



July 19, 2017

Attorney Evan Feinauer
Clean Wisconsin
634 W. Main St., Ste. 300
Madison, WI 53703

Re: In the Matter of Wetland Individual Permit IP-WC-206-42-00902, issued to Meteor Timber LLC, for wetland fill or disturbance near Rudd Creek, in the Town of Grant, Monroe County, Wisconsin.

Dear Attorney Feinauer:

You submitted a request for contested case hearing under Wis. Stat. §§ 227.42 and 281.36 and Wis. Adm. Code § NR 2.05, on behalf of Clean Wisconsin (received June 19, 2017 via hand delivery to the Office of the Secretary) regarding the above-referenced decision of the Wisconsin Department of Natural Resources (Department).

Your request for a hearing is hereby **granted** on the following issues:

1. Whether the Department had sufficient information to consider the factors used in review contained in Wis. Stat. § 281.36(3n)(b);
2. Whether the petitioner was afforded the opportunity to comment on the proposed project pursuant to Wis. Stat. § 281.36(3m)(j);
3. Whether the Department complied with Wis. Stat. § 281.36(3n)(d) regarding mitigation;
4. Whether the proposed project will result in significant adverse impacts to wetland functional values, in significant adverse impacts to water quality, or in other significant adverse environmental consequences;
5. Whether the proposed project represents the least environmentally damaging practicable alternative.

Insofar as your request for contested case hearing seeks to raise any issues not granted above, it is hereby **denied**.

In addition, you have requested a stay of the project under Wis. Stat. § 281.36(3q)(d). The Department finds that your request alleges sufficient facts to meet the standard contained in that section. Your request for a stay of the project is **granted**. Pursuant to Wis. Stat. § 281.36(3q)(d)2., the stay will remain in effect until the hearing examiner determines that the stay is not necessary.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to Wis. Stat. §§ 227.52, and 227.53, you must file your petition with the appropriate circuit court and serve the petition on the Department

within the prescribed time period. A petition for judicial review must name the Department of Natural Resources as the respondent. If you have questions, please contact Department Staff Attorney Michael Kowalkowski at 608.266.7542.

Sincerely,

A handwritten signature in black ink, appearing to be 'Cathy Stepp', written in a cursive style. The signature is positioned above the printed name and title.

Cathy Stepp
Secretary