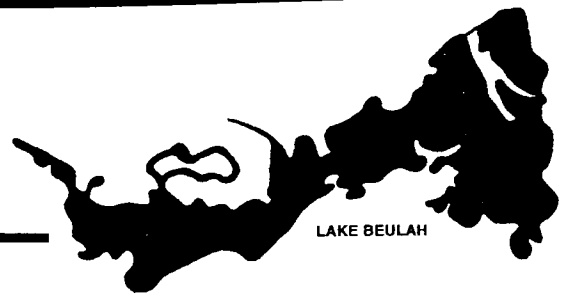


# Lake Views



VOL 17 NO 2

A PUBLICATION OF THE LAKE BEULAH PROTECTIVE & IMPROVEMENT ASSOCIATION

Fall 2009

## From the President's Desk

Welcome to the Fall Lake Views Newsletter! It has been very busy summer for us and I want to summarize a few of the highlights from this past year. As you are probably aware, we continue to try to get our day in court in regard to the Village of East Troy's high capacity well number 7. I am thankful that our organization has talented and dedicated members like Dan Bach and Bob Lewis to help us make informed decisions as to how to proceed with our legal issues. Dan's article in this edition of the newsletter does a great job in summarizing the legal situation as it currently stands.

This year the DNR ran out of Walleye, so our fish stocking program has once again been put in limbo! We are currently looking into getting a private hatchery to do the Walleye stocking for us this fall. Our organization ran into a similar situation in 2007 and we will approach the Triangle Sportsman's Club to see if they are

interested in going in with us to help defray costs.

Speaking of costs, we are running one of the lowest fund balances in recent organizational history. This is because of the legal expenses associated with the appeal process. We typically raise funds through our Spring membership drive but I encourage all members to consider sending additional donations to our mailing address at LBPIA, P.O. Box 153, East Troy, WI 53120.

Lastly, I look forward to seeing all of you at our Annual Fall Meeting, which will be held at 9AM on Saturday, September 19<sup>th</sup> at the Town of East Troy Hall. In the mean time you can keep abreast of all of the most recent news at our web site, [www.lakebeulah.org](http://www.lakebeulah.org).

Scott Miller, M.D.  
LBPIA President

### In This Issue...

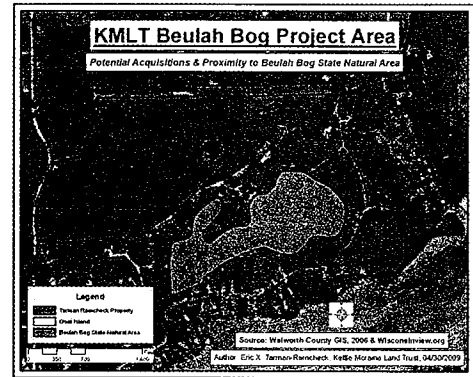
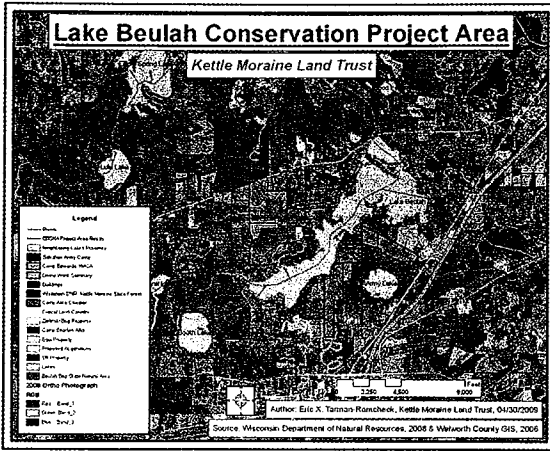
Kettle Moraine Land Trust - Beulah Area Project.....	2
E15 Gasoline: Coming To A Pump Near You! .....	3
Controlling Invasive Species.....	3
Paddle Prattle.....	4
Camp Edwards Education Events .....	5
Pending Appeals - Well No. 7.....	6

## Beulah Area Project

by Tom Bernhardt

The Kettle Moraine Land Trust (KMLT) is partnering with area organizations to conserve and protect properties in the Lake Beulah Watershed. Lake Beulah is part of the larger Mukwonago River Watershed, which has been identified as a Legacy

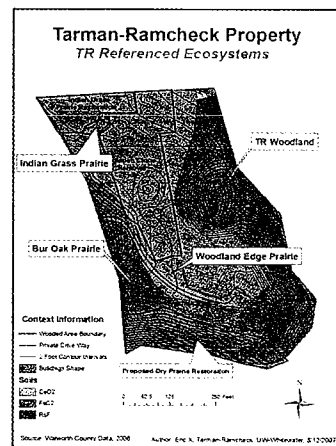
the Lake Beulah Protective and Improvement Association, and complements the larger regional conservation initiatives by the WDNR and The Nature Conservancy. Other local organizations such as the Lake Beulah Management District, Lake Beulah Yacht Club, area camps, and the Town of East Troy are being invited to consider partnering on this project. Their help along with others will allow this project to dovetail with further conservation and Smart Growth efforts by municipalities and Walworth County. The enduring legacy of these efforts will be perpetual preservation of the Lake Beulah area's natural beauty.



Area by the Wisconsin Department of Natural Resources (WDNR) in its "Wisconsin Land Legacy Report." This report gives the Watershed the highest rating for Conservation Significance because of its outstanding ecological qualities and size.

The land surrounding Lake Beulah has a considerable amount of environmental corridor, open space, scenic views, and diverse topography. Conserving land now will help preserve this unique area of biodiversity for future generations to enjoy. KMLT hopes to protect more private and nonprofit areas around the bog and Lake Beulah to buffer them from development pressure and to prevent disturbance and degradation of these very special places.

KMLT conservation work here is supported by



(continued on page 3)

Lake Views is published periodically by the Lake Beulah Protective & Improvement Association. Every effort has been made to provide correct and accurate information. There is, however, no guarantee as to the total accuracy of information included. The opinions expressed are not necessarily those of the LBPIA Board of Directors. Individuals who wish to submit articles, artwork, poetry, calendar items or photography may send contributions to Lake Views Editor, LBPIA, P.O. Box 153, East Troy, WI 53120. Articles in Lake Views may be reprinted or reproduced for further distribution, with acknowledgment to the Editor.

(continued from page 2)

## Land Conservation

Landowners have several options available to preserve their land and some options offer tax benefits. A donation of a conservation easement to a land trust provides the donor an income tax benefit for their donation. A conservation easement is a permanent legal agreement between a landowner and a land trust or government agency that restricts the way the land may be used. Fee simple purchase by the land trust is another permanent option for protecting property, and often has restrictions for protecting and managing the property.

## Initial Land Conservation Properties

KMLT has adopted the Beulah Bog to help WDNR manage that property by removing invasives and restoring native species. The Tarman-Ramcheck property, with magnificent vistas to and from the lake, is the first being sought for conservation and preservation in its natural state. A Knowles-Nelson Stewardship Grant is targeted for half of this project, while other organizations and private parties are being invited to match the other half, as well as set up a property management endowment. Please contact KMLT, a 501(c)(3) nonprofit organization. Donations are tax deductible! Call (262) 949-7211 or visit the KMLT website at [www.kmlandtrust.org](http://www.kmlandtrust.org). Time will not wait for us to act.

# E15 Gasoline: Coming to a Pump Near You

By Ray Fisher

In March of 2009, 50 ethanol manufacturers applied to the EPA to increase the ethanol blend from E10 to E15. This was the outcome of the ethanol's lobby to pass HR 6 which requires 36 billion gallons of biofuels to be blended with gasoline by 2022.

The problem is that E15 will destroy small engines. Using gas over E10 voids the warranty on Mercury outboards. Engines on snow throwers, lawn mowers, leaf blowers & trimmers, chainsaws, ATVs, and snowmobiles will be damaged. E15 will most likely damage the fuel system on I/Os and inboard boats and outboard motors. There is a class action lawsuit in Florida over the damage E10 has done to boats.

The EPA is taking public comments until December 1, 2009, concerning E15. Contact them at: <http://www.epa.gov/otaq/additive.htm>.

I contacted Senator Kohl concerning this issue. He encouraged me to contact the EPA. He must not own a lawn mower or snow thrower.

## Controlling Invasive Species

by Ray Fisher

The woods at Camp Charles Allis a few years ago was so full of honeysuckle and buckthorn that there was no room to walk. Native trees and wildflowers were being forced out. Garlic mustard was starting to fill in remaining open spaces.

We cut buckthorn and honeysuckle with handsaws, chainsaws, and weed cutters with blades. The best brush cutting tool is the Stihl FS 3yj50. This dedicated brush cutter has two handles for control and enough power to slice through 4" thick trunks. If you are not sure what to cut, wait until leaf drop in October. The brush with green leaves will be buckthorn or honeysuckle. These plants stay green until the end of November. They are also the first to green up in spring.

You will need chemicals to fight these invasives. Here's what worked for us:

### ***Buckthorn & Honeysuckle:***

Dab undiluted Round-up on freshly cut stems to prevent regrowth. A cut open milk container and a brush taped to a stick saves your back from bending over. Round-up sprayed on leaves will not kill them.

I have sprayed 2-4D on small plants. It does not kill them but the chemical will stunt the leaves.

Garlon is sprayed on the trunks 6 inches from the ground. For foliage spraying we like Escort.

The best chemicals must be purchased through farm co-ops or suppliers to agribusiness. Randy Cooper, Walworth County Forester, recommends Crop Production Services (CPS) 888-495-8840. For questions about rates or applications, call Rick Schulte 608-770-4041. CPS supplies herbicides for agribusiness.

### ***Garlic Mustard***

2-4D works well on these. I like to spray mid-April before the trees leaf out. Spray them again in May. These plants stay green all year so spray whenever you see them.

Don't let these invasive plants destroy your woods. Start a control program this fall.

# Paddle Prattle

by Scott Miller, M.D.

In late February my wife Lisa and I had the opportunity to visit the “garden island” of Kauai, Hawaii. What does the author of this column do when visiting a lush tropical paradise with many miles of navigable rivers? Why go kayaking of course!

We decided to take a guided tour of the Wailua River which is located on Kauai’s eastern shore. The river starts in the central mountains and flows

with a fairly gentle current out to the Pacific Ocean. We packed up our dry bags and coolers at a Shell station near the river’s mouth and hopped into a twelve passenger van with a trailer full of kayaks in tow. After a short

drive we arrived at the river’s marina and unloaded our kayaks and gear. This particular outfitter furnished us with sit-on-top single and tandem kayaks. I’ve never had the chance to try a sit-on-top tandem so I was looking forward to seeing what one would be like. Many had told me that they are quite comfortable to paddle but don’t give a very dry ride. I was surprised at how well they handled and thought they were surprisingly dry considering they have no decks.

We paddled up stream in a group and had very little trouble negotiating the current because there was a good fifteen knot tail wind blowing up the river channel from the Pacific Ocean. The waves were actually going with us upstream! These kayaks weren’t the fastest that I’ve ever paddled but

they sure were fun. The tropical scenery was breathtaking and after a half hour’s paddling we tied up our kayaks to begin what was billed as “an easy twenty five minute hike.”

The hike turned out to be an hour and a half slog through deep mud (at its best) or incredibly slick uneven surfaces of slightly harder mud (at its worst)! We eventually made it through the trails to the “secret

waterfall” that was to be our final destination. Everyone on the trip agreed that the scenic beauty of the rushing waterfall was well worth the hike! After spending forty five minutes playing in the pool beneath the falls, we made our way back to the kayaks. As it



always seems to work out, the trip back to the kayaks went much faster and easier than the trip going out to the falls.

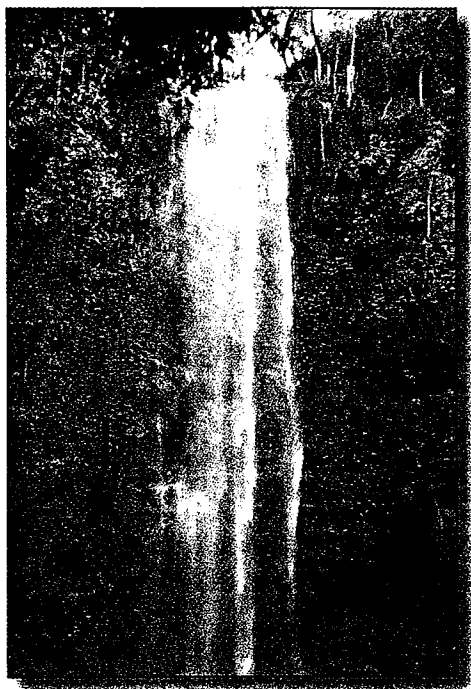
We reloaded our gear into the kayaks and made our way back down river to the marina. The winds had lessened as the day went on and we took advantage of the turbulence caused by the shoreline vegetation to cut down our wind resistance. While we were on our way back, we were treated to a sight that you don’t see every day. Three racing out-rigger canoes sped up the river on training runs. It was a thrill to see the teams of synchronized paddlers working their way in perfect unison to the cadence of the coxswain. It was like watching the ending of the old TV show “Hawaii-Five-O” without the music.

The paddling ended at the marina as we

*(continued on page 5)*

*(continued from page 4)*

re-loaded the kayaks on the trailer and hopped back in the van for a return trip to our starting place. It was a great trip that I will cherish for a lifetime. I also came away with a new



appreciation for sit-on-to kayaks and perhaps will be adding one to my growing "fleet" of kayaks and canoes? Happy Paddling!

## **Camp Edwards Education Events**

by Jody Heimos

Edwards YMCA Camp has been situated on the shores of Lake Beulah for 79 years. Throughout our time, the camp program went from a summer camp for boys to the introduction of co-ed camping, Family Camps, year round programs, and Environmental Education. While many environmental education programs fade with time and increasing cuts to school budgets coupled with a generation of X-boxers, Wii players, and other sedentary lifestyles, Camp Edwards has been able to maintain a strong program through tradition and partnerships with the schools and groups we serve, as well as a commitment to better the lake community through education.

For over 10 years, a mainstay of education has been our Maple Syrup production and education. In the last 5 years we have offered this opportunity to the

*(continued on next page)*

## **Additional Contacts For Lake Residents**

### **Town Chief of Police:**

Jim Surges  
Ph# (262)642-3700,  
N9220 Stewart School Road,  
East Troy, WI 53120

### **Town Hall:**

(262)642-5386,  
N9220 Stewart School Road,  
East Troy, WI 53120  
(Sandy – receptionist)

### **Lake Management**

#### **District Attorney:**

Dean P. Laing  
O'Neil, Cannon, Hollman, DeJong S.C.  
111 E. Wisconsin Avenue, Suite 1400  
Milwaukee, WI 53202  
Telephone: 414-276-5000  
Facsimile: 414-275-6581  
Email: dean.laing@wilaw.com

#### **Chairman, Lake Beulah Management District:**

Dave Skotarzak,  
Ph# (262)363-7603,  
Fax# (262)363-9303  
N9554 Millsite Road,  
Mukwonago, WI 53149  
E-mail: mmsko@elknet.net

#### **Chairman, Town Board:**

John Strosser,  
East Troy Town Hall

#### **County Supervisor,**

**(Dist. 1 – Town of East Troy), Walworth County:**  
Rick Stacey (262) 642-9689

#### **LBPIA Attorney:**

Dennis L. Fisher,  
William Stuart  
Meissner Tierney Fisher  
& Nichols S.C.,  
The Milwaukee Center,  
111 East Kilbourn Ave.,  
Milwaukee, WI 53202-6622  
Phone (414)-273-1300;  
Fax (414)-273-5840;  
e-mail DLF@MTFN.Com

#### **LBPIA Web Site:**

www.lakebeulah.org.

*Effective as of August 1, 2009*

# Pending Appeals Regarding Well No. 7

by Dan Bach

Two cases challenging the Village of East Troy's Well #7 are now pending before different appellate courts in Wisconsin. The case brought by the Lake Beulah Management District and the Lake Beulah Protective and Improvement Association ("Walworth County case") is before the state appellate court sitting in Waukesha. The case brought by several individuals and the Eagle Springs and Phantom Lakes Management Districts ("Dane County case") is before the state appellate court in Madison. Both are in the briefing stages, with the parties making written arguments to the courts. Decisions may be forthcoming late this year or early in 2010.

***There are important issues unique to each case:***

For example in the Walworth County case, Judge Kennedy ruled on the DNR's role in enforcing the state public trust doctrine, a constitutional provision granting to the public ownership of the state's navigable waters. He found the doctrine would only require consideration of the environmental impacts of Well # 7 if the Wisconsin Department of Natural Resources had been given some evidence that the well might harm the lake. That position, if upheld, would impose upon the public an affirmative duty to present evidence of potential harm to the DNR, the designated trustee of the state's navigable waters. In

other words, the DNR could approve applications for most high capacity wells without doing any environmental analysis, unless somebody else came forward with evidence that a well might damage a lake or wetlands.

In the Dane County case, Judge Nicks decided that the DNR's 2005 extension of the Village's expired 2003 well permit could have been challenged only through an administrative process initiated within 30 days of that extension. The primary issue in that appeal is whether an unauthorized act of a government agency---the DNR's extension of an expired permit---has any legal effect giving rise to the narrow opportunity to challenge it.

These appeals raise issues of extreme importance to those interested in protecting our valuable resources. If it is the public's obligation to generate evidence of a well's potential damage to lakes, streams and wetlands, then effectively we have no public entity charged with the duty to actively protect our waters. If a state agency can bypass its own rules and extend an expired well permit, and in so doing deny the public the right to participate in the decision-making process, then the emperor has no clothes.

Stay tuned. Your support, questions and encouragement are welcomed.

## Camp Edwards Education Events *(from previous page)*

community in an effort to educate the local families and long time supporters of the amazing process of nature and man's relationship to the natural world. Every mud season, when the ground thaws, Camp Edwards begins to tap over 75 maple trees on camp property to begin to harvest a small percentage of lifeblood of the maple tree, the sap. During this time of temperature fluctuation, the sap begins its journey of nourishing the leaves of the tree in anticipation of spring and sustained warmer weather. When the temperature drops in the evening, the sap retreats to the roots to keep from freezing, and the process starts all over again the next day the temperature rises above 32 degrees Fahrenheit.

Once staff collects over 200 gallons of sap, we begin the reduction process to turn the sugary sap into caramelized syrup, by evaporating the water component of the sap. Every year, Camp Edwards collects 700-900 gallons of sap which in turn



makes only 17-22 gallons of purified syrup.

On Maple Syrup Family Fun Day, we open the doors of Camp Edwards to the community to experience the art of maple syruping, complete with demonstrations, history, hayrides, pancake breakfast and fun.

For this coming autumn, Camp Edwards will be offering a new community event aimed at educating

*continued on last page*

## Area Chair Network

August 2009

Area Chairpersons are committed Lake Beulah residents who serve as the primary contacts for the Association. Should you have an interest or concern about anything regarding the Lake, please be sure to contact your area chair.

<b>Lake Beulah Area</b>	<b>Chairperson(s)</b>
<b>A</b> Country Club Lane & Austin Rd.....	Jane Tanis (262-642-9232) jtanis@wi.rr.com
<b>B</b> Beulah Heights Road.....	Richard Stenglein (262-642-3643)
<b>C</b> Oakwood Lane & It's A Little Road .....	Jim Holtermann(262-642-3050)
<b>D</b> Lake Road & Windy Way .....	Penny Clayton(262-642-3083)
<b>E</b> County J Road.....	Don Tacke(262-363-4327)
<b>E</b> Marsh Road & Millsite Road .....	Don Tacke (262-363-4327)
<b>F</b> Island Drive & Golden Way.....	Jean Maiwald (262-363-0829)
<b>G</b> Brynes Lane & Romadka Park Road .....	Roy Gerloff (262-642-5213)
<b>H</b> Horseshoe Lane & East Shore Road (to Beulah Park) .....	Josie Midman(262-363-8892)
<b>I</b> Beulah Park Road.....	Ken and Pat Jarecki (262-642-9729)
<b>J</b> East Shore Road & Thistle Lane.....	Bob Wegner (262-684-5556)
<b>K</b> South Shore Drive (to Humphrey Lane).....	Vacant
<b>L</b> South Shore Drive & Humphrey Lane .....	Kathleen Taugher(262-642-3835) ptaug@milwpc.com
<b>M</b> Kings Parkway & Kings Lane.....	John & Bea Sonderegger(262-642-5716) johnsonderegger@att.net
<b>N</b> Pastime Lane & Grandview Drive .....	Bill & Maya Murphy (262-642-9837) murphmaya@centurytel.net
<b>O</b> Wilmers Grove Road, Wilmers Point Lane & Wilmers Landing.....	Brian Fons(262-642-9613)
<b>P</b> Stringers Bridge Road, New Deal Ave. & West Bay Road.....	Michol Ford(262-642-5189)
<b>Q</b> Beach Road & Deerpath Road .....	Kim & Steve Klaver(414-313-4191)

## 2009 LBPIA Board of Directors

**Dr. Scott Miller, President**  
608-757-2531 • 262-642-3033 (Lake)  
themill\_wi@hotmail.com

**Robert V. Lewis, Vice President**  
262-642-4581 • 312-845-3733  
rlewis@chapman.com

**Ruth Rappold, Treasurer**  
262-642-3496  
rapprr@netwurx.net

**Andrea Jarecki**  
Chair: Membership & Area Chair Network  
414-881-7444

**Judy Beren**  
Secretary  
262-782-5088 • 262-642-3636 (Lake)

**Co-Chair: Robert V. Lewis (LakeViews)**  
**Co-Chair: Jodie Allen Heimos (Website)**  
Information and Education  
262-642-4581 • 312-845-3733  
rlewis@chapman.com

**Ron Anders**  
Chair: Water Quality  
262-642-2727  
randers@asapnet.net

**Daniel Bach**  
262-965-5456  
dbach@lawtoncates.com

**Ray Fisher**  
414-421-5425  
rafisher4641@att.net

**Jody Allen Heimos**  
262-642-7466 ext. 206  
Jody@campedwards.org

## *COMMITTEES & OFFICERS of the LAKE BEULAH PROTECTIVE & IMPROVEMENT ASSOCIATION*

**MEMBERSHIP - Chair** – Andrea Jarecki  
**Membership expansion** – Ron Anders, Ruth Rappold,  
**Area Chair** – Ann Alger\*  
**Member Lists and/or Directory** – Judy Beren

**INFORMATION & EDUCATION – Co-Chair** – Robert Lewis  
**Lake Views (news letter) and Web Site** – Jody Allen Heimos and Robert Lewis  
**Educational Outreaches** – Ruth Rappold, Ann Alger\*,

**FISH & WILDLIFE – Chair** – Ray Fisher  
**Fish Stocking** – Ruth Rappold  
**Other wildlife management issues**

**WATER QUALITY – Chair** – Ron Anders  
**Monitoring & Reporting** - Dr. Scott Miller, Lynn Carlson (Lake Mgm't. District)\*, Glen Kreinbrink\* (historical)  
**Aquatic Plant Management** - Judy Skotarzak\*  
**Shoreline Management** – Audrey Green\* (Walworth Co.)

**STATE & LOCAL GOVERNMENT LIAISON –**  
**Chair** - Dan Bach  
**Interaction on Government & Property Development Issues** - Daniel Bach, John Sonderegger\*, Burt Shavitz\*,  
**Legislative & regulatory liaison** – Tom Hauke\*, LBPIA Board  
**Public Safety & Security** – vacant

**LONG RANGE PLANNING** - LBPIA Board of the Whole  
P.O. Box 153, East Troy, WI 53120

**OFFICERS OF THE LBPIA**  
**President** – Dr. Scott Miller  
**Vice President** – Robert V. Lewis  
**Treasurer** – Ruth Rappold  
**Secretary** – Judy Beren

\*Non-Board/Interested volunteer

For more information visit our website at [www.lakebeulah.org](http://www.lakebeulah.org)

*Lake Beulah*

PROTECTIVE &  
IMPROVEMENT  
ASSOCIATION



Established 1894  
Member, Wisconsin Association of Lakes

P.O. Box 153  
East Troy, WI 53120

Presorted  
First Class Mail  
US Postage  
PAID  
OSS Mail &  
Marketing

*(continued from previous page)*

the young and young at heart in the creatures of the night.

On Friday, October 23, 2009, our "Howl-O-Ween" community night will take the scare out of the nocturnal animals that live within or near our communities. Do bats really suck blood? Are the wolves among us? What good do spiders do for us? Are they really that creepy? And what owl sounds like it is saying, "Who cooks for you, Who cooks for you all"? And what owl looks like it has horns? At no cost to the participants, besides a voluntary donation, participants will join our Environmental Education staff in a guided night tour of the trails where they will enjoy stories of the creatures of the night, facts and fiction. We will even throw in

some "trick or treat" candy. After the tour, the campers can enjoy hayrides, hot cider, face painting, a nature craft, and a costume contest. This is definitely an all ages show.

Camp Edwards is dedicated to the preservation and conservation of our environment and lake community through hands on education and community partnerships with LBPIA and LBMD. Look for program announcements around East Troy and in the local papers. If you would like to learn more about the programs and opportunities offered at Camp Edwards, please give us a call at 262/642-7466. Together we can make a difference in our natural world and sustain the beauty of Lake Beulah and the environs.

## **LBPIA Fall Members' Meeting**

**Saturday, September 19, 2009, 9:00 AM**

**Town of East Troy Town Hall**

**N9220 Stewart School Road, East Troy, WI**

*The usual coffee, donuts, and good fellowship will be available.*