

**Presentation to Prairie du Sac Plan Commission
By Ferry Bluff Eagle Council**

Monday, Aug. 7, 2006

Thank you for the opportunity for Ferry Bluff Eagle Council to present its findings and recommendations. In recognition of the time constraints available, I will move immediately to our assessment and our findings.

On p. 57 of the Village's Comprehensive Plan, it is stated: "The importance of the wintering bald eagle population to the aesthetic and economic vitality of the area cannot be overstated." (Emphasis added.) Evidence of that can be seen everywhere throughout the community. Look at the water tower. Look at the school mascot. Look at the names of many of the local businesses in both Prairie du Sac and Sauk City—Eagle Inn, Eagle Mortgage, Eagle Electric, Eagleview Dental, Eagleview Welding. Look at the survey conducted during your comprehensive planning process—85% of respondents agreed that eagles were an important part of Sauk Prairie's future.

A question we ask is: What does that mean to you as representatives of Prairie du Sac? We will return to that question.

In our assessment of the downtown eagle viewing area, which includes the Nonn development, we have reached five findings:

First, the Nonn Development is within the Downtown Eagle Sensitivity Zone (ESZ), a zone that includes critical eagle habitat.

The map you saw at the last meeting with a single 100-yard ring was a selective representative of that zone. We have repeatedly said—I said it to you in previous statements on this project—that eagles were flushed when someone walked on the tracks below the Eagle Overlook. That's relevant information. This map provides a more correct representation of that zone, as it relates to both the Nonn development and the entire downtown eagle viewing area. Please note the Nonn development is clearly within the Downtown ESZ, which means we have to be extra sensitive to the potential of disturbing the eagles and shielding human activity from their view.

Second, it is our conclusion that there is a high probability that this project, as currently proposed, will have significant adverse impact on the eagles and their use of their habitat along the river in the Downtown Prairie du Sac area. This is based on the biological assessment which we provided you and which we hope you found informative reading, as well as 20 years of eagle observation and data collection.

Notwithstanding mitigation discussions that have taken place, the human activity visible to the eagles on Eagle Island and eagles flying up and down the river will create some degree of disturbances and cause alterations in their habitat patterns. We have presented extensive data that supports the adverse effects of

disturbances to eagle habitat. While it remains hazardous to make absolute or generalized statements, it appears clear there is a relationship between human activities visible by eagles and the eagles' use of their habitat. The risk to the eagles posed by this development is high, based on our experience, and it is difficult to overstate that risk.

Third, mitigation of the impact on disturbances due to human activity at the project—inside and outside of the buildings—can and should be pursued vigorously, now and as long into the future as it takes. In the mitigation process, we should not seek simplistic solutions, for eagle habitat disturbance and the issues surrounding this issue are extraordinarily complex. A political solution may address your needs as the Plan Commission and the Village Board, but be aware that it may have little impact on the behavior of the eagles. We must assume the risk that whatever mitigation is done may fall short of our mutual goals.

We must report that we have met with Mr. Nonn and his architect, that we have had healthy—and we think highly educational discussions, and they have been cooperative. We discussed mitigation options, found some helpful, others faulty, and some that need to be tested to see if they may be effective.

What is an example of a faulty mitigation suggestion? Screening with vegetation. The suggestion has potential value for people on the ground. But consider the line of sight of the eagles on the island during winter months: does a 25-30 foot tree on the river bank shield the top 2 stories of the building from the view of the eagles? This is an example of a simple solution that addresses only part of the problem. There is a risk that eagles will be disturbed by the part of the problem that is not addressed.

Mitigation efforts are needed, without question. And the Village and Mr. Nonn deserve credit for recognizing that. But we must be prepared to deal with the consequences of such efforts. Ferry Bluff Eagle Council remains committed to working with the Village and all governmental officials, any and all developers, and the entire community on these issues.

Fourth, the time frames that have been imposed by the plan review process are insufficient to address the complexity of the eagle sensitivity issues created by this project, and others that undoubtedly will follow. Ferry Bluff Eagle Council historically has worked with landowners, developers, and public officials to find win-win outcomes to issues impacting critical eagle habitat. We are seriously concerned, and frankly somewhat frustrated, that the current time frames established for this project do not allow us to find a win-win outcome.

Some of you may think that the four months FBEC has been involved is plenty of time. We have learned many lessons in that short time. But we have found no win-win outcome. One lesson learned is that we create issues by trying to fit complex eagle sensitivity issues into a political time frame.

These issues cannot be successfully dealt with in a 5-7 minute presentation. These issues cannot be successfully dealt with when critical partners to the decisions are missing from the discussions. These issues cannot be successfully dealt with when there are restrictive parameters on the exchange of ideas, questions, information, and hopefully ultimate mutual understanding of what is at stake.

In our June 25 letter, we asked several questions which we intended and presumed were constructive efforts to pursue a dialogue. For whatever reason, no one has responded to those questions, certainly not formally. How do we participate in a useful and meaningful dialogue when we get no responses to reasonable and legitimate questions that seek to establish the parameters of a dialogue? How can these issues be addressed when key stakeholders are not part of the discussions, and communications with them are restricted? When we were asked to participate, we assumed you wanted our expertise, information, and involvement for a constructive exchange of information, accompanied by questions raised and discussed by all the stakeholders. We hope we were not wrong about our expectations.

Finally, Ferry Bluff Eagle Council strongly, strongly recommends that a community-based forum to fully discuss and deal with these issues be created to address the multitude of complex issues associated with eagle habitat, its protection, and its maintenance in the midst of a growing community. This forum should include all the stakeholders in these issues—the Village of Prairie du Sac, as well as the Village of Sauk City and the towns of Prairie du Sac, Roxbury, and West Point, developers and downtown merchants, and others in the community who care about the future of eagles in the area. Ferry Bluff Eagle Council is willing to share its expertise and work with this process. If open meeting laws make it difficult for the Village to coordinate such a forum and generate the needed dialogue, then we must find other options. The Chamber of Commerce might be one. Vandewalle may be a possibility. There may be other options.

Whatever recommendation you may make to the full Village Board, we fervently request the Plan Commission include a recommendation of support for creation of a forum where the impact of downtown development on the Eagle Sensitivity Zone may be fully explored, discussed, and tested. Perhaps it should include all the ESZs along the river impacting the five municipalities.

Your comprehensive plan states that the importance of eagles to the area cannot be overstated. Review all the references to eagles, especially in pages 59-65. What does that mean to you? Is it the same for you as it is for the broader community? Is it the same to Mr. Nonn or Ferry Bluff Eagle Council? Does that reflect the views of the 85% of the respondents to your survey that supported keeping eagles in the future of the area?

How big a risk are we as a broad community willing to take? This forum, however defined, is needed to address these and other questions that impact the eagles' habitat and the reasons they live in our community every winter. It is needed to raise the level of consciousness about what adversely impacts our visiting eagles, and then to develop guidelines for all development projects in the Downtown ESZ and the other ESZs within the five municipalities.

In conclusion, given the information available at this point, as we stated above, Ferry Bluff Eagle Council feels there is a high probability that this project will have significant adverse impact on the eagles and their use of their habitat along the river in downtown Prairie du Sac. There is a significant risk of eagle disturbances and a diminishment of eagles to watch from the downtown area. We cannot say with absolute certainty that all eagles will not use the downtown eagle habitat. But, we highly doubt there will be no adverse impact. More likely, we believe a process is set in motion that creates a high potential that increased eagle disturbances would occur—maybe noticeable in a year, perhaps two, maybe longer. That is the risk that is associated with this project and, to a greater or lesser extent, with all similar development projects in the Downtown ESZ, as well as other ESZs.

The ultimate question is, is there a point where the risk of losing some or all of our eagles—and all they mean to our community—simply is unacceptable? Is that point now? If not, when? From our perspective, this project—as currently proposed—does indeed pose a risk that is unacceptably high. You as the Plan Commission and the Village Board have to decide if the risk is unacceptable or not, if the price is too high.

You also asked for specific identification of issues that could negatively impact the eagle habitat. We are providing that information to you as a separate document. It lists as many of the issues of concern that we could think of, which should be the starting point of issues that need to be addressed. It is as comprehensive a list as we currently know, but we should not consider it an all-inclusive list, because we learn new things about the eagles every season and this project as we continue our discussions. Thank you.