

Lake Koshkonong faces a watershed moment



Nathan Pier/Gazette Staff

Linn Duesterbeck owns frontage along Haight's Bay in Lake Koshkonong, and he fears that if the lake's level is raised, much of the wetlands, prairie and other wildlife habitats he has worked to maintain and restore will be destroyed.

Will history be repeated on Koshkonong?

Lake levels spawn contentious debate, pit neighbor against neighbor

By Brian E. Clark
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It could be 1979 all over again.

That was the year the Rock River Koshkonong Association proposed raising by several feet the level of shallow, man-made Lake Koshkonong in southwest Jefferson County.

It appeared at the time that the Department of Natural Resources might agree.

But a group of wetlands owners and duck hunters sued the DNR over the plan, which they said threatened wetlands. A decade-long court battle followed. Ultimately, the parties reached a settlement that raised levels of the lake about four inches.

Fast-forward two decades.

At its annual meeting last year, the Rock-Koshkonong Lake District passed a motion asking the DNR to raise the lake level seven inches to improve boating and recreation. They also want the agency to end the practice of lowering the lake during the winter. In response, the DNR has asked the district to prepare a lengthy environmental assessment of its plan.

The duck hunters re-formed their group two months ago as the Wetlands Owners Association. That group believes raising the lake levels would destroy some of the marshes and woodlands that border it. They want the 10,400-acre lake kept at its current level, with periodic summer draw downs.

Last weekend, the lake district membership voted out one-term commissioner Buck Sweeney, a duck hunter and Wetlands Association member, and replaced him with Brian Christianson, an outspoken high-water advocate. The tally was 265-40.

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Koshkonong/Debate over lake level

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"This is a mandate to continue to raise and promote stable water levels and do whatever it takes to defeat draw downs of the lake," said Christianson, a 33-year-old political consultant who works in Madison.

Sweeney, a Madison attorney, said he was disappointed.

"Christianson won big," he said. "I guess some people don't care about anything except higher water and bigger boats on the lake. I think if more folks knew what a devastating effect a higher water level would have on the marshlands, the vote would have been different. But this isn't over."

Both sides have hired professional biologists and engineers to do research on lake levels and what the duck hunters contend are fragile wetlands. RSV Engineering of Jefferson is doing most of the work for the lake district, while Natural Resources Consulting of Cottage Grove has been hired by the marsh advocates.

Both sides will present their findings to the DNR, but no one expects the issue to stop there. Christianson, who calls the DNR biased, says the issue is almost certain to end up in the courts again.

Jim Folk, president of the district, said he doesn't want to get tied up in court for 20 years. "I don't want this to go on like it did last time. We really didn't have much say then. But this time we are speaking for the public and we backed up with sci-

Christianson calls the wetlands advocates, "arrogant, selfish elitists."

He said his group wants to protect and improve wetlands while at the same time providing stable water levels for recreational boaters.

"The two are not exclusive," he said. "I think we can have both. And our studies, by third-party experts, have completely refuted all the claims by the wetlands club about erosion, flooding and shoreline damage. The lake is dying and we have to do something about it. Raising the level of the lake would be good for boaters, it would be good for the economy and it would not harm the ecology."

But Linn Duesterbeck, a duck hunter and former lake district commissioner, scoffed at descriptions of his group as selfish elitists whose goal is to remove Indianford Dam and return the lake to its natural state as a deep water marsh.

"I wouldn't advocate that because it's not practical and because I know there are a lot of varied recreational interests here," said Duesterbeck, who has family members who sail on the lake. "The key here is that raising the water level would destroy wetlands. We are adamantly opposed to that and we will fight it any way we can."

In addition to raising the level, much of the controversy is about the dam.

Originally a deep-water marsh, the lake was created when settlers dammed the Rock River downstream from the lake in 1850. The lake was raised in 1917, but is still only 5- to 8-feet deep in the center. It is frequently plagued by weeds and is dark green with algae.

In 1999, the DNR suggested removing the dam, prompting lake users to once again form a lake district.

"There was a clear and present danger to the lake," said Christianson.

The district has agreed to take over the dam from Rock County after the county repairs it later this year.

Christianson says the DNR has "a deep-seated prejudice against dams."

"They believe that dams are a scar against nature," he said. "They would prefer that they be removed."

"The other side really wants to remove the Indianford Dam that created this lake and return it to a marsh that only a canoe can navigate," said Jerry Richardson, lake district treasurer, who owns Harbor Recreation on the lake. "But that won't happen. It would affect \$350 million worth of property and 4,000 landowners."

But Duesterbeck says the wetlands are worth saving, and he has spent plenty of money toward that end.

is pits neighbor against neighbor

Duesterbeck is a 62-year-old Janesville businessman who shot his first duck when he was 9-years-old in Haight's Bay under the watchful eye of his father. His family owns 65 acres on the shallow inlet and 5,500 feet of marshy shoreline on the southwest side of the lake. He said Koshkonong was once considered one of the premier duck hunting locations in the Midwest, drawing the likes of Teddy Roosevelt and other outdoorsmen.

On a recent outing on the lake, Duesterbeck piloted a shallow-draft boat around Haight's Bay, pointing out sago pond weed and other aquatic plants that he said are key to fish habitat.

"These have come back strong because of the winter draw down," he said. "But we are willing to negotiate that to compromise. But we won't give in on the lake level because we have too much to lose."

"We are committed to the current maximum level for the lake and we would consider eliminating the winter draw downs, even though we know they have improved the lake aquaculture," he said.

Duesterbeck said he has personally spent more than \$50,000 to restore marshes and prairies on his land. Working with the lake district, he applied for a \$10,000 state grant to put rock riprap on his shoreline to protect it from erosion. With the state's \$3.2 billion deficit, however,

he said he has doubts if he will ever receive the state funding.

"But that doesn't matter," said. "These wetlands are worth saving. If they are destroyed, I don't know if they will ever come back."

Scott Storlid, a biologist, hired by the wetlands advocates, said a higher lake level will likely flood out and kill shallow marshes like those in Haight's Bay and other shallow inlets.

"They will be opened up to carp spawning and carp are notorious for disturbing lake bottoms and wetlands beds," he said.

But he said he is even more concerned about forested wetlands adjacent to the lake, especially those near Koshkonong Creek. These tracts of forest floodplain—with green ash, cottonwoods, American elms and silver maples—are important for fish spawning, amphibian and reptile habitat and slowing down flooding waters, he said.

"They are adapted to spring flooding," he said. "But they will not tolerate having long-term root zone soil saturation. If they have their feet wet all summer they will die. They are very close to maximum water levels right now."

Storlid said he thinks some people in the Koshkonong district board want to live on something more akin to Geneva Lake.

"But this was always a wide spot in the river," he said. "It will never

be a deep water lake. And I'm not sure if raising it seven inches will make it more recreation friendly."

But Richardson argues that having seven more inches of water in the lake is "like seven more feet to some people because it means they won't have to have 190-foot docks to get out to their boats."

"I think raising the lake is about the greater good for the majority of the people who fish and boat," he said. "I don't think they want this to be a babbling brook. It hasn't been that way for 150 years."

The DNR tries to balance the needs and wants of property owners, including those with wetlands said Bush. He said it is well-documented that hundreds of acres of marshes have disappeared during the last two decades.

"There is an area on the north side that was platted for homes that is all gone," he said. "There is no question that this erosion would continue if the level is raised. The lake is still seeking to establish its shoreline."

And even if the DNR were to agree to raise the lake, Bush isn't sure if that is possible with the current Indianford Dam.

"One of the things the district's own hydrology report showed is that the lake is about as high as it could be," he said. "It may not be possible to raise it without modifying the dam in some way."