

# LAKE WAVES

Newsletter for the Hand/Hay Lakes Association

[HandHayLakesAssoc.org](http://HandHayLakesAssoc.org)

Winter 2017

## Pipeline Update

**The Public Utilities Commission deemed the EIS study for proposed oil pipeline inadequate.**



A question to ponder! Will Enbridge's proposed replacement line 3 be a single 36 inch high pressure pipeline through our Pine River watershed or do they intend to use that one pipeline to justify multiple pipelines through the watershed creating a new energy corridor?

During the recent 12-day evidentiary hearing, one of the last steps in the process for obtaining an oil line permit, new information came to light suggesting that Enbridge might be withholding other

plans for their proposed new Line 3 corridor. Easements were introduced as evidence for a property in Aitkin County for which Enbridge currently has easements to build 4 OIL PIPELINES along the proposed new Line 3 route. Evidently, Enbridge has big plans for an energy corridor through our lakes region. They are not going to be satisfied with just one polluting pipeline.

In the meantime, on Thursday December 7<sup>th</sup>, the Minnesota Public Utilities Commission (PUC), by a vote of 4 to 1, deemed "inadequate" the Environmental Impact Statement (EIS) for the proposed new Line 3 pipeline. The EIS, created by the Department of Commerce (DOC), will have to make some modifications to the process. Though they seem to be minor.

The inadequacies include a lack of a detailed assessment of a potential large oil spill into sensitive waters and wilderness areas. Specifically, the PUC asked the Commerce Department to provide more information on whether one particular alternative to Enbridge's proposed route could be tweaked to avoid sensitive geologic formations. The PUC also voted that construction can't start on a new Line 3 — if it is approved — until a tribal cultural survey is completed. Environmental impact statements often account for such cultural resources as burial grounds, which can be unearthed when pipelines are built.

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The tribal cultural survey is underway but might not be completed by the time of the final vote. The PUC said it would weigh any information from the cultural study that it could obtain before its final vote on Line 3.

The PUC won't decide until at least April whether the new 340-mile Line 3 is warranted, and if so, what exact route it would take.

## Wheelhouses require license purchase for ice fishing

In effect this ice fishing season, anglers using a wheelhouse type of ice or dark-house shelter are required to purchase a license to place the shelter on the ice, even when occupying it.

A new definition for portable shelters has been provided in law, which states that a portable shelter is one that collapses, folds or is disassembled for transportation. In the past, anglers using wheelhouses could use them without shelter licenses as long as they were occupied, including overnight.

A shelter meeting the new definition of portable only needs a license when a person leaves it unattended, meaning they are farther than 200 feet from the shelter.

## Be Sure to Check Out Our Hand/Hay Lakes Website

Dedicated to preserving the health, safety, welfare and prosperity of the lakes and forest that surround Hand and Hay Lakes.

<http://handhaylakesassoc.org/>



### From the Editor

Welcome to the winter edition of the Hand/Hay Lakes newsletter. It is early January as I write this "From the editor piece." It has been in the double digits below

zero the past ten days and I am already looking forward to spring.

In this issue guest writer is Dustin Mirick (North Shore) writes about school trust land and the leasing of lake shore property on Hand Lake. It is well written and interesting to read. There are some who believe the state is holding on to too much land should be selling or leasing more of it.

As the pipeline debate continues, I included an update on the replacement line-3 oil pipeline. The Public Utilities Commission will finally be coming to a decision on this matter sometime this summer. Regardless of their decision I doubt the debate will be over. I also mentioned a new MnDNR rule concerning the definition of a portable fish house. Wheelhouses are no longer considered portable and will now have to be licensed even if occupied.

I put in a plug for our yearly road clean-up endeavor. We would like to see more participation in that event.

Duane Larson (Shadywood Shores) brought over some interesting information on wildfires in Minnesota. Considering all the wildfires in California this summer I included it in this issue.

There has been a lot in the news about the new national loon center project underway in Crow Wing County. The Pine River Watershed Alliance is promoting the project. I added a short column briefly outlining that project.

Finally I should mention the tree and bush program outlined in the fall issue. While we were hoping to get 3-4 orders for trees and bushes we have at this time 15 orders. In the next week or so we will be ordering around 300 trees and bushes.

After all that I still had a short column to fill so I included a piece on the increasing use of bottled water and the attempt to commercialize what is free drinking water. It is part of an article I am doing on the necessity of maintaining clean water.

Keep up the fine work supplying information for our news letter. Submissions to be considered for publication in the Spring 2018 newsletter must reach the editor before March 15th.

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### Road Clean-up

Picking up trash on the shoulders and ditches along highway 49 is an activity that our lake association has been engaged in for many years. Twice a year, once in the spring and once in the fall, spirited souls from the association walk along the road and gather up anything that does not belong. You are encouraged to participate in this event. If enough show up it only takes a few minutes to complete the clean-up. After the clean-up we usually have a board meeting at a member's home, and, of course, all are invited. It is an easy way to become active in the association and learn what's on the board's agenda for the year.

**The spring clean-up is always on the last Saturday in April and the fall clean-up is always on the first Saturday in October.** In 2018 those dates fall on April 28 and on October 6. We meet at the junction of Shadywood Shores Drive and highway 49 at 9:00 AM. You will want to wear warm clothes, gloves, and possibly boots. Hope to see you there!

### National Loon Center in Crosslake



There is currently a project underway to create a national loon center in Crosslake. Minnesota lakes provide summer homes to roughly 12,000 common loons, more than any other state except Alaska. Yet, no other state has formed a national loon center.

The loon center's project leaders are just starting to pursue the millions of dollars in public and private money needed to secure a shore land site on Minnesota's highly visited Whitefish Chain of Lakes in Crow Wing County. Crosslake community volunteer Leah Heggerston, the daughter of U.S. Rep. Rick Nolan, has been instrumental in finding funding for the project. Already the idea has been embraced by the Crosslake office of the U.S. Army Corps of Engineers, a partner capable of making room for a new visitors center on 65 acres of federal land amid tall pines on the eastern banks of Cross Lake.

The loon center could provide an economic development boost, a new focus on natural resources, and a great tourism attraction all at the same time. Organizers are dreaming of an underwater viewing tunnel and aspiring to attract a freshwater research institute.

## LEASING OF LAKESHORE LOTS IN MINNESOTA

by W. Dustin Mirick

In the early 1910's the State of Minnesota was looking for ways of generating revenue from its vast lakeshore property in the northern part of the state. The state wanted to create a program that met the public interest and would establish a tax base for counties. Many of the lots were on school trust lands and income would be used to fund schools.

The first lakeshore lots to be leased were in 1917, on Lake Vermilion. More lots soon followed on Vermilion and other lakes in the area. Lease rates were \$10 per year except for "especially desirable" lots where it was \$15 per year. In 1923, the lease term was standardized at 10 years and income from all leased lots, on school trust lands or not was credited to school trusts or universities. The State Auditor was in charge of the leasing program prior to the creation of the Department of Conservation in 1931. The Department of Conservation became the Department of Natural Resources.

This program continued to grow with the publication of pamphlets in 1927 – 1928, 1935, and 1940. Each of these was titled "MINNESOTA STATE OWNED LAKESHORE HOME-SITES" Each contained details on the lease program, an application, pictures, and details of the lakes. State or Civilian Conservation Corps personnel were used to build roads and survey lots for the program. In 1957, the lease cost was raised to \$25 per year at the next renewal period of the lease. In 1964, the platting of new lots was stopped.

The 1970's saw considerable problems with the program. The Department of Natural Resources was given the right to retain from the lease revenue the amount that reflected the cost of administration of the program. The school trust was very upset to see their income was reduced. Further, the counties were enacting county-wide lakeshore regulations only to find out they had no authority over state lands where the leases were located. In 1973, the legislature finally required the lessee to meet applicable local shoreline management ordinances. The DNR would be able to cancel the lease of anyone not meeting the new regulations.

In 1975, a plan was approved that would base the lakeshore lease annual payment at 5% of the unimproved appraised value of the lot. As you might expect this action was not popular with the lease holders. There was considerable disagreement from the two sides exactly what was the "unimproved value" of the lots. By 1980, all the lots had been appraised and on January 1, 1981, new ten year leases were issued providing for a lease payment of 5% of the appraised value. The appraisal value would be recalculated every five years.

In June of 1981, the Legislative Auditor produced a report entitled "A Review of the Department School Fund". The report was critical of the DNR saying that the appraisals were low and the school fund was losing about \$240,000 per year. By 1986,

the legislature ordered the DNR to sell the lakeshore lots if requested by the lessee and recommended by the legislative report. By this time the lakeshore leased lot program had grown to 1,934 leases on 92 lakes in 11 counties.

In Cass County the lakes were as follows:

Lake	Lots	Original Plat Date
Ada	8	1961
Child	10	1958
Hand	18	1963
Hay	41	1961
Leech	48	1940
Little Thunder	19	1956
Long	12	1961
Pike Bay	5	1953
Stevens 8		1957
Thunder 1		1956
Washburn	10	1951
Woman 6		1961

On Hand Lake the 18 leased lots were located in the far north end of the lake that we refer to today as North Bay. On Hay Lake the 41 leased lots were located on the west shore. Hand Lake had other private property owners while the Anglers Isle resort was the only private owner of property on Hay Lake.

While leased lakeshore lots in northern Minnesota in 1917, were not in great demand by 1957, interest had peaked and would continue into the 1960's. Today the cabin (home) owners are a vital economic force providing funding for the county, schools, and to the local economy.

I have many of the documents pertaining to the lakeshore lease program and would be happy to loan them electronically or in hard copy to anyone interested. In my case I purchased the lease from the original lessee in July of 1972. My lease rate was \$25 per year for many years and then jumped to \$85 per year and finally up to just over \$100 per year. Personal property and school taxes were paid by the lease holder over the term of the leases.

In the 1990's most of the leased lots were put up for auction. State land could not be sold except at an auction. This was not a smooth process and required armed State Patrol officers to maintain order at the auction sites. Some lease holders found their lots were auctioned off to bidders that were willing to pay more than they were for the property. Many of the leases had been in a family for a long time and the loss of them was a significant issue.

The lot I leased and later purchased was transferred to me by the use of a land patent. If you remember your American history, land patents were used to transfer land from the government to the first private owner. Other forms of land transfer are used after the patent.

In the end leases that were not sold at auction through the state process were transferred to the various counties who managed them. It is my understanding that after several years these lots were also sold.



**The Rise of the Plastic Water Bottle**

By Paul Courneya



When I was a kid in the 1950s, I don't remember there being any plastic water bottles. Instead, there were drinking fountains in most public places. Go to a movie theater and there you would find a drinking fountain. Go to the park and you would find them there too. In fact, they were required in public places. And, of course the water was free. Now one hardly ever sees a drinking fountain. But we see a lot of single use plastic water bottles. And, they add to glut of discarded plastic.

Even in our homes, when we can just turn on the faucet and get water for free, many prefer to buy water in a bottle. When did this happen? How did it happen?

While single use plastic water bottles have been around for awhile, they became main stream when Nestlé started bottling water in 1993 under the name Aberfoyle Springs. In 2000 they persuaded the World Water Council to change its view that water isn't a right but instead, it is a need. That created a market for bottled water. They also have taken control of aquifers to make bottled water more of a necessity than in years past. Nestlé and a number of other companies have, ever since, been capitalizing on the human necessity to have water to survive.

Some prefer to drink bottled water because they are fearful their tap water might be contaminated. That might be true in some places but it is not a big issue here. And, that is one reason why it is so important to maintain our access to clean water.

Water has always been a right and still is. If you want the convenience of carrying a bottle water with you, buy a reusable water bottle and and fill it from the tap. In your home use a Brita filtered water pitcher. Fill it with water from your tap, keep it in the refrigerator, and enjoy a drink of cold filtered water whenever it suits you. Use the free water that surrounds us on a daily basis.

Don't let companies commercialize your right to clean drinkable water.

**Fire Wise  
Will your home survive a wildfire?**

This past summer the west coast experienced some extraordinarily damaging forest fires. Thousands of acres of forests, homes, businesses and even lives were lost to the fires. We might think there is little chance of a devastating wild fire here in Minnesota. But, take a look at the next page copied from the MnDNR website. It reveals some interesting wild fire statistics.

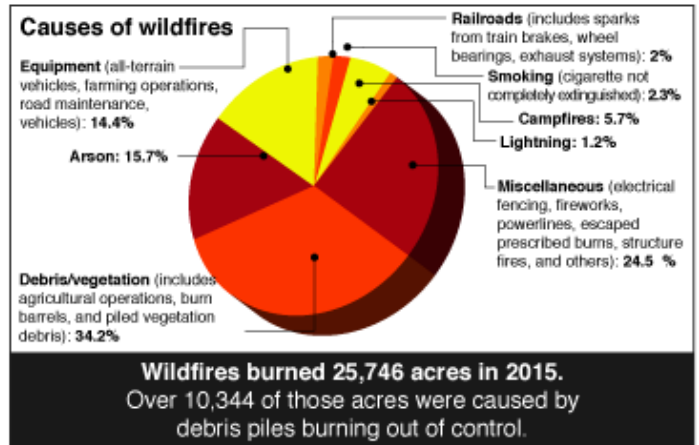
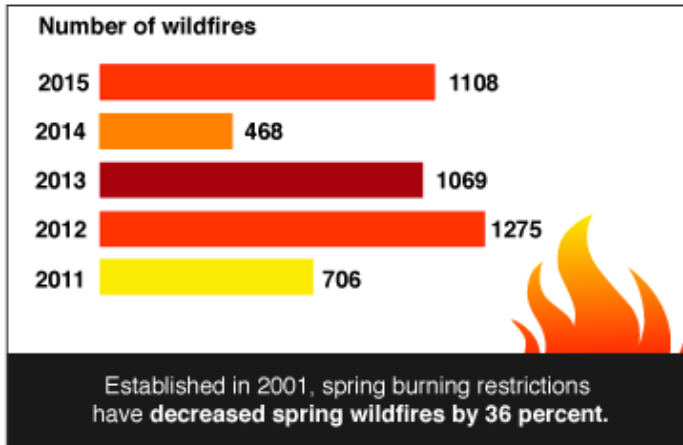
Here is a questionnaire you can fill out to find how well your home will survive a wild fire.

	<i>Circle if YES</i>
<b>Defensible Space - the first 30 feet around your home</b>	
1. Do you mow less than a 30 foot radius around your house?	10
2. Are the woods around your home primarily evergreens, such as pine, spruce, or fir?	20
3. Are the evergreen trees around your home dense and unthinned?	10
4. Do the branches on the evergreens come within six feet of touching the ground?	10
5. Do you burn brush piles or use a burn barrel?	10
6. Do the branches of evergreens touch the tall grass at the edges of your woods?	15
7. Do you have tree branches close to your chimney?	2
<b>Driveway Access and Addressing</b>	
8. Is your driveway less than 12 feet wide?	10
9. Does your driveway have less than 14 feet of overhead clearance?	5
10. Is there inadequate room by your home for a firetruck to turn around?	5
11. Is your driveway more than 150 feet long (1/2 football field)?	5
12. Does your driveway surface get soft after rain or in the spring, or is it really steep?	5
13. Do you have a locked gate on your driveway?	2
14. Is your house address not visible from the road or at night?	2
15. Are the street signs in your area missing or not visible at night?	2
<b>Building Characteristics</b>	
16. Is your roof made of flammable materials, such as wood shakes?	15
17. Are the vents in your roof and soffits open and unscreened?	10
18. Are your roof and gutters cluttered with leaves and needles?	10
19. Are your exterior walls covered with flammable material, such as wood?	10
20. Do you have an attached deck or room that is open underneath and less than three feet above the ground?	15
21. Do you have very large windows facing the woods?	2
22. Could tree limbs touch powerlines near your house during high winds?	2
23. Do you let brush and tall grass grow next to your liquid propane tank?	5
24. Do you store firewood or other flammable materials within 30 feet of your home?	20
<b>Total the circled scores here:</b> <input type="text"/>	

**Your Home Hazard Rating.** What you do around your property will help your home stand alone against wildfire and give firefighters a chance to battle the blaze. See how you rate below.

- LOW** (0-14) The chances of your home surviving a wildfire are GOOD. Keep maintaining your property.
- MODERATE** (15-51) The chances of your home surviving a wildfire are FAIR. Minor improvements will make it even more Firewise.
- HIGH** (52-121) Chances of your home surviving a wildfire are NOT GOOD. Many improvements are necessary to improve your home's survivability.
- EXTREME** (122-202) Your home MAY NOT SURVIVE if a wildfire passes through your property. Take a serious look around your home and schedule improvements.

A page from the MNDNR website <http://www.dnr.state.mn.us/wildfire/prevention/causes.html>



**DNR cost of fighting wildfires in 2015 topped \$30 million.**

**Major wildfires**

- Green Valley** In 2013 a wildfire burned 7,100 acres in Becker, Hubbard, and Wadena counties. The fire **destroyed 12 homes, 43 outbuildings, and three commercial properties.**
- Karlstad** In 2012 the Karlstad—County 27 arson fire burned 4,400 acres and **destroyed nine homes** before being contained.
- Pagami Creek** In 2011 a **lightning strike** ignited a fire. Before the fire was contained, it had **burned over 93,000 acres**, much of it in the Boundary Waters Canoe Area Wilderness.
- Andover** In 1999 a **train started 20 fires** along a 15-mile stretch of railroads. DNR fire crews and 27 fire departments responded. **The fire burned 650 acres.**

**Wildfire causes: interesting facts**

- Debris burning** Over **60 percent** of wildfires in this category are caused by pile debris burning out of control, followed by fire escaping field burning.
- Arson** Over **55 percent** of all acres burned in a year are caused by arson fires.
- Miscellaneous** The most prevalent cause of wildfires in this category is trees falling across powerlines, followed by fireworks and then dumped stove ashes.
- Equipment** **More than one-third** of all fires start from vehicles parked over dry vegetation, such as grass, which ignites easily due to its fine texture.
- Railroads** **More than 60 percent** of wildfires in this category are caused by exhaust system sparks that land in dry vegetation.
- Campfires** **Over 50 wildfires** each year are caused by campfires that are not completely out, larger than regulation size, or not attended at all times.
- Smoking** **More than 25 wildfires** each year are caused by a cigarette not ground out completely.
- Lightning** **More than 25 wildfires** each year are naturally caused when lightning strikes a tree.

**DNR Forestry works with other public agencies to protect 45.5 million acres of land—and the people who live there.**

**Goals for Minnesota DNR Forestry fire suppression:**

- Respond within 20 minutes
- Keep fire to 5 acres or less
- Save 95 percent of structures
- Support local fire departments with the use of single engine air tankers, other helicopters, and swamp vehicles.

**98 percent of all wildfires are human-caused**  
Responsible parties are charged for wildfires.

**Examples of 2013 billings:**

- 0.3 acre fire = \$450
- 14 acres fire = \$2,030
- 0.1 acre fire = \$6,650
- 700 acres fire = \$883,762

The Hand/Hay Lakes Property Owners Association was formed in the spring of 1987. Its primary function is to preserve the health, safety, welfare, and prosperity of Hand and Hay Lakes and the adjoining properties. The association has one general meeting on Saturday at 9:00 am during the Memorial Day weekend at the Ponto Lake Town Hall. All are welcome. Yearly membership dues are \$15.00 per household and payable at the general meeting. Or, send your check to the office of the treasurer with your name, address, phone number, and email. The Treasurer's address is: Cheryl Lindberg, Treasurer, 1437 Shadywood Shores Drive NW, Pine River, MN 56474. Make check payable to Hand Hay Lake Association

All Hand/Hay Lakes property owners are entitled to receive the Lake Waves, the official organ of the association. The Lake Waves is also available on the association's website, <http://HandHayLakesAssoc.org>. The Lake Waves is published four times per year in March, June, September, and December. Material for the newsletter should be sent directly to the editor. Material must be received before the 15th of the month for consideration to be published in that month's newsletter. Editor's address is: Paul Courneya, 1388 Shadywood Shores Drive NW, Pine River, MN 56474

Past Presidents

Duane Larson, *Dennis Haley*, *John Waters*, Dale Johnson, Dustin Mirick, Dick Stensrud, *Pete Kampa*, Wayne Lee, Andy Droen, Scott Parr, Arlan Hagen, Sandi Theisen

**Officers**

President	Jean Theisen Schatz	2018
Vice President	Zella Mirick	2018
Treasurer	Cheryl Lindberg	2019
Secretary	Debra Samuelson	2019

**Hand Lake Directors**

Shadywood Shores	Clint Lindberg	2019
Haley's Haven	Mary Martin	2019
Indian Point	Ken Reinecke	2018
North Bay	Dustin Mirick	2018
Norway Shores	Lee Theisen	2019
At Large 1	Barbara Courneya	2018
At Large 2	Wayne Lee	2019

**Hay Lake Directors**

Director 1	Scott Parr	2019
Director 2	Vacant	2018
Director 3	Vacant	2018
Director 4	Paul Anderson	2019

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**Winter 2017**

