State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Waukesha Service Center
141 Barstow Street, Room 180
Waukesha WI 53188

Scott Walker, Governor Cathy Stepp, Secretary Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



May 30th, 2017

Mr. Dan Naze Village of Pewaukee 235 Hickory Street Pewaukee, WI 53072

Subject: 2017-2021 Harvesting Permit – Pewaukee Lake

Dear Dan:

Thank you for submitting the permit application for harvesting aquatic plants by mechanical means on 57.7 acres in Pewaukee Lake. The Department has found your application to be complete and is issuing a permit for a 5-year term with conditions. Please read your permit carefully and contact us if you have questions.

The permit is being issued in accordance with the approved 2017 Aquatic Plant Management Plan Update prepared by the Southeastern Wisconsin Regional Planning Commission.

I would like to draw your attention to a few permit conditions. Bass spawn along the shoreline is described in permit condition 8. Permit conditions 9 and 10 address harvesting restrictions in these areas.

You have indicated that you would like to start harvesting on May 31st, 2017. I am waiving the four day notification requirement for this year. However, you will need to provide a four working day notification to the Department in subsequent years.

Attached is a copy of your permit with the conditions that must be followed. In addition, I have included a copy of our findings of fact and conclusions of law and your right to appeal our action. A copy of the permit must be kept on the harvester at all times during operation. Please read your permit conditions carefully so that you are fully aware of what is expected of you.

If you have any questions or concerns please contact me at 262-574-2130 or heidi.bunk@wi.gov.

Sincerely,

Heidi Bunk Lakes Biologist

Leid. Bunh

cc: Ben Heussner, DNR Fisheries Biologist

Jason Cotter, DNR Wildlife Biologist

Rita Michaelsen, LPSD Tom Koepp, LPSD

Scott Gosse, City of Pewaukee

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Permit for Mechanical Harvesting of Aquatic Plants

The Village of Pewaukee is hereby granted under Section 23.24, Wisconsin Statutes and Administrative Code NR 109, a permit to conduct mechanical harvesting of aquatic plants in 57.7 acres of Pewaukee Lake, in Section 8, Township 7 North, Range 19 East, in the Village of Pewaukee, Waukesha County. This permit is issued for a five year term and will expire on December 31, 2021. This permit is subject to the following conditions:

PERMIT CONDITIONS

- 1. Village of Pewaukee representatives shall notify Lakes Biologist Heidi Bunk by e-mail (heidi.bunk@wi.gov), 4 working days prior to the anticipated start of the harvesting operation each year. Department staff may schedule and conduct an onsite supervision of harvesting.
- 2. The quantity and species of plants to be mechanically harvested must be in accordance with the permit application.
- 3. The Village will harvest up to 57.7 acres within the Village of Pewaukee. Specific dimension of channels, location of channels and depth of cut should follow the Pewaukee Lake Aquatic Plant Management Plan Update compiled by the Pewaukee Lake Sanitary District, dated May 2017.
- 4. A copy of the permit and maps shall be maintained on board the harvester(s) at all times while harvesting operations are being conducted.
- 5. Mechanical harvesting using the top-cut method will be used to target the plant growth present near the surface, while allowing for aquatic plant communities to remain for habitat and sediment stabilization purposes. Aquatic plants can be cut to a maximum depth of 5 feet below the surface, allowing for a minimum of 12 inches of aquatic plant growth to remain at the bottom of the lake in all harvesting areas.
- 6. The cutting bar and paddle wheels on the harvester shall not be set to disturb the bottom sediment in the lake. At no time shall harvesting remove all plant material down to the sediments. A minimum amount of 18 inches of plant material shall be left to hold lake sediments in place.
- 7. All aquatic plants cut must be removed immediately from the water. Disposal of the harvested aquatic plants must be located in the areas specified in the harvesting permit application and must be in accordance with any applicable county and local regulations. The first site is Genesee Aggregate, W320S5086 Grush Road, Genesee Depot, WI 53127. The second site is Certified Products, 19000 W Lincoln Ave, New Berlin, WI 53146. The third site is LPSD, W284 N4648 North Shore Drive, Delafield, WI 53018. Disposal shall not occur in a wetland, below the ordinary high water mark of any waterway, or in a floodplain or floodway.
- 8. Harvesting in bass spawning areas will be limited. Bass spawning areas identified in this harvesting permit condition include: the northern shore from within the Village of Pewaukee limits west to the eastern edge of the sensitive area (Taylor's Bay); the southern shore from within the Village of Pewaukee limits west to Rocky Point. The bass spawning areas for the purposes of this permit condition extend from the shoreline out to the 5 foot depth contour.

- 9. Harvesting in the bass spawning areas between May 1st and June 30th should be a maximum of 1 foot from the surface of the lake (cut "topped out" plants) to protect spawning bass.
- 10. Harvesting in the bass spawning areas after June 30th should be a maximum of 2 feet from the surface of the lake to allow 2 feet to 3 feet of plant growth to remain for nursery fish habitat.
- 11. A navigational channel 150 feet wide may be harvested along the shoreline perimeter. The area to be cut beyond 150 feet from shore should be surveyed for the presence of Eurasian Water Milfoil or Curly Leaf Pondweed, both of which are non-native species. If the surveyed area (beyond 150 feet from shore) is dominated by Eurasian Water Milfoil and/or Curly Leaf Pondweed, cutting may take place in that area. Harvester operators should avoid cutting plant communities dominated by native aquatic plants beyond 150 feet from shore unless there is a material obstruction to navigation.
- 12. A 100 foot wide navigational channel will be harvested in the middle of the Village of Pewaukee portion of Pewaukee Lake to connect with the navigational channel harvested in the City of Pewaukee portion of Pewaukee Lake. A minimum amount of 18 inches of plant material shall be left to hold lake sediments in place.
- 13. All mechanical harvesting records must be maintained and made available to the Department upon request. Annual reports summarizing harvesting activities shall be given to the Department by November 1 each year. The annual report includes a map showing the areas harvested, the number of acres harvested, the total cubic yards of plant material removed from each area of the lake harvested and the number of times each area was harvested.

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

- 1. The Village of Pewaukee has filed an application for a permit to conduct a mechanical harvesting operation in 57.7 acres of Pewaukee Lake, in Section 8, Township 7 North, Range 19 East, in the Village of Pewaukee, Waukesha County. The specific areas to be harvested are shown on the map(s) submitted with the permit application and are incorporated into this permit.
- 2. The Village of Pewaukee indicated in the harvesting application that one of the reasons to remove aquatic plant growth is to reduce the Eurasian Water milfoil and Curly Leaf Pondweed infestations. Eurasian Water Milfoil and Curly Leaf Pond are non-native, invasive aquatic plant species that can grow along the surface of the lake, forming dense mats or canopies of vegetation. Plants growing in this manner can reduce the ability of native plants to grow, as well as create a number of boating and recreational problems for lake users.
- 3. The Department has determined the proposed mechanical harvesting will provide boat navigation and recreational opportunities, and will target non-native aquatic plants, including Curly Leaf Pondweed and Eurasian Water Milfoil plants in permitted areas of the lake. The harvesting will also allow native aquatic plants to grow in areas previously dominated by non native aquatic plant and provide predatory fish cruising lanes. Native aquatic plants will be cut in designated boating channels.
- 4. The Department has determined that there will be no significant adverse impacts resulting from the mechanical harvesting of Pewaukee Lake if harvesting takes place in accordance with permit conditions.
- 5. The maximum harvesting area is 57.7 acres in the areas shown on the map submitted with the permit application.

- 6. The Department has determined that the proposed harvesting operations will not take place in a Department-designated sensitive area.
- 7. There are three potential plant disposal sites. The first site is Genesee Aggregate, W320S5086 Grush Road, Genesee Depot, WI 53127. The second site is Certified Products, 19000 W Lincoln Ave, New Berlin, WI 53146. The third site is LPSD, W284 N4648 North Shore Drive, Delafield, WI 53018. There are no mapped floodplains or wetlands within the first disposal site (Genesee Aggregate). There are mapped wetlands at the second and third sites. Disposal of plants will not take place in mapped wetlands, as illustrated by maps A-1 through A-5.

CONCLUSIONS OF LAW (These are the legal reasons why the Department can make these decisions)

The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for mechanical harvesting of aquatic plants.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin Statutes and Wisconsin Administrative Code 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 serve a petition within the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to Section 227.42, Wisconsin Statutes, 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 Section 227.48(2), Wisconsin Statutes.

Dated at Waukesha, WI May 30th, 2017

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES For the Secretary

By Teidi Bench

Heidi Bunk Lakes Biologist Print...

Clear Data

State of Wisconsin Department of Natural Resources PO Box 7921, Madison WI 53707-7921 dnr.wi.gov

Aquatic Plant Control Mechanical / Manual Permit Application

Form 3200-113 (R 10/16)

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Notice: Pursuant to s. 23.24, Wis. Stats., the information requested on this form is required by the Department of Natural Resources (DNR) to permit aquatic plant control mechanical and/or manual application. Failure to complete and submit this form will result in no permit being issued. Personally identifiable information collected will be used for program administration and may be made available to requesters to the extent required under Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

For DN	R Use Only				
Date Received	ID Number				
4/28/17	55-2017-68-651				
Fee Received	County Code				
Exp. Date	WBIC 1 772の				

identifiable information collected will requesters to the extent required ur						s.]. Exp. Da	te \	68 WBIC 772のむ	
Section I: Applicant Data						JAID	1 Oual	1/200	
Permit Applicant Name			Applica	nt is:					180
Village of Pewaukee			_	rivate ind	ividual		Contractor		
Applicant Mailing Address				ake Orga	nization ((Specify) M	isnicio	salite	1
235 Hickory Street									_
City State ZIP Code L			Lake Pr	Lake Property Address, City, State, Zip (if different)					
Pewaukee	WI	53072	The same		101.300.75 as =				
Phone Number (include area code)	Email Address		Phone N	lumber (in	clude area	a code) Emai	Address		
	dnaze@village		The second second second				7 1		
Individuals and organizations (e.g., L		Association, Pro	perty Owne	rs Associat	tion, Coun	ity Departmen	t of Recreati	on), sponso	ring
removal. Attach additional sheets if n Name	lecessary.	Address		Pl	none		Email Add	iress	
A. Village of Pewaukee	235 Hickory			262-6	91-5694	4 dnaze@	villageof	ewaukee.	.com
							ARRIVE BAR		
В									
·				\					
D. Has a Lake Management plan been p	rayidad to the DNE	22 lif Voe date	approved of	most curre	ent conv	Location of	Applicant file	e conv	-
Yes No	rovided to the DINF			most cum					
	a with the engrous	5/2cc				1000 Aic	KORY ST	. tew	AUKE
Does the proposed plant removal agree If NO, explain. Attach additional sheets		an hight	∕es ○ No) <u>E</u> 1	1				
Is this area within or adjacent to a Sen Yes No Don't		ated by the Wisco	nsin Depart	ment of Na	tural Reso	ources?	,		,
Section II: Location of Aquatic			· 在 计 法					V 400	
Waterbody of proposed plant remo			County		,	,	19 OE		8
Pewaukee Lake	2	2493	Waukesh	a 🔼	Town	/ NRange	OW OW	Section	<u> </u>
Name of Firm (if sub-contracted)			Pho	Phone Number (include area code)					
Otrast Address			City				State	ZIP Cod	Α
Street Address			City				Joine	211 000	J
Name of 1st Plant Disposal Site (if	applicable)		1/4 1/	1/4 Se	ction Tov	vnship Rang	e E Co	unty	
Waukesha Co. Yard Waste				NW 2	8	6 N 18	OW W	aukesha	~
Name of 2nd Plant Disposal Site (if applicable)			1/4 1/	1/4 Se	ction Tow	vnship Rang	e @E Co	unty	
Certified Products, Lincoln Ave., New Berlin SE 5 6 N ZO OW NEXESTA					_				
Area(s) Proposed for Plant Removal (N	Note details in perr	nit cover letter for	final permit	ed sizes).	Please se	e attached san	ple drawing	for guidance	e.
1. Length from shore $\underline{250}$ ft. x S	horeline or area w	idth 2330 1	1. / 43,560 =	13,4	4E	stimated Acrea	ge Avg.	Depth 3	ft.
2. Length from shore 500 ft. x S	horeline or area w	idth <u>2030</u> f	ì. / 43,560 =	23,3	<u>3</u> E	stimated Acrea	ge Avg.	Depth 5	ft.
3. Length from shore 250 ft. x S	horeline or area w	idth <u>2420</u> f	ì. / 43,560 =	_13.5	7Es	stimated Acrea	ge Avg.	Depth 5	ft.
4. Offshore Control Site Length 2500			10		p	Estimated As	Aug	Depth 7	ft.
5. Offshore Control Site Length 1550	tt. x Shoreline o	r area width 10	00 ft. / 43	,560 =	5.1	_Estimated Ad	reage Avg.	Dopui	
3. Offshore Control Site Length 1330	- my				4	_Estimated Ac			1_ ft.

Aquatic Plant Control Mechanical / Manual Permit Application Form 3200-113 (R 10/16) Page 2 of 4

Section II: Location of Aquatic Plant Removal (cont.)		
What type of aquatic plants below the Ordinary High Water M	ark are proposed to be	removed? (check all that apply)
Emergent (above water level) Submergent (below water level)	Floating Leaf	e i.e. lily pads)
	- (at the surface	s i.e. my pade)
Section III: Map & Property Ownership	hammed If no prints	ad man is available, provide a sketch of the site at
Attach a copy of a lake map that includes the property(s) to be the bottom of this page. On the map, identify the following required	ulred information.	ed map is available, provide a sketch of the site at
 Area and dimensions of each proposed plant removal area 	١.	
 Location of all riparian neighbors (property owners ripariar participants and non-participants. Consecutively number e in the space below: 	ach riparlan neighbor (both project participants and non-participants).
 Name all riparian owners, including project participants & properties on the map. Attach additional sheets if necessa 	ry.	umber should correspond with the numbered
 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. List attached, all non-participants	OYes ●No	
2	OYes ONo	
3.	○Yes ○No	
4.	OYes O No	
5.	OYes ONo	1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
6.	OYes ONo	
Check here if separate sheets are attached identifying addition	nal neighbor riparian ow	ners. Indicate project participants and/or non-participants.
Check here if printed map attached. If no printed map, use the	is space to sketch the si	te and provide required information.
Map		

Aquatic Plant Control Mechanical / Manual Permit Application Form 3200-113 (R 10/16) Page 3 of 4

Section IV: Methods What mechanical or manual methods to	romovo plante are prope	and2 (chack all	that apply)			图 1
Mechanical harvesting Rak		ecify Other:	ιτιατ αρριγγ			
Hand Pulling Cut						
If alum treatment is proposed, has a			No If yes, pleas	e include	the plan with this applica	tion.
Please explain why you selected the	e proposed cutting me	thod(s).				
Note: Other control methods (i.e. bottom	n barriers, weed rollers, h	erbicides) also r	eed DNR permits, Conta	act this offic	ce for more details.	
Section V: Fees			AN ANALYSIS	多级自	· 1000年1月1日中央	总模型
Fees are not refundable and are calcula Check box for type of project:	ted as follows:					
1. Osingle riparian area, one property	owner, less than one acr	e <u>\$3</u>	0.00		10 a garage 4	
2. • multiple riparian areas, offshore co				00/acre (rou	und up to the nearest whole acre	e)
If proposed removal is greater that	an 10 acres fee caps at \$	300.00				
			racre = 1731	_	300.	KA.
The second secon		dable fee enclos	ed (max \$300.00)	,		00,0
Section VI: Reasons for Aquatic Purpose of Aquatic Plant Removal	Plant Removal	Nuis	ance Caused by			
Maintain navigational channel f	or common use		mergent water plants			
Maintain private access for boa	iting	X	ubmergent water plar	nts		
Maintain private access for fish	ing	□F	loating water plants			
Improve swimming			ther			
XOther RECREA	TIEN					
Name of plants, if known						
Eurasion Milfoil, Curly leaf pon						
Section VII: Integrated Pest Mana				the Drana		
4. Observiced		usly Done?	B. Preser	No No	<u>seu r</u>	
1. Chemical						
Dredging Drawdown	○Yes		○Yes	No No		
Nutrient controls in watershed	_	ON ₀	Yes	100		
5. Nutrient controls on property		ON _o	○Yes	7.00		
6. Other		ON _o	○Yes			
Note: Consider feasibility of alter	rnatives for each contr	rol site. This in	formation not only hel	ps the dep	partment make a decision	n on
this application but also helps yo	u evaluate your invest	lment in aquat	c plant management.			
Describe the level of success for alte	ernative methods prev	iously used:				
1. Chemical		and the second				
2. Dredging				-		
3. Drawdown						
4. Nutrient controls in watershed						
5. Nutrient controls on property						
6. Other	Draft SEWRPC Pe	waukee Lake	Aquatic Plant Sur	vey recor	nmendations, April, 20	017

Aquatic Plant Control Mechanical / Manual Permit Application

Form 3200-113 (R 10/16)

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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.
- 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.
- Conditions related to invasive species movement. The applicant and operator agree to the following methods required under s. NR 109.05(2), Wis. Adm. Code for controlling, transporting and disposing of aquatic plants and animals, and moving water:
 - Aquatic plants and animals shall be removed and water drained from all equipment as required by s. 30.07, Wis. Stats., and ss.
 NR 19.055 and 40.07, Wis. Adm. Code.

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

 Operator shall comply with the most recent Department-approved 'Boat, Gear, and Equipment Decontamination and Disinfection Protocol', Manual Code # 9183.1, available at http://dnr.wi.gov/topic/invasives/disinfection.html

applicable Wisconsin Administrative Rules must be complied with, as well as the specific conditions contained in the permit cover letter. **Date Signed** Applicant's Signature **DNR Use Only** Review Notes: National 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 Season Year(s) aquatic plants described in the application during the season. The approval of an aquatic plant management permit may not 2017-202 represent an endorsement of the permitted activity, but represents that the applicant has complied with Wisconsin Administrative Rules. Application fee if received? State of Wisconsin Department of Natural Resources For the Secretary (V) Yes Regional Director or Designee

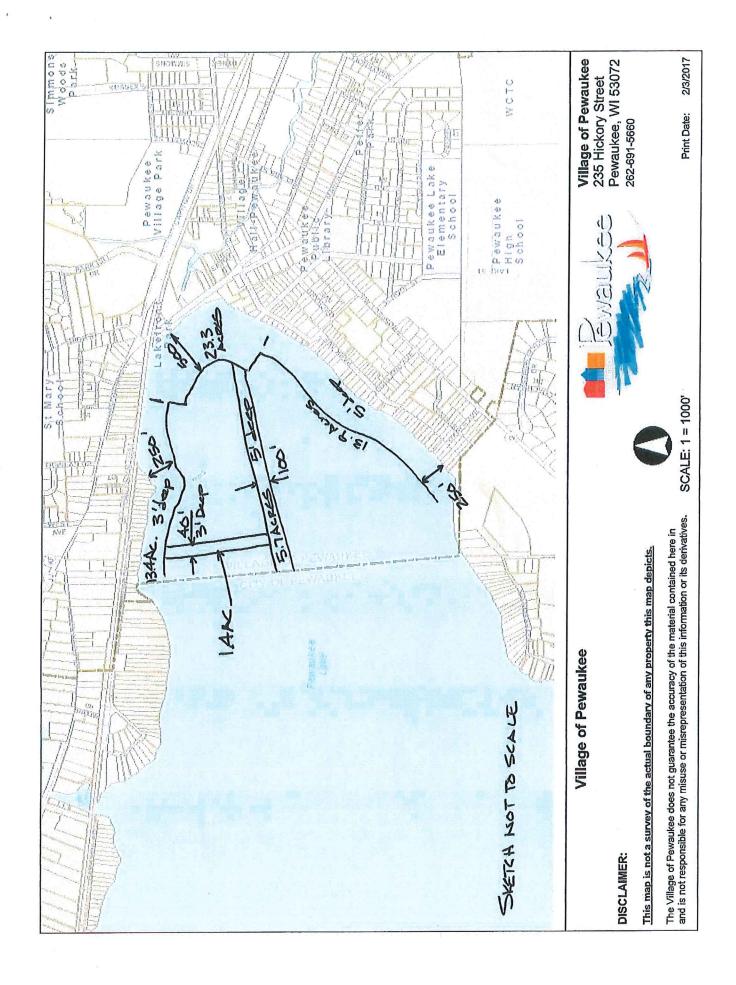
If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rule establish time periods within which requests to review Department decisions must be filed.

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.

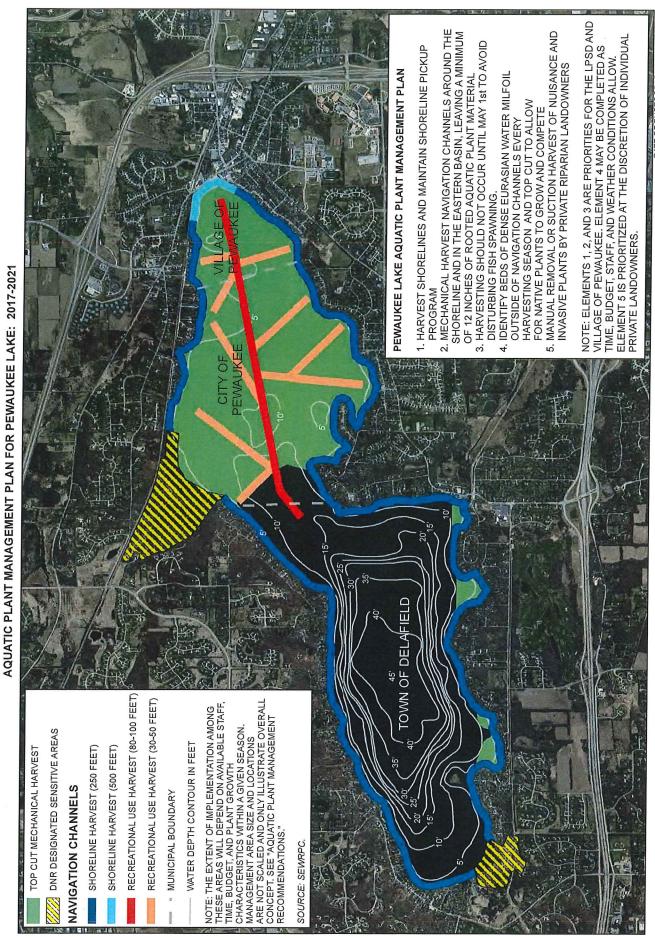
To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is 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.

Date Signed



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PRELIMINARY DRAFT

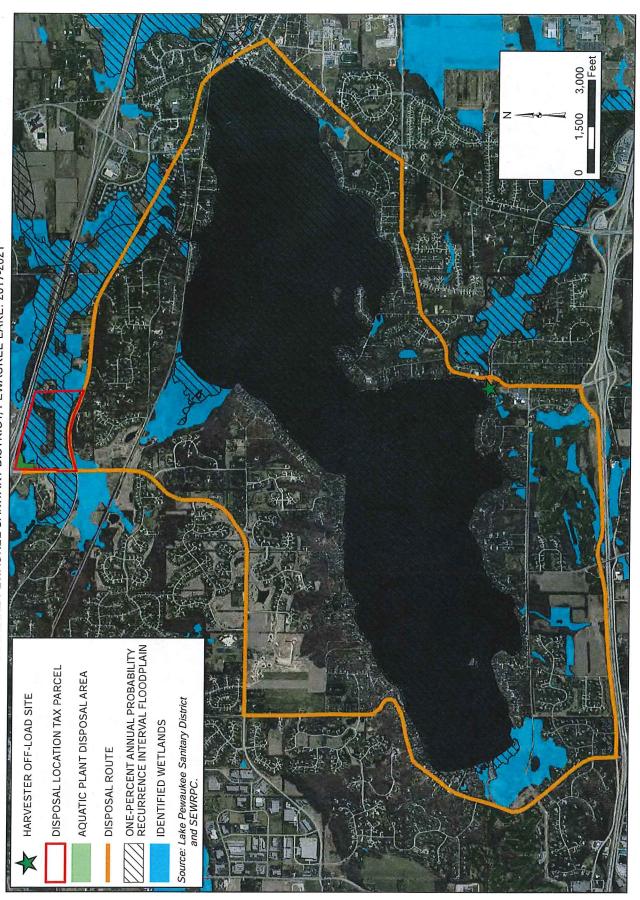
236775 PEWAUKEE 2017 STAFF MEMO MAPS TITLE 300-1128 ACC/ZN 05/25/17

SEWRPC Staff Memorandum

AN AQUATIC PLANT MANAGEMENT PLAN UPDATE FOR PEWAUKEE LAKE: 2017 WAUKESHA COUNTY, WISCONSIN

MAPS

MECHANICAL HARVESTING DISPOSAL SITE LOCATION, OFF-LOAD SITE, AND HAUL ROUTES FOR LAKE PEWAUKEE SANITARY DISTRICT, PEWAUKEE LAKE: 2017-2021



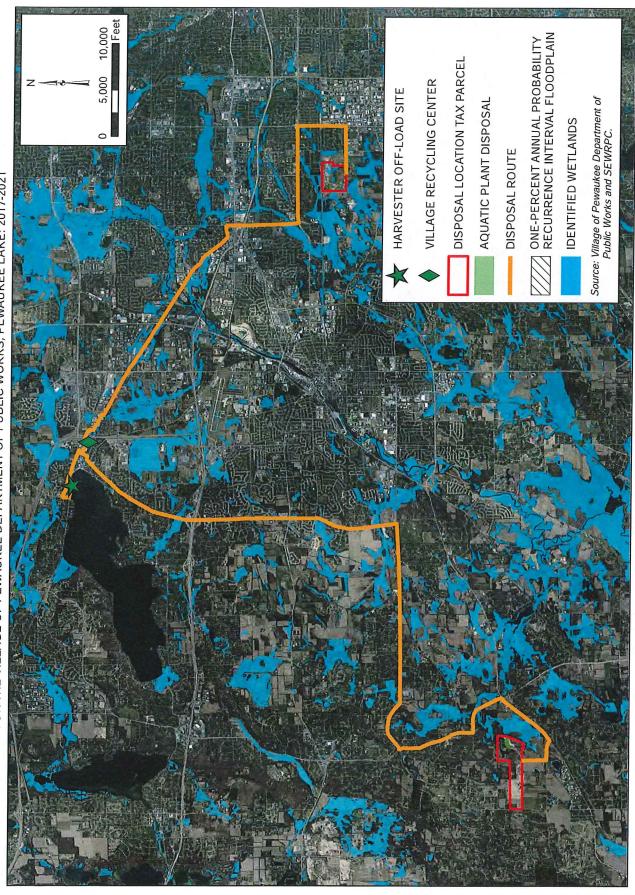
DATE OF PHOTOGRAPHY: APRIL 2015

MECHANICAL HARVESTING DISPOSAL SITE LOCATION FOR LAKE PEWAUKEE SANITARY DISTRICT, PEWAUKEE LAKE: 2017-2021 200 ONE-PERCENT ANNUAL PROBABILITY RECURRENCE INTERVAL FLOODPLAIN DISPOSAL LOCATION TAX PARCEL AQUATIC PLANT DISPOSAL AREA Source: Lake Pewaukee Sanitary District and SEWRPC. IDENTIFIED WETLANDS

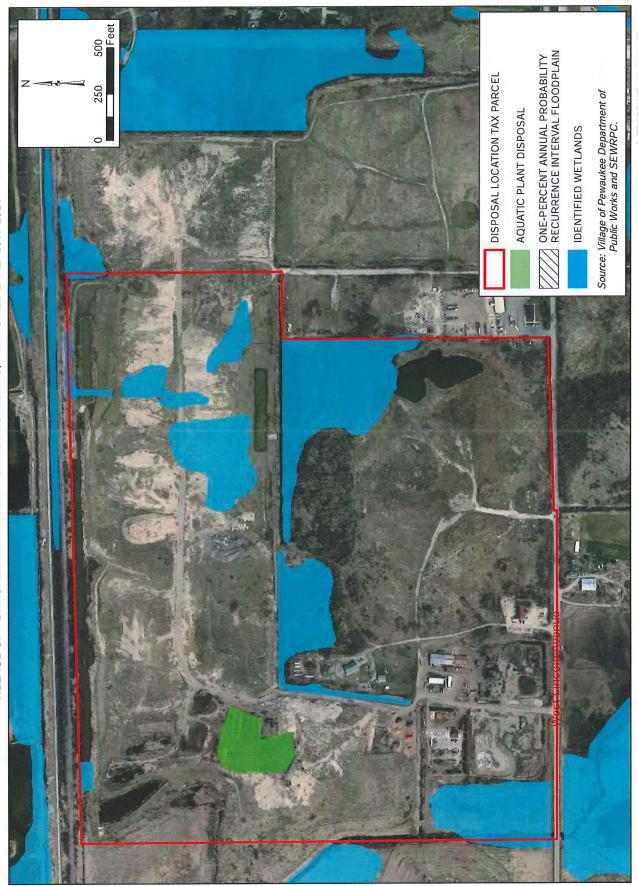
Map A-2

PRELIMINARY DRAFT

MECHANICAL HARVESTING DISPOSAL SITE LOCATION, OFF-LOAD SITE, AND HAUL ROUTES FOR THE VILLAGE OF PEWAUKEE DEPARTMENT OF PUBLIC WORKS, PEWAUKEE LAKE: 2017-2021



SOUTHEASTERN MECHANICAL HARVESTING DISPOSAL SITE LOCATION FOR THE VILLAGE OF PEWAUKEE DEPARTMENT OF PUBLIC WORKS, PEWAUKEE LAKE: 2017-2021



SOUTHERN MECHANICAL HARVESTING DISPOSAL SITE LOCATION FOR THE VILLAGE OF PEWAUKEE DEPARTMENT OF PUBLIC WORKS, PEWAUKEE LAKE: 2017-2021



237211 PEWAUKEE 2017 STAFF MEMO APPENDIX B TITLE 300-1128 ZN 05/22/17

SEWRPC Staff Memorandum

AN AQUATIC PLANT MANAGEMENT PLAN UPDATE FOR PEWAUKEE LAKE: 2017 WAUKESHA COUNTY, WISCONSIN

Appendix B

AQUATIC INVASIVE PLANTS