

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

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



### Permit for Mechanical Harvesting of Aquatic Plants

Chute Lake Protection & Rehabilitation District #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 an area of approximately 87.47 acres on Chute Lake, in the Town of Mountain, Oconto County, in the Sections 25,26,36 T31N,R16E and Sec. 31 T31N R17E subject to the following conditions. The acreage includes the cutting of curly leaf pondweed and cutting a 25 foot wide navigation channel around the lake. The permits also allows for the cutting of predator lanes as indicated on the attached map. It also includes picking up nuisance floating rafts of vegetation. **This permit is issued for a 5 year term and will expire on 12/31/2024.**

### PERMIT CONDITIONS

1. Notify Water Resource Specialist, Brenda Nordin at 920-360-3167 with any questions regarding the aquatic plant harvesting permit conditions. The Department may schedule and conduct an onsite supervision of harvesting on occasion.
2. Mechanical harvesting will only be allowed in the areas specified in this permit and may be revised upon Department approval in the subsequent years of the permit. A copy of the permit and maps shall be maintained on board the harvesters at all times harvesting operations are conducted.
3. Aquatic plants cut must be removed from the water. Take special care in removing curly leaf pondweed and Eurasian milfoil fragments which may be cut. **Curly leaf pondweed shall be harvested prior to July so as to remove the plant with the turions(reproductive structures) attached.** Disposal of the harvested aquatic plants must be located in the areas specified in the Chute Lake as described in the permit application and must be in accordance with any applicable state, county and local regulation.
4. Emergent, floating vegetation such as Water Lilies, Bullrush, and Wild Rice shall be avoided to be harvested since it is unique habitat which is declining in area of growth in well developed lakes.
5. All mechanical harvesting records must be maintained and made available to the department upon request. Annual reports summarizing harvesting activities shall be sent to the Department by November 1 each year. The annual report shall include a map showing the areas harvested and the total acres harvested along with an estimate of harvester loads cut during the season.
6. The harvester will have oil absorbent rags that are to be placed on the surface of the water in the event of an oil leak.

### FINDINGS OF FACT (Facts which were considered in making this decision.)

1. Chute Lake Protection and Rehabilitation District has filed an application for a permit to conduct a mechanical harvesting operation in the Sections 25,26,36 T31N,R16E and Sec. 31 T31N R17E. The specific

areas to be harvested are in accordance to the Chute Lake permit application that are shown in the map included in this permit as a formal part of the permit.

2. The Department has determined the proposed mechanical harvesting will most likely provide aquatic plant nuisance relief in the designated areas. The mechanical harvesting will allow for increased navigation and recreational opportunities, improve fisheries opportunities and help improve the plant diversity in the lake.
3. The Department has determined that there should be no significant adverse impacts resulting from the mechanical harvesting of Chute Lake.
4. The total harvesting area is a maximum of approximately 87.47 acres in the areas shown on the map 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 Shawano, WI, January 21, 2020

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary

By *Brenda Nordin*

Water Resource Management Specialist- Brenda Nordin