



May 18, 2024

Crystal VonHoldt
Waterways Program Policy Coordinator
Division of External Services
Wisconsin Department of Natural Resources
2984 Shawano Avenue, Green Bay WI 54313-6727

Dear Ms. Von Holdt,

Please accept these comments from the Southern Wisconsin Chapter of Trout Unlimited (SWTU) regarding the Epic Corporation's request to fill wetlands and restore the Sugar River (IP-SC-2024-13-00581, 00582, 00583).

While SWTU appreciates the dynamic role Epic plays in our local economy, respects Epic's environmental ethic, and acknowledges the DNR's careful review of the project, we believe that Epic's proposal to build a road and bridge in this wetland and over the Sugar River has not received as full a review and the opportunity for public comment as it should have. Moreover, Epic's proposed mitigation and restoration are inadequate.

By way of background, SWTU has a long history in helping to preserve, protect, and improve the Sugar River. Over the last 10-15 years we have raised over \$50,000 dollars and volunteered hundreds of hours to restore key segments of the river in Dane County's Davidson, Falk-Wells, and Basco Wildlife properties along the river. In addition, we have contributed thousands of dollars and dozens of hours to similar projects on Badger Mill Creek, a key tributary of the Sugar. Besides work on the stream itself we have supported and directly worked to improve such habitats as prairies and oak savannas, including the extensive and difficult removal of invasive vegetation. We have done so because the Sugar River is an excellent and improving trout fishery with good public access in Wisconsin's most rapidly growing metropolitan area. Our projects have also improved public access to the river for walkers and paddlers.

We respectfully submit that Epic's project should be the subject of an Environmental Impact Statement. If approved without adequate delineation and analysis of alternatives, approval would set a bad precedent for other projects in this area with large disruptions of wetlands. The river and surrounding wetlands are critical natural resources in a rapidly urbanizing county. While some of the wetlands are degraded, they still serve important functions. Some are extremely high quality and deserve the highest degree of protection. All should be the subject of an intense and publicly available analysis to ensure that any harm is avoided or limited to the greatest possible degree. Finally, as should have become apparent at the hearing,

the public has not had a sufficient opportunity to learn about and comment on this proposal. Taken individually or collectively, these factors call for the DNR to conduct an EIS.

Several expert conservationists, conservation organizations, and Dane County have reviewed this proposal and its mitigation and restoration measures diligently and offered thoughtful, detailed suggestions for improving those practices. SWTU strongly supports those suggestions and respectfully asks that, if the DNR issues a permit for this project, it will incorporate those as permit conditions.

More specifically, SWTU recommends and requests:

Stream restoration should avoid the use of LUNKERs and employ techniques involving the use of natural materials such as wood and brush and bank shaping. These are key features of DNR stream restorations over the last 5 or so years.

Access of the stream to its floodplain should be improved wherever possible, again an important component of the state of the art stream restorations in southern Wisconsin.

While re-meandering the stream is commendable, that work should restore the stream to its original meanders and channels whenever possible. Doing so will re-create the best possible habitat for trout and other aquatic life.

The high quality sedge meadow should be afforded absolute protection.

Finally, Epic proposes to improve public access for one class of river users, paddlers. SWTU supports that improvement. Epic should, however, improve access to anglers, birders, and hikers by granting or selling a permanent, public access easement along the Sugar River. We don't know if the DNR can include that as a permit condition. If it cannot, it can certainly urge Epic to provide such access. Doing so would complement the years of effort and millions of dollars spent by Dane County, the DNR (via the Stewardship Program), and conservation organizations including SWTU to make the Sugar River accessible to and enjoyable by the public. Such an action would also be a much appreciated act of good faith to the public on the part of Epic.

Thank you for your consideration of these requests.

Sincerely,



Henry Nehls-Lowe, Secretary
Southern Wisconsin Chapter of Trout Unlimited
swisconsintu@gmail.com

cc: Steve Musser, President, SWTU
Topf Wells, Vice-President, SWTU