



December • 2010

Grandfathering Your Pier, How and When

By
Charles Dykman

In less than four months, the time for riparians to grandfather piers that exceed certain measurements will expire. If forms have not been sent to the DNR requesting grandfathering by **April 2011**, rights will expire and those piers will be subject to rules enacted in 2007 and before.

Most ordinary piers conform to present rules already. So, it is likely that you do not need to do anything. To determine if you need to register your pier, get a permit or do nothing, go to the DNR website, <http://dnr.wi.gov> and type "pier registration" in the search box. The website has an interactive decision tool to determine what you need to do and the application forms that need to be filed.

The following piers, which do not conform to present rules, are nonetheless "grandfatherable" and may be grandfathered under a statute, 30.12(1k): A pier placed on a lake bed before February 6, 2004 if it is not more than 8 feet wide, measured across the shortest horizontal distance of any portion of the pier. However, a loading platform at the lake ward end of the pier may exceed 8 feet in width if it is no more than 300 square feet in size. If the platform has a surface area of no more than 200 square feet, it can be of any width. If the platform is between 200 and 300 square feet, the platform may not be more than 10 feet wide. The statute does not say whether the area of the platform does or does not include the area of the adjacent pier.

Piers with boat hoists need to be grandfathered if the number of boat hoists exceed two for the first 50

feet of shoreline frontage and one for each additional 50 feet. (These figures are doubled for condominiums) The pier may not interfere with the riparian rights of others.

The permit you receive from the DNR may be filed with the register of deeds. Once a pier is grandfathered, its owner may repair and maintain the pier, but not enlarge it. A grandfathered pier may be relocated or reconfigured by registering the relocation or reconfiguration with the DNR before doing the relocation or reconfiguration.



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"Lake Views" Is Going Paperless In 2011

At the September meeting, the YLA Board voted to use email delivery for "Lake Views" to YLA members. There will be a gradual transition to the email format over the next few issues. For YLA members without email, we will continue to send "Lake Views" by regular mail.

As you know there are many advantages of email delivery including reduced costs, easy access to website links, easy sharing and referencing information, and timely alerts for lake related meetings and upcoming events.

So, we need your help. Please contact our office at yla@mailbag.com to let us know your current email address so you don't miss out on any upcoming Lake Views issues or other lake related information.

Thanks very much!!

The YLA Website, Our New Look

Tim Stanton, YLA Board member and Webmaster, has been busy updating our website. When finished, the lake data page will have hourly updates, and there will be more historical and current lake information. Extra benefits will be available for YLA members with a "members only" access to the website. There are many links to lake related sites, so be sure to spend some time looking at our website at www.yaharalakes.org.



Yahara Lakes Association

www.yaharalakes.org

Dane County Sheriff's Department Lake Patrol Working to Keep Our Lakes Safe

The Friends of the Marine and Trail Enforcement Bureau raised \$3556 for the lake patrol at a fundraiser in August at the *Na-Ti-Gal* restaurant. The von Rutenberg family hosted the event and YLA was one of the sponsors. Robert von Rutenberg presented a check to Sergeant Dave Ritter and Deputy Matt Gueldner at the September 16th YLA Board meeting. Sergeant Ritter reported that the funds would help continue the bureau's classes on boat safety.

Sergeant Ritter provided the YLA board with an update on the bureau. The bureau focuses on safe operation and rescue of boats, snowmobiles and ATVs. It is staffed year round, full time by two deputies and one sergeant, and during the summer, several deputies are added to the lake patrol.

The lake patrol has acquired a new patrol boat that was included in the 2010 budget. The boat was recently picked up in Florida and will be the primary patrol boat for Lakes Monona and Waubesa. The trailer from the old boat was kept to save \$6,4000 on the purchase price of the boat.

The 2011 budget requests for the lake patrol include a trailer boat that would include a boat, motor and trailer to replace a 2000 patrol boat, 2 noise meters to add to the one currently being used, and 2 dive masks.

The lake patrol uses pier numbers to locate boats on the lakes and improve their response time in emergencies. Sue Jones, with the Dane County Office of Lakes and Watersheds, reported that pier numbers would be available for lake property owners this spring. Look for more information in the upcoming "Lake Views" issues on how to obtain a number for your property to help the lake patrol. If you have any questions before then about pier numbers, please contact Sue Jones at 224-3764.

Currents

We would appreciate hearing from you about ideas for future articles or lake related news/websites to share with YLA members.



Please contact Carol Gillen at ca.gillen@charter.net or 692-0925.

***There is a cooperative research project on Lake Monona's Turville Bay to evaluate control methods for Eurasian water milfoil. Go to Dane County's Land and Water Resources Department website at www.danewater.com for additional information and to view a video on the weed control efforts.

*** Hydrogeologists working with the Wisconsin Geological and Natural History Survey are creating a new computer model of Dane County's groundwater. The model will allow better management of the region's water. For more information, please go to the Wisconsin State Journal website and type in "dane county water supply" or "Yahara lakes" in the search box to access the article.

***When "Lake Views" starts coming in 2011 via email the links in our "Currents" section and throughout the newsletter will just be a click away. Just another reminder to please contact our YLA office at yla@mailbag.com to give us your email address so you don't miss out on any news.



To the Yahara Lakes Association,

Season's Greetings from The Clean Lakes Alliance.

It is with great excitement I write to you with an update of our efforts to clean up our waterways. The Clean Lakes Alliance has produced the Clean Lakes Festival for the past 4 years and has successfully raised over \$200,000 to help move the progress forward. The money has gone towards everything from weed cutting to storm water outfall filtration. In the process of meeting with government agencies to determine the best way to allocate funding, we have learned a great deal about the daunting task we face.

It was evident there was a need for an organization to take the lead in community outreach and fundraising if this was to move forward with any sort of pace. A great deal of research has been done by experts from the UW, DNR, City and County. There is no lack of engagement or interest in making clean water a reality, however there is certainly a lack of funding and firm direction ... a plan.

We are pleased and excited to move this process forward and have already gained strong support from area corporations, foundations, and government leaders to advance our mission. Our membership consists of Corporations, Stakeholders and Friends of the Lakes – everyone that shares an interest economically and/or ecologically to change the course of our waterways.

As part of our effort to build capacity within our organization, we have teamed with Yahara Lakes Association to strengthen our outreach to riparian owners and communicate our plans and efforts along the way. We hope you will visit our websites for more information.

www.cleanlakesalliance.com

www.cleanlakesfestival.com

Together we will make a difference.

Thanks and Happy Holidays

Don Heilman
President

UPDATES ON THE LAKES

By Sue Jones of
Dane County Office of Lakes and Watersheds

Help stop aquatic invaders: be on the lookout for zebra mussels when you remove piers and boats for the season

Once again, Dane County staff implementing our Aquatic Invasives Prevention and Control Plan is asking riparian owners to help control the spread of aquatic invasive species. All waterfront property owners on the Yahara Chain of lakes can examine their piers and boats for zebra and Quagga mussels when they take them out of the water this fall. State officials are monitoring the Yahara lakes for zebra mussels each summer. But riparian owners can provide valuable additional assistance by reporting any sightings, which will help track the spread of these invaders.

What to look for

The following web site provides a photo of a cluster of zebra mussels:

www.seagrant.umn.edu/ais/zebramusel. Quagga mussels are very similar to zebra mussels, although somewhat larger.

While large adult zebra or Quagga mussels are fairly easy to identify, smaller mussels that have recently attached to a pier or boat will feel like rough sandpaper and be much harder to identify. If you think you have discovered a zebra or Quagga mussel on your pier or boat, please preserve the specimen or specimens in a small jar of rubbing alcohol and send it for verification to: Dane County Office of Lakes and Watersheds, One Fen Oak Court, Madison WI 53718-8812.

Water Levels Being Drawn Down to Winter Operating Levels

As of October 21, 2010, the lock and dam structures at both Babcock County Park (Lake Waubesa) and LaFollette County Park (Lake Kegonsa) are in full-flow operation (wide open) as Dane County staff be-

gan bringing water levels down to their summer minimum levels. Boaters should be aware that as water levels decline, it may be more difficult to get boats off shore stations or out of boat houses. All lake users should be mindful of potential navigation hazards due to declining water levels. Dane County staff have also been removing buoys from the Yahara Chain of Lakes. The transition to winter operating levels began on November 1, 2010. Visit www.countyofdane.com/lwrld/landconservation/lakelevelpg.aspx for the latest water level data and management updates, and to review the Lake Level Management Guide for the Yahara Chain of Lakes recently approved by the Lakes and Watershed Commission.

“A CLEAN Future for the Yahara Lakes” Interim Report Completed

At the end of August, staff from Dane County, DNR, DATCP, and the City of Madison submitted a Yahara CLEAN report to the MOU signatories (County Executive Falk, Mayor Cieslewicz, DNR Secretary Frank, and DATCP Secretary Romanski). The report summarizes work done to date on this project (Yahara watershed-wide and field-specific modeling of nutrient and sediment runoff, impaired beaches assessment, in-lake response modeling, community visioning, and identification of practices to reduce nutrient and sediment runoff and each bacteria levels). The report is available at www.yaharawatershed.org on the Resources page.

Several important implementation steps are already underway, including:

- community manure digester construction in the Lake Mendota watershed
- Mississippi River Basin Initiative project led by Dane County staff to reduce agricultural phosphorus runoff being funded by NRCS, the Madison Community Foundation, and the Sand County Foundation
- exploration of a successor organization to the Yahara Lakes Legacy Partnership, to involve many more stakeholders and address issues beyond nutrients, sediment and beach bacteria that have been the focus of the Yahara CLEAN MOU.

Continued on next page

Staff will be working with the MOU signatories, the Dane County Lakes and Watershed Commission, and many partners over the next few months to prioritize the next implementation steps.

AIS Plan Implementation Moving Forward With New Signage



New invasive species signs installed at trout stream access points encourage wading anglers to inspect, clean and dry their equipment before and after wading.

As part of an effort to improve public awareness regarding the introduction and transport of aquatic invasives species, Dane County Land and Water Resources Department (LWRD) staff posted signs on many of Dane County's waterways this summer and fall.

Working with the DNR, staff identified the most heavily used boat landings on county waters and installed the new signs. The boating public is

key to preventing the spread of invasive species. The signs remind boaters to inspect their watercraft before leaving and to take appropriate actions to prevent the spread. A 2010 DNR survey showed that 96% of survey respondents say they are following the law. It's illegal to launch or leave boat launches and drive on public roads with aquatic plants and animals attached. Boaters must be aware that a shift from education to enforcement of these rules is now the norm. Anyone cited for such an incident is subject to fines of up to \$200.

LWRD staff have also partnered with the River Alliance, Dane County Environmental Council, Wisconsin DNR, and Trout Unlimited on another signage project for Dane County's trout streams. These waterways are also susceptible to invasive species. The signs are posted at many of the trout stream easement or access points.



Updated state invasive species signs have been placed at lake boat landings across Dane County.

WHAT WE CAN DO TO PROTECT OUR LAKES

(Resource from the Dane County Office of Lakes and Watersheds website, www.danewaters.com)

The Yahara lakes are a prized resource and we all must be good stewards of this resource so that 50 or 100 years from now the lakes will still be a highly valued asset to the region. Many of our individual activities and land use practices can affect the lakes; thus, we must always be conscious of what we are doing in the watershed so that lake conditions do not deteriorate further. A list of what you can do to protect the lakes follows:

- *Limit your use of pesticides and commercial fertilizers on gardens, lawns and fields. Fertilize according to soil analysis recommendations and carefully follow label instructions.
- *Minimize soil erosion by installing conservation practices such as grassed waterways, contour strip crops, terraces, and riprap on steep stream banks.
- *Keep empty cans, bottles, and trash out of gutters, storm sewers and the lakes.
- *Alert officials if you observe spills or conditions that look potentially dangerous or severe erosion from construction sites.
- *Divert your roof downspouts to the lawn or a gravel drain; do not direct them to a street, driveway or paved surface leading to a storm sewer.
- *Wash your car in a location where the water will slowly infiltrate, such as the lawn or gravel area.
- *Take automobile oils to a recycling center. Don't drain oil onto the streets.
- *Obey fishing, boating and shoreline regulations.
- *Compost or mulch your leaves and grass clippings, or at least bag them for pickup. Keep leaves out of the street gutters.
- *Persuade your local officials that the lakes are an important issue, since the quality of the lakes depends on adequate continuing action and funding for maintenance and protection.



NEWSLETTER

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Yahara Lakes Association, Ltd. is a non-profit organization of over 700 members dedicated to representing Lake property owners and advocating for the vitality of the Yahara chain of lakes so that all citizens may enjoy them.

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Call 848-9008 if you would like to become involved in any of the above-listed committees, or if you have concerns you would like a committee to address.