

Weed rollers disturb bottomland sediment and have the capability of moving and suspending sediment over relatively large areas so they are regulated under Part 301. However, it is a high bar to permit these projects through the criteria under Section 30106 and Rule 4 under Part 301 due to the impacts and potential alternatives to accomplish the project purpose.

*Sec. 30106. The department shall issue a permit if it finds that the structure or project will not adversely affect the public trust or riparian rights. In passing upon an application, the department shall consider the possible effects of the proposed action upon the inland lake or stream and upon waters from which or into which its waters flow and the uses of all such waters, including uses for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry. The department shall not grant a permit if the proposed project or structure will unlawfully impair or destroy any of the waters or other natural resources of the state. This part does not modify the rights and responsibilities of any riparian owner to the use of his or her riparian water. A permit shall specify that a project completed in accordance with this part shall not cause unlawful pollution as defined by part 31.*

*R 281.814 Environmental assessment.*

*Rule 4. In each application for a permit, all existing and potential adverse environmental effects shall be determined and the department shall not issue a permit unless the department determines both of the following:*

*(a) That the adverse impacts to the public trust, riparian rights, and the environment will be minimal.*

*(b) That a feasible and prudent alternative is not available.*

The impact of weed rollers is often more than minimal and can often adversely affect public trust and riparian rights through the suspension of sediment in the water column and deposition of suspended sediment from one riparian interest area to another (30106, R 281.814). The effects of weed rollers often impair or destroy waters and natural resources of the state from a water quality standpoint, as well as fragmenting AIS (30106). Feasible and prudent alternatives are often available in situations where weed rollers are proposed

for the project purposes of aquatic plant control or access to the waterbody: cutting plants above the sediment surface, extending a dock, hand-pulling invasive species, diver-assisted suction harvest, etc. are all alternatives that would typically be feasible, prudent, and less impactful on the resource (R 281.814).