From: Brent Hess
To: Johnson, Elaine M - DNR
Cc: Nitschke, Eric A - DNR; Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR; "Rebecca Ewald"; jr.woj@wi.rr.com; jimschneider137@gmail.com; "Jim Schneider"; pvgoldie@aol.com; Rep.Craig@LEGIS.WI.GOV; "Bob Biedrzycki"; jr.woj@wi.rr.com; "Adam Lyman"; "Tom Roanhouse"; "Bark Messick"
Subject: Public input to the Environmental Impact Survey
Date: Sunday, May 24, 2015 10:21:58 PM
Attachments: DNR Response to qestions asked by Waterford Residents.pdf

---

Hello Elaine-

At the public meeting at the Waterford Village Hall, residents who own property on the Rochester Impoundment asked the DNR if they would include a component in the EIS to measure the potential decline in property values.

On 4.22.2015 the DNR offered the following statement which I have included for your reference: "A winter drawdown would require people to visible bear the impacts of exposed mud flats. The proposal may have an impact on property taxes. The DNR does not have the expertise to evaluate economic impacts to properties, and has not conducted any economic studies regarding economic impacts with the operation of the dam. Any factual economic data submitted by the public will be considered in the EIS"

To that end, I met with the Town of Waterford Tax Assessor to understand how property values are assessed in and around Waterford. The goal was to obtain factual economic data that I could pass on to your team for consideration.

Here is what I found:

- Homes with water frontage are assessed by the total number of feet of water frontage the lot has. Assessed values are between $1,000 and $1,600 per foot of frontage. Recently a property sold on Joy Marie Lane in Waterford. The lot dimensions were as follows: 80' of water frontage and 270' deep. This lot sold for $128,000 or $1,600 per front foot.

- Lots with no water frontage are assessed differently, and are assessed by the total number of square feet the lot has. Typical lots in newer subdivisions in Waterford are assessed at an average of $1.71 per square foot. Using the lot dimensions in the example above, the same 80' x 270' lot off of the water would have a fair market value of $36,936 (80 x 270 = 21,600 sq. ft. x $1.71 per square foot)

Generally speaking, a home of any given size costs approximately the same to construct whether the lot has water frontage or not. For this reason, it is reasonable to focus on lot values as compared to home values, as there are strong metrics in place to compare both. In the example noted above, an identical lot on the water is worth approximately 3.5 times more than a lot off the water.

Given the credibility of the source of the information. I would like to request that this information be included in the EIS. Please feel free to contact the Town of Waterford Tax Assessor directly to verify the information I have provided.

Thank you for your consideration,

Brent Hess
707 River Ridge Drive
Waterford, WI
262.770.2457

Good afternoon Brent,

Thank you for providing additional information in relation to your concerns regarding the project. It was a pleasure meeting you face to face as well at the meeting. We will be working through to make sure these comments are addressed in the EIS and in the written response to questions compiled at the meeting by the Village of Waterford.

Thank you,
Elaine

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Elaine Johnson
141 NW Barstow St, Room 180
Waukesha, WI 53188
Phone: 262-574-2136
elaine.johnson@wi.gov

From: Brent Hess [mailto:bhess9@twc.com]
Sent: Wednesday, March 25, 2015 7:48 PM
To: Johnson, Elaine M - DNR
Cc: Nitschke, Eric A - DNR; Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR; 'Rebecca Ewald'; jr.woj@wi.rr.com; jimschneider137@gmail.com
Subject: RE: Public information request

Elaine,

An additional point that I forgot to mention in yesterday's email…

Outside of my faith and my family, fishing is easily my biggest passion. I look forward to spring fishing with my children every year, especially Walleye. As you are aware, this time of year Walleyes begin to spawn, and they are relatively easy to catch. This past weekend I went out on the Fox River in the Rochester impoundment to catch some spring Walleyes with my boys. We typically fish this waterway 3 to 4 times per week, and Saturday was the first time that we did not boat a single fish. I'm not suggesting a large winter kill (although the potential exists), our lack of success is certainly worth pointing out. The coming months will tell the story, but I wanted to let you know that the Walleyes are not following their typical spring patterns.

During the drawdown the deepest spot is 3 feet, with many spots being less than 1 foot, and the fish don't have the habitat they need for spawning. The rapid change in water level seems to have the fish out of sorts.

A number of years ago Lake Tichigan and the Fox River above the dam in Waterford were drawn down to facilitate dam repairs. I experienced similar issues after the water levels returned to normal. The fish were out of sorts and not following their typical patterns. It took Tichigan around 9 months before things returned to normal. I will yield to Luke's opinion as to whether or not a drawdown is detrimental to the fish, but is certainly noteworthy that it changes their spawning patterns.

Thank you for your time,

Brent Hess

From: Brent Hess [mailto:bhess9@twc.com]
Sent: Tuesday, March 24, 2015 6:57 PM
To: 'Johnson, Elaine M - DNR'
Cc: 'Eric.Nitschke@Wisconsin.gov'; 'Roffler, Luke S - DNR'; 'Zoch, Nathan D - DNR'; 'Lourigan, Tanya L - DNR'; 'Scott, Michelle M - DNR'; 'Rebecca Ewald'; 'jr.woj@wi.rr.com'; 'jimschneider137@gmail.com'
Subject: Public information request

Elaine-

It was nice to finally meet you last night – please extend my thanks to your team for attending. Public speaking can be tough, but you did a great job presenting and representing your department.

As you know, the forum of yesterday's meeting did not allow the opportunity for attendees to directly respond to the Drainage District's (DD) comments. For this reason I wanted to respond to some of their comments, as I believe it is absolutely essential that your team have all the facts when reviewing the DD's requests.

1. The DD indicated that they were surprised by the turnout, as they have drawn down this waterway a number of times over the past 5 years. This is simply inaccurate. Please see the attached pdf noting historical water levels in the Fox River Rochester Impoundment from 2011 to present day. Please note that prior to this year, this waterway had not experienced a Fall drawdown since 2011.
2. The DD claimed that without an annual drawdown, retreating ice on the canal will pull topsoil from the farmer's fields. Attached please find 3 pictures taken from various spots on the canal. Please note the shoreline, as it is representative of a large portion of the canal. It is unlikely at best that the ice on the canal can come in contact with topsoil in adjacent farm land. Additionally, please note that the pictures contained in the DD's power point last evening were of small branch circuits, and not representative of the main canal.
3. The DD stated that they strive for transparency to ensure that the public is well informed of their activities. This is truly a matter of perspective. Attached please find correspondence from the Village of Waterford to the Tanya Lourigan and Nathan Zoch of your team. The opening statement is as follows: "The Village Board is concerned about communications and the availability of public information provided to Village Officials and the public relative to permits requested by the Racine County Drainage District. The DD's activities have been anything but transparent. Up until last night the public did not know where to voice their concerns, as to a large degree, the public simply did not understand the pieces in play. The Village of Waterford asked for the DNR's assistance to communicate the DD's requests to the public.
4. The DD stated that historically they controlled water levels in the canal by drawing down the water levels in Wind Lake. When asked why the DD no longer practiced this, their reply was that the residents of Wind Lake did not support the drawdown. This sounds familiar, and it is our concern as well. Why do the sod farmers take precedence over private residents? There has to be a compromise here.
5. The DD indicated that they have not dredged the canal since the 1950's and it is still operating properly. Their comments certainly establish precedence to support that it takes 50 years for sediment to build up in the canal. Based on their own admission, why on earth are they requesting an annual drawdown? History would dictate that they should be able to drawdown the waterway, dredge, and be in good shape for the next 50 years.

As I mentioned earlier, residents of Waterford have long been concerned about water levels in the Fox River. The challenge has been, up until now, they did not know where to go with their concerns. I believe the reason for the large turnout at last night's meeting is that the Village of Waterford sent notification of the meeting to area residents via United States Mail, and the public welcomed the opportunity to finally have an outlet to voice their concerns. The trigger for the Village sending out this communication was a steady stream of residents knocking on the door of the Village Hall with the same question "where is the water?"

Additionally, last night, residents of Waterford, Burlington, Tichigan, Waukesha, West Milwaukee, Muskego, and Mukwonago attended the meeting. This waterway is a vital part of our community and is used extensively by residents of neighboring communities. The Fox River is an awesome natural resource and the public's concern is widespread and not limited to Waterford. To further support this, the meeting was attended by two state representatives, I would assume they received a high volume of phone calls voicing their concerns from their constituents'.

Please note I have also copied to of my neighbors who are equally as concerned. I wanted to ensure that they had to same opportunity to voice their concerns.

Thank you for your time Elaine, I truly appreciate the opportunity to voice my concerns.

Regards,

Brent Hess
262.770.2457

From: Johnson, Elaine M - DNR [mailto:Elaine.Johnson@wisconsin.gov]

Sent: Thursday, March 19, 2015 7:20 AM
To: Brent Hess
Cc: Scott, Michelle M - DNR
Subject: RE: Public information request

Brent,

Thank you for outlining your concerns to the Department.

Elaine

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Elaine Johnson
141 NW Barstow St, Room 180
Waukesha, WI 53188
Phone: 262-574-2136
elaine.johnson@wi.gov

From: Brent Hess [mailto:bhess9@twc.com]
Sent: Saturday, March 14, 2015 9:50 AM
To: Johnson, Elaine M - DNR; Nitschke, Eric A - DNR
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR; 'Rebecca Ewald'
Subject: RE: Public information request

Very good, thank you for the reply Elaine. I understand that your department needs time to ensure that the EIS contains accurate information. May I ask when the EIS will be completed and available for public review?

Also Elaine, I wanted to take this opportunity to thank you for the DNR's oversight of the drawdown. Everyone that I have been in contact with the DNR is passionate about protecting the natural resources in the State of Wisconsin.

From the local warden (Mike), to everyone copied on this email. As I've mentioned before, the Drainage District's desire is singular in purpose, and that purpose is lowering the waterway to facilitate dredging. It does not consider the fishery, ecosystem, or public access.

Specifically, here are my concerns:

Many of Waterford's / Rochester's residents chose to live in this community because of the outdoor activities the Fox River offers

The Fox River is an awesome natural resource for canoeing, kayaking, hunting, trapping fishing, or just watching nature – and it is open to the public

The Village recognizes the Fox River as an awesome natural resource, and has put forth considerable effort to create more access for residents and visitors alike including :Whitford Park shoreline restoration, planned renovations for the Club 10 park to increase public access, and installing canoe / kayak launches both above and below the Waterford and Rochester Dams

It is not reasonable to draw this waterway down for 5 months out of the year. There is no one on any waterway in the State of Wisconsin that would agree that this is reasonable

Residents are paying waterfront taxes with no water, and we will have boat launches for an unnavigable waterway

I am on this waterway 3 to 4 times per week, The Fox is a thriving ecosystem. Birds of prey, turtles, frogs, Deer, Musky, LM Bass, SM Bass, Walleye, Pike, Gills, Perch, Crappie, Drum, Catfish, Blue Gill, Warmouth, Teal, Wood Ducks, Mallards, the list goes on. For an ecosystem to thrive to this extent, everything has to be in perfect order. Nature's hand is at work here.

Drawing down this waterway is singular in purpose, and puts more than stress on the ecosystem, it threatens to destroy it

In February, snowmobiles and ATVs were running the river from Burlington to North of Big Bend. In a natural **"run of the river state",** the fish have the ability to seek out deeper water both above the Waterford Dam, and below the Rochester Dam, in the areas impacted by the drawdown (between the dams) the deepest spot during the drawdown is 3' with many places less than 1'. During sustained periods of frigid temperatures, the fish have nowhere to go – they are trapped. Their only option is to go over the dam in Rochester, and there is no way for them to get back.

Even if we don't experience a deep freeze, it simply can't be healthy for fish to swim in less than 1 foot of water for months at a time.

Migrating waterfowl use the canal as a favorite stop, as it is always the last to freeze. During the drawdown, the vegetation that the ducks feed on dies due to low water levels. This year, migrating waterfowl did not stop in the canal. They completely by-passed it.

The Dam in Rochester impacts more than just the drainage canal, it impacts everything below the dam in Waterford Dam. What gives the Drainage District this kind of power? The Drainage District is a public entity, and the public's wishes should be considered.

The drawdown is bad for Waterford / Rochester residents, visitors, and fishery.

I plan to attend the meeting on the 23rd, as well as any subsequent meetings to voice my concerns. My reason for reaching out to the DNR is that your team is always on the search to give the public more hunting and fishing opportunities. From fish stocking to MFL's, the Wisconsin DNR is doing a great job and providing world class hunting / fishing opportunities. We have an opportunity right here, right now, and the proposed drawdown threatens to destroy it.

I am confident that your team will make the right decision if you have all the facts. I can back up everything mentioned in my above bullet points. Also, I'd be happy to take anyone from your team on the river or canal for a tour. I know you will see all the same things that I do. The Fox River simply put is one of Wisconsin's premier natural resources – let's keep it that way.

Kind regards,

Brent Hess
262.770.2457

From: Johnson, Elaine M - DNR [mailto:Elaine.Johnson@wisconsin.gov]
Sent: Friday, March 13, 2015 8:21 AM
To: Brent Hess
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR; 'Rebecca Ewald'
Subject: RE: Public information request

Hi Brent,

I appreciate your dedication to the resource and sharing your concerns with the Department. Public input is an integral part of the process, to gather observations and facts from others for the DNR to consider in addition to its own data in making a decision. To answer your question, at this time, I cannot share a draft copy of the EIS.

Thank you,
Elaine

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Elaine Johnson
141 NW Barstow St, Room 180
Waukesha, WI 53188
Phone: 262-574-2136
elaine.johnson@wi.gov

From: Brent Hess [mailto:bhess9@twc.com]
Sent: Thursday, March 12, 2015 5:07 PM
To: Johnson, Elaine M - DNR
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR; 'Rebecca Ewald'
Subject: RE: Public information request

Elaine,

Thank you for the reply. I do understand that. I will be attending the meeting on the 23rd, as well as the formal public hearing when it is announced.

My intent for the meeting on the 23rd is to voice my concerns regarding the drawdown, from a property owners perspective, as well as from an ecosystem perspective.

The Village of Waterford requested the meeting due to countless requests from its citizens asking "where is the water" I've been doing my best to get the word out to the public.
I believe the drawdown is more than stressful to the ecosystem, it threatens to wipe out the fishery.

The meeting on the 23rd represents our first opportunity to express our concerns, and the information contained in the EIS will likely be very helpful.

Can you please advise if the draft EIS is something you can share?

I don't mean to be overbearing Elaine. I have a passion for the health of this waterway, and want to do everything in my power to achieve a positive outcome for the Village and it's residents.

Kind regards,

Brent Hess

From: Johnson, Elaine M - DNR [mailto:Elaine.Johnson@wisconsin.gov]
Sent: Thursday, March 12, 2015 9:36 AM

To: Brent Hess
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR
Subject: RE: Public information request

Good morning Brent,

I just want to make sure it is understood that the meeting with the Village on March 23rd is not the formal public hearing on the project. The purpose of the meeting will be to discuss DNR permitting process with the Village based on some questions and concerns that were brought up by the Village.

The EIS is not complete and the public will have the opportunity to see the EIS and provide comment on the project once it is put on public notice and the public hearing is scheduled.

Thank you,
Elaine

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Elaine Johnson
141 NW Barstow St, Room 180
Waukesha, WI 53188
Phone: 262-574-2136
elaine.johnson@wi.gov

From: Brent Hess [mailto:bhess9@twc.com]
Sent: Wednesday, March 11, 2015 5:34 PM
To: Johnson, Elaine M - DNR
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR
Subject: Public information request

Good afternoon Elaine,

I was unsure who to direct this request to. In order to prepare for the upcoming meeting I would like to request the draft copy of the EIS report. If you are not the correct person, could you please direct me to who is?

Many thanks,

Brent Hess

From: Johnson, Elaine M - DNR [mailto:Elaine.Johnson@wisconsin.gov]
Sent: Friday, February 20, 2015 8:40 AM
To: Brent Hess
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR
Subject: RE: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Hi Brent,

The Department originally indicated to the District last fall that an extension could be considered. The extension to the winter drawdown was requested by the District last week to occur through March 15th because they have 2 contractors working on debrushing vegetation on the banks (in anticipation of the dredging project) and had concerns about being able to safely accomplish this work with higher water levels.

The Department reviewed this request and due to concerns to the resource, particularly fish spawning, it was determined that an extension through March 15th could not be granted. However, in the past the Department has allowed the temporary winter drawdown at Rochester Dam to occur through the end of Feb (Feb. 28th) and this was the basis for allowing the extension. No further extensions will be granted.
Elaine

> **We are committed to service excellence.**
> Visit our survey at http://dnr.wi.gov/customersurveyto evaluate how I did.
>
> Elaine Johnson
> Phone: 262-574-2136
> elaine.johnson@wi.gov

From: Brent Hess <bhess9@twc.com>
Sent: Thursday, February 19, 2015 8:07 PM
To: Johnson, Elaine M - DNR
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR
Subject: RE: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Elaine,

Thank you for your reply.

I am still a bit confused. The DNR allowed the water level in the Fox River / Wind Lake Drainage Canal to be lowered in October in anticipation of the Drainage District dredging the canal. However, due to the timing of when the Drainage District submitted plans for DNR review, and the need to complete an EIS, no dredging occurred. The result of this is that the water level in this waterway has been lowered for approximately 5 months, for no purpose. Most recently the Drainage District requested an extension, which the DNR granted. What was the reason for the extension? If the Drainage District is not actively dredging, what is the purpose of extending the drawdown? Also, as noted in my email below, the potential to negatively impact this ecosystem by an extended drawdown exists. I believe that we all acknowledge that, although the public has not had a chance to review the EIS.

Additionally, the article that you linked to, as well as an article in the Racine Journal Times indicated that water levels would return to normal by 2.15.2015. This date has come and gone and the water levels are still approximately 3 feet below normal levels.

As I've mentioned to Tanya and Luke, I truly appreciate the DNR's oversight as I know how hard your team works to protect our resources. I am passionate about this waterway and am truly concerned about how this process is unfolding.

Brent Hess

From: Johnson, Elaine M - DNR [mailto:Elaine.Johnson@wisconsin.gov]
Sent: Thursday, February 19, 2015 4:31 PM
To: bhess9@twc.com
Cc: Roffler, Luke S - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR; Scott, Michelle M - DNR
Subject: RE: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Hi Brent,

I am the DNR Water Management Specialist covering Racine and managing the application for the Rochester Dam change order project. To answer your questions relating to permitting:

- The District has applied for a Ch. 30 permit to dredge the Wind Lake/Goose Lake Branch canals. This permit has not been issued and is still incomplete pending finalized drawings/plans. The District requested the temporary winter drawdown last fall to facilitate the dredging project; however, the dredging permit has not been issued.
- The change in the operational order of the Rochester Dam is being processed under an individual permit. All individual permits require a 30 day public notice period. A public hearing is not required unless one is requested by a member of the public. A public hearing will be scheduled in the case of the Rochester Dam project as the Department recognizes the work may be controversial in nature and anticipates a hearing will be requested.
- The Rochester Dam project has not been placed on public notice because staff are working on completing the Environmental Impact Statement (EIS) Luke referenced in his email. Once this is complete, the project will be put on public notice and the hearing scheduled. The Department will post the notice on our website and you can access it here when that happens: http://dnr.wi.gov/permits/water/.
- A public notice/hearing is not required for temporary drawdown requests. However, as courtesy the Department published a news release on our website regarding the winter drawdown. You can access a copy of the news release here:http://dnr.wi.gov/news/releases/article/?id=3331

I hope this helps answer your permitting related questions.

Thank you,
Elaine

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Elaine Johnson
141 NW Barstow St, Room 180
Waukesha, WI 53188
Phone: 262-574-2136
elaine.johnson@wi.gov

From: Roffler, Luke S - DNR
Sent: Tuesday, February 17, 2015 8:11 PM
To: Brent Hess
Cc: Johnson, Elaine M - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR
Subject: Re: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Brent,

Thank you for getting in touch again about this issue. I will defer to Tanya and/or Elaine on the questions related to the permitting and public info process.
I also appreciate your concerns about the fisheries resources in the Fox River and Wind Lake Canal. The potential negative impacts to the fish community and the usability of the resource will be fully detailed in the EIS and will be considered along with many other factors.
Thank you again and please don't hesitate to stay in touch about this or any other issue.
We are committed to service excellence. Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Luke S. Roffler
Senior Fisheries Biologist – Racine, Kenosha and Walworth Counties
Wisconsin Department of Natural Resources
9531 Rayne Road, Suite 4
Sturtevant, WI 53177
Cell Phone: (262)822-8164
Fax: (262)884-2306
luke.roffler@wisconsin.gov
dnr.wi.gov

On Tue, Feb 17, 2015 at 6:23 PM, Brent Hess <bhess9@twc.com> wrote:

Thank you Luke.

Quick question, since the Drainage District is not doing any work on the canal, did they cite a reason for the request?

Also, as an fyi, the canal is 100% frozen over and has been for quite some time. As we've discussed before, given the current depth of 3 feet or less, and the upcoming frigid weather, the potential for a deep freeze exists, as well as the potential that fish will be on the hunt for deeper water. This is of course a concern, as the only place they will find deeper water is on the other side of the dam in Rochester.

Lastly, does the Drainage District have to request a public hearing for these types of requests, or do they simply have to request the permit from the DNR? It appears that the ladder is true, if so, what does your group take into consideration before granting the Drainage District an extension?

I'd like to better understand the pieces in play here as I truly believe that the potential exists to negatively impact this fishery. If the remaining section of the river freezes, the fish have absolutely nowhere to go but over the dam. The water depth on the river is currently less than 2 feet in many places, with the deepest hole being around 3 feet. This waterway froze deep enough to support snowmobile and ATV traffic last Winter, so there certainly is precedence for this.

Brent

From: Roffler, Luke S - DNR [mailto:Luke.Roffler@wisconsin.gov]
Sent: Friday, February 13, 2015 1:33 PM
To: Brent Hess
Cc: Johnson, Elaine M - DNR; Zoch, Nathan D - DNR; Lourigan, Tanya L - DNR
Subject: Re: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Brent,

I am writing to let you know that the drainage district has requested and been awarded an extension on the 2015 drawdown to February 28th. At this point, they will need to close the gates and refill the impoundment to normal water levels.

Please feel free to share this information with anyone else who may be interested. Thank you.

We are committed to service excellence. Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Luke S. Roffler
Senior Fisheries Biologist – Racine, Kenosha and Walworth Counties
Wisconsin Department of Natural Resources
9531 Rayne Road, Suite 4
Sturtevant, WI 53177
Cell Phone: (262)822-8164
Fax: (262)884-2306
luke.roffler@wisconsin.gov
dnr.wi.gov

On Fri, Feb 13, 2015 at 11:12 AM, Lourigan, Tanya L - DNR <Tanya.Lourigan@wisconsin.gov> wrote:

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Tanya L. Lourigan, P.E.
Water Management Engineer
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711
Phone: (608) 275-3287
Fax: (608) 275-3338
Tanya.Lourigan@wisconsin.gov

dnr.wi.gov

-----Original Message-----
From: Brent Hess [mailto:bhess9@twc.com]
Sent: Friday, January 30, 2015 5:58 PM
To: Lourigan, Tanya L - DNR
Cc: Roffler, Luke S - DNR; Johnson, Elaine M - DNR
Subject: RE: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Tanya-

Thank you for your thoughtful response and answering all of my questions.

I am disappointed that the Drainage District requested the drawdown and did not even start the project. It appears that the Drainage District did not begin planning as early as they should have.

As I've mentioned, no one in the Village of Waterford was able to duck hunt or fish the Fox River / drainage canal below the Waterford dam after the first week in October - what an absolute waste of an awesome natural resource. The use of the waterway was a major factor for many of us in purchasing homes on the waterway.

I completely understand (and agree with) the need for maintenance, but strongly oppose an annual drawdown. There has to be some common ground / better planning on the part of the Drainage District. The requested drawdown impacts much more than just the drainage canal. It impacts everything below the dam in Waterford, and every property owner in Waterford with Fox River frontage.

If you could Tanya, could you please put me on your email distribution list for any action items, meetings, discussion opportunities etc. regarding the Drainage Districts request. I would greatly appreciate as much notice as possible.

Lastly, thank you again for the information and your oversight of this project. I know that you also want what is best for this waterway.

Brent Hess

-----Original Message-----
From: Lourigan, Tanya L - DNR [mailto:Tanya.Lourigan@wisconsin.gov]
Sent: Thursday, January 29, 2015 2:11 PM
To: bhess9@twc.com
Cc: Roffler, Luke S - DNR; Johnson, Elaine M - DNR
Subject: RE: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Brent,

Thank you again for your patience with my delayed response.

You asked whether water levels will remain drawn down until at least April. At this point, it appears that the dredging project will not happen this fall 2014/winter 2015 season and the impoundment will begin to be refilled in mid-February.

The DNR granted permission for the October drawdown fully anticipating that the plans would be completed, a permit issued, and the dredging started by early winter. The draw down needed to start in October due to the hibernation period for herptiles. We indicated the impoundment needed to be refilled beginning February 15 for spawning periods. If the dredging was slightly behind schedule, we would consider delaying the refill but only for a very short time period.

Unfortunately there were some delays and the Drainage District is still working on the plans. Once they are complete, there is a 30-day public notice and comment period before the DNR could issue the dredging permit. In addition, the Drainage District would like to do the dredging while the ground is frozen. Because it is the end of January, this critical path makes it seem unlikely the project will even start this season. I anticipate the Drainage District would again request a winter drawdown for the fall 2015/winter 2016 season to complete the dredging.

In addition to the Drainage District's request for a "temporary" winter drawdown to facilitate dredging, they have also requested a "permanent" change to how the dam is operated. The established operating order for Rochester Dam does not have a winter drawdown (see attached). The Drainage District is requesting an annual winter drawdown as follows:

• Winter draw down will begin on October 1st, to run of the river with the radial gates fully open, being achieved by October 15th. This will be accomplished by gradually opening the radial gates with the system fully open by October 15th. Restoring of the system will begin February 15th. This will be accomplished by gradually closing the radial gates with the system returned, at least, to the minimum water elevation of 4.20 ft. on gauge by March 1st to the best extent possible dependent upon watershed and weather conditions.
• They have also requested to go below minimum water levels temporarily during high flow events.

The EIS will look at the impacts of this request, which we are still drafting. There will also be an opportunity for the public to comment, as I mentioned.

I appreciate that you have a strong interest in these waterways and projects. We will be sure to provide you both public notices so you also have an opportunity to comment during the "formal" time periods.

If you have additional questions, please feel free to contact me.

Regards,
Tanya

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Tanya L. Lourigan, P.E.
Water Management Engineer
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711
Phone: (608) 275-3287
Fax: (608) 275-3338
Tanya.Lourigan@wisconsin.gov

dnr.wi.gov

-----Original Message-----
From: bhess9@twc.com [mailto:bhess9@twc.com]
Sent: Sunday, January 18, 2015 11:05 AM
To: Lourigan, Tanya L - DNR
Cc: Roffler, Luke S - DNR
Subject: Re: Fwd: Wind Lake Drainage Canal / Fox River between the Waterford and Rochester Dam

Tanya-

We switched our internet provider last week, so I am unsure if you responded to my 1.13.2015 email. If you have, can you please forward your response to my new email?

My new email is bhess9@twc.com

My mobile phone and address have not changed.

Thank you,

Brent Hess
262.770.2457

>
>
> From: Brent Hess [mailto:brentayn@tds.net]
> Sent: Tuesday, January 13, 2015 7:22 PM
> To: 'Lourigan, Tanya L - DNR'
> Cc: 'Roffler, Luke S - DNR'
> Subject: RE: Wind Lake Drainage Canal / Fox River between the
> Waterford and Rochester Dam
>
> Thank you Tanya, I appreciate the update and the DNR's oversight of this project. I understand that the DNR needs to review the dredging plans to ensure that the health of the waterway is maintained, and for this I am grateful. Also, I know how much effort the DNR puts forth to maintain our waterways. Quality fishing opportunities don't "just happen". From fish stocking, providing public access, and fishery management, your group does a great job, and you don't get the credit that you deserve.
>
> The above being said, I am truly disappointed to hear that the project is no longer on schedule, and that the water levels will not return to normal levels on February 15th as originally communicated in the Racine Journal Times.
>
> As you are aware, the drawdown occurred in early October, and the water was unnavigable shortly thereafter for fall fishing and duck hunting. For myself and many of my neighbors, this is our favorite time of the year. However, it was understood that the drawdown needed to occur to complete maintenance and ensure the health of the waterway. Given the drawdown, I'm sure you can appreciate that I was eager for water levels to return to normal for spring fishing.
>
> It is not my intent to gripe Tanya, I just want to understand the pieces in play here. As it currently appears, the water level in the river / canal will remain low until at least April. Is that correct? Additionally, the main reason I purchased my current home was that my back yard / subdivision adjoins the Fox River, and I had use of the waterway.
>
> I want to be reasonable Tanya, but I don't believe that drawing down this waterway to the point that it is no longer navigable for 6 to 7 months (October thru April) is reasonable. I think anyone who lives on any lake or waterway in the state would agree.
>
> When the DNR reviewed / approved the original dredging plans, didn't that come with a timeframe i.e. The drawdown must start by xx, and be completed by xx? Is there a date that the DNR manages to for the water level to be returned to normal?
>
> Also, you mentioned that the DNR is drafting an Environmental Impact Statement for the Drainage District's request to change the operation of the Rochester Dam. What change is being proposed? The canal has already been drained.
>
> Thank you for keeping me informed, I look forward to your response and more information on the public hearing.
>
> My mailing address is as follows:
>
> Brent Hess
> 707 River Ridge Drive
> Waterford WI, 53185
>
> Thank you for your time Tanya,
>
> Brent Hess
> 262.770.2457
>
>
>
> From: Lourigan, Tanya L - DNR [mailto:Tanya.Lourigan@wisconsin.gov]
> Sent: Tuesday, January 13, 2015 11:09 AM
> To: Brent Hess
> Cc: Roffler, Luke S - DNR
> Subject: RE: Wind Lake Drainage Canal / Fox River between the
> Waterford and Rochester Dam
>
> Brent,
>
> I had an opportunity to speak with Elaine Johnson, DNR Water Management Specialist for Racine County. She confirmed that the dredging of Wind Lake and Goose Lake Branch Canals has not started yet. The Drainage District submitted revised plans on December 19th. The Department is still reviewing the plans but it appears that more information will be needed. In addition, the permitting process requires a 30-day public notice period. So it appears that the window for dredging this winter is narrowing/extremely tight.
>
> The Department is still drafting the Environmental Impact Statement for the Drainage District's request to change the operation of the Rochester Dam. It is still several weeks out before this will be finalized. As I mentioned, changing the Operational Order for the dam also has a public input process.
>
> We will be sure to provide you with public notices for the two proposed activities. Could you provide me with your mailing address?
>
> I hope this update is helpful. If you have additional questions, please feel free to contact me.
>
> Regards,
> Tanya
>
>
> We are committed to service excellence.
> Visit our survey at http://dnr.wi.gov/customersurvey<https://urldefense.proofpoint.com/v2/url?u=http-3A__dnr.wi.gov_customersurvey&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=uI959SNQngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24WsGTXvXujGe_LRcooBXk&s=O9BGhIEu96Tz8pjhYUcUOBfTSHnKz0sR7ut-UT6GGEU&e=> to evaluate how I did.
>
> Tanya L. Lourigan, P.E.

> Water Management Engineer
> Wisconsin Department of Natural Resources
> 3911 Fish Hatchery Road
> Fitchburg, WI 53711
> Phone: (608) 275-3287
> Fax: (608) 275-3338
> Tanya.Lourigan@wisconsin.gov<mailto:Tanya.Lourigan@wisconsin.gov>
>
> [cid:image001.gif@01D02F5D.A1373C00]<https://urldefense.proofpoint.com
> /v2/url?u=http-3A__dnr.wi.gov_&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEUL
> BErJNY3toMRtnjE&r=uI959SNQngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4
> WMgqKY8uQDpSTLZ24WsGTXvXujGe_LRcooBXk&s=6TXPqxrien5TlDoJt8JI0NDwpwjN6z
> MadI9ImS6__d8&e=>
> dnr.wi.gov<https://urldefense.proofpoint.com/v2/url?u=http-3A__dnr.wi.
> gov_&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=uI959SNQ
> ngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24WsGTXvXuj
> Ge_LRcooBXk&s=6TXPqxrien5TlDoJt8JI0NDwpwjN6zMadI9ImS6__d8&e=>
> [cid:image002.gif@01D02F5D.A1373C00]<https://urldefense.proofpoint.com
> /v2/url?u=http-3A__facebook.com_WIDNR&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035
> gIkdEULBErJNY3toMRtnjE&r=uI959SNQngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m
> =TWtzc4WMgqKY8uQDpSTLZ24WsGTXvXujGe_LRcooBXk&s=x8BL8WptvcClQtuT9KoXkdQ
> rn3bvJ2k_vaFdLMJPov8&e=> [cid:image003.gif@01D02F5D.A1373C00]
> <https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_WDNR
> &d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=uI959SNQngV9
> Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24WsGTXvXujGe_L
> RcooBXk&s=l84cNEulqbHGhGwo3H02IEfsvfr7KOw5scT735QZpbI&e=>
> [cid:image004.gif@01D02F5D.A1373C00]
> <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.flickr.com_ph
> otos_widnr_&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=u
> I959SNQngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24Ws
> GTXvXujGe_LRcooBXk&s=1X7bpGVAY6orkCR5ONexnGjjxRlLVr_vJAW3zzteiec&e=>
> [cid:image005.gif@01D02F5D.A1373C00]
> <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.youtube.com_u
> ser_WIDNRTV&d=AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=u
> I959SNQngV9Mkn0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24Ws
> GTXvXujGe_LRcooBXk&s=4yDhCoLS3pSI8_BezObwTQUHmEPwbRQCGgvTphD5GF0&e=>
> [cid:image006.gif@01D02F5D.A1373C00]
> <https://urldefense.proofpoint.com/v2/url?u=http-3A__dnr.wi.gov_rss_&d
> =AwMFaQ&c=l-GNg4IEq6YBnaJdsx035gIkdEULBErJNY3toMRtnjE&r=uI959SNQngV9Mk
> n0PJCRf0I0yPQIHYeZTkZ0W6s3hHE&m=TWtzc4WMgqKY8uQDpSTLZ24WsGTXvXujGe_LRc
> ooBXk&s=VoT44OUz1rZwBHShUtIYoa7dkOnbl45M9JlO5H_5tcc&e=>
>
> From: Brent Hess [mailto:brentayn@tds.net]
> Sent: Monday, December 29, 2014 9:14 AM
> To: Lourigan, Tanya L - DNR
> Cc: Roffler, Luke S - DNR
> Subject: FW: Wind Lake Drainage Canal / Fox River between the
> Waterford and Rochester Dam
>
> Good morning Tanya-
>
> Hope you had a wonderful holiday with your family.
>
> Luke suggested that I contact you for an update on the canal.
>
> How far have they dredged to date? How deep are they dredging? Is February still being targeting for bringing back up the water levels? Additionally, you mentioned in an earlier email that the sewerage district was requesting a permit for a yearly draw down, any status on that? As discussed this past fall, I am very interested in the current and future projects regarding this waterway, and would like to attend any public meetings discussing the Wind Lake drainage canal / Fox River between the Waterford and Rochester Dams.
>
> Thank you,
>
> Brent Hess
> 262.770.2457
>