



February 14, 2017

IP-SE-2012-52-05673

Racine County Board of Drainage Commissioners
c/o Alan Jasperson, Secretary/Treasurer
500 College Ave.
Racine, WI 53403

Dear Mr. Jasperson:

This letter contains important information regarding your DNR permit application for an order setting levels or flows on Fox River in Racine County. Your application has reached its date of closure and is considered complete. Wisconsin law (Chapter 31, Wisconsin Statutes) requires that the public be allowed an opportunity to comment on projects like yours. The next step in the individual permit review process is a Notice of Pending Application and public comment period.

The enclosed document is a combined notice of "Notice of Pending Application" and "Notice of a Public Informational Meeting" for your project. The Department will publish the notice on our website. The 30-day period to submit written public comments will begin on the date on which the Department first publishes the notice on our Internet website.

The Department has scheduled a public informational meeting on your request. The meeting will be held on March 14, 2017 at 2pm in the auditorium of the Racine County Ives Grove Complex located at 14200 Washington Avenue (Highway 20), Sturtevant, WI, 53177. The meeting is informational only.

State law requires that you publish this as a Class 1 Notice, at your expense, in Racine Journal Times, 212 Fourth St, Racine, WI 53403-1005, legals@journaltimes.com, Phone (262) 631-1711, Fax (262) 631-1702. In addition, state law also requires that you mail a copy of the enclosed notice by U.S. Mail as Certified Mail - Return Receipt Requested to interested members of the public.

Please write or call me at (262) 574-2136 or email Elaine.Johnson@wisconsin.gov if you have any questions.

Sincerely,

Elaine Johnson
Water Management Specialist

cc: Julie Anderson, Racine County
Betty Novy, Village of Rochester
Rebecca Ewald, Village of Rochester
Russ Rasmussen, Michelle Scott, Michelle Hase, DNR

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Notice of Pending Application for Proposed Water Levels and Flows
Notice of Public Informational Meeting

Racine County Board of Drainage Commissioners, c/o Alan Jaspersen, 500 College Ave., Racine, WI 53403 has applied to the Department of Natural Resources for a permit for an order setting levels or flows on Fox River.

The project is located in the SW1/4 of the NW1/4 of Section 11, Township 3 North, Range 19 East, Village of Rochester, Racine County.

During high flow periods when the Wind Lake and/or Waterford Dams open the gates to 50% or more, the Rochester Dam will be allowed to temporarily drop below the minimum water elevation of 4.20 ft. on the gauge to a water elevation no lower than 3.36 ft. on the gauge. When the Wind Lake and Waterford Dams close their gates to less than 50%, the radial gates will then be slowly closed to restore operations to the normal water elevation and will be maintained as nearly as practical, until such a time that another high flow period arises.

The proposed change is only for modification to operation during high flows. A permanent winter drawdown is not being considered as part of this application.

The Department will review the proposal provided by the applicant and any information from public comments. The Department will determine whether the proposal complies with ss. 1.11 and 31.02(1), Stats., and ch. NR 150, Wis. Adm. Code, and ensure that the required mitigation meets the standards in s. 281.36(3r), Stats. if the project impacts wetlands.

The Department has made a tentative determination that it will issue the permit or contract for the proposed activity.

The Department has scheduled and will hold a public informational meeting regarding the proposed modification to the operational order for the Rochester Dam. The meeting is being held so members of the public can learn more about the proposed activity. The meeting will be held on March 14, 2017 at 2pm in the auditorium of the Racine County Ives Grove Complex located at 14200 Washington Avenue (Highway 20), Sturtevant, WI, 53177. The meeting is informational only.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx> and search for "Racine County Drainage District", then click the link for application docket IP-SE-2012-52-05673.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Any person may submit comments by emailing Elaine.Johnson@wisconsin.gov or writing to Elaine Johnson, 141 NW Barstow St., Room 180, Waukesha, WI 53188 by U.S. mail. If you are submitting general comments on the proposal, they must be emailed or postmarked within 30 days after the date this notice is published on the Department's website.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-SE-2012-52-05673

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary



Elaine Johnson
Water Management Specialist

Date 2/14/2017