



AGENDA FOR LAKE COMMITTEE

A Lake Committee meeting will be held on **Thursday, March 16, 2023 at 5:00 PM**
in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmllVEFEb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

Dial by your location
1 312 626 6799

AGENDA

1. **Call to Order / Roll Call**
2. **Approve Minutes**
[January 2023 Minutes](#)
3. **Adaptive Management**
4. **Climate Change Task Force Update**
5. **Warden Update**
6. **Weed Management**
7. **Storm Water Inlet Monitoring**
8. **Winnebago Park Phase I**
9. **Lake Informational Sign Boards**
10. **Boat Dock Approvals**
11. **Review of Boat Dock Composition & Specs**
[Boat Dock Composition & Specs](#)
12. **Request for Condo Tree Removal**
13. **Request for Fish Stocking Lake Tomah**
14. **Ag Update**
15. **Chairman Updates**
16. **Future Meeting Date - May 18, 2023**
17. **Adjourn**

NOTICE: It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Becki Weyer, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

Minutes FOR LAKE COMMITTEE

A Lake Committee was held on **Thursday, January 19, 2023 at 5:00 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.

Call to Order / Roll Call

The Lake Committee met in regular session on Thursday, January 19, 2023, the meeting was called to order by Chairman Kiefer at 5:00 PM. Roll call was taken with Commissioners, Lamont Kiefer, John Rusch, Kim Mello, Hal Burnham, and Duane Chapman present. Absent was Lee Lang and Kevin Arkeketa. Also present, Director Kirk Arity and Bob Micheel.

Approve Minutes

Motion made by Chapman, second by Mello to approve minutes from previous meeting. All ayes. Motion passed.

Adaptive Management

The City of Tomah and Monroe County continue to look for additional projects.

---Skipped to item 11---

Warden Update

No update.

Weed Management

Kiefer noted some weeds coming up with an auger while ice fishing.

Stormwater Inlet Monitoring

Lengthy discussion on logistics for stormwater inlet monitoring and sampling.

Winnebago Park Phase I

New boat landing is in. Old boat landing is closed. New restrooms on hold until spring.

Lake Informational Sign Boards

No new sign boards put up yet. New northern pike regulations are not widely known as there are reports of people harvesting pike meeting old regulations. Street Department put up temporary signs at the new boat landing stating the new regulations on pike.

Boat Dock Approvals

No boat dock approvals.

Review of Boat Dock Composition & Specs

Discussion on if boat dock ordinance needs to be updated as some residents have kayak ramps and lifts.

Climate Change Task Force/Ag Update

Bob Micheel talked in detail about Climate Change Task Force. He stated one the Monroe County Climate Change website is the presentation about Focus on Energy. The presentation shows different energy rebates available. February 1st Climate Change meeting will have a presentation on the new weather stations. 2023 Monroe County Land Stewardship Awards Banquet is Saturday, January 28, 2023.

Director Arity stated City of Tomah is applying for a grant for EV charging stations and for a solar project.

No Ag updates.

Lake Events: Fisheree & Youth Ice Race

Motion made by Chapman, second by Mello to endorse the fisheree on February 11th. All ayes. Motion passed.

Motion by Burnham, second by Mello to endorse the youth ice races. All ayes. Motion passed.

Chairman Updates

Fishing has been excellent, and the water clarity is good.

Future Meeting Date - March 16, 2023

Adjourn

Motion made by Burnham, second Chapman to adjourn at 6:09 PM. All ayes.

PIER PLANNER

Pub. FH 017 - AUGUST 2012



This edition of the PIER PLANNER reflects current Chapter 30 Wisconsin statutes and ch. NR 326, Wisconsin Administrative Code, (the state's rules that implement the statute), and is intended to assist waterfront property owners to design and place a NEW pier that does not require a DNR permit. All EXISTING piers and wharves initially placed in the water by April, 2012 do not need authorization from the DNR.

Piers are a popular focus for boating and waterfront recreation. It seems like a simple topic, but if you have been involved in a dispute over "pier rights" with your neighbor or have seen shorelines filled with piers and boat lifts, you understand why regulations are important to treat everyone fairly and to protect the natural resources of our lakes, rivers and streams. If you have questions after reading this brochure, contact your local DNR Water Management Specialist for more information.

DO I NEED A PERMIT?

✓ Most EXISTING piers or wharves are exempt - meaning no DNR permit or fee is required. Most new piers or wharves will be exempt if they comply with the specific dimensions and requirements described in this publication. On the Great Lakes, Mississippi River and other specified federal waters, permits from the U.S. Army Corps of Engineers may also be required. Some municipalities have local pier ordinances, which may have other restrictions or require local permits. Please contact your local zoning office to determine the existence of any local restrictions.

WHO MAY PLACE AND USE PIERS?

- ✓ Only a riparian (waterfront property owner) may place a pier or wharf. Friends, neighbors or a contractor may assist with installation and maintenance, but owners are responsible for following requirements, obtaining any necessary permits, and for maintenance after construction.
- ✓ The waterway is public, but piers, boat lifts and related structures are the private property of the riparian. However, someone wading along the shoreline may cross over a pier to continue using the waterway.

WHERE CAN I LOCATE MY PROPOSED PIER AND HOW MANY BOATS CAN I PLAN ON DOCKING?

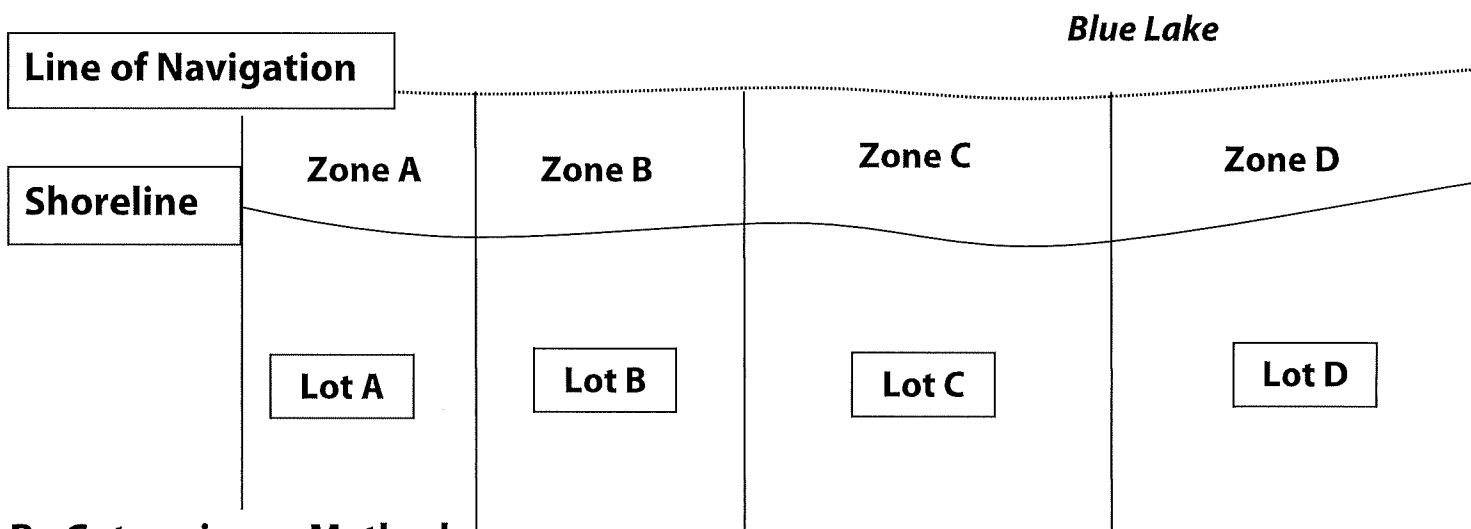
- ✓ Piers, wharves and moored boats must be placed in the "exclusive riparian zone", which is the space in the water adjacent to the riparian property where the riparian has the exclusive right to place structures. Two primary methods are used to determine the "exclusive riparian zone", this dividing line between adjacent owners. **See Figure 1.**
- ✓ The number of boat slips – the total of all watercraft docked at a pier or wharf including boats in a boat lift or hoist - is limited to 2 boat slips for the first 50 feet of the riparian owner's shoreline frontage and no more than 1 boat slip for each additional full 50 feet of shoreline. In addition to the **boat slip allowance** listed here, a riparian owner can secure up to 2 **personal watercraft** for the first 50 feet of the riparian owner's shoreline frontage and one additional personal watercraft for each additional full 50 feet of shoreline.
- ✓ A pier or wharf may not obstruct navigation. In narrow rivers or channels, construct a wharf parallel to the shoreline rather than extending a pier perpendicular to it.
- ✓ Pier or wharf placement and use may not harm the public interests in waterways, which includes fish and wildlife habitat (such as spawning areas, important vegetation, waterfowl nesting areas); water quality; natural scenic beauty; or public recreation and navigation. If you have any questions about whether your project might affect these public interests, contact your local DNR Water Management Specialist. In some cases, DNR may recommend project modifications to avoid harm to public interests.



Figure 1. Riparian Zones

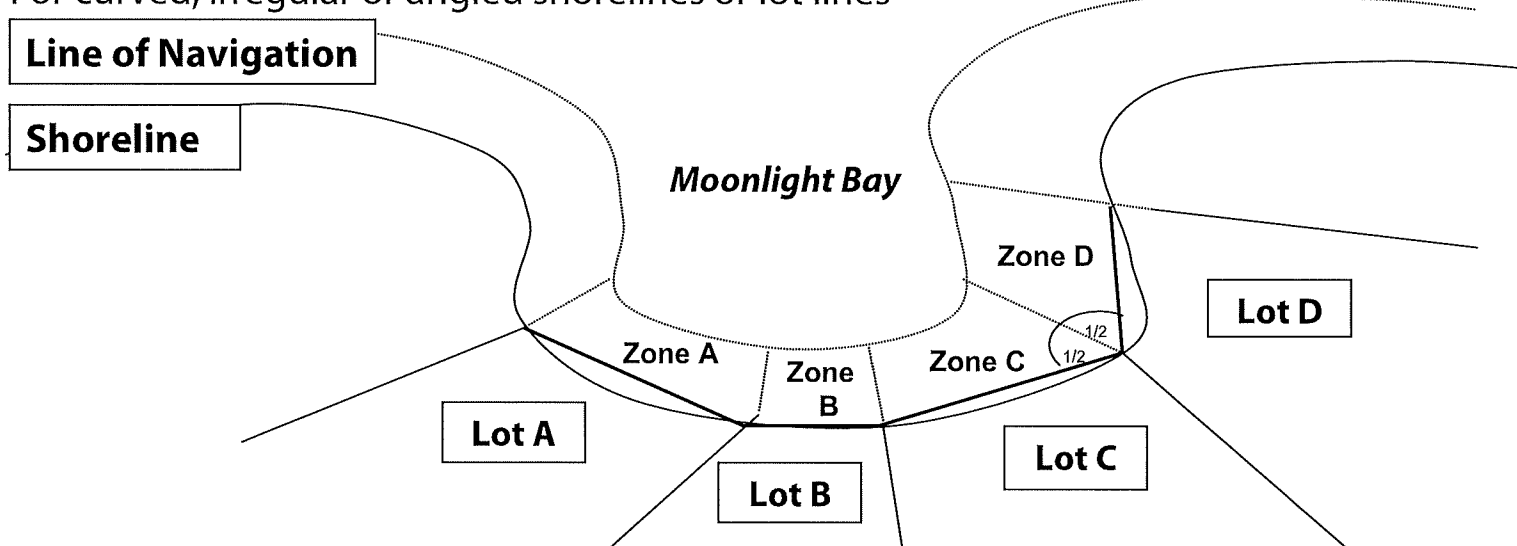
By Extension of Lot Lines...

For relatively straight shorelines and lot lines



By Coterminous Method...

For curved, irregular or angled shorelines or lot lines



Step 1: Extend lot lines to the shoreline

Step 2: Connect the points found in Step 1 to create chord lines.

Step 3: Bisect the angles formed by the chord lines in half (shown between Lots C&D)

WHAT ARE THE DIMENSIONS OF AN EXEMPT PIER OR WHARF?

- ✓ A pier may extend out to the 3-foot water depth*, or to adequate depth for mooring a boat or using a boat lift or boat hoist. A pier may also extend out to a DNR-approved municipal pierhead line. **See Figure 2.** Contact your municipality to see whether it has a pierhead line ordinance.
- ✓ Six feet is the maximum width allowed for any portion of a pier or wharf. This width allows safe loading of gear and passengers
- ✓ Although six feet is the maximum width allowed, the pier or wharf may have an area wider than six feet as a loading platform. The surface area of the platform must not exceed 200 square feet. See Figure 3.
- ✓ Piers may be placed in a variety of configurations, including straight, or with a "T" or "L". Catwalks, finger piers or similar features may be used for access to boat slips, as long as they meet the size limits above. **A pier may not enclose or isolate any part of a waterway.**

* as measured at summer low levels

Figure 2. Pier Length

A pier may extend into the water as far as A, B, or C - whichever is further from shore:

- A** – the 3-foot water depth (as measured at summer low levels).
- B** – where there is adequate depth for mooring a boat, or using a boat hoist or boat lift.
- C** – the municipal pierhead line (if one is established by a local ordinance).

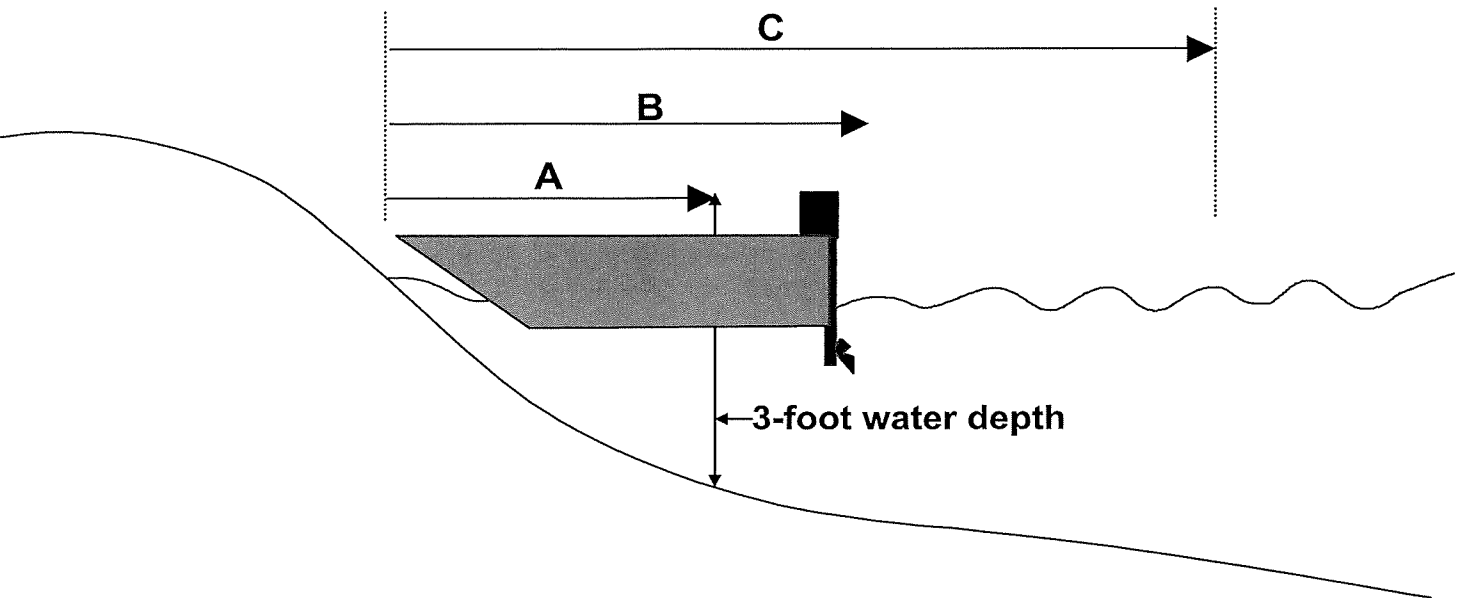
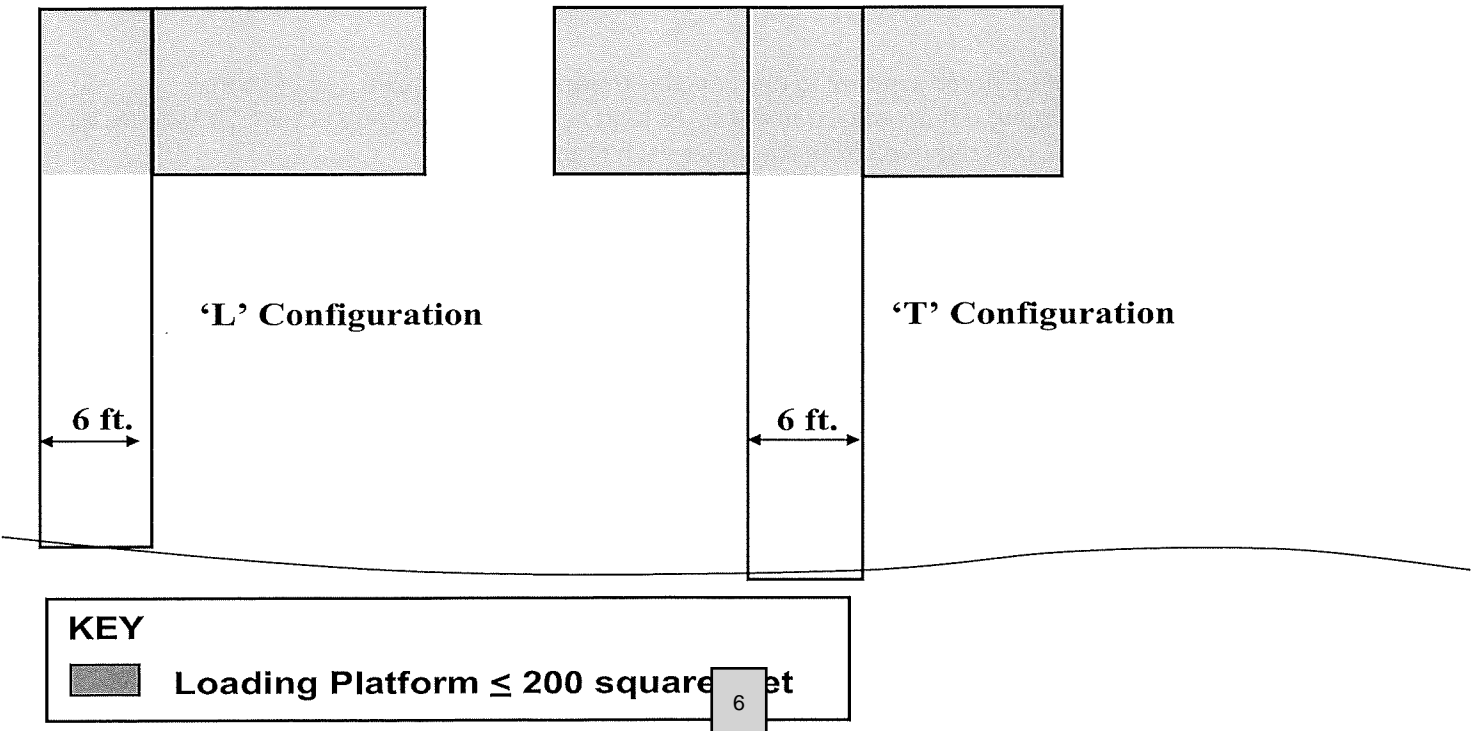


Figure 3. Pier Width

A pier or wharf can be a maximum of 6-feet wide. A pier can have a loading platform as part of the pier. The surface area of the platform cannot exceed 200 square feet (length x width). The width is the shortest horizontal distance.



How SHOULD THE PIER OR WHARF BE CONSTRUCTED?

- ✓ A pier or wharf may not obstruct the free flow of water or include any features which trap or accumulate aquatic plants or sediment.
- ✓ A pier or wharf must be floating or placed on piles or posts.
- ✓ Polystyrene floats must be coated or contained to resist gas, oil and abrasion. Metal and plastic drums must be free of any product residue and corrosion resistant. ***Solid piers on fill and piers on rock-filled timber cribs or similar foundations required a DNR permit, and are only authorized in specific waterways under limited circumstances.***
- ✓ Piers may be placed in a variety of configurations, including straight, or with a "T" or "L". Catwalks, finger piers or similar features may be used for access to boat slips, as long as they meet the size limits above. A pier may not enclose or isolate any part of a waterway.

CAN OTHER STRUCTURES BE LOCATED NEAR THE SHORE?

Boat lifts, hoists and shelters

- ✓ Boat shelters, which may contain a boat lift or hoist, are exempt from permitting if they meet the standards in NR 326. For example, size is limited to 12-feet wide by 24-feet long on waters under 1000 acres, and 14-feet wide by 24-feet long on waters 1000 acres or larger. Boat shelters may have a roof or canopy but may not have sides or walls, and the boat shelter – including the roof, canopy and any supports – must be removed seasonally between December 1 and April 1 to be exempt. Boat lifts and hoists can remain in place year round.
- ✓ A permanent boat shelter requires a DNR permit and must meet standards in NR 326. Permanent boat shelters are not allowed on lakes and flowages less than 500 acres, or on rivers except the Mississippi River, the Wolf River (from Lake Butte des Morts to the upstream limits of the Village of Fremont), and the Fox River (from the DePere Dam to Lake Winnebago).

Boathouses

- ✓ Boathouses differ from boat shelters by having sides or walls.
- ✓ On land... boathouses above the ordinary high water mark (OHWM) are exclusively for watercraft storage and are regulated by local ordinances. Contact the municipal building inspector or zoning administrator.
- ✓ Over water... boathouse construction is prohibited waterward of the OHWM. Boathouses constructed over water prior to 1979 are allowed to remain but their repair and maintenance are restricted and require DNR approval.

Mooring Buoys

- ✓ Generally, you may place a standard mooring buoy in your riparian zone of interest within 150 feet of the OHWM without a permit from DNR. Local ordinances may require permits. Consult your municipality or local Conservation Warden for more information.

Swimming Rafts

- ✓ A riparian may place a properly anchored swimming raft or water trampoline within 200 feet of shore.
- ✓ No permit is needed for a swimming raft or water trampoline as long as the size is no greater than 200 square feet and does not exceed 38-inches in height, or is removed from the water each night.
- ✓ Swimming rafts and water trampolines placed in DNR-designated swimming areas – such as for municipal beaches or private campgrounds – may be placed without a permit and do not have to follow the size limitations.
- ✓ In all cases, the raft or trampoline must be confined to your riparian zone of interest and may not interfere with public rights in the waterway. Keep it as close to shore as possible to avoid interfering with boat traffic.

For more information:

To find brochures, permit application forms and more information about regulations for piers and other waterway activities, go to DNR's website listed below, or contact the DNR Water Management Specialist at the DNR Service Center for your county.

<http://dnr.wi.gov/topic/Waterways/>



PIER FAQ

WATERWAY PROTECTION

These are questions that are frequently asked about pier requirements and regulations. They are provided to help you better understand what you need to do to ensure that you can continue to place your pier(s) on the water for many years to come.

▼ **I want to place a new pier. How big can it be?**

▲ **I have an existing pier I have been placing the same way for years, do I have to do anything?**

No. All existing piers and wharves that do not have an existing permit and were initially placed before April 2012 are “grandfathered” and need no department authorization.

▲ **When determining the length of my pier, do I include my loading platform?**

Yes, the loading platform should be included when measuring the length of your pier.

▼ **When determining the surface area of my loading platform, do I include my pier?**

▼ **My pierhead line is established at 100 ft out from the shore, but the pier planner says the length of my pier can be to the 3-foot water depth, which would allow my pier to extend 120 ft from the shore. How long can my pier be?**

▼ **Water levels are lower this year, can I extend my existing pier into deeper water?**

▲ **How many boat slips can I have?**

For new piers,* the number of boat slips, berths, mooring spaces, etc. allowed on your property is determined by the amount of shoreline owned. The law states that for non-commercial properties or properties with less than three dwelling units, up to two boat slips are allowed for the first 50 feet of shoreline owned and one for each additional full 50 feet of shoreline owned. For non-commercial properties you can also place two personal watercraft for the first 50 feet of shoreline owned and one personal watercraft for each additional 50 feet of shoreline owned. **You can place this number without a permit.**

***Existing** piers placed before April 17, 2012 are able to keep existing boat slip usage.

For **commercial properties**, or properties with three or more dwelling units, up to four boat slips are allowed for the first 50 feet of shoreline owned and two for each additional full 50 feet of shoreline owned. **Commercial properties or properties with three or more dwelling units using this boat slip formula must apply for an Individual Permit.**

	Non-commercial property Example A	Non-commercial property Example B	Commercial property Example A*	Commercial property Example B*



owned in feet				
Maximum number of boat slips allowed	3	5	6	10
Maximum number of personal watercraft allowed	3	5	-	-

*Individual Permit required

- ▼ I am part of an 'out lot,' 'back lot' or 'keyhole development' with a common use shoreline frontage and our three or more dwelling units (e.g., condominium) or commercial structure are not located on the waterfront parcel. Are we still eligible to apply for a permit for a new pier* to have up to four boat slips for the first 50 feet of shoreline and two for each additional full 50 feet of shoreline?
- ▼ I have a commercial property or a property with three or more dwelling units located on a river. When placing a new pier,* do I get double the boat slips allowed versus a non-commercial property?
- ▼ How many piers or docks can I have on my property?



PIER FAQ

WATERWAY PROTECTION

These are questions that are frequently asked about pier requirements and regulations. They are provided to help you better understand what you need to do to ensure that you can continue to place your pier(s) on the water for many years to come.

▲ **I want to place a new pier. How big can it be?**

The [Pier Planner](#) [PDF] and [Pier Exemption Checklist](#) [PDF] outline the size of new piers that can be placed without a permit. If you need a different size an Individual Permit may be needed.

▲ **I have an existing pier I have been placing the same way for years, do I have to do anything?**

No. All existing piers and wharves that do not have an existing permit and were initially placed before April 2012 are “grandfathered” and need no department authorization.

▲ **When determining the length of my pier, do I include my loading platform?**

Yes, the loading platform should be included when measuring the length of your pier.

▲ **When determining the surface area of my loading platform, do I include my pier?**

Yes, the pier should be included when calculating the square footage (surface area) of your loading platform.

▲ **My pierhead line is established at 100 ft out from the shore, but the pier planner says the length of my pier can be to the 3-foot water depth, which would allow my pier to extend 120 ft from the shore. How long can my pier be?**

Your pier can be 100 feet long or less. Wis. stats. 30.13 (3) allows for the establishment of pierhead lines. If your municipality establishes a pierhead line your pier cannot exceed it regardless of what length pier you would have been allowed under state law. In addition, Lake District ordinances are treated the same way.

▲ **Water levels are lower this year, can I extend my existing pier into deeper water?**

If you have a pier that is authorized to be placed in the water by a permit issued by the department, the conditions of the permit dictate the size and configuration your pier/dock can be. To extend your pier and make it larger it must still adhere to the permit conditions. If it will not, feel free to seek a permit amendment from your [local water management specialist](#).

If you have a pier dock that meets the dimensions and use outlined in the [Pier Planner](#) [PDF] and [Pier Exemption Checklist](#) [PDF], you can go ahead and extend your dock. As long as the enlargement still meets the pier planner guidelines you are good to go.

If you have an existing pier with no state permit authorization that does not meet the pier planner, but the pier was initially placed on the water before April 17, 2012, those structures are now also exempt under the new pier law changes in 2011 Act 167. For these structures that do not have an existing state permit and do not meet the pier planner but are still exempt as a result of 2011 Act 167 because the pier was placed before April 2012 can only be repaired and maintained but cannot be enlarged or replaced. Extending your pier/dock would be considered an enlargement and would require an [Individual Permit \[PDF\]](#).

▲ How many boat slips can I have?

For new piers, * the number of boat slips, berths, mooring spaces, etc. allowed on your property is determined by the amount of shoreline owned. The law states that for non-commercial properties or properties with less than three dwelling units, up to two boat slips are allowed for the first 50 feet of shoreline owned and one for each additional full 50 feet of shoreline owned. For non-commercial properties you can also place two personal watercraft for the first 50 feet of shoreline owned and one personal watercraft for each additional 50 feet of shoreline owned. **You can place this number without a permit.**

***Existing** piers placed before April 17, 2012 are able to keep existing boat slip usage.

For **commercial properties**, or properties with three or more dwelling units, up to four boat slips are allowed for the first 50 feet of shoreline owned and two for each additional full 50 feet of shoreline owned. **Commercial properties or properties with three or more dwelling units using this boat slip formula must apply for an Individual Permit.**

	Non-commercial property Example	Non-commercial property Example	Commercial property Example	Commercial property Example
	A	B	A*	B*
Amount of shoreline owned in feet	125	225	125	225
Maximum number of boat slips allowed	3	5	6	10
Maximum number of personal watercraft allowed	3	5	-	-

*Individual Permit required

- ▲ I am part of an 'out lot,' 'back lot' or 'keyhole development' with a common use shoreline frontage and our three or more dwelling units (e.g., condominium) or commercial structure are not located on the waterfront parcel. Are we still eligible to apply for a permit for a new pier* to have up to four boat slips for the first 50 feet of shoreline and two for each additional full 50 feet of shoreline?

No. To be eligible to use the 'double density' slip formula for new piers* that is allowable for parcels of land that contain commercial structures or three or more dwelling units, the commercial structure or condominium has to be on the property that touches the water.

***Existing** piers placed before April 2012 are able to keep existing boat slip usage.

- ▲ **I have a commercial property or a property with three or more dwelling units located on a river. When placing a new pier,* do I get double the boat slips allowed versus a non-commercial property?**

No. The ability to apply for an Individual Permit to place the commercial property boat slip calculation/formula is only applicable to parcels of land on a lake, not a river.

***Existing** piers placed before April 2012 are able to keep existing boat slip usage.

- ▲ **How many piers or docks can I have on my property?**

Wisconsin pier laws do not regulate the number of pier dock or wharf structures that you can place on your property. Wisconsin pier laws do regulate the size of the structure (e.g., width) and how you use the structure (e.g., boat slips/berths). However there may be local ordinances that restrict the number of structures placed on your property either directly or indirectly by requiring side setbacks with structure placement.

Comprehensive study looks at pier impacts on fish and aquatic life

Pier shading linked to reduced fish, plant, insect numbers

CAMBRIDGE- Fish may seek shelter under piers if nothing else is available, but they're most likely found along vegetated shorelines unbroken by piers or few piers where they'll find the diverse aquatic plants they need for spawning, feeding and other needs, according to a recently completed research on two lakes in Jefferson County in south central Wisconsin. The study will be presented April 29 at the Wisconsin Lakes Convention in Green Bay.

"You hear from some anglers that they find larger bass under piers, so there's the perception the piers must provide some sort of exceptional habitat value," says Paul Dearlove, one of the researchers and manager of the Lake Ripley Management District's priority watershed project.

"Our findings show that while piers may provide some refuge from the sun, they actually detract from the natural habitat fish prefer for spawning, foraging and other needs, and that the diversity and quantity of fish is greater in undisturbed areas."

Dearlove and Patricia Cicero, a resource conservationist with the Jefferson County Land and Conservation Department, teamed up with Department of Natural Resources researchers and fish managers to fill a gap in understanding how piers affect lakes' aquatic plants, fish and invertebrates such as aquatic insects, snails and scuds.

Piers are growing in size and number in Wisconsin, a trend reflected on Rock Lake and Lake Ripley. The number of piers on Rock Lake, for instance, has tripled from the 96 piers present in 1950 to 276 piers in 1996 to about 300 today, Cicero says.

New England studies have linked piers to declines in aquatic plants and shellfish habitat, and research in Minnesota linked piers and shoreline development with declining aquatic plant habitat and reduced fish growth rates.

The Wisconsin study is the most comprehensive one yet on Midwestern inland lakes to investigate how piers, by reducing light penetrating the water beneath them, affect aquatic life, according to Dave Marshall, a DNR water resources biologist and lead investigator.

The research team, which also included Laura Stremick-Thompson, the DNR fish manager for Jefferson County, and Paul Garrison, a DNR water quality researcher, used snorkeling gear and a light meter to measure light intensity underwater in unshaded areas, and in those areas beneath piers representing a variety of widths and configurations.

They sampled plants, fish and invertebrate populations under the piers, in adjacent areas with a variety of aquatic plants, and in designated "Sensitive Areas," which are identified through DNR surveys as critical to fish and wildlife and water quality, designated as such in state administrative rules, and often protected by local ordinances, Marshall says. On Lake Ripley, for instance, a Town of Oakland ordinance requires people wanting to expand or place a new pier in the "Sensitive Area" to get a DNR permit and review to ensure the pier's sited, designed and built to minimize damage.

The researchers' findings documented significant shading under piers, with average light intensity readings in open areas 10 times as great as the readings under piers. Plant growth was 20 times greater away from the piers, and insect numbers under the piers were three times lower than found on the open sites away from piers.

Where plants were present under piers, the plant community's composition shifted to one dominated by shade tolerant species, Marshall says. "Dead" areas devoid of plants were also routinely found under larger deck sections where sunlight was most limited.

Piers with the greatest numbers of juvenile fish – overwhelmingly from the fish family that includes bass, bluegill and other sunfish – were located in areas of the lakes with fewer piers and near designated Sensitive Areas.

"The most important lesson of the study is that what really matters is the sensitive areas," Cicero says. "Whether they have piers or not, it's important to protect them because that's where we found the best diversity of fish."

The problem with piers, Marshall says, is that they are not usually small, inconspicuous structures found along the shore, but are often several feet wide with lateral extensions and wide decks. The average size of the study piers on Lake Ripley was 546.4 square feet and 370.2 square feet on Rock Lake.

Add in the area of the boats docked at the pier and the boats' scouring of lake bottom materials that aquatic plants need, and multiply that by the growing number of piers, and "you've taken a great big chunk out of the lake," Marshall says.

Cicero and Dearlove say the study results are timely and will help inform education efforts as well as current lake initiatives. The Lake Ripley Management District and the Town of Oakland, for instance, are evaluating local ordinances with an eye toward better protecting the lake, and the Rock Lake Improvement Association and the Joint Rock Lake Committee have a lake planning grant from DNR to develop a long-range lake management plan.

Stremick-Thompson will use the results to help educate prospective and current property owners about vital fish habitat on lakes, and to help protect those sensitive areas.

"The study shows that there are very sensitive and critical habitats," she says. "I would hope people, if they're wanting to buy property on a lake, look with an eye toward enjoying what's there's naturally instead of, 'How can I manipulate the lake to fit what I like? The lake is what it is.'"

The [Effects Of Pier Shading On Littoral Zone Habitat And Communities In Lakes Ripley And Rock, Jefferson County, Wisconsin](#) [PDF 171KB].

FOR MORE INFORMATION CONTACT: Dave Marshall - retired; Patricia Cicero, Jefferson County - (920) 674-7121, or Paul Dearlove - (608) 423-4537