

State of Wisconsin DNR Department of Natural Resources Water Permit Central Intake – attn. APM PO Box 7185 Madison, WI 53707-7185	Mechanical Aquatic Plant Control Permit
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**Permit Number:** SE-2024-67-20860M  
**Permit Expiration Date:** 12/31/2028  
**Waterbody Name:** Big Cedar Lake

**Waterbody # (WBIC):** 25300  
**Fee Received:** 300  
**Waterbody Address:** 4480 Gonring Dr

**Applicant Name:** Big Cedar Lake Protection and Rehabilitation District  
**4480 Gonring Dr**  
**West Bend, WI 53095**  
**Email:**  
**Phone:**

**Applicator Name:** Big Cedar Lake Protection & Rehabilitation District  
**4480 Gonring Dr**  
**WEST BEND, WI 53095**  
**Email:** [bigcedarlakeprd@gmail.com](mailto:bigcedarlakeprd@gmail.com)  
**Phone:** 262-629-9322

The Department has received and reviewed your application to mechanically remove up to 434 acres of aquatic plants in Big Cedar Lake, Washington County.

Aspects of this permit may not be changed. Please go to this web address: <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx> to search for and download the permit documents.

Your permit application meets the minimum requirements by law and a permit is being issued with the following conditions:

#### **General Conditions:**

- You shall follow the treatment plan outlined in the 2024 permit application and permit conditions. Any changes to the permitted activity will require an additional permit from the Department.
- The treatment notification protocols, treatment plan, and reporting protocols shall be performed in compliance with Wisconsin Administrative Code Chapter NR 109. Noncompliance with the permit can result in enforcement actions under Wis. Stat. Chapters 23, 30 and 31 and restriction of aquatic plant management activities for subsequent years under Wisconsin Administrative Code Chapter NR 109. The conditions and treatment plan are required to be followed to ensure efficacy of the treatment.
- You shall notify Heidi Bunk of the Department of Natural Resources at [Heidi.bunk@wisconsin.gov](mailto:Heidi.bunk@wisconsin.gov) 4 business days before treatment with the date and time of proposed treatment. This notification shall occur each year.

- You shall have a paper or electronic copy of this decision letter and permit with the individual conducting the harvesting during all associated harvesting events.
- You shall submit an annual report with a detailed map of treatment areas, total acres harvested, total time spent harvesting and aquatic plant material removed by weight (unit), volume (unit) and species – including by-catch, within 30 days of the last treatment to [DNR APM Program](#).

### **Specific Conditions:**

- The quantity and species of plants to be mechanically harvested with the harvester and the widths of the cutting paths shall be in accordance with the 2024 APM plan update for Big Cedar Lake (Figure 3.1 on page 73, Figure 3.1a on page 74, Figure 3.2 on page 75, Figure 3.3 on page 76 and the written specifications on pages 60-65) and as additionally described in the permit application.
- Harvesting in Gilbert Lake (Figure 3.1) and in the sensitive area located in the North Bay (Figure 3.1a) shall require two operators at all times. The second operator shall be dedicated to returning fish, frogs, turtles, etc. that are caught by the conveyor back to the lake.
- Harvesting in Gilbert Lake (Figure 3.1) shall be limited to twice a year beginning July 15<sup>th</sup> and ending the third week of August. The navigational channel shall be maintained no wider than six (6) feet or the width of the harvester. The cutting bar shall be set to harvest no deeper than three (3) feet. The harvester shall not directly touch the bottom sediment.
- Harvesting in the 7 foot channel located in the northern part of the North Bay (Figure 3.1a) shall be limited to twice a year beginning July 15<sup>th</sup> and ending the third week of August. The harvester shall not directly touch the bottom sediment.
- Aquatic plant beds dominated by native pondweeds and muskgrasses shall not be harvested.
- Harvesting shall only take place in water depths of 3 feet or greater.
- Cutter bars shall be kept out of the sediment. A minimum of **1 foot** of aquatic plant growth shall remain at the bottom of the lake in all harvested areas.
- You shall harvest in a manner to minimize accidental capture of fish, frogs and turtles. Animals captured shall be netted and released back to the lake.

**Findings of Fact:**

1. The applicant has certified to the department that a copy of the application has been made available to all affected property owners' associations, inland lakes districts, and riparian owners.
2. The Department of Natural Resources has determined that the agency's review of the proposed project constitutes an integrated analysis action under s. NR 150.20(2), Wis. Adm. Code. The Department has considered the impacts on the human environment, alternatives to the proposed projects and has provided opportunities for public disclosure and comment. The Department and the applicant have completed all procedural requirements of s. 1.11(2)(c), Wis. Stats., and NR 150, Wis. Adm. Code for this project.
3. The project as permitted will comply with all applicable requirements of Sections 23.24 and 281.17(2), Wis. Stats., and Chapter NR 109 Wis. Adm. Code.
4. Your permit application has been reviewed and meets the minimum requirements by law and a permit is being issued. Issuance of the permit is not an endorsement or approval for the action authorized.
5. The Department has determined that a state listed special concern fish species has been documented in Big Cedar Lake.
6. The Department has determined that a state listed special concern plant species has been documented in Big Cedar Lake.
7. The Department has determined that a state listed special concern herptile species has been documented in Big Cedar Lake.
8. The Department has determined that a state listed threatened bird species has been documented adjacent to Big Cedar Lake.
9. The Department has determined that multiple Bald Eagle nests have been documented adjacent to Big Cedar Lake.
10. The Department has determined that Big Cedar Lake is a designated Migratory Bird Concentration Site.

## Notice

- You shall decontaminate all project equipment used in the waterbody to minimize transport of aquatic invasive species (AIS) immediately after each use on the project site. You shall utilize best management practices:  
<https://dnr.wi.gov/topic/Invasives/disinfection.html> You shall comply with all provisions in Wis. Stat. s. 30.07 and Wis. Adm. Code s. NR 40.07 and Manual code 9183.1 For further information, please refer to the following:  
<https://dnr.wi.gov/topic/invasives/classification.html>.
- You shall comply with the provisions of Wis. Adm. Code s. NR 500, regarding solid waste transporting. For more information, please refer to the following:  
<https://dnr.wisconsin.gov/topic/Waste/Licenses.html>
- You shall comply with local and county ordinances regarding disposal of aquatic plant materials. Disposal of the harvested aquatic plants must be located in the area specified in the permit application: 4651 Church Road, West Bend, WI 53095. Disposal shall not occur in a wetland or floodplain.

If you have any questions or concerns, I can be reached at 262-719-0814 or by email at [heidi.bunk@wi.gov](mailto:heidi.bunk@wi.gov).

State of Wisconsin Department of Natural Resources for the Secretary

By: Bunk, Heidi	06/17/2024	06/17/2024
Lakes Biologist	Date Signed	Date Mailed

### Please Note:

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 judicial review shall name the Department of Natural Resources as the respondent. This notice is provided pursuant to s. 227.48(2), Wis. Stats. 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.