

# DNR enters fray over Eagle Heights

By LINDA THOMSON  
and MIKE STAMLER  
Capital Times Staff Writers

The state Department of Natural Resources has added another log to the barricade set up against private development of a duplex of the Lower Eagle Heights Woods on Lake Mendota Drive.

Michael Dressen, the DNR's water management specialist for the Madison area, said today that the agency

has taken jurisdiction over the proposal by landowner Gerald Welch because of concerns regarding the project's effect on water quality in Lake Mendota.

"It's most likely that it's not going to be a prohibitive situation," Dressen said, saying that the DNR's goal is to "minimize the environmental damage" from the proposed development.

Local environmentalists and naturalists have been fighting the devel-

opment proposal, arguing that it would wreck the steeply sloped, heavily wooded site along Lake Mendota's southern shore. They have said that the land is the last unspoiled privately held land on the lakefront, and that it is an ecological treasure.

In another related development, a Dane County Supervisor, Norman Arendt, District 25, will ask the County Board to chip in as much as \$100,000 to help buy the 3.4-acre plot, which is valued for tax assessment

purposes at \$425,900.

Arendt has written a resolution that he will introduce to the County Board Thursday calling for the county to help buy the land in conjunction with Madison, the University of Wisconsin and private groups.

The owner, however, said Monday night that he won't sell the land to any government consortium. Welch said he offered the site to the city several years ago and the city turned him down. Now, he insists, he has

found a buyer for one of the three lots and "it's not for sale to the city."

The DNR has taken jurisdiction based on a state statute that regulates land grading in excess of 10,000 square feet on the banks of navigable waters. "I told Mr. Welch about it two years ago," Dressen said. "He was aware that we had concerns."

Chief among those concerns, he said, is erosion control.

Now that the DNR has taken over, it will sponsor a 30-day comment

period, during which interested persons can discuss the proposal with the DNR and ask for a public hearing. Welch's plans will be evaluated to judge their environmental impact, and it is likely that modifications in his plans could satisfy the DNR.

If a public hearing is scheduled, a hearing examiner from the State Department of Administration will decide whether to issue a construction

(Continued on Page 20, Col. 5)

## Eagle Heights

(Continued from Page 19)

permit to Welch.

That would not necessarily be Welch's final hoop, though. The city also has a hold on the project as a result of the Plan Commission's decision Monday to delay any action for a month.

Welch, whose plan has been tied up in controversy for five years, indicated Monday he will be willing to jump through some of those hoops.

"We're willing to do whatever's required," Welch said. "What more can I say?"

Welch repeated previous warnings

that if the city didn't act soon, "this certainly could develop into a lawsuit."

Meanwhile, the move by Arendt adds steam to the movement to try to buy the land from Welch. Mayor Joseph Sensenbrenner has indicated that the city would be willing to participate financially in any purchase attempt. The university also is interested and the local Audubon Society has pledged \$1,000 toward that goal.

Sensenbrenner also has asked for the formation of a private-sector land conservancy organization to preserve this and other environmentally valuable land in the area.

THE CAPITAL TIMES

Madison, Wisconsin  
Wednesday, Aug. 17, 1983 — 19