

**MINUTES OF MEETING OF THE COMMISSIONERS  
PIPE LAKES PROTECTION AND REHABILITATION DISTRICT  
NOVEMBER 7, 2015**

**ATTENDING:**

Greg Warner, Jan Breyer, Tim Schmuck, Joe Zaspel (Township Representative), William Johnson (County Representative)

**ABSENT:**

Stephanie Boysen  
Tom O'Hern

**GUESTS:**

Dick Hollar, Larry Bessina, Michael Linden, Marc Schulte, Vicki and Darren Glass and Greg Conway

**MEETING:**

Greg Warner, Chair, called the meeting to order at 9:05 a.m.

**Treasurer Report:**

The budget (attached), after review and discussion, was approved as presented.

**County Report:**

Thirty counties and lake associations have moved for repeal of Bill 55 regarding Shoreland Zoning at the State Legislature. Rep. Johnson distributed a summary of the changes to the State Shoreland Zoning Policy prepared by the Wisconsin Counties Association. A copy is attached to these minutes.

**Township Report:**

The town is ready for winter with sand. The new grader is working well. Rep. Zaspel reminded everyone of the Town's burning regulations.

**Old Business:**

There has been a request to remove the temporary erosion fence around the retention pond. Darren Glass volunteered to remove it.

Commissioner Warner also noted that the 5 year Lake Plan is coming to an end and a new draft is scheduled to be presented at the May 2016 meeting. As part of the new Plan a survey of District residents will take place this winter. A Lake Management Plan worksheet was distributed by the Chairman (copy attached).

There was further discussion regarding the extension of the Shoreline Protection Grant and possible alternatives of use. Greg Warner will follow up with Carol Vantine, a member of the Protection Grant Committee on a possible extension.,

**Public Comment:**

Larry Bressina raised the issue of communications and the use/upkeep of the District website.

Greg Conway asked about the Reed Canary Grass in front of his house. He was referred to Jeremy Williamson for identification of the grass and further action.

Proposed Commission Meeting dates for 2016 are:

- January 16
- April 9
- August 13
- November 12

Special Meeting Date: May 28

Annual Meeting Date: September 5

Matthew Berg's Report on Vegetation in Pipe and North Pipe Lake was distributed by Greg Warner. The Report, for the period May-October 2015, was reviewed and discussed. The good news is that no Eurasian Water Milfoil or Curly-Leaf Pondweed was found in either Lake. A copy of the report is attached to these minutes.

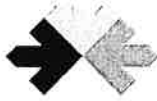
The meeting was adjourned at 10:15 a.m.

Respectfully Submitted,

Jan Breyer, Secretary

Pipe and North Pipe  
Protection and Rehabilitation  
Sep 5th 2015

	Approved 2015 Budget	Current 2015 budget
<b><u>INCOME</u></b>		
Opening Balance	\$25,000	\$19,520.89
Grant Reimbursement	\$9,000	
Tax Levy	\$17,000	16852.93
Owner 50% Matching Contributions	\$2,250	
Site evaluation payment \$25	\$0	
DNR Reimbursement/Invasive species.	\$2,200	\$1,889.08
DNR grant Clean Waters		\$17,111.99
Other - Lottery Credit, Map Sales, Picnic Income	\$750	958.00
<b>TOTAL INCOME</b>	<b>\$56,200</b>	<b>\$56,332.89</b>
<b><u>EXPENSES</u></b>		
<b>Grant Expenditures</b>		
<b>General</b>		
Coordination	\$2,500	1424.33
Mailing materials	\$100	
Support for small group guidance meetings	\$500	
<b>New Project Initiatives</b>		
UW-Stout Basin Study	\$6,000	
Consulting North Pipe	\$8,000	
<b>Phosphorus Retention Projects</b>		
Northeast of North Pipe Lake	\$1,000	
<b>Shore land Buffers</b>		
Initial Technical Assistance	\$2,000	
Buffer Zone Restoration	\$1,500	
Residential Area Practices	\$5,000	\$941.93
<b>In-Lake</b>		
Tree-falls	\$4,500	\$4,395.50
Invasive species contingency plan	\$500	
Invasive species Contingency Fund	\$5,000	<b>\$10,000.00</b>
<b>Total Grant Projects</b>	<b>\$36,600</b>	<b>16,761.76</b>
<b>Lake Quality Initiatives</b>		
Clean Boats, Clean Water Program	\$5,000	4580
Underwater inspections	\$500	500
Aquatic Plant Survey	\$0	
<b>SUBTOTAL LAKE MGMT PROJECTS</b>	<b>\$5,500</b>	<b>5,080.00</b>
<b>Lake Quality Monitoring</b>		
Lake (WEAL) and Stream Samples	\$2,500	602.00
Beach water	\$200	\$37.50
<b>SUBTOTAL MONITORING</b>	<b>\$2,700</b>	<b>639.50</b>
<b>TOTAL LAKE QUALITY</b>	<b>\$8,200</b>	<b>5,719.50</b>
<b>Constituent Development</b>		
Boat Parade	\$80	97.00
Picnic	\$850	1390.77



# CAP TEAM

WCA County Ambassador Program

## CHANGES TO STATE SHORELAND ZONING POLICY

WCA is seeking changes in the form of a stand alone bill related to Paragraph 23 of Motion #520 inserted into the 2015-2017 state budget bill (Act 55). The language inserted and subsequently passed as part of 2015 Wisconsin Act 55 made significant changes to the state's shoreland zoning policy including making NR 115, formerly the minimum standard for regulation of shoreland zoning, the new statewide standard. This change provides counties very little discretion beyond NR 115 in the administration of their shoreland zoning policies.

**CURRENT STATUS:** Recently, the WCA Government Affairs Team has been working with Sen. Sheila Harsdorf and Rep. Adam Jarchow to make modifications to portions of the state's shoreland zoning code. Working in partnership with county land use professionals, WCA has identified areas of agreement with proponents of the changes made in Act 55 and ask legislators for their consideration. The proposed changes to shoreland zoning policy advocated by WCA include:

1. Counties will continue to use the NR 115, 75-foot setback from the ordinary watermark as a general rule. However, the statutes should specify that counties may have flexibility in cases where an "existing development pattern" exists. In the circumstance that a development pattern exists, a county should be allowed to establish a "median average setback" that may exceed the 75-foot NR 115 standard if the median average setback is greater than 75 feet. In the absence of a development pattern the NR 115 standard setback of 75 feet would apply. The same standards would also apply inversely should an existing development pattern exist within 75 feet of the ordinary watermark. The justification for this change is the protection of the viewing corridor and property values of the already existing adjoining landowners who may be adversely affected by the placement of new structures within 75 feet.
2. The proposal specifies that the 35-foot height limitation be applicable to only the principal structure on a lot. Counties may establish a lower height standard applicable to the non-principal structures on a lot such as a boathouse. This adjustment would also protect the viewing corridor for adjoining property owners. In addition legislation should also provide clarifying language allowing for the construction of a stairway or walkway to obtain access to a navigable waterway or a fire pit.

3. The proposal includes language specifying that a non-conforming structure located within a 75-foot setback can be rebuilt within the original three-dimensional footprint. The standard enacted within Act 55 would allow for vertical expansion up to 35 feet. Legislation should specify that the original structure and dimensions be grandfathered and not be allowed vertical expansion up to 35 feet. Further, a land use permit should be required so that both the property owner and zoning officials can be assured that they have satisfied all applicable land use standards. Expanding a structure beyond the original three-dimensional footprint would require a variance or some form of mitigation.

**REQUESTED ACTION:** Support legislation that would make changes to the newly-imposed shoreland zoning standards.

**TALKING POINTS:**

- The proposed changes provide counties flexibility and provide existing property owners reassurance that their property values and viewing corridors will not be adversely impacted by neighbors.
- The proposal allows for limitation on the height of non-principal structures within a setback, further protecting the viewing corridors and property values of already existing properties.
- Changes pursued by WCA reflect concerns of existing property owners who are worried about the impact of the new state standards.
- Changes proposed by WCA assume property rights are maintained for existing property owners and future property developers.

Contact: Daniel Bahr, WCA Government Affairs Associate  
608.663.7188  
bahr@wicounties.org

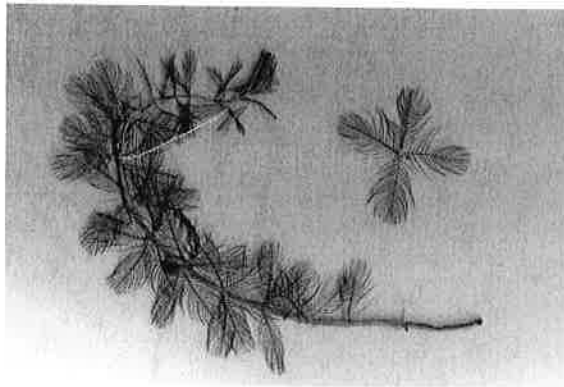


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- **Project Initiated by:**
- **Pipe Lakes Protection and Rehabilitation District**

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- (EWM Scan – Berg 2007)

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- **Landing Monitoring and Shoreline Surveys**
- **Conducted by and Report Prepared by:**
- **Endangered Resource Services, LLC**
- **Matthew S. Berg, Research Biologist**
- **St. Croix Falls, Wisconsin**
- **May-October, 2015**

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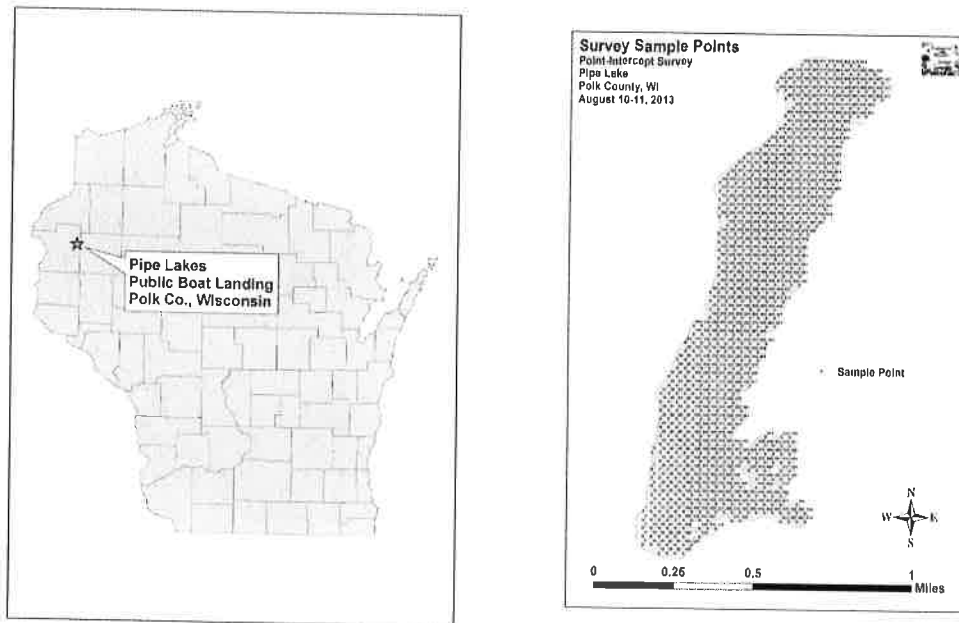
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• INTRODUCTION:

- During the summers of 2007 and 2013, extensive point-intercept plant surveys found there was no Eurasian water milfoil (*Myriophyllum spicatum*) in the Pipe Lakes (Figure 1). As part of their Aquatic Plant Management Plan (APMP), the Pipe Lakes Protection and Rehabilitation District decided that monthly transect surveys at the lakes' landings would be a prudent measure considering the increasing number of neighboring lakes that have EWM infestations (Horseshoe, Echo, Beaver Dam, Kidney, Shallow, Lower Vermillion, and Duck).

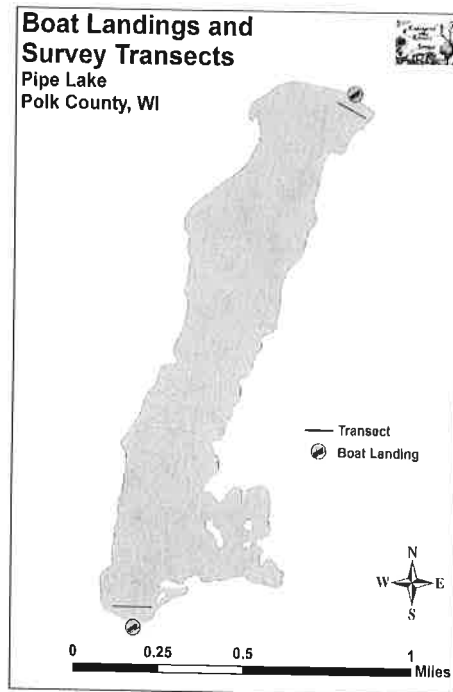


**Figure 1: Pipe Lakes, Polk Co., WI and Point Intercept Points 2013**

• METHODS:

During the five month growing season from June-October 2015, we conducted landing inspections at least once a month at the north boat landing and the “unofficial” south landing on Pipe Lake (Figure 2). If conditions allowed us to see deep into the littoral zone (not raining/good water clarity/no people present swimming at the north beach), we conducted a boat survey to look for EWM. Using three 100-150m parallel transects approximately 15, 30 and 45m from shore; we motored at idle speed looking for any evidence of EWM’s characteristic red growth top. Once we had finished the three transects, we returned to our starting point using a stitch pattern that crossed back and

forth over all three lines to look for any plants we may have missed between the transects. As EWM primarily reproduces by shedding numerous vegetative fragments, we also walked along the shoreline to look for pieces of EWM that would likely wash up if plants were present.



**Figure 2: Boat Landings and EWM Survey Transects 2015**

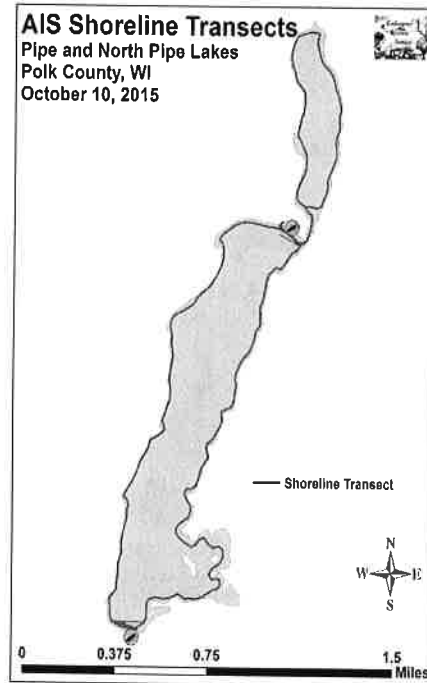
Following the boat inspection, if conditions warranted, we also surveyed using SCUBA/snorkel gear and compass along those same transects. Because Pipe Lake is essentially an elongated bowl and it was easy to do, on the first survey in June and the final survey in October, we conducted a boat survey along the shoreline of the entire lake to look for EWM in the zone of growth it would most likely be found in. We also surveyed North Pipe Lake at these times.

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- **RESULTS AND DISCUSSION:**
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- In late May, Dick Hollar and Greg Warner – PLPRD - informed us that, on May 23<sup>rd</sup>, a boat that had previously been in Big Blake Lake launched at the north landing before inspectors could stop them. Unfortunately, the trailer had a considerable amount of Curly-leaf pondweed (*Potamogeton crispus*) on it. Although CLP plants are unlikely to have turions (reproductive buds) or seed this early in the growing season, the potential introduction of this exotic invasive species is troubling. Because of this, we also made an early informal visit (north shoreline only) to the lake on May 31<sup>st</sup> to look for any evidence of surviving plants. Following this trip, we conducted six additional transect surveys on June 17<sup>th</sup>, July 7<sup>th</sup>, August 8<sup>th</sup> and 29<sup>th</sup> (both August dates were used as training dives

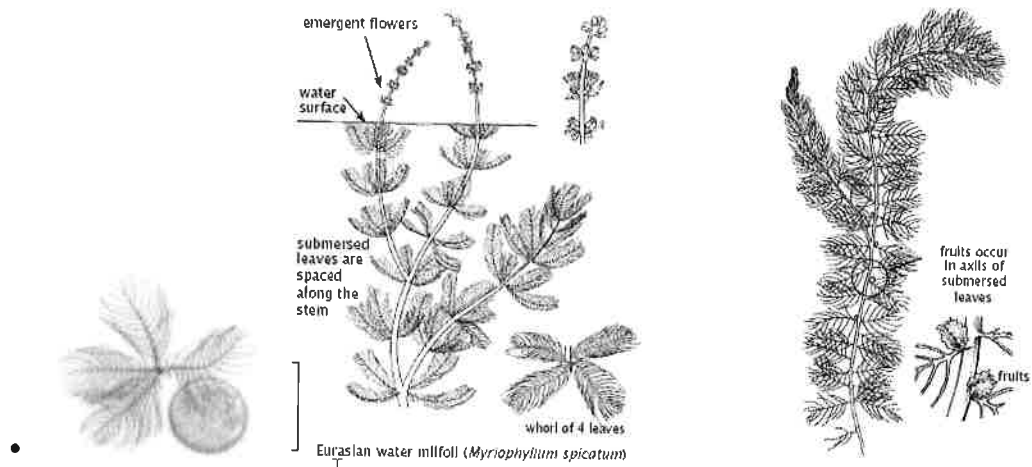


with six or seven additional volunteers each day), September 20<sup>th</sup>, and October 10<sup>th</sup>. We also conducted whole lake shoreline surveys on Pipe and North Pipe on June 17<sup>th</sup> and October 10<sup>th</sup> (Figure 3). Fortunately, we did **NOT** find any evidence of CLP, EWM or any other aquatic invasive species in or adjacent to Pipe Lake other than the previously reported Reed canary grass (*Phalaris arundinacea*).



**Figure 3: October 10, 2015 Full Shoreline AIS Survey**

- As in the past, the only branched/feathery aquatic plant we found in the lakes was Farwell's water milfoil (*Myriophyllum farwellii*) – a valuable habitat producing native plant that is relatively uncommon in the state. It continues to grow in dense beds in the sheltered bays of the southeast corner of Pipe Lake in shallow water over thick organic muck (especially near the beaver lodge on the east side of the northeast island). Farwell's is also found scattered through North Pipe Lake, but here it is very uncommon and never bed forming. Farwell's water milfoil can be told from Eurasian water milfoil in that it has leaves with leaflets numbering <16 whereas EWM normally has >26 leaflets (Figure 4). EWM also has an emergent flower stalk where Farwell's flowers are scattered along the stem and look like tiny nuts.



**Figure 4: EWM and Farwell's Water Milfoil Identification**

(Hill et al. in Maine's Field Guide to Aquatic Invasive Species and Crow and Hellquist 2006)

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• **CONSIDERATIONS FOR FUTURE MANAGEMENT:**

- The south shore landing (posts with signs driven into the ground to instruct people not to trespass/to use the north public landing instead) was closed in 2014, and we saw no evidence that people were using this area in either 2014 or 2015. We can continue to monitor this area in the future, but perhaps efforts would be better focused along the entire north shoreline where fragments from EWM would likely be blown by the prevailing summer winds. If residents or boaters discover a plant they even suspect may be CLP or EWM, we again encourage them to immediately contact us (Matthew Berg, ERS, LLC Research Biologist) at [715-338-7502](tel:715-338-7502) and/or Pamela Toshner or Alex Smith, Regional Lakes Management Coordinators in the Spooner DNR office at [715-635-4073](tel:715-635-4073) for identification confirmation. A fresh specimen, JPG photograph, and GPS coordinates of where the specimen was obtained would aid in the identification and location of any suspect plant(s).

## Lake Management Plan Worksheet

- | Components   | What Exists | What is Needed | Who Will Do |
|--|-------------|----------------|-------------|
| <ul style="list-style-type: none"> <li>• Physical Characteristics Many data included in first pipe lake planning grant 2002-2003               <ul style="list-style-type: none"> <li>○ Lake Size and Characteristics</li> <li>○ Shoreline Length</li> <li>○ Lake Volume</li> <li>○ Watershed Map</li> <li>○ Flushing</li> <li>○ Groundwater Flow</li> <li>○ Water Budget</li> <li>○ Water Levels</li> <li>○ Soils</li> <li>○ Geology</li> <li>○ Lake Map</li> <li>○ Lake Bottom</li> </ul> </li> </ul>  |             |                |             |
| <ul style="list-style-type: none"> <li>• Water Quality – <b>Graphs of historical data – Larry’s summary as reference</b> <ul style="list-style-type: none"> <li>○ Historical</li> <li>○ Current</li> </ul> </li> </ul>   |             |                |             |
| <ul style="list-style-type: none"> <li>• Aquatic Vegetation - <b>Point Intercept survey 2013 and 2007</b> <ul style="list-style-type: none"> <li>○ Plant identification</li> <li>○ Mapping</li> <li>○ Density of growth</li> </ul> </li> </ul>   |             |                |             |
| <ul style="list-style-type: none"> <li>• Shoreland Vegetation               <ul style="list-style-type: none"> <li>○ Existing vegetation,</li> <li>○ Typical species</li> </ul> </li> </ul>  |             |                |             |
| <ul style="list-style-type: none"> <li>• Fisheries               <ul style="list-style-type: none"> <li>○ Fish survey data                   <ul style="list-style-type: none"> <li>▪ <b>WDNR Cole report August 2015</b></li> </ul> </li> <li>○ Creel census data</li> <li>○ Fish mgmt. activities (stocking, cribs, etc)                   <ul style="list-style-type: none"> <li>▪ <b>Fish Stlx projects how many?</b></li> </ul> </li> </ul> </li> </ul>   |             |                |             |
| <ul style="list-style-type: none"> <li>• Wildlife               <ul style="list-style-type: none"> <li>○ Wildlife populations and habitats, endangered/ threatened species, other birds, mammals, amphibians, &amp; reptiles</li> </ul> </li> </ul>  |             |                |             |
| <ul style="list-style-type: none"> <li>• Exotic Species</li> </ul>   |             |                |             |
| <ul style="list-style-type: none"> <li>• History, Lakes Issues, Activities               <ul style="list-style-type: none"> <li>○ Human History</li> <li>○ Property Owners                   <ul style="list-style-type: none"> <li>▪ 2008 Property Owner Survey Report Scan and attach</li> <li>▪ Shoreline grant – participants</li> <li>▪ Non developed lots</li> </ul> </li> <li>○ Demographics</li> <li>○ Land use</li> <li>○ Lake Organization History                   <ul style="list-style-type: none"> <li>▪ Dick?</li> </ul> </li> <li>○ Past Lake Management Activities                   <ul style="list-style-type: none"> <li>▪ Previous lake management plans                       <ul style="list-style-type: none"> <li>• Objectives</li> <li>• Results</li> </ul> </li> </ul> </li> <li>○ Property Owner/Member Survey</li> <li>○ Lake Use/Boating Activity                   <ul style="list-style-type: none"> <li>▪ Landing monitor reports</li> </ul> </li> <li>○ Lake Access                   <ul style="list-style-type: none"> <li>▪ Landing monitor reports</li> </ul> </li> </ul> </li> </ul> |             |                |             |
| <ul style="list-style-type: none"> <li>• Pollution Sources and Loadings</li> </ul>   |             |                |             |

- Other Information – Farm management practices
- Compilation of Information/Report Writing

**Resources to review and include**

Point Intercept study 2007 report pages 16, 26 and 27