



## Lake Recreation Committee Brief - May 19th 2020

I am sure many of you are excited and eager to get out of the house and to return to the lake to enjoy the recreational pleasures that Crystal Lake historically offers. To that end, the CLAA board wanted to advise you of a soon to be passed “slow no wake” order set **to be voted on June 2, 2020, at 6:30 PM** and will, in all likelihood, eliminate speeds in excess of 5 mph for the 2020 boating season and beyond. **Setting a no wake ban at 3 inches above average water levels would eliminate recreational boating 68% of historical years**

The CLAA board wants everyone, whether you support a slow no wake ordinance or whether you oppose such a ban, to have all the facts regarding this important decision. We also want to encourage all members to attend the June 2, 2020, 6:30 PM meeting so that your voice can be heard.

### **CLAA Dock Height Assistance**

Understanding the challenges with our abundance of water Brian Voight has generously volunteered his time to work with others on the lake to form a volunteer group to help those with piers near water levels. If you need assistance please reach out to Brian. If you are willing to help your neighbors Brian is coordinating a team to help adjust dock heights to our new norm of water levels. His email is [brvoight@hotmail.com](mailto:brvoight@hotmail.com). The DNR recommends piers be placed 18-24” above lake levels.

### **CURRENT ORDINANCE COMMITTEE SLOW NO WAKE ORDINANCE PROPOSAL THAT WAS PASSED BY UNANIMOUS VOTE ON MAY 12, 2020 (meeting closed to public comment)**

On May 12, 2020 the Town of Rhine Ordinance Committee met to vote on an emergency slow no wake ordinance. The agenda was the same as the August 1, 2019 Ordinance Committee agenda where public comment was presented and it was determined that the then current conditions (6” above Average Water Mark Elevation) did not warrant a slow no wake ordinance. This time the committee did not include representatives from the CLAA and closed the meeting to public comment.

The Ordinance Committee began the meeting by discussing the water level on Crystal Lake last year and up to May 12, 2020. They indicated that the water levels last year started at 6” above the average water mark elevation and receded to 4” above the average prior to icing over. It never got below 4” above average last year. At icing the level was 5” above average and then increased at spring thaw to 8” above average. It then increased to 9” above average and then was measured as of May 12, 2020 at 8.5” above the average water mark elevation.

Prior to the May 12, 2020 Ordinance Committee meeting the committee members had information of historical water levels at Crystal Lake and worked with the CLAA to survey the lake property owners regarding damage caused by high water and public opinion regarding the same. This survey is available on the Sanitary District website - <https://sanitarydistrict.com/files/2019LakeSurvey.pdf>



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Additionally, this same committee found in August 2019 (with public comment and participation) that there were not “emergency” conditions necessitating a slow no wake ordinance when the water level was 6” above the ordinary high water mark. In fact, this same committee informed the public on August 1, 2019, that they wanted to pass a slow no wake ordinance and leave blank the trigger water height “to use as a tool in their tool box” should the future conditions so require. They never indicated that the rejected 6” trigger would be reduced to 3” and it was assumed that future conditions would be related to high water emergencies greater than 6” above the ordinary high water level. In fact, the transcript will show this discussion in detail as several clarification questions were asked by the public regarding this issue and the transparency that was expected from the elected officials.

*Despite taking a voluntary survey of which 124 unique properties owners responded (~70% of homes on the lake), and knowing that 85.48% of property owners that responded had no real property damage from high water and 70.97% of respondents opposed a no wake ordinance at 6” above the ordinary high water mark the Ordinance Committee decided to recommend to the Town Board an ordinance that puts in place a slow no wake rule if the water level is 3” above the average water mark elevation. This is one half of the level that was rejected last year by the same committee.*

### **WHAT DOES THIS MEAN IN PRACTICAL TERMS FOR FUTURE BOATING ACTIVITIES SUCH AS WATER SKIING, TUBING AND PERSONAL WATERCRAFT?**

History is a good indicator of the future. The Town Board has a historical 19 year chart of lake levels from 1986 to 2005 (Exhibit A - Hey and Associates, Inc. Water Level Management Plan found on the Sanitary District website - <https://sanitarydistrict.com/files/WaterLevelMgmtPlan.pdf>).

For 14 years, between 1986-2000 Crystal Lake would have been shut down to skiing and tubing for 7 full summers and 5 half summers. There were only two full summers where the no wake ordinance would not have been in effect in 14 years. That equates to 68% of the summer months during a 14 year period where there would be no skiing, tubing or personal watercraft at speeds greater than 5 mph. **This is approximately 10 out of 14 years of slow no wake with a 3” trigger based on past history.** Additionally, the last years of the study were at the time that lake levels were so low that boats could not get to piers (see picture attached).

**Last year, 2019, would have had no wake for the entire year.** Boats could go 5 mph but there would have been no skiing or tubing. We do not have readings for the years 2006 to 2018 but assume that many of those years would similarly be restricted from recreational boating activities.



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*If past history correctly predicts future conditions the passage of this ordinance will eliminate skiing and tubing for the summer of 2020 and, given historical evaporation rates of 2" per year, potentially for the next 2-3 years.*

It is also a reality that property values on the lake may be reduced if an emergency slow no wake ordinance actually eliminates recreational boating for significant periods of time. Most lakes that have such ordinances calculate the triggers so that they actually represent emergency conditions. If the proposed triggers simply serve to eliminate recreational boating activities and not an emergency, we expect that home assessments will be challenged and the ordinance itself would be attacked.

### **CONCLUSION AND MEETING DATES**

The CLAA has been actively involved in representing the views of the majority of its members regarding the proposed no wake ordinance. Your opinion matters and your Town representatives should know how you feel. The Town of Rhine wants the Town of Plymouth to support this ordinance but since the Town of Rhine controls more than 60% of the shore area their decision controls. Because of this fact we encourage participation at the Town of Rhine meeting over the Town of Plymouth meeting as both meetings are scheduled for June 2. Please make your position known to your representatives and please attend the **Town Board meeting on June 2, 2020 at 6:30 PM. Location TBD.**

We are waiting for direction on **WHERE** the meeting will take place and will supplement this letter when we are so advised. We have been informed that given social distancing requirements the meeting may be at a school rather than the Town Hall.

Contact for Town of Rhine

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<https://townrhine.com/officials.php>

Sincerely,  
*Bob Gregorski and CLAA Committee Members*