

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor  
Kathy Stepp, Secretary  
Eric Nitschke, Regional Director

Sturtevant Service Center  
9531 Rayne Road, Suite IV  
Sturtevant, Wisconsin 53177  
Telephone 262-884-2300  
FAX 262-884-2307  
TTY 262-884-2304

May 14<sup>th</sup>, 2013

Ms. Kathy Aron  
Wind Lake Management District  
30910 Royal Hill Road  
Burlington, WI 53105

RE: Plan Approval Letter

Dear Ms. Aron:

This letter is to serve as notice that the Department of Natural Resources has reviewed the 2013 Wind Lake Aquatic Plant Management Plan, drafted by Kathy Aron of Aron and Associates, and found that it meets the requirements of ch. NR 109.09(2)(a-h), Wisconsin Administrative Code. Accordingly, the Department hereby approves the 2013 Wind Lake Aquatic Plant Management Plan for use as the guidance document for aquatic plant management and associated activities on Wind Lake. This approval is not an endorsement of the plant management activities that may occur under the appropriate permits, but rather that the Wind Lake Management District has complied with the criteria of ch. NR 109, Wis. Admin. Code. Future permits issued to the District from the Department under chs. NR 107 and NR 109, Wis. Admin. Code will reference your 2013 APM Plan.

Sincerely,

Craig Helker  
Water Resources Biologist

Cc: Heidi Bunk, DNR



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May 14<sup>th</sup>, 2013

Ms. Kathy Aron  
Wind Lake Management District  
30910 Royal Hill Road  
Burlington, WI 53105

RE: APPLICATION FOR PERMIT FOR MECHANICAL HARVESTING

Dear Ms. Aron:

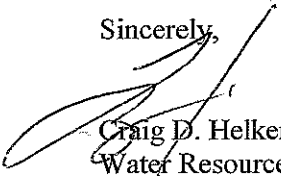
I have received your application for a permit for harvesting aquatic plants by mechanical means on Wind Lake in Racine County. I have determined the Wind Lake Management District's application is complete, and in accordance with the requirements of Ch. NR 109, Wis. Admin. Code. Therefore, please find enclosed a Permit for the Mechanical Harvesting of Aquatic Plants, issued to the Wind Lake Management District.

This Permit is issued for a period of five years, expiring December 31<sup>st</sup> of 2017. The Permit Conditions of this Permit reference the 2013 Wind Lake Aquatic Plant Management Plan.

The attached Mechanical Aquatic Plant Control Permit includes findings of fact, conclusions of law, and your permit conditions. Please read the permit conditions carefully so that the District is fully aware of what is expected.

Your next step is to contact me 4 days prior to initiating harvesting. I may be reached at (262) 884-2357.

Sincerely,



Craig D. Helker  
Water Resources Biologist, WDNR

C: Heidi Bunk, WDNR  
Doug Welch, WDNR

**STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**Permit for Mechanical Harvesting of Aquatic Plants**

Wind Lake Management District is hereby granted under Section 23.24, Wisconsin Statutes and Administrative Code NR 109, a permit to conduct mechanical harvesting of aquatic plants on Wind Lake, Racine County, subject to the following conditions. This permit is issued for a 5-year term and will expire on December 31<sup>st</sup>, 2017.

**PERMIT CONDITIONS.**

1. You must notify Water Resources Biologist, Craig Helker, at (262) 884-2357, 4 working days prior to anticipated start of the harvesting operation, or provide a schedule of harvesting on request. The Department may schedule and conduct onsite supervision of harvesting at any time during the harvesting season.
2. Mechanical harvesting will only be allowed in the areas specified in the 2013 Wind Lake Mechanical Aquatic Plant Control permit application and the 2013 Aquatic Plant Management Plan. A copy of the permit and maps shall be maintained on-board the harvester(s) at all times while harvesting operations are conducted.
3. The cutting bar and paddle wheels on the harvester shall not be set to hit or upset the bottom sediment in the lake. Harvesting personnel shall take the precaution to avoid shallow areas.
4. All aquatic plants cut must be removed immediately from the water.
5. The cutter bar should be set to cut a minimum of 1 foot off the bottom (not closer than 1 foot to the lake bottom).
6. Disposal of the harvested aquatic plants shall be located in the areas described in the permit, and be in accordance with any applicable local and county regulations. Disposal shall not occur in a wetland, below the ordinary high water mark of any waterway, or in a floodplain or floodway.
7. The quantity and species of plants to be mechanically harvested must be in accordance with the 2013 Wind Lake Mechanical Aquatic Plant Control permit application and the 2013 Wind Lake Aquatic Plant Management Plan.
8. All mechanical harvesting records must be maintained and made available to the Department upon request. Annual reports summarizing harvesting activities shall be submitted to the Department by November 1st. The annual report shall include a map showing the areas harvested, the total acres harvested, and the total amount of plant material removed from the body of water.

**FINDINGS OF FACT** (Facts which were considered in making this decision.)

1. The Wind Lake Management District has filed an application for a permit to conduct mechanical harvesting operations in the waters of Wind Lake, Racine County. The specific areas to be harvested are in accordance with the 2013 Wind Lake Mechanical Aquatic Plant Control permit application, and the 2013 Wind Lake Aquatic Plant Management Plan.
2. The Department has determined that the proposed mechanical harvesting will provide aquatic plant nuisance relief in the designated areas. The mechanical harvesting will allow for increased navigation and recreational opportunities.

FOR DNR USE ONLY	
Date Received 4-26-13	ID Number 8
Fee Received 300.00	County Code 52
Exp. Date 12/31	WBIC 781700

**Notice:** Information requested on this form is required to permit mechanical and/or manual aquatic plant control application, per s. 23.24, Wis. Stats. The Department will not issue a permit unless you complete and submit this application. Personally identifiable information collected will be used for program administration and will be available to requesters under Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

**Section I: Applicant Data**

Permit Applicant Name <u>Wind Lake Mngmt District</u>			Applicant is		
Applicant Mailing Address <u>30910 Royal Hill Rd</u>			<input type="checkbox"/> Private individual <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Lake Organization (Specify) <u>District</u>		
City <u>Burlington</u>	State <u>WI</u>	ZIP Code <u>53105</u>	Lake Property Address, City, State, ZIP (if different)		
Telephone Number <u>2625143234</u>	E-Mail Address <u>info@wlmd.org</u>		Telephone Number	E-Mail Address	

Individuals and organizations (e.g., Lake District, Lake Association, Property Owners Association, County Department of Recreation), sponsoring removal. Attach additional sheets if necessary.

Name	Address	Phone	E-mail Address
A. <u>attached to chem permit application</u>			
B.			
C.			
D.			

Has a Lake Management plan been provided to the DNR?  Yes  No    If Yes, date approved of most current copy 2013    Location of Applicant file copy WLMD website

Does the proposed plant removal agree with the approved plan?  Yes  No  
 If NO, explain. Attach additional sheets if necessary.

Is this area within or adjacent to a Sensitive Area designated by the Wisconsin Department of Natural Resources?  
 Yes  No  Don't Know    If yes, list sites West, NE, South

**Section II: Location of Aquatic Plant Removal and Disposal**

Waterbody of proposed plant removal <u>Wind Lake</u>	Lake Surface Area (acres) <u>936</u>	County <u>Racine</u>	Town <u>4</u>	Range <u>20</u>	Section
Name of Firm (if sub-contracted) <u>Midwest Aquatics</u>		Telephone Number			
Street Address <u>1105 W14564 Wilson Dr</u>		City, State and ZIP <u>Germantown WI</u>			
Name of 1st Plant Disposal Site (if applicable) <u>Town Transfer Site</u>	1/4 / 1/4 <u>NE</u>	1/4 <u>21</u>	Section <u>4</u>	Township <u>N</u>	Range E/W/County <u>20 Racine</u>
Name of 2nd Plant Disposal Site (if applicable)	1/4 / 1/4	1/4	Section	Township <u>N</u>	Range E/W/County

Area(s) Proposed for Plant Removal (Note details in permit cover letter for final permitted sizes). Please see attached sample drawing for guidance

- Length from shore \_\_\_\_\_ ft. x Shoreline or area width \_\_\_\_\_ ft. / 43,560 ft. = \_\_\_\_\_ Estimated Acreage    Avg. Depth \_\_\_\_\_ ft.
- Length from shore \_\_\_\_\_ ft. x Shoreline or area width \_\_\_\_\_ ft. / 43,560 ft. = \_\_\_\_\_ Estimated Acreage    Avg. Depth \_\_\_\_\_ ft.
- Length from shore \_\_\_\_\_ ft. x Shoreline or area width \_\_\_\_\_ ft. / 43,560 ft. = \_\_\_\_\_ Estimated Acreage    Avg. Depth \_\_\_\_\_ ft.
- Offshore Control Site Length \_\_\_\_\_ ft. x Shoreline or area width \_\_\_\_\_ ft. / 43,560 ft. = \_\_\_\_\_ Estimated Acreage    Avg. Depth \_\_\_\_\_ ft.
- Offshore Control Site Length \_\_\_\_\_ ft. x Shoreline or area width \_\_\_\_\_ ft. / 43,560 ft. = \_\_\_\_\_ Estimated Acreage    Avg. Depth \_\_\_\_\_ ft.

TOTAL ESTIMATED ACREAGE 300

**Section II: Location of Aquatic Plant Removal (cont.)**

What type of aquatic plants below the Ordinary High Water Mark are proposed to be removed? (check all that apply)

- Emergent (above water level)    
  Submergent (below water level)    
  Floating Leaf (at the surface i.e. lilly pads)

**Section III: Map & Property Ownership**

Attach a copy of a lake map that includes the property(s) to be harvested. If no printed map is available, provide a sketch of the site at the bottom of this page. On the map, identify the following required information.

- Area and dimensions of each proposed plant removal area.
- Location of all riparian neighbors (property owners riparian to and adjacent to the proposed removal area) including project participants and non-participants. Consecutively number each riparian neighbor (both project participants and non-participants). In the space below:
- Name all riparian owners, including project participants & non-participants. The number should correspond with the numbered properties on the map. Attach additional sheets if necessary.
- Check Yes box to indicate project participants and No box for non-participants.

No.	Name of Riparian Neighbor	Project Participant	Control dimensions (calculated acreage)
1.	no riparian areas	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
2.	only open water -	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
3.	public navigation	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
4.	areas	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
5.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
6.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if separate sheets are attached identifying additional neighbor riparian owners. Indicate project participants and/or non-participants.

Check here if printed map attached. If no printed map, use this space to sketch the site and provide required information.

Map

See attached

**Section IV: Methods**

What mechanical or manual methods to remove plants are proposed? (check all that apply)

- Mechanical harvesting     Raking    Other \_\_\_\_\_  
 Hand Pulling     Cutting

Please explain why you selected the proposed method(s).

*only way to clear boating lanes*

**Note:** Other control methods (i.e. bottom barriers, weed rollers, herbicides) also need DNR permits. Contact this office for more details.

**Section V: Fees**

Fees are not refundable and are calculated as follows:

Check box for type of project:

1.  single riparian area, one property owner, less than one acre ..... \$30.00  
 2.  multiple riparian areas, offshore control areas, multiple riparian properties, one acre or greater \$30.00/acre (round up to the nearest whole acre)  
 If proposed removal is greater than 10 acres fee caps at \$300.00

300 acres x \$30.00 per acre = \$ \_\_\_\_\_  
 Total non-refundable fee enclosed (max \$300.00) ..... \$ 300.00

**Section VI: Reasons for Aquatic Plant Removal**

Purpose of Aquatic Plant Removal

- Maintain navigational channel for common use  
 Maintain private access for boating  
 Maintain private access for fishing  
 Improve swimming  
 Other \_\_\_\_\_

Nuisance Caused By

- Emergent water plants  
 Submergent water plants  
 Floating water plants  
 Other \_\_\_\_\_

Name of plants, if known

*EWM, Coontail, Curly-leaf, water lilies (navigation channel)*

**Section VII: Alternatives Considered**

	A. Previously Done?		B. Presently Proposed?	
1. Chemical	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2. Sediment screens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3. Dredging	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4. Drawdown	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5. Nutrient controls in watershed	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6. Nutrient controls on property	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7. Other	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**NOTE:** Consider feasibility of alternatives for each control site. This information not only helps the department make a decision on this application but also helps you evaluate your investment in aquatic plant management.

Describe the level of success for alternative methods previously used:

1. Chemical excellent for shallow areas  
 2. Sediment screens Don't work  
 3. Dredging Not applicable  
 4. Drawdown " "  
 5. Nutrient controls in watershed Ongoing  
 6. Nutrient controls on property Not applicable  
 7. Other \_\_\_\_\_

**Section VIII: Applicants Responsibilities**

1. The applicant has prepared a detailed map, which shows the length, width and average depth of each area proposed for the control of rooted vegetation.
2. The applicant understands that the Department of Natural Resources may require supervision of any aquatic plant management project involving removal. Supervision may include inspection of the proposed treatment area and/or equipment, before, during, or after removal. The applicant is required to notify the regional office 4 working days in advance of each anticipated date of plant removal with the date, time, location and size of plant removal unless the Department waives this requirement. The advance notification may be specified in your permit.
3. The applicant agrees to inform all operators of harvesting equipment of the conditions and terms of this permit and to insure that all operators understand and abide by those terms and conditions.
4. The applicant agrees to comply with all terms and conditions of this permit, if used, as well as applicable Wisconsin Administrative Rules. The required fee is attached.

I hereby certify that the above information is true and correct and that copies of the application have been provided to the appropriate parties name in Section II and that the conditions of the permit will be adhered to. All portions of this permit, map and accompanying cover letter must be in possession of the applicant or their agent at time of plant removal. During plant removal activities, all provisions of applicable Wisconsin Administrative Rules must be complied with, as well as the specific conditions contained in the permit cover letter.

  
Applicant's Signature

Apr 26 - 2013  
Date Signed

**DNR Use Only**

Review Notes:

Natural Heritage Inventory Review

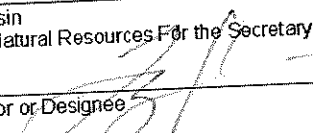
**Section IX: Permit to Carry Out Mechanical or Manual Removal of Aquatic Plants**

The foregoing application is approved. Permission is hereby granted to the applicant to mechanically or manually remove aquatic plants described in the application during the season. The approval of an aquatic plant management permit may not represent an endorsement of the permitted activity, but represents that the applicant has complied with Wisconsin Administrative Rules.

Season Year  
2013-17

Application fee if received?  
 Yes     No

State of Wisconsin  
Department of Natural Resources For the Secretary

By   
Regional Director or Designee

5-14-13  
Date Signed

5-14-13  
Date Mailed

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

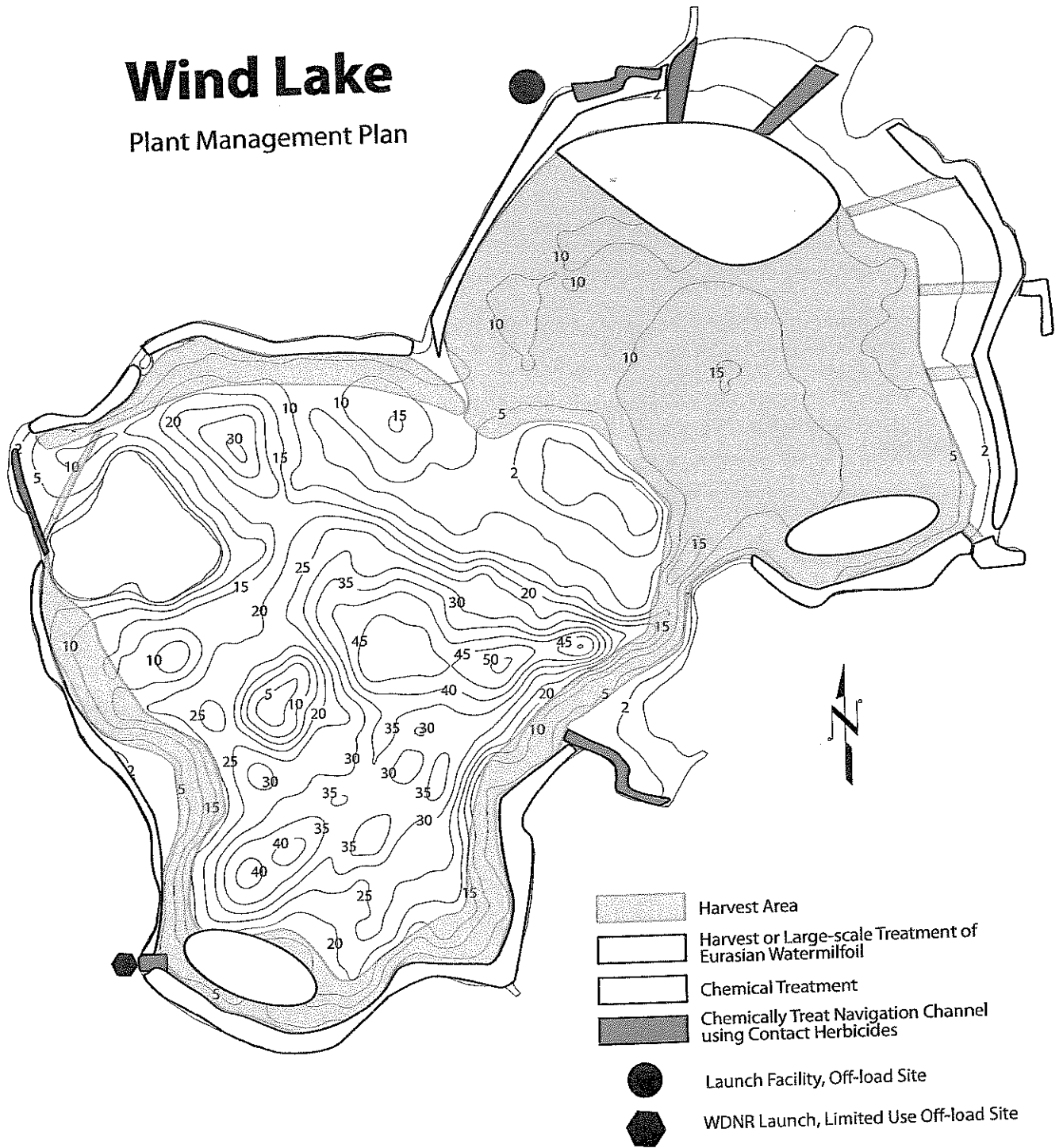
For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

This notice is provided pursuant to s. 227.48(2), Wis. Stats.

# Wind Lake

## Plant Management Plan



August 2012

Figure 4 2013 Plant Management Plan for Wind Lake, Racine County, Wisconsin