

# LARA of Twin Lakes - Lakes And Recreation Association of Twin Lakes

To: Lake District and Village of Twin Lakes Trustees      Date: July 28, 2008

Timing is of the essence: Each Day that passes the economic damage is being done to the village business and the viability of Twin Lakes. Suggestions fall into 3 action areas that require the highest priority for Lake District and Village Trustees. Now is the time to act to mitigate current & future impact.

**WE ARE NOT POINTING FINGERS AT PROBLEMS OR PEOPLE BUT OFFERING SOLUTIONS TO BENEFIT ALL!**

Discussion Draft and Rationale Based on Broad Citizen Input as of July 27, 2008

→ This Draft also reflects input from the July 26<sup>th</sup>, 2008 Lake District Meeting ←

## 1. Immediate: Suspend enforcement of the NO WAKE ordinance to permit normal boating despite marginally high lake levels as this is causing economic hardship to local businesses that exceed any potential impact to shorelines or piers or boaters.

**Rationale:** The village is being hurt economically by the heavy rains. The lakes are substantially lower and now at prior levels that permitted wake activity. Any claims of impacts to the shorelines that are a result of forces of nature (Wind, Rain, Waves) are Natural and have been done. They are not likely to be impacted by a few weeks of boat wakes. Lake level benchmarks and readings involve a level of uncertainty and can be interpreted differently. Property owners have had time to secure their piers. Changing an ordinance may require more time and this is an economic emergency for the village. Temporary suspension of enforcement or a significant reduction in fines to \$10 per occurrence or issuing "warnings in place of citations" is a temporary solution that is warranted. Evaluation of "No Wake Speed" is subjective and like speed limits on the highway is subject to wide levels of judgment and enforcement. Even Sail Boats frequently violate the Slow No Wake official definition. Low lake levels of the past have also resulted in shoreline impact.

- **Make the old 14 inch benchmark effective immediately! It's Only Common Sense!**
- **There was no hydrology study done when the "No Wake" Benchmark was changed from 14 to 11 inches. You have Precedent to suspend enforcement. There must be a way.**
- **The 11 inch benchmark has been proven to close the lake too many days in both 2007 and 2008.**
- **As the lake levels are coming down property owners have had weeks to secure their piers.**
- **Why should a few complainers cause economic damage to so many businesses?**
- ***Per Jeff Thornton: "There is no science to support the impact of boat wakes relative to wind."***
- ***Per Jeff Thornton: "No Wake Zones can mitigate the impact of wakes on sensitive areas."***
- ***Most low lying areas are currently protected by No Wake Zones.***
- ***Per citizens the readings on benchmarks and lake levels could be in error by over 2 to 4 inches.***
- ***The economic cost of the current "No Wake" ordinance to the village exceeds the benefit and village businesses are being damaged economically.***
- ***A petition signed by approximately 100 taxpayers and/or residents indicates a return to 14 inch benchmark is warranted and asks for suspension of enforcement of the current ordinance.***

## 2. This Fall and Winter 2008/2009: Begin Actions NOW to Permit Replace the small dam board system and/or supplement it by installing a Spillway and/or Sluice Gate to better control lake levels with a minimum of human intervention.

**Rationale:** Time is of the essence. Due to changes in flow and vegetation in the approach to the dam, a spillway and/or dam should be redesigned in such a form and at such levels to maintain healthy lake levels and a capability to automatically and/or manually discharge much larger volumes of water as the lake approaches a level that would impact wake activity and economic damage to the village. This is an economic crisis and emergency that needs to be addressed similar to the immediate action now underway to restore Lake Delton.

- A new hydrology consultant should be hired as time is of the essence.
- No other Lake District project has a higher priority. Make Someone Accountable for any delay.
- ***An independent consultant should be engaged to double check current benchmarks and readings to prevent any opportunity for bias in setting future lake levels and ordinances.***
- ***A village employee should be the designated contact for SEWRPC.***

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(Page 2 of 2)

### 3. As Soon as Possible: Inform McHenry and Twin Lakes waterfront property owners of the range of lake levels and flow they might expect and encourage them to mitigate the impact of higher water levels and flows.

**Rational:** ALL Property Owners have a role in keeping our lakes open and healthy. This involves negotiation of the flow of water and asking all impacted property owners in two states (Wisconsin and Illinois) to secure their property, piers, shorelines and boats to accommodate fluctuations in lake levels caused by Mother Nature. This includes working with McHenry Conservation District and other Illinois Landowners to mitigate any new restrictions to the flow of water out of Lake Elizabeth and Lake Mary. This includes identifying certain low properties that due to unexpected rain levels might be subject to flooding and requesting them to improve their property and/or donate or sell that property to the village for public use and improvement.

- Provide public funds to help problems improve their areas. They may qualify for Flood assistance.
- Provide volunteers to sand bag sensitive areas.
- Get property owners to understand they must accept responsibility to maintain piers and shorelines.
- Pass a new village ordinance requiring property owners to secure their piers to prevent damage or boating hazards at high water levels.
- Make sure Water Levels and Benchmarks are set without bias.
- Consider the impact of the trend in readings. For example: If the lake levels are falling the time of day may influence the readings. Morning readings may be ½ inch higher than readings at noon or the evening.
- Village officials should be give some discretion in designating a “No Wake” condition that factors in:
  - 1) Existing “No Wake Zones” ( The total lakes should not be shut down to protect limited problem areas)
  - 2) Day of Week (There is minimal boat traffic during week days)
  - 3) Time of Day (Winds generally pick up midday and mask most boat wakes,
  - 4) Impact on local businesses( Week after week “No Wake” will force business to other communities),
  - 5) The trend in readings (eg: We estimate within ½ inch and by noon the reading will be....)
- Determine if current benchmarks are in error and sources of potential bias such as:
  - 1) Using the wrong dam elevation: Base of dam per the deed reads 792.68 feet (above sea level) plus the 10 inch dam board puts the benchmark at approximately 793.52 feet ... not the 793.365 in use. Potential error: 0.16 feet or approximately 2 inches.
  - 2) Potential errors in staff gauge placement or readings could be as much as ½ inch.
  - 3) Potential errors in posted signage stating arbitrary flood level of 794.15 feet which should be 795.0 feet per the charts used to monitor historic lake levels.
  - 4) Potential errors in posted signage stating base of dam at 792.49 feet which should be 792.68 per dam deed. Potential error: 0.16 feet or approximately 2 inches.
  - 5) Note that a few tenths of a foot error in the measurement or benchmarks makes a big difference in lake levels which most people measure in inches or with personal water benchmarks. This could account for the widespread perceptions that the old 14 inch standard (above top of dam board) was more appropriate as a “No Wake Benchmark.”
  - 6) Conversion between inches above dam board and feet of the dam should not cause needless confusion. Consider simple addition:

▪ Base Dam Elevation:	792.68 feet above sea level per deed
▪ Add 10 inch dam board:	0.83 feet
▪ Add 11.5 inch “No Wake” warning level:	<u>0.96 Feet</u> – Discretionary
▪ TOTALS...(elevation above Sea Level).....	794.47 feet – as discretionary “No Wake”

Result of Friday July 25, 2008, Brainstorming Session” as the committee of the whole of LARA, Annual Lake District Meeting of Saturday and citizen input.