



Living With Low Water

This article was first published in Lake Tides Vol 34 Issue 3 -- edited by Mike Kornmann

The telephone rings at the local Wisconsin Department of Natural Resources (WDNR) Service Center. On the line is a lake shore property owner from northern Wisconsin. "My water has been low for so long that I have a bunch of grasses and tall weeds growing in what used to be the lake bottom. I also have trash and old tree branches that would be easy to get out now. What can I do? Can I cut the brush with my weed whacker? Can I drag out those old tree branches?"

Avoid Removing Vegetation

These sorts of questions are common during dry times...so what can you do? In general, it is best to avoid removing vegetation and disturbing the exposed lake bed during low water times. Droughts are a natural occurrence and northern Wisconsin lakes have experienced periods of declining water levels in the past. In fact, these water level fluctuations are important for a lake's health, particularly in the near-shore zone.

Shorelines and shallow areas of lakes play a vital role in providing habitat for fish and wildlife and for protecting water quality. A diverse native plant community provides the best habitat and defends against the establishment of invasive species. Until water levels return to normal, it is important for lake property owners to avoid inadvertently harming exposed lakeshore areas. Minimizing your impact is critical to protecting this fragile ecosystem.

Impacts on Critters and Plants

A lake's outline, where land and water meet (the near-shore habitat), combined with the littoral zone, that area of a lake where light can penetrate down to grow aquatic plants (often less than 15 feet in depth), are incredibly important to wildlife and plants. The littoral zone harbors



and supports key elements of the lake food chain, sustaining the productivity of the lake and the critters and plants living within the aquatic system. The extent and quality of wetlands adjacent to a water body can also influence the impacts low water levels might have on lake habitat. During lower water levels, fringe wetlands along a lake's edge may decline in productivity.

More On Low Water

Other links to check out include:

- *Wisconsin State Climatology Office* - www.aos.wisc.edu/~sco/
- *Wisconsin Initiative on Climate Change Impacts* - www.wicci.wisc.edu/
- *USGS Water Watch* - <http://waterwatch.usgs.gov>
- *U.S. Drought* - www.drought.unl.edu/dm/monitor.htm



Message from the President

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How quickly our season of summer fun passes!! The leaves are changing, the evenings cooling and water temperatures are dropping. Fall is upon us. As you enjoy your memories of this summer passed and think about plans for next summer, etc., think hard about your lake or river and the world in which we are living.

The “greed” word has been surfacing often lately. What’s in it for me? How can I have more for me? One could list numerous examples of greed displayed in our society within the last year.

As I ponder the lakes and rivers of Burnett County, I sincerely hope we can keep greed from steering our decisions as they pertain to each of us and our waters. Keep in mind that all of these treasures were here before any of us. It is our obligation to use appropriately, monitor wisely, and lead by example in our relationship with these natural resources.

One should pose the question, what have I done to help the vitality of the natural resources on my lake or river?

- Have I joined the lake association to keep current about the lake?
- Am I aware of current shoreline regulations and the importance of leaving lake and shoreline habitat in place?
- Have I volunteered to monitor the boat landing on busy weekends?
- Have I visited with children/grandchildren about nature’s beauty and its fragility?
- Have I reported violations where necessary?

The list could go on and on... The bottom line is - what can I do to make my lake or river healthier, not what can my lake or river do to make my life easier. Have I educated myself, my family and my neighbors in what are sound/healthy practices for living on a “natural” lake and do I understand the “land ethic,” i.e. living in harmony with the land and its creatures.

It takes all of us working for the preservation of our waters to keep them healthy. How can you help?

Burnett County and Wisconsin DNR Contacts:

| | | |
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Boat Landing Monitoring Program

Six county lakes have been involved in a camera monitoring program over the past 2 years. The cameras have proven to be effective in several instances as to monitoring and recording illegal boating activities - i.e. transporting illegal plants on boats and trailers.

If your lake association has an interest in such a program in the future, please contact Roger Noe at 715-635-6309 for further information.

Permit Required? Guidance for Activities on Lake Beds

*Article first published in Lake Tides - edited by Mike Kornmann,
Community Development Educator-UWEX Burnett County*

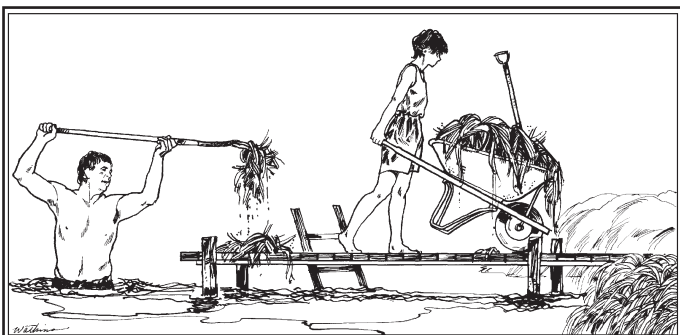
Some minor vegetation management (except for wild rice) and other activities done by hand do not require permits from the WDNR. The following activities require a permit: cutting plants in an area larger than 30 feet wide; driving a motor vehicle on the lakebed; tilling; and chemically treating vegetation if the area is wet. These permits are designed to assure that the activity does not damage the lake or the sensitive exposed habitat.

- If you want to groom or disk the exposed lakebed area (e.g. beach, vegetation, etc.) on your property along a navigable waterway, a permit is required. This includes grooming or discing in areas of the beds of waterways that are currently exposed because of low water levels. Certain grooming or raking with handheld devices may qualify for an exemption. A permit is required to disturb, remove or redistribute material from the bed of a navigable waterway. Removal of bottom material with handheld devices may qualify for an exemption by following specific standards.
- If you want to cut or mow emergent vegetation that is growing on your exposed lakebed using motorized equipment (e.g. riding lawn mowers, tractors, ATVs, etc.), you need to apply for a permit. If you will be cutting or mowing the vegetation by hand (e.g. push lawn mower,

clippers, etc.), a permit is only required if you remove native vegetation in an area that exceeds a single 30 foot wide path per property, measured along the shoreline. You also need a permit if you are removing state or federally listed threatened or endangered plant species. The following non-native invasive species may be removed by hand in an unlimited area without a permit: phragmites, Eurasian water milfoil, curly-leaf pondweed, and purple loosestrife.

- On lakes with connecting streams, dams or other water level control structures, modifications may be considered to temporarily raise or lower the water level due to extreme conditions. However, permanent changes in water levels have significant implications for downstream property owners and users. Project review can be lengthy and locally controversial. Establishing or changing water levels on lakes or flowages will generally require WDNR approval. Lakes without natural outlets are even more difficult to address. Pumping water into a seepage lake can be expensive and results in very little change in the water level, as most of the water is basically recycled back to the local groundwater system.

For more information see <http://dnr.wi.gov/org/water/fhp/waterway/lakelevels.html>.



Although low water may be perceived as a problem for property owners, it is natural for lakes to go up and down in cycles that are decades long. Low water does have some benefits. It consolidates sediments, allows new plants to colonize the lake bed and it provides habitat for rare plants and shorebirds.



Comprehensive Plan Moves Toward Net Density Management

by Michael Kornmann, Community Development Educator - UWEX Burnett County

For years, you have been visiting your Burnett County lakeshore cabin. You also have been enjoying hunting and wildlife watching on a nearby 40 acres you own. One day, you may decide you would like some extra money to spend on a dream vacation to Europe, and one way to find the money is to sell part or all of your 40 acres.

To figure out what and how you can develop the 40 acres you visit the County Zoning Office. What you find out is that your property is zoned A2 (Agricultural Residential) and requires that new lots have minimum size of 10 acres each. Neighbors at your lakeshore home have three sets of friends that are looking to buy a 2 acre lot each in beautiful Burnett County. You are excited that you may have people already interested. There is one challenge facing you. The 10-acre minimum lot size requires lots that are too large for your potential buyers. The interested neighbor's friends are really looking for smaller lots. They dislike spending time mowing, especially 10 acres of lawn. You also have concern because you use the land for hunting and wildlife watching and multiple 10-acre lots with houses may impact wildlife habitat and the sightings you are used to seeing. Over the years you have become famous among your lake friends and Facebook friends for posting trail cam photos of big bucks and bear on the internet.

What do you do? How can you develop your land and retain the open space you value so much? Currently, your only option would be to apply for a zoning variance including an application fee or go through a rigorous planned unit development review process.

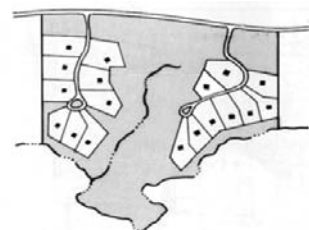
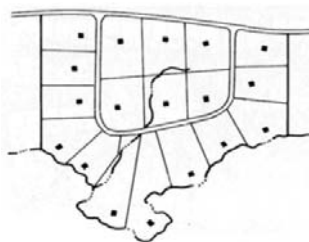
The above scenario is not unusual. Current land policies attempt to achieve private and public interests by managing minimum lot sizes. However, this approach has its limitations and many times does not achieve either private or public goals.

The County of Burnett and many towns are working towards revising the land management policy in Burnett County through its comprehensive planning process. Managing net density is the approach planning committees and commissions are developing. Net density refers to the total number of homes/lots allowed to be created from a parcel, with flexibility in terms of the size of the lots.

This new policy would allow land owners to develop the same number of lots under conventional zoning. However, flexibility would be added to allow a land owner to develop smaller lots as long as the "net density" remains the same. For example, instead of subdividing a 40 acre parcel into four 10-acre lots, the land owner could subdivide three 2-acre lots and leave the remaining 34 acres as one large lot. In each scenario, four homes/lots could be developed but in different ways. Once the net density is achieved, no further subdivisions of the large lot would be allowed. With the net density approach, open space is preserved and smaller lots meet buyers needs.

Discussions continue at public meetings at the town and county level on all nine required comprehensive plan elements.

For more information on comprehensive planning contact Mike Kornmann, UWEX Educator at 715-349-2151 or mike.kornmann@ces.uwex.edu.



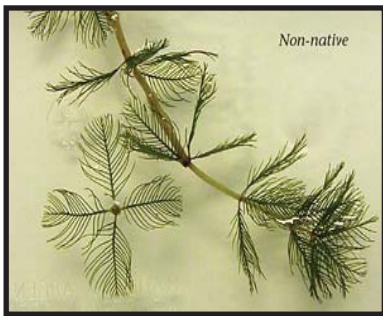
A recent planning public opinion survey of year-round and seasonal residents in Burnett County said 62% favor "conservation" subdivisions where relatively smaller lots are clustered and open space is preserved compared to traditional subdivisions. To read the survey summary report visit www.burnettcounty.com/planning.

2009 Aquatic Invasive Species Update

by Dave Ferris, County Conservationist, Land & Water
Conservation Department

The Burnett County Land and Water Conservation Department was able to continue the aquatic invasive species (AIS) education and prevention program in 2009 due to a three year grant provided by the Wisconsin Department of Natural Resources. With this grant, we were able to continue efforts to protect Burnett County's beautiful lakes and rivers from AIS. In addition to the renewal of the DNR grant, the LWCD received generous donations from the following Lake Associations to help continue the fight against AIS: 26 Lake, Love Lake, Green Lake, Loon Lake, Little Wood Lake, Big Wood Lake, McKenzie Lake, Devil's Lake, Mud Hen Lake District, and the Town of West Marshland.

One of the biggest concerns for Burnett County is the threat of Eurasian Water Milfoil (EWM). This aquatic invasive plant has been invading hundreds of Wisconsin lakes and first reached Burnett County in 2004. Since then, EWM has been confirmed in Round Lake, Ham Lake, and most recently, Little Trade Lake, identified this past July.



For the 2009 summer season, the AIS program hired Michael Isaksen as an AIS intern. One of the main focuses for the AIS summer intern is to carry out the Clean Boats, Clean Water project. The purpose of Clean Boats, Clean Water is to educate people at boat landings about AIS and make sure they are not transporting AIS from one lake to another. Throughout the summer, Michael contacted boaters that were entering and leaving the public boat landings in Burnett County. He would briefly talk to boaters about AIS and inspect their boats for any aquatic plants and animals. Michael was able to monitor all public lake landings in the county at least twice, and boat landings with high boater traffic were visited multiple times throughout the summer, as well as landings near the lakes that have EWM.



During his time at boat landings, Michael contacted 332 people and inspected 176 watercrafts. Each boater that was contacted was asked survey questions and the final data showed that over 90% of boaters were taking the necessary steps to prevent the spread of AIS. Out of the 176 people surveyed, 26% said they learned about AIS from a previous encounter with a watercraft inspector.

In the beginning of August, the Burnett County AIS program received additional assistance for the Clean Boats, Clean Water project. Funded by the Recovery and Reinvestment Act, Jimmy Flanigan was hired to carry out watercraft inspections in the Trade Lake area. Due to the presence of EWM in this area, nearby lakes are vulnerable to a new infestation. It should also be noted that this summer, all 73 lake boat landings were monitored, and in addition, Gaslyn Lake, Benoit Lake, and Fish Lake were monitored around the entire perimeter of the lake. Unfortunately, there was Curly Leaf Pondweed found in Benoit Lake and Purple Loosestrife was found on the shoreline of Fish Lake.

The positive results that were achieved through the AIS monitoring and Clean Boats, Clean Water projects show the importance of AIS prevention and gives encouragement for future efforts. The summer's AIS work also sets a great pace for Burnett County's AIS program in following years.

Green Frogs Numbers Declining with Low Water

by John Haack, Basin Educator for Natural Resources, St. Croix River Basin/UWEX

The green frog is a large and fairly common lake loving frog with obvious eardrums behind its eyes and dark blotches scattered around its body. Don't let its name fool you-- green frogs can be brown, bronze, or bluish instead of green.

Green frog tadpoles eat mostly algae and continue feeding over the winter. The tadpoles take two seasons to mature and morph into frogs across Northern Wisconsin including Burnett County. Adult frogs eat insects, worms, occasionally small frogs and fish that live near shoreland plants on the water's edge. Rather than chase their prey, they sit among the plants at the lakes edge and eat whatever comes. Situated in the middle of the food chain, frogs are food for a host of other animals including hawks, fish, herons, and even other frogs.

The territorial green frogs spend much of their time in shallow water along the edges of wetlands, ponds, lakes, and streams. They overwinter on the bottom of lakes and streams. Like other frogs, green frogs have well developed senses. Their bulging eyes

allow them to see in many directions without even moving. The round spot behind the eye, called the tympanum, or eardrum, is used for hearing. Male frogs have eardrums that appear larger than their eyes, while female green frogs have eardrums about the same size as their eye.

Low water levels and loss of lake edge vegetation that once provided food and cover has caused green frogs to decline on many lakes with dropping water levels. The once wet and vegetated lakes edges are now bare soil on many of the County's ground water seepage lakes exposing frogs to predators and eliminating frog food.

By letting plants regrow on lakes near the water's edge you can provide the food and cover green frogs need. When the rains finally fall and water levels rise, frogs will recolonize vegetated lakes shores. Adult green frogs need just a few feet of lakeshore habitat to hide, breed, and feed. Kids of all ages enjoy watching, catching and listening to the low banjo string like twang of the green frogs. Consider letting the water's edge remain a little wilder and enjoy this interesting and fun frog along a shoreline near you.

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Natural Resources Board Approves Updates to Shoreland Protection Rules

News Release Published: June 24, 2009 by the DNR Central Office

MADISON – The Natural Resources Board today passed updates to state shoreland protection rules, increasing flexibility for property owners to manage their land while improving environmental protections for lakes and streams. The proposal, which was announced by Department of Natural Resources Secretary Matt Frank and supported by the River Alliance of Wisconsin, the Wisconsin Association of Lakes, the Wisconsin Realtors Association and the Wisconsin Builders Association, is the first major statewide shoreland protection revision in over 40 years.

The updates reflect the 50,000 public comments DNR received over several years and more than a dozen public hearings. Legislative review of the proposal is now required.

The proposed changes accomplish three important goals:

- More flexibility for shoreland property owners to make improvements to their homes while reducing the environmental impact of shoreland structures and hard surfaces.
- Enhanced protections to preserve water quality, habitat and scenic beauty.
- Streamlining the process to administer the rules.

“This proposal achieves a solid balance between the public interest in protecting Wisconsin’s beautiful lakes, rivers and streams, and the rights of private shoreland owners to enjoy their property,” Secretary Frank said. “Modernizing these rules ensures that as Wisconsin grows and develops, we are protecting our most precious natural resources so fundamental to our economy, recreation and our quality of life. This proposal reflects the improvements in our understanding as to what is most effective in protecting our waterways from stormwater run off, improving both water quality and promoting healthy wildlife and fisheries habitat.”

Wisconsin’s shoreland protection rules were first created in 1968. They largely apply to unincorporated areas - those outside city and village boundaries. Under the proposal, basic provisions of the shoreland

protection rules would remain unchanged, including the 75 foot setback from the shoreline for new structures and minimum lot sizes of 20,000 square feet (10,000 square feet for substandard lots). The new rule would implement a 35 foot limit on the height of shoreland structures.

Under the new rules, shoreland owners with an existing non-conforming residence located between 35 feet and 75 feet of the shoreline would have greater flexibility to make home improvements. Spending limits for repairs to existing homes are removed. It will no longer be necessary to request a variance from the county if the homeowner is spending more than 50% of the value of the property.

However, a property owner expanding the physical footprint of a non-conforming structure will be required to offset the environmental impact of the expansion by choosing from a number of options. Examples include reducing the amount of mowing next to the water, installing rain gardens to absorb storm runoff, or re-planting native vegetation near the shoreline. Non-conforming structures may not be expanded towards the water but may be expanded on the other three sides, as long as impacts are offset.

In addition, the proposal would implement a cap for the amount of impervious surface allowed on shoreland property, similar to caps found in a number of county shoreland ordinances. Impervious surfaces include the roofs of buildings and pavement.

For more information visit:

<http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm>






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Totogatic River Receives “Wild River” Designation

by John Haack, Basin Educator for Natural Resources
St. Croix River Basin/UWEX

On July 10, 2009 the Governor signed into law the bill designating the 70 mile long Totogatic as Wisconsin’s fifth Wild River. The Totogatic joins the Pine, Pike, and Popple in northeastern Wisconsin and the Brunswiler in Ashland County as the best of our best, to be protected and kept wild for future generations.

The Totogatic is a wild gem that begins in Bayfield County and winds its way through Sawyer, Douglas, Washburn and finally Burnett County where it joins with the Namekagon River in Northeastern Burnett County. It provides rich habitat for diverse aquatic and terrestrial species, has excellent water quality, beautiful scenery, and great fishing and paddling opportunities. The free-flowing reaches are now designated wild, with the four flowages (Nelson Lake, Totogatic Flowage, Colton Flowage, and Minong Flowage) excluded.

The Burnett County Lakes and Rivers Association along with Washburn County and Washburn County Lakes and Rivers Association, local citizens, the River Alliance of Wisconsin, UW-Extension and Wisconsin DNR have been seeking this designation since 2004. These groups worked very hard researching how to designate a river, and what the designation would mean for local river protection. There were several public meetings in 2005 and 2006. Early this year, Senator Bob Jauch and Representative Nick Milroy introduced legislation in the State Senate and Assembly (respectively).

From the beginning, the goal of this effort has been for all landowners and visitors to work together to keep the river wild. The land ownership includes county forest frontage (some in all 5 counties), commercial forest, private recreational parcels, and a very small amount of state and federally-owned frontage. Wisconsin Administrative Code NR 302 covers how land and water activities will be managed on Wild Rivers. This law specifies that the landowners along the river need to recognize and protect the wild characteristics. The rule limits grading on the banks to less than 10,000 square feet (the point at which a permit would be needed from the DNR), and prohibits new docks, dams,

bridges (other than on public roadways), dredging, filling, and removal of natural obstructions.

The designation does not mean the Department of Natural Resources will acquire all the riverfront property, and the Department does not condemn land. The goal of the designation is to have all landowners (public or private) work together to protect the river and its watersheds. Instead, the Department, counties, and local land trusts will work with willing property owners interested in land protection measures (such as purchase of public land or voluntary conservation easements).

Achieving this designation is a great accomplishment on the part of local landowners, the counties, Washburn and Burnett County Lakes and Rivers, and all of the citizens and agencies involved. It is one of the highest levels of stream protection possible under Wisconsin Statutes. With everyone working together, we can keep it not only “Wild by Law” but also “Wild by Example” with good stewardship, care and respect from all who live along it and visit it in years to come.

For more information call Kathy Bartilson at the Spooner DNR office 715-635-4053 or go to the web at <http://basineducation.uwex.edu/stcroix/Links/WildRiver/Index2.htm>. The booklet “Canoe Trails of Northwest Wisconsin” provides nice descriptions of the Totogatic and other Burnett County rivers.



Will your Nonprofit Organization Lose its Nonprofit Status?

by Patrick Nehring, UWEX Community Development Educator

In 2004, in response to questionable activities of board members and executive directors of a few nonprofit organizations, the U.S. Senate convened a panel to make recommendations on how to prevent the abuse of the use of income tax exemption designation by organizations recognized as nonprofits by the Internal Revenue Service (IRS). In response to the recommendations, the IRS changed the filing requirements of nonprofits. This included changing the 990 Form, creating a new 990-EZ form, and a 990-N e-file form. All nonprofit organizations are required to annually file a 990, 990-EZ, or a 990-N form.

All nonprofit organizations must file a 990, 990-EZ, or 990-N report by the 15th day of the fifth month after the end of each fiscal year starting with fiscal year 2007. For example: if an organization's fiscal year is January to December, they need to file a 990, 990-EZ, or 990-N report by May 15. If the organization's fiscal year is April to March, they need to file by September 15.) Previously, if a nonprofit organization had gross receipts less than \$25,000, they did not need to file any paper work with the IRS. Now if an organization makes less than \$25,000, the organization must electronically file a form 990-N. It is not a difficult form to fill out. Basically it asks the organizations EIN number, current address, principle officer, and a yes/no statement saying your organization had less than \$25,000 in gross receipts. The form is at <http://www.irs.gov/pub/irs-pdf/f990.pdf>. Organizations with gross receipts more than \$25,000 are required to file a 990-EZ or 990 form.

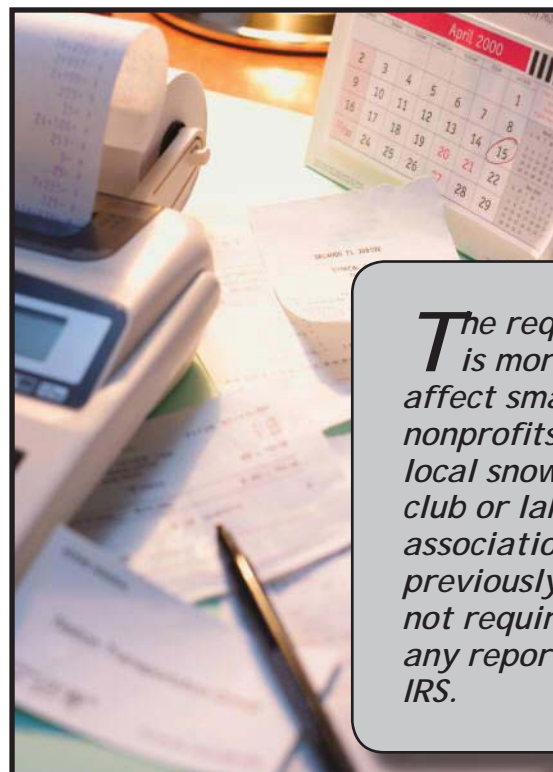
If an organization fails to file a 990, 990-EZ, or 990-N form for three consecutive years, they will lose their IRS designated nonprofit status. Therefore, if an organization has never filed a 990, 990-EZ, or 990-N, they could lose their nonprofit status on May 15, 2010, the deadline for fiscal year 2009 filing, assuming the fiscal year is January to December. This includes ALL nonprofit organizations, including 501(c)3 Charitable organizations; 501(c)5 labor organizations, like unions; 501(c)6 membership organizations, like Chambers of

Commerce; and 501(c)7 social and recreation clubs, like a bowling league or quilt guild. The required filing is more likely to affect small local nonprofits, like the local snowmobile club or lakes association, because previously they were not required to file any reports with the IRS.

If a nonprofit organization loses its nonprofit status, the organization will need to pay income tax on its profits at the end of the year. The profit is the revenue the organization has left after expenses. Failure to file a 990 form can amount to thousands of dollars in taxes and penalties, if the organization is caught. In addition, charitable contributions to the organization, particularly a 501(c)3 organization, will no longer be deductible from individual donor's personal income taxes. Also, the organization is unlikely to receive a grant from a private foundation or government entity, who usually prefer 501(c)3 organizations.

For more information visit:

<http://www.irs.gov/newsroom/article/0,,id=214274,00.html>



The required filing is more likely to affect small local nonprofits, like the local snowmobile club or lakes association, because previously they were not required to file any reports with the IRS.

Critters for Kids - The Beaver

by Christian W. Cold - Wildlife Technician, WDNR - Ladysmith

What is a beaver?

The beaver is our largest rodent. It has soft, dense, brown, water proof fur. Its hind feet are large and the toes are webbed for swimming. It has a broad, flat, leathery and scaly tail. Beavers get big! One from Iron River, Michigan was 110 pounds!

Beavers live in a family group called a colony. A beaver colony consists of two parents, their new children (kits), and their older children from the previous year.

Where do beavers live?

Beavers can be found throughout most of Canada, the United States and northern Mexico. They live in and near a water supply. While this may include lakes and marshes, beavers especially like to live on streams and small rivers with forested shorelines.

What does a beaver eat?

The preferred food of a beaver is the leaves and tubers of water lily. It also likes other water plants, and the leaves, buds and bark of certain trees (especially aspen and willow).

Why do beavers build dams?

Beavers need to enter the forests along the shoreline to cut trees, which are used for food and building materials. Dry land is a dangerous place for a beaver to be! There are animals here that hunt beavers for their tasty flesh.

When beavers build a dam on a stream, the water flow stops. The water level rises and the stream floods back into the forest. Now the beaver can swim in the safety of water to its food supply. Once cut, the tree limbs can be floated back to the pond and used for building a house (lodge) and repairing the dam. Small branches are stuffed into the mud at the bottom of the pond in a bunch called a "cache". This will be the winter food supply (bark) for the colony.

How many beavers are in Wisconsin?

There may be as many as 90,000 beavers in Wisconsin. They are most common in the northern and western parts of the state.

Some beaver history:

Beavers were important animals when American was young. Their pelt (skin with fur) was used as money for almost 300 years. During this period, beaver pelts were provided by natives and trappers in exchange for goods and supplies. In the early 1800's, a time when a typical person would earn 50 to 75 cents per day, a beaver pelt brought a whopping four dollars each.

Are beavers good or bad?

Beavers are so important that we think of them as "keystone species." That is- they make big changes to their surroundings by creating wetlands. These wetlands provide for the needs of many animals, including ducks, geese, herons, muskrats, mink, raccoons, frogs, turtles and many other critters.

Beaver wetlands gradually fill in with fine soil particles, which wash in from upstream. Eventually beaver ponds dry up and become meadows. The rich soils in these meadows eventually become some of the most valuable cropland in the area.

Sometimes, beaver dams flood roads and lawns. In such cases, beavers are often removed. Whether a beaver is good or bad often depends on where it lives and what it is doing at the time.

Did you know?



Next to humans, no other living animal appears to do more to change the landscape in which it lives.



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