

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
2984 Shawano Avenue
Green Bay WI 54313-6727

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



February 8, 2013

Dick Jens
Town of Schleswig Sanitary District #1
18716 Twin Bay Lane
Kiel, WI 53042

Permit Number: NER-13-001-36M
Permit Fee: \$300.00

Subject: Cedar Lake Aquatic Plant Harvesting Permit

Dear Mr. Jens:

I have received your application on behalf of the Town of Schleswig Sanitary District #1 for a permit to harvest aquatic plants by mechanical means on Cedar Lake in Manitowoc County.

Attached is your approved permit with conditions. Please read your permit carefully so that you are aware of what is expected of you. This permit will expire on **December 31, 2017**.

The permit is being issued in accordance with the Cedar Lake Aquatic Plant Management Plan prepared in November 2005 and updates and maps supplied in the permit application.

I suggest before this harvesting permit expires, you consider updating your aquatic plant management (APM) plan since the plan will be 12 years old by then. The WDNR grant program may be able to help fund this update. You would need to start this process well in advance to incorporate adequate public input and aquatic plant surveys. Please see our websites for more information on the grant program and APM planning.

<http://dnr.wi.gov/lakes/grants/>
<http://www4.uwsp.edu/cnr/uwexlakes/ecology/APMguide.asp>

If you have any questions or concerns, I can be reached at (920) 662-5489 or e-mail at mary.gansberg@wisconsin.gov.

Sincerely,

Mary Gansberg
Water Resources Management Specialist

Enclosures

C: Steve Hogler – Fisheries Biologist, Mishicot
Scott Otterson – Sanitary District Commissioner

**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

Permit for Mechanical Harvesting of Aquatic Plants

The Town of Schleswig Sanitary District No. 1 is hereby granted under Section 23.24, Wisconsin Statutes and Administrative Code NR 109, a permit to conduct mechanical harvesting of aquatic plants in Cedar Lake, Manitowoc County, subject to the following conditions. *This permit will expire on December 31, 2017.*

PERMIT CONDITIONS

1. You must provide a schedule of harvesting on request. The Water Resources Biologist may schedule and conduct an onsite supervision of harvesting.
2. Mechanical harvesting will only be allowed for submergent plants. No emergent plants (plants standing above the water level) can be harvested.
3. Mechanical harvesting will only be allowed in the areas specified on the maps provided in the permit application.
4. Mechanical harvesting for pier access shall be a maximum width of 30 feet.
5. Mechanical harvesting for boat navigation lanes shall be a maximum width of 50 feet.
6. A copy of the permit and maps shall be maintained onboard the harvester at all times harvesting operations are conducted. All operators must have read and fully understand the limitations or conditions of this permit before they can harvest aquatic plants.
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 permit application and must be in accordance with any applicable county and local regulations.
8. All mechanical harvesting records must be maintained and made available to the Department upon request. An annual report summarizing harvesting activities shall be given to the Department by November 1st of each year. 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 Town of Schleswig Sanitary District No. 1 has filed an application for a permit to conduct a mechanical harvesting operation in Cedar Lake, Manitowoc County.
2. The Town of Schleswig Sanitary District #1 has completed an Aquatic Plant Management Plan dated November, 2005 which details the Cedar Lake harvesting operation. Modifications and an updated map were provided with the permit application.
3. The Department has determined 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.

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 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 sections 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 judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Dated at Green Bay, WI February 8, 2013

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By Mary Gansberg
Mary Gansberg
Water Resources Management Specialist

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.].

FOR DNR USE ONLY	
Date Received 1-28-13	ID Number NER-13-001-36M
Fees Received \$300.00	County Code 36
Exp. Date	WBIC 45100

Section I: Applicant Data

Permit Applicant Name C/O DICK JENS TOWN OF SCHLESWIG SANITARY DIST. #1		Applicant is <input type="checkbox"/> Private individual <input checked="" type="checkbox"/> Lake Organization (Specify) TOWN OF SCHLESWIG SANITARY DIST. #1	
Applicant Mailing Address 18716 TWIN BAY LANE		Lake Property Address, City, State, ZIP (if different)	
City KEIL	State WI	ZIP Code 53042	
Telephone Number 920.894.7273	E-Mail Address JENSFAM@TCEI.COM	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. TOWN OF SCHLESWIG SANITARY DIST. #1	C/O DICK JENS 18716 TWIN BAY LN. KEIL, WI 53042	920.894.7273	JENSFAM@TCEI.COM
B.			
C.			
D.			

Has a Lake Management plan been provided to the DNR? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, date approved of most current copy 10/05	Location of Applicant file copy No. ENVIRONMENTAL @ DNR OFFICE, 9B
Does the proposed plant removal agree with the approved plan? If NO, explain. Attach additional sheets if necessary. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

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

Section II: Location of Aquatic Plant Removal and Disposal

Waterbody of proposed plant removal CEDAR LAKE	Lake Surface Area (acres) x 141 AC	County MANITOWOC	Town 17N	Range 23E	Section 23# 24
Name of Firm (if sub-contracted) N/A	Telephone Number				
Street Address WAGNER FARM USED FOR SOIL AMENDMENT, LOUIS CORNERS	City, State and ZIP				
Name of 1st Plant Disposal Site (if applicable) TOWN OF SCHLESWIG TRANSFER STATION	1/4 1/4	1/4	Section 17 N	Range 23	County MANITOWOC
Name of 2nd Plant Disposal Site (if applicable)	1/4 1/4	1/4	Section 17 N	Range 23	County MANITOWOC

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

SEE FIG. 8 IN NORTHERN ENVIRONMENTAL
OCT 2005 AQUATIC PLANT MANAGEMENT PLAN

Mechanical / Manual Aquatic Plant Control Application

Form 3200-113 (R 3/04)

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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. lily 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.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
2.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
3.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
4.		<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 PG. 8 - ALBERTA ENVIRONMENTAL, INC.

NOTE: LAKE MAP FROM PREVIOUS APPLICATION HAS BEEN REVISED TO ADD NOTE NEAR THE BOAT LANDING. THIS AREA HAS HAD HAND PULLING & PERMITTED HERBICIDE APPLICATION. CONTINUED MONITORING & SELECTIVE EWM REMOVAL WILL CONTINUE TO OCCUR IN THIS AREA

Mechanical / Manual Aquatic Plant Control Application

Form 3200-113 (R 3/04)

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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).

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

_____ acres x \$30.00 per acre = \$ 300.00

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

Section VII: Alternatives Considered

	A. Previously Done?		B. Presently Proposed?	
1. Chemical	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Sediment screens	<input 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 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 type="checkbox"/> Yes	<input type="checkbox"/> No
6. Nutrient controls on property	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 { ERM NOTES BY BOAT LANDING. PERMIT ISSUED &
 2. Sediment screens PROFESSORIAN APPLIED HERBICIDE IN 2011
 3. Dredging TIME OF OCCURRENCE EST 1970's
 4. Drawdown
 5. Nutrient controls in watershed TOWN BANS PHOSPHORUS FERTILIZERS
 6. Nutrient controls on property
 7. Other

Mechanical / Manual Aquatic Plant Control Application

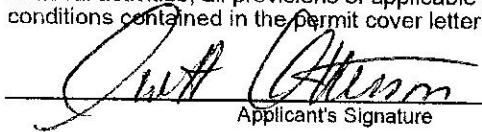
Form 3200-113 (R 3/04)

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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.
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


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

Application fee if received?

☒ Yes ☐ No

State of Wisconsin
Department of Natural Resources For the Secretary

By 
Regional Director or Designee

2-8-2013
Date Signed

2-8-2013
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.

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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.



REV. 1

EWM SITING
RESTRICTED CUTTING
& HERBICIDE APPLICATION AREA

SCALE IN FEET



NOTES: 1. THE DISTRICT MAY ONLY HARVEST WITHIN THE
SHADED AREA FOR PIER ACCESS, SWIMMING
ACCESS AND BOAT NAVIGATION LANES.
2. NO HARVESTING IN LESS THAN 6 FEET OF
WATER IS ALLOWED
3. HARVESTING IS ONLY ALLOWED TO CUT HALF
THE TOTAL WATER COLUMN DEPTH.



LEGEND

 PERMITTED AQUATIC PLANT HARVESTING AREA

<p style="text-align: center;">▲ Northern Environmental <i>Hydrologists • Engineers • Surveyors • Scientists</i> 1203 Storbeck Drive, Waupun, Wisconsin 53963 Phone: 800-498-3921 Fax: 920-324-3023</p> <p style="text-align: center;">WISCONSIN ▲ MICHIGAN ▲ ILLINOIS ▲ IOWA</p> <p><small>This drawing and all information contained thereon is the property of Northern Environmental. Northern Environmental will not be held liable for improper or incorrect usage. Professional seals and signatures do not apply to electronic drawing files. The user assumes all responsibility and risk for the accuracy and verification of all information contained in electronic files.</small></p>	<p style="text-align: center; font-size: 1.2em;">AQUATIC PLANT HARVESTING AREAS</p> <hr/> <p style="text-align: center;">TOWN OF SCHLESWIG SANITARY DISTRICT #1 CEDAR LAKE MANITOWOC COUNTY, WISCONSIN</p> <p style="text-align: center;">REV. 1/21/13</p>
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