

# CRANES

## Capital Region Advocacy Network for Environmental Sustainability

*On behalf of its member organizations and individuals, advocating collaboratively for the environment of the South Central Wisconsin region (eight counties: Columbia, Dane, Dodge, Green, Iowa, Jefferson, Rock and Sauk) toward a high quality of life; an ecologically sustainable and just culture; and, the celebration of the beauty of this place, both natural and built.*

### VISION

*The Capital area's environment, including water, land, and air resources, will be conserved or restored to ensure the region's quality of life and the beauty of this special place, for all who live or visit here, now and in the future.*

### INTERIM STEERING GROUP

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Fiscal Agent  
River Alliance of Wisconsin  
A Tax-exempt 501(c)3 Non-profit  
WisconsinRivers.org

22 March 2010

*Yahara Lake Level Advisory Group 2*  
c/o Mindy Habecker  
UW Extension Dane County Office Cooperative Extension  
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Dear YLLAG2 members:

In advance of your meeting of 24 March 2011, the *Capital Area Advocacy Network for Environmental Sustainability* (CRANES) requests that the *Yahara Lake Level Advisory Group 2* (YLLAG2) make restoration of shoreline vegetation in the Yahara Watershed, with native plants, a top priority going forward.

We urge beginning this effort with a focus on the Lake Mendota subwatershed, including restoration of the marsh along the estuary of the Yahara River and its course thence northward to its headwaters. Over 400 acres of marsh vegetation have been lost in these areas. Barrier islands that spanned the estuary where the Yahara River flows into Lake Mendota have also been lost, eliminating an historically significant four-season Native American footpath.

Shoreline Vegetation Restoration is one of the EPA's top two policy initiatives for improving water quality, by reducing the effects of stormwater runoff. The environmental benefits for habitat are perhaps even more important.

Current Lake Mendota ecological conditions are importantly influenced by construction of dams at Tenney Park, which after the 1830s, raised the natural lake level at least 4.5 feet. This unnaturally high lake level prevents restoration of the vegetation needed for environmental sustainability.

So we ask that YLLAG2 advocate for the following related public policy initiatives:

- Create a comprehensive no-wake zone for the stretch of the upper Yahara River known as Cherokee Lake, to reduce damage to present and future vegetation restoration efforts, from speeding boats and wave action;
- Restore the Lake Mendota subwatershed's wetlands and marsh insofar as possible to the extents and ecological conditions at time of original survey, for habitat, open space, visual beauty (incl. viewsheds), cultural enrichment, flood storage, urban stress relief, and outdoor recreation;
- Lower Lake Mendota's operating range 6" by 2011; thereafter, lower range in regular annual increments (e.g., 1-3");
- Concurrently, work with the Capital Area Regional Planning Commission (CARPC) to create a regional land use plan that ends urban sprawl, so that developers or municipalities do not take the opportunity to use the increased storage capacity of a lowered Lake Mendota to handle more runoff; and,
- If the lowering of Lake Mendota to its natural level can be accomplished, decommission the Tenney Park locks in some future decade, providing a more frugal system for any interlake transportation by surface water users.

Please note that, in 2010, CRANES made the same requests to the *Yahara Lakes Legacy Partnership*, and to Dane County's *Lakes & Watershed Commission* and the *Environmental, Agricultural and Natural Resources Committee*.

Additionally, as soon as possible after YLLAG2 convenes, we hope that it will be possible to provide answers for the questions below.

Thank you for your consideration of these requests.

Cordially,



Gary Werner

Cc: S Josheff, WDNR Basin Staff  
Chairperson, CARPC c/o K Mesbah, staff

### SOME QUESTIONS RELATED TO LAKE LEVELS

- 1) When will the Montgomery engineering study of Tenney Park Dam/locks that was to be completed last spring be released? Will elected leaders be allowed by Homeland Security to review the un-redacted report?
- 2) When will the USGS study of flooding that would accompany over-topping of the Tenney Park Dam, completed last spring, be released to the public?
- 3) The new Dane County guide to lake level management was meant to inform the public about current operational practices. Why is it now being referred to by certain staff as a guide for decisions about future lake level policy decisions?
- 4) The current lake orders, which maintain a lake level range 4 to 9 feet above pre-Original Survey conditions, are based in part on the purported need for protection of habitat, with amphibians and northern pike mentioned specifically. Yet a square mile of wetlands and shoreline vegetation has been lost since the first dam at what is now Tenney Park was built. How has this loss of habitat and high lake levels affected these and other species? which species, including shellfish in the Yahara River above Hwy 113, and resident/migrant birds, have been lost, or had their populations reduced, due to this loss of habitat and change in physical conditions, including siltation? Have the current lake level orders protected more species than they have harmed?
- 5) What is the minimum "head" needed for Lake Monona to maintain downstream lake or river management that is environmentally sustainable? what is the consequent minimum "head" needed for Lake Mendota (at the Tenney Park Dam)?
- 5) How much does it cost annually to run the Tenney Locks? "per user"? What is the annual user profile? one-way/round-trip? paddle/motorized? small vs. large motorized craft? MSCR pontoon? commercial outing/tour/charter?
- 6) What are the alternatives for providing interlake transit for all current users? for smaller self-powered craft only? What advantages might these "no-lock" approaches have for control of invasive species? for taxpayers?
- 7) Will the issues in Questions 1-6 (above) be explored by YLLAG2 in conjunction with the UW's 2011-12 NSF-funded study of social response to climate change mitigation scenarios for the Yahara watershed?

## Lake Levels for Yahara Lakes – Some Topics Avoided in Past Discussions of Lake Levels

Don Hammes, March 24, 2011

- 1. Stormwater Drains That Empty into the Lakes**—There are 50-70 stormwater drains that drain into Lake Mendota and additional drains that drain into Monona, Waubesa and Kegonsa. Does anyone know how many? Does anyone know how many thousands of gallons of polluted water enter our lakes from these drains or how many tons of sediment during and after a storm event? This topic needs to be in the discussion. What would happen if ALL of these stormwater drains were eliminated and the stormwater off our streets, sidewalks and parking lots was deposited into the Nine Springs sewer pipes for treatment as it is done in most residential neighborhoods?
- 2. Sediment Laden Detention Ponds** - Many, many housing developments around Dane County include in their development plans detention ponds that are designed to handle stormwater runoff. When they work well they contain and detain stormwater and this lets sediments settle to the bottom of the pond so that only clean water leaves the pond. After a period of time, 5-10 years usually, these detention ponds fill up with sediment and no longer function like they are supposed to. Instead, thousands of gallons of sediment laden stormwater enters and immediately leaves these ponds because they are no longer deep enough to allow the sediment to dissipate. Costs to dredge a detention pond are high, as much as \$40,000-\$50,000 or more and since no one wants to bear this expense and the developer is long gone they remain dysfunctional and the sediment ends up in our lakes and streams. Enforcement of rules governing the water depth of these ponds is almost nonexistent. This needs to change.
- 3. Construction Site Stormwater Runoff and Erosion** – Dane County has a strong ordinance regarding construction site stormwater control and erosion controls, but due to staff shortages and a possible lack of interest in “harassing businesses” that violate these rules enforcement of these rules is minimal. Consequently tons of sediment and gallons of harmful chemicals wash down our roads and into storm sewers and into our lakes every year. Not all, but most construction companies do not follow BMP or they erect silt fences and take other measures but they do a poor job in the installation of control measures, control measure break down and are not repaired, or they do some control measure to make it appear that they are following BMP but only put up plastic silt fences and that is it. Better enforcement of rules and regulations concerning construction site stormwater runoff is needed, but no-one wants to hire more employees for this important work and the employees that are assigned the work are way over burdened. This needs to change.
- 4. Loss of Wetlands and Wetland Buffers** – Dane County continues to lose wetlands to highway construction, or re-construction, to housing developments and commercial development. Wetlands are like big sponges that retain and detain stormwater very effectively, but CARPC and city, town and county land planning departments continue to allow developments in and next to wetlands by helping developers come up with “brilliant engineering solutions” that allow the destruction of wetlands and wetland buffers. One great example of this is the area next to Mazanet Marine, Skipper Buds and the Mariners Inn. Several hundred condos were built in these areas in the last 10-20 years destroying valuable wetlands and wetland buffers. This loss is causing sediment laden waters to drain right into Lake Mendota filling up the Yahara River and the entrance to Lake Mendota with sediment at a rapid pace. The lack of pervious land surfaces doesn't allow infiltration of stormwater anymore and the increased amount of impervious surfaces just makes it easier for all the stormwater and sediment to drain into the lake.
- 5. Loss of Pervious Surfaces** – Building sprawl continues at a happy pace in Dane County and the more buildings, roads, sidewalks and parking lots there are the less pervious surfaces exist that will allow infiltration. Without infiltration all the sediment and chemicals go into the lakes. Parks and open spaces are not just nice features to have in a city, they are necessary for recreation AND to allow infiltration of stormwater. A moratorium on building on open spaces near the lakes should be implemented immediately. Build up not out. Build more gardens on office building rooftops. Require more green space in all new developments.
- 6. Large Users of Water** – When considering lake levels all large users of lake water need to be taken into consideration before, during and after all large storm events. The MG&E Co-Generation power plant is sucking millions of gallons of water out of Lake Mendota everyday, so is the UW, the City of Madison, and other users unknown to the public. How much are they putting back into the lakes and when? What controls are on these users? How many large users are sucking water out or putting water in Monona, Waubesa and Kegonsa?

## **Rob Luther Comments–**

- Has lived on Lake Monona for 25 years in a unique spot between the RR trestles
- Has monitored the lakes closely over that time
- Moved in 1987 – rained 1-inch and lake rose 3-inches
- Now 1-inch rain raises lake 4-feet
- Lakes are starting too high in the spring and never catch up.
- We blame – Mother Nature, RR trestle at Waubesa, weeds on the Lower Yahara, series of rain events
- Fastest he has seen lake drop is 1-inch per day under perfect conditions
- In 2008, after 10.63-inches of rain from June 1-16, lake level never went down until 9-11
- Monona has had times when entire lake is Slow-No Wake and yet Mendota has no restrictions but continues to dump hundreds of cubic feet per second downstream
- The 2000 committee proposed dropping Lake Mendota 1-foot. Good start
- Politics, big money, big boats, DNR – Good Luck with that.
- We need to be proactive rather than reactive.
- Don't forget flow from Lake Wingra that dumps into Monona