

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-2023-65-17174M

**Waterbody # (WBIC):** 816800, 816600

**Permit Expiration Date:** 12/31/2027

**Fee Received:** 300

**Waterbody Name:** Whitewater and Rice Lakes

**Waterbody Address:** Multiple

**Applicant Name:** Carol Ducommun, Whitewater  
 Rice Lake Management District, P.O. Box 301  
 Whitewater, WI 53190

**Email:** cfducommun@gmail.com

**Phone:** 847-226-1062

*Advanced Notification of Treatment is required*

The Department has received and reviewed your application to mechanically remove up to 300 acres of aquatic plants in Whitewater and Rice Lakes located in Walworth County. Your permit application meets the minimum requirements by law and a permit is being issued with the following conditions:

- You shall follow the treatment plan outlined in the 2023 permit application, the 2023 Aquatic Plant Management Plan for Whitewater and Rice Lakes, 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 the first treatment.
- 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](#).

- The quantity and species of plants to be mechanically harvested and the widths of the cutting paths shall be in accordance with the 2023 APM plan for Whitewater and Rice Lakes (Map 3.6) and as additionally described in the permit application.
- 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. The maximum depth of cut for each area is described on pages 35-37 in the 2023 APM plan for Whitewater and Rice Lakes.
- 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.
- No harvesting shall occur in the "Top Cut" Area in South Bay between May 1<sup>st</sup> and June 30<sup>th</sup> to protect fish spawning. This area is denoted on Map 3.6.
- No harvesting shall occur in the navigation lane in the sensitive area located in South Bay between May 1<sup>st</sup> and June 30<sup>th</sup> to protect fish spawning. This area is denoted on Map 3.6.
- Harvesting in the navigation lane in the sensitive area located in South Bay 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.
- No harvesting shall occur within 100 feet of "Bird Island", located in South Bay.
- Navigation lanes and access lanes are permitted be cut throughout the growing season. The maximum width of navigation lanes shall be 50 feet. The maximum width of access lanes shall be 20 feet. Locations of the navigation lanes and access lanes are denoted on Map 3.6
- Harvesting in Rice Lake shall be limited to a 50 foot navigational channel, parallel to the shoreline, along the developed shoreline. No harvesting shall take place between May 1<sup>st</sup> and June 30<sup>th</sup> to protect fish spawning

## 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 local and county ordinances regarding disposal of aquatic plant materials. Disposal of the harvested aquatic plants must be located in the areas specified in the permit application (Maps 3.1, 3.2, 3.3., 3.4 and 3.5). Disposal shall not occur in a floodplain or wetland.
- The approval of an aquatic plant management permit does not represent an endorsement of the permitted activity but represents that the applicant has complied with all criteria of this chapter.

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	05/22/2023	05/22/2023
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.