



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

Janesville Service Center  
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Janesville, Wisconsin 53545  
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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

May 11, 2001

Casetrack ID #2001-SCEE-014

Mr. John Didion  
Didion Milling Incorporated  
PO Box 400  
Johnson Creek WI 53038

Subject: Notice of Violation

Dear Mr. Didion:

According to information on hand and belief of our staff, we believe that you are in apparent violation of Chapter 30 of the Wisconsin Statutes, which governs the navigable waters of the State of Wisconsin.

Department staff have observed that on or before November 18, 2000, grading occurred on your property at 501 South Williams in the Village of Cambria, Columbia County. In addition to the grading, all vegetation along the banks of the North Branch of Duck Creek was removed. The North Branch of Duck Creek is a waterway regulated by the state.

S. 30.19 (1) (c) Wis. Stats. requires that a permit be obtained from the Department before grading or otherwise removing top soil from the bank of any navigable stream, lake or other body of navigable water where the area exposed by such grading or removal will exceed 10,000 square feet.

Warden Heather Gottschalk visited your property in Cambria on November 18, 2000 and took measurements. Grading on the property exceeded 10,000 square feet.

We are extending the opportunity to you to you to respond to this Notice of Violation with an explanation of any extenuating circumstances surrounding this situation. Please respond in writing within 15 days of receipt of this letter. Your response should include details such as:

- When did the grading and vegetation removal occur?
- Who performed the grading and removed the vegetation?
- What was the purpose of the grading and vegetation removal?
- Why weren't the proper permits applied for?
- What will be done to correct this situation?

Department enforcement action can include prosecution for forfeitures. S. 30.298 Wis. Stats. states that for the first offense violators shall forfeit not less than \$100 nor more than \$10,000.

If you have any questions on possible enforcement action, please contact me at 608-743-4852.  
If you have technical questions regarding this issue, please contact Dan Hunt at 920-387-7878.

Sincerely,



Pamela Kobel  
Environmental Enforcement Specialist

cc: Warden Heather Gottschalk  
Dan Hunt - Honcon Service Center