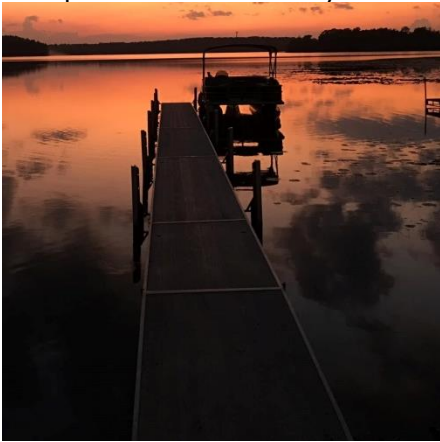


Dear Mr Harrington and fellow DNR representatives,

Please consider this a letter in strong opposition of the proposed pier on Webb Lake in Burnett County being made by Steve Austin and North Camp Properties.

After participating in the DNR hearing on June 30 on the matter, I found it to be almost offensive to all parties involved that no one from the DNR had done a site visit to the proposed site and yet are being asked to make this important decision based on incomplete and false data provided by the applicant.

First, in the applicant's statements regarding the pier proposal was the new pier will replace the older roll-in style piers that were in a state of disrepair, but he provided no evidence of any such issues. Doing a quick search of the previous owners Facebook photos shows the "old piers" were certainly NOT in a state of disrepair. Please see the images below.



Source(Facebook, Rosenthal's Resort, September 30, 2019)



Source(Facebook, Rosenthal's Resort, May 31 2019)



Source(Facebook, Rosenthal's Resort, May 31 2019)

Perhaps if a site visit had been done by the DNR the condition of the "old" piers" would have been noticed and verified. As of June 3, the 6 old piers were still on-site(although not in the water) in the campgrounds boat storage area. If the original piers were in such horrible condition as the applicant says they were, I agree the old piers probably needed to be replaced from a safety stand point. But, as shown in the pictures I provided, the piers were NOT in a state of disrepair. In fact on the North Camp Properties own website, there are pictures of the piers in question and clearly in good shape.

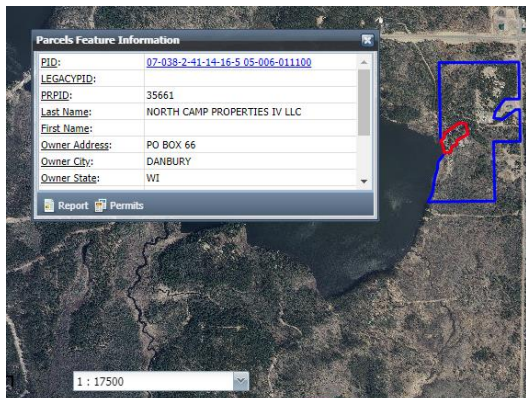
My second point is the applicant provided no hard evidence of how he came up with the number of 32 boat slips. He only said the previous owner said there were 32 spaces available for over twenty years. And yet, in this aerial Google photo, it shows the six (since replaced) roll-in piers in place and there is simply not space for 32 boats.



My family and I have been owners of a cabin on Webb lake since 1969 and can remember when each of the seven cabins(now condos) were built (or refinished). We have never seen 32 boats at the site in question.

Next, I question how the new piers are currently configured. The current configuration of the new piers is NOT even close to the same "foot print" of the old piers(six separate 60' long roll-in style piers). A question I have for the DNR that I was hoping to have resolved during the June 30 DNR hearing is, how was the applicant able to install these in the current configuration without a DNR permit? As I understood from the hearing, the water at the end of the piers is currently 6-7' deep. The state of Wisconsin regulations state a pier is able to extend into the water until the depth is 3' at the end of the pier. These two pier structures clearly extend further into the navigable water than the piers they replaced. Again, how was the applicant able to install these without a DNR permit? The current pier configuration is illegal and should be removed immediately.

Moving on... I question the applicant's statement made during the hearing about the Condo's lot not containing any lake frontage and condo owners only have access to the lake through an easement. Yet, according to the Burnett County website, <https://burnettcowi.wgxtreme.com> the lot with the condos DOES own lake frontage. And since the lakeshore in question is two separate lots, the current pier set up with 24 boat slips is ILLEGAL and ought to be removed immediately.



Source: <https://burnettcowi.wgxtreme.com/>



Source: <https://burnettcowi.wgxtreme.com/>

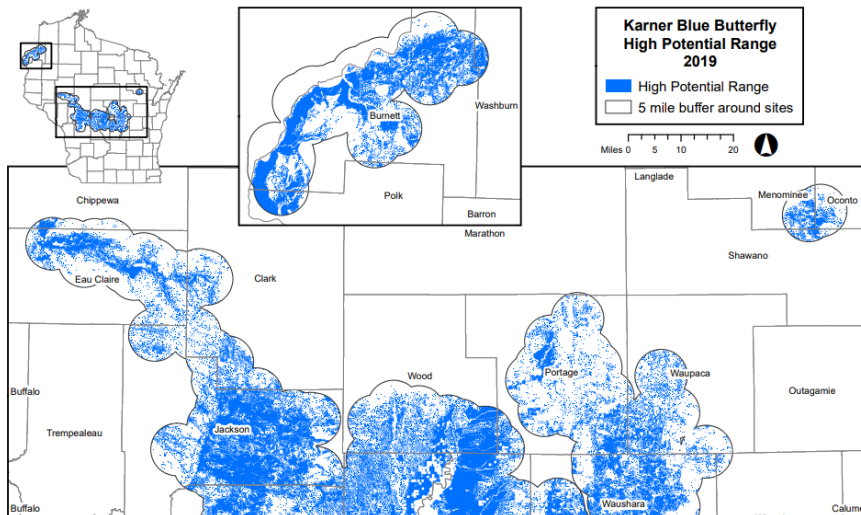
Below is a picture of the current (and unpermitted) configuration of the piers. It shows 2 L-shaped structures running 90' from shore.



I want to also point out I asked during the hearing about electricity running to the piers and the applicant stated there was not electricity available at the piers. Yet, clearly in the picture above, two orange extension cords are visible running towards the piers. Additionally, in reviewing the photos submitted with the application, there is an electrical service on a power pole in one of the pictures(See below).



Another point I would like to call attention to is the lack of any sort of formal study regarding the disruption to the native wildlife. Both federally protected Loons and Bald Eagles have nests on the shores of Webb Lake. And (as shown in the image below) Webb Lake Township lies directly in the middle of the federally protected Karner Blue Butterfly range. While the permit process does not *require* such a study, I believe it would be considered a "best practice" for the DNR to request these documents.



Source: <https://dnr.wisconsin.gov/sites/default/files/topic/EndangeredResources/kbbRangeMap.pdf>

Additionally, in the plan submitted to the DNR requesting the permit, the documentation for the plan is clearly labeled "PRELIMINARY." At what point is the FINAL plan you are being asked to act upon going to be available for the public to comment? The preliminary plans show the pier will extend 120' into the water and be 180' wide. This means the proposed pier will extend into the water nearly twice the length of any current existing pier on the lake and will definitely inhibit the natural navigational flow of recreating citizens (which is one of the covenants the hearing was supposed to address). The shoreline of Upper Webb Lake is largely undeveloped and the proposed piers are not consistent with the existing docks and shoreline.

Finally, based on the documentation I have provided, I urge the DNR to REJECT the application for the new piers at Webb Lake. Do not reward an applicant asking for forgiveness prior to asking permission. It is clear the applicant has already purchased and installed the new pier components and installed them WITHOUT waiting for the proper permit process to take place. And since this is a commercial venture, the applicant and the other owners (North Camp Properties) are financially benefitting from abuse of the natural resources of the citizens of Wisconsin. Therefore, I ask that the DNR to immediately:

- 1) Direct the applicant to remove the current piers,
- 2) Impose a significant fine since the new piers have been in place since before May 31 (Memorial Day)
- 3) Issue a firm mandate stating that, if replacement piers are installed, the piers must be redesigned to NO MORE than what is legally allowed both in length and number of boat slips
- 4) Issue another mandate requiring the applicant take no repercussions (such as limiting access- i.e. closing either boat launch on Webb Lake) to any individual or party who has spoken against this application.

Moving forward, as the proposed piers are part of a commercial endeavor and at the hearing we learned there is currently no difference in pier restrictions for commercial piers(such as this) and single family, personal use piers, I strongly encourage the DNR to draft stricter standards for commercial piers encouraging ADA compliance, reference to appropriate electrical codes, enhanced structural construction, etc. and require a DNR site visit to future projects.

Thank you for your time. I look forward to your swift response.

Steve Puck
Jacksonville, IL