

DNR
COPY



1/07/2013

IP-SE-2012-52-05673

Alan Jasperson, Secretary Treasurer
Racine County Drainage District
500 College Ave.
Racine, WI 53403

Dear Mr. Jasperson:

This acknowledges receipt of your DNR permit application to change the Operational Permit of the Rochester Dam on the Fox River in Racine County. I understand quite a bit of additional information is being requested. A good starting point for assembling this information will be the permit application materials submitted between 2006 and 2010. I am proposing to work with you and the Racine County Drainage District (RCDD) to gather the requested information given the long history of the project. This letter contains important information regarding your permit application, so please read it carefully.

In accordance with state law, this letter is notification that your permit application is incomplete, and that you must submit additional information. The additional information is necessary for Department staff to determine if your proposed project will meet the standards specified in state statutes and administrative rules.

Please submit the requested information described in the following Attachment A to me as soon as possible because we cannot proceed processing your application until it is determined to be complete. Please be sure to note any additions or alterations to the project that are different from the original permit application. This is also an opportunity for you to explain how your project will avoid impacts to public rights including, but not limited to, all types of navigation and recreation, fish and wildlife populations, natural scenic beauty and water quality.

If I do not hear from you or receive the additional information identified in the attached checklists within 30 days, I will assume you are no longer interested in the project and will dismiss your application.

Multiple Department Programs and Staff are being utilized for information and assessment of your proposed project. Additional information, which could include for example, a dam safety analysis, may be required by other Department Programs to consider your application to be complete. The application will not be considered complete until other Department Programs conditions have been satisfied. This includes any information required or requested by the Army Corps of Engineers.

If the Department determines that an Environmental Assessment (EA) is required for this project, your application will not be considered complete until the Department has completed this EA.

Please note that once your permit application is determined to be complete, the Department cannot refund your permit fee. We will review your proposal and issue a permit decision, unless you request in writing that your permit application be withdrawn.

If you have any questions about the information requested, please call me at (262) 574-2136.

Sincerely,

A handwritten signature in black ink, appearing to read 'Travis Holte', with a long horizontal flourish extending to the right.

Travis Holte
Water Management Specialist

Cc: Marie Kopka – Army Corps
Tanya Lourigan - DNR
Racine County
Village of Rochester

Attachment A

Requested Information to Support Winter Drawdown

- 1) How and when will the dam stability analysis be completed, given the proposed change to the minimum operational water level and winter drawdown?
- 2) Completely explain the drawdown cycle (the drawdown begins on Dec. 1 until maximum at that time).
 - a. Please clarify whether "opening the radial gates gradually to maximum" means operating the gates to their "completely open position".
 - b. Please clarify whether you are requesting a complete drawdown of the impoundment (e.g., run of river conditions).
 - c. Please specify the anticipated timeline of the drawdown of the impoundment, in number of days. Is this time line weather dependent?
- 3) Completely explain refilling of the impoundment in the spring (the gates would be gradually closed starting March 1st to return the system to normal level).
 - a. Please clarify that the normal level is 76.20 ft PSC datum (4.7 ft on the gauge, or 765.50 ft MSL datum).
 - b. Please specify the anticipated timeline of this gradual closing, in number of days. Is this time line weather dependent?
 - c. Is the gradual closing to normal operating level guaranteed by May 1 (the average beginning of the boating season)? This would likely address navigational and fishing concerns of interested parties.
- 4) Please clarify whether your request continues to maintain the requirement that "minimum flow of 46 cubic feet per second be maintained through the dam at all times."
- 5) Please clarify whether your request continues to maintain the following minimum water level during the late spring, summer and fall months (with the exception of high flow events):
 - a. When the water elevation at County Trunk Highway "D" bridge reaches 75.70 ft PSC datum (4.20 ft on gauge; 765.00 ft MSL datum), the gates at the Rochester Dam must be cranked down to allow the minimum flow release of 46 cubic feet per second.
- 6) Please clarify whether your request continues to maintain the following maximum water level during the spring, summer and fall months:
 - a. When the water elevation at County Trunk Highway "D" bridge exceeds 76.70 ft PSC datum (5.20 ft on gauge; 766.00 ft MSL datum), all four radial gates are to be fully opened. If the water rises beyond 77.20 ft PSC datum (5.70 ft on the gauge, 766.50 ft MSL datum), all other gates are to be fully opened.
- 7) Would an earlier date be acceptable to begin the drawdown to address concerns for hibernating amphibians and herptiles (potentially beginning on Oct. 1)?
- 8) Address concerns this may or may not pose to navigation, public rights, hunting, trapping, etc.

Requested Information for Change to Minimum Operational Water Level

- 1) How and when will the dam stability analysis be complete, given the proposed change to the minimum operational water level and winter drawdown?
- 2) What will be considered a major rain event (e.g., half an inch in an hour)?
- 3) Where must this major event occur (e.g., within the watershed or more localized)? Is it only when the Waterford and Wind Lake Dams are open, and to what extent? Norway Dover Drainage District is trying to anticipate high flow events before they reach the Rochester Dam. How will that be done?
- 4) How long would the temporary minimum operational level be maintained pre- and post-event? (e.g., gates on Wind Lake Dam were opened on Monday due to a 1 inch rain in the Norway Dover Drainage District on Sunday. Tuesday morning at 8 am the Rochester Dam gates were opened to reduce flow to the minimum water level of 3.36 to alleviate potential flooding and erosion. This level will be maintained until the Wind Lake Dam gates are closed to "Such and Such" operating level.)
- 5) Please clarify the statement from Exhibit "B": Minimum water level request, starting March 1 and during the remainder of the year. Do you mean until the beginning of the drawdown of the system (e.g., December 1st as identified in Exhibit "A")? What, if any, alternative dates could be chosen or proposed (e.g., October 1st)? Explaining exactly what is meant by this statement would be beneficial to Department staff.
- 6) Provide clarification on use of fish way boards (removal and replacement, time frame, etc).
- 7) How will the staff gauge at CTH D be reinstalled if a lower minimum flow order is permitted? It is the Department's understanding that lower gauge readings are/ would be obstructed with rip rap.