



WAVES & WHITECAPS

The official publication of the Rock Koshkonong Lake District

Volume 2, No. 1

RKLD

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THE FINAL PUSH

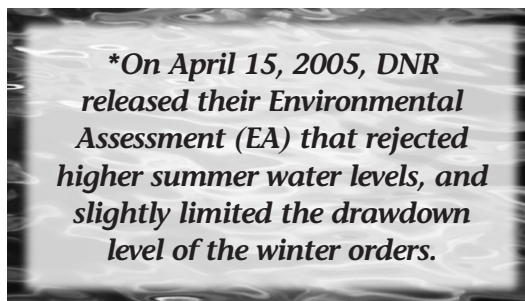
Contested case hearing is granted; date to be determined

On May 16th, 2005, attorneys for the RKLD filed our formal petition to the DNR requesting a Contested Case Hearing (CCH). The petition was granted on June 3rd, 2005.

This marks a big victory for the RKLD and our pursuit of nominally higher, stable water levels. Had the DNR rejected our petition, the RKLD would have been forced into county circuit court to secure our right to oppose the DNR's new water level orders.*

The CCH will be our first opportunity to present the many thousands of dollars of research compiled by

RKLD's team of experts. The RKLD possesses the greatest amount of knowledge ever collected that defines how Lake Koshkonong impacts our area. No other entity - not the Green-Rock Audubon Society, not the Lake Koshkonong Wetlands Association, not even the DNR - has invested the resources necessary to truly understand how hydrology and biology interact on Koshkonong.



Among the data that attorneys will be presenting to an administrative hearing judge:

- Water quality monitoring,
- Watershed land use mapping,
- Sediment sample analysis,
- Aquatic vegetation survey,
- Hydrological modeling

We are now graduating from a research/data collection phase to a legal/data presentation phase. The interpretation of Wisconsin state statutes concerning the Public Trust Doctrine and our goals for managing Lake Koshkonong need to be presented by attorneys with great experience in this area of law. ■

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**Lake Koshkonong,
Wisconsin's 3rd Largest
Inland Lake,
Has Been Mismanaged and
Neglected for Too Long**

Rock Koshkonong Lake District



***We are charting a new future for Lake
Koshkonong; a future that safeguards
our water quality, our recreational
options, and the natural habitat.***

Get the Facts from:

www.RKLD.org

Join our E-Newsletter List

***Notice of Annual Meeting
Saturday, July 30th, 9:00am
Fort Atkinson High School***

Brian Christianson, Chairman, RKLD

A TAXPAYER TRIBUTE TO:

JERRY RICHARDSON

Jerry Richardson's family has been a part of the history of Lake Koshkonong for so long it is surprising it is not called Richardson Lake.

The RKLD Board of Commissioners will be losing another one of our original founders at this year's annual meeting. Jerry is stepping down from the board, but he is not stepping away. Jerry continues to serve as treasurer of the Lake

Koshkonong Recreation Association (LKRA). Earlier this year, the LKRA retained an environmental attorney from Milwaukee to join as a party in opposing the DNR's water level orders.

Jerry has been a walking book of history and knowledge for the board, the technical experts and our legal counsel. Ask Jerry about the swing arm that once lifted boats up

and over the Indianford Dam, or the rail/trolley system that ran boats around the dam. He most likely will know who lived at a particular address long before the current residents.

Please attend this year's annual meeting, if for no other reason than to say thank you to Jerry, one of our Founding Fathers. ■



\$50.00 PER PARCEL

EXPLAINING THE BUDGET

2005 annual meeting to ratify special charge

Within the boundaries of the Lake District exists approximately 4,000 parcels. This number changes every year with land divisions for new subdivisions that add parcels and other land being combined that reduce parcels.

The \$5.00 increase to the current \$45.00 special charge will generate an additional \$20,000, of which \$15,000 will be budgeted for legal fees. The balance will be budgeted for the time needed for our experts to offer testimony during the contested case hearing.

The RKLD budget serves as an educated estimate of how much is needed to fund both the daily operations of the Lake District, as well as answer the electors' mandate to pursue legal relief from harmful and unsupported DNR operating orders.

The Board of Commissioners takes this responsibility very seriously. We look forward to returning the special charge to \$25.00 per parcel once the recreational and ecological beauty of Lake Koshkonong is protected for everyone. ■

*History of the RKLD
Special Assessment Per Parcel*

1999	\$25.00
2000	\$25.00
2001	\$25.00
2002	\$35.00
2003	\$25.00
2004	\$45.00
2005	\$50.00

OVER \$90,000 INVESTED

RKLD SPONSORS MORE WETLANDS PROTECTIONS GRANTS

Armoring shorelines best erosion control

RKLD experts have observed erosional conditions and ecological response to various water levels. We have collected physical and modeled data on how water levels are affected by precipitation and marked water level locations in riparian wetlands, shallow marshes and floodplain forests via GPS technology. RKLD experts have been observing those wetland areas expand with the protection the

riprap provides against changing water levels, wind, rough fish and boat traffic.

Groups that oppose RKLD's efforts to stabilize water levels with a marginal increase in the DNR's operating orders are misguided. RKLD has retained highly regarded PhDs who get wet and dirty collecting data directly from the lake, the forest floodplains and the wetlands. At

every juncture, RKLD has shared all data, all photos, all field notes and all expert testimony with DNR, as well as to interested landowners and the general public. RKLD continues to offer our experts to DNR staff for evaluation of their research.

The evidence is clear and irrefutable; the man-made drought conditions mandated by DNR operating orders continue to harm the ecosystem. ■

MISSION ACCOMPLISHED

CONGRATULATIONS, YOU OWN A DAM

Rock County conveys Indianford Dam to RKLD

December 15th, 2004 was an historic day for everyone who has ever enjoyed the beauty of Lake Koshkonong. Almost ten years ago, many thought the DNR would prevail. Without an organized effort to protect and defend the future of the Indianford Dam, the DNR wrecking ball would swing away and 100+ years of shoreline would vanish, leaving behind a giant marsh, a rice field, a mud flat; anything but a navigable lake.

Today, we know with near absolute certainty, the Indianford Dam, and Lake Koshkonong, will exist for our children, our children's children, and beyond. We know our home values, which for many of us represent our largest investment and savings, will not be deflated like a lake being drained. Some may question the wisdom of owning a dam. Others may second-guess whether the DNR truly intended to force removal of the dam. For most

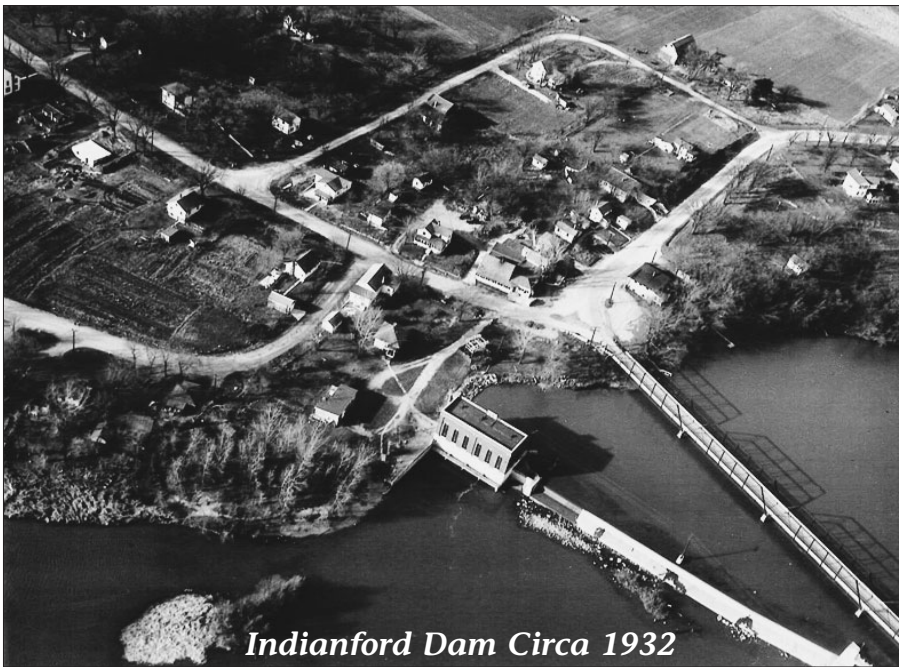
The dam was built around 1850. The Janesville Electric Company enlarged the dam in 1917, and it remodeled again in the 1930's.

homeowners, it was simply a risk that could not be tolerated.

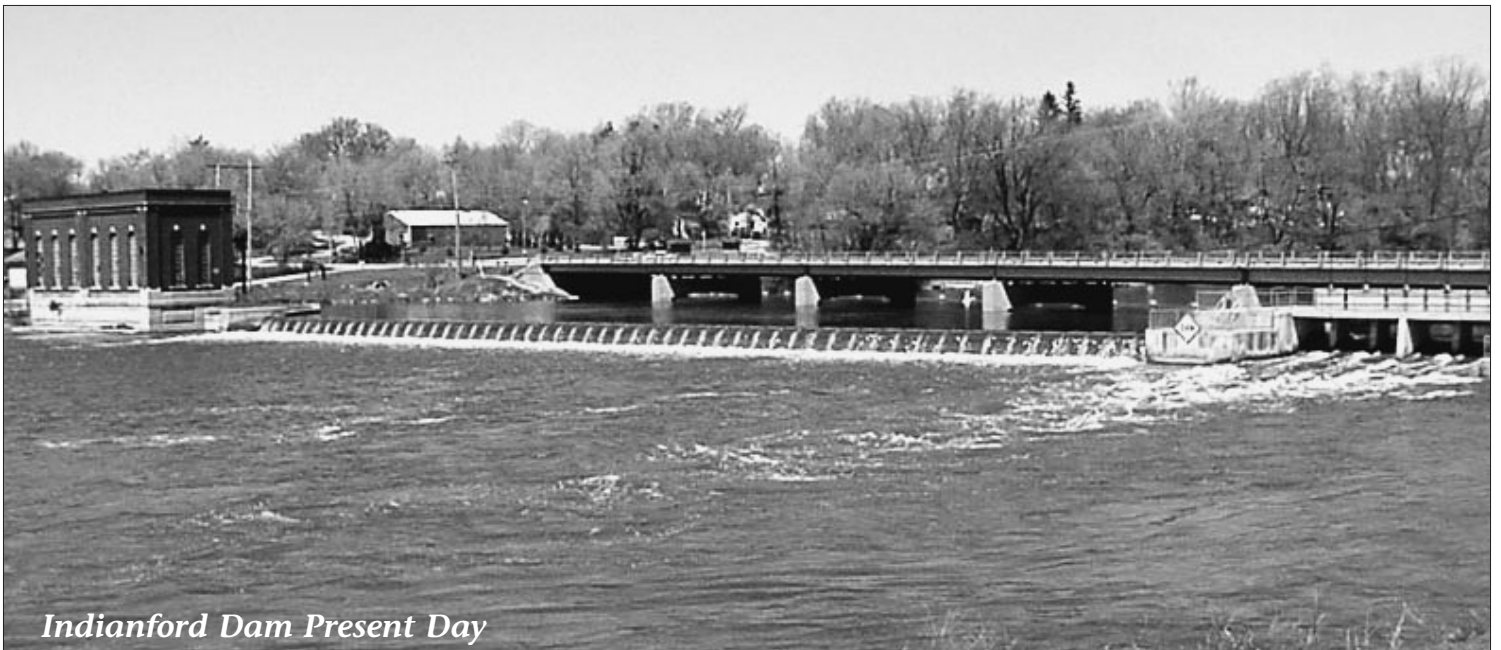
Rock County Corporation Counsel Thomas Schroeder presented RKLD Board Chairman Brian Christianson with a bottle of champagne in a ceremony held in the old brick powerhouse. The county paid the Lake District to take the dam.

Jim Folk deserves much credit for his skillful negotiating with Rock and Jefferson counties. After \$515,459 in repairs, some pitched in by Jefferson County, Rock County passed the dam over to the district with a first payment of \$100,000, and the promise of \$50,000 per year for 10 years for dam upkeep.

We are a community that respects the rights of everyone to enjoy the beauty of Lake Koshkonong. Let us use this victory as motivation to carry us on to the next effort; amending DNR operating orders that roughly 20 years ago, artificially dropped Lake Koshkonong's water levels. ■



Indianford Dam Circa 1932



Indianford Dam Present Day

Chairman's Report

Brian Christianson



Lake Koshkonong is one of the largest and most valuable water bodies in southern Wisconsin. Lake levels are controlled by two factors. During periods of low flow, typically occurring in late summer through winter, lake levels are controlled primarily by the Indianford Dam located almost six miles downstream of Lake Koshkonong. During periods of moderate to high flow, occurring in spring and early summer, lake levels are primarily controlled by Rock River flow entering the lake.

The RKLD has compiled the greatest amount of environmental data ever collected and is working hard to improve Lake Koshkonong to maximize the overall use for all groups. Over the past five years, RKLD has collected data on the responses of the shoreline habitat, especially wetlands, to different water levels. The data, contained in an Environmental Impact Report (EIR) confirms that the wetlands adjacent to Lake Koshkonong are indeed valuable, worth preserving, and even restoring.

RKLD has sponsored over \$100,000 in lake planning and protection grants and completed shoreline work to protect these valuable wetlands from wave action due to wind and ice heaves. The data indicates that these efforts indeed protect wetland vegetation and in most cases, the wetlands are expanding!

However, this is not the entire story. During much of the summer, it is difficult for many recreational boaters and anglers to gain adequate access to piers and boat landings. For this reason, RKLD proposed a change in the Indianford Dam operating order to slightly increase water levels. The proposed target level increase is just 7.2 inches. This modest increase increases the usability of the lake for anglers and boaters without negatively impacting wetland users.

Increased water levels will also minimize shallow lake bed disturbance caused by wind and waves.

The proposed order has met much resistance from the Lake Koshkonong Wetland Association (LKWA). They claim that the modest increase in mid- and late summer water levels will have catastrophic consequences for the wildlife around and in the lake...would destroy hundreds of acres of wetlands and have a devastating effect on the floodplain forests.

Extensive data shows that lower water levels are detrimental to the shoreline habitat quality. Although

this is counter-intuitive, lower water levels allow invasive plants like purple loosestrife, stinging nettles, reed canary grass, willow, and cottonwoods to degrade shoreline wetlands. Many wetlands owners conduct controlled burns to eradicate invasive species. Additionally, these invasive species do not survive higher water levels, but higher water does benefit desirable native plants like river bulrush and arrowhead.

Also, floodplain forests will not be affected as claimed. Floodplain forests are aptly named, thriving in an environment that is periodically flooded. RKLD is not proposing to alter lake levels during floods.

Finally, it bears mentioning again that RKLD is not just proposing an operating order change. RKLD is working hard to protect and restore the valuable shoreline, wetland, and floodplain forest habitat because RKLD is committed to protecting and enhancing the wetlands that provide critical habitat for birds and other wildlife. RKLD has a management plan that protects the environment and is in balance with all the user groups of Lake Koshkonong. ■



NOTICE AND AGENDA

for the 2005 Annual Meeting

TO ALL ELECTORS AND PROPERTY OWNERS OF THE DISTRICT

Please take notice that the 2005 Annual Meeting of the electors and property owners of the Rock-Koshkonong Lake District will be held pursuant to Section 33.30 of the Wisconsin Statutes at the

Fort Atkinson High School
926 Lexington Street
Fort Atkinson, WI.

At 9:00 a.m. on Saturday, July 30, 2005
to consider the following matters.

AGENDA

1. Call to order
2. Minutes of the 2004 Annual Meeting
3. Annual Audit Report of 2004
(Audit Committee)
4. Chairman's Report
(Brian Christianson, RKLK)
5. Environmental Report
(Rob Montgomery, Montgomery Associates)
6. Operational Report - Dam Transfer & Water Level Proceedings
(Bill O'Connor, Wheeler Van Sickle & Anderson S.C.)
7. Presentation of the Proposed 2006 Annual Budget
8. Consideration and Vote on the Proposed 2006 Annual Budget
9. Election of (2) Commissioners to Serve Terms expiring in 2008
 - a. Nominees:
Jeff Folk
Norbert Jim Johnson
Frank Micale
 - b. Nominations may also be made from the floor
 - c. Brief statements from nominees
 - d. Balloting
10. Adjourn

* The Board shall meet immediately following the annual meeting to elect a chairperson, secretary and treasurer.

Brian Christianson, Chairman
Rock-Koshkonong Lake District

**BUDGET SUMMARY, PROPOSED TOTAL BUDGET
ROCK-KOSHKONONG LAKE DISTRICT
2006 BUDGET**

<u>CATEGORY</u>	<u>2004 ACTUAL</u>	<u>1-2Q 2005 ACTUAL</u>	<u>3-4Q 2005 ESTIMATED</u>	<u>2006 PROPOSED</u>
REVENUES				
(a) Taxes	-	-	-	-
(b) Special Assessments Special Charges*	\$103,166	\$174,762	\$23,238	\$200,000
Total Revenues	\$ 103,166	\$174,762	\$23,238	\$200,000

*Approval of this Budget includes the approval of a special charge in the amount of \$50 to be levied on each separately taxed, non-exempt parcel within the District, except that a single special charge shall be levied on parcels within the District that are zoned and used for agricultural purposes and held in common ownership. The approved special charge for 2005 was \$45.

EXPENDITURES / APPROPRIATIONS

I. CAPITAL COSTS	-	-	-	
II. COST OF OPERATIONS				
(a) General Government				
Office Expense	\$2890	\$765	\$2635	\$6300
Rent and Utilities	100	180	460	2000
Insurance	3018	3109	391	7170
Printing	-		3060	3000
Professional Fees				
Accounting	2018		7250	7250
Consulting	54,129	15,283	25,157	29,350
Legal Fees	36,795	5,000	5000	10,000
Public Information	5,131	100	4900	5000
Indianford Maintenance	75	4022	27,978	35,000
Engineering			33,000	
Water Level Proceedings (Acct/Legal/Consulting)		25,816	32,884	94,000
Other	-		680	500
Dues and fees	430	330		430
Total Expenditures/ Appropriations	104,661	54,605	143,395	200,000
General Fund Balances remaining	(1519)		-0-	-0-
Indianford Dam Fund (Non-lapsible)	12/31/2005	Int. 2006	12/31/ 2006	
Total	\$189,998	5699	\$ 195,697	



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Looking south from Blackhawk Island

Photo by John Fudala