

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
810 W. Maple Street
Spooner WI 54801

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 4, 2019

Vermillion Lakes Association
Tom Margotto
2129 9th St.
Cumberland, WI 54829

RE: APPLICATION FOR PERMIT FOR MECHANICAL HARVESTING

Dear Mr. Margotto:

We have received your application for a permit for harvesting aquatic plants by mechanical means in 5.74 acres on Upper Vermillion Lake in the Town of Cumberland, Barron County. We found your application to be complete and you are being issued a permit with conditions. Please read your permit carefully and contact us if you have questions.

The permit is being issued in accordance with the Vermillion Lakes Aquatic Plant Management plan to provide corridors to the river channel.

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.

Your next step will be to notify me of the date on which you plan to begin harvesting. If you have any questions or concerns I can be reached at 714-635-4074.

Sincerely,

Mark Sundeen
Water Resource Specialist
Spooner, WI



April 23, 2019

Vermillion Lakes Association
Tom Margotto
2129 9th St.
Cumberland, WI 54829

Permit # NO-2019-02-3671

**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

Permit for Mechanical Harvesting of Aquatic Plants

Vermillion Lake Association is hereby granted under Section 23.24, Wisconsin Statutes and Administrative Code NR 109, a permit to conduct mechanical harvesting of aquatic plants in 6 acres of Upper Vermillion Lake, in the Town of Cumberland, Barron County, subject to the following conditions. This permit is issued for a 1 year term and will expire on 12/31/18.

PERMIT CONDITIONS

You must notify Water Resource Specialist, Mark Sundeen at 715-635-4074, four working days prior to anticipated start of the harvesting operation or provide a schedule of harvesting on request. The Water Resources Specialist may schedule and conduct an onsite supervision of harvesting.

Notify the harvester operator that they may not launch before a member of the Vermillion Lake Association is present to inspect the equipment for any plant fragments that may have not been removed from the harvester or trailer after their previous job. Harvesting equipment has many places for plant or animal material to lodge and may go unnoticed by casual inspection. Boaters are required to remove all plant and animal material from their boats before leaving launch sites (job site) and are to make certain they are "clean" before launching into a new water body. Plant fragments carried from one lake to another can result in introduction of an invasive species.

Please provide us with a written record concerning the equipment inspection and include:

- a. The date and time of the inspection.
- b. The name of the inspecting District member
- c. The name of the equipment operator.
- d. The amount of time taken to complete the inspection.
- e. The findings of the inspection.

Mechanical harvesting will only be allowed in the areas specified in the Vermillion Lake APM plan as described in the permit application and in the plan approved by the department. A copy of the permit and maps shall be maintained onboard the harvester at all times harvesting operations are conducted.

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 Vermillion Lakes APM Plan and as described in the permit application and must be in accordance with any applicable county and local regulations.

The quantity and species of plants to be mechanically harvested must be in accordance with the Vermillion Lakes APM plan and as described in the permit application.

7. Wild Rice is present and visible near this site. Care should be taken to avoid work in this area. No cutting is to take place at depths less than 4 feet. **“NOTE: Control of wild rice prohibited. No action authorized in this permit may cause direct removal, direct exposure to a chemical herbicide application, or indirect harm to wild rice that can be reasonably predicted or is readily apparent while performing the permitted control action. Causing harm or damage to wild rice will be considered a violation of this permit and other statutes and subject to enforcement action. If at any time this permit may be discovered to affect wild rice, it may be suspended or rescinded to provide a more thorough review of the impacts the permit may have on wild rice.”**

All mechanical harvesting records must be maintained and made available to the department upon request. When the project is completed a harvesting report should be Provided to the Department. This report shall include a map showing the areas harvested, the total acres harvested and the total amount of plant material (no. of loads with estimated weight) removed from the water body. Include, dates and hours of harvesting, locations of harvesting. A detailed map summarizing the harvesting activities should be included. Indicate the types of plants being harvested such as Curly-leaf Pondweed, Coontail, etc.

All harvesting should be conducted in a manner which will cause minimal disturbance to bottom sediments and organisms living there.

FINDINGS OF FACT

1. Vermillion Lake Association has filed an application for a permit to conduct a mechanical harvesting operation in the Town of Cumberland, Barron County. The specific areas to be harvested are in accordance to the Vermillion Lakes APM plan that are shown in the map which may be modified to avoid disturbance of wild rice and are included in this permit as a formal a part of the permit.
2. 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.
3. The Department has determined that there will be no significant adverse impacts resulting from the mechanical harvesting of Upper Vermillion Lake.
4. The total harvesting area is 6 acres in the areas shown on the maps or referenced in the plan as approved in the conditions above.
5. The Department has determined that the proposed harvested area is not in a department designated sensitive area.

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 Spooner, WI. April 23, 2019

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary

By Mark Sundeen

Mark Sundeen
Water Resource Specialist
Spooner, WI

Aquatic Plant Control Mechanical / Manual Permit Application

Form 3200-113 (R 10/16)

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 DNR Use Only	
Date Received	ID Number NO-2019-3-3671M
Fee Received \$180	County Code 3
Exp. Date	WBIC 2098800

Section I: Applicant Data

Permit Applicant Name Vermillion Lakes Association			Applicant is: <input type="checkbox"/> Private Individual <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Lake Organization (Specify) _____		
Applicant Mailing Address 2129 9th Street					
City Cumberland	State WI	Zip 54829	Lake Property Address (if different)	City	State Zip
Phone Number xxx-xxx-xxxx 763-744-7680	Email Address margotto55@gmail.com	Phone Number xxx-xxx-xxxx	Email Address		

Individuals and organizations (e.g. Lake District, Lake Association, Property Owners Association, County Department of Recreation), sponsoring removal.

Name	Address	Phone	Email Address
Tom Margotto	2129 9th Street	763-744-7680	margotto55@gmail.com

Has a Lake Management plan been provided to the DNR? <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	If Yes, date approved of most current copy 1/4/2018	Location of Applicant file copy VLA, WDNR, LEAPS
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Does the proposed plant removal agree with the approved plan? Yes No
 If NO, explain, Attach additional sheets if necessary.

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:

Waterbody of proposed plant removal Upper Vermillion Lake	Lake Surface Area (acres): 91	County Barron	Section 10	Township 35 N	Range 13	<input type="radio"/> E <input checked="" type="radio"/> W
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Name of Firm (if sub-contracted) TSB Lakefront Restoration	Phone Number xxx-xxx-xxxx Extension: 715-828-5530
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Street Address 14609 184th Street	City Jim Falls	State WI	Zip 54748
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Name of 1st Plant Disposal Site (if applicable) Silda/Margotto Farm	1/4 1/4 NE	1/4 SW	Section 19	Township 35 N	Range 13	<input type="radio"/> E <input checked="" type="radio"/> W	County Barron
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Name of 2nd Plant Disposal Site (if applicable)	1/4 1/4 ---	1/4 ---	Section	Township N	Range	<input type="radio"/> E <input type="radio"/> W	County
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Length of project area **1,000** ft. x Shoreline or area width **250** ft. /43,560= **5.739** Estimated Acreage Avg. Depth **6** ft.

Offshore Control Site Length **0** ft. x Shoreline or area width **0** ft. /43,560= **0.000** Estimated Acreage Avg. Depth **0** ft.

TOTAL ESTIMATED ACREAGE **5.74**

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

In the attachment section, attach a copy of a lake map that includes the property(s) to be harvested. 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 ea 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 neces
- Check Yes box to indicate project participants and No box for non-participants.

Name of Riparian Neighbor	Project Participant	Control Dimensions (calculated acreage)
see list attached	<input checked="" type="radio"/> Yes <input type="radio"/> No	5.74

Section IV: Methods

What mechanical or manual methods to remove plants are proposed? (check all that apply)

- Mechanical harvesting Raking Other (specify) _____
 Hand Pulling Cutting Alum

If alum is proposed, has a plan been developed? Yes No If yes, please include the plan with this application.
 Please explain why you selected the proposed cutting method(s).

Section VI: Reasons for Aquatic Plant Removal

Purpose of Aquatic Plant Removal:

- Maintain navigational channel for common use
 Maintain private boat access
 Maintain private access for fishing
 Improve Swimming
 Other remove dense mats of curly-leaf pondweed

Nuisance Caused By:

- Emergent water plants
 Submergent water plants
 Floating water plants
 Other _____

Name of plants, if known

CLP, elodea, coontail,

Section VII: Integrated Pest Management (Alternatives Considered)

	A. Previously Done?	B. Presently Proposed?
1. Chemical	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
2. Dredging	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
3. Drawdown	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
4. Nutrient controls in watershed	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
5. Nutrient controls on property	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
6. Other	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Note: Consider feasibility of alternatives for each control site. this information not only helps the department make a decision on this applicatio but also helps you evaluate your investment in aquatic plant management.

Describe the level of success for alternative methods previously used:

1. Chemical	not allowed due to wild rice
2. Dredging	not appropriate
3. Drawdown	not possible
4. Nutrient controls in watershed	land use management has been identified
5. Nutrient controls on property	Healthy Lakes projects have been introduced
6. Other	property owners do some physical removal

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.
5. 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.
 - 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>

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.

Electronically 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 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(s)

2019

Application fee if received?

Yes No

State of Wisconsin
Department of Natural Resources For the Secretary

By Mark Sundeen
Regional Director or Designee

April 24, 2019
Date Signed

April 24, 2019
Date Mailed

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.

Online Payment

Wisconsin Department of Natural Resources Invoice Number: WP-00017759

Total Due: \$180.00

Payment Confirmation # WS2WT1003314106

STEP 1:

Payment is Complete

Confirmation
Number:

WS2WT1003314106

STEP 2 :

Please note that payment is considered successful when your financial institution renders payment for this transaction. Failure of US Bank to collect and transfer funds from the permit applicant to the DNR, does not release the applicant of financial responsibility and the DNR reserves the right to collect unpaid fees.

All payments are collected by US Bank which is an external website contracted by the Wisconsin Department of Natural Resources for the sole purpose of collecting payments over the web.

Sign and Submit Permit

Applicant Responsibilities and Certification

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 and the surface area in acres or square feet for each proposed algae treatment.
2. The applicant understands that the Department of Natural Resources may require supervision of any aquatic plant management project involving chemicals. Under s. NR 107.07, Wis. Adm. Code, supervision may include inspection of the proposed treatment area, chemicals and application equipment before, during or after treatment. The applicant is required to notify the regional office 4 working days in advance of each anticipated treatment with the date, time, location and size of treatment unless the Department waives this requirement. The advance notification may be specified in your permit.
3. The applicant agrees to comply with all terms or conditions of this permit, if issued, as well as all provisions of Chapter NR 107, Wis. Adm. Code. The required application fee is attached.
4. The applicant has provided a copy of the current application to any affected property owners' association, inland lake district and, in the case of chemical applications for rooted aquatic plants, to all owners of property riparian or adjacent to the treatment area. The applicant has also provided a copy of the current chemical fact

sheet for the chemicals proposed for use to any affected property owner's association or inland lake district.

5. 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.
- 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>

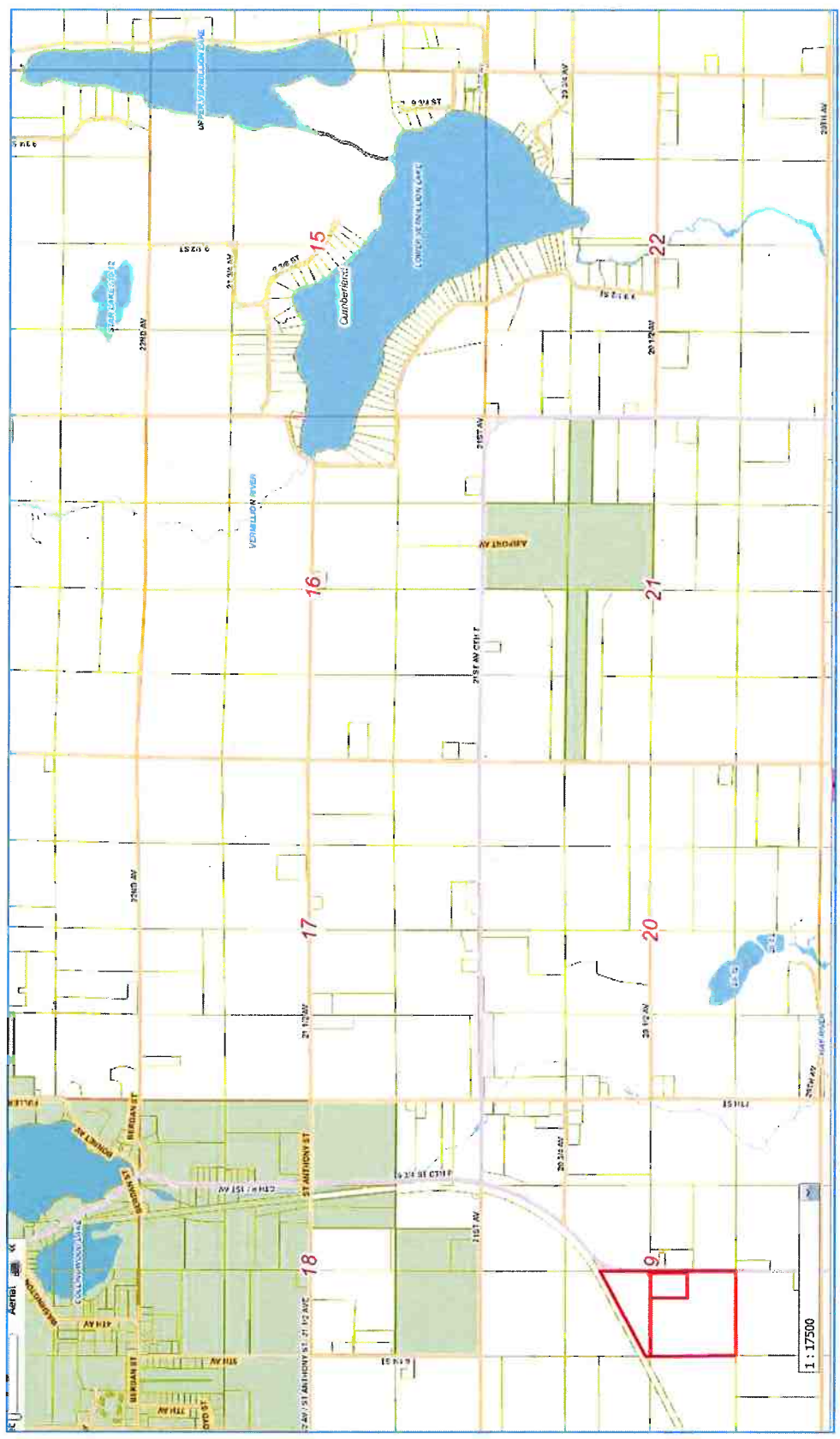
I hereby certify that the above information is true and correct and that copies of the application have been provided to the appropriate parties name in Section II and that the conditions of the permit will be adhered to. All portions of this permit, map and accompanying cover letter must be in possession 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.

Check if you are signing as Agent for Applicant.

i:0#.f|wamsmembership|blumedl signed on 2019-04-06T...

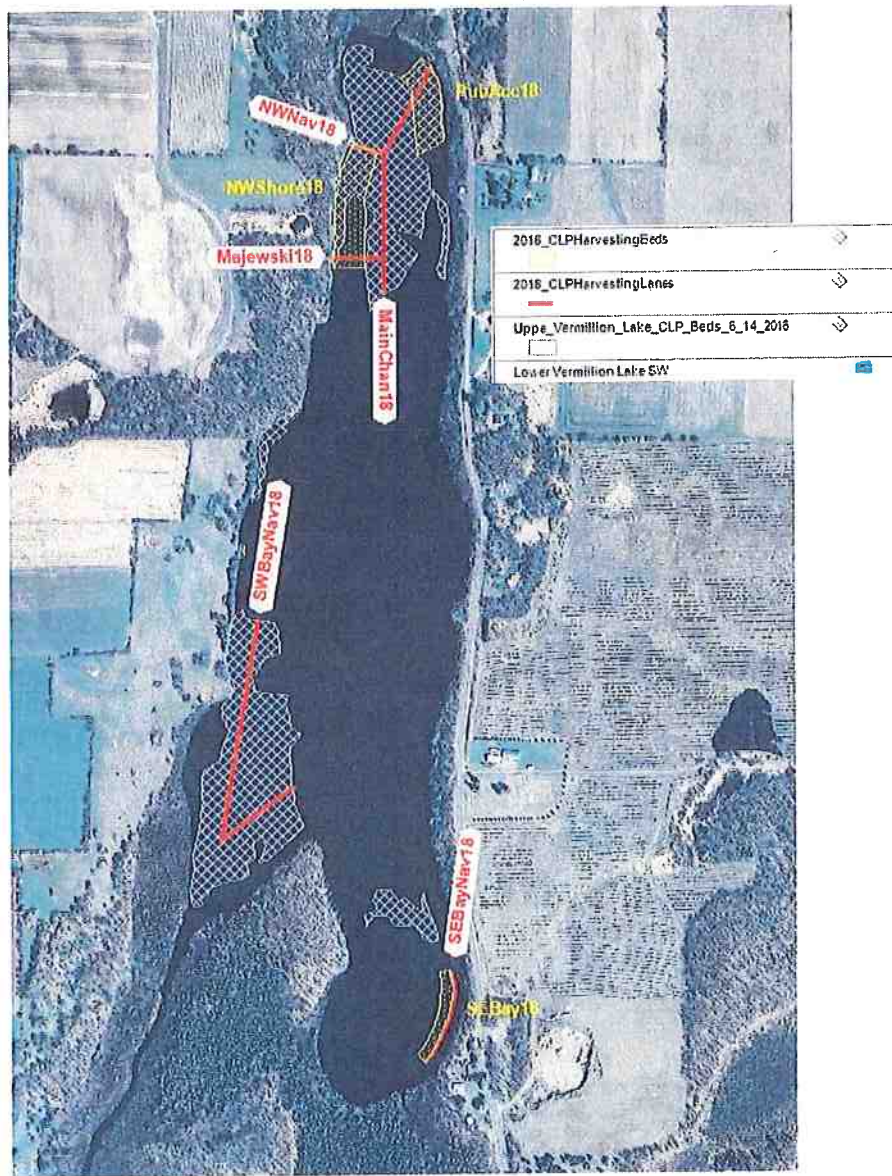
I hereby certify that the above information is true and correct and that copies of this application have been provided to the appropriate parties named in Section II and that the conditions of the permit and pesticide use will be adhered to.

2018 Upper Vermillion Harvested Vegetation Dump Site



2018 Upper Vermillion Harvesting Plan – Navigation and Nuisance Relief

2018 Upper Vermillion Harvesting Plan							
Site	Length (ft)	Width (ft)	Acres	Navigation Lanes	Open Water	Target Species	When
MainChannel18	1126	40	1.03	yes	NA	CLP/Native	early June; July
NWNav18	158.5	20	0.07	yes	NA	CLP	early June
Majewski18	251.5	20	0.12	yes	NA	CLP	early June
SWNav18	1491.3	20	0.68	yes	NA	CLP/Native	early June; July
SEBayNav18	468.8	20	0.22	yes	NA	CLP	early June
PubAcc18	NA	NA	1.24	NA	yes	CLP/Native	early June; July
NWShore18	NA	NA	1.88	NA	yes	CLP/Native	early June; July
SEBay18	NA	NA	0.52	NA	yes	CLP/Native	early June; July
TOTALS			5.76				



2018 Upper Vermillion Property Owners – Harvesting Proposal

MARK G & THERESA A RUPPEL
991 22 1/2 AVE
CUMBERLAND WI 54829

MARK S & MERLYN J ENGELHARDT
2355 150TH ST
LUCK WI 54853

LORNE C & TANYA L MAJEWSKI
2219 9 3/4 ST
CUMBERLAND WI 54829

THOMAS E & GINA M KOSLOWSKI
13635 GENEVA AVE
HUGO MN 55038

KAY C MOEN-URSETH
N14321 705TH ST
NEW AUBURN WI 54757

LAWRENCE E & NANCY M SCHINDELDECKER
6241 BABCOCK TRL
INVER GROVE HEIGHTS MN 55077

MICHAEL E HOPKINS
15104 S COPPERMINE RD
GORDON WI 54838

BRANDON & WHITNEY MILLER
201 JOE DR W
AMBOY IL 61310

HOMEBRIDGE FINANCIAL SERVICES INC
425 PHILLIPS BLVD
EWING NJ 08618

GERALD L & BEVERLY S BAILEY
2146 10TH ST
CUMBERLAND WI 54829

DONALD W & SUSAN M SHOEMAKER
2148 10TH ST
CUMBERLAND WI 54829

SCOTT & MARY BELLEFEUILLE
1028 22 1/2 AVE
CUMBERLAND WI 54829

MICHAEL SCOTT RENFREW
2189 10TH ST
CUMBERLAND WI 54829

KEITH HARDIE
CONNIE BROOKS-HARDIE
2195 10TH ST
CUMBERLAND WI 54829

ROBERT C PRYTZ
2205 10TH ST
CUMBERLAND WI 54829

DUSTIN SLAYTON
MICHELLE THOMPSON
2207 10TH ST
CUMBERLAND WI 54829

CHRISTOPHER M & LEILA J TITE TRUSTEES
17953 OSAGE CT NW
ANDOVER MN 55304

ATTN: ACCESS UPPER VERMILLION LAKE
BARRON COUNTY
335 E MONROE AVE
BARRON WI 54812