

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-2023-65-15291M

**Waterbody # (WBIC):** 793600

**Permit Expiration Date:** 12/31/2025

**Fee Received:** 300

**Waterbody Name:** Delavan Lake

**Waterbody Address:** Multiple

**Applicant Name:** James DeLuca, Delavan Lake

Sanitary District, 2990 County Road F South

Delavan, WI 53115

**Email:** charlie@dlsd.org

**Phone:** 262-728-4100

*Advanced Notification of Treatment is required*

The Department has received and reviewed your application to mechanically remove up to 435 acres in Delavan Lake 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 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](#).

- The quantity and species of plants to be mechanically harvested and the widths of the cutting paths must be in accordance with the 2022 APM plan for Delavan Lake (Figures 3.1, 3.2 and 3.3 on pages 32-34; Pages 36, 39-41); and as additionally described in the permit application.
- Areas denoted as "Habitat" on Figures 3.1, 3.2 and 3.3 should not be harvested prior to June 15<sup>th</sup>. Channels denoted as 50 foot harvesting lanes in the inlet and outlet may be harvested prior to June 15<sup>th</sup> of each year, if necessary, to facilitate boating to piers and channels.
- Cutter bars must be kept out of the sediment. A minimum of 1 to 2 feet of aquatic plant growth must remain at the bottom of the lake in all harvested areas.
- Navigational boating access channels (2) may be cut in Viewcrest Bay to a width of 50 feet each. The depth of the cut may not exceed a maximum of 3 feet below the surface of the water.
- Navigational boating access channels (3) may be cut in Highlands Bay to a width of 50 feet. The depth of the cut may not exceed a maximum of 3 feet below the surface of the water.
- Highlands Bay and Viewcrest Bay shall not be harvested before June 15<sup>th</sup> of each year.
- Stands of native aquatic plants such as native pond weeds and waterstar grass shall not be top cut or clear cut outside of designated harvesting lane channels as denoted on Figures 3.1, 3.2 and 3.3.
- Stands of water celery shall not be clear cut outside of designated harvesting lane channels as denoted on Figures 3.1, 3.2 and 3.3.
- All equipment transferred between the inlet, outlet and main basin of Delavan Lake must be sterilized after each use and must abide by all provisions of NR 40. Harvesters, conveyors and trailers must be completely pressure washed and all plant fragments removed.

## 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 and 3.2, pages 37-38). 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	03/02/2022	03/02/2022
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.