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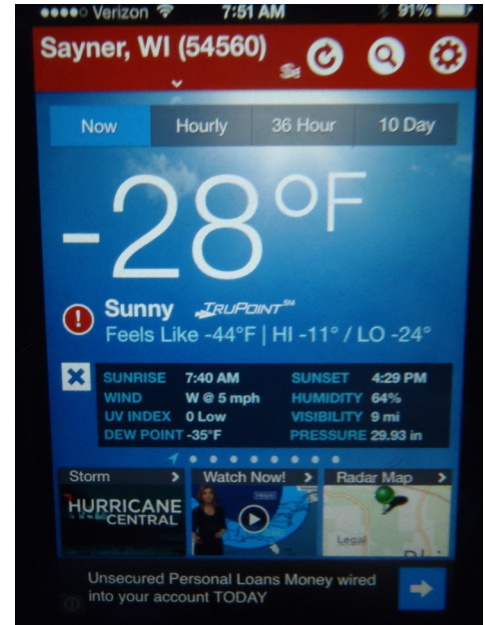
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January 6, 2014

LOON HOOTS

The Newsletter of Plum Lake Association



SLEEPIN IN

That's what it looks like. 28 below zero.

It is 7am on the coldest morning in Sayner since 1912. Now, I'd bet it was colder at 4:30 or 5am but I don't really know for sure because I am practicing sleeping in. *Someone* told me that, now that I am retired, I should try sleeping in. I am not very good at it. *Someone* also told me that, with all the fidgeting, tossing and sneakin around making coffee, I am not getting any better at it.

My phone app told me "the big cold" was coming on Sunday night and wind chills (-50) would be worthy of Antarctica. So we took a long ski Saturday, checking on the ice fishermen. I am curious about how much ice there is now. Ivory is more interested in what comes up through those holes. Since neither of us are big on sittin, we are grateful for the ice fishermen who provide such fine entertainment. I learned that the ice is now about 16 inches – up from 10 last week. Ivory found a prize – a tasty bluegill, which she is carrying around in her mouth. It has been a good day for both of us.

Two days ago the wind blew up snow devils - twirling white tornado-like snow fairies that danced across the lake - but since, it has blown our powder snow flat and beaten it into a dry powder crust. The wind moves nothing now – except me, as I sprint for home. Neither my boots, nor Ivory's,



are up to this penetrating cold. Time for hot coffee and a big dog treat. I will build a fire in the study and tie some scruffy flies. Ivory will sleep in front of that fire. We are both very good at this. In days, or a week, we will ski and hunt when the snow softens and the tracks appear. Think we have time –just checked the temp - going down. It's lookin like a long winter.

Happy New Year from the North Country



WISCONSIN LAKES LEGISLATIVE UPDATE

Wisconsin Lakes sponsored a legislative update in December. I attended – a summary of some issues follows. The update concerned bills that will pass in the waning days of this legislative session, which ends in April of this year.

The Wisconsin State Budget is the biggest of the fish in the pan. For riparians, the funding of DNR and AIS (aquatic invasive species) prevention and mitigation programs is of particular interest. In addition, the non-fiscal issue of high capacity wells has been incorporated into the budget to insure its passage in this session.

- The DNR budget was not increased by the state, though some federal funding of specific programs was added. In total, full time employee positions (FTE's) decreased by 34, following the current downward trend in this administration. Bonding authority (borrowing authority for multi year program needs) was also decreased .
- AIS also did not receive badly needed and requested increased funds, though the spread of AIS to new bodies of water and mitigation costs and needs continue to grow rapidly.
- High Capacity Wells (SB302, no assembly version due to lack of support). Most interestingly, the budget included this. A *non budget* item. As I understand it, inclusion of a controversial issue such as this in the budget makes changes more difficult, limits debate and insures an easier path to passage. This bill was proposed by the Senate. Due to disagreement and lack of support in the Assembly, there is no similar bill offered by the assembly, making passage this year very doubtful if not included in the budget.

This Bill is opposed by environmental and sporting groups and the Wisconsin Realtors Association. Under this bill, *“no person may challenge an approval, or an application for an approval, of a high capacity well based on the lack of consideration of the cumulative environmental impacts of the proposed high capacity well together with existing wells when approving the high capacity well permit. The provision would apply to applications for approvals of high capacity wells submitted to DNR on*

or after July 1, 2014.”

This section of the budget has the Governor’s backing and limits the ways in which permits can restrict high capacity well approvals.

- Limits the definition of a high capacity well.
- Approves by default permits not ruled on by DNR in a certain amount of time.
- *Limits DNR’s ability to regulate wells known to cause groundwater or surface water depletions.*
- Limits DNR’s ability to regulate reconstructed wells.
- Allows for the transfer of well permits from one owner to another with no oversight.
- Limits instances when DNR can use its own environmental review process.
- Limits DNR’s rulemaking as to high capacity wells.
- Allows for some permits to have pre-conditions removed.
- *Most importantly, in a last minute amendment after the public hearing, the bill also limits DNR authority to regulate high capacity wells by **OVERTURNING THE WISCONSIN SUPREME COURTS RULING in Lake Beulah Management District v. DNR.** The Lake Beulah Supreme Court decision confirmed the DNR’s oversight of the waters of the state under the Public Trust Doctrine.*

Due to its inclusion in the State budget, the provisions of the Senate bill will become law when the budget is passed without further legislative action.

The other big bills in this session are Iron Mining (AB1/SB1) and Shoreland Zoning (AB75, SB183).

Iron Mining is on the fast track to passage. It has been enrolled and is certain to be signed by the governor. It is opposed by virtually every environmental and sporting organization.

The bill includes the following:

- Decreases role of public and the right to sue.
- *Eliminates all rights to sue for ILLEGAL environmental damage.*
- Contested case hearings are minimized.
- Public hearings reduced from at least three to two.
- Reduces environmental protections.
- Allows filling of lake beds.
- Allows mine waste to be dumped into wetlands and floodplains.
- Doubles the distance around a mine that can be polluted.
- Allows draw-downs of water levels from rivers, lakes, streams and groundwater.
- *MOST SIGNIFICANTLY.....it REMOVES DNR authority to issue a stop work order if a threat to public health and safety or the environment arises.*

Shoreland Zoning has been the subject of many newspaper articles and is complex. I won’t attempt to detail the changes from the original NR115. Overall, it is substantially weakened from the original version.

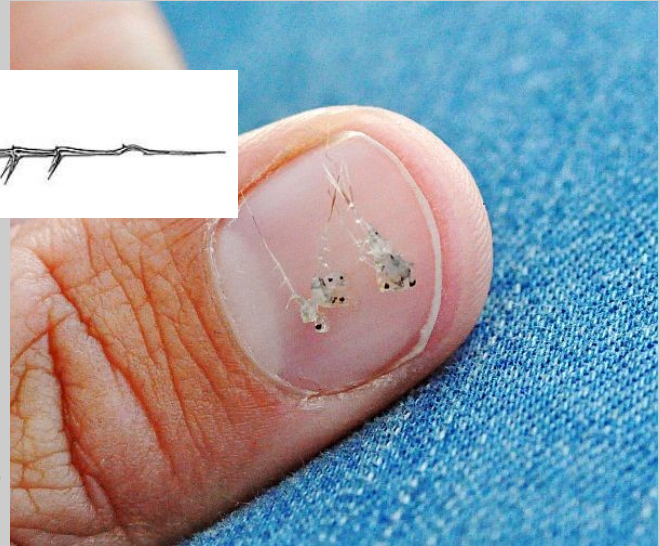
My apologies for the length of this “summary” but I know that all of us are quite sensitive to threats to water levels and water quality. These issues affect all of us and they are particularly relevant for riparian owners.

A NEW INVASIVE SPECIE IN OUR WATERSHED

In late August of last year, DNR discovered Spiny Water Flea in Star Lake. Previously, the only Vilas County lake to have been infested with this little monster was Stormy. The infestation on Star was noted to be fairly significant.

As you all know, we are downstream from Star. We will be pushing for a thorough survey of Plum next year to find out if it has already migrated.

Spiny Water Flea is a zooplankton. Unlike our Daphnia, the predominant zooplankton that feeds primarily on algae (phytoplankton), this one feeds on Daphnia. Daphnia are the primary food source for young of the year fish, particularly perch.



There are no known economically feasible methods to prevent its migration downstream. US Fish and Wildlife addressed this in its detailed study of a similar threat to Lake Champlain. You can read about this with the following link (it won't load, so copy and paste).

http://plan.lcbp.org/assets/files/task-comment-files/SWF_FINAL_04_12_2010.pdf

What is known about how this will affect our lakes is really not much at this point. It has spread throughout the Great Lakes system and prefers the pelagic layer of water just above the thermocline in deep water lakes. One DNR fisheries person I contacted did not have much experience with it and did not offer any ideas. More will be contacted; from DNR, US Fish and Wildlife, etc. The Town of Plum Lake Lakes Committee will get involved in this issue early next year. What I have been able to gather from the web about its effects is the following:

- Very small fish can't eat this zooplankton. The tail spines stick in their throat.
- The preferred food of Frye stage small fish is our native zooplankton, daphnia, which will be less available due to predation by spiny water flea.
- I can't find any reference to what happens to phytoplankton as a result. An increase in algae? We have somewhat infertile water which might make this less of an issue.
- Prevention methods seem to be focused on boat cleaning. They believe boats moving from lake to lake is the primary source of contamination. We currently have no way to clean boats at the landings at Star Lake.
- No one knows for sure if it will migrate down Star Creek.

There is a whole lot more to learn about this from every perspective.

There is strength in numbers. Let's keep working on our team. Our Association needs all riparians. Our neighboring lake associations need to grow and work in concert with us, the town and the county. We will need everyone if we hope to have influence on our State government. Solutions are probably beyond our reach, practically and economically.

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