

Aquatic Plant Management Planning

APM Plan Guide Comments

Voigt Intertribal Task Force Consultation

NOR Strategy to Protect Native Plants

**Frank Koshere, WDNR
March, 2009
WI Lakes Convention**



What good is an APM Plan?



For the Lake Group:

- Understand the problems
- Know the options
- Act efficiently (time and \$)
- Evaluate /Improve Results
- Keep a history
- Openly share goals with residents, lake managers and visitor users
- Meet permit requirements
- Access state grant dollars



For the State (DNR):

- Protects Water Quality**
- Sustain aquatic habitats**
- Meets Public Trust responsibility**
- Accountability of state grant money**
- Predictability = Efficiency, Consistency, Improved knowledge**



Practical Reasons for a Plan:

- **Plant problems do not go away.**
- **Informs new residents of current management.**
- **Proactive, not reactive.**
- **Plan for time and \$.**
- **Identify effective actions.**
- **Informs local public.**
- **Challenge with new ideas.**





A REMINDER:

**We manage waters for the
Public Trust.**

Public Trust Doctrine - traces to historic roots.

Northwest Territory



“The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between shall be common highways, and forever free...”

Northwest Ordinance of 1787, Article IV



Present Day Public Trust Doctrine:

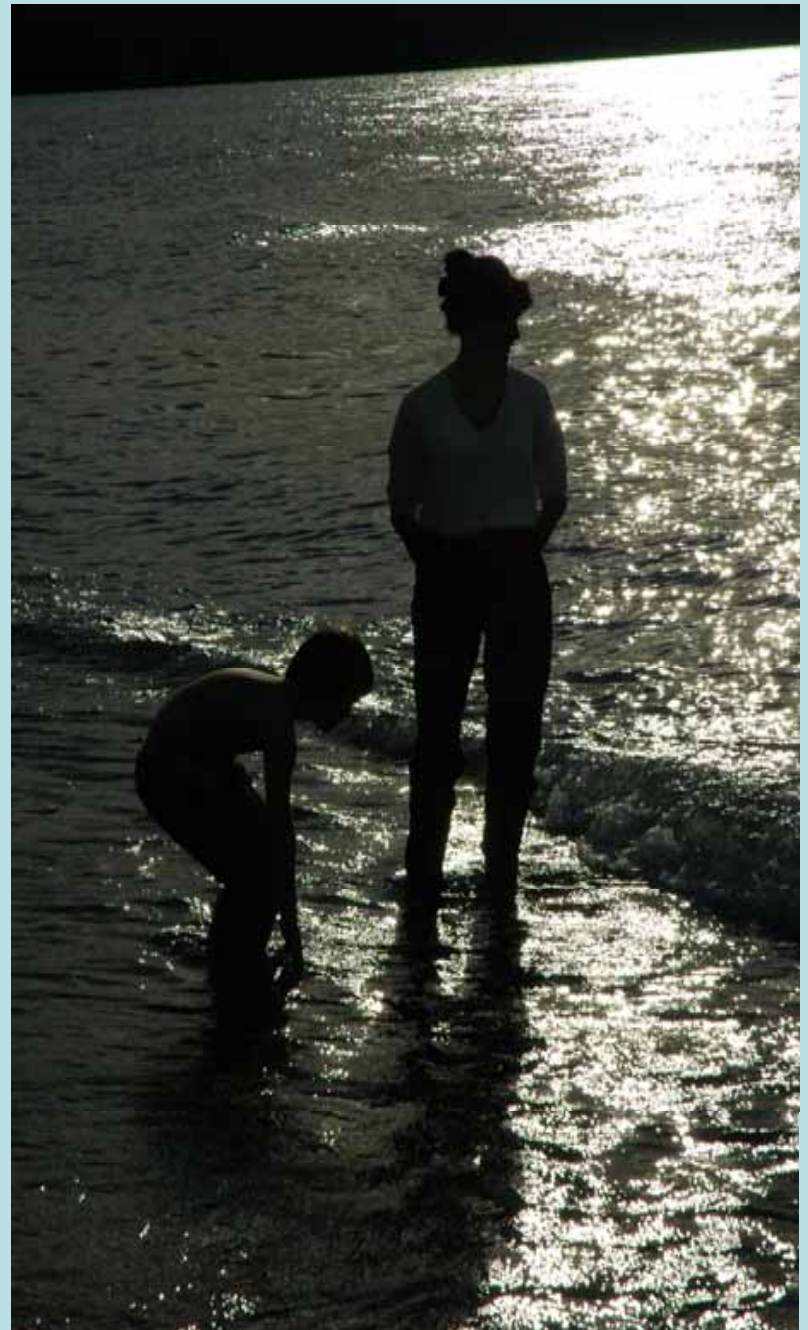
- **Based in WI Constitution, Article IX, Section 1.**
- **Includes sizable body of common law, which holds all navigable waters in trust by the state for the public.**
- **Affirms the State with a duty to protect and preserve these public trust waters.**



Public Trust and the Legislature:

“The legislature has no more authority to emancipate itself from the obligation resting upon it which was assumed at the commencement of its statehood, **to preserve for the benefit of all the people forever the enjoyment of the navigable waters within its boundaries**, than it has to donate the school fund or the state capitol to a private purpose. “

Priewe v. Wisconsin Land Improvement Co. (1899)



Uses Protected under Public Trust:

- Commercial navigation
- Boating
- Fishing
- Hunting
- Scenic Beauty
- Fish and Wildlife Habitat
- Water Quality
- Water Quantity



Public Trust Doctrine: Lake Management must...

“preserve for the benefit of all the people forever...”



When is a Plan needed?

- Large Scale Control – 10 acres or 10 % of littoral
- Access state grants – AIS, WI Waterways Grants
- Control Native Species
- Advised for AIS prevention and Protection





Lakes
Program



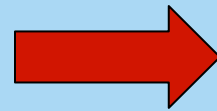
Wisconsin
Lakes Partnership

Current Events

[Wisconsin Lakes Convention Call for
Presenters](#)

[Aquatic Invasive Species:
A Guide for Proactive and
Management \(Vilas
June 2006
Plant Management in
- DRAFT 4/20/06
2006 Issue - Lake
\)
version \(HTML\)](#)

**Where to find APM
Planning Guidance ?**



(look for APM icon on UW Ext. page)

Search UWEX
Lakes



[Clean Boats, Clean
Aquatic Invasive Species
program in Wisconsin](#)

[People of the Lakes: A
Guide for Wisconsin Lake
Organizations](#) March 2006

<http://www.uwsp.edu/cnn/uwexplakes>



Contact us at 715-346-2116 or
uwexplakes@uwsp.edu

Draft APM Guidance Manual

<http://www.uwsp.edu/cnn/uwexplakes>

Chapters-

1. APM in WI – background, importance, laws
2. Components of a Seven Step Plan – suggestions for how a group can develop a plan
3. Specific Elements of Your APM Plan – lake specific details that make your plan unique and applicable to your lake
4. Techniques for Managing Aquatic Plants – see options
5. Appendices with standardized data forms and statistics

Watch for updates!

Goals → **Objectives** → **Actions**

Goals: Describe broad results, desired end point

Objectives: Identify tasks, include measurable outcomes, target level of control

Actions:
Provide the
Who, What, When,
Where, and How.



Goals: Broad

Example: Reduce exotic species. Increase native plant diversity. Protect critical habitats. Improve water quality.



Objectives : Are Specific and Measurable

**Example: Reduce EWM to 20% FOC.
Increase native plant FOC.**



Actions: Specifics- Who, What, When, Where, and How.



During Plan Review, Special attention to:

Goals, Objectives, Actions = become the real meat.

The rest is documentation to show how you got there.



Specific Elements of an APM Plan –

Analysis of inventory data and discuss alternatives:

Generic comments won't pass the cut.



- Is this lake being described?
- What problems does this lake have?
- Where are the plants, problems, and use areas?
- What management actions make sense for this lake?
- Is the analysis relevant to this lake? Are costs compared, how will it be done, when will it be done?
- Is there appropriate monitoring?
- How does it all compare to goals? Is it measureable?

- **Does the Plan contain a timeline with an endpoint and stated Goal accomplishment to be attained?**

Be sure to document public involvement!

-Keep and retain records of all meetings, formal and informal.

(especially if the Governor is there!)



Roles in Implementing an APM Plan:

1. Lake Organization

2. Lake Plan Consultant

3. Applicator or Harvester

Each is different but all must communicate as a team.

Roles in an APM Plan:

Lake Organization's Role:

- a. Sponsor and provide money.**
- b. Actively engage membership. (Committees, workgroups, etc.)**
- c. Involved in local politics. (County Lake Orgs, track Co. and State roles, grants, permits.)**
- d. Supervise work of Consultant and Applicator to assure it meets the lake's needs. Obtain and Retain all records.**

Roles in Implementing an APM Plan:

Consultant's Role:

- a. Facilitator- lead discussion, summarize, synthesize into approvable plan.**
- b. Technical inventory skills.**
- c. In-lake survey – plants, etc.**
- d. Working knowledge of management techniques applied to that particular lake.**
- e. Performs Pre- and Post-treatment monitoring, advisor on progress and the next action.**

Roles in Implementing an APM Plan:

Applicator or Harvester Role:

- a. Understand the APM Plan and discuss work with Lake Organization.**
- b. If preparing Permit application, reference specifics from the plan on the application. Recommended the lake org. be actual permit applicant.**
- c. Provides reports and any data relevant to treatment to Lake Organization, who is public owner of the records. Does not do pre- and post-treatment monitoring.**

Approval of APM Plan in NOR:

1. Voigt Intertribal Task Force Consultation completed (VITF).

2. Use AIS Grants Checklist:

Important key areas to address:

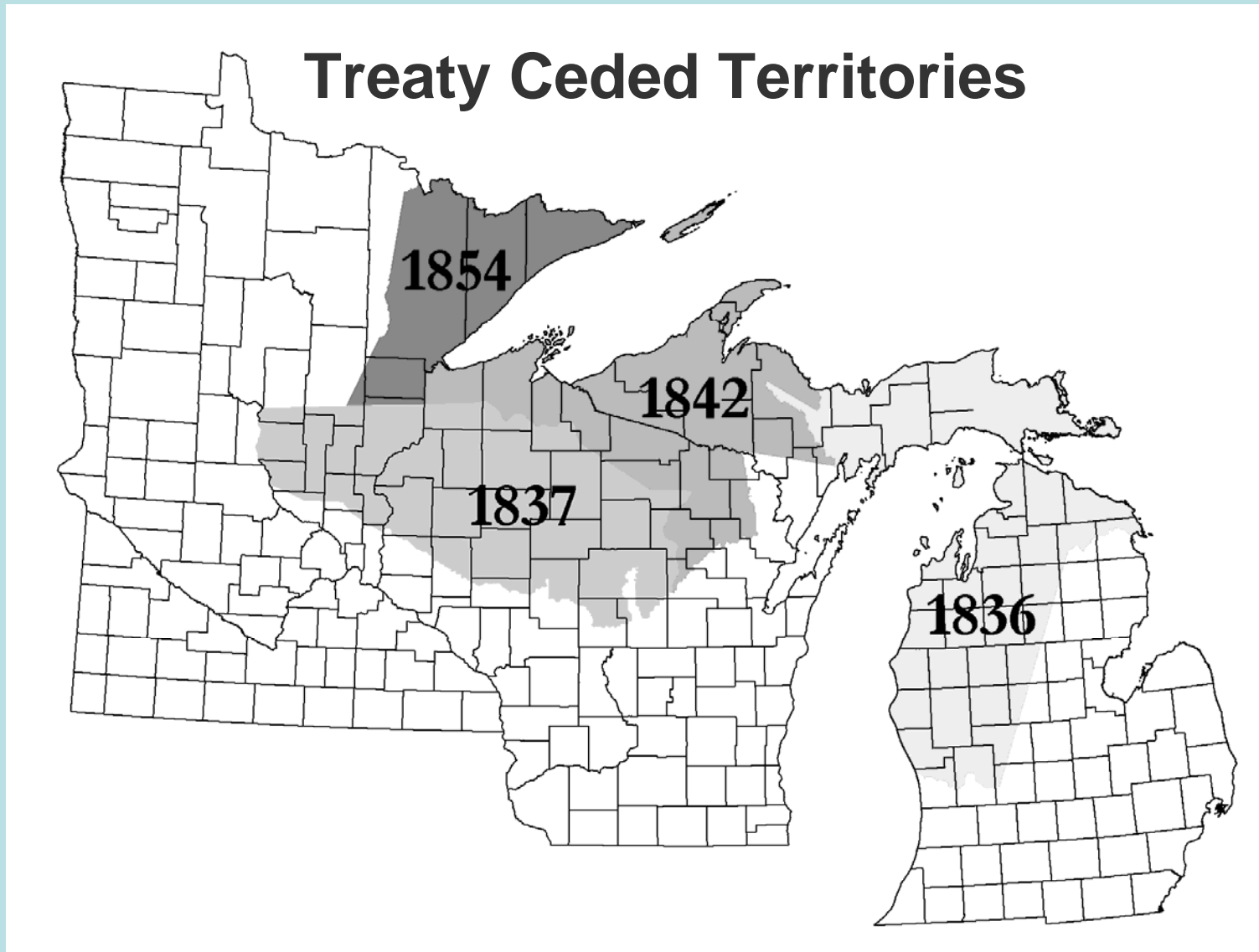
- a. Protection and enhancement
- b. Objectives
- c. Target Level of Controls
- d. Timeline to meet Objectives**

Things to be thinking about?

- 1. What happens if objectives are not met during plan timeline?**
- 2. Does plan offer long term sustainability with ability to implement independent of grants? (have a back-up strategy?)**
- 3. Does/should the Plan balance efforts taken to “RESIST” or “ADAPT”?**

Laying a groundwork for these ideas will help lake organizations plan future efforts.

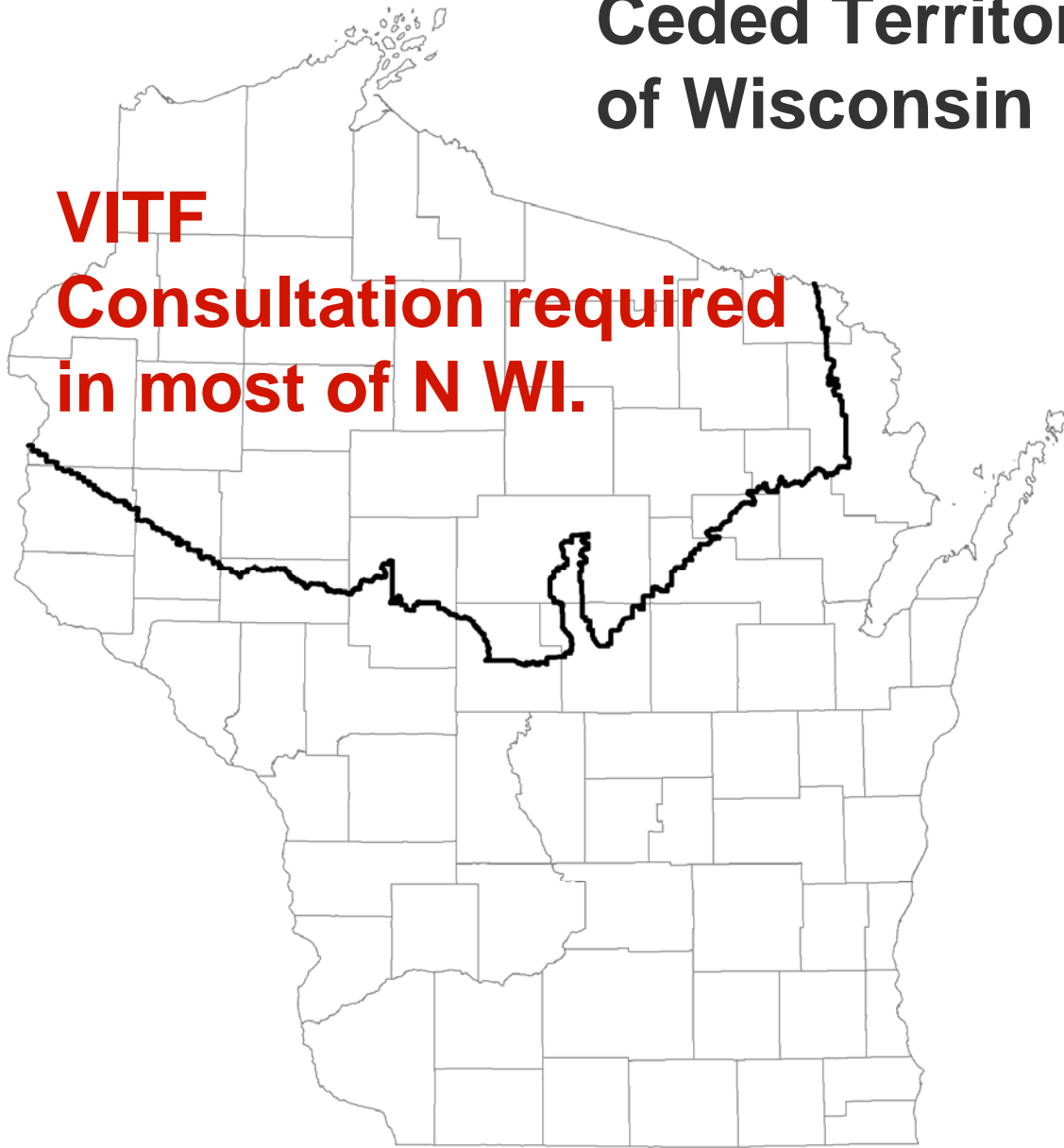
Consultation: APM Plans and APM permits with Voigt Intertribal Task Force (VITF).



Ceded Territory of Wisconsin

VITF

**Consultation required
in most of N WI.**



Background:

- Lake Superior Chippewa (Ojibwe) ceded northern 1/3 of WI in the Treaties of 1837 and 1842.
- Reserved off-reservation rights to hunt, fish, and gather within the Ceded Territory.
- Voigt Decision, 1985-1991 affirmed rights.
- ***Stipulation Agreement*** requires consultation on:

“any activity which may reasonably...affect the abundance or habitat of wild rice...”

DNR Steps in Consultation Process:

1. Internal review of water-related projects and permit programs that ***may involve wild rice or wild rice habitat.***
2. Additional notice inserted in all APM permits that **Wild Rice is Protected** and can not be harmed.
 - a. make additional efforts to prevent incidental impacts to wild rice.
3. Develop a statewide survey of Wild Rice to include in the **Natural Heritage Inventory (NHI) Database** (currently in process).
 - a. alert all staff reviewing permits of potential presence of wild rice.



NHI Portal

The Gateway to Wisconsin's Biodiversity

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Welcome to the Natural Heritage Inventory (NHI) Portal

The mission of the Department of Natural Resources includes protecting Wisconsin's ecosystems that sustain all life - in other words, protecting biodiversity. It is from this context that one should approach the protection and conservation of endangered resources and their habitats.

NHI Data provides site-specific information for rare species and natural communities. To be most effective, the user must set the data within the context of the Department's Ecosystem Management Decision-Making Process. All users should familiarize themselves with the Biodiversity Resources and NHI Data Information topics in the sidebar before entering the NHI Data Search Engine.

The NHI Portal is currently available to DNR staff only and is the Endangered Resource Program's official method of delivering NHI data for NHI Screening. For generalized NHI data available to the public, go to the [NHI County Data](#) - it is intended for information and general planning purposes rather than regulator decision-making.

For more information or questions, please contact the Wisconsin Endangered Resources Program (Bureau.EndangeredResources@dnr.state.wi.us) at 608-266-7012.

This portal was made possible through the funding by the Wisconsin Coastal Management Program and the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act, Grant #NA03NOS4190106, a grant from the Natural Resources Foundation, and the Endangered Resources Fund. [Funding & Support Page](#)

Last Revised: March 23, 2007



DNR Consultation to VITF:

- 1. Submit list of all APM Plans for review and APM permit applications as received.**
- 2. Wait for comments on Review.**
- 3. Address comments as necessary.**

Recommended that APM Plan Consultants Initiate contact with GLIFWC and any nearby tribe to include in APM Planning discussion at the very start.

Wild Rice Consultation Contact:

The Great Lakes Indian Fish & Wildlife Commission (GLIFWC)

James Zorn, Executive Director

Tel: (715) 682-6619, Extension 101

P.O. Box 9 – 72682 Maple Street FAX: (715) 682-9294

Odanah, WI 54861 Website: www.glifwc.org

Peter David, Biologist

GLIFWC, the **Great Lakes Indian Fish and Wildlife Commission** is an agency of eleven Ojibwe nations in Minnesota, Wisconsin, and Michigan, with off reservation treaty rights to hunt, fish and gather in treaty-ceded lands. It exercises powers delegated by its member tribes.

Northern Region Strategy to Protect Native Aquatic Plants

Summer 2007



Goals of NOR Strategy:

- **Protect desirable native aquatic plants.**
- **Reduce the risk that invasive species replace desirable native aquatic plants.**
- **Promote “whole lake” management plans.**
- **Limit permits on control of native aquatic plants.**



NOR Strategy provides method of documentation of impaired navigation and/or nuisance conditions.

Impairment: Inability to navigate within reason, based on the surrounding natural conditions.

Impairment: Not based on inconvenience or dislike of aquatic plants.

Navigation channels can be of two types:

Common use navigation channel:

This is a common navigation route for the general lake user. It often is off shore and connects areas that boaters commonly would navigate to or across, and should be of public benefit.

Individual riparian access lane:

This is an access lane from shore that normally is used by an individual riparian shore owner.

Site has potential for Permit, but first use manual cutting and maintain by use.



Navigation Possible. No Permit allowed.

Riparian retains option to manually cut.



A Severe impairment or nuisance:

- **Will generally mean vegetation grows thickly and forms mats on the water surface.**
- **Must document the problem and show what efforts or adaptations have been made to use the site.**



An APM Plan must include how riparian access lanes will be addressed.

Ex. “Under the APM Plan for “this” Lake, plant removal by individuals shall comply with the NOR Strategy. The lake organization may assist to determine if navigation is impaired and removal may be allowed, but will defer a permit decision to the Department of Natural Resources.”

Department staff will train lake organization members to guide members of the Lake Organization in this determination.

Successful Aquatic Plant Management: Requires Cooperative Partnerships!





Thank you!