

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
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October 31, 2012

Frederick M. Poss, President  
Lake Eau Claire Association  
S5270 SD Lane  
Augusta, WI 54722

SUBJECT: Lake Eau Claire Restoration Project –  
Variance from s. NR 191.44(2), Wis. Adm. Code

Dear Mr. Poss:

I approved your request for a variance from s. NR 191.44(2), Wis. Adm. Code. This variance will allow the Lake Eau Claire Association to use the Lake Protection grant you will soon receive to construct sediment traps upstream of tributaries to Lake Eau Claire.

We understand that the proposed dredging is not for navigational purposes but to prevent sediment from entering the Lake. We further understand your request is an outgrowth of an alternatives analysis that determined the proposed dredging to be the most effective management practice to restore and protect fish populations, aquatic life and wildlife habitat, to restore river current flow that will naturally scour sediment from tributaries to Lake Eau Claire and are essential to the objectives of your grant application.

I acknowledge the special circumstances that make this variance reasonable, including the lake's morphology, short hydrologic retention times, unique landscape, large drainage area, and inability of traditional upland best management practices to control Eau Claire River sediment from entering Lake Eau Claire.

We are pleased to learn that the newly created Lake Eau Claire Protection and Rehabilitation District will assume responsibility for the long-term maintenance of the sediment traps.

Under normal circumstances, dredging is not an eligible activity in this grant program, as indicated in s. NR 191.44, Wis. Adm. Code, titled "Eligible and ineligible projects". Sub (2) of that section reads as follows:

"Activities not eligible for funding under this subchapter include: dam repair, modification or operation or removal; **dredging**; design, installation, operation or maintenance of sanitary sewers or public or private onsite waste disposal systems; routine chemical treatments or mechanical harvesting of aquatic plants, and maintenance and operation of aeration systems, detention ponds and other facilities." [emphasis added]

All other sections of ch. NR 191, Wis. Adm. Code, must be followed and approval of this variance extends only to the lake protection grant you will receive as a result of the Fall 2012 grant cycle.

If you should have any questions about this variance approval, please contact Kathleen Hanson, Lakes grants manager, at (608)266-9426.

Sincerely,



Mary Rose Teves, Director  
Bureau of Community Financial Assistance

- C: Bruce Neeb – WCR
- Patrick Sorge – WCR
- Carroll Schaal – WT/4
- Dan Baumann – WCR
- Kathy Hanson – CF/2