

# On The WaterFront

A newsletter promoting The Environmental Protection & Responsible Use of Washburn County Waters, Shorelands and Wildlife Resources

## National Wild And Scenic Rivers Act 50th Anniversary



*“It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural*

*or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dams and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.”*

The Wild and Scenic Rivers Act was signed into law by President Lyndon Johnson on October 2, 1968. Today there are 203 National Wild and Scenic Rivers totalling 12,597 miles but the original bill designated just eight wild and scenic rivers for inclusion. Thanks to the support of Senators Gaylord Nelson of Wisconsin and Walter Mondale of Minnesota, the St. Croix River was included in those eight original National Wild and Scenic Rivers. The St. Croix River, including it's tributary, the Namekagon River, forms the St. Croix Scenic Riverway, with over 200 miles of clean water flowing through natural, forested landscapes. The Riverway is part of the National Parks System.



Namekagon River

Photo by John Haack

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## That Other Wild River

President Comments by Phil Sylla

“That other wild river” isn’t famous like our two federal wild rivers, the Namekagon and the St. Croix. In fact, we cannot even agree on how to spell or pronounce its Ojibwe name, Totogatic. This summer when popular stretches of the St. Croix and Namekagon are invaded by boisterous groups, the Totogatic will still be empty, secluded, and quiet.

My favorite stretch is between Nancy Lake Road and Bridge Road. Expect to paddle between oak covered hills and around shady meanders. This stretch, through Wisconsin Wild Rivers land, may have cabins on hill tops, but they are set back from the river and out of sight for the most part. Look for wildlife: deer and turkeys in the oak groves, a black bear crossing the river, mergansers flying in front of your canoe, Great Blue Herons and mallards in the marshy stretches. Watch for eggs shells and tracks below sunny, steep sand banks where turtles nest.

By all means bring your fishing tackle. Soon after put-in, look for an ox-bow on your left that is not quite detached from the river. The ox-bow is good for northern pike. Fish for walleyes and small mouth in the rapid stretches. Fallen trees provide structure and cover. If you are going to fish, double or triple the amount of time you allot for the trip. Don’t underestimate this “little” river’s current. Eddies under fallen trees can sweep your canoe cross wise and swamp it.

The river entry point is in the Township of Minong. From Minong “City” follow highway 77 west for one mile. Turn right on CTY HWY I for about 2 1/2 miles until CTY HWY I intersects at a T with Smith Bridge Road. Follow Smith Bridge Road south one mile to Nancy Lake Road. Take Nancy Lake Road west for two miles to the Totogatic River Bridge. Put in down a rather steep bank on the south west side of the bridge. The takeout point is on Bridge Road in the Township of Chicog. Follow highway 77 west from Minong for 11.8 miles. Just past Pear Lake, turn north and follow Bridge Road two miles to the bridge (or follow town roads from the put in point). Trip length is difficult to estimate because of the river’s many meanders. “As the crow flies,” it is five or six miles. Under normal conditions the current is steady.

The Totogatic is a Wisconsin wild river, not a federal wild river. The Wisconsin system of state Wild Rivers was established by the 1965 Legislature. Only four other rivers share this status. The Totogatic is not famous and, because of that, it is a place to be alone on a wild river. Yours will probably be the only car at the landing. Canoe the Totogatic; maybe it will become your favorite river too.

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***WCLRA Annual General Meeting***  
***Saturday, August 25 from 10:00-12:00***  
***Spooner Agricultural Station***  
***W6646 WI Hwy 70, Spooner, WI***

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## An Amazing Collaboration Created the Riverway

By Deb Ryun, Executive Director St. Croix Rivers Association

When something long lasting and spectacular happens, we should remember and celebrate. On the eve of the 50th anniversary of the 1968 National Wild and Scenic Rivers Act, the St. Croix River Association is doing just that.

For half a century the public has been able to enjoy and use the St. Croix River, a unique and vital national park with abundant habitat, clean water, and spectacular natural beauty. What many don't realize is that much of the St. Croix's public parks and waters, enjoyed for generations, would not have been protected if it weren't for some far-sighted executives at Northern States Power (NSP), now Xcel Energy.

At the start of the industrial era, NSP purchased thousands of acres of riverfront land on the St. Croix north of Taylor's Falls, planning for hydroelectric power. Even as the company changed its approach to energy generation, NSP was a civic-minded steward of its riverfront lands, making the St. Croix available for canoeing, fishing and picnicking, even creating maps for public use.

In the 1960s, the company no longer needed all of the land they owned. They considered ways to protect this land and river for future generations. Simultaneously, U.S. Senators Gaylord Nelson (WI) and Walter Mondale (MN) were working at the federal level to pass the National Wild and Scenic Rivers Act to protect the country's most vital waters, including the St. Croix and its principal tributary, the Namekagon.

NSP executives went to Washington and testified before Congress that they were willing to donate 25,000 acres of river land if the Wild and Scenic Rivers Act was passed. Leaders in Congress recognized this donation could jump start protection of our nation's most vibrant waters. The 1968 Act now has protected not just the St. Croix, but 12,734 miles of 208 rivers.

After the 1968 passage of the National Wild and Scenic Rivers Act, NSP worked for years to shape the future of the St. Croix and was recognized in 1971 by the Department of Interior for its "intense devotion" to the river.

The Riverway is a magnificent national treasure. It is also a fragile one. Continued protection of this place and its world class experiences will take the commitment of all of us working together. In the current climate of weakening environmental protections, it is important to remember the story of a farsighted company that helped create something truly remarkable for its community and this country. As we celebrate the anniversary of the Wild and Scenic Rivers Act, NSP's historic role in protecting the St. Croix river leaves a lasting legacy that can be an endearing gift for another 50 years.

*(Deb Ryun will be our speaker at the Annual General Meeting.)*



*Congratulations!*

*WCLRA Board member Cathie Erickson has been named president of Wisconsin Lakes.*

### 20th Annual NW Wisconsin Lakes Conference Spooner High School, Friday, June 22

**An all-day event of lake science, policy, critters, and culture sponsored annually by Wisconsin lake associations.** Registration begins at 8:00 with continental breakfast and exhibits. The Conference begins at 9:00. This year's keynote address will be *Gordon MacQuarrie and Aldo Leopold: Partners in Conservation*, by Keith Crowley. Mr. Crowley is an outdoor photographer and journalist. The keynote will be followed by breakout sessions. Lunch is provided. Registration is \$45 and the deadline is June 16, 2018. Register at [stcroixriverassociation.org/events](http://stcroixriverassociation.org/events)

## Ongoing Concerns

### Enbridge and WCLRA

WCLRA continues to interact with Enbridge following an informed, science-based approach to evaluate the safety of the four critical pipeline crossings in our area. They are the Totagatic, the Namekagon, the Eau Claire and the St Croix rivers (the latter two near Gordon in Douglas County). Our findings confirm that a pipeline rupture at the Totagatic or Namekagon crossing would release a much larger volume of oil than a rupture at the Eau Claire or St Croix crossing. Those findings suggest that it would be reasonable to request that Enbridge consider additional control valve stations to prevent the largest projected oil losses in the event of a river-crossing failure.

### Where Is Our Water?

Last year we were contacted by WCLRA members residing on Whalen Lake in the Town of Trego. Whalen Lake is a small lake and has no formal lake association. Trego needed to replace the culvert under Whalen Lake Road that carries the lake's outflow to the south. After the culvert project was completed, the lake level, which had been stable over many years, dropped 18". What happened?

Meetings with the Town of Trego, and with the engineering firm that handled the culvert project established that rock and debris had accumulated in the old culvert in the years since it was installed in the 1960s. With the new culvert, and no debris slowing the outflow, more water was released and the lake level dropped substantially.

The Town of Trego is now requesting proposals from additional engineering firms for the installation of a corrective structure at the upper end of the new culvert that would control the outflow and restore the lake to its original water level. As the structure would qualify as a dam, WDNR will be assisting the engineers in assuring that the structure meets the necessary state requirements. Stay tuned!

### Zebra Mussel Spring Update

A key component of this year's battle will be increased decontamination of watercraft. Over the winter, at the urging of citizen members of the McKenzie Lakes Area Zebra Mussel Management Team, Washburn and Burnett Counties passed matching decontamination amendments to their existing AIS ordinances. County law now requires that "***if a decontamination station is available for use at a public or private access, the boater shall decontaminate per posted directions using the station provided.***"

*Please go to [WCLRA.org](http://WCLRA.org) for the full update and to view the Northwest Wisconsin Zebra Mussel Response Plan, compiled by Lisa Burns, Washburn County Land and Water Conservation, and Kris Larsen, WDNR.*

### WCLRA Can Help

If your lake association is getting ready for its annual meeting let us help. A WCLRA representative will be glad to attend your meeting to help you do one or more of the following:

1. Take advantage of Washburn County's new AIS ordinance and install a cleaning station at a boat ramp
2. Improve communications with your members by creating a page for your lake on the WCLRA website
3. Apply for a Healthy Lakes Grant to create fish and wildlife habitat, establish native plantings, or divert or control runoff.
4. Apply for a Washburn County Shoreline Restoration Grant
5. Listen to your concerns.

Attending your meeting also gives us an opportunity to ask how WCLRA can better serve your lake association. If you would like a WCLRA representative to attend one of your meetings, call Phil Sylla (715-939-2029) or email him at [philsylla@gmail.com](mailto:philsylla@gmail.com)

## That Nasty Swimmer's Itch?

Swimmer's itch is a **temporary skin rash** that is caused by an allergic reaction to microscopic parasites that are carried by waterfowl, semi-aquatic mammals, and snails. As a part of their life cycle, these parasites are released by infected snails into the water, where they may come in contact with people and burrow into their skin.

The good news is the organism that causes swimmer's itch cannot complete its life history in the human body. Your body's immune system detects it as a foreign protein, then attacks and kills it shortly after it penetrates your skin. **The itching and welts are not caused by the organism living under your skin, but by an allergic reaction.** Swimmer's itch is not spread from person to person.

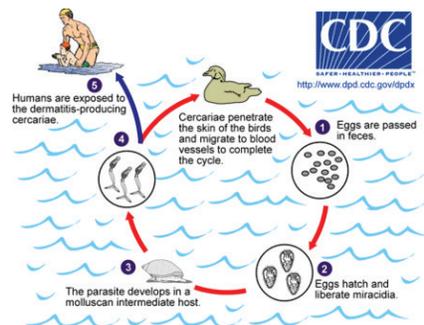
Not everyone is sensitive to swimmer's itch. Some people show no symptoms of swimmer's itch even though others swimming at the same time and place break out severely. Much like poison ivy, however, your sensitivity to swimmer's itch will increase with each exposure. There are several over the counter remedies your pharmacist can recommend to help relieve the discomfort, but see your physician for a definitive diagnosis.

### WHERE DOES IT COME FROM?

The organism that causes swimmer's itch has a complicated life history.

1. It starts out as a worm (parasite) in the intestinal lining of aquatic birds and mammals (host).
2. The worms lay eggs inside the the host animal.
3. The eggs are eliminated by the host and drop to the bottom of the lake.
4. Then the eggs hatch into **miracidia** that swim around in the water until they find a snail.
5. Once they find a snail, they live inside them and develop into **cercariae**.
6. The snails then release the cercariae back into the water where they look for another host - aquatic birds, mammals or humans.
7. When the cercariae find a potential host, they burrow into the host's skin.

8. If the host is suitable, the life cycle starts all over again.
9. Humans are not a suitable host and the cercariae die after penetrating the skin.



### REDUCING THE ODDS OF GETTING IT

- **Keep waterfowl away from your dock and shoreline.** If you are feeding waterfowl (ducks and geese) from your dock, stop. If ducks like to rest on your dock, do what you can to discourage them. You can try putting an owl wind sock or statue on your dock and move it around occasionally so the ducks do not become accustomed to it.
- **Stay out of the water by the shore.** The swimmer's itch organism may originate somewhere else in the lake and is being brought to your shoreline by wave action or currents. You may want to try swimming from a raft or boat farther out from shore where you are less likely to come into contact with the cercaria. Of course, this strategy may not be practical if you don't swim or have young children who want to play in the water near shore.
- **Apply a water repellent substance** such as petroleum jelly, waterproof sunscreen or other skin oils to reduce the ability of the Cercariae to penetrate the skin.
- **Dry off with a towel as soon as you get out of the water.** When you get out of the lake, **don't let the water evaporate off your skin.** The organism in the droplets of water on your skin will look for somewhere to go as the droplet of water evaporates. (MN DNR)

## Wake Boats, A Problem Or Not?

by Fred Blake, Cathie Erickson

Late in the fall of 2017, WCLRA was contacted by a local township about irresponsible or inconsiderate use of “Wake Boats” on a local lake. Wake boats are designed to create very large trailing waves on which people can actually surf. The operators do this by pumping large volumes of water into inboard bladders in the hull or by the use of outboard fins which drive the stern deeper. Either way, the large waves are created by the “stern down” operation of the boat. We set out, as is always our objective, to obtain a balanced picture of the situation surrounding wake boats.

It became obvious that operating these boats near shorelines can have significant negative impacts along those adjacent shorelines. Shoreline problems described to us included damage to boats and docks and dislodged rip-rap rock. In one reported instance, a young child was plucked from a dock just before it was inundated by a large wave. Loon nests would not survive inundation by the large waves that are created if stern down operation occurs near shore. In addition, wave boats run deep. When operated where the water is less than 10 feet deep, they cause significant disruption of bottom sediment. Since these sediments contain deposited phosphorus, this disruption can contribute significantly to algae blooms.

In Wisconsin, our lakes are public waters and wave boat owners should have the right to use those waters, but their use of the waters should not infringe on the rights of others (shoreland owners, fishermen, canoeists, kayakers, etc.) to use the waters for their purposes as well. What can be done to find a balance between these apparently conflicting lake use activities?

Education: Wave boat operation, well away from shorelines (so that waves have time to dissipate before reaching shore) and in deep enough water, minimizes impact on lakeshores. As wave boats are relatively new to the Washburn County area, many boat owners are simply not aware of the complications that they can create. Articles in the fall 2017 issue of Lakeline, the newsletter of the North American Lake Management Society (NALMS), clearly indicate that this is not a new problem. It is simply new to our area. One of these articles, “Low-

Speed Boating ...”, is provided (with permission) as an insert in this issue.

State Law: State law already prohibits boating activities that create hazardous wake or wash. There is a 200 ft-from-shore operating limitation currently in place that was implemented in response to the introduction of personal watercraft (PWCs). In addition, Wisconsin lakes less than 50 acres in are designated “slow-no-wake.” Because the larger waves created by wake boats would appear to present a significantly greater concern for nearby shorelines, some are suggesting a 500 ft-from-shore limitation.

Town ordinances: Towns and villages can adopt local ordinances if local conditions warrant additional protection. The process is not an easy one and DNR review is necessary to assure that the proposed town ordinance does not conflict with other state law. WDNR provides a guideline manual on website PUB-LE-317-2016. Enforceability is a significant issue with these local ordinances because they will not be enforced by the DNR or the sheriff. The town or village must either hire a constable or enter into a contract with the county to obtain enforcement by the sheriff’s office. Effective enforcement also requires that the officer has a boat.

County ordinances: Counties can also adopt local ordinances which will be enforced by the sheriff but not by the DNR.

**Conclusion:** *It is not infrequent that our lake use interests are at odds. Once aware of the concerns, it is hoped that wave boat operators will behave responsibly and considerately and help to avoid the potential conflicts. It may turn out that wave boat operation is ill-advised on some lakes where minimal width prevents adequate spacing from shorelines or minimal depth would lead to significant lake bottom disturbance. If shoreline spacing and depth concerns can be dealt with, considerate wave boat operation could fit into the pattern of activities on our lakes. If, however, problems persist or increase, regulation by the State or townships could be pursued to protect the rights of others from the negative impacts of inconsiderate wave boat activities.*

## Water Policy Legislative Update (as of 4/17/18)

Following are excerpts from a presentation on lake policy given by Mike Engleson, Executive Director of Wisconsin Lakes at the Wisconsin Lakes Partnership Convention. For more complete and current lake policy information, go to [wisconsinlakes.org](http://wisconsinlakes.org).

**2017-19 State Budget:** Unlike the previous state budget, this spending plan contained relatively few major water-related items.

- **DNR Lakes Funding:** Funding for DNR's surface water grants (lake, rivers, AIS) remained the same, with AIS even receiving a one-time \$500,000 increase. Staffing and funding for the Lakes & Rivers Team was also not touched.
- **County Conservationists:** Despite an original plan to lower County Conservationist funding to 2013 levels, the final bill signed by the Governor increased and locked in funding.
- **Natural Resource Educators:** Funding for UW-Extension's Natural Resource Educators that originated from the non-point fund was cut. It appears no current educators will lose their jobs, but retiring positions are likely to not be filled.
- **Boat Shelters:** Four-sided fabric boat shelters are now allowed without a permit for the protection of some historic and wood-sided boats.
- **Rip Rap:** Placement of up to 200 feet of new or replaced rip rap and 300 feet of rip rap repair on inland lakes can now be done without a permit.

### **Dredging:**

- **DNR General Permit on Dredging in Lakes:** Shoreland owners can now dredge up to 25 cubic yards over five years off their shore for navigational or recreational purposes with a less restrictive "general" permit (GP). With a GP, the applicant need only notify DNR they qualify under the terms of the permit, and there is no public notice or site visit by DNR staff prior to dredging.
- **Dredging on Impoundment (2017 Act 214/AB935/SB789):** This bill DNR to issue general permit that allows for riparian on man-made impoundment to remove 50 cubic yards to reach navigation channel. The bill originally allowed removal without a permit.

**Sulfide (non-iron) Metallic Mining (2017 Act 134/AB499/SB395):** A bill passed in December ended Wisconsin's decades old "Prove It First" sulfide mining law, which required non-iron metallic mines to provide an example of such a mine that did not pollute over a stretch of time before a mine could be approved in Wisconsin. Sulfide mines can create sulfuric acid waste, which is devastating if spilled into local waterways. The bill also reduces opportunities for public comment and oversight of the mine permitting process.

**Shoreland Zoning (2017 Act 68/AB480/SB388):** Part of a larger bill, this provision allows the reconstruction, repair, maintenance, and replacement of structures illegally placed in shoreland setbacks areas for more than 10 years.

**Wetlands (2017 Act 183/AB547/SB600):** This bill exempts from wetland permitting and mitigation most "non-federal" (i.e. wetlands not connected to navigable waters) wetlands an acre or smaller in urban areas and 3 acres or smaller in rural areas. This bill also exempts "artificial wetlands."

**Navigability Determination (2017 Act 164/AB599/SB506):** Designed to benefit a single landowner, this bill prevents DNR from changing a waterbody's designation as non-navigable if the non-navigable stream is impounded and certain other conditions apply. The bill allowed legislators to raise numerous questions about navigability, and WI Lakes fears the issue could return in 2019.

**Additional Funding for Farmer Led Councils (2017 Act 196/AB946/SB796):** Provided \$750,000 in additional funding for producer led councils.

**Exempting Hydroflight Devices from Slow No Wake rules (AB661/SB571):** Hydroflight devices allow riders to ride up on column of water created by forcing water through a hose connected to a personal watercraft. At this time, there does not appear to be evidence of ecological harm caused by these devices. WI Lake suggested that local governments, including lake districts, be allowed to regulate their use just as they can regulate water skiing and other forms of recreation. Incorporating that suggestion, the bill passed out of committee, but was not voted on in the full Assembly.

*On The Waterfront* is published by:  
**WASHBURN COUNTY LAKES AND RIVERS ASSN, INC.**  
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*Photo courtesy of Linda Anderson*

## **Contacts to Protect Lakes and Rivers**

“We need more than ever to provide what help we can to protect our lakes and rivers from environmentally damaging activities. Keep your eyes open! We are the last line of defense! But **do not trespass** to obtain further information. Let those in authority check it out.”

**DNR Water Regulation Violation and Information:**

Dan Harrington (Water Management Specialist, Spooner Office).....715-635-4097  
 Jon Hagen (Conservation Warden for Southern Washburn County).....715-635-4099  
 Dave Swanson (Conservation Warden for Northern Washburn County).....715-466-5428

If wardens are in the field, messages can be relayed to them through the Washburn County Sheriff’s Department at 715-468-4720 or at the DNR’s toll-free tip line.....1-800-TIP-WDNR (847-9367)

**County Shoreland Zoning Questions or Violations:**

Web Macomber (Zoning Administrator).....715-468-4690

**County Planning, Land/Water Resource Management  
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