

Shoreland law review sought

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APR 12 1970

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—Ronald Johnson,
chairperson of Marsh Preservation Committee

Charging the administration of Dane County's Shoreland Zoning Ordinance has been "ineffective," Capital Community Citizens, the Dunn's Marsh Neighborhood Association and the Center for Public Representation have announced they will petition the Department of Natural Resources for a departmental review of the ordinance.

"In the last 50 years," said Mel Goldberg, Center staff attorney, "Dane County has allowed approximately two-thirds of its wetlands to be drained and filled . . . this process

is continuing despite the enactment of the 1965 Shoreland Preservation Act, which delegates to the various counties the duty and responsibility of protecting their shorelands."

The county ordinance, observed Janet Herzog, president of Capital Community Citizens, fails to comply

with many of the standards established by the DNR, and as a result, fewer than 60 acres of land are zoned as "conservancy" districts, despite Goldberg's belief that "tens of thousands of acres" might well be.

"The petition," Goldberg em-

phasizes, "will request that DNR look at Dane County's compliance with the Act (of 1965) and clarify the exact responsibility of jurisdiction it has in protecting the county's shorelands . . ."

Ronald Johnson, chairperson of the Marsh Preservation Committee, felt the action might be coming too late to save Dunn's Marsh and development of Lots 19 and 20 on its fringe.

"It doesn't seem that the county or anyone else can come to our assistance," he lamented. "We are taking part in the petition not only for those two lots, but in the hope that this will help give us all a better environment throughout the county. I don't see that the county executive or the people he appoints are particularly concerned in this area."

The petition charges that among the shorelands threatened by "the ineffective administration" of Dane County's shoreland zoning ordinance are a half-dozen examples including Dunn's Marsh.

● Cherokee Marsh — "Developers interested in establishing a golf course in southwest corner of section 18 . . ."

● South Waubesa Marsh — "An important upland buffer in the southeast of marsh . . . is facing development . . . it may change the balance of the water source from springs and seepage. Loss of springs will threaten both the marsh and the fish of adjoining Lake Waubesa . . ."

● Lower Mud Lake Marshes — "Because the lake is not adequately zoned, continued development could reduce duck use and endanger other waterfowl . . ."

● Crystal Lake and Fish Lake — "Increased developments of trailer parks next to the shorelands will result in a potential nutrient source, thereby increasing eutrophication of the lake . . ."

● Hook Lake — "The continued development without adequate zoning will seriously impair vegetation, wildlife and water quality of the lake area. Additionally, this area is one of the few in Southern Wisconsin with undisturbed relic bog vegetation . . ."

"It's hoped," said Janet Herzog, "that the petition will move DNR from its no-action posture. We think there is cause for optimism."

Goldberg agreed.

"We're hoping to get a hearing scheduled with the DNR."

And if the DNR won't listen?

"If we get a negative response," the attorney concluded, "then we will go the judicial route. The law is very clear."