

Shawn Murphy,  
Planning Commission Members of Prairie du Sac

October 22, 2006

Dear Shawn and Commission Members:

Ferry Bluff Eagle Council (FBEC) members were encouraged by the consensus that was recently conveyed among Mr. Nonn and his development team, Plan Commission members, and FBEC. From statements made at the October 2 meeting it seems clear that it is in everyone's interest to assure that eagles will remain in the downtown area.

Wintering eagles are what Sauk-Prairie's identity is built on. As such, losing eagles is not in Mr. Nonn's financial interests or his personal reputation as a developer. Condominium owners would also lose value in their property, area businesses would lose eagle tourism dollars, and the residents would lose a defining character of their community. Losing eagles that are visible from downtown threatens the win-win relation FBEC has worked to develop between eagles and the interests of the people of Sauk Prairie. What alternative would put Sauk-Prairie back on the map if eagles leave?

If all parties are committed to keeping eagles downtown, FBEC is pleased to contribute to this goal to whatever extent is possible. However, many of the modifications that Mr. Nonn has incorporated into the design of the buildings are untested. FBEC has serious doubts that these mitigation efforts will be sufficient. It may be possible to compensate for some shortfalls in design through covenant agreements, but these may prove too onerous for residents to comply with and could also fail for any number of other reasons.

If, after earnest efforts to the contrary, eagles abandon the downtown area after the development plan is implemented, does the village board take the responsibility to remedy the situation? If not, how is the responsibility divided between the developer and the condominium association? What additional steps and costs is the developer willing to assume? Can covenants that further restrict owner behavior be added as the sources of impact become better understood? Finally, who will be responsible for monitoring the impacts before and after the development plan has been implemented? What measures will be used? The apportionment of responsibility and answers to these questions should be clarified before we recommend language that places all future responsibility on owners in the condominium association documents.

FBEC is willing to participate in any special meeting or other forum that the Planning Commission wishes to organize to discuss these difficult issues. We ask that the questions raised in this letter be addressed fully prior to adopting any details of the mitigation efforts because answers to these questions form the foundation of any mitigation plan or condominium document. Answers to this first set of questions will largely guide what specific language should be placed in any condominium document that follows. It is through the writing of specific language, in fact, that we began to more fully understand the larger issues that we have presented here.

Thank you for your consideration.

Sincerely,  
Kay Roherty  
President, Ferry Bluff Eagle Council