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**SPORTS**

## Anger flows on Fox

By ALLISON L. SMITH  
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ALGONQUIN – Rich Martinez is tired of the lower Fox River always being the first to shut down during high waters and the last to reopen.

"The lower river has to take it on the chin for the benefit of the upper river," he said. "And it seems like it's getting worse."

For 10 years, Martinez has lived in Algonquin on the banks of the lower Fox River, the portion south of the McHenry dam, and said he has experienced the "imbalance" firsthand.

He and other downriver residents and business owners say officials in charge of operating area floodgates play favorites with the upper river and Chain O' Lakes.

Because there are significantly more miles of shoreline on the Chain and the upper river, there also are many more waterfront businesses.

"I understand [officials] do this because that's where the businesses are, up there," Martinez said. "You've got to take care of the people you satisfy most."

During the heavy rains of mid-2000, the lower river was closed eight days longer than the upper river and 11 days longer than the Chain O' Lakes.

And likewise through the rains of the past few weeks, the lower river was closed first and reopened last, on Sunday morning.

The Illinois Department of Natural Resources has sole authority – with concurrence of the U.S. Army Corps of Engineers – to close and open the waterway. IDNR project manager Rita Lee oversees the floodgates at the Stratton Lock and Dam, just south of McHenry, and the floodgates in Algonquin.

She readily conceded that boaters on the lower river

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are restricted more often and longer than their northern neighbors.

"Yes, they always get more of those [restrictions]," Lee said. "But it's a location thing."

She stressed that the IDNR strictly follows its protocol manual when engaging the floodgates, which can be opened fully or not at all, according to policy. A computer program takes into account flood gauges, weather forecasts, and other data.

However, Lee said, protocol does not yet address the standards for when to close the floodgates after they have been in use.

Lee and other officials denied the accusation that whether to use the floodgates is a subjective decision, or that they defer to the upper waterway.

"Our primary concern is flooding, for everyone," she said. "We understand people have not been able to boat. Everyone likes to boat."

"But we do not want to flood anyone's home or business unnecessarily, and that is what our operations guide is based on."

The Fox Waterway Agency follows its IDNR-recommended ordinance as to when to issue no-wake boating restrictions. The standards are posted on the agency's Web site, [www.foxwaterway.state.il.us](http://www.foxwaterway.state.il.us)

The agency's executive director, Ingrid Ruttendjie, said her group long has heard complaints from those on the lower river.

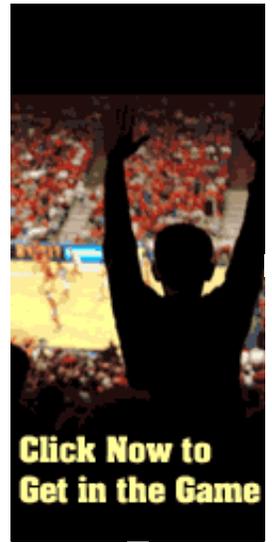
"We certainly try and be patient with them, and educate them," she said. "It's unfortunate that Mother Nature has made this situation."

Some lower river residents have asked the agency to pro-rate its user-sticker fees for their boats. The agency declined to do so, maintaining that the stickers – which cost \$10 to \$120 depending on type and length of boat – remain a great value and allow access to the river for much of the year, Ruttendjie said.

Although personal safety and property damage prevention are valid factors in why the floodgates are operated as they are, Ruttendjie said, tourism also should be considered.

"Even when the waterway is closed, all those businesses are still open, and people should still come on out," she said.

Cyndie Stiller lives a mile from the Broken Oar Marina, where she is general manager. The popular Cary mainstay has lost about \$100,000 in business





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since the lower river shut down last month.

"It's fine that we're the spillway; someone's got to be," Stiller said. "But give us a little break. This is crappy."

Stiller agreed with Martinez, saying the businesses and residents along the lower river have relatively less pull regarding flood management.

"If someone lived down here who worked for the IDNR, I can guarantee you something would change," she said. "Right now, they're abusing us, and they don't care."

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