casting in front of an open yard. Since the conditions of the zoning ordinance (see box) describe a lake environment that I prefer when on the water, it seems foolish, indeed indefensible, to defeat this larger vision because we like to look out our windows at an unobstructed view.

So we're starting to collect native shrubs and plants to get going with our natural strip. It won't be a jungle but a rich area of ferns, dogwood, Juneberry, blue beech, black willow, trilliums, skunk cabbage, etc. (Skunk cabbage is a native plant that looks like hosta, grows in the shade, and likes the damp conditions that we have.) We already have a tall tree canopy and probably not all of the small trees and shrubs I would like



will fit in the space. The black willow I envision leaning out over the water. There is a beautiful black willow on the Lakehurst Road side of the channel that we love to canoe through as its branches stretch way out over the water. As I get involved in the possibilities, I begin to anticipate that we'll be gaining as much as we lose. And of course, the public will be gaining their rightful heritage of a natural lake environment as more and more of us appreciate a natural shore.

*... A natural shoreline buffer is a concept that is growing in significance. It has become apparent that a border of native trees and plants is essential for a host of reasons: unmolested wildlife habitat, water quality, aesthetics, biodiversity, privacy—to name a few. Forestry, agriculture and development interests are a few of the constituencies struggling with how best to satisfy their requirements while safeguarding our natural legacy.*

Edited from Clean the Green Times, March 1993,  
(Tainter/Menomine Lake Improvement Association).

#### **Statewide Administrative Rule 115 on Shoreland Vegetation Removal**

3.2.01 Purpose: The purpose of tree and shrubbery cutting regulations applicable to the shoreland area is to protect scenic beauty, control erosion and reduce effluent and nutrient flow from the shoreland. The provisions shall not apply to the removal of dead, diseased, or dying trees or shrubbery at the discretion of the landowner, or to silvicultural thinning upon recommendation of a DNR forester.

3.2.02 Shoreline Cutting: Tree and shrubbery cutting in an area parallel to the ordinary high water mark, and extending 35 feet inland from all points along the ordinary high water mark, shall be limited in accordance with the following provisions:

(a) No more than 30 feet in any 100 ft. as measured along the ordinary high water mark, may be clear cut to the depth of the 35 foot area.

(b) Natural shrubbery shall be preserved as far as practicable and, where removed, it shall be replaced with other vegetation that is equally effective in

retarding runoff, preventing erosion and preserving natural beauty.

3.2.03 Cutting Plan: As an alternative to Section 3.2.02, a special cutting plan allowing greater cutting may be permitted by the Board of Adjustment by issuance of a special exception permit, pursuant to Section 9.2. An application for such a permit shall include a sketch of the lot providing the following information: location of parking, topography of the land, existing vegetation, proposed cutting and proposed replanting. The board may grant such a permit only if it finds that such special cutting plans:

(a) will not cause undue erosion or destruction of scenic beauty, and

(b) will provide substantial visual screening from the water of dwellings, accessory structures and parking areas. Where the plan calls for replacement plantings, the board may require the submission of a bond which guarantees the performance of the planned tree or shrubbery replacement by the lot owner.

### **SHORELINE TRESPASS: *Thou shalt not trespass on thy neighbor's shoreline!***

If you've heard that there is a magical path around our waters where the public may cross private lands to access or fish public waters, you've heard **wrong**. A waterfront property owner (lake or river) has exclusive use of the shoreline for the purpose of water access. So, if you're a trout fisherman, stay in the water. The general rule is "if your feet are wet, you're not trespassing." There is an exception known as the right of portage which allows you to exit a stream and bypass an obstruction such as a fence, pier or dam by the most direct route practical on private property. Feel free to exercise your rights in our public waters but remember to treat landowners as you would want to be treated if the land were yours!





## STATE ELECTIONS BOARD RULES ON ELIGIBLE ELECTORS

In response to complaints, the State Elections Board has directed the Phantom Lakes Management District to take steps to assure compliance with state election laws in future elections at annual meetings. The District is required to comply with the provisions of Chapters 5-12 of the Statutes relating to elections and adopt any rules needed to provide for a challenge of electors and preservation of challenged ballots as described in § 6.92-95, Stats.; a method for absentee voting; public canvas of ballots and recount of votes.

Lake management district commissioners should familiarize themselves with state election laws or seek legal counsel. The UWEX publication "A Guide to Wisconsin's Lake Management Law" will be revised in its next publication to offer general guidance on compliance with these requirements.



## EPA GRANT to NALMS

The Environmental Protection Agency recently presented an \$850,000 grant to the North American Lake Management Society. Of this total grant, approximately \$50,000 will be allocated to each state in Region 5.

The Wisconsin Association of Lakes will be responsible for this citizen outreach program. The money from this grant will be used to strengthen state lake organizations and provide leadership training initiatives. There will be a special conference in Wisconsin on land use.

## WI LAKES CONVENTION '93

This largest state lake conference in the nation has become an established tradition for those concerned with the future of Wisconsin's lakes. Once again record crowds packed the Holiday Inn in Stevens Point to hear speakers like DNR Secretary George Meyer, Congressman Dave Obey, and California naturalist, Phil Pister. Lake stewards from hundreds of the state's lake organizations assembled to share the triumphs and ordeals of lake leadership. Folks interested in matters facing these liquid lands came to hear about new techniques in lake management and see the latest in lake management equipment. *Lake Stewardship Awards were presented to Alice Clausung and the Long Lake Fishing Club, and the Public Service Award was presented to Representative Les Aspin.*

**Make sure to circle March 25-26, 1994 on your calendar—next year's Convention will be held at the Oshkosh Hilton Convention Center.**

## LAKE TIDES RENEWAL SURVEY

Lake Tides is your way to stay abreast of the issues and information affecting Wisconsin's Lakes. Over the years Lake Tides has grown along with its readership, now bordering on 14,000 people who share a concern for the future of Wisconsin's lakes.

From time to time we evaluate our benefit to our readers. We need to know if you enjoy receiving Lake Tides and what lake issues you see as significant. In order to do that we are asking you to **return the postage-paid survey** in this issue.

**Receipt of your survey will automatically renew your free subscription to Lake Tides.** We appreciate your taking the time to answer our questions.



## About Jewels, Magic and Lakes

R. Korth

*Pick up any article or fact sheet discussing Wisconsin's lakes and it's a safe bet that in the first paragraph there will be a sentence talking about the state's 15,000 sparkling jewels.*

What do we know about this wealth of wetness? First of all, we don't possess 15,000 lakes, only 14,973. The largest is Lake Winnebago, in Winnebago County, at 137,708 acres; the smallest are less than ten acres. The deepest is Big Green, in Green Lake County, at 237 feet; the shallowest are less than a few feet deep. Vilas County holds honors for the most lakes located inside its borders—1,327; Outagamie has the fewest with four.

Developers have changed the names of many of our lakes to make them "more civilized," switching names like Bullhead for names like Silver or Crystal. There are 116 Mud Lakes and 82 Bass Lakes, but only about 40% of our lakes have been named. When it comes to lakes, Wisconsin seems to have a generous assortment.

There is one type of lake for which our state's allotment is meager. Only a small fraction of Wisconsin's lakes can be considered "wild lakes." A wild lake is defined as a lake having undeveloped shoreline where wildlife and natural processes can proceed with little disturbance from human activities. These lakes are the true jewels in this state's hoard of natural riches.

The dilemma stems from people buying up property on these remote lakes... to get away from people! These remaining lakes or stretches of wild shore can bring top dollar and are prime candidates for realtors

and developers. This trend has caused growing concern among the folks who respect the need for wild lakes. The state has recognized that need and has purchased areas like the Chippewa and Flambeau Flowages. But Wisconsin still needs to consider the consequences of development on small natural lakes. Many of our smaller wild water bodies (10-700 acres) are rapidly being subdivided and developed, or closed off to public use.

Examples of these occurrences are routine throughout the state. Hewitt Lake is a 78-acre wild lake in Iron County, 88 feet deep and crystal clear. In 1991 the shoreline around the lake and two nearby smaller lakes was sold. These once-wild lakes are now closed to the public and are being subdivided for development. On Lower Turtle Lake, in Barron County, the shoreline on a large and important northern pike spawning marsh was recently sold and sub-divided.

This same story is rapidly unfolding throughout Northern Wisconsin where the last of the state's wild lakes and shorelines are located. Forest County has seen a 700% increase in lake front residences in the past ten years, and according to the 1990 Census Vilas County has over 11,600 vacation lake homes.

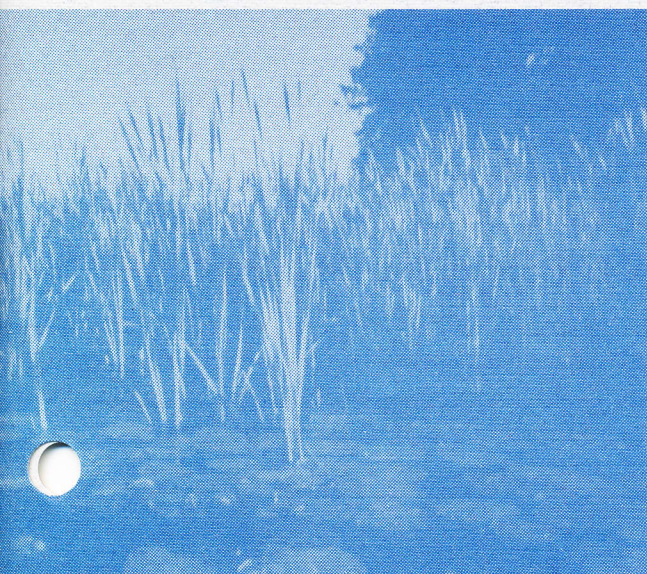
*If we had an "endangered habitat" list, wild lakes and shoreline would surely be at or near the top of the list.*





This past fall a survey was conducted to quantify the rate of shoreline development in the Brule Area. Aerial counts of houses/cabins were made on 76 randomly selected lakes and compared with numbers of cabins shown on USGS quadrangle maps dating from 1956 to 1984. The percentage of increase in development ranged from 19% for lakes of 200-450 acres, to 78% for lakes 100-124 acres in size. The rate in development over the past 10 to 30 years projects a near total loss of wild lakes early in the next century. A significant number of wild lakes have been sheltered in portions of the Northern Highland State Forest and the Chequamegon National Forest, but the bulk of those lakes are 50 acres or less.

Less than two hundred years ago all the lakes in this great state were natural and unaffected by human endeavors. Lake by lake we have changed that. We must accept the reality that as long as there are people here, there will be changes. We need to make wise decisions on the future of these exceptional waters. If we had an "endangered habitat" list, wild lakes and shorelines would surely be near the top of the list. We need to weigh the importance of these uncommon lakes to our fisheries, wildlife and endangered resources. There is also an intangible factor...*these lakes have the ability to dispense that magical experience that only wild places can.*



## Lake Protection Grants—Another Tool for Lake Organizations

We Wisconsinites understand the grave implications from the loss of sensitive areas and critical habitat. For that very reason another cost-share program has been added to the lake stewardship "tool box"—the Lake Protection Grant (see Vol. 16 #5 Winter 1991). With assistance from this new grant program, lake management organizations can obtain up to \$100,000 in matching funds to purchase wetlands and other lands critical to lake ecosystems. They will also be able to develop local regulations or restore wetlands.

All counties, cities, towns, villages, tribes, town sanitary districts, public inland lake protection and rehabilitation districts, and qualified lake associations are eligible to participate in this grant program.

Activities that are acceptable for funding include purchasing property or easements which contribute to the protection or improvement of the natural ecosystem and water quality of a lake; restoring wetlands or lands draining to wetlands; and developing regulations and ordinances to protect lakes and the educational activities necessary for these regulations to be implemented.

The state will contribute 50% of the cost of a project or property purchase, up to \$100,000. The Department of Natural Resources will provide applications and technical guidance for the Protection Grants Program. Grants will be awarded annually and a priority project list will be prepared each year on a state-wide basis. The first grant deadline is November 1, 1993. For more information, contact your DNR District Office (Inland Lake Coordinator or Community Services Specialist), your County Cooperative Extension Office, or UWEX-Lake Management Program.





## LAKE FAIRS



*Today life can become an endless stream of meetings; meetings for education, regulation, organizations...which ones do I go to?*

A common meeting format used by lake organizations, the University Extension and the Department of Natural Resources has been to hold seminars and workshops on a particular subject. These meetings are normally held in a standard conference room at a local motel or government office. The speaker, or speakers, expound on the topic at hand and the audience absorbs as much as possible.

It became apparent that in lake related issues these traditional meetings were not reaching all of the intended audience. An innovative approach was needed. The notion of a fresh method to deliver lake-related education in Wisconsin was first developed in Menominee and Shawano Counties. Local lake organizations, county Extension agents, DNR lakes coordinators, and Extension lake specialists working together molded the Wisconsin "Lake Fair" concept into shape.

### ***WHAT IS A LAKE FAIR?***

- *A Lake Fair puts a different spin on an educational meeting.*
- *A Lake Fair is a strategy for the delivery of several educational messages.*
- *A Lake Fair is an education event that blends a sense of discovery and entertainment.*
- *A Lake Fair is an event that allows the participants to gain some hands-on experience and talk to experts in a very informal setting.*
- *A Lake Fair is a method to meet new people and build relationships within the community.*
- *A Lake Fair is a pleasurable way to discover more about your lake while enjoying a day with friends and family.*
- *A Lake Fair can be a means for local organizations to raise funds.*
- *A Lake Fair is a no-pressure, low-hassle day for those attending.*
- *A Lake Fair can be a two-way street educating those attending and those exhibiting.*



## WHY A LAKE FAIR?

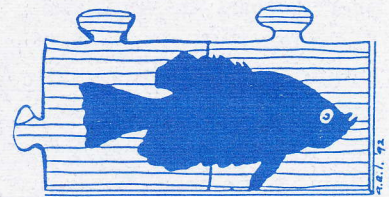
Lake users present some unique hurdles in education. They represent a substantial variety of stake-holder groups with sometimes divergent demands: the general public, the lake property owner, those using our waters for jet skiing and those who would rather be propelled by paddle. The "Lake Fair" is an attempt to reach a broad cross section of lake property owners and other lake users with hands on and conceptual learning opportunities.

There is an increasing demand by lake organizations for professional assistance.

The limited personnel can be more accessible to a greater number of lake organizations when there is a coordinated effort to bring large groups of people together for a general educational event.

Throughout the Badger State, interest in water quality and lake issues are running high. June will feature an unprecedented number of Lake Fairs across the Badger State. Most of the fairs hope to attract local folks from a two- or three-county area, plus any of the general public and tourists passing through at the time. Some have been larger in scope; others smaller.

For an educational and entertaining lake experience, look for a Lake Fair near you!



## JUNE

- 5 - **Menominee/Shawano, Shawano County Park, North Shore of Shawano Lake**  
(Jim Resick, Shawano Co. Extension [715/526-6136])
- 5 - **Lac La Belle, Oconomowoc Community Center and City Beach**  
(Wayne Faust, Waukesha Co. Extension [414/548-7773])
- 12 - **Lake Noquebay County Park, Marinette Co.**  
(Steve Bennett, UWEX Green Bay [414/465-2317])
- 19 - **Central Wisconsin Water Fest, Tomorrow River (Hwy 10 between Amherst and Waupaca)** (Kari Esbensen, Portage Co. Extension [715/346-1316])
- 26 - **North Woods Lake Fair, Torpy Park, Minocqua**  
(Bryan Pierce, Oneida Co. Extension [715/369-6160])
- 26 - **Northwestern Wisconsin Lake Fair, Forts Folle Avoine, Webster**  
(John Preissing, Burnett Co. Extension [715/349-2151])

## JULY

- 24 - **Tainter/Menomine Lake, Wakanda Park, Menomonie**  
(Marty Havlovic, Dunn Co. Extension [715/232-1636])
- 31 - **Lake Sinnissippi Fair, Fireman's Hall, Hustisford**  
(Dave Neuendorf, Dodge Co. Extension [414/386-3790])

## OCTOBER

- 16 - **Southeast District, UW West Bend Campus**  
(Pamela Buchholz, Washington Co. Extension [414/335-4480])





## *The Paths We Walk*

Once in a great while, a person passes through our lives and leaves an indelible mark on what they have touched. The lakes program has been blessed with two such seasoned veterans—Diane Lueck and Richard Wedepohl. Their lives have focused on freshwater lakes... over 12 years for Lueck and over 20 years for Wedepohl. These two have always been willing to go the extra mile and faithfully delivered their best, through thick and thin.

We are sad to see these two leave us, but we understand

that on life's journey the paths we walk with our friends sometimes must diverge. Diane is continuing her education and will enter graduate school here at UW-Stevens Point. Richard is moving to the priority watershed program in the DNR.

We wish you the best in your new pursuits. We will miss your wise advise, we will miss your humor, we'll just plain miss you both.

Good Luck!

### **This ain't Kansas, Dorothy:**

We have the good fortune and pleasure of announcing that Dorothy Snyder joined the Lakes Program team at UWEX/UWSP. Dorothy brings a wealth of experience, having worked the past 7 years as the program assistant for the Wisconsin Cooperative Fishery Research Unit at UW-Stevens Point, a program joining the Wisconsin DNR, U.S. Fish and Wildlife Service and UW-Stevens Point on fish research and educational outreach. Dorothy has assumed Diane Lueck's role in the lakes program. We are looking forward to adding Dorothy's exceptional talents to the work ahead.

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