

## **APPENDIX B**

# **DOCUMENTATION OF CONSULTATION**

## PREPLAN CONSULTATIONS

A meeting was held on October 4, 2006 with developers to get comments from developers regarding the development of a consistent vegetation management plan at Castle Rock and Petenwell Flowages.

**SEE MEETING MINUTES**

## **Notes from 10/4/06 Castle Rock Developers Meeting to Discuss Vegetation Management Plan**

**Attendees: Representatives from WPSR/WRPCO, Richard Hilliker, Atty Nick Brazeau (working for WRPCO), Naterra Land, and Pavloski Developers.**

**WPSR Executive Vice President Tom Mainz** introduced the meeting and its purpose: to get comments from developers regarding the development of a consistent vegetation management plan at Castle Rock/Peternwell flowages.

**WPSR Environmental Projects Manager Greg Egtvedt** further elaborated on the purpose of the meeting and a background of its reasons. He talked of FERC's sensitivity to shoreline management activities because of the national trend to develop property near hydroelectric projects. Because there are often conflicting interests between environmentalists, developers, and local residents, it is important that WPSR/WRPCO solicit comments from each group in developing and submitting a Vegetation Management Plan that is definitive. Greg mentioned that Mr. Morgan at FERC is sensitive and concerned that "his hydro projects are effectively managed."

He talked of the changes in shoreline management guidelines in recent years – again because of all the development. What was acceptable many years ago is not as acceptable today.

Because the current guidelines are very general in nature, there is some inconsistency in interpretation – that is causing difficulty. WPSR/WRPCO seeks a plan that is more definitive, consistent, and easier to monitor/enforce.

The process to create the plan will be open/transparent.

FERC has an overriding interest in protecting public uses of project lands, not necessarily as concerned about private uses.

Another issue to resolve is "who is responsible for maintenance" of the various components of the shoreline?" (trails, view sheds, etc.)

This meeting is not to talk about docks, ATVs, etc. This is just to talk about vegetation management.

**Naterra: Why is Nakomis cleared to the shoreline and not here? Why is FERC interested here?**

FERC defers to state. Nakomis is "prehistoric" subdivided back in the 20s and 30s when there was a different set of goals and not much development. The definitions have changed over time.

**Atty Brazeau: Does WRPCO know of other vegetation plans?**

Yes. We are aware and have seen many –

**Meinz: The consulting agencies here include Native Americans? Army Corps of Engineers, NDR, Adams, Juneau, and Wood Counties, Fish & Wildlife?**

Yes and there are more. WE have a list.

**Hilliker: Public Access is actually better with the development – due to the trails.**

WRPCO doesn't care as long as its compliant with the license and the general public and people who bought adjacent property are protected.

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Maintenance is an issue

Hilliker suggests bringing in an Adams/Juneau County Tourism group to discussion.

Egtvedt says that process is open and that's why this meeting is being held. Letters have been sent to all of the property owners associations seeking their input, too. The agencies will also be consulted. If there is agreement, we could file a plan with FERC by early next year.

**Pavloski: Are we and Naterra the only Developers with undeveloped property?**

Yes, at this point, but there is some acreage to be sold later.

**P: Did a letter of noncompliance cause this process?**

No. – We were strongly advised by FERC to gain consistency on vegetation management here.

**Nuthals (WPSR): FERC inspected in 2002, wanted to know what we were doing about encroachments. FERC hasn't inspected again, but will do so soon.**

There is a discussion about the level of encroachments – including the general public. Pavloski sent the letters warning of encroachments were very threatening. Egtvedt explained the violations by landowner in Peshtigo and how dock rights were lost. Pavloski said there is a huge difference between early developments and those being done today by themselves and Naterra. WRPCO agreed that things are better, but still inconsistent.

Hilliker is comfortable with “general” guidelines for healthy forest, stable shoreline, semi-natural, etc.

Boaters like looking at homes from the water.

Hilliker wonders if we're looking for something in-between the early developments where there is mowing to shore and the more restrictive policies of today. Egtvedt indicates that is not really the case.

Nuthals talked about Peshtigo River guidelines. Question was asked does DNR give some guidance of clearing, trimming, pruning. Nuthals said yes.

**Hilliker: Interested in "defensible" vegetation management including healthy forest management.**

Nuthals says DNR may or may not be interested in healthy forest – likes less disturbance.

There is consensus among the developers present the today's process is working, but the DNR can be a pain.

**Pavloski: complaint that there were allowed no cutting, trimming, etc. until final property owner bought land and that made land hard to sell – couldn't even see water; lost \$100,000/lot.**

Discussion of Peshtigo River model with 30' view shed to 50' from shoreline, then widening to home edges. Developers asked questions and seemed to like model. They were told the plan could include creating the first 50' of view shed before ultimate buyer.

Maintenance: parties agreed that it made sense for homeowner to maintain view shed and private trail to shoreline. WRPCO would maintain public trail and the rest of 100' project lands, taking care of diseased trees using healthy forest management.

Naterra's existing owners would be ecstatic.

Hilliker says we should show those owners the plan (we will.)

Pavloski likes, too, wants to know what this wasn't done earlier – they've lost "millions" because there was no real plan.

This will require more frequent monitoring for compliance; WRPCO is committed to providing resources to do that. Will have more frequent communications with shoreview owners – maybe even annual meetings.

Regarding the Peshtigo Model: Pavloski says there should be some allowance for the individual characteristics of individual lots. For example, some lots are steep near the shoreline and only allowing limited height trimming leaves the full tree canopy blocking a shore view.

They would like there to be some exceptions to rules.

Meeting adjourned.

## PREPLAN CONSULTATIONS

A meeting was held with the Department of Natural Resources, the Petenwell Castle Rock Property Owners Association, a former Germantown Elected Official, and a Concerned Citizen to discuss development of a consistent vegetation management plan.

**SEE MEETING MINUTES**

**Notes from Petenewll and Castle Rock Property Owners Association (PCPOA) and Wisconsin Department of Natural Resources (WDNR) Meeting to Discuss Vegetation Management Plan**

**Attendees: Greg Egtvedt - WPSR, Jamie Nuthals - WPSR, Joe Morro - PCPOA, Scott Ironside - WDNR, Representative - Former Germantown Elected Official, Representative - Concerned Citizen.**

**WPSR Environmental Projects Manager Greg Egtvedt** elaborated on the purpose of the meeting and a background of its reasons. He talked of FERC's sensitivity to shoreline management activities because of the national trend to develop property near hydroelectric projects. Because there are often conflicting interests between environmentalists, developers, and local residents, it is important that WPSR/WRPCO solicit comments from each group in developing and submitting a Vegetation Management Plan that is definitive. Greg mentioned that Mr. Morgan at FERC is sensitive and concerned that "his hydro projects are effectively managed."

He talked of the changes in shoreline management guidelines in recent years - again because of all the development. What was acceptable many years ago is not as acceptable today.

Because the current guidelines are very general in nature, there is some inconsistency in interpretation - that is causing difficulty. WPSR/WRPCO seeks a plan that is more definitive, consistent, and easier to monitor/enforce.

The process to create the plan will be open/transparent.

FERC has an overriding interest in protecting public uses of project lands, not necessarily as concerned about private uses.

Another issue to resolve is "who is responsible for maintenance" of the various components of the shoreline?" (trails, view sheds, etc.)

This meeting is not to talk about docks, ATVs, etc. This is just to talk about vegetation management.

**PCPOA Land Concerns Representative - Joe Morro** asked who is responsible for ensuring that these Shoreline Commons Area (SCA) are being operated in a way that the FERC license intended? He believes it is the responsibility of the WDNR to ensure this is happening.

**WDNR Representative - Scott Ironside** said the WDNR simply does not have the resources to look at every reservoir and WPSR/WRPCO is responsible for following the license. If there is a specific case they will work at the problem, but not patrol.

**WPSR Environmental Projects Manager Greg Egtvedt** WPSR/WRPCO is responsible for maintenance of the shoreline and to oversee that it is in compliance with the FERC license and articles of that license.

This meeting is being held for the purposes of outlining a proposed plan that will further define WPSR/WRPCO responsibilities in the Shoreline Commons Area.

**WPSR Environmental Projects Manager Greg Egtvedt** outlined the plan and indicated what could and could not be completed in the SCA by the adjacent property owners. Greg talked about the limited view shed for the adjacent property owners and WPSR/WRPCO's trail maintenance plan. WRPCO is responsible for the SCA trail and overall forest health. WRPCO will remove trees for individuals only if that tree is dead or diseased and could cause physical harm to person and/or property. No one but WPSR/WRPCO or their contractor can remove trees in the SCA.

Forest Inventory will be collected for all SCA located within Petenwell and Castle Rock. From this the schedule will be created for conducting forest management activities, which means; removal of oak wilt infested trees and a re-vegetation plan once the activities are created.

**PCPOA Land Concerns Representative – Joe Morro** likes the idea of the plan that defines roles. That was the problem in the past, nobody knew there roles. Joe likes the idea that WPSR/WRPCO must approve and is the only one that can remove trees in the SCA. Joe said there was a problem with May's Point and a contractor of WPSR/WRPCO was in the area with a bobcat and cut down many trees.

**WPSR Environmental Services Employee - Jamie Nuthals** – reviewed the video that Joe had sent with this activity (May's Point) taking place. Jamie called the contractor who said that the trees were dead. Trees will be planted in that area this spring. The plan will eliminate these problems because the trees will have to be reviewed and marked by WPSR/WRPCO before any can be removed and it is our contractor.

**PCPOA Land Concerns Representative – Joe Morro** – Does not like the FERC rule concerning the public not being able to fish within 100 – feet of an SCA pier. It eliminated a good fishing spot by May's Point boat landing. Also the SCA signs are all about what the public can't do. The signs should be more user friendly.

**WPSR Environmental Services Employee - Jamie Nuthals** – Understanding Joe's concern and will note it, but the purpose of the meeting is with the vegetation and maintenance of the SCA. Boat docks are WPSR/WRPCO's next concern on the list. A plan/process to deal with the dock situation will be worked on after this vegetation plan is approved.

As for the SCA signs, FERC had indicated the same thing 2 to 3 years ago, WPSR/WRPCO constructed new SCA signs that were approved by FERC. These new



signs are being installed at the new developments and replacing the old signs when the old signs are vandalized or removed. More effort will be put in to having the old signs removed at a quicker pace.

**WDNR Representative – Scott Ironside** asked what is going on with the Little Yellow River Development? That is a very important natural area, many animals and fish depend on that area. Are there plans to dredge that area?

**WPSR Environmental Services Employee - Jamie Nuthals** – Noted. I am not aware of any plans for dredging, however I know the developer is looking to upgrade the boat launch area, which would service a public use.

**Representative – Former Germantown Elected Official** – The townships need to be made more aware of the SCA rules so they know how to enforce them and also want to plan around. Townships have been left in the dark on these issues. Can you make them aware of the rules.

**WPSR Environmental Projects Manager Greg Egtvedt** – That is a good point and WPSR/WRPCO will like to work with the townships. In the past, WPSR/WRPCO did not have enough individuals to get the message out to the townships. There was too much time spent on the problems within the SCA and adjacent property owners. However there will be a new position stationed within the WRPCO offices with the main focus will be SCA issues. Communication with public interest groups, local and county representatives and homeowner's associations will be a big part of this position. The townships that encompass the SCAs for Petenwell and Castle Rock will receive a copy of the completed Vegetation Management Plan.

**PCPOA Land Concerns Representative – Joe Morro** – I am excited to see there is communication and progress moving forward. There are more issues but it is a step. I would like to see more meetings like this to discuss issues with the SCA. Also, can he see a draft of the plan before it is completed?

**WPSR Environmental Projects Manager Greg Egtvedt** – A draft will be sent to you for comments. Also, WPSR/WRPCO will be having an "open house" prior to sending in the plan so people can ask questions or voice their concerns. If possible would like to hold the open house here at the Germantown Town Hall.

**PCPOA Land Concerns Representative – Joe Morro** – That sounds like a good location and should not be a problem, just let them know when.

Meeting adjourned.

### PREPLAN CONSULTATIONS

A meeting was held with Bob Martini of the Wisconsin Department of Natural Resources to discuss the development of a Vegetation Management Plan for the Petenwell and Castle Rock Flowages

**SEE MEETING MINUTES**

## **Notes from the Wisconsin Department of Natural Resources (WDNR) Meeting to Discuss Vegetation Management Plan**

**Attendees: Greg Egtvedt - WPSR, Jamie Nuthals – WPSR, Robert Martini – WDNR**

**WPSR Environmental Projects Manager Greg Egtvedt** elaborated on the purpose of the meeting and a background of its reasons. He talked of FERC's sensitivity to shoreline management activities because of the national trend to develop property near hydroelectric projects. Because there are often conflicting interests between environmentalists, developers, and local residents, it is important that WPSR/WRPCO solicit comments from each group in developing and submitting a Vegetation Management Plan that is definitive. Greg mentioned that Mr. Morgan at FERC is sensitive and concerned that "his hydro projects are effectively managed."

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Another issue to resolve is "who is responsible for maintenance" of the various components of the shoreline?" (trails, view sheds, etc.)

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**WDNR Representative – Robert Martini** – indicated a plan that addressed these issues would be good.

**WPSR Environmental Projects Manager Greg Egtvedt** outlined the plan and indicated what could and could not be completed in the SCA by the adjacent property owners. Greg talked about the limited view shed for the adjacent property owners and WPSR/WRPCO's trail maintenance plan. WRPCO is responsible for the SCA trail and overall forest health. WRPCO will remove trees for individuals only if that tree is dead or diseased and could cause physical harm to person and/or property. No one but WPSR/WRPCO or their contractor can remove trees in the SCA.

Forest Inventory will be collected for all SCA located within Petenwell and Castle Rock. From this, the schedule will be created for conducting forest management activities, which means; removal of oak wilt infested trees and a re-vegetation plan once the activities are created.

**WPSR Environmental Projects Manager Greg Egtvedt** – After outlining the plan, Greg indicated some aspects of the plan had changed from the conversation Greg and Robert had prior to the meeting.

Greg talked about what had changed with view enhancement area. The proposed plan would keep the view enhancement area as a 30-foot area from the ordinary high water mark (OHWM) to edge of the adjacent property owner's lot line. This will be less intrusive than discussed prior to the meeting; 30 –foot view area from the OHWM to 50 – feet inland and then the view corridor would extend from the 50 foot area to the edge of the dwelling.

This would decrease the disturbed area because of what was allowed at previous developments prior to the new license, i.e. O'Dell's Bay.

Greg also talked about leaving the lower vegetation in the view enhancement area besides within a 3 –foot buffer on either side of the trail. Vegetation would have to remain at a height of 3-feet from ground level. Only brush above 3 –foot in height may be removed. The purpose of this change is to allow for a more natural area and continuous wildlife corridor.

**WDNR Representative – Robert Martini** – indicated like the idea of keeping a smaller view area and continuous corridor. Asked how we plan to establish the view enhancement areas and control the encroachments.

**WPSR Environmental Services Employee - Jamie Nuthals** – An application would be presented to the Associations, the Associations would then have to review designated areas where they would like the view enhancement area and personal trails. WRPCO would review the areas and either approve or reject depending on adherence to the plan.

WRPCO will continue to monitor for encroachments bi-annually and as needed to ensure that each Association's approved application is being followed. A system of letters and finally removing the license agreement (if necessary) would be conducted if the encroachment was not cured.

WRPCO will be creating a position at Necedah, Wisconsin with the main responsibility as the Shoreline Commons Area.

**WDNR Representative – Robert Martini** –Indicated would like to see WRPCO become more proactive with the adjacent property owners and realtors in the area. Ideas were to send information on Oak wilt and updates on what can and cannot be done on the

Shoreline Commons Area. He would also like to see information on tree types to plant in the area that would survive in the sandy conditions.

**WPSR Environmental Services Employee - Jamie Nuthals** – Noted. With the new position one of the main functions will be communication with property owners, the public, realtors and local municipalities. Communication activities will be outlined in the plan.

Meeting adjourned.

Copies of the Shoreline Commons Area Vegetation Management Plan were sent to the following agencies for comment and review:

Scott Watson, Wisconsin Department of Natural Resources-Division of Water  
Scott Ironside, Wisconsin Department of Natural Resources-Division of Water  
Kyle Zibung, US Army Corps of Engineers  
Tyler Yasenak, US Fish and Wildlife Service  
County Clerk, Adams County  
County Clerk, Juneau County  
County Clerk, Wood County



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Scott Watson  
Wisconsin Dept of Natural Resources – Division of Water  
5301 Rib Mountain Drive  
Wausau, WI 54401

Dear Mr. Watson:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

This draft plan was developed after extensive research and consultation with stakeholders, including homeowner associations, developers, state agencies and the FERC. This activity included:

- Researching and assessing what policies, procedures and guidelines are currently in use by the adjacent homeowner associations.
- Meeting with the Petenwell and Castle Rock Property Owner's Association (PCPOA) leadership.
- Meeting with developers, including Naterra Land Co. and Pavloski, LLC.
- Meeting with the Wisconsin Department of Natural Resources.
- Correspondence with the FERC to obtain agency perceptions and concurrence.
- Researching and reviewing other VMPs.

It was clear the majority of the stakeholders welcomed the establishment of a consistent VMP. In particular, they welcomed a plan to deal with hazard trees, view sheds, pathway access and public access definition.

This VMP addresses the areas of concern. WRPCO will once again be meeting and talking with stakeholders and agencies to review the draft VMP and obtain questions and comments on the document.

If you have comments, please contact Greg Egtvedt at (920) 433-5713 or send them to:

Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRPCO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC

Scott Watson  
Wisconsin Department of Natural Resources  
Division of Water

**NO COMMENTS SUBMITTED**





Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Scott Ironside  
Wisconsin Dept of Natural Resources – Division of Water  
PO Box 100  
Friendship, WI 53934-0100

Dear Mr. Ironside:

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Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC

Scott Ironside  
Wisconsin Department of Natural Resources  
Division of Water

**NO COMMENTS SUBMITTED**



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Kyle Zibung  
US Army Corps of Engineers  
1314 Contractor Blvd  
Plover, WI 54467

Dear Mr. Zibung:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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**NO COMMENTS SUBMITTED**



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Tyler Yasenak  
US Fish and Wildlife Service  
2661 Scott Tower Drive  
New Franken WI 54229

Dear Mr. Yasenak:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

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Tyler Yasenak  
US Fish and Wildlife Service

SEE COMMENT

**Nuthals, James D**

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**From:** Egtvedt, Gregory W  
**Sent:** Sunday, May 06, 2007 8:18 AM  
**To:** Nuthals, James D; Johnson, Darrin M  
**Subject:** FW: Draft (4th) Shoreline Commons Area Vegetation Management Plan for FERC project #1984

Darrin & Jamie: Tyler raises a good point regarding defining the use of herbicides. Obviously, control of poison ivy warrants the use of herbicides. Therefore, the plan should be amended to address when, for what, and how herbicides can be used. Greg

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**From:** Tyler\_Yasenak@fws.gov [mailto:Tyler\_Yasenak@fws.gov]  
**Sent:** Friday, May 04, 2007 5:12 PM  
**To:** Egtvedt, Gregory W  
**Cc:** Louise\_Clemency@fws.gov; Nuthals, James D; Senso, Russell G  
**Subject:** Draft (4th) Shoreline Commons Area Vegetation Management Plan for FERC project #1984

Dear Mr. Egtvedt,

We will not be providing official comments on the draft Shoreline Commons Area Vegetation Management Plan for FERC project #1984, dated April 13, 2007.

1 However, I'd like to suggest that the restrictions to the use of pesticides within the residential view sheds be unequivocally defined within the body of the plan and then readdressed in Appendix A. Otherwise, the plan is well written and the level of cooperation is commendable.

P. Tyler Yasenak  
U.S. Fish and Wildlife Service  
Green Bay Ecological Services Office  
2661 Scott Tower Drive  
New Franken, Wisconsin 54229-9565  
920-866-1736  
920-866-1710 Fax

5/7/2007

## **Response to Comments From Tyler Yasenak, US Fish and Wildlife Service**

### **Comment 1 Response**

The plan was amended to allow Association use of pesticides and herbicides only within an approved view shed for the control of nuisance plants and insects.





Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Adams County  
Office of the County Clerk  
PO Box 278  
Friendship, WI 53934

Dear Adams County:

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P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRPCO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC

County Clerk  
Adams County

**NO COMMENTS SUBMITTED**



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Juneau County  
Office of the County Clerk  
220 East Main Street  
Room 112  
Mauston, WI 53948

Dear Juneau County:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

This draft plan was developed after extensive research and consultation with stakeholders, including homeowner associations, developers, state agencies and the FERC. This activity included:

- Researching and assessing what policies, procedures and guidelines are currently in use by the adjacent homeowner associations.
- Meeting with the Petenwell and Castle Rock Property Owner's Association (PCPOA) leadership.
- Meeting with developers, including Naterra Land Co. and Pavloski, LLC.
- Meeting with the Wisconsin Department of Natural Resources.
- Correspondence with the FERC to obtain agency perceptions and concurrence.
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It was clear the majority of the stakeholders welcomed the establishment of a consistent VMP. In particular, they welcomed a plan to deal with hazard trees, view sheds, pathway access and public access definition.

This VMP addresses the areas of concern. WRPCO will once again be meeting and talking with stakeholders and agencies to review the draft VMP and obtain questions and comments on the document.

If you have comments, please contact Greg Egtvedt at (920) 433-5713 or send them to:

Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRPCO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC

County Clerk  
Juneau County

**NO COMMENTS SUBMITTED**



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Wood County  
Office of the County Clerk  
PO Box 8095  
Wisconsin Rapids, WI 54495

Dear Wood County:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrys Business Support, LLC

County Clerk  
Wood County

**NO COMMENTS SUBMITTED**

Copies of the Shoreline Commons Area Vegetation Management Plan were sent to the Petenwell Castle Rock Property Owners Association (PCPOA) and to all adjacent Community Associations for comment and review.



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Joseph Morro  
Petenwell and Castle Rock Property Owners Association  
N9177 19th Avenue  
Necedah, WI 54646

Dear Mr. Morro:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrys Business Support, LLC





Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Mart McClellan  
Petenwell Shores Community Association  
1133 Edgewood Rd  
Lake Forest, IL 60045

Dear Mr. McClellan:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Manager - Environmental Assets & Licensing  
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Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Hidden Bay, LLC  
Hidden Bay Waterfront Community Association  
1722 Archer Lane  
Nekoosa, WI 54457

Dear Hidden Bay, LLC:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Interivs Business Support. LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Dennis Charles  
Kennedy Waters Waterfront Development  
1828 Badger Ct  
Arkdale, WI 54613

Dear Mr. Charles:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline-Commons Area (SCA) Vegetation Management Plan (VMP).

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Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Steve Chambers  
Longview Point Waterfront Community Association  
10086 Cty Hwy PP  
Warrens, WI 54666

Dear Mr. Chambers:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Intearvs Business Support. LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Steve Clements  
May's Point Neighborhood Association  
505 North Dale Avenue  
McHenry, IL 60050

Dear Mr. Clements:

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Manager - Environmental Assets & Licensing



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Jeff Gramoll  
O'Dells Bay Community Association  
2045 Parkwood Court  
Grafton, WI 53024

Dear Mr. Gramoll:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

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Integrys Business Support, LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. John Beale  
West Wind Shores Community Association  
5951 McKee Road  
Suite 210  
Madison, WI 53719

Dear Mr. Beale:

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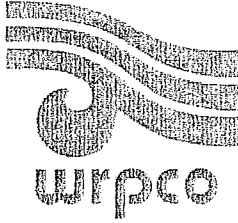
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Integrays Business Support, LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Gary Achter  
Petenwell Landing Homewoners' Association  
1860 Badger Court  
Arkdale, WI 54613

Dear Mr. Achter:

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Interivs Business Support LLC





Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Pavloski Investments LLC  
Copper Point Waterfront Community Association  
Glacier Point Waterfront Community Association  
High Ridge Waterfront Community Association  
1722 Archer Lane  
Nekoosa, WI 54457

Dear Pavloski Investments LLC:

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Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Ms. Sandra Griep  
Dover Shores Community Association  
2255 Dover Shores Crt.  
Friendship, WI 53934

Dear Ms. Griep:

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P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Stuart Opfer  
Grandview Shores Community Association  
293 E. Madison Street  
Elmhurst, IL 60126

Dear Mr. Opfer:

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If you have comments, please contact Greg Egtvedt at (920) 433-5713 or send them to:

Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRPCO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Interivs Business Support LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Dave Penn  
Halfmoon Bay Waterfront Association  
N7807 Lakeview Court  
New Lisbon, WI 53950

Dear Mr. Penn:

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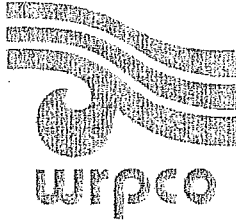
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Integrus Business Support, LLC



Wisconsin River Power Company  
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P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Steve Dolecel  
Hall's Point Waterfront Community Association  
206 Leer Street  
New Lisbon, WI 53950

Dear Mr. Dolecel:

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Wisconsin River Power Company  
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P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Jim Fezatte  
Harbor Condominiums at O'dell's Bay  
7484 Harbor Dr.  
New Lisbon, WI 53950

Dear Mr. Fezatte:

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Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Rick Georgeson  
Archer Park Waterfront Community Association  
533 Barnum Bay Trail  
Nekoosa, WI 54457

Dear Mr. Georgeson:

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Wisconsin River Power Company  
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P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. John Beale  
Barnum Bay North Property Owner's Association  
5951 McKee Road  
Suite 210  
Madison, WI 53719

Dear Mr. Beale:

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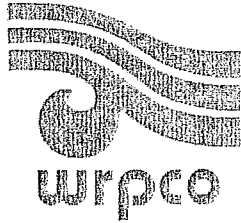
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Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Ms. Robyn Tisch  
Big Bay Waterfront Community Association  
816 West Lexington Prkwy  
DeForest, WI 53532

Dear Ms. Tisch:

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Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Mark Fridley  
The Bluffs at Barnum Bay Community Association  
105 Iris Lane  
Cami, IL 62821

Dear Mr. Fridley:

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Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Naterra Land Co  
Chester Creek Waterfront Community Association  
2825 Post Road  
Stevens Point, WI 54481

Dear Naterra Land Co:

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Green Bay, WI 54307-9001

April 13, 2007

Ms. Diane Anderson  
Clearview Estates Waterfront Community Association  
N14440 Clearview Road  
Necedah, WI 54646

Dear Ms. Anderson:

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April 13, 2007

Ms. Vicki Semke  
Pinewood Shores Homeowners' Association  
2010 West Carrol Street  
Chicago, IL 60612

Dear Ms. Semke:

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April 13, 2007

Ms. Nancy Obert  
Southview Shores Waterfront Community Association  
1849 North New Castle Ave  
Chicago, IL 60707

Dear Ms. Obert:

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April 13, 2007

Waterstone, LLC  
Waterstone Waterfront Community Association  
1722 Archer Lane  
Nekoosa, WI 54457

Dear Waterstone, LLC:

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April 13, 2007

Mr. Daniel Berkos  
The Timbers at Shipwreck Bay Association  
104 W State St  
Mauston, WI 53948

Dear Mr. Berkos:

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- Meeting with the Wisconsin Department of Natural Resources.
- Correspondence with the FERC to obtain agency perceptions and concurrence.
- Researching and reviewing other VMPs.

It was clear the majority of the stakeholders welcomed the establishment of a consistent VMP. In particular, they welcomed a plan to deal with hazard trees, view sheds, pathway access and public access definition.

This VMP addresses the areas of concern. WRP CO will once again be meeting and talking with stakeholders and agencies to review the draft VMP and obtain questions and comments on the document.

If you have comments, please contact Greg Egtvedt at (920) 433-5713 or send them to:

Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRP CO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC





Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Mr. Ron Barnes  
May's Point Property Owners Association  
207 East Hackberry Drive  
Arlington Heights, IL 60004

Dear Mr. Barnes:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

This draft plan was developed after extensive research and consultation with stakeholders, including homeowner associations, developers, state agencies and the FERC. This activity included:

- Researching and assessing what policies, procedures and guidelines are currently in use by the adjacent homeowner associations.
- Meeting with the Petenwell and Castle Rock Property Owner's Association (PCPOA) leadership.
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700 North Adams Street  
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Green Bay, WI 54307-9002

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Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007

Ms. Jerri McCue  
Longview Point Property Owners Association  
715 Braewood Drive  
Algonquin, IL 60467

Dear Ms. McCue:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

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Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

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Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19002  
Green Bay, WI 54307-9001

April 13, 2007,

Naterra Land Company  
2825 Post Road  
Stevens Point, WI 54481

Dear Naterra Land Company:

Wisconsin River Power Company (WRPCO) is pleased to send you this draft Shoreline Commons Area (SCA) Vegetation Management Plan (VMP).

The Federal Energy Regulatory Commission (FERC) has required that WRPCO develop a consistent VMP for project lands on the Petenwell and Castle Rock Reservoirs. The draft plan would apply to the SCA, which WRPCO is required to monitor, maintain and manage under its FERC Hydro-Power Project license #1984.

This draft plan was developed after extensive research and consultation with stakeholders, including homeowner associations, developers, state agencies and the FERC. This activity included:

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- Meeting with the Wisconsin Department of Natural Resources.
- Correspondence with the FERC to obtain agency perceptions and concurrence.
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Wisconsin Public Service Corporation  
Attn: Mr. Gregory Egtvedt Manager - Environmental Assets & Licensing  
700 North Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Comments must be submitted by May 17, 2007. After receiving all comments, WRPCO will revise and/or adapt the draft SMP as appropriate before sending it to FERC for approval.

Thank you for your interest and participation in this process.

Sincerely,

Gregory Egtvedt  
Manager - Environmental Assets & Licensing  
Integrus Business Support, LLC

Comments received via mail or email concerning the Shoreline Commons Area  
Vegetation Management Plan

**Nuthals, James D**

**From:** Mike Wittry [mwittry@naterraland.com]  
**Sent:** Monday, April 23, 2007 1:10 PM  
**To:** Nuthals, James D  
**Subject:** FW: WRPCO shoreline commons area draft

Jamie,

Keith Rusch gave me your updated email address. I sent the email below this morning to your old email address.

Thanks,  
 Mike Wittry  
 Vice President, Naterra Land of Wisconsin  
 2825 Post Road  
 Stevens Point, WI 54481  
 715-344-1700  
[www.NaterraLand.com](http://www.NaterraLand.com)

---

**From:** Mike Wittry  
**Sent:** Monday, April 23, 2007 10:50 AM  
**To:** JNUTHAL@wpsr.com  
**Subject:** WRPCO shoreline commons area draft

Jamie,

It was good walking some land with you last Thursday at Timber Shores.

I spent some more time going through the WRPCO draft shoreline plan. I'm not sure if I will make it to the open house tomorrow so I wanted to send a few questions and comments to you in advance of that meeting.

- 1 • On the last bullet point on page 21, I think that the word "and" is supposed to read "at" to be consistent with the rest of the document. My understanding was that the 2 inch diameter tree was measured at 5 feet tall.
- 2 • I was a little confused by the provision (page 21) that "No brush (including young trees), sedges, or brush lower than 3 feet shall be removed..." I understand that we need young growth to prevent erosion, but the young tree provision seems odd. Am I understanding that a tree less than 3 feet high can't be cut but once it exceeds 3 feet in height that it can be completely removed as long as it does not have a diameter greater than 2 inches? Some of the brush grows like a weed. Again, am I understanding that once it reaches a height of 3 feet, that it can be taken out entirely?
- 3 • On page 25, in the first paragraph after the top four bullets, the word "identify" should read "identifying."
- 4 • On the "Example B" diagram, I am concerned with the diagram showing the view shed extending onto the private property back to the building setback line. I believe that if an owner wanted to, that they could remove any tree they wished from their private land.
- 5 • The first comment listed on "Example B" seems a little vague given the other provisions in the plan.
- 6 • Would a private land owner be able to plant trees, native grasses, or deep rooted ground cover on the SCA to improve aesthetics on an eroding or exposed bank?

Thanks,

4/23/2007

## **Response to Comments From Mike Wittry, Naterra Land of Wisconsin**

### **Comment 1 Response**

The plan has been amended accordingly.

### **Comment 2 Response**

The plan has been amended to clarify what can be cut in the view shed. All vegetation under 2 inches in diameter at a height of 5 feet will be allowed to be cut to a height of 1 foot throughout the view shed. The only place vegetation under 2 inches in diameter at a height of 5 feet can be cut to the ground level is within the 4 foot wide access path and 6 foot wide buffer area.

### **Comment 3 Response**

The plan has been amended accordingly.

### **Comment 4 Response**

The property owner can remove any trees desired on their own property. The plan has been amended accordingly.

### **Comment 5 Response**

Comment noted. The comment section of example B is only intended to serve as a supplement to the application form. Detailed comments are listed in the SCA Development Applications Guidelines and Instructions.

### **Comment 6 Response**

In order to ensure that appropriate native vegetation is planted on the SCA, WRPCO approval is necessary prior to planting activities. All vegetation planted must be native to the area.



5951 McKee Road Suite 210 • Madison, WI 53719 • 608-288-9999 • Fax 608-274-7335  
info@SandstoneShoreline.com • www.SandstoneShoreline.com

Wisconsin Public Service Corporation

April 26, 2007

Mr. Greg Egtvedt  
700 N. Adams Street  
P.O. Box 19002  
Green Bay, WI 54307-9002

Dear Greg,

It was nice to finally meet you and Jamie at the recent meeting at the Germantown Hall. I appreciate the effort you and Jamie are making to try and resolve the issues on view sheds and other concerns of the landowners.

There are a few points that I would like to see changed that will help all lot owners to obtain a view of the lake since this is the main reason they purchased the property. I believe these are compromises that everyone will be able to accommodate:

- 1) With the thirty foot view shed you can remove all tress under 3" in size at 5' in height. All dead tress in this area can also be removed. This will allow for a better looking appearance than a bunch of broom handle looks with 2" trees and will allow other trees to be able to grow quicker.
- 2) Land owners can apply to be able to remove all dead and down trees that are within the width of their lot on the SCA land but not within the view shed. Some lots have a tremendous amount of dead trees that create for a very unattractive setting.
- 3) Develop a better way for lot owners to apply to WRPCO since many HOA are barley in existence. Allow the lot owners to apply directly to Darrin.
- 4) Determine whether you are going to maintain the beaches or allow the HOA'S to maintain the beaches. When it comes to Westwind Shores I would be happy to have you clean the beaches routinely or turn it over to the HOA'S and we will handle it.
- 5) Allow lot owners to cut the sedge, grasses and shrubs down to 1' in height so as to maintain a view and not have to cut every two weeks. This will still prevent soil erosion and be more manageable.

Thank you for all of your help and I am looking forward to a proposal that can work for everyone.

Sincerely,

John R. Beale

CC: Jamie Nuthals

## **Response to Comments From John Beale, Sandstone Shoreline Properties, Inc.**

### **Comment 1 and 2 Response**

Comment noted. Dead trees within a view shed may be removed by WRPCO if they cause a hazard. If they do not cause a hazard, they may be removed during forestry management activities. Please see the hazardous tree removal guidelines provided in the VMP for further details. Dead trees that do not cause a hazard and are not presenting disease problems will be left in the SCA to serve as wildlife habitat. Adjacent landowners will not be permitted to remove any trees on the SCA outside of their view shed in order to prevent unauthorized cutting.

### **Comment 3 Response**

WRPCO is aware that not all lots within the Association are occupied and currently pursuing SCA Development. In such cases, the individual lot owners can submit a SCA Development Application as an addendum to the original Association Development Application. An elected official of the Association must approve the individual's SCA Development Application prior to submittal.

### **Comment 4 Response**

Beaches approved in the easement agreement will be maintained by WRPCO in a manner to provide safe public use. If the Association would like to maintain beaches in addition to what is provided by WRPCO, WRPCO will work with the Association to construct agreements to allow such activities.

### **Comment 5 Response**

The plan has been amended to reduce the cutting height as recommended. All vegetation under 2 inches in diameter at a height of 5 feet will be allowed to be cut to a height of 1 foot throughout the view shed.





*Dover Shore Association*

---

**April 23, 2007**

**Mr. Gregory Egtvedt, Manager  
Wisconsin Public Service Corporation  
700 North Adams Street  
P.O. Box 190002  
Green Bay, WI 54307-9002**

**RE: Shoreline Commons Area Vegetation Management Plan**

**Dear Mr. Egtvedt:**

**I am in receipt of your draft plan for the SCA VMP and have a question and a comment as follows:**

- 1 • Is this the final draft that should be passed on to our homeowners, or is this to be amended?**
- 2 • It would be my suggestion that a copy be sent to the major local real estate agencies. It has been our experience that a few of the real estate agents sometimes misrepresent how much of the SCA is involved with a property purchase.**
- 3 Dover Shore Association has made an effort to comply with the new regulations and those that have been in place but not enforced. It will be nice to see all associations in compliance as well. If you wish to reply by e-mail my address is [dsorgrip@palacenet.net](mailto:dsorgrip@palacenet.net).**

**Sincerely,  
Dover Shore Association**

*Sandy Griep*  
**Sandy Griep, President**

## **Response to Comments From Sandy Griep, President of Dover Shores Association**

### **Comment 1 Response**

The VMP has been revised in order to reflect public input. A copy of the Federal Energy Regulatory Commission (FERC) approved VMP will be sent to all homeowner's associations.

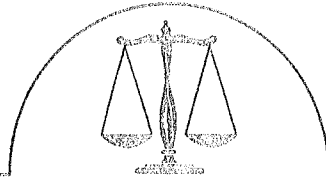
### **Comment 2 Response**

Real estate agencies will be mailed a copy of the approved VMP.

### **Comment 3 Response**

Dover Shores compliance with SCA requirements is appreciated. Extensive efforts are made to ensure there is compliance by all Associations.

DANIEL M. BERKOS  
ATTORNEY AT LAW  
berkoslo@mwt.net



104 WEST STATE ST.  
MAUSTON, WISCONSIN 53948-1354  
(608) 847-7903  
FAX (608) 847-5504

B E R K O S                      L A W                      O F F I C E

April 18, 2007

Gregory Egtvedt  
700 N. Adams St.  
PO Box 19002  
Green Bay, WI. 54307-9002

RE: SCA / VMP Plan

Dear Mr. Egtvedt:

I reside in the Timbers at Shipwreck Bay and have reviewed the draft proposal of the above plans as they relate to the lands surrounding Castle Rock and Petenwell Lakes.

1 In general, I believe that the majority of landowners around the lakes are in favor of reasonable controls being put in place to protect the shoreline and public access to the lake. While there is not currently a defined walking path in the area of my subdivision, I believe that all of the lakefront owners would welcome that. I also believe that most property owners do not want to see living trees removed from the SCA, however, may want to replace some of the existing Oak and Pine trees with something less susceptible to disease and more pleasing to look at. With the ongoing Oak wilt issue, it is likely only a matter of time before they will have to be removed.

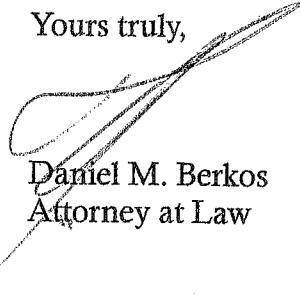
2 As has been the practice for the last 15 years on Castle Rock Lake, most waterfront property owners have made it a practice to maintain the commons area by mowing and taking action to minimize the erosion of the soils. Their efforts to maintain this area have kept a very neat and clean look to the waterfront and made it usable for public access. Without the mowing, the area would become overgrown and impassable in many areas and is a breeding ground for ticks and mosquitoes. While some landowners have exceeded that by placing structures within the SCA, those have been minimal and should be restricted.

3 I would like to see WRPCO consider a plan that permits mowing of the SCA in a reasonable manner and would permit limited planting with the specific approval of WRPCO. Obviously you would want to ban the use of fertilizers or pesticides in the SCA area and prevent any alteration of the surface or placement of structures in those areas except as specifically authorized in the plan for walkways to docks.

If these exceptions were included in the Plan I believe that WRPCO would be serving the interests of the public by making the areas more aesthetically pleasing and actually making it more accessible and usable for the public. It would be nice to be able to walk one's children and pets down a walking path and not have to be concerned about ticks, mosquitoes or other insects that would breed in the high weeds and ferns that naturally grow in those areas.

I appreciate the opportunity to comment on this and hope that you will consider these matters in your final draft.

Yours truly,

A handwritten signature in black ink, appearing to read "Daniel M. Berkos", written over a horizontal line.

Daniel M. Berkos  
Attorney at Law

## **Response to Comments From Daniel M Berkos, Shipwreck at Timber Bay**

### **Comment 1 Response**

The VMP recommends implementing an inventory or forest cover on the entire SCA. Management recommendations for the SCA will be issued after that inventory is completed. Management may include salvage harvests of infected oak and over-mature Jack Pine, tree planting to replace trees harvested and under-planting current stands to create an under-story for when harvest does take place.

### **Comment 2 Response**

Comment noted. While some developments have made it a common practice to mow the SCA, this is not an allowed practice on the SCA. These Associations are currently in violation of their easement agreements. FERC has made it clear that this practice gives the impression of private property and is not allowed.

### **Comment 3 Response**

Comment Noted. WRPCO will permit mowing and maintenance of individual property owner's access paths, paths approved for the Association and paths to docks. WRPCO will mow and/or maintain the public SCA trail.

## PUBLIC INPUT

Open houses were completed to receive public input on April 24, 2007 at the Germantown Town Hall and on April 25, 2007 at the Adams County Community Center to receive public input on the draft Shoreline Commons Area Vegetation Management Plan.

WISCONSIN RIVER POWER COMPANY (WRPCO) SHORELINE COMMONS  
 AREA (SCA) VEGETATION MANAGEMENT PLAN (VMP) OPEN HOUSE  
 ATTENDANCE INFORMATION SHEET  
 GERMANTOWN TOWN HALL  
 APRIL 24, 2007

NAME	ADDRESS	PHONE#	AFFILIATION
1. Virgil Miller	2072 Wisconsin Ct St Friendship Wis	339 3020	POPCA
2. William A. Roberts	2329 W. 18 <sup>th</sup> Dr. Friendship	339-4712	PCPOA
3. Lucy Friedl	W5065 S. Osprey Dr	562-5609	PCPOA
4. JOHN BELL	595 McKeel Rd	608-288-9969 x1	
5. JOE MORRO	N 9177 19 <sup>th</sup> AVE NECEDAH	54646 565-3152	
6. Tim & Randy Conner	N 7480 Katie Dr Heilsbon	6088393740	O'Dell's Bay
7. Jim Zuro	N 7484 Hamburg Drive	608-562-3022	
8. Mike Gochi	W5136 N. Osprey		O'DELL'S BAY
9. Audrey Schell	W 8258 S. Osprey		O'Dell Bay
10. Steve Gillespie	W4250 Mays Pl. Rd Necedah	608-565-2167 / Mays Pl.	
11. Dan Katcha	W5147 N. Osprey Dr. New Lisbon	562-3088	O'dell's Bay
12. Bob Miller	W 5070 Osprey Ct		O'Dell's Bay
13. DANIEL BERKUS	W5002 Timmer Ridge Ln.		
14. Jim May			O'Dells
15. Randy Fabian	W5072 S. Osprey Dr		O'Dells Bay
16. MERE WETTRY	NATERRA LANE 2825 POST ROAD, STEVENS POINT, WI 54481		VP NATERRA LANE
17. Rich & Donna	W5150 N. Osprey Dr	562-6566	O'Della Bay
18. Pat Connors	W5086 N. Osprey Dr.		O'Della Bay
19. Dan Graf	W5178 S. Osprey Dr.		O'Dells Bay
20. Mick McConni-Koss	W5082 N. Osprey Dr.		O'Dells Bay
21. Robert L. Hillman	836 North Star Dr., Black River Falls, WI 54615		

**Wisconsin River Power Company (WRPCO) Shoreline Commons Area (SCA)  
Vegetation Management Plan (VMP) Open House Questions/Comments**

April 24, 2007 Germantown Town Hall

Question

With having the view shed application process at the association level, how will undeveloped lots be handled? Does the association have to wait until all the lots are developed to submit the application?

Response

The association can come forth with an application without all the lots being developed. There should be a group of lots ready to submit an application prior to the association making a submittal. When more lots have been developed the association can make amendments to the original application to include the newly developed lots.

Questions

Who is responsible for monitoring the trimming activity? Will a WPRCO representative be present when all maintenance activity is being conducted?

Response

A WRPCO representative will come out to each site to approve what trimming can be completed per the application. A site visit will be completed after the maintenance activity is complete and verify the work is consistent with the approved application.

Question

Is there a limit to the number of application and/or amendments the association can submit?

Response

No, there is not a limit to the number of amendments an association can make on their original application.

Question

How will mowing activity be enforced?

Response

WRPCO will require the owner to re-vegetate or WRPCO will re-vegetate and bill the property owner.

Question

How will property owners know how much can be trimmed on trees? Will there be set standards?

Response

WRPCO is managing the property for aesthetics, timber health, and wildlife habitat. Each property will be evaluated on a case by case basis.

Question

Will businesses have to comply with the VMP?

Response



All property owners, regardless of residential or business owners, must comply with the VMP if the WRPCO owned SCA is between their property and the waters edge.

Question

Some associations do not have a way to get the application processed at that level. Some associations are not active and the individuals will like to go directly to WRPCO for view shed approval.

Response

WRPCO has noted your comment. WRPCO is aware that not all lots within an Association are occupied and currently pursuing SCA Development. In such cases the individual lot owners can submit an Application as an addendum to the original Application. An elected official of the Association must approve the individual's application prior to submittal. No view sheds can be established until there is an application submitted and approved by WRPCO.

Question

If a lot already has an existing 30 foot clear cut area, will WRPCO plant trees to fill in views?

Response

WRPCO will use a best management practice. Depending on the site, some areas may be left open.

Question

How does Oak Wilt spread?

Response

Most oak wilt moves from diseased trees to healthy trees through roots that have become interconnected. Some movement of oak wilt is overland via sap-feeding beetles. The beetles feed on sap from infected trees then fly to healthier oaks to feed on sap flowing from fresh wounds, thus infecting healthy trees.

Question

What is WRPCO trying to achieve with VMP? Would Dover Shores be an example?

Response

WRPCO is trying to achieve a standard method to manage the vegetation on the SCA. Dover Shores is an example where unauthorized mowing has been curtailed.

Question

When re-vegetation occurs will property owners have to re-apply?

Response

The applicant has the right to maintain what was originally approved within the application.

Question

Can the three foot high of floor vegetation be lower? There are some concerns if sitting on a deck, may not be able to see over vegetation.

Response

WRPCO will consult with the WI Department of Natural Resources and the US Fish and Wildlife Service to see if the three foot vegetation may be lowered and still provide beneficial wildlife habitat.

Question

Within the 100 foot SCA there is a public use access path. The grass should be cut short to reduce the number of ticks and mosquitoes. The proposed VMP frustrates the property owners and goes against the purpose of public use.

Response

WRPCO has noted your comment.

Question

Will bark/wood chips be used on all the trails throughout the SCA? Will the association be mowing grass along trails?

Response

No, bark/wood chips will not be used throughout the entire length of the SCA public trail. Associations will be allowed to mow their paths. The SCA public trail will be maintained by WRPCO.

Question

Will there be a consistent material used on the entire trail?

Response

There will not be a consistent material used throughout the entire trail. The trail material is based on what is best suited for the specific portion of trail.

Question

Who is responsible for maintaining trails?

Response

WRPCO is responsible for maintaining the SCA public trail. Access paths from adjacent lots to the SCA public trail will be maintained by the lot owner.

Question

How often will wood chips be replaced? How often will the trail be mowed?

Response

Wood chips are placed on trails when there are trees cut down and chipped in the area. WRPCO will not maintain and replace wood chips on a routine basis. Trails will be maintained by mowing several times per year.

Question

Why is there an opposition to mowing? Can natural vegetation be grown but mowed shorter?

Response

Along with public access another purpose of the SCA is to provide wildlife habitat. The natural vegetation helps promote wildlife within the SCA.

Question

Does the draft VMP have room for changes or modifications? Is there any way for further discussion and compromise?

Response

WRPCO is holding these public meetings to solicit public comments/questions to find areas where compromises can be made to balance the various different uses that occur within the SCA.

Question

Is the Association responsible for contacting the individuals to be included in the application? Who is responsible for tree/brush removal? Does the owner have to complete the work or can they hire a contractor?

Response

The application must be submitted at the association level. It is up to the property owners within the association to determine how the application will be processed prior to filing with WRPCO. The property owner is responsible for tree/brush removal within view sheds. The owner can contract out the tree/brush removal at their own expense. All other tree removal will be conducted by WRPCO.

Question

How is WRPCO going to determine what to cut if there is not a consistent method?

Response

The VMP provides a consistent method to evaluate whether vegetation can be cut.

Question

Twin Lakes not listed in the plan.

Response

The comment has been noted and WRPCO will make the correction in the VMP.

Question

Will WRPCO increase their staff level? Has WRPCO increased funding to maintain the trails?

Response

WRPCO has already hired an additional full time employee that is stationed out the Necedah office to be a local contact. Trail maintenance will be a priority for WRPCO.

Question

The plan states there is an application fee. What is the fee?

Response

There is no fee for the application. That language will be removed from the VMP.

Question

Will each condominium get its own view corridor?

Response

No, each condominium will not receive a 30 foot view shed. One 30 foot view shed is allowed for each parcel.

Question

What if a lot does not currently have a 30 foot clear view to the water?

Response

The property owner can apply through the Association to create a view shed as outlined in the VMP.

Question

Will WRPCO clean up the dead fish that come onto shore? In some areas the beach goes right into the trails.

Response

WRPCO does not clean up dead fish that are washed up onto the shore.

Question

Will the plan come back to the public again to see addressed comments?

Response

All Associations will be sent a copy of the final draft of the VMP. Revisions will be made to the plan based on public input and it will be submitted to FERC for approval.

Question

When will the plan go for final approval?

Response

Public comments will be accepted until May 17, 2007. The plan will be revised to reflect public input and be submitted to FERC for approval.

Question

Will new developments have a plan already in place when the lots are originally sold?

Response

Once the plan has been approved and implemented it will apply to all new developments and sale of lots.

Question

Will FERC approve the plan as it is currently being presented?

Response

The plan will be revised to reflect public input and be submitted to FERC for approval.

Question

Is enforcement addressed within the VMP?

Response

Yes, there is an enforcement section within the proposed VMP outline the process WRPCO will follow.

Question

In regards to motorized vehicles: (1) Can a contractor hired by the property owner use motorized vehicles while working within the SCA? (2) Can the Association use motorized vehicles to maintain view sheds?

Response

The plan is being amended to allow the use of motorized vehicles for approved maintenance activities with a written permit from WRPCO.

Question

Will property owners be contacted if plantings will occur in the SCA adjacent to their property? Can property owners have a chance to input on potential plantings?

Response

Adjacent property owners will not be contacted if plantings occur in the SCA. All SCA plantings will be completed with vegetation native to the area.

April 25, 2007 Adams County Comm. Cont

WISCONSIN RIVER POWER COMPANY (WRPCO) SHORELINE COMMONS  
AREA (SCA) VEGETATION MANAGEMENT PLAN (VMP) OPEN HOUSE  
ATTENDANCE INFORMATION SHEET

NAME	ADDRESS	PHONE#	AFFILIATION
1. ROBERT HARTZELL	519 BARLUM BAY TRAIL <sup>715</sup>	325-6755	APCA
2. DONNA + WAYNE PINGEL	2072 11th Ave ADAMS, WI 53910	<sup>608</sup> 339-6732	DOVE SHORE
3. Beth Goethel	2355 W 18th Dr. Friendship	<sup>539</sup> 334	Maus Point / Snug Harbor / <del>Abdwell</del> <del>Bank</del>
4. WILLIAM ACKER	5147 Hwy 12, MIDDLETON	WI 53562 <sup>608</sup> 1836-8838	DOVE SHORE
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**Wisconsin River Power Company (WRPCO) Shoreline Commons Area (SCA)  
Vegetation Management Plan (VMP) Open House Questions/Comments**

April 25, 2007 Adams County Community Center

Question

Can the Association use motorized vehicles to perform maintenance of the beach area.

Response

The plan has been amended to allow the Association to apply for a permit to access WRPCO approved Association improvements within the SCA for maintenance purposes.

Question

Can we remove the willow brush that is growing up through the riprap areas? This area is unsightly because it catches debris such as plastic bags.

Response

Riprap was placed on the shoreline in order to reduce soil erosion. Vegetation helps to hold the soil in place and may not be removed.

Question

We would like to request that parts of the 100 ft setback be put into a prairie area. It's my understanding that a prairie area is seeded with prairie grass and would be mowed down in late fall to deter brush from establishing.

Response

Once the vegetation inventory of the entire SCA is completed, management recommendations will be made. One of the options for vegetation management will be prairie establishment or restoration. Areas that are maintained as prairies are not mowed annually. They are mowed periodically (approximately every 3 years) to deter brush encroachment into the area.

Question

Can I drive my ATV across the SCA in order to reach the ice to go ice fishing? The ground is frozen and it will not cause an erosion problem.

Response

The SCA is for pedestrian use only; no motorized vehicles are permitted for recreational use.

Question

Would it be possible to obtain a permit to have an association boat landing?

Response

Certain improvements are allowed to be constructed on the SCA for adjacent Associations. These improvements are listed in the non-exclusive easement agreement that was made with your association. Boat landings were not one of the improvements allowed under your Association's agreement. There are many boat landings open to the public where you may launch a boat.

Question

Is it possible to leave the canoe racks on the SCA where they are currently located?

Response

The Federal Energy Regulatory Commission (FERC) has indicated that the use of the SCA for the storage of personal property such as a canoe is not consistent with, and is not permitted by, WRPCO's current Land Management and Recreational Plans. WRPCO is willing to move the canoe racks to Association owned property so they may still be utilized.