

Peppermill Lake District News

April/ 2010

Spring Issue

Your Board

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New State Shoreland Regulation NR 115

You may recall from one of our newsletters from last year that Adams County adopted a new Shoreland Protection Ordinance. Well, after 40 years, the State has finally revised NR 115 which sets new standards for balancing the need to protect our lake shore against our desire to live as close to the shore as possible. Once published, Counties will have two years to comply.

In many ways Adams County is already ahead of the game and has adopted stricter standards in some cases.

Nevertheless, here are some of the changes mandated by NR 115.

Spending limits on repairs to existing non-conforming residences located within 75 feet of the water's edge have been eliminated.

Expansion of an existing home closer than 75 feet from the water is now allowed in some cases: a property owner can build a

second story or otherwise add-on vertically, if their existing house is at least 35-feet back from the water. Expansion of an existing home more than 75 feet from the water is still allowed.

A new standard caps the total amount of hard or "impervious" surfaces such as roofs, pavement and decks allowed on shoreland property. The caps apply only to properties within 300 feet of lakes or rivers, and they do not affect existing property owners unless the owners try to make major changes that would cover up more land with hard surfaces.

No limitations would exist for additions or new buildings where the lot's impervious surfaces do not exceed 15 percent of the total lot size. Where the sum total of impervious surfaces is between 15 percent and 30 percent of the lot size, property owners would be required to take measures to offset the environmental

impact of their proposed project.

New standard seeks to cut runoff pollution by limiting hard surfaces - Construction or expansion of buildings, driveways or other areas which prevent water from soaking into the ground is limited to 30 percent of the lot to reduce runoff and protect water quality in lakes and streams.

There are other changes, as well, and a link to the regulation is now on our website. A summary of the regulations will be provided at the next Board meeting or can be found at : <http://dnr.wis.gov/org/water/wm/dsfm/shore/news.htm>

The Public Trust

Growing up in California, as I did in my childhood, my understanding of water rights was shaped by the stories of the water rights owned by large family farms, rights passed down from generation to generation. One only has to watch the movie, *Chinatown*, to understand the private nature of water rights in California. I would argue that a movie like *Chinatown* could not be made in Wisconsin.

Even now a battle rages in California over farmers' rights to water over the protection of an endangered species in the Sacramento delta region.

So, when moving to Wisconsin and getting involved in the Lake Leaders Institute when I moved here, we were schooled on Wisconsin's legal history in defining the Public Trust. Simply put: the Public Trust Doctrine, based on State Constitution and further qualified by case law and statute, declares that all navigable waters are

"common highways and forever free", and held in trust by the Department of Natural Resources.

Over time, as we have learned how groundwater affects navigable waters, and how human populations affect groundwater, the Public Trust Doctrine has broadened to include rights to water quality and quantity, not to mention recreational activity and scenic beauty.

When push comes to shove—namely in the courts—the public's rights trump riparian's rights.

I know some people get concerned over what seems to be a growing list of regulations affecting riparian owners like us: NR 115, Act 9 from last year regulating fertilizer, Adams County's Shore land ordinance, etc.

Coming from California I

am grateful that people care enough to think about the future and about protecting our natural resources—both as a property owner interested in the value of an investment, and as someone who cares about the sheer natural beauty of our lake—so that we don't have situation where, for example, water-intensive crops, like rice, are grown in arid regions of northern California with little or no consideration of the impact on the water table.

Even now, the Great Lakes Compact, adopted last year by Congress, sets the stage to protect our Great Lakes from other states and countries tapping into them—the Perrier battle on a larger scale.

From the global, to the state, to the local—protecting our waters

They say we're 98%
water. We're **that** close
to drowning...[picks up
his glass
of water from the
stool]...I like to live on the
edge... – Steven Wright

Aeration update

Three sites ran all winter.

- 1) East end near County G
- 2) South bay
- 3) West end (in deeper water)

Everything ran great!

Barley Bags

Each Spring we acquire approximately 2 bags of barley for every riparian owner. When in the water the barley helps control the filamentous algae, that green, slimy stuff that hangs in the water like gauze.

We'll be delivering these bags to you in April or May. Ideally, these bags should be suspended in

the water so that half the bag is still in the air.

We would also appreciate it if you would remember to take the bags out before you shut down for the fall.

In the past the Board has asked for your opinions on the impact of this program. We currently budget 700 dollars a year

for this program. Knowing your thoughts helps us for budgeting purposes for 2011.



Lake Management Plan Update

In early January the Lake Advisory Group (LAG) held a meeting open to the public to discuss the current Plan and propose revisions.

The Plan itself is now presented as a Powerpoint presentation and is available on the Peppermill Lake website. If you don't have Microsoft Powerpoint, contact a Board member and a printed copy

will be sent to you.

The only substantive changes made to the plan include:

- Adding two more places on the lake for water quality monitoring: 1 in the south bay and 1 in the north finger.
- Removing Light Trespass as regulatory concern

- Removing Noise Abatement as a regulatory concern.

While these last two items are of concern, perhaps, for larger lakes, we are putting these two items on hold until more interest is shown.

The number of homes on lakes of all sizes increased

216 % from the

'60s to 1995.

—Source: WDNR

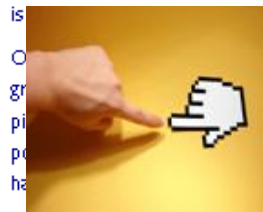
Web Site Updates

We've been busy adding new content to our site. We've backfilled most of the meeting minutes all the way back to 2002. A few still need to be scanned and added.

We've also added a widget provided by the EPA called MY EPA and you can find it at the bottom of our home page. Simply enter a zipcode and press "Enter" and you will get wealth of information about

which businesses in our area report to the EPA, various water quality reports, health statistics and much more.

As mentioned elsewhere, our Lake Management Plan is up as



More historical documents will be posted soon.

Anyone interested in maintaining/improving our site? If so, please contact Bill.



PMLD

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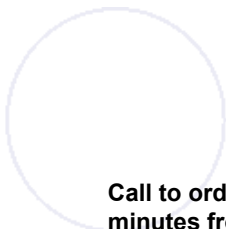
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"There's glory for you!"

"I don't know what you mean by 'glory'," Alice said.

Humpty Dumpty smiled contemptuously. "Of course you don't – till I tell you. I meant 'there's a nice knock-down argument for you!'"

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Proposed Agenda for Next Meeting

Saturday, 4/17/2010 9 AM at Boondocks on CTY G

Call to order—Certification of meeting notice - Approval of agenda - Approval of minutes from 2/20 meeting - Treasurer's report

Old Business

- Committee reports (Grant, LAG, Fish Stocking, Chara, Pier, Audit)
- Laptop projector purchase
- Status on bid submissions

New Business

- Spring Preparation
 - Buoys
 - Lake inspection
 - CBCW kickoff

Aeration update/ system tour

Board member recruitment

Lake alliance news

Other Communications

Next meeting/ Adjourn

Adjournment