



Spring 2006 Volume 12 Issue 1

Loon Call

Musky Bay Update: "A Landmark Victory..."

by Alf Sivertson

On April 5, 2006, Judge Anderson issued his decision in the case against Zawistowski's cranberry operation on Musky Bay. The decision is a landmark victory for the plaintiffs and everyone else who uses Lac Courte Oreilles. For the first time a court has ruled that Zawistowski has intentionally and knowingly dumped phosphorous from his cranberry farm into Musky Bay, that the phosphorous is the direct cause of the destruction of the bay, and that the destruction will only get worse with continued dumping. As a result, the court ruled that the plaintiffs' use and enjoyment of Musky Bay has been interfered with.

Despite the indictment of

Zawistowski, however, the court could not conclude that a nuisance exists because it was unable to determine under the present state of the law in Wisconsin how much interference and destruction of the bay is enough to be considered unreasonable. That issue now moves to the appellate courts where the groundwork will be laid to force Zawistowski to implement a closed system and dredge the bay.

To read the complete text of the decision, please visit

<http://cola-wi.org/web/CranberryDecision.html>

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Annual COLA Spring Membership Meeting

Saturday, June 24th
9:00am coffee/rolls
9:30am meeting
St. Francis Mission
Activity Center

Annual COLA "Family" Picnic

Saturday, July 29th
Noon to 4:00pm
Bass Lake Town Hall on
Highway K

Sailing Club Announces



2006 Racing Schedule

If you have noticed the sailing races on the lake and would like to know what to look for while watching them, you are cordially invited to the Lac Courte Oreilles Sailing Club's first get together for the summer at 1:30pm, Saturday, May 27, at the home of Tom and Mary Austin at 15056W Oak Road on Victory Heights.

Sailing schedule dates, shared race committee responsibilities, course layouts, starting procedures, racing maneuvers, basic rules, and locations for celebrating after race results will be discussed on a short agenda.

Refreshments will be served. Please telephone 865-4393 for directions.

The sailing club has announced it's schedule of open class races for the 2006 season. This marks the fifth consecutive season of weekend racing on Lac Courte Oreilles.

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Courte Oreilles Lakes Association, Inc.

P.O. Box 702, Hayward, WI 54843

www.cola-wi.org

FUN ON THE FOURTH

by Jan Hahn



For those of you who have not participated in the Fourth of July boat parade in the past, you're missing an afternoon of fun on the water. Last year approximately 75 boats, decorated in the spirit of the Fourth of July, participated in the parade. This year, COLA will present prizes for the best decorated boat, second best decorated, and most original. The boats will gather at the sandbar off Wismo Point for a 4:00pm parade start. Boats will leave Wismo and continue around Chicago Bay and back to Wismo as in past years. Awards will be presented immediately after the parade at Wismo sandbar.



Everyone and every boat is welcome whether it's decorated or not. The

more boats, the more fun. Plan to attend!



Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

—Margaret Mead

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Planned Saturday racing dates include: June 17, July 1, July 8, July 15, July 22, July 29, Aug. 12 and September 2. Weather and winds permitting, the first race in each case will start at 1 pm, normally from a downwind location of Chicago Bay. Rain days are the Sundays following the scheduled race days.

Area sailors regardless of residence or class of sailboat are encouraged to join the club and participate in as many races as possible. Actual racing times are adjusted according to each boat type's international handicap. Annual membership fee is \$20.00, and payment is waived for first timers.

For more information, you may call either Tom Austin at 865-4393 or Tom Burgess at 634-2291.



2006 COLA BOARD OF DIRECTORS

(With area of oversight)

Tom Burgess, President
634-2291, 634-6101
tfb@cheqnet.net

Alf Sivertson, Vice President
634-2957, 651-778-0575
alf@sivbar.com

Jeff Anderson, Sec/Treas.
952-927-1665
jeffanderson@edinarealty.com

Phil Nies, Water Safety
634-2920
Fax: 634-6400

Fr. Bill Jablonske
715-492-0577
wjablons@charter.net

Colin Williams, *Loon Call*
865-4808
ckayakr@cheqnet.net

Jan Hahn, Clean Boat Project
638-2250
jeholdlapointe@centurytel.net

Jerome Gundersen, History
865-4404, 608-788-9448
jhgundersen@centurytel.net

Mickey Odawa, Web Site
865-2503
odawa@well.com

THE PRESIDENT'S CORNER

Dear lake lovers,

With summer of 2006 approaching, we members of COLA have lots to be excited about.

As you read in the fall, 2005 issue of Loon Call, we have officially launched a website as our own fountain of information about our organization and current news that affects lake residents. At first, COLA piggy-backed the Bass Lake website, but later through the good work of our own Mickey Odawa, we spun off with an exclusive COLA website (www.COLA-wi.org). We hope that you visit it often.

Also, you may have noticed a few months ago COLA's official entry into the modern business world. You received membership renewal notices in the mail. I can't count how many times puzzled members have asked each summer: "Is this for the current year or do I still owe for last year?" By returning the dated notice with a check, you'll know. Heavens! The next step might be to accept renewals online. Stay tuned.

Since we last talked, I had the pleasure late last fall of helping stock 1,200 six-inch walleyes in

Couderay (and 1,200 in Grindstone too). Thanks to two organizations, Walleyes for Northwest Wisconsin and the LCO Band of Ojibwa, the supply of these fishermen's favorites is being replenished each year. COLA supports this annual project spiritually and financially.

I can also report that COLA has submitted a permit application to the DNR to retreat areas of Musky Bay infected with Curlyleaf pondweed, an exotic plant that threatens, unchecked, to spread and eventually dominate large areas of the lake. You might recall that Dan Tyrolt, of the LCO Conservation Department, first identified curlyleaf near the entrance of Musky Bay early last spring, and that COLA agreed to pay for appropriate herbicide if Tyrolt's department would do the actual treatment and follow-up monitoring, which it did.

After meeting with the DNR in March, 2006, LCO and COLA agreed to repeat the treatment this spring, and, if necessary, a third time in 2007. I have submitted a grant request to the DNR to pay for up to one-half the cost of the herbicide, along with LCO's labor cost of monitoring and spreading the granular herbicide and COLA's cost of providing manpower for our "Clean Boat" project. If the grant goes through, we'll

at least break even on the herbicide, which sells for \$518 per application in this case.

Our "Clean Boat" project, which enters its second season this year, is considered by the DNR a valuable segment of our exotic weed control efforts in Couderay. Please sign up this spring to volunteer your time at the boat landings (Chicago Bay and also Victory Heights). It's our best shot at preventing these unwanted weeds (and zebra mussels) from taking a free ride aboard foreign boats into our lakes.

And when you launch your boats this year, you might notice some measurable improvement in the underwater approach. Both the landings in Chicago Bay and Victory Heights were excavated and leveled. COLA contributed to each of these projects.

As you can see, your Courte Oreilles Lakes Association is far from a passive informational organization. As demonstrated above, COLA is very proactive in fulfilling its purpose of protecting, preserving and enhancing the quality of our lakes.

Have a terrific summer.

s/ Tom Burgess





Wisconsin Rules for Boaters & PWC Users

from Susan Miller
Wisconsin Conservation Warden



BOATERS

1. You must have a wearable personal flotation device (PFD) for each person on your boat. If your boat is over 16-feet, you need one wearable PFD for each person plus one throwable for the boat.
2. You must operate your boat at slow-no-wake speed when within 100-feet of a pier, dock, raft, or buoyed area.
3. You must have a competent observer in your boat in addition to the driver while towing a water-skier, tuber, knee board, or any device. You must be 100-feet away from docks, piers, rafts, and anchored occupied boats when towing a person behind your boat.
4. Between sunset and sunrise, you are required to have lights on your boat—red and green lights in front and a white 360-degree light in the rear.
5. When you are anchored after sunset, you need a white light on at all times.
6. Your motorboat must be correctly registered and registration numbers must be displayed.
7. Your certificate of number must be carried in the motorboat at all times while being operated.
8. All storage batteries must be secured from shifting and terminals covered with a non-conductive shield.
9. Persons 10-years but less than 12-years of age may operate a motorboat if accompanied by a parent or guardian.
10. Persons at least 12-years, but less than 16-years of age, may

operate a motorboat only if they are accompanied by a parent or guardian, or by a person 18-years or older, designated by the parent or guardian, or if they have successfully completed a Department of Natural Resources Boating Safety Course and possess a safety certificate issued by the Department or state of their residency.

11. It is illegal to operate a motorboat while under the influence of an intoxicant or a controlled substance.

PERSONAL WATERCRAFT

1. No person may operate a PWC from sunset to sunrise.
2. All persons riding a PWC must wear a PFD of the proper size and type.
3. No one under age 12 may operate a PWC. (Rental age limit is 16-years old).
4. PWCs are restricted to slow-no-wake speed anytime while within 200-feet of shore.
5. It is illegal to operate a PWC within 100-feet of the following:
 - ♦ Another boat towing a skier or person engaged in similar activity.
 - ♦ The tow rope of another motorboat towing a skier or person engaged in similar activity.
 - ♦ A pier, dock, raft, buoyed area and all other boats, including other PWCs.

**If you see a violation, call
1-800-TIP WDNR
24-hours a day.**

A GOOD OLD FASHIONED, SUPER-COOL COUNTRY



by Jan Hahn

Last year's picnic was such a success, we're going to do it again. A day of super fun is now being planned for the entire family. The date is Saturday, July 29th noon to 4:00pm. Bingo, horse-shoes, raffles, and music will entertain us all day plus activities and events for all ages. Bring your children or grandchildren because they won't want to miss the "Hunt for the \$\$\$ Contest." And you won't want to miss the drawing at 3:30pm for some great prizes.

The menu is guaranteed to be a crowd pleaser. A pig roast will again be the main attraction with all the picnic fixin's including roast turkey, hot dogs, corn, salads, desserts, beer and soft drinks.

So, for a day of fun and a chance to meet your friends and neighbors, plan to be at the COLA Picnic on Saturday, July 29th. If you know of someone who'd like to become a COLA member, bring them along too. New members are always welcome. Volunteers to help with the picnic are always welcome. Don't miss it!

Snowmobile Mishap Is
A Public Safety Issue
 by Tom Burgess

Last winter witnessed another fatal accident involving a snowmobiler on Lac Courte Oreilles, this incident occurring at the Chicago Bay DNR boat launch. The investigating officer reported the snowmobile operator apparently was exiting the lake at a high rate of speed when he slammed into a tree next to the ramp.

Many property owners have complained that snowmobilers often speed past their places within 25 to 50 feet of the shoreline. Normally, that in itself isn't a particular threat to public safety. But occasionally, people (and their dogs) do walk or ski close to the shoreline and have little or no time to react when an 80-mph missile rounds the corner.

Continued on Page 6

COLA TREASURER'S REPORT

October 28 , 2005 to April 28, 2006

By Jeff Anderson

	Balance	
Balance as of October 28, 2005		\$ 8,069.08
Income		
Memberships	\$ 3,820.00	
COLA Share of Book Sales	189.00	
Walleyes NW WI (stocking pgm)	1,000.00	
Interest on CD	94.73	
	\$ 5,103.73	
Expenses		
Sawyer County Lakes Forum	\$ 20.00	
Mama Fish Hatchery (stocking pgm)	2,046.00	
Sawyer County Record	1.06	
Advance Printing (<i>Loon Call</i>)	400.90	
Mickey Odawa (reimburse website exp)	39.95	
Advance Printing (membership mailer)	234.55	
WI Dept Financial Institutions (annual fee)	10.00	
Mail Call (<i>Loon Call</i>)	264.18	
Walleyes NW WI (Ice fishing contest contrib)	500.00	
Postmaster (annual box rental)	38.00	
	\$ 3,554.64	
Balance as of April 28, 2006		\$ 9,618.17
Cash on Hand		
Cash	\$ 3,782.62	
CD (Matures 8/14/06)	<u>\$ 5,835.55</u>	
		\$ 9,618.17
Association Reserves		
Walleye Stocking Program	\$ 1,400.00	
History Committee	<u>\$ 2,500.00</u>	
		\$ 3,900.00
Uncommitted Balance		\$ 5,718.17

2006 COLA COMMITTEE CHAIRS and REPRESENTATIVES**WATER QUALITY:**

Dan Tyrolt, Chrmn.
634-2353
ddtyrolt@cheqnet.net

VICTORY HEIGHTS REP.:

Dave Johnston
865-6518

WATER SAFETY:

Bob Hahn, Chrmn.
638-2250
jeholdlapointe@centurytel.net

HISTORY:

Jerome Gundersen, Chrmn.
865-4404, 608-788-9448
jhgundersen@centurytel.net

FISHING:

Mike Persson, Chrmn.
634-4543
muskymike@cheqnet.net

MEETINGS:

John Bartholomew, Chrmn.
634-1038

MEMBERSHIP:

Steve Umland
865-3166
Bob & Doris Sanders
634-4180

COMMUNITY RELATIONS:

Harry & Signe Schroeder
634-1476, 608-782-3993
sgs-has@centurytel.net

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Boaters are required by DNR regulations to stay at least 100 ft. from docks and must proceed no wake when approaching within the 100 ft. There is good reason for this regulation., and why shouldn't it also apply to snow-mobilers, particularly in view of their normally high speeds.

As property owners, we need to be vigilant as protectors of the lake environment. Instances of excessive speeding by boats or other vehicles too close to docks, other boats or the shoreline need to be reported. Public safety is everyone's business throughout the year.

COLA MEMBERSHIP REPORT

4/28/2006

	2006 Year to date	2005 Total	2004 Total
Non-Tribal Properties	661	661	661
2006 Memberships	209	224	266
Non-Members	452	437	395
%	32%	34%	40%

The new member billing reminder system has been well received with 190+ 2006 memberships received as a result of the mailing. At this time in 2005, we had 92 paid memberships. The Spring Membership Meeting and the Annual Picnic are always good events to pick up new members.



5 Great Reasons to Restore Your Shore

- * Improve Water Quality
- * Control Erosion
- * Enrich Wildlife Habitat
- * Promote Species Diversity
- * Increase Property Value



100% Locally Grown Native Plants!

Canopy Trees
Berry-Producing Shrubs
Woodland Plants
Shoreline Grasses
Wildflowers

Shoreline Assessments
Landscape Design
Site Preparation
Installation
Monitoring



Leaning Pines Native Landscapes

3130 South Camp Amnicon Road, South Range, WI (near Superior)

Contact us today to schedule your shoreline assessment!

715-398-5453 or www.restoreshore.com

**Thanks to all
new and
re-newing COLA
Members.**

**Without your
support, COLA
would be unable
to protect your
lakes for future
generations.**

Thank You!

DNR to Rejuvenate LCO Musky Population

by Tom Burgess

Barring any negative results in genetic compatibility, Lac Courte Oreilles could become home as early as 2007 to at least 500 young adult muskies from Butternut Lake. Local DNR personnel hope to transfer muskellunge in the 28- to 38-inch range to help increase musky numbers in Couderay while relieving that Price County lake of a serious overpopulation.

This strategy was revealed in the Fishery Management Plan of March, 2006 prepared by Frank Pratt, senior Fisheries Biologist for DNR in Hayward and Dave Neuswanger, Fisheries Team Leader for DNR in the Upper Chipewewa Basin.

They reported the musky population in Butternut has grown steadily to a very high 1.0 adult fish per acre (by 2003), well in excess of the 0.2 to 0.3 per acre objective sought in the DNR's 2004 Fishery Management Plan for Butternut. Meanwhile, with natural reproduction of muskies in Couderay almost at a standstill, numbers of adult muskies have slipped to as low as 0.05 per acre. Part of the reason is a substantial population of northern pike, which are natural predators on muskies during their first year or two of life. For this reason, local DNR personnel favor transferring some adult muskies to help tip the fish community balance in favor of muskellunge. The plan hinges on the results of a

study on the compatibility of genetics between LCO and Butternut musky strains.

In recent public discussions, some very vocal participants have advocated the stocking of Leech Lake (Minnesota) strain muskellunge in Couderay, because of their fast growth and the high numbers of trophy-size fish (50 inches plus) being caught in several new Minnesota musky waters. They pointed to a Minnesota DNR study in a Minneapolis area lake conducted during the mid 1980s that demonstrated superior performance of Leech Lake strain fish (also called Mississippi strain) over another Minnesota strain from Shoepack Lake. Our DNR pointed out that, while this was true, there was insufficient data to conclude the Leech Lake strain outperformed the Wisconsin LCO strain.

A comparison of the two strains will be studied with the paired stocking of seven lakes in the St. Croix Basin this coming fall. Evaluating their performance will involve a much longer period than the short four-year study in Minnesota. It should be noted that many Minnesota musky lakes are over 100,000 acres in size vs. Couderay's 5,039 acres. It's far easier to deplete a smaller lake of its adult fish than it is a larger lake.

The DNR's reluctance to intro-

duce "exotic" strains in the native range of muskies in the Northern Region is two-fold: the legitimate fear of outbreeding depression (reduction in fitness due to mating of different stocks of the same species) that has occurred in other species; and evidence that local musky strains have produced trophy-sized adults, given good habitat and plenty of food.

Case in point: the restocking of Rice Lake after its drawdown and refilling in the early 1980s. In just seven years, 9-inch musky fingerlings stocked from LCO and Bone Lake sources had grown to a 39.2-inch average. Another case in point: Mille Lacs, Minnesota, where Wisconsin fish stocked during 1984-1987 have comprised the bulk of the angler catch of fish over 45 inches for the past 6-7 years.

So, the DNR intends to work with known quantities throughout the native range of muskellunge in northern Wisconsin. In Couderay, specifically, local DNR personnel hope to restore natural reproduction and recruitment of muskellunge. This includes supporting the restoration of spawning habitat in Musky Bay, employing innovative stocking strategies (e.g., Butternut Lake transfer), and taking reasonable steps to reduce the pike population (harvest event promotions).

FISHING NEWS

by Mike Persson



Several interesting things have occurred recently that will have very positive effects on our lake's fishery.

The first item is that the LCO tribe has been gradually increasing it's fish rearing and stocking to the point where they were able to stock 11,400 "extended growth" walleyes in Big LCO and 720 fish in Little LCO. These fish are kept at their hatchery and fed all summer and are 6-8" when stocked. That's big! This is in addition to the 1,200 extended growth walleyes that COLA and Walleyes For Northwest Wisconsin stocked. These "extended growth" fish have a much greater survival rate than the fry that are stocked in the spring. The tribe also

stocked 1,500,000 fry. More good news is that the LCO plans to continue stocking whenever fall fish surveys show low levels of natural reproduction.

Another positive thing that has happened is the DNR "Fisheries Management Plan" for LCO is now complete. This plan is the result of the "Fisheries Visioning Meeting" held last June. The plan sets specific goals and strategies for achieving the goals and should result in better fishing for all species. The plan is 18 pages long, very detailed and interesting reading. Copies are available at the DNR office and we will have some available at our annual meeting.

Clean Boats, Clean Water

by Jan Hahn



COLA will once again conduct boat inspections at the main public boat landing. COLA launched the Clean Boats Program last year and as a result, hundreds of boats entering and leaving Lac Courte Oreilles were inspected for hitchhiking invasive species. Equally as many boaters were informed of the preventative steps to avoid further spreading of these species.

Volunteers offering some of their free time made these inspections possible and it is greatly appreciated. However, in order for these inspections to take place when the lake is the busiest, more volunteers are needed. Schedules are flexible and the duties inspectors perform are simple: visually check boats for any hitchhiking plants, demonstrate how to clean recreational equipment, what preventative steps boaters need to take every time they leave the water, and distribute educational material. A short mini-training session will take place prior to a volunteer's scheduled time at the landing.

Won't you take some time out of your day to volunteer in support of this very important initiative on LCO? Your help is needed. Contact Jan Hahn now.. The rewards of these efforts will be appreciated by many generations to come.





Have You Been “Jacked” This Spring?

As Winter recedes and Spring approaches, we begin to anticipate the first open water and the “ice jacking” or *shoving* that is often part of the transition from Winter.

There are many variables that affect ice conditions and potential “jacking” each year including: thickness of ice, temperature changes, snow cover and shore conditions. For instance, on a lake one-mile wide, an 18-degree change in temperature can cause the ice to expand up to 32-inches.

During this process, the ice will move with a force of as much as 30,000-pounds-per-square-inch.

For some lakeshore property owners, this unstoppable force of nature can create berms of soil along the lakeshore (not to mention crushing docks or boat lifts left out all winter). If you’re one of these, consider leaving the berm instead of pushing it back to the waters edge. The berm can actually strengthen the shoreline over several years and acts as a natural barrier to prevent contaminants from reaching the lake.

From Sawyer County Land & Water Conservation Department, Hayward, WI

Join The COLA Membership Drive!

If you own property on the lakes, you should be a member of COLA. You need to be involved to make Lac Courte Oreilles a better place to be. Strength in numbers is very important to support many of the projects being undertaken to protect the lakes for you. Please join today! If you’re already a member, the most important thing you can do is to persuade your neighbors to join! Please do it! If you need an extra copy of the *Loon Call* for a neighbor, please call Jeff Anderson (952-927-1665).

*Do you know of a lake neighbor who is not yet a member of COLA?
Please, pass this form on to them...Thanks!*

NEW MEMBERSHIP FORM

Name(s): _____

Address on the Lake: _____

City/State/Zip: _____

Phone: 715-_____

Other Residence: _____

City/State/Zip: _____

Phone: _____

Enclosed is my \$20.00 Annual Dues for 2006

I would be interested in helping on the _____ committee

Send to: COLA, P.O. Box 702, Hayward, WI 54843

The Mystery Postcard by Jenifer Williams

Jenifer is in the Bahamas this week but she sent this postcard before she left. It is titled, "Cabin #3 at Alpine Lodge on Lac Court Oreilles, Hayward, Wis." If you know anything about it, about who lived there or the year of the Buick, please send an email to her at jeniferwilliams@cheqnet.net. Unfortunately, last issue's photo was a flop. Apparently nobody could identify the rocky shoreline with the two boats. But if you know, or want to make a guess, don't keep it a secret!



RESTATEMENT OF PURPOSE FOR COLA The purposes of the **Courte Oreilles Lakes Association, Inc.** (COLA) are (1) to protect, preserve and enhance the quality of the Courte Oreilles Lakes, their shorelands and surrounding areas, while respecting the interests of property owners and the rights of the general public, and (2) to consider, study, survey and respond to issues deemed relevant by the membership of the organization. The Courte Oreilles Lakes consist of Lac Courte Oreilles and Little Lac Courte Oreilles, both located in Sawyer County, Wisconsin.



**DON'T FORGET THE
ANNUAL COLA SPRING MEMBERSHIP
MEETING ON JUNE 24th**

**IMPORTANT
NOTICE!**

**Courte Oreilles Lakes
Association, Inc.
P.O. BOX 702
Hayward, Wisconsin 54843
www.cola-wi.org**