

**MASTER PROPERTY OWNERS ASSOCIATION, INC.**  
**7602 Hancock Drive**  
**Wonder Lake, Illinois 60097**  
**815-653-4136**

November 7<sup>th</sup>, 2011

Mr. Soren Hall  
U.S. Army Corps of Engineers – Regulatory Functions Branch  
111 N. Canal Street, 6<sup>th</sup> Floor  
Chicago, IL 60606-7206

Re: MPOA Response to Comments Received under the Public Notice for  
LRC-2010-00396 – Wonder Lake Dredging Project

Dear Mr. Hall,

As detailed in the October 11<sup>th</sup>, 2011 letter issued by your agency (attached), the Wonder Lake Master Property Owners Association has reviewed the public comments received during the public notice period for the above referenced permit application, and has compiled our responses.

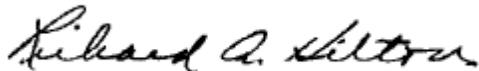
A review of these comments suggests that many are based on a misunderstanding of the overall project or the SSA creation process, or a lack of awareness of the extensive amount of site evaluation, engineering design, and scientific analysis that has already been done to get this project to the permitting stage. This is likely not unusual for a project of this size.

However, we did not see any comment or issue that would be the basis for your agency, or any other permitting agency, to deny issuing the regulatory permits to allow this critically needed project to continue moving forward.

We hope that the facts presented in our responses will be sufficient to address the concerns of those who took the time to submit written comments. We will also continue with our on-going outreach efforts to make sure that all realistic concerns regarding the project are considered early in the process, so that appropriate modifications to the project can be incorporated as warranted.

Please review the attached materials, and do not hesitate to contact me if you have any questions.

Sincerely yours,



Richard Hilton  
President

Cc: MPOA Officers & Directors  
MPOA Subdivision Presidents  
Village of Wonder Lake  
McHenry County Board



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, CORPS OF ENGINEERS  
111 NORTH CANAL STREET  
CHICAGO, ILLINOIS 60606-7206

October 11, 2011

Technical Services Division  
Regulatory Branch  
LRC-2010-00396

SUBJECT: Public Notice Comments for the Proposed Wonder Lake Dredging Project, Wonder Lake, McHenry County, Illinois

Richard Hilton  
Master Property Owners Association, INC.  
7602 Hancock Drive  
Wonder Lake, Illinois 60097

Dear Mr. Hilton:

Enclosed are copies of the comment letters the U.S. Army Corps of Engineers received in response to the public notice issued for the above-referenced project. Various concerns were raised in the comment letters that must be addressed before a decision can be reached by this office on your application. The concerns include:

1. Address the potential for odors from the disposal site. If odors are possible, how would this affect the living conditions near the site and how might this affect property values.
2. Provide additional information on the potential for damage to area roads from traffic associated with operations of the SDF, if applicable.
3. Address concerns regarding bacteria, chemicals, and other contaminants in the sediment and the resultant effects on air and water quality. The proposed sediment disposal facility is located north of a school, which was listed as a concern related with particles becoming dispersed by wind after drying.
4. Address any impacts to wetlands and mitigation areas that were covered under the Army Corps permit for the Meadows of West Bay Subdivision. The Land Conservancy would like any mitigation from impacts to these areas to fund the restoration project at Wonder Lake Sedge Meadow.

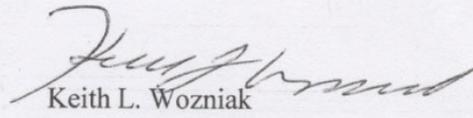
In accordance with Title 33 of the Code of Federal Regulations Part 325.2(a)(3), this office requests that you review the letters and furnish your views on the issues raised to assist us in determining whether the project is in the public interest. Please see enclosures for a copy of each comment letter. Please note that letters of support were not included. You may contact persons objecting to your proposal in an attempt to resolve their concerns. You must however submit a written response to the letters to this office within 30 days of the date of this letter.

Your response should attempt to resolve or rebut each of the concerns raised. If you require more time to provide a response, please contact this office as soon as possible.

Your prompt attention to this matter will enable the Corps of Engineers to proceed with the evaluation of your application in a timely manner. If you do not provide your response within 30 days of the date of this letter and you have not been granted additional time, it will be presumed that you no longer wish to pursue the project and your application will be withdrawn without further notification.

A copy of this letter is being forwarded to each of the commenting parties to acknowledge receipt of their letter. If you have any questions, please contact Mr. Soren Hall by telephone at 312-846-5532, or email at [Soren.G.Hall@usace.army.mil](mailto:Soren.G.Hall@usace.army.mil).

Sincerely,



Keith L. Wozniak  
Chief, West Section  
Regulatory Branch

Enclosures

Copy Furnished w/out Enclosures:

**TABLE OF CONTENTS**

*Note: A summary of the commenter and comment received from the public during the LRC-2010-00396 Public Notice comment period extending from August 29, 2011 to September 28, 2011 are listed below. The comments received were reproduced verbatim, followed immediately by the Wonder Lake Master Property Owners Association (MPOA) response comment.*

Comment # 1 - CHERYL HAMMERAND, WONDER LAKE, IL - Contaminants	1
Comment # 2 - HIGHLAND SHORES SUBDIVISION - Support for Project	3
Comment # 3 - HIGHLAND SHORES SUBDIVISION - Economic Impact	4
Comment # 4 - SUNRISE RIDGE ESTATES - Support for Project	5
Comment # 5 - SUNRISE RIDGE ESTATES - Upfront Buyout	5
Comment # 6 - SUNRISE RIDGE ESTATES - Project Benefit	6
Comment # 7 - SUNRISE RIDGE ESTATES - SDF Lease	6
Comment # 8 - SUNRISE RIDGE ESTATES - Sediment Volume	7
Comment # 9 - SUNRISE RIDGE ESTATES - Dredging Locations	7
Comment # 10 - SUNRISE RIDGE ESTATES - Mechanical Dredging	8
Comment # 11 - SUNRISE RIDGE ESTATES - Contaminants	9
Comment # 12 - SUNRISE RIDGE ESTATES - SSA Process	10
Comment # 13 - SUNRISE RIDGE ESTATES - Wonder Lake Dam	11
Comment # 14 - SUNRISE RIDGE ESTATES - Subdivision Control	12
Comment # 15 - SUNRISE RIDGE ESTATES - Beach Access	13
Comment # 16 - INDIAN RIDGE - Support for Project	14
Comment # 17 - INDIAN RIDGE - Sediment Volume	14
Comment # 18 - INDIAN RIDGE - Dredging Locations	15
Comment # 19 - INDIAN RIDGE - Mechanical Dredging	15
Comment # 20 - INDIAN RIDGE - Contaminants	15
Comment # 21 - INDIAN RIDGE - SSA Process	16
Comment # 22 - INDIAN RIDGE - Wonder Lake Dam Repairs	16
Comment # 23 - INDIAN RIDGE - Wonder Lake Dam	17
Comment # 24 - INDIAN RIDGE - Subdivision Control	17
Comment # 25 - INDIAN RIDGE - Lack of Information	17
Comment # 26 - INDIAN RIDGE - Fraudulent Actions	18
Comment # 27 - HICKORY FALLS III - Support for Project	19
Comment # 28 - HICKORY FALLS III - SDF Lease	19
Comment # 29 - HICKORY FALLS III - Sediment Volume	19
Comment # 30 - HICKORY FALLS III - Dredging Locations	20
Comment # 31 - HICKORY FALLS III - Mechanical Dredging	20
Comment # 32 - HICKORY FALLS III - Contaminants	20
Comment # 33 - HICKORY FALLS III - SSA Process	21
Comment # 34 - HICKORY FALLS III - Wonder Lake Dam Repairs	21
Comment # 35 - HICKORY FALLS III - Wonder Lake Dam	21
Comment # 36 - HICKORY FALLS III - Subdivision Control	22
Comment # 37 - HICKORY FALLS III - Fraudulent Actions	22
Comment # 38 - JOHN E. LYND, WONDER LAKE, IL - Distrust of Local Officials	23
Comment # 39 - JOHN E. LYND, WONDER LAKE, IL - Sediment Wind Disbursement	23
Comment # 40 - JOHN E. LYND, WONDER LAKE, IL - Lack of Information	24
Comment # 41 - LAND CONSERVANCY OF MCHENRY COUNTY - Wetland Mitigation	25
Comment # 42 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL – SDF Site Concerns	26
Comment # 43 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL - Roadway Impacts	27
Comment # 44 - ROBERT W. KOCH, WONDER LAKE, IL - Sediment Testing	27
Comment # 45 - MICHAEL KRZYSTON, WONDER LAKE, IL - Sediment Safety	28

## CHERYL HAMMERAND Comment & Response

### Comment # 1 – CHERYL HAMMERAND, WONDER LAKE, IL - Contaminants

*In 1984 and in August 2006 two different studies of the silt in the West Bay area to be dredged, using US EPA standards, significant contaminants have been found. According to IL EPA opinion, this material is chemically entrained in the silt – but if dredged and exposed to the oxygen in the air, would then be a hazard to the environment in which it is stored.*

### MPOA Response # 1 – CHERYL HAMMERAND, WONDER LAKE, IL – Contaminants

It is uncertain as to why some local residents and certain elected community leaders would try to paint their own community and namesake lake in a negative light, or attempt to drive the costs of a critically needed, landowner funded, project any higher. Unfortunately, this comment is representative of a small contingent of the Wonder Lake Community who are opposed to any restoration of Wonder Lake, and who continue to raise unfounded fears of polluted lakebed sediment, without having any facts, peer reviewed data, substantiated opinions, or reports to back up their statements.

Whenever these allegations have been raised in the past, the MPOA has encouraged those parties to provide them with a copy of their information so that it could be reviewed, but no such information has ever been provided to the MPOA. All that can be (and has been) done is for the MPOA to once again refute these false allegations, and to present factual information to support their position.

The following is a summation of information formerly presented to the Wonder Lake community at numerous monthly MPOA Director's meetings; Open Houses held by the MPOA; the MPOA website; the Northwest Herald newspaper; and personal communications with those who contacted the MPOA directly expressing concerns about sediment quality.

#### **Sediment Quality Testing**

As referenced in the comment, three (3) sediment samples were collected in the West Bay in 1984, as part of a Depth and Sediment Study commissioned by the MPOA. In that study, sediment samples were analyzed for Copper, Lead, Zinc, Cadmium, and Iron. The 1984 report identified that:

*The heavy metals from the west bay sediments fall fairly close to the mean values for 63 Illinois lakes. Copper and cadmium are elevated slightly above the mean values.*

*Whether the quality of the sediment meets the requirement as fill materials, will ultimately have to be determined by the Illinois Environmental Protection Agency, however this background information will be helpful in making that determination.*

It should also be noted that the IEPA study that determined the mean value data for the 63 lakes (referenced in the 1984 study) indicated that:

*The ranges of concentrations and resultant groupings for each constituent are based upon statistical comparisons of 273 individual sediment samples collected from 63 Illinois Lakes in the summer of 1979.*

*These classifications are meant only for relative comparison of lake sediment nutrients, metals, and organics; they do not reflect safe or unsafe levels.*

As part of the 16+ year effort to restore Wonder Lake, the MPOA has retained a nationally recognized engineering firm, HDR, Inc. to serve as the MPOA lake restoration consultant. Their experience involves numerous dredging and water resource related projects across the United States, in which they performed feasibility analysis, design, regulatory permitting, and oversight duties.

At the direction of the MPOA, in 2001, and again in 2006, HDR collected sediment samples from Wonder Lake, and had the samples analyzed by a state approved laboratory. A full suite of tests was conducted, looking for the chemical constituents most frequently encountered in Illinois lakes, or that could pose regulatory issues. Among others, these constituents included chromium, mercury, nickel, and silver. **The results of that sediment testing confirmed that there were no elevated concentrations of regulated contaminants present, and that placement of dredged sediment should not be restricted during the regulatory permitting process.** The results of that testing were presented in *An Updated Feasibility Study and Restoration Plan for Wonder Lake*, produced by HDR in January 2007.

To help place the Wonder Lake results in context with results encountered on other Illinois lakes, HDR also compared the Wonder Lake sediment analysis results to a sediment classification protocol produced in a 1996 Illinois Environmental Protection Agency (IEPA) report entitled: *Sediment Classifications for Inland Illinois Lakes*. In this IEPA study, the pollutant levels encountered in 1,876 sediment samples taken from 307 lakes across the State of Illinois from 1977 to 1994 were reviewed and compared.

Based upon these findings, and the frequency and occurrence of pollutants being encountered, the IEPA established a comparative value system to classify pollutant levels as encountered in any given sediment sample, as being “low”, “normal”, “elevated”, or “highly elevated”. **These IEPA “levels” are comparative values, and have no regulatory status whatsoever**, as indicated in the following excerpt from the IEPA report:

*Simply stated, just because a sediment sample may be classified as “highly elevated” does not mean that it is at a level that would signify a need for concern, exceed a regulatory standard, or pose a risk. The intent of this IEPA classification is simply to identify when additional sediment analysis should be performed, because, relatively speaking, the pollutant levels are higher than the norm.*

To further ensure that no “elevated” or “highly elevated” levels for heavy metals exist, additional testing, such as the Toxicity Characteristic Leaching Test (TCLP), should be performed. This is the IEPA mandated test to determine compliance with an actual regulatory standard. This is why for the 2006 Wonder Lake sediment samples, TCLP testing was performed for chromium and mercury, which resulted in chromium and mercury levels **an order of magnitude or more** below the actual State regulatory threshold.

Based upon these results, and their professional judgment, HDR determined that TCLP testing would not be warranted on Nickel and Silver. Given that analysis, and the lack of any substantiated past evidence or indicators of pollutant contamination of Wonder Lake or Nippersink Creek from any reputable source, HDR concluded that there are no chemical / heavy metal parameters in Wonder Lake sediment that would exceed an IEPA regulatory threshold, and that no problems in obtaining the proper water quality related regulatory permits for Wonder Lake dredging would be anticipated or expected. All of this information was summarized in a Northwest Herald article printed on March 16th, 2008.

All of the available sediment data has been made available to HDR, and to the IEPA. Under any circumstance, as part of the overall permit review process, the MPOA has committed to conducting any additional sediment sampling required by the Illinois Environmental Protection Agency for their review and consideration. The IEPA will review all aspects of the sediment issue, to ensure that there will be no adverse impacts to surface water or groundwater; that there will be no dust issues associated with the Sediment Drying Facility; and that all appropriate safeguards are incorporated into the permit they would issue to authorize the dredging operation.

## HIGHLAND SHORES SUBDIVISION Comments & Responses

### Comment # 2 - HIGHLAND SHORES SUBDIVISION – Support for Project

*We would also like to add that we have 645 homes and over 900 lots of which a good 75% of the residents do not agree with the way the MPOA has gone about trying to get our PRIVATE LAKE dredged.*

### MPOA Response # 2 – HIGHLAND SHORES SUBDIVISION – Support for Project

The comments made by the Highland Shores officers that they are speaking for a 75% majority of owners in their subdivision is not supported by the signatures found on petitions that were submitted to the Village of Wonder Lake (VOWL) opposing the creation of a SSA taxing district. In Illinois, the statutory requirement to stop a governmental body from establishing a Special Service Area (SSA) taxing district is that at least 51% of all owners of property within the proposed boundary, AND at least 51% of all electors (registered voters) residing within the proposed boundary of the SSA, must sign a petition opposing its creation.

On February 17<sup>th</sup>, 2009 (60 days following the SSA public hearing), those parties opposing the creation of SSA # 9 submitted property owner and elector petitions to the VOWL. Acting on the advice of the SSA Bond Counsel, the VOWL (at MPOA expense) hired an outside auditor firm, Taussig & Associates, Inc. (TAI) to complete an analysis of the proposed SSA boundary and to certify the number of eligible property owners within the proposed SSA territory.

Following an exhaustive verification of the owners of record of all Property Identification Numbers (PIN's) located within the proposed SSA boundary, TAI determined that there were 8,589 eligible property owners. **Of these 8,589 eligible property owners, only 3,303 (38.5% of all owners) signed petitions opposing the SSA.** As such, the signatures on the submitted Property Owner Petitions did not constitute the 51% total necessary to prevent the SSA from moving forward. On that basis alone, the attempt to prevent formation of the SSA failed. **It should be noted that the property owner results were obtained by counting every opposition petition submitted, with no property owner signature verified, disqualified, or ruled invalid.**

A total of 2,272 elector signatures opposing formation of the SSA were also submitted to the VOWL on February 17<sup>th</sup>, 2009. After analysis of data provided by the McHenry County Clerk, a total of 345 signatures on the elector petitions were invalidated as they were determined to be from electors living outside of the SSA territory; were not registered voters; had multiple signatures from the same elector; or were included on petition pages that were submitted in duplicate. **As a result, an analysis of the Elector opposition petitions submitted to the Village revealed that of the 5,892 eligible electors residing within the overall proposed SSA boundary, only 1,927 electors (33% of all electors) signed petitions opposing the SSA.**

**According to records obtained from the McHenry County Clerk's office, there were 1,037 electors residing in the Highland Shores Subdivision on December 17, 2008. Of the total Highland Shores electors, only 367 (35%) signed elector petitions opposing the SSA were submitted to the Village.**

Even if a majority of property owners and electors within Highland Shores had signed petitions opposing the SSA, it would not have changed the outcome, as the SSA is established through tabulation of ALL property owners residing within the proposed SSA territory and ALL electors located within the proposed SSA territory. The formation of an SSA to fund lake restoration was selected specifically because Wonder Lake is a PRIVATE lake. Contrary to popular rumors, state or federal funds were never available to fund lake restoration, in large part because Wonder Lake is private, but also because those types of funds (if even available) are typically directed to lakes that serve as a public drinking water source.

As a result, an SSA is the most equitable means of distributing the cost of lake restoration among all the parties that have an ownership stake in the lake. Because of the complexity of establishing an SSA, the MPOA and Village worked extensively with legal counsel to ensure that all steps of the SSA creation and implementation process was done in full compliance with the SSA legislation.

**Comment # 3 - HIGHLAND SHORES SUBDIVISION – Economic Impact**

*We ask you to please not grant this permit for the dredging of our PRIVATE LAKE, as many of our residents have lost their jobs and many are in the process of losing their homes.*

**MPOA Response # 3 – HIGHLAND SHORES SUBDIVISION – Economic Impact**

For a Wonder Lake home with a market value of \$120,000 (EAV of \$ 40,000), the SSA # 9 amount levied on the McHenry County Property Tax Bill for FY 2010 is roughly \$ 100. To further keep the cost of the SSA affordable, it was determined that a 20-year payoff period would keep yearly payments reasonable. The MPOA also worked closely with McHenry County to apply for and receive ARRA stimulus bonding capacity, which reduced the amount of interest payments that would be owed on the bonds.

To even further reduce the impact of future SSA payments on those within the SSA territory facing economic hardships, the MPOA voluntarily created and provided \$ 50,000 in funding for an SSA tax rebate program to help those landowners who meet the Low Income and Very Low Income thresholds established annually by the U.S. Department of the Interior, Housing and Urban Development (HUD).

For eligible landowners in both Greenwood and McHenry Townships, the McHenry Township supervisor will administer the program, to make it easier for people to apply and to maintain privacy. Eligible Very Low Income earners receive a 60% rebate of their total SSA assessment appearing on their paid real estate tax bill, and Low Income earners receive a 40% rebate

The availability of this program was mentioned at each and every monthly MPOA Board Meeting, every MPOA President's Meeting, and the MPOA website. A postcard outlining the program was also sent to every household within the SSA territory.

For the most recent McHenry County property tax cycle (for FY 2010 payable in 2011), the period in which SSA landowners can apply for rebate assistance ends on November 15<sup>th</sup>, 2011. **As of November 1<sup>st</sup>, 2011, a total of 27 SSA landowners have taken advantage of the rebate program, and have received rebate vouchers totaling \$ 1,129.00.** Out of the 8,589 eligible property owners (as of the December 17, 2008 SSA hearing date), those taking advantage of the SSA tax rebate would represent roughly 0.3% of the SSA landowners.

**SUNRISE RIDGE ESTATES SUBDIVISION Comments and Responses**

**Comment # 4 - SUNRISE RIDGE ESTATES – Support for Project**

*We represent the sentiments and views of almost all of our property owners who are forced to pay additional real estate taxes collected by McHenry County – SSA# 9 – for the purpose of partial Dredging Wonder Lake. Our subdivision has had multiple foreclosures along with hundreds of others – a SSA without benefit to the majority of property owners.*

**MPOA Response # 4 – SUNRISE RIDGE ESTATES – Support for Project**

The allegation by the Officers of SUNRISE RIDGE ESTATES that they are speaking for a majority of owners in their subdivision is not supported by the signatures found on petitions opposing the creation of a SSA taxing district that were submitted to the Village of Wonder Lake. As explained in **MPOA Response # 2 – HIGHLAND SHORES SUBDIVISION – Support for SSA**, the overall petition process to attempt to stop the formation of the SSA failed, with only 38.5% of the property owners, and 33.0% of the electors submitting petitions opposing the SSA, well below the 51% threshold required of each group to stop the SSA.

**According to records obtained from the McHenry County Clerk’s office, there were 230 electors residing in the SUNRISE RIDGE ESTATES subdivision on December 17, 2008. Of the total eligible electors in SUNRISE RIDGE ESTATES, only 77 (33.5%) signed petitions opposing the SSA.**

**Comment # 5 - SUNRISE RIDGE ESTATES – Upfront Buy Out**

*Very few of the 109 property owners are in favor of dredging and the extra taxes to be paid for a 20 year period of time – with no upfront buy out as originally specified by the M POA: especially in this very poor economy.*

**MPOA Response # 5 – SUNRISE RIDGE ESTATES – Upfront Buy Out**

In regards to the “upfront buy out”, it is true that the MPOA, based upon preliminary discussions with the SSA bond counsel, had initially hoped to be able to offer an opportunity for SSA landowners to “buy out” the total amount they would owe for the SSA by making one “up-front” payment, in lieu of making SSA payments over a 20 year period.

From the beginning it was determined that the annual tax on each property would be based on its equalized assessed value (EAV) that appears on the annual real estate tax bill. The rate that is used to calculate the assessment on each property is determined by dividing the annual debt service to pay down the bonds into the total equalized assessed value (EAV) of all properties within the SSA territory.

Subsequent research by the SSA bond counsel determined that an upfront payment would not be legal as it would provide an unfair advantage to owners of undeveloped properties as these properties carry a much lower EAV than developed properties. As those undeveloped lots become developed, their EAV would rise but because of the planned upfront payment option, the increase in the EAV would not be included in the calculations to determine the applicable annual rate. Bonds could not be marketed with this option in place and, for this reason, the option was removed.

In summary, the “upfront buy out” option was determined by the SSA bond counsel to not be a legal / viable option and was withdrawn, and this change in circumstance was immediately conveyed to all SSA landowners. The retraction of the upfront option was explained to SSA landowners present at the December 17<sup>th</sup>, 2008 SSA Hearing; the January 10<sup>th</sup>, 2009 MPOA Open House; the January 14<sup>th</sup>, 2009 MPOA Board of Directors meeting; and in the Winter 2009 MPOA Newsletter, all of which occurred within the 60 day petition period.

**Comment # 6 - SUNRISE RIDGE ESTATES - Project Benefit**

*Our subdivision has had multiple foreclosures along with hundreds of others – a SSA without benefit to the majority of property owners.*

**MPOA Response # 6 – SUNRISE RIDGE ESTATES – Project Benefit**

While any property foreclosure is an unfortunate event, every property within the SSA territory is either contiguous to, or has deeded lake rights to Wonder Lake. This circumstance applies to every lot within SUNRISE RIDGE ESTATES. The value of a property with deeded lake rights will increase, or decrease, depending on the condition of the lake. The need to dredge Wonder Lake has been recognized for the last half century, but has also not been pursued.

Under the MPOA by-laws, it is the purpose of the MPOA, and its Directors: *To conduct and promote the Wonder Lake Recreation Area for the improvement of civic and social welfare and to control and maintain the lake bottom and other community property pertinent thereof, and do any and all acts necessary to further said objects.*

Lake restoration under the SSA will provide benefit to ALL property owners in terms of enhanced recreational opportunities, improved water quality, and enhanced property values associated with having lake rights on a restored lake.

**Comment # 7 - SUNRISE RIDGE ESTATES – SDF Lease**

*A contract agreement between the MPOA and the property owner's for the SDF should have been signed and in place before property owners began paying SSA taxes (beginning this year for 2010)*

**MPOA Response # 7 – SUNRISE RIDGE ESTATES – SDF Lease**

This comment incorrectly assumes that the owner of the SDF site would have been willing to enter into a lease agreement, without being provided with any of the environmental / engineering support necessary to identify what physical changes to the SDF site would be required; the areas of impact; or to determine if the site was even suitable for the intended use. Funds generated by the sale of the SSA Bonds provided the funding necessary for the MPOA to initiate these studies, and the SSA bond repayment schedule is based upon when the bonds were sold, and not by any interim step in the overall lake restoration project.

As has been explained at various MPOA meetings, the overall draft lease framework is currently under review by the MPOA attorney and the SDF owner attorney, in consultation with the MPOA officers, the MPOA lake restoration consultant, and the MPOA Lake Manager.

Once that draft lease framework is approved by the attorneys, the proposed lease will move through the negotiation / review process with the appropriate MPOA Commission's, who will then make their recommendations to the MPOA Directors, in advance of the MPOA Directors taking action on the proposed lease.

**Comment # 8 - SUNRISE RIDGE ESTATES – Sediment Volume**

*Per this notice, almost 3 million cubic yards of sediment have accumulated within Wonder Lake according to a 1995 report. The dredging proposal calls for approximately 532,330 cubic yards of sediment over a 4-5 year operation. This represents only about 18% of the accumulated sediment that will cost the Wonder Lake property owners \$ 5.9 million plus interest on the bonds sold that will result in a total cost of approximately \$ 12 million. This cost will place extra burdens on already over-extended households suffering from loss of jobs and possible loss of homes.*

**MPOA Response # 8 – SUNRISE RIDGE ESTATES – Sediment Volume**

The MPOA would have been greatly in favor of securing funding to dredge the entire volume of accumulated sediment in the lake, and in the past, pursued various options to have the dredging work completed at little or no cost to Wonder Lake landowners. However, these efforts were stymied by legal efforts undertaken by those opposed to lake restoration.

The current dredging project has been downsized to provide a balance between an economically feasible project budget, and conducting enough dredging to provide demonstrable water quality benefits. On-going efforts to delay or hinder the lake restoration permitting or actual project implementation will only divert money from dredging, meaning the SSA participant's will still end up funding the full \$ 5.9 million project, but with less and less dredging occurring as SSA funding resources have to be consumed.

As discussed in **MPOA Response # 3 – HIGHLAND SHORES SUBDIVISION – Economic Impact**, the MPOA has set up an SSA rebate program for those who might be most potentially affected by the increase in property taxes associated with the SSA.

**Comment # 9 - SUNRISE RIDGE ESTATES – Dredging Locations**

*In reviewing the map showing the proposed dredged areas, the bulk of the dredging will occur in the West Bay and South End of Wonder lake. When the lake was formed in 1929 these 2 areas were overspill and always shallow. The West Bay was nothing but tree stumps. The south end had anywhere between a couple inches of water to less than a foot of water. The lakefront on the West end of the lake was never developed because the lake was full of tree stumps and shallow. Most property owners on the South End do not want to pay for dredging and, in fact, do not belong to the MPOA. It appears that this dredging is for the purpose of making the lake larger for the benefit of a minority of the property owners and future developers.*

**MPOA Response # 9 - SUNRISE RIDGE ESTATES – Dredging Locations**

High resolution “EcoMapper” bathymetric mapping conducted for the MPOA by the U.S. Geological Survey in August 2010 determined that the average water depths in South Bay (The South End) range from two (2) feet at the far southern end of this proposed dredging area to over five (5) feet deep at the northern end. Similarly, the USGS study determined that the average water depths in West Bay range from less than one (1) foot deep at the Nippersink Creek inflow to roughly four (4) feet at the far eastern end of this proposed dredging area. As such, the SUNRISE RIDGE ESTATES comments on water depths are not supported by the USGS mapping.

The dredging plan is designed to conduct much of the dredging where the bulk of the sediment enters the lake at West Bay, and has provisions for the construction of an in-lake sediment trap to help capture future sediment loads in a confined area, where future, small scale maintenance dredging could be performed.

The South Bay is impacted by both sediment and peat. The sediment has resulted from shoreline erosion, a small creek that enters the lake at the very south end of the Bay, and from the degradation of a small island that used to exist in the southern portion of the South Bay. Much of the South Bay is shallow but still navigable, which makes the existing lakebed sediment much more prone to re-suspension by the propellers' of boats that still pass through the area, which in turn affects water clarity. By dredging portions of South Bay, the water depth will be increased, which in turn, reduces the potential for sediment re-suspension from both dredged sediments, as well as those sediments left in place after dredging is completed.

It is correct that the property owners in the Wonderview, Sunny Oaks and Greenhill Shores subdivisions are not members of the MPOA. These properties do have deeded lake rights and many of the property owners do use the Lake, however, they pay nothing to the MPOA for either dues or Lake Maintenance activities.

One of the advantages of an SSA is the ability to include all who will benefit by the improvement to pay their fair share. The properties in the three referenced are ALL included in the SSA territory and are assessed their fair share of the cost of the dredging project because they have deeded lake rights, like all other SSA participants. Their willingness to pay is supported by the information provided in Exhibit A. Less than 51% of the eligible electors in those three subdivisions signed petitions opposing the formation of the SSA.

Dredging Wonder Lake will not increase the size (or circumference) of our 830 acre impoundment. The dredging project will expand the amount of surface water available for recreation use by approximately 100 acres. Each year more than 1,200 registered watercraft navigate the waters of our Lake. The dredging project will remove nutrient loaded sediment from the water, will improve water quality and enhance both sport fish and wildlife habitat. The benefit to the entire community will be a deeper, cleaner lake which will help to protect property values.

The MPOA is not aware of any future developers who will benefit from lake dredging. Thatcher Meadows, a large residential development east of Wonder Lake does not have MPOA lake rights, and did not request them. Meadows of West Bay, a second residential development on the north side of West Bay already has MPOA lake rights. The only other undeveloped shoreline on Wonder Lake is at the far southwestern corner, which has extensive wetlands between the lakeshore, and any potentially developable upland areas.

**Comment # 10 - SUNRISE RIDGE ESTATES – Mechanical Dredging**

*The Notice states that mechanical dredging may be required (hydraulic dredging is supposed to be the method of extracting the sediment) in areas where excavation will occur beneath the original lake bed. We are certain that this will apply to the West Bay and South End that was nothing but overspill in 1929 and always shallow.*

**MPOA Response # 10 - SUNRISE RIDGE ESTATES – Mechanical Dredging**

As stated in the Notice, there is a possibility that mechanical dredging may be utilized as a means for removing sediment. Potential areas could include the Lookout Point Cove and also in creating the sediment trap at the mouth of the creek in the West Bay. The MPOA will pursue whatever is the most cost-effective solution based upon site specific conditions, and that will create the least environmental impacts.

**Comment # 11 - SUNRISE RIDGE ESTATES – Contaminants**

*In addition to our objection which makes the circumference of the lake larger, we (along with many others) are concerned with contaminants and toxic metals that were discharged as waste by an electroplating plant called Woodstock Die Cast located in Woodstock, Ill (the factory was torn down about 20 years ago and the grounds were considered contaminated for a long time) Toxic waste from this electroplating factory was dumped into the Nippersink Creek (the water source of Wonder Lake). Much of this heavy metal waste found its way into Wonder Lake's West Bay. There was a report issued many years ago that provided documentation and graphs showing various percentages of heavy metals and contaminants within the sediment. This report concluded that dredging would pose many potential problems. Will this dredging compromise wells and drinking water since most people have their own wells for access to water? Could this dredging create a health problem and, in general, pose problems regarding the needs and welfare of the people (a concern) that is shown within your document)? Are there still septic systems draining into the lake? – when was the last study done? Findings showed testing back in the '80's early 90's. Could this dredging possibly result in future lawsuits?*

**MPOA Response # 11 - SUNRISE RIDGE ESTATES – Contaminants**

Again, the dredging will not “make the circumference of the lake larger”.

It is impossible to respond to allegations attributed to a nameless report. It is certainly acknowledged that Woodstock, Illinois hosted a variety of industrial operations over the last 150 years, and that prior to the onset of environmental regulations, a variety of ill-advised activities potentially occurred in Woodstock, as well as across the rest of the United States. However, the Woodstock Die Cast factory was formerly situated near downtown Woodstock, approximately 0.6 miles away from Silver Creek (a Nippersink Creek tributary), and by stream-mile, approximately 9 miles upstream of the West Bay of Wonder Lake.

Over the last 20 years or so, the MPOA has been working with:

- our current environmental consultant, HDR, to collect numerous in-lake sediment samples and have those samples analyzed for contaminants in accordance with state / federal testing protocols.
- the U.S. Geological Survey to investigate in-lake and watershed issues.
- the Illinois Environmental Protection Agency (IEPA) to look at in-lake and watershed issues.

None of these professional / agency interactions ever identified any evidence of any in-lake sediment contamination issues that would pose an impediment to dredging or identified any problems in those portions of Nippersink Creek / Silver Creek between Woodstock & Wonder Lake; or in adjacent areas of Woodstock.

It is our understanding that the major environmental issues associated with the “closing” of the Woodstock Die Cast factory in the early 2000's dealt with localized groundwater issues and asbestos in the demolition process, and it is understood that a “No Further Remediation” Letter was issued. No reference to any associated off-site pollution / contaminant issues, or required remediation activities that would affect Nippersink Creek or Wonder Lake, could be found in on-line files.

The MPOA is certainly supportive of SUNRISE RIDGE ESTATES (and other Wonder Lake subdivisions providing PN comments) recognizing the need to begin addressing potential local impacts to Wonder Lake, including septic system failures, even though they have no connection to / bearing on the proposed dredging operation. Over the last few years, the MPOA has funded the routine collection of water quality samples, using the MPOA Lake Manager as well as the McHenry County Department of Health (MCDH), to hopefully identify areas where e.coli bacterial levels may be excessive. However, the regulation of on-site septic systems is strictly a function of the MCDH, and anyone having concerns about, or knowledge of failing septic systems should direct them to that agency. The MPOA also shares the concerns of SUNRISE RIDGE ESTATES regarding any impacts to groundwater / drinking water supply concerns, and will adhere to any permit requirements mandated by the IEPA in their review / approval of their Section 401 Water Quality Permit.

**Comment # 12 - SUNRISE RIDGE ESTATES – SSA Process**

*The Village of Wonder Lake held a Public Hearing in mid December 2008 for the purpose of property owners to voice their opinions and concerns regarding dredging and SSA property taxes. Hundreds showed up to voice their opinions. We estimated that 90% of those present were against in the form of SSA taxes. After the public hearing took place, there was a 60 day window to petition against dredging. This meant that signatures had to be collected within a Xmas/New Year holiday timeframe as well as trying to collect signatures in the coldest, shortest days of the year. The petitions had to be turned in by mid February 2009 (60 days) in order to be accepted and valid. Property owners felt united that more than required 51% in order to defeat the SSA of signatures were turned in. After multiple months the Village of Wonder Lake responded to our petitions along with the officers of the MPOA stating that not enough signatures were received. The only way to fight this judgment was by a court action. We were told that this would cost upward of \$ 100,000 to contest and show that we met the number of signatures required. The SSA process had it been done in an ethical manner would have had completely different results. Taxation without proper representation... What kind of result could we expect from another Public Hearing?*

**MPOA Response # 12 - SUNRISE RIDGE ESTATES – SSA Process**

In October of 2007, SUNRISE RIDGE ESTATES (SRE) representatives notified the MPOA of a desire to withdraw their subdivision from membership in the MPOA, and to also exclude SRE properties from the proposed SSA taxing district. From the beginning, the MPOA Officers expressed a willingness to work with SRE to support such a request should the attorneys agree that such action could be legally achieved. On November 5<sup>th</sup>, 2007, the MPOA Secretary directed correspondence to SRE requesting that the SRE attorney contact the MPOA attorney with a formal proposal. This was followed by MPOA officer's meeting at the SRE attorney's office in December 2007. At that meeting, the MPOA Officers outlined the conditions for considering a call for a Special Convention of Delegates to vote on the request. It was also requested that the MPOA attorney receive copies of the covenants attached to SRE properties, SRE by laws and other pertinent information for review and confirmation of the legality of the request. No response or information was provided by SRE or their attorney.

On July 14<sup>th</sup>, 2008 the MPOA attorney outlined three conditions that the SRE Board would need to meet before a MPOA Convention of Delegates would be called to consider the exclusion of SRE properties from the proposed SSA. These were modified on August 5<sup>th</sup>, 2008 to read as follows:

1. SRE would indemnify the MPOA against any litigation on behalf of any SRE property owner.
2. SRE would reimburse the MPOA for legal fees incurred to satisfy SRE request.
3. SRE would donate the SRE lake access property to Village of Wonder Lake.

On September 9<sup>th</sup>, 2008, the SRE attorney advised the MPOA attorney that items 1 & 2 above were rejected by the SRE Board. Following a review of this rejection, on September 10<sup>th</sup>, 2008, the MPOA Directors voted to suspend all action to consider removing SRE from MPOA.

The MPOA had initially hoped to hold the required SSA hearing in the summer of 2008, however, this was delayed **directly** as a result of the MPOA providing SUNRISE RIDGE ESTATES (SRE) a timeframe to explore where SRE could come up with a legal framework under which they could be removed from MPOA membership and from the proposed SSA. On November 5<sup>th</sup>, 2008, The Village of Wonder Lake approved an ordinance proposing to establish the SSA. The public notice of the December 17<sup>th</sup>, 2008 SSA Hearing was delivered to the Post Office on December 5<sup>th</sup>, 2008. Without question, had SRE responded in a timely manner, the MPOA could have conducted the SSA hearing much earlier in the year.

As discussed in **MPOA Response # 2 – HIGHLAND SHORES SUBDIVISION – Support for SSA**, the opposition efforts to stop formation of the SSA failed by a significant margin, as was confirmed by an independent outside auditor, all without the Village or MPOA challenging the validity of a single property owner petition signature.

**Comment # 13 - SUNRISE RIDGE ESTATES – Wonder Lake Dam**

*Our earthen dam is 80 years old and is rated in the “high hazard” category. Per Federal guidelines, dam engineers and reputable sources, it is recommended that annual inspections above and below the dam take place for close monitoring in order to avoid catastrophic failures. The sluice gates have not been fully functional for the past 10 years. According to manufacturer’s specifications, sluice gates should be tested two times per year. Also, annual lake draw downs should occur by opening the sluice gates. This allows for much removal of accumulated sediment from the lake and is a natural way of dredging costing us nothing. In addition, the debris that collects within the lake can be removed and cleaned up which also helps prevent accidents and injuries that could result in liability costs to us. The sluice gates are not opened and the lake is not drawn down because the MPOA feels that it is too risky (since the sluice gates do not function properly). There is also a leak in the 7<sup>th</sup> chamber of the spillway that needs surveillance and possible repairs. In addition, we are concerned about erosion in the earthen part of the dam.*

**MPOA Response # 13 - SUNRISE RIDGE ESTATES – Wonder Lake Dam**

The Wonder Lake dam has historically met the standards necessary to qualify as a safe structure within the State of Illinois High Hazard status. In 1995, the Wonder Lake Dam Commission began requiring annual dam inspections by professional consultants. Over the past 16 years, consultants with expertise in dam maintenance have inspected our dam annually and praised both its condition and the maintenance program. These dam inspection reports are filed with the state agency in charge of dams, the Illinois Department of Natural Resources, Division of Water Resources (IDNR-OWR) and are also on file in the MPOA office. The MPOA Board is also routinely informed each year that a dam inspection has been conducted.

For the past several years, IDNR-OWR staff has been invited to Wonder Lake to participate and supervise our annual dam inspections, with their staff participating in the 2010 and 2011 inspections, and physically participating in the manual cranking required to open and close each sluice gate. Our dam has most recently been used by IDNR-OWR specialists to train agency personnel on what to look for when inspecting dams.

The comment that the sluice gates have not been fully functional for the past 10 years is without basis, fact, or merit. At one point, the control rod for the west sluice gate was damaged by debris, but the rod was repaired and full function was restored. At another time, some debris was caught in the sluice gate when it was exercised and closed, resulting in a minor amount of leakage through the sluice gate until a diver supervised the debris removal. Another control rod bracket was replaced this year with a more durable brass fitting, but all of these activities fall under the category of routing maintenance.

In regards to the comment of the “manufacturer’s specifications”, the MPOA would be very grateful to the commenter if they could provide us with a copy of that document, as we have never seen this document, or for that matter, had any idea of the identity of the manufacturer of our sluice gates. We would update our response to that comment upon receipt of that document.

The comment regarding the use of sluice gates for “dredging costing us nothing” is incorrect as the upstream face of the Wonder Lake dam features the least accumulation of sediment within the lake, given it is the farthest point on the lake from where the Nippersink Creek (and its associated sediment load) flows in. It also exhibits a disregard for the water quality and in-stream habitat of the downstream reach of Nippersink Creek, and the extensive riparian habitat restoration work that has been undertaken by our downstream neighbors, the McHenry County Conservation District.

Lake clean-ups can also be accomplished without lake drawdowns, as evidenced by the annual spring lake clean-up conducted by the Wonder Lake Sportsman’s Club since 1999, an event well publicized within the Wonder Lake community. Finally, minor leaks in an 82 year old poured-in-place concrete spillway are normal, expected, and monitored. Similarly, minor erosion of the earthen dam embankment is also normal and expected. Permits authorizing the placement of supplemental rip-rap on the dam face have already been received and funding for this work has been accounted for in SSA # 9.

**Comment # 14 - SUNRISE RIDGE ESTATES – Subdivision Control**

*Lakefront property owners benefit much more so than the majority of property owners who have to pay for this dredging. Additionally, lakefront property owners are in control of many of the subdivisions which directly has effected homeowners getting proper notification of SSA info. As a result many property owners are left in the dark (especially new owners or owners not living in Wonder Lake) as to what is actually happening. They only know they have more property taxes to pay for the benefit of a minority of property owners in Wonder Lake.*

**MPOA Response # 14 - SUNRISE RIDGE ESTATES – Subdivision Control**

As for the amount of the assessment of the SSA tax that appears on individual property tax bills, all calculations are based on the equalized assessed value (EAV) of each property. Historically, comparable homes that are closest to the lake have a higher EAV than homes farther from the lake. This is the reason for choosing the EAV as the determining factor, the higher the value, the greater the assessment. On average, lakefront properties are assessed more than off lake properties. By allowing the SSA taxing district to be created, the owners with deeded lake rights agreed that this approach was the most equitable way of assuring that everyone pays their fair share.

Each subdivision belonging to the MPOA elects a director to represent them on the MPOA Board. That process is governed by the by-laws of each respective subdivision. The MPOA has no role or involvement in who each subdivision elects, or how that process occurs. If a lakefront property owner is an MPOA Board member, it is because the subdivision they represent has made it so.

Each member of the MPOA Board of Directors represents an individual subdivision and all directors have a weighted vote equal to the number of lots in their subdivision. Currently, there are 10 lakefront property owners who are MPOA directors with a total of 23 weighted votes. There are also 9 MPOA directors who live “off-lake” with 45 total weighted votes. These off-lake MPOA directors currently control 66% of the total weighted votes.

The MPOA holds regularly scheduled MPOA Board meetings each month, as well as an annual convention. The MPOA also hosts a website ([www.wlmpoa.org](http://www.wlmpoa.org)) and mails a periodic newsletter out to each MPOA member. During the SSA formation process, the MPOA also hosted informational open houses; made special mailings; and posted extensive amounts of information on the MPOA website.

Frankly, there is only so much the MPOA can do to provide information to its membership. An integral part of this process is for each subdivision Director to take the information they are presented with at the monthly MPOA meetings, and to accurately convey that information to their respective subdivision boards. This is a simple endeavor for MPOA Directors who regularly attend the MPOA meetings.

However, in the case of SUNRISE RIDGE ESTATES, their subdivision MPOA Director was absent for:

- 31% of the MPOA meetings held in 2008;
- 31% of the MPOA meetings held in 2009;
- 33% of the MPOA meetings held in 2010; and
- 50% of the MPOA meetings held to date in 2011.

In an effort to provide another mechanism for information to get out to the subdivisions, in July of 2009, the MPOA initiated “President’s Meetings” in which each subdivision board president is invited to a Saturday morning meeting at the MPOA offices. The intent of these periodic meetings is to provide updates on lake restoration issues, as well as to discuss other issues being experienced by the subdivisions. Since July 2009, twenty two (22) President’s Meetings have been held, but a representative of SUNRISE RIDGE ESTATES has only attended one (1) of these meetings.

**Comment # 15 - SUNRISE RIDGE ESTATES – Beach Access**

*SUNRISE RIDGE ESTATES subdivision cannot even get to the lake; the area that is the “beach” access is on wetlands that are not accessible as can be confirmed by the Army Corps. MPOA refuses to remove the subdivision from the SSA.*

**MPOA Response # 15 - SUNRISE RIDGE ESTATES – Beach Access**

While the MPOA acknowledges that the SUNRISE RIDGE ESTATES (SRE) beach access area has challenges, the selection of a beach access area for the proposed SRE subdivision was made by the developer, not the MPOA. However, the MPOA and Village of Wonder Lake have made a number of approaches to the SRE subdivision board about potential alternatives, including as part of the Meadows of West Bay subdivision, as recently as 2006. No responses were ever received from the SRE subdivision Board, or their MPOA Director.

Even as the lake restoration design and permitting process was getting underway, in May 2010, the MPOA Lake Manager contacted the SRE MPOA Director to encourage them to work with the MPOA to get their beach access designed and permitted in conjunction with the lake restoration project, and have any wetland impacts that might be required in establishing SRE beach access be “mitigated” under the overall lake dredging program. No response was ever received from the SRE subdivision Board, or their MPOA Director.

The MPOA is also not aware of any effort made by SRE to contact the U.S. Army Corps of Engineers to determine the feasibility of establishing lake access on their lakefront parcel; any jurisdictional wetland determination reports that SRE may have commissioned to identify the extent, boundaries, or quality of wetlands on their lakefront parcel; or any other appropriate studies, investigations, or site engineering.

As discussed in **MPOA Response # 12 - SUNRISE RIDGE ESTATES – SSA Process**, the date for the statutory SSA Hearing was delayed **directly** as a result of negotiation with SUNRISE RIDGE ESTATES (SRE) concerning their membership in the MPOA and participation in the SSA, and the failure of SRE to present the MPOA with a legally defensible process the MPOA could consider that would allow SRE to withdraw their membership in the MPOA.

## **INDIAN RIDGE SUBDIVISION Comments & Responses**

### **Comment # 16 – INDIAN RIDGE – Support for Project**

*We represent the sentiments and views of most of our property owners who are forced to pay additional real estate taxes collected by McHenry County for SSA # 9 for the purpose of dredging Wonder Lake. Very few of the 270 property owners (960 lots) are in favor of the dredging and the extra taxes to be paid for a 20 year period of time; especially in this very poor economy. Our subdivision has had close to 34 foreclosures and liens have been placed upon properties for unpaid subdivision Dues.*

### **MPOA Response # 16 – INDIAN RIDGE – Support for Project**

As discussed in **MPOA Response # 2 – HIGHLAND SHORES SUBDIVISION – Support for SSA**, in Illinois, the statutory requirement to stop a governmental body from establishing a special service area taxing district (SSA) is that at least 51% of all electors (registered voters) residing within the proposed boundary of the SSA AND at least 51% of all owners of property within the proposed boundary must sign a petition opposing its creation.

The allegation by the Officers of the INDIAN RIDGE Board of Directors that they are speaking for most of the owners in their subdivision is not supported by the signatures found on petitions opposing the creation of a SSA taxing district submitted to the Village of Wonder Lake.

An analysis of the Elector petitions submitted to the Village of Wonder Lake on February 17, 2009 (60 days following the public hearing) reveals that of the 5,892 eligible electors residing within the proposed SSA boundary, 1,927 eligible electors (33% of all electors) signed petitions opposing the SSA.

**According to records obtained from the McHenry County Clerk's office, there were 659 electors residing in the INDIAN RIDGE subdivision on December 17, 2008. Of the total electors, only 257 (39%) eligible electors signed petitions opposing the SSA.**

### **Comment # 17 – INDIAN RIDGE – Sediment Volume**

*Per this notice, almost 3 million cubic yards of sediment have accumulated within Wonder Lake according to a 1995 report. The dredging proposal calls for approximately 532,330 cubic yards of sediment over a 4-5 year operation. This represents only about 18% of the accumulated sediment to be removed at a cost of 5.9 million dollars, we must ask at what cost the home owners will be forced to pay for the remaining 82% of the sediment to be removed. We do not need to bankrupt our citizens for the pleasure of a few who live on the lake.*

### **MPOA Response # 17 – INDIAN RIDGE – Sediment Volume**

The current lake dredging project, as proposed, has already been repeatedly downsized to make it an economically feasible project for the community, as well as one that removes enough sediment to provide a demonstrable benefit to the water quality of Wonder Lake. It has also been repeatedly stated on the record at MPOA meetings / hearings / newsletters, etc. that the lake restoration Special Service Area (SSA) # 9 is a one-time event, with a capped bond amount of \$ 5.9 million. Additional large-scale dredging will only occur IF the sediments removed from the lake have a resale potential, generate additional revenue, and updated permits are issued by the appropriate agencies.

**Comment # 18 – INDIAN RIDGE – Dredging Locations**

*In reviewing the map showing the proposed dredged areas, the bulk of the dredging will occur in the West Bay and South End of Wonder lake. When the lake was formed in 1929 these 2 areas were overspill and always shallow. The West Bay was nothing but tree stumps. The south end had anywhere between a couple inches of water to less than a foot of water. The lakefront on the West end of the lake was never developed because the lake was full of tree stumps and shallow. Most property owners on the South End do not want to pay for dredging and, in fact, do not belong to the MPOA. It appears that this dredging is for the purpose of making the lake larger for the benefit of a minority of the property owners and future developers.*

**MPOA Response # 18 – INDIAN RIDGE – Dredging Locations**

Redundant Comment – See **MPOA Response # 9 - SUNRISE RIDGE ESTATES – Dredging Locations**

**Comment # 19 – INDIAN RIDGE – Mechanical Dredging**

*The Notice states that mechanical dredging may be required (hydraulic dredging is supposed to be the method of extracting the sediment) in areas where excavation will occur beneath the original lake bed. We are certain that this will apply to the West Bay and South End that was nothing but overspill in 1929 and always shallow.*

**MPOA Response # 19 – INDIAN RIDGE – Mechanical Dredging**

Redundant Comment – See **MPOA Response # 10 - SUNRISE RIDGE ESTATES – Mechanical Dredging**

**Comment # 20 – INDIAN RIDGE – Contaminants**

*In addition to our objection which makes the circumference of the lake larger, we (along with many others) are concerned with contaminants and toxic metals that were discharged as waste by an electroplating plant called Woodstock Die Cast located in Woodstock, Ill (the factory was torn down about 20 years ago and the grounds were considered contaminated for a long time) Toxic waste from this electroplating factory was dumped into the Nippersink Creek (the water source of Wonder Lake). Much of this heavy metal waste found its way into Wonder Lake's West Bay. There was a report issued many years ago that provided documentation and graphs showing various percentages of heavy metals and contaminants within the sediment. This report concluded that dredging would pose many potential problems. Will this dredging compromise wells and drinking water since most people have their own wells for access to water? Could this dredging create a health problem and, in general, pose problems regarding the needs and welfare of the people (a concern) that is shown within your document)? Are there still septic systems draining into the lake? – when was the last study done? Findings showed testing back in the '80's early 90's. Could this dredging possibly result in future lawsuits?*

**MPOA Response # 20 – INDIAN RIDGE – Contaminants**

Redundant Comment – See **MPOA Response # 11 - SUNRISE RIDGE ESTATES – Contaminants**

**Comment # 21 - INDIAN RIDGE – SSA Process**

*The Village of Wonder Lake held a Public Hearing in mid December 2008 for the purpose of property owners to voice their opinions and concerns regarding dredging and SSA property taxes. Hundreds showed up to voice their opinions. We estimated that 90% of those present were against in the form of SSA taxes.*

*After the public hearing took place, there was a 60 day window to petition against dredging. This meant that signatures had to be collected within a Xmas/New Year holiday timeframe as well as trying to collect signatures in the coldest, shortest days of the year. The petitions had to be turned in by mid February 2009 (60 days) in order to be accepted and valid. Property owners felt united that more than required 51% in order to defeat the SSA of signatures were turned in. After multiple months the Village of Wonder Lake responded to our petitions along with the officers of the MPOA stating that not enough signatures were received. The only way to fight this judgment was by a court action. We were told that this would cost upward of \$ 100,000 to contest and show that we met the number of signatures required. The SSA process had it been done in an ethical manner would have had completely different results. Taxation without proper representation... What kind of result could we expect from another Public Hearing?*

**MPOA Response # 21 – INDIAN RIDGE – SSA Process**

Redundant Comment – See **MPOA Response # 12 - SUNRISE RIDGE ESTATES – SSA Process**

**Comment # 22 - INDIAN RIDGE – Wonder Lake Dam Repairs**

*Our subdivision feels that there has been a neglect of repairs to the dam and spillway due to the MPOA focusing on dredging and not budgeting for necessary dam repairs.*

**MPOA Response # 22 – INDIAN RIDGE – Wonder Lake Dam Repairs**

Since the MPOA voluntarily started conducting annual dam inspections in 1995, there has not been a single issue that has arisen with the maintenance or repair of the Wonder Lake Dam that has not been handled within the MPOA Budget Line Item, or by re-allocating funds from other available budget line items. The MPOA Directors have access to the annual dam inspection reports, and also get periodic updates from the MPOA Lake Maintenance Commission and MPOA Lake Manager.

Each year, the entire MPOA Board of Directors also has the opportunity to make suggested adjustments to the annual MPOA Operating Budget for the upcoming fiscal year before they vote on it. A review of MPOA Board meeting minutes for the last four years (the same timeframe in which the MPOA has been focusing on dredging) did not reveal any action by any MPOA Director calling for an adjustment to the proposed dam maintenance budget, or calling for a specific repair to be made on the dam.

**Comment # 23 - INDIAN RIDGE – Wonder Lake Dam**

*Our earthen dam is 80 years old and is rated in the “high hazard” category. Per Federal guidelines, dam engineers and reputable sources, it is recommended that annual inspections above and below the dam take place for close monitoring in order to avoid catastrophic failures. The sluices gates have not been fully functional for the past 10 years. According to manufacturer’s specifications, sluice gates should be tested two times per year. Also, annual lake draw downs should occur by opening the sluices gates. This allows for much removal of accumulated sediment from the lake and is a natural way of dredging costing us nothing. In addition, the debris that collects within the lake can be removed and cleaned up which also helps prevents accidents and injuries that could result in liability costs to us. The sluice gates are not opened and the lake is not drawn down because the MPOA feels that it is too risky (since the sluice gates do not function properly). There is also a leak in the 7<sup>th</sup> chamber of the spillway that needs surveillance and possible repairs. In addition, we are concerned about erosion in the earthen part of the dam.*

**MPOA Response # 23 – INDIAN RIDGE – Wonder Lake Dam**

Redundant Comment – See **MPOA Response # 13 - SUNRISE RIDGE ESTATES – Wonder Lake Dam**

**Comment # 24 - INDIAN RIDGE – Subdivision Control**

*Most of the Directors and Officers of the MPOA live on the lake. They represent special interest groups and not the majority of property owners who have to pay for this dredging. Additionally, lakefront property owners are in control of many of the subdivisions.*

**MPOA Response # 24 - INDIAN RIDGE – Subdivision Control**

Redundant Comment - See **MPOA Response # 14 - SUNRISE RIDGE ESTATES – Subdivision Control**

**Comment # 25 - INDIAN RIDGE – Lack of Information**

*Many, many property owners are left in the dark (especially new owners) as to what is actually happening. They only know they have more property taxes to pay for the benefit of a minority.*

**MPOA Response # 25 - INDIAN RIDGE – Lack of Information**

The MPOA holds regularly scheduled MPOA Board meetings each month, as well as an annual convention. The MPOA also hosts a website ([www.wlmpoa.org](http://www.wlmpoa.org)) and mails a periodic newsletter out to each MPOA member. During the SSA formation process, the MPOA also hosted informational open houses; made special mailings; and posted extensive amounts of information on the MPOA website.

Frankly, there is only so much the MPOA can do to provide information to its membership. An integral part of this process is for each subdivision Director to take the information they are presented with at the monthly MPOA meetings, and to accurately convey that information to their respective subdivision boards. This is a simple endeavor for MPOA Directors who regularly attend the MPOA meetings.

However, in the case of INDIAN RIDGE, since being elected their current subdivision MPOA Director was absent for:

- 23% of the MPOA meetings held in 2009; and
- 40% of the MPOA meetings held to date in 2010.

In an effort to provide another mechanism for information to get out to the subdivisions, in July of 2009, the MPOA initiated “President’s Meetings” in which each subdivision board president is invited to a Saturday morning meeting at the MPOA offices. The intent of these periodic meetings is to provide updates on lake restoration issues, as well as to discuss other issues being experienced by the subdivisions.

Since July 2009, twenty two (22) President’s Meetings have been held, but a representative of INDIAN RIDGE has only attended three (3) of these meetings.

**Comment # 26 - INDIAN RIDGE – Fraudulent Actions**

*Wonder Lake; for the most part, is not an affluent community. This year’s property tax bill already includes SSA#9 dredging taxes. Many property owners cannot afford to pay off \$ 5.9 million dollars plus interest on bonds that have already been sold before the MPOA has permits in place for dredging. This appears to be fraudulent.*

**MPOA Response # 26 - INDIAN RIDGE – Fraudulent Actions**

The MPOA is not aware of any provision of the enabling SSA legislation that mandates that SSA funded revenues cannot be spent until the MPOA has “permits in place”. Every MPOA Director has been repeatedly informed that a levy for SSA # 9 would be appearing on the McHenry Property Tax Bills for FY 2010 payable in 2011, and why that was occurring. Additionally, since April of 2010, every MPOA Director was aware that the MPOA has been expending SSA generated funds on various lake restoration related tasks, including engineering, surveying, and unfortunately, a considerable amount of legal fees in responding to those trying to stop a project that is well underway.

As discussed in **MPOA Response # 3 – HIGHLAND SHORES SUBDIVISION – Economic Impact**, the MPOA has also established an SSA tax rebate program for low and very low income property owners within the SSA territory.

**HICKORY FALLS III SUBDIVISION Comments and Responses**

**Comment # 27 – HICKORY FALLS III – Support for Project**

*We represent the sentiments and views of almost all of our property owners who are forced to pay additional real estate taxes collected by McHenry County for SSA# 9 for the purpose of Dredging Wonder Lake. Very few of the 155 property owners (375 lots) are in favor of dredging and the extra taxes to be paid for a 20 year period of time, especially in this very poor economy. Our subdivision has had close to 20 foreclosures and many liens have been placed upon properties for unpaid subdivision and master property (MPOA) dues.*

**MPOA Response # 27 – HICKORY FALLS III – Support for Project**

Redundant Comment – See **MPOA Response # 4 – SUNRISE RIDGE ESTATES – Support for Project**

An analysis of the Elector petitions submitted to the Village of Wonder Lake on February 17, 2009 (60 days following the public hearing) reveals that of the 5,892 eligible electors residing within the proposed SSA boundary, 1,927 electors (33% of all electors) signed petitions opposing the SSA.

According to records obtained from the McHenry County Clerk's office, there were 265 electors residing in the HICKORY FALLS III subdivision on December 17, 2008. Of the total electors, 121 (45.7%) signed petitions opposing the SSA.

**Comment # 28 – HICKORY FALLS III – SDF Lease**

*A contract agreement between the MPOA and the property owner's for the SDF should have been signed and in place before property owners began paying SSA taxes (beginning this year for 2010)*

**MPOA Response # 28 – HICKORY FALLS III – SDF Lease**

Redundant Comment – See **MPOA Response # 7 – SUNRISE RIDGE ESTATES – SDF Lease**

**Comment # 29 – HICKORY FALLS III – Sediment Volume**

*Per this notice, almost 3 million cubic yards of sediment have accumulated within Wonder Lake according to a 1995 report. The dredging proposal calls for approximately 532,330 cubic yards of sediment over a 4-5 year operation. This represents only about 18% of the accumulated sediment that will cost the Wonder Lake property owners \$ 5.9 million plus interest on the bonds sold that will result in a total cost of approximately \$ 12 million. This cost will place extra burdens on already over-extended households suffering from loss of jobs and possible loss of homes.*

**MPOA Response # 29 – HICKORY FALLS III – Sediment Volume**

Redundant Comment – See **MPOA Response # 8 – SUNRISE RIDGE ESTATES – Sediment Volume**

**Comment # 30 – HICKORY FALLS III – Dredging Locations**

*In reviewing the map showing the proposed dredged areas, the bulk of the dredging will occur in the West Bay and South End of Wonder lake. When the lake was formed in 1929 these 2 areas were overspill and always shallow. The West Bay was nothing but tree stumps. The south end had anywhere between a couple inches of water to less than a foot of water. The lakefront on the West end of the lake was never developed because the lake was full of tree stumps and shallow. Most property owners on the South End do not want to pay for dredging and, in fact, do not belong to the MPOA. It appears that this dredging is for the purpose of making the lake larger for the benefit of a minority of the property owners and future developers.*

**MPOA Response # 30 – HICKORY FALLS III – Dredging Locations**

Redundant Comment – See **MPOA Response # 9 - SUNRISE RIDGE ESTATES – Dredging Locations**

**Comment # 31 – HICKORY FALLS III – Mechanical Dredging**

*The Notice states that mechanical dredging may be required (hydraulic dredging is supposed to be the method of extracting the sediment) in areas where excavation will occur beneath the original lake bed. We are certain that this will apply to the West Bay and South End that was nothing but overspill in 1929 and always shallow.*

**MPOA Response # 31 – HICKORY FALLS III – Mechanical Dredging**

Redundant Comment – See **MPOA Response # 10 - SUNRISE RIDGE ESTATES – Mechanical Dredging**

**Comment # 32 - HICKORY FALLS III – Contaminants**

*In addition to our objection which makes the circumference of the lake larger, we (along with many others) are concerned with contaminants and toxic metals that were discharged as waste by an electroplating plant called Woodstock Die Cast located in Woodstock, Ill (the factory was torn down about 20 years ago and the grounds were considered contaminated for a long time) Toxic waste from this electroplating factory was dumped into the Nippersink Creek (the water source of Wonder Lake). Much of this heavy metal waste found its way into Wonder Lake's West Bay. There was a report issued many years ago that provided documentation and graphs showing various percentages of heavy metals and contaminants within the sediment. This report concluded that dredging would pose many potential problems. Will this dredging compromise wells and drinking water since most people have their own wells for access to water? Could this dredging create a health problem and, in general, pose problems regarding the needs and welfare of the people (a concern) that is shown within your document)? Are there still septic systems draining into the lake? – when was the last study done? Findings showed testing back in the '80's early 90's. Could this dredging possibly result in future lawsuits?*

**MPOA Response # 32 - HICKORY FALLS III – Contaminants**

Redundant Comment – See **MPOA Response # 11 - SUNRISE RIDGE ESTATES – Contaminants**

**Comment # 33 - HICKORY FALLS III – SSA Process**

*The Village of Wonder Lake held a Public Hearing in mid December 2008 for the purpose of property owners to voice their opinions and concerns regarding dredging and SSA property taxes. Hundreds showed up to voice their opinions. We estimated that 90% of those present were against in the form of SSA taxes.*

*After the public hearing took place, there was a 60 day window to petition against dredging. This meant that signatures had to be collected within a Xmas/New Year holiday timeframe as well as trying to collect signatures in the coldest, shortest days of the year. The petitions had to be turned in by mid February 2009 (60 days) in order to be accepted and valid. Property owners felt united that more than required 51% in order to defeat the SSA of signatures were turned in. After multiple months the Village of Wonder Lake responded to our petitions along with the officers of the MPOA stating that not enough signatures were received. The only way to fight this judgment was by a court action. We were told that this would cost upward of \$ 100,000 to contest and show that we met the number of signatures required. This happened in 2009 when the economy was almost in a depression. People were afraid and loosing their jobs and homes. Going to court with a lawsuit was unaffordable and out of the question. What kind of result could we expect from another Public Hearing?*

**MPOA Response # 33 – HICKORY FALLS III – SSA Process**

Redundant Comment – See **MPOA Response # 12 - SUNRISE RIDGE ESTATES – SSA Process**

**Comment # 34 - HICKORY FALLS III – Wonder Lake Dam Repairs**

*Our subdivision feels that there has been a neglect of repairs to the dam and spillway due to the MPOA focusing on dredging and not budgeting for necessary dam repairs.*

**MPOA Response # 34 – HICKORY FALLS III – Wonder Lake Dam Repairs**

Redundant Comment – See **MPOA Response # 22 – INDIAN RIDGE – Wonder Lake Dam Repairs**

**Comment # 35 - HICKORY FALLS III – Wonder Lake Dam**

*Our earthen dam is 80 years old and is rated in the “high hazard” category. Per Federal guidelines, dam engineers and reputable sources, it is recommended that annual inspections above and below the dam take place for close monitoring in order to avoid catastrophic failures. The sluice gates have not been fully functional for the past 10 years. According to manufacturer’s specifications, sluice gates should be tested two times per year. Also, annual lake draw downs should occur by opening the sluice gates. This allows for much removal of accumulated sediment from the lake and is a natural way of dredging costing us nothing. In addition, the debris that collects within the lake can be removed and cleaned up which also helps prevent accidents and injuries that could result in liability costs to us. The sluice gates are not opened and the lake is not drawn down because the MPOA feels that it is too risky (since the sluice gates do not function properly). There is also a leak in the 7<sup>th</sup> chamber of the spillway that needs surveillance and possible repairs. In addition, we are concerned about erosion in the earthen part of the dam.*

**MPOA Response # 35 – HICKORY FALLS III – Wonder Lake Dam**

Redundant Comment – See **MPOA Response # 13 - SUNRISE RIDGE ESTATES – Wonder Lake Dam**

**Comment # 36 – HICKORY FALLS III – Subdivision Control**

*Most of the Directors and Officers of the MPOA live on the lake. They represent special interest groups and not the majority of property owners who have to pay for this dredging. Additionally, lakefront property owners are in control of many of the subdivisions. Many, many property owners are left in the dark (especially new owners) as to what is actually happening. They only know they have more property taxes to pay for the benefit of a minority.*

**MPOA Response # 36 – HICKORY FALLS III – Subdivision Control**

Redundant Comment – See **MPOA Response # 24 - INDIAN RIDGE – Subdivision Control**

**Comment # 37 - HICKORY FALLS III – Fraudulent Actions**

*Wonder Lake; for the most part, is not an affluent community. This year's property tax bill already includes SSA#9 dredging taxes. Many property owners cannot afford to pay off \$ 5.9 million dollars plus interest on bonds that have already been sold before the MPOA has permits in place for dredging. This appears to be fraudulent.*

**MPOA Response # 37 – HICKORY FALLS III – Fraudulent Actions**

Redundant Comment – See **MPOA Response # 25 - INDIAN RIDGE – Fraudulent Actions**

**JOHN E. LYND, WONDER LAKE, IL - Comments and Responses**

**Comment # 38 - JOHN E. LYND, WONDER LAKE, IL – Distrust of Local Officials**

*Please find attached a public letter that I wrote back in January 2008. In it I bring up many issues with this project, most of which are related to the poor management practices of the MPOA of Wonder Lake. I understand that the general populations distrust in the local officials and the economic strain on many of the property owners are low on the criteria for making your decision on issuing this permit. However as a Trustee of the Village of Wonder Lake there are other issues that I think need looking into before issuing this permit.*

**MPOA Response # 38 - JOHN E. LYND, WONDER LAKE, IL – Distrust of Local Officials**

The letter referenced by Mr. Lynd was never submitted to, or received by the Wonder Lake MPOA. As such, being not aware of its existence, the MPOA could not have commented on it.

More importantly, the Wonder Lake MPOA went to great lengths to provide regular updates as to the overall project progress at monthly MPOA Director meetings; MPOA Subdivision President meetings; MPOA Open Houses; MPOA Newsletters; and the MPOA websites.

These updates included all the efforts of the MPOA to reduce the scope of the project to the minimal size needed to provide a demonstrable water quality impact to Wonder Lake; to reduce the carrying cost of the project to SSA participant's; and most importantly, to establish a mechanism that will provide tax rebate assistance to those members of the community that could potentially be negatively impacted by the lake restoration SSA.

If Mr. Lynd's concerns about the management practices of the MPOA were sincere, it would not be unexpected that as a property owner with deeded lake rights, he would have attended an MPOA Board meeting or requested information regarding any of the Organizations plans to address Lake issues. This never happened. As a Village trustee, it would not be unexpected that if Mr. Lynd had concerns about the operations of the MPOA, or the proposed lake restoration, he would have availed himself of the opportunity to have raised questions at the Village Board meetings, which typically have an MPOA officer attending. This never happened.

To Mr. Lynd's credit, an analysis of the elector petitions confirms that Mr. Lynd and the members of his family that are registered to vote in McHenry County and are resident members of the SUNRISE RIDGE ESTATES subdivision did not sign petitions opposing the creation of the Village of Wonder Lake SSA.

**Comment # 39 - JOHN E. LYND, WONDER LAKE, IL – Sediment Wind Disbursement**

*In this letter I brought up wind disbursement of the mined material from the lake bed. In my opinion due diligent's has not been given to this topic. It is a fact that some toxins are in this material, and as a Sediment Storage and De watering Facility is adjacent to a Elementary School it would be prudent to ask for all of the information on core samples taken. It may also be prudent to collect more core samples and have them annualized. I am sure that all parties would agree that the health and safety of the children that attend Greenwood Elementary School should be taken seriously. The extra time and expense are definitely in the best interest of the Community.*

**MPOA Response # 39 - JOHN E. LYND, WONDER LAKE, IL – Sediment Wind Disbursement**

Again, all sediment core samples collected to date have been made available to the IEPA as part of their permit review, and the MPOA has agreed to collect and submit any additional core samples the IEPA deems appropriate. For Mr. Lynd to suggest that the MPOA does not have the best interests of the overall Wonder Lake community at heart is regrettable.

**Comment # 40 - JOHN E. LYND, WONDER LAKE, IL – Lack of Information**

*I will say as a public official I have not been given any of the information regarding the toxicity of the core samples, and my concerns lay primarily with this.*

**MPOA Response # 40 - JOHN E. LYND, WONDER LAKE, IL – Lack of Information**

The primary reason that Mr. Lynd has never requested any information on any issue related to the core samples, is that he never requested access to such information. The simple answer to his comment is that the results of the past 16 years of certified sediment testing, and on-going discussions with IEPA staff, have not revealed any sediment-related issue that would prevent the lake restoration project from moving forward.

More importantly, Mr. Lynd should recognize that the Village of Wonder Lake retains a highly qualified engineering firm, Manhard and Associates, Inc. as the Village engineers, and that they are perfectly capable of providing an unbiased evaluation of all of the pending permit applications, sediment data, and proposed engineering plans to ensure that the Village of Wonder Lake as well as all area residents are adequately protected from adverse impacts from the proposed project.

**LAND CONSERVANCY OF MCHENRY COUNTY - Comment and Response**

**Comment # 41 - LAND CONSERVANCY OF MCHENRY COUNTY – Wetland Mitigation**

*I was unable to determine from the application materials whether or not the proposed pipelines will impact any of the wetlands or mitigation areas that were required by the Corps within the Meadows of west Bay subdivision, but it appears to me that the pipelines run through the low lying areas that were set aside as open space as part of the Corps' permit.*

*I am attaching an exhibit from that project, and would ask that you ensure that the current proposal does not have effects that are contrary to the Corps' requirements in the previous project! If there will be impacts, then I would request that any mitigation funds assessed be directed towards TLC's continued restoration and management of the Wonder Lake Sedge Meadow natural area that was protected as part of the Meadows of west Bay project. Due to the subdivision's failure, we are unlikely to ever have management funds from an HOA, so are challenged to secure funds each year to complete the basic management tasks that we committed to when we accepted the conservation easement and long-term management responsibility for that property.*

**MPOA Response # 41 - LAND CONSERVANCY OF MCHENRY COUNTY – Wetland Mitigation**

The proposed Wonder Lake Restoration dredging plans were developed with the specific intention of avoiding and minimizing impacts to all isolated and jurisdictional wetlands. The proposed Sediment Drying Facility (SDF) will be constructed and operated without requiring any wetlands to be impacted, and buffer areas between project disturbance areas and wetlands will be created and maintained.

The pipeline that will route pumped sediment from Wonder Lake to the SDF will be temporarily laid on the ground surface for the duration of the sediment dredging operation, and be removed upon completion. The overall sediment pipeline route will traverse dedicated open space areas created within the Meadows of West Bay subdivision, and while running roughly parallel to Galt Creek, will not be located within, or impact, any wetland areas. The pipeline route is also located within a conservation and / or stormwater management easement held by the Village of Wonder Lake (VOWL). The only area where some minor, temporary wetland impacts may occur will be at the box culverts that route Galt Creek under West Wonder Lake Road, as part of routing the sediment pipeline through the culverts, or for the installation of some streambank stabilization at the outfall location where the clarified water leaving the SDF facility will flow into Galt Creek. The area of temporary wetland impacts for these locations is roughly estimated at less than 1,000 square feet (0.023 acre).

As a result, it is likely that little or no wetland mitigation may be required for the routing of the proposed pipeline or SDF outfall. In the event that any wetland mitigation is required under the U.S. Army Corps of Engineers permit, our first preference would be to perform enhancements within the Galt Creek Stream Corridor / VOWL Conservation Easement area, directly adjacent to where the "impact" would be occurring.

**RICHARD & COLLEEN NELSON, WOODSTOCK, IL - Comments and Responses**

**Comment # 42 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL – SDF Site Concerns**

*We are strongly opposed to the SDF site location. It is directly across the street from our home and property. The sludge containing contaminants from the lake bottom could create contamination of surrounding soils and groundwater, thus affecting our wells. Also, the odors from the sludge would reduce property values.*

**MPOA Response # 42 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL – SDF Site Concerns**

As a neighbor to the Village of Greenwood and its residents, the MPOA will adhere to ALL appropriate Federal State and local agency and government requirements. Preliminary project plans call for the most westerly base of the Sediment Dewatering Facility (SDF) to be set back roughly 75 to 200 feet east of Greenwood Road. Once constructed, all that will be visible from Greenwood Road or from other adjacent areas will be a grassed earthen berm, and the fence surrounding the SDF. The non-SDF portions of the property will continue to be used for agricultural production, in keeping with the rural nature of the area.

A review of McHenry County GIS Mapping, and the preliminary site plans, indicates that the closest edge of the proposed Sediment Drying Facility (SDF) will be roughly 300 feet northeast of your Greenwood Road frontage, and 700 feet east-northeast of your residence. Based on the prevailing southwesterly winds during summer, your property is located upwind of the project, greatly reducing the probability of any conceivable dust or odor issues.

**As previously discussed in MPOA Response # 1 – CHERYL HAMMERAND, WONDER LAKE, IL – Contaminants**, the lake sediments have already been extensively tested, with no indications of any contaminant issues that would prevent dredging or lead to groundwater issues. The IEPA will thoroughly review all issues related to air and water quality before deciding whether to issue their permit.

The lake restoration consulting firm has national experience with large-scale dredging operations, and odor problems are not typically an issue, even when done in much closer proximity to residential areas than what is proposed for Wonder Lake. As a local example, the most recent draw-down of Wonder Lake was conducted in the Fall of 2007, resulting in the water level of the lake being lowered four (4) feet below normal. This exposed most of the accumulated sediment in the West Bay of Wonder Lake to drying, exactly replicating the conditions that would be found in the proposed SDF. No odor complaints were received from any of the adjacent West Bay landowners.

The proposed restoration of Wonder Lake will only benefit local property values, even those without lake rights, or located outside of the Village of Wonder Lake.

**Comment # 43 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL – Roadway Impacts**

*Although we understand that most of the sludge will be pumped to the site, the portion that will be trucked in would destroy our roads. If the project proceeds, it is extremely important that the trucks use village roads to access the site. Greenwood Road was recently named a county “scenic road”. A sediment storage and de-watering facility is not the best use of a property that borders this scenic roadway.*

**MPOA Response # 43 - RICHARD & COLLEEN NELSON, WOODSTOCK, IL – Roadway Impacts**

All sediment will be pumped to the SDF through a pipeline; none will be trucked. The only traffic that is proposed to access the SDF site from Greenwood Road is the construction equipment that will be delivered to construct the SDF facility from on-site materials (no proposed soil import / export). All site access issues to Greenwood Road will be handled through the McHenry County Division of Transportation. The rural, scenic nature of Greenwood Road is recognized and acknowledged, and all possible efforts will be made to make the proposed activity as unobtrusive as possible.

**MR. ROBERT W. KOCH, WONDER LAKE, IL - Comment and Response**

**Comment # 44 - MR. ROBERT W. KOCH, WONDER LAKE, IL – Sediment Testing**

*As a lake front owner for 42 years, I am very concerned about what bacteria and chemicals will be unearthed with removal of top soil and sludge from the lake bottom. Some of those components may have lurked untouched for over 80 years. Who knows what can of worms we may unleash on the rest of the lake. This gravely concerns me for the safety of my grandchildren while swimming in the stirred up waters.*

*I think an unbiased analysis should be done first through out the entire lake to see what really lurks in the lake bottom. Over the years I have heard that it is not polluted and also that it is heavily polluted with petroleum products.*

**Comment # 44 - MR. ROBERT W. KOCH, WONDER LAKE, IL – Sediment Testing**

As previously discussed in **MPOA Response # 1 – CHERYL HAMMERAND, WONDER LAKE, IL – Contaminants & MPOA Response # 11 - SUNRISE RIDGE ESTATES – Contaminants**, an extensive amounts of sediment analysis has already been conducted, along with review of the resulting data by a variety of engineering professionals; regulatory agencies; and natural resource agencies. None of these studies have indicated any potential health risk to lake users.

The MPOA has agreed to comply with any additional testing requirements imposed by the agencies reviewing the permits for the proposed project.

**MR. MICHAEL KRZYSTON, WONDER LAKE, IL - Comments and Responses**

**Comment # 45 - MR. MICHAEL KRZYSTON, WONDER LAKE, IL – Sediment Safety**

*Nearly all the stated benefits of the proposed work have focused on the improved usability of the lake that dredging would provide. However, the greatest benefit typically overlooked is the SAFETY benefit. Currently the very high sediment levels especially in West Bay represents a significant safety hazard. Nearly every weekend we see boaters get completely stuck in the shallow waters of the West bay. To free their craft boater typically are forced to get out of their boat to push their craft to deeper water. The safety hazard posed by these efforts are several fold:*

- 1) Typically boaters entering the water to free their boat do not wear their life vest, and upon pushing their craft into deeper water struggle to reenter their boat.*
- 2) On several occasions we have seen people (often young) in the water pulling/pushing their boat to deep water while the engine and propeller was still running.*
- 3) In certain parts of the West Bay near the mouth of the creek, the sediment literally is like quick sand. We have seen people (often young) get stuck chest/shoulder deep in the sediment muck. These individuals were either kayaking and entered the water when they got stuck or walking on the mud island near the Nippersink Creek mouth. On one occasion we needed to get a row boat out to a person who was stuck and could not free themselves. The quick-sand-like-sediment is deep enough to drown a person if they panicked. I challenge anyone on the review committee to walk/swim in certain areas near the mouth of the creek. Even an experienced swimmer can without warning quickly find themselves in a dangerous situation.*
- 4) Lastly, and least important from a safety point of view, is the untold property damage to propellers and engine water intakes.*

**MPOA Response # 45 - MR. MICHAEL KRZYSTON, WONDER LAKE, IL – Sediment Safety**

The above comment presents a strong argument for completion of the planned dredging project. His observations of the problem of sedimentation detail in real terms the responsibility of all property owners represented by the MPOA to support the project in an effort to reduce the known safety hazards and to enhance and protect our lake.