



12/17/2012

IP-WC-2012-18-05603

Al Hendricks
E19610 Cty Rd ND
Augusta, WI 54722

Dear Mr. Hendricks:

The enclosed document is a "Notice of Pending Application" for your project. If you requested a public hearing in your application, a notice of public hearing is also enclosed. Wisconsin law requires that the public be allowed an opportunity to comment on projects like yours. The enclosed notice(s) help you meet this requirement.

Before I can proceed in processing your application, state law requires that you:

1. Publish this as a Class I Notice, at your expense, in Eau Claire Leader-Telegram, 701 S. Farwell St, P O Box 570, Eau Claire, WI 54702-0570, jamie.lewis@ecpc.com or legal@ecpc.com, Phone (715) 833-9238, Fax (715) 858-7333.
2. Obtain an affidavit from the newspaper to prove that the notice was published.
3. Mail a copy of the enclosed notice by U.S. Mail as Certified Mail - Return Receipt Requested to interested members of the public. The Department has determined that you must notify the parties listed below. You may notify others at your discretion. You must also mail a copy of the notice to any person or group who asks you to do so.
 - Leon Etten 2328 Sessions Street 3 #, Eau Claire, WI 54701
 - Edward & Sheryl Knetter 19665 ND Lane, Augusta, WI 54722
4. Post a copy of the notice or a link to the notice on the Lake Eau Claire Association website.

The Department also will publish the notice on our Internet Web site as required by s. 30.208(5)(a)3. and s. 281.36(3p)(3), Stats.

Please send me the original Affidavit of Publication and Return Receipts as soon as possible, to prove publication and notification. Pursuant to s. 30.208(5)(bm) and s. 281.36(3p)(c), Stats., **the 30-day period for public comment will not begin until 10 days after we receive satisfactory proof of publication.**

If I do not receive the affidavit and Return Receipts by 01/26/2013, the Department may dismiss your application without prejudice. If your application is dismissed, you may resubmit an application for the contract or permit.

Please contact me at StacyJ.Steinke@wisconsin.gov or Chris Willger at (715) 797-8609 or ChristopherJ.Willger@Wisconsin.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Stacy J. Steinke". The signature is written in a cursive, flowing style.

Stacy J. Steinke
Water Management Specialist

Ecopies: Ken Thompson, Conservation Warden, WDNR
Nate Campbell, Project Manager, U.S. Army Corps of Engineers
James (Mel) Erickson, Eau Claire County Zoning
Kelly Jacobs, Eau Claire County Planning & Development
Bruce Neeb, WDNR
Buzz Sorge, WDNR
Rod Zika, Lake Eau Claire Association
Fred Poss, Lake Eau Claire Association

Notice of Pending Application for Proposed Miscellaneous structure

The Lake Eau Claire Association (c/o Fred Poss) on behalf of Al Hendricks, E19610 Cty Rd ND Augusta, WI 54722, has applied to the Department of Natural Resources for a permit to place an aeration system on the bed of Eau Claire Lake.

The project is located in the SE¼ of Section 5, Township 26 North, Range 6 West, Town of Ludington, Eau Claire County. Specifically, the aeration system will consist of 2,000 feet of two-inch high density polyethylene pipe anchored to the lake bed with steel rebar. The pipe will be comprised of 1,050 feet of supply line leading from a pump house to 950 feet of diffuser line. The aeration system will be installed for the purpose of reducing oxygen depletion during the summer months in an attempt to eliminate the dead zone, reduce eutrophication, and improve overall water quality.

The Department has determined that the application is complete and is currently evaluating the applicant's proposal. The Department must consider factual information about the following legal standards in deciding whether to issue, modify, or deny the permit or approve or disapprove the contract:

- Whether the project will materially obstruct navigation, including commercial, recreational, active and passive forms of navigation
- Whether the project will be detrimental to the public interest, including fish and wildlife or their habitat, natural scenic beauty, or water quality
- Whether the project will materially reduce the flood flow capacity of a stream

The Department will follow the steps below to reach its final decision on the application:

1. Review the plans and information provided by the applicant.
2. Review the information from public comments.
3. Review the information presented at a public informational hearing if one is requested.
4. Review the information found in natural resource inventories and plans, maps, or data collected by the Department or others using commonly accepted methods.
5. Determine whether the proposed project or activity complies with s. 1.11, Stats [the Wisconsin Environmental Policy Act], and ch. NR 150, Wis. Adm. Code.

The Department has made a tentative determination that it will issue a permit with modifications and conditions for the proposed activity.

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>.

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

If notice of a public informational hearing is not included in this notice of pending application, no public informational hearing will be held unless the Department receives a request for hearing or determines within 20 days after this notice is published that there is a significant public interest in holding a hearing. If no hearing is requested, the Department may issue its decision without a hearing.

Any person may request a public informational hearing by writing to Stacy Steinke, 1300 W Clairemont Avenue, Eau Claire, WI 54701 by U.S. mail postmarked no later than 20 days following publication of this notice. A request for hearing must include the docket number or applicant name and specify the issues that the party desires to be addressed at the informational hearing. Because the Department must base its decision to issue, deny, or modify the permit or approve or disapprove the contract on whether the project or activity meets the legal standards listed above, the issues raised in the request for hearing should relate to those standards.

Any member of the public may submit written comments to the address above by U.S. mail. Comments should include the docket number or applicant name.

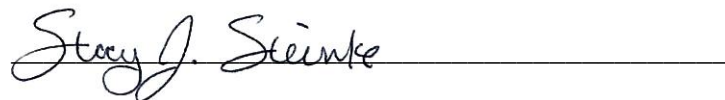
If no public informational hearing is held on this application, comments must be postmarked within 30 days after the date this notice is published in a newspaper as a class 1 notice or within 30 days after the date this notice is published on the Department's website, whichever is later. If a public informational hearing is held, comments must be postmarked no later than 10 days following the date on which the hearing is completed.

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

Docket Number IP-WC-2012-18-05603

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary

A handwritten signature in cursive script that reads "Stacy J. Steinke". The signature is written in black ink and is positioned above a solid horizontal line that extends across the width of the signature area.

Stacy J. Steinke
Water Management Specialist

Date 12/17/2012