



April • 2009

200 Foot Wake Zone Preserved . . . so far! YLA Continues to get involved

By
Charles Dykman

The legislature has passed a bill, SB 12, which establishes a Statewide 100-foot-from-shore no-wake zone. We can be proud of this because SB 12 uses Dane County's no-wake zone as a starting place.

But YLA discovered a problem - Dane County's no-wake zone extends 200' from shore. Unless amended, SB 12 would probably override Dane County's 200' ordinance, cutting our no-wake zone to 100'. The Yahara lakes are much bigger than most State lakes, allowing higher speed boats. YLA members have been overwhelmingly positive about our 200' no-wake zone. Reducing that to 100' would allow high boat speeds closer to shore. So, YLA board member, Chuck Dykman, and our Legislative Advisor, Attorney Bill O'Connor began contacting the Dane County legislators and others, asking them to amend SB 12 to allow Dane County to keep its 200 foot no-wake zone. YLA was late in seeking an amendment in the Senate - the significance of SB 12 didn't become apparent until a YLA board meeting because of the complicated State-County relationship existing between the Dane County Lakes and Watershed Commission, the County and the State. We are the only county in WI having such a commission.

All Dane County legislators were positive about exempting Dane County from the Statewide 100' no-wake zone. The Assembly passed SB 12, as amended for the "Dane County exception", 70 votes to 27, and on the same day, the Sen-

ate also passed SB 12 including the amendment. We don't know the Senate vote because SB 12 was passed there on a voice vote. This is a resounding success in the effort to protect our lakes! Please thank Bill O'Connor when you see him. He was very helpful in getting the bill this far.

All that is left is for the Governor to sign SB 12. YLA thinks that he will, but he hasn't called for the bill yet, so nothing is certain. **PLEASE** write, call or e-mail the Governor, asking that he sign SB 12, the no-wake zone bill. Governor Doyle's address is:

P.O. Box 7863, Madison WI 53707-7863.

His E-mail address is: governor@wisconsin.gov.

His phone is: 266-1212

Also, **PLEASE** let your neighbors who are not members of YLA know about this effort by YLA to maintain Dane County's 200 ft no-wake zone & strongly encourage them to join our organization. All they need to do to join is go to www.yahralakes.org and click on the "Membership" button on the left side of the home page. YLA must continue to grow to strengthen our collective voice with our legislators.

Thanks,
Chuck Dykman

Thanks to our corporate members for their support

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A Message from The President

By
Bob Miller, YLA President

As I begin my year as President of the Yahara Lakes Association board of directors, I thought it might be appropriate to review what YLA stands for, and where we are heading as a board and association. As stated in our by-laws, YLA is led by an elected Board of Directors, currently 18 riparians from all Yahara lakes, responsible for monitoring issues and concerns that affect lake property owners. Our directors serve on a variety of lake-oriented committees and boards. They research and understand issues affecting our lakes and spread the word to others about the importance of protecting and enjoying our wonderful and valuable Yahara chain of lakes. The board tries to focus on the following lake issues:

- Lake water quality
- Aquatic life management
- Invasive species
- Lake level management
- Weed cutting
- Water safety and enforcement
- Taxation
- Dredging
- Stormwater and infiltration management
- Noise levels
- Shared use of the Yahara Lakes
- Current legislation and regulations
- Pollution
- Flooding
- Shoreline management

In recent years, the association has taken a much more active role in lake issues, from sponsoring our own conference on lake quality to regularly meeting with our local and state legislators to directly voice our positions on important lake issues. In this coming year, you can expect the board will continue this activist trend regarding such important issues as lake levels, phosphorous loading, the manure digester projects and overall lake management policies and procedures.

As with any active, dynamic organization we may not always agree on how to tackle these complex lake issues, which often affect riparians differently. Your position may differ based on which lake you live on, what your hobbies and lake uses are, or a recent lake experience. The board is no different and sometimes has divergent opinions. When there is not general consensus, we try to provide our membership with all sides of the issue through our various communication avenues, our newsletter, website, direct mail or e-mails. Hopefully, a better informed association is a healthier and stronger organization.

If the board is successful, we should receive more feedback like the following letter recently sent by a long time YLA member: "I just read the December newsletter. It is outstanding and I want to thank you for such thorough and incisive articles. I think I have been a member for about 30 years and not only do you do a good job, you make me proud to be a member."

Please let us know how we are doing.

Bob Miller

Action Taken on Phosphorus Sales

In late March the state Senate unanimously passed the Clean Lakes Bill ([AB 3](#)), which will prohibit the display, sale, and use of lawn fertilizer containing phosphorus, with certain reasonable exceptions. This bill is modeled after Dane County's existing and successful county ordinance. When the Governor signs the bill, Wisconsin will have a statewide law regulating phosphorus in lawn fertilizer!

Many Wisconsin Association of Lakes members have been working for years to develop phosphorus free lawn fertilizer programs on a lake by lake basis, asking retailers to stock phosphorus free fertilizer, and working with their town, village, or city governments to pass local phosphorus ordinances. But local efforts-while widespread across the state-have not been enough.

The contacts citizens have made with their legislators, testimony offered at public hearings, and resolutions passed by counties, lake groups, and local governments supporting a statewide ban on phosphorus in lawn fertilizer have been critical to demonstrate support for this issue. Many small actions have enabled Wisconsin lake groups, local governments, counties and citizens to achieve a statewide victory that is a significant step forward in the efforts to curb the avalanche of nutrients that pollute our public lakes.

Thank you for all your work in support of this bill and keeping unnecessary phosphorus out of our lakes!

- *Tami Jackson, Wisconsin Association of Lakes*

Boating on our Lakes

Lake Access Sites and Fees: There are 25 boat launching sites and several marinas/boat storage sites on the Yahara River lakes. These range from large marinas and multi-ramp launching sites to street-end access with only on-street parking available. Lake Access Permits (formerly Boat Launch Permits) are required year-round at City of Madison and Dane County launching sites.

Permit Sales Locations: New for 2009 Daily and annual lock permits can be purchased online by visiting www.reservedane.com/permits/.

For a listing of locations that sell a Lake Access Permit, check out our their Lakes Access Permit Brochure.

Navigational Aids: There are approximately 160 buoys in the Yahara lakes that mark no-wake zones, rock obstructions and the center of channels to assist boaters in navigation. Some points to remember include:

- From shore out to 200 feet, obstructions are not

marked.

- Areas that are buoyed and signed "Slow No Wake" and other areas within 100 feet of restrictions (e.g., boat landings) require no-wake speed. (No-wake speed is the slowest speed a boat can go and still maintain steerage.)
- Boats should always pass between pairs of green and red buoys.

Mooring Buoys: The sheriff's boat patrol monitors all mooring buoys that are privately owned. All mooring buoys within 150 feet of shore are no longer regulated by the DNR; however, they can be regulated by local government by ordinance. Thus, individuals should check with their local government before placing any new mooring buoy within 150 feet of shore. All mooring buoys beyond 150 feet from shore must be lighted, and a permit is required from the DNR.

Regulations and Safety: The Dane County Sheriff's Department operates boat patrols on the Yahara lakes and enforces state and local boating laws. Deputies are on call for emergency response 24 hours per day. The department monitors Channel 16 on the VHF marine radio for emergency traffic. In addition, the City of Madison's Fire Department has a lake rescue team that includes scuba divers and paramedic ambulance personnel. The University of Wisconsin Lifesaving Station on Lake Mendota also runs two rescue boats.

Boaters are strongly encouraged to participate in boat safety and training programs taught by the Red Cross, U.S. Coast Guard Auxiliary, DNR, and volunteer instructors. Boaters should remember:

- Each person on a boat is required to have an approved personal flotation device.
- Operating a motorboat at a speed that is greater than reasonable and prudent is unlawful, as well as operating a boat while under the influence of an intoxicant or a controlled substance. Drinking while boating is a big problem in regard to safety on the lakes. Abusive behavior while drinking reduces the pleasure of other boaters and anglers. Always use the lakes in a manner considerate of others.
- Boats towing persons engaged in waterskiing, aquaplaning or a similar activity on any lake can not do so within 100 feet of any occupied anchored boat, marked swimming area or public boat landing.

Information brought to you from Dane County Parks.

Mendota's Lost Marina

By Don Sanford

In the mid-1950's gas, even for boaters, was cheap. It was not only cheap but boaters on Lake Mendota had at least four locations to fill up.

In the 1940's Lake Mendota's perch population seemed endless. Fishermen went after them in small boats. Outboard motors with today's horsepower and range were unheard of. Few people owned boats. Liveries with boats for rent dotted Mendota's shoreline. In the 1930's and 1940's two liveries operated at the west end of the lake. In Spring Harbor, you could rent a boat from Emil Niebuhr. A bit further north, Ed Bardsley operated Frank's Boat Livery at Pheasant Branch. By 1949 both of these famous Mendota boatmen had passed away and their liveries closed. The City of Madison would not begin development of Marshall Park until the mid 1950's. In 1949, it appeared that fishermen would have no boat livery, bait shop, launching or storage facility at the west end of Lake Mendota. They feared their access to the great Mendota perch fishery was about to be curtailed.

It's always darkest before the dawn and all of that was about to change. Around 1950, Madison veterinarian Dr. Edward F. Schneiders, purchased the property along Lake Street at the west end of Lake Mendota now known as Century Harbor. Dr. Schneiders, a well-known outdoorsman and member of the Dane County Conservation League was well-known for his views about habitat restoration on the tributaries to Lake Mendota.

The Pheasant Lane Boat Company opened in 1951. A 1953 newspaper ad offered dock space, beaching facilities (remember boats were small then), rental boats, baits and refreshments. Farrell "Chris" Christensen was hired as manager about this time. In a recent interview, Chris told me, "When I came out, I said, well, we're going to change things here and make some money." By 1955, the place had a new name, the Mendota Marina. A couple of old pre-fab buildings were moved out from the UW to create a repair shop and showroom. Soon they were dealers for Evinrude engines and Lone Star boats. They serviced engines, sold used boats and stored boats during the winter.

As the business grew, so did the need for dockage. Unfortunately, that end of Lake Mendota is shallow. Dredging was the only way to enlarge the facility. Around 1955 or 1956, the marina and the City of Middleton struck a win-win agreement. The marina agreed to cover the cost of dredging if the City of Middleton would provide



the engineer and take out the permit. The Northwestern Construction Company was hired and the project got underway. When the work was completed, Middleton had a boat ramp at the foot of Lake Street, the marina had deep water for it's piers as well as for a gas dock along the shore about 50 feet north of Lake St.

Each season, beginning with ice-out, hundreds of cedar posts were set and piers built to provide space for as many as 140 boats. In the fall these were removed.

In 1961 Edward Pocus of Wheaton, IL purchased the marina property for his Middleton Shores project. The Mendota Marina closed in 1963 and the business sold to Russell Marina on the Yahara River in Westport. Construction of Middleton Shores began in 1964. While a marina was in the initial proposal, it, along with the rest of the project was never completed.

Nothing remains today of the Mendota Marina. But for more than a decade it was the best (if not the only) place at the west end of Lake Mendota to buy bait, pick up some snacks, gas up the boat and head out in search of Lake Mendota's famous perch.

©2009, Donald Sanford

Don Sanford is a Captain on the Betty Lou Cruise Line. He is currently researching "On Fourth Lake, A Social History Tour of Lake Mendota." He welcomes your comments, recollections and anecdotes at: dpsanford@charter.net or at 255-1508.



Letter to Brett Hulsey, Chairman Dane County Lakes & Watershed Commission

April 6, 2009

Mr. Brett Hulsey, Chairman
Dane County Lakes and Watershed Commission
One Fen Oak Court
Madison, Wisconsin 53718

Subject: Practical interpretation of the DNR operating orders for the Yahara Lakes

Dear Mr. Hulsey;

You requested that we put our ideas into writing about the current Yahara lakes operating orders and how a reasonable interpretation of those orders may lessen the spring high water events that we have experienced the past two years.

There has also been a lot of discussion about changing the existing Yahara lakes operating orders calling for the permanent lowering of certain lakes. We believe that using a practical interpretation of the existing orders, involving professional judgment in a manner intended by the individuals who drafted the orders, would eliminate many of the spring and early season high water issues.

Current Management Practice

Many of the high water conditions begin in spring when we have snow melt, frozen ground and an increase in rainfall. In recent years the County has moved to a rigid interpretation of the lake operating orders thereby bringing the lakes to summer minimum by March 1, which is before the snow melt and the spring rain events occur. In each of the past 2 years the County had developed significant storage capacity in Lake Mendota during the winter months (10 and 15 inches below summer minimum in 2008 and 2009 respectively and lesser amounts in Lakes Monona, Waubesa and Kegonsa). That capacity was depleted by March 1, by slowing the downstream flow and not by rain or snow melt events.

Lake Operating Orders

Paragraph 7 of the Lake Mendota order states "Between November 1 and the first spring runoff occurring **after** March 1, it is desirable to lower the water level to 848.2 feet to prevent ice damage to the shoreline **and to provide flood storage capacity during the spring runoff.**" Paragraph 10 states "In order to aid in the spawning of northern pike, it is desirable that the water level be brought to and be maintained at 849.6 feet (summer minimum), as soon as possible **after** March 1.

YLA Position

"As soon as possible after March 1" in paragraph 10, does not mean by March 1. It also doesn't mean that you should ignore snow on the ground, ground temperature, frost depth and the previous 12 month rainfall surplus which are the factors and should be considering in interpreting paragraph 7.

Continued on next page

Hulsey Letter

Continued from page 5

We challenge the County's rigid and selective interpretation of the lake level operating orders and are asking that you work with fisheries expert Kurt Welke and others at the DNR to develop an interpretation of all the language in the operating orders that balances the needs of a healthy fishery and provides a buffer of protection to the shoreline during this transition to the wet spring season. We would encourage that you move on this now and separately from the formation of a new task force to study changes in the established target lake levels. We believe this interpretation would minimize many of the seasonal flooding problems and eliminate the need for drastic changes in the target levels.

For those who may believe that keeping the lakes lower further into spring would prevent them from filling up their summer levels, please refer to the US Geological Survey 2004 simulation report on the Yahara lakes that states during the period covered by the simulation (years 1931-2001) "there would be sufficient volume of water in the spring runoff to fill the lakes to their maximum summer operating levels by the beginning of May in all of the years." In addition May, June, July and August are 4 of the top rain months in Dane County.

Other Matters

We continue to believe that the lack of coordination of the Dane County lake management efforts with the City of Stoughton dam operations causes significant risk and damage to the Yahara Lakes watershed. The County failed to achieve any significant reduction from summer minimum levels in Lakes Monona, Waubesa and Kegonsa during the winters of 2008 and 2009 because of the maximum operating levels maintained at the Stoughton dam. The lack of coordination efforts resulted in extended high water levels in the entire Yahara Lakes chain during the spring and summer of 2008. We understand that it took until mid-June 2008 (over 3 months) for Stoughton dam operators to respond to the County's March 2008 request to drop their level. We believe the coordination should be seamless and instantaneous. We request that you establish and maintain this level of cooperation and if need be, you should involve the County Executive.

Summary

The County needs to be more aggressive and react more quickly to the challenges of managing the Yahara Lakes. We have experienced climate change in the amount of intensity of individual rain events. We cannot afford to delay in seeking a broader and more reasonable interpretation of existing operating orders. We have brought attention to these issues and others to you in our letter to the County Executive dated October 23, 2008. That letter contains many more concerns and remedies to other management issues that occur throughout the year. We appreciate the open dialog we have established and would be pleased to work with you to provide our insight and observations in helping you address the many lake management challenges.

Sincerely,

Yahara Lakes Association

cc: Ms. Kathleen Falk, County Executive
Mr. Ken Johnson
Mr. Kurt Welke
Ms. Sue Josheff
Mr. Kevin Connors
Ms. Sue Jones



NEWSLETTER

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**YLA Annual Meeting
June 23, 2009
Blackhawk Country Club
Save the date!!!**

Yahara Lakes Association, Ltd. is a non-profit organization of over 700 members dedicated to representing Lake property owners and advocating for the vitality of the Yahara chain of lakes so that all citizens may enjoy them.

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Water Safety Committee

Call 848-1450 if you would like to become involved in any of the above-listed committees, or if you have concerns you would like a committee to address.