

## Opposing sides clash over Lake Koshkonong

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JEFFERSON-Battle flags for both sides flew over the latest skirmish in the legal war over Lake Koshkonong's water level at a hearing Tuesday at the Jefferson Public Library.

People on the lake level-raising side of the fight wore signs advertising "7.2," the requested raise in inches of the lake's summer level.

On the other side, wetlands advocate Rick Persson wore a tie printed with wetland-dwelling birds. In the next chair sat Buck Sweeney, a wetlands group and shooting club lawyer. He wore the bird tie's sporting counterpart: a tie adorned with shotgun shells.

"It's not really much of a lake if there's no water in it," said Edward Sandner of Fort Atkinson. "I think the people have waited over 40 years, and they think there should be some water in the lake."

On the other side ...

"In my opinion, this proposal only benefits boating interests at the expense of all other interests around the lake," said Charlie Kisow, president of the Carcajou Shooting Club.

The hearing Tuesday marked the beginning of the contested case hearing primarily between the Rock-Koshkonong Lake District and the Wisconsin Department of Natural Resources. Private groups on both sides are participating in the case hearing.

In April 2005, the DNR denied the district's April 2003 request to raise the lake 7.2 inches in the summer and eliminate a winter draw down. A DNR assessment said raising the lake could damage wetlands and wetland plants and animals.

Lake district officials counter that the district's contracted scientists don't agree with DNR science on potential damages.

The district requested a contested case hearing challenging the DNR's rejection of the request. Administrative Law Judge William S. Coleman Jr. will decide the case. Either side could appeal the case into circuit court.

Tuesday was the first of two days of public testimony. More testimony is scheduled today at the library. Expert testimony will run next week in Madison.

Lawyers for both sides gave opening statements. Public comment followed from a group that peaked at about 60 people.

Arguments from people who want the level raised-clearly the larger group at Tuesday's hearing-centered on the difficulty of navigating the 10,400-acre lake and the hardships the lake's shallow depths have caused boaters.

Dale Ferguson of Edgerton said his pier juts about 280 feet from shore. Long piers and distant boatlifts were a common complaint Tuesday.

"I don't even know if 7.2 inches would help get a boat in the water down by me," Ferguson said.

Erin O'Brien of the Wisconsin Wetlands Association spoke to that point.

"The ability to launch a boat directly from one's backyard is a privilege, not a right," O'Brien said.

Overturning the DNR decision would harm the lake and set a dangerous precedent, she said.

"The consequences of such a decision would be catastrophic for the future of Wisconsin's wetlands," she said.

Points made by advocates of raising the lake ranged from stoking local profits and increasing property values to promoting quicker water rescue times and reducing boat damage.

"It's becoming dangerous to operate our watercraft, our boats," said Erik Samuelsen, co-owner of Rock River Marina in Edgerton.

He made a point that sounded more conciliatory than the debate has sometimes been.

"Everyone's looking for a reasonable level so that all parties can be somewhat satisfied."

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