



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary
John Gozdziwski, Regional Director

Northern Region Headquarters
107 Sutliff Ave.
Rhineland, Wisconsin 54501-3349
Telephone 715-365-8900
FAX 715-365-8932
TTY Access via relay - 711

July 6, 2013

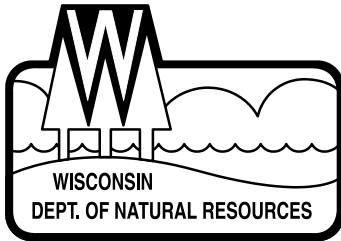
Notice

All aquatic plant management applications are routed to professional resource managers for comment. The following environmental concerns/comments have been provided from those managers and are specific to an herbicide treatment of Eurasian Water Milfoil on **Virgin Lake** in Oneida County:

Comments from WDNR Fisheries Biologist, John Kubisiak: I don't object to the current permit but I have concerns. History of past chemical management of EWM for nuisance relief bears little relationship to current abundances among lakes. I have long-term concerns about repeated EWM treatments. Muskellunge, northern pike and yellow perch spawn in vegetation and muskellunge spawn at a similar time & temperature as EWM treatments. I don't know if EWM provides good spawning substrate, but chemical treatment is likely detrimental to the eggs and fry.

Comments from WDNR Conservation Biologist, Jim Woodford: All activities related to controlling aquatic vegetation need to be conducted 330 feet away from any active Bald Eagle nests to minimize disturbance. Bald Eagles are protected under the Federal Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668c; 50 CFR 22.3).

Comments from WDNR Wildlife and Forestry Research and Toxicologist, Dr. Michael Meyer: No objection to proposed treatment. The herbicide 2,4-D has been shown to be toxic to fish and aquatic invertebrates according to the USEPA 2,4-D Registration Document. 2,4-D is also an endocrine disruptor with potential negative impacts on reproducing fish. Therefore, care should be taken to apply this product only to the mapped treatment beds, and only at the application rate prescribed in the permit. There is no certainty that long-term use of 2,4-D to control Eurasian water milfoil will not cause indirect harm to freshwater fisheries so all precautions should be taken when using this product.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary
John Gozdziwski, Regional Director

Northern Region Headquarters
107 Sutliff Ave.
Rhineland, Wisconsin 54501-3349
Telephone 715-365-8900
FAX 715-365-8932
TTY Access via relay - 711

July 6, 2013

Three Lakes Waterfront Association
c/o Norris Ross
7365 Wheeler Island Rd.
Three Lakes, WI 54562

Subject: 2013 Final EWM Control Permit, Virgin Lake, Oneida County

Three Lakes Waterfront Association:

I have received your application to chemically treat Eurasian Water Milfoil (EWM) on Virgin Lake in Oneida County. 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. The following conditions must be followed:

1. It is the responsibility of the Three Lakes Waterfront Association and Stantec to follow the treatment plan and permit conditions. The conditions and treatment plan are required to ensure efficacy of the treatment is well documented.
2. Treatment for native species is prohibited.
3. Proper notification to riparian owners and those adjacent to a treatment area must meet the minimum requirements of NR107.04(4).
4. Please contact Tim Plude, Water Resource Management Specialist, at least four working days prior to the scheduled treatment to arrange a possible site supervision and pre-treatment assessment.
5. The permit holder, according to NR 107.08(8), shall submit the enclosed Aquatic Plant Management Treatment record for treatment as follows:
 1. Immediately, if any unusual circumstances occur during treatment.
 2. Within 30 days, if treatment occurs.
 3. By October 1 of this year if no treatment occurred.
6. Treatment rate with the aquatic pesticide Sculpin G shall not exceed 4.0 ppm at site A-13. Sculpin G shall not be applied at wind speeds greater than 15 mph. Follow all pesticide label guidance and precautions.
7. Treatment cannot conflict with the Independence Day Holiday weekend (i.e., treatment during or within 3 days of Independence Day.)

8. This permit is being issued for a single treatment event. Any future treatments beyond this permit will require an additional permit from the Department. Future permit applications will be evaluated based on the information at that time.
9. Post treatment aquatic plant monitoring needs be completed after every treatment and follow guidelines set forth in the publication [Aquatic Plant Management in Wisconsin](#); this document can be accessed at the UW-Extension website: <http://www4.uwsp.edu/cnr/uwexplakes/ecology/apmguide.asp>. Post treatment studies help to understand the efficacy of the treatment and the native plant response.
10. Noncompliance with permit conditions can result in enforcement actions under State Statute 281 and restriction of aquatic plant management activities for subsequent years under Administrative Code NR 107.
11. All activities related to controlling aquatic vegetation need to be conducted 330 feet away from any active Bald Eagle nests to minimize disturbance.
12. All equipment used for the project including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile and pumps shall be de-contaminated for invasive species and viruses prior to use and after use. **Specific disinfection measures are required on all waters infected with Viral Hemorrhagic Septicemia (VHS) and must be taken prior to moving to another waterbody. The most current disinfection protocols along with a VHS-affected waters list can be found at the following website <http://dnr.wi.gov/fish/vhs/>.**

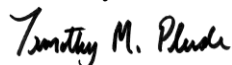
The following steps should be taken *every time* you move your equipment to avoid transporting invasive viruses and species. To the extent practicable, equipment and gear used on infested waters should not be used on other non-infested waters.

- A. Inspect and remove aquatic plants, animals, and mud from your equipment.
- B. Drain all water from your equipment, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile and pumps.
- C. Dispose of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
- D. Disinfect your boat, equipment and gear by either:
 - ◆ Washing with ~212° F water (steam clean), OR
 - ◆ Drying thoroughly for 5 days after cleaning with soap and water and/or high pressure water, OR
 - ◆ Disinfecting with either 200 ppm (0.5 oz per gallon or 1 Tablespoon per gallon) Chlorine for 10-minute contact time or 1:100 solution (38 grams per gallon) of Virkon® Aquatic for 20- to 30-minute contact time.

Note: Virkon® is not registered to kill zebra mussel veligers nor invertebrates like spiny water flea. Therefore this disinfect should be used in conjunction with a hot water (>104° F) application.

Please note that it is your responsibility to comply with the above permit conditions. Failure to comply with the above conditions may result in cancellation of the permit and loss of permit privileges. Please feel free to contact me if you have any questions or concerns. I can be reached at (715)365-8905 or e-mailed at timothy.plude@wisconsin.gov.

Sincerely,



Timothy M. Plude
Water Resource Management Specialist

c.c. Stantec, Jeremy Holtz, John Kubisiak, Mike Meyer

