

## **Dredging Lake Redstone – Responses to Questions Asked**

Several questions about dredging Lake Redstone have come to the attention of the Lake Redstone Protection District Board and its Dredging Committee. This paper provides answers to those questions that are not directly related to the actual physical dredging and restoration project plan.

### **Questions Regarding Equity within the Protection District**

**Question #1: I paid a premium for an open water property that will never fill in. Why must I now pay a small fortune while those who bought in a bay will pay far less and benefit far more?**

**Response:** State law allows protection districts two ways to raise funds: by special assessment and by tax levy. Special assessments are attractive because they allow a protection district to assess costs in a reasonable and equitable manner of its choosing. However, just one unhappy owner could challenge their assessment, tie up the process in court for years and significantly add to the total cost. Our law firm Weld Riley and our engineering consultant Ayers Associates have advised that the cost of the special assessment process for a similar dredging project exceeded the engineering and dredging costs. So, the Board has chosen to use a tax levy, which state law dictates be allocated in proportion to total assessed value, including improvements.

However, the fact the tax levy will be in proportion to assessed value doesn't mean it's a bad deal for anybody. It *may* be a better deal for some owners than for others, but it is still a good deal for every owner. When asked their opinion, the four most prominent realtors (names available upon request) serving the lake said:

- "I'm totally in favor of dredging the lake."
- "I'm 100% in favor of this project for the health of our beautiful lake and for the property owners to benefit financially."
- "I believe dredging will have a positive impact on the lake."
- Properties on the open water will hold their value because a dwindling supply of lakefront properties will drive up their market values, offsetting downward pressure from the general deterioration of the lake elsewhere. (paraphrase)

Three of the realtors were willing to estimate the numeric impact on a hypothetical open water property valued at \$400,000. In May, 2018 their composite opinion was dredging would increase the property value by \$8,000, which is 8% more than the total tax levy over ten years for a \$4.3 million dredging project. In contrast, not dredging will depress the property value by an estimated 9.5% (\$38,000) in ten years and 17.5% (\$70,000) in twenty years.

The reassessment of property values during 2018 is worthy of note. The Protection District's total assessment dropped 7.4%, suggesting a drop in comparable sale values more than offset any and all improvements made.

The bottom line is simple. Each of us will need to decide, given the final costs and tax levies we are provided, if dredging is a good deal for **ourselves**. No other question will be on the ballot. We can only vote yes or no.

**Question #2: I understand property values will plummet if we don't dredge, but I don't care. I will never sell my place -- it will always be in my family. So why don't those who benefit most pay for it?**

**Response:** A lot of things can happen over a ten or twenty year period. Changes in health, finances, relationships, etc. can all affect our ability to maintain our property and to enjoy the lake as we currently do.

And if the worst happens, what are the chances our children will be: 1) able financially to hold on to it; 2) willing and able to maintain it; and 3) able to use it enough to justify the above? Then, a 9.5% drop in value in ten years or a 17.5% drop in twenty years *will* matter.

Realtor Julie Alibrando says “in my 20+ years at the lake, I’ve had MANY people tell me they’ll never sell and it will stay in the family ....and they end up selling.....or their kids sell it.....it’s not only a home but it’s also an investment and maybe that investment will be the next generation’s inheritance.”

### **Questions about Others Helping with the Cost**

#### **Question #3: People living in the surrounding area benefit from the lake. Are they contributing?**

**Response:** The Board and Committee are working with Sauk County in the hope of securing significant help either by way of a budget appropriation or by tapping into its reserve balance. However, the county’s annual budget cycle, which occurs late in the year, does not fit well with our project needs. To get aggressive (i.e. low) bids from bidding companies, they need to know by early December if they have the winning bid so they can schedule the following year. But there are tight time frames in the bidding/ awarding process, so to mesh that process with the county’s budget process and the legal requirements of a property owners’ vote would be a nightmare, and it would need to happen in December. Since voters must be present to vote, this is bad timing.

So, the Board and Committee are focused on a vote in May, even though it won’t be known until late in the year if funds from the county will be available. The Protection District’s first proposal to the county’s Conservation, Planning and Zoning Committee was rejected. The current goal is to work with the Finance Committee to find an acceptable compromise they are willing to recommend to the Sauk County Board.

We must also bear in mind the broader relationship between Sauk County and Lake Redstone. While lake owners pay significant property taxes to the county, the county maintains the dam, the North End boat launch and the county beach and park.

The Town of La Valle has also been approached for assistance and discussions are ongoing. At the Town of La Valle annual meeting, an advisory motion was passed whereby it will coordinate a task force including Sauk County, DNR, the State, Protection District and the Town on how best to fund the dredging project. We must also remember the Town makes a significant contribution to the lake by providing us with a lake patrol and by maintaining boat launches at Section 11 and Fox Court. The former must be rebuilt again after having been rebuilt just last summer.

#### **Question #4: People who use the boat launches benefit directly. Will they be contributing?**

**Response:** All three public launches on the lake have a collection can where users pay a \$5 parking fee. The Town of La Valle and Sauk County manage the launches and have been approached to increase their fees in order to help fund the dredging project. Both have refused because the state won’t allow it.

#### **Question #5: Other lakes in Wisconsin are dredged and the county pays for it. Why not us?**

**Response:** In 1976 the Lake Redstone Protection District was formed to help fund needed improvements to the lake such as maintaining water quality and dredging of bays. In return the Protection District acquired far greater control over if, when and how projects such as dredging are done. Lakes without a protection district are completely dependent upon local governments.

#### **Question #6: Is the State of Wisconsin contributing in any way?**

**Response:** In Wisconsin, all lakes are public property. The DNR dictates how they will be managed, but it is the Protection District, in our case, that is responsible for carrying it out. The only state funding available to us is via grants. The only grant our project might qualify for has been applied for. It would fund dredging a navigation channel from the North End boat launch to the main body of the lake for as much as \$50,000.

**Question #7: Okay, I understand these potential funding sources are being explored, but isn't there more we can do?**

**Response:** There are a couple of things being done. First, an application has been made to FEMA for help with the sediment that entered the lake with the flooding last fall. This could be for a sizable amount, but we will not know the result until this fall. If the vote on May 18 fails, this source of assistance will lapse.

Second, applications for assistance have been made to seven private foundations. No responses have been received as of this date.

### **Questions about Not Fixing the Underlying Problems First**

**Question #8: We should do a comprehensive job of stopping upstream runoff before dredging or the lake will just fill in again. What has been done along these lines?**

**Response:** The lake has been dredged only once before when ten bays were dredged between 1983 and 1987. Thus, we have made it over 30 years without dredging. The Protection District has always been concerned about upstream runoff, but ramped up its efforts significantly beginning ten years ago. It is hoped that continuing and even greater attention to upstream runoff will forestall the need for dredging again for many years to come. A partial list of such activities in recent years includes:

1. **Working with upstream farmers and Juneau and Sauk Counties:** created grass waterways and other erosion control devices (2013-2015); encourage no-till agricultural and other soil conservation practices (2016, ongoing); helped form a producer-led cooperative of 10-12 Juneau County farmers to initiate new conservation practices with a Wis. Dept. of Agriculture grant (2018); with more to come.
2. **Near-lake measures:** created sediment retention ponds on streams flowing into the lake, including four above Martin-Meadowlark Bay (1984) and Swallow Bay; erosion control measures on several bays.
3. **Water quality monitoring:** initiated routine sampling of lake water quality (1997); began watershed stream sampling (2010); contribute to Wis. DNR data base to aid in statewide lake management.
4. **Education:** collaborate with Dutch Hollow's LAKEFAIR (2013, 2015, 2017); co-funded runoff/sediment demonstration device and employed it multiple times; initiated an annual Partners Meeting with the DNR and Sauk and Juneau Counties to share concerns and seek assistance on sediment and nutrient runoff, the Whole Lake Management Plan, dredging considerations and other matters (2016, ongoing).
5. **Whole Lake Management Plan:** This DNR grant through 2020 will assist in evaluating the efficacy of past and current lake improvement projects and guiding the implementation of future activities.

It is important to note how these activities have and will continue to come about. A loyal group of 8 to 10 people have served on the Board or its Dredging Committee. Each has devoted hundreds of hours per year, in several cases for a number of years. Board members are paid a modest honorarium to prepare for and attend meetings and Committee members receive no payment. There have been countless meetings with the DNR, Sauk and Juneau Counties, Ayres Consulting, our attorney, upstream landowners, potential spoils site owners and especially with each other. To those of us who are just learning about all of this and wonder about what has or has not been done, know that rolling up one's sleeves and helping out would be most welcome.

**Question #9: Shouldn't we stop shoreline erosion before we dredge?**

**Response:** Yes, you are right. The Board wishes it could require shoreline stabilization, but it cannot. The good news is that very little of the sediment currently in the lake entered it in that way over the entire history of the lake and we are now down to relatively few unprotected shorelines remaining. Still, there is much that can be done. If your shoreline is unprotected, *please* install either shoreline buffers using native plants which have deep roots capable of stabilizing the shore (preferred by the DNR and the Protection District) or riprap.

**But there's much more to be said and it involves all of us!** Tons of runoff has its source just above the shoreline, much of it caused by us. All of the impervious surfaces and non-native vegetation (such as most lawns) that we have accumulated add to the natural runoff, which is exacerbated by some steep slopes, all to the detriment of our lake. So what can we do about it? Actually, quite a bit. The Protection District's website is a good place to start educating oneself. Furthermore, the Board recommends owners take advantage of DNR Healthy Lakes Grants of up to \$1,000 to be used for projects to control runoff and erosion and/or to restore habitat. It's a win-win-win: good for the lake, good for one's property and good for our relationship with the DNR. Go to <https://www.lakeredstonepd.org/healthy-lakes> to learn more.

**Other Miscellaneous Questions**

**Question 10: What is the expected impact on water quality and phosphorus levels?**

**Response:** The water quality on Lake Redstone is similar to those of other man-made lakes in southern Wisconsin. The DNR's website lists the lake as eutrophic, which means it is nutrient (i.e. phosphorus) rich. Eutrophic lakes are shallow with murky water and mucky, soft bottoms.

The primary source of phosphorus in Lake Redstone is by way of the inlet streams that carry water from a very large agricultural watershed, most of it to the north. It settles into the sediment and contributes to the growth of algae and other aquatic plants. Dredging will remove the phosphorus attached to the sediment that is removed, but it is unknown how much impact, if any, that will have on water quality. Several experts have been consulted and they do not know the answer.

The major point to be made is that we are not dredging to improve water quality. If there turns out to be some improvement in that regard, we should consider it to be a bonus.

**Question 11: What are the environmental risks of dredging?**

**Response:** A dredging permit has been obtained from the DNR, which establishes various criteria for mitigating impact on fish populations and habitat and on other critical habitats. A primary example is their requirement forbidding dredging within 10 feet of shore or below any wooden material in order to protect fish habitat and spawning areas. Furthermore the spoils site construction design has been approved by the DNR with attention to capturing sediment and preventing its return to the lake. Finally, a sediment study performed by Ayres Associates included an environmental assessment of samples from the lake. It found the sediment to be free of any dangerous chemicals and safe for placement on farm fields.

**Question 12: What I understand about the voting rules makes no sense. What gives?**

**Response:** Join the club. When state statutes for protection districts are overlaid upon state statutes for local elections, the result is voting rules no one would design from scratch. In short, the rules we are following are dictated by the state.