

UPCOMING WETLAND GENERAL PERMIT REISSUANCE/ISSUANCE

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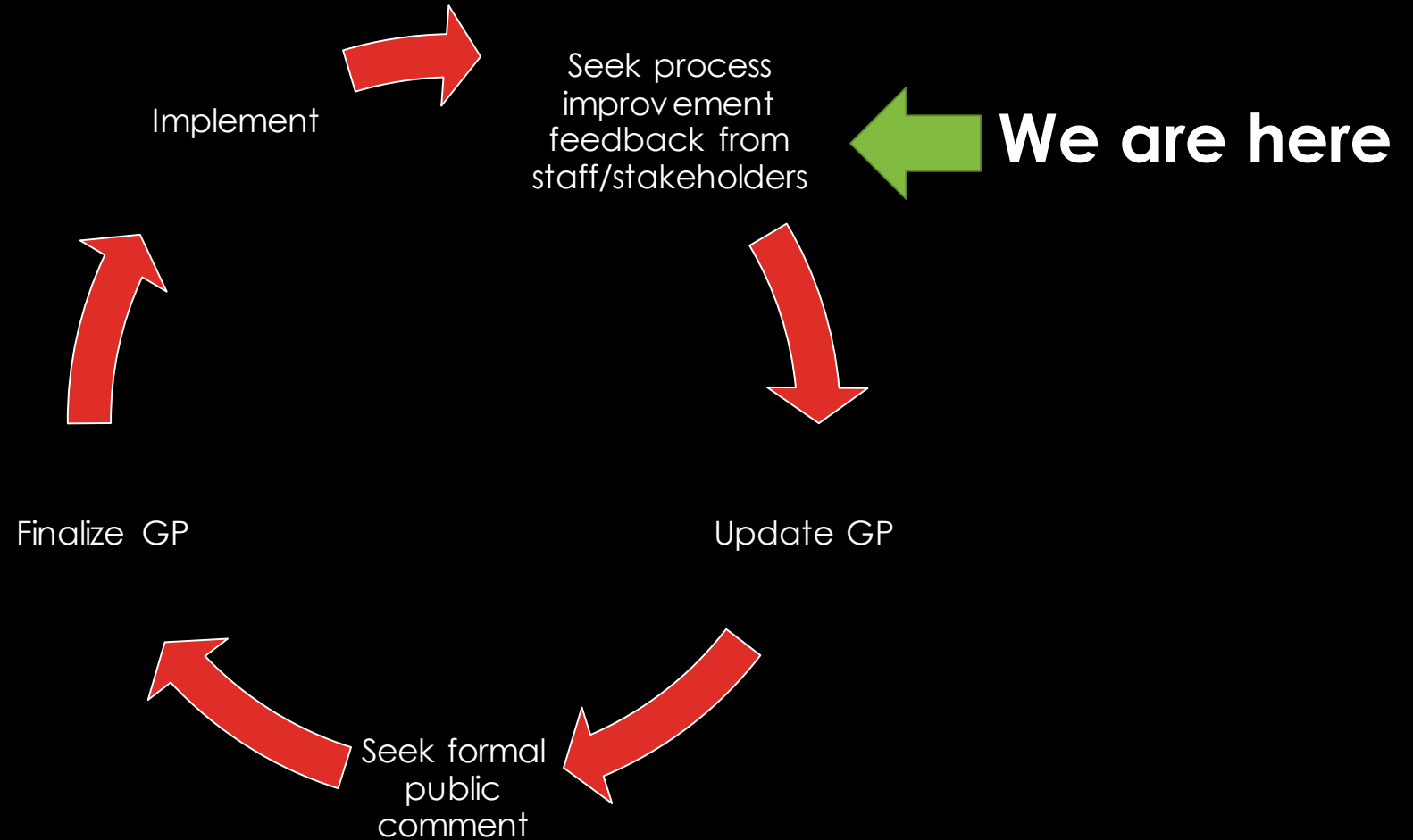
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LEGAL OVERVIEW

281.36(3g)(a) *Required permits.* The department shall issue a wetland general permit for each of the following types of discharges:

- [281.36\(3g\)\(a\)1.](#) A discharge that is necessary for the treatment or disposal of hazardous waste or toxic pollutants, if the discharge does not contain hazardous waste or toxic pollutants and does not affect more than 2 acres of wetland.
- [281.36\(3g\)\(a\)2.](#) A discharge that is necessary for temporary access and dewatering, if the discharge does not affect more than 2 acres of wetland.
- [281.36\(3g\)\(a\)3.](#) A temporary or permanent discharge for routine utility construction and maintenance projects and activities.
- [281.36\(3g\)\(a\)4.](#) A discharge that is part of a development for industrial purposes, if the discharge does not affect more than 10,000 square feet of wetland. For purposes of this subdivision, the development of a waste disposal site is considered to be a development for industrial purposes.
- [281.36\(3g\)\(a\)5.](#) A discharge that is part of a development for commercial purposes, if the discharge does not affect more than 10,000 square feet of wetland.
- [281.36\(3g\)\(a\)6.](#) A discharge that is part of a development for residential purposes, if the discharge does not affect more than 10,000 square feet of wetland.
- [281.36\(3g\)\(a\)7.](#) A discharge that is part of a development for agricultural or aquacultural purposes, if the discharge does not affect more than 10,000 square feet of wetland.
- **[281.36\(3g\)\(a\)8.](#) A discharge that is part of a development for municipal purposes, if the discharge does not affect more than 10,000 square feet of wetland.**
- [281.36\(3g\)\(a\)9.](#) A discharge that is part of a development for recreational purposes, if the discharge does not affect more than 10,000 square feet of wetland.
- [281.36\(3g\)\(a\)10.](#) A discharge that is necessary for the construction, reconstruction, or maintenance of a bridge or culvert that is part of a transportation project that is being carried out under the direction and supervision of a city, village, town, or county.
- (b) *Additional required permits.* In addition to the wetland general permits required under par. (a), the department shall issue wetland general permits that are consistent with, and correspond to, any general permits that are issued under [33 USC 1344](#) (e) and that regulate discharges other than those regulated under the required wetland general permits issued under par. (a).
- **[281.36\(3g\)\(c\)](#) (c) *Additional permits.* The department may issue wetland general permits, in addition to those required under pars. (a) and (b), to regulate other discharges that affect wetlands located in this state.**

PROCEDURAL OVERVIEW



GENERAL WETLAND CONDITIONS

- Project proponent has avoided and minimized wetland impacts to the greatest extent practicable
- Will not flood or impede drainage on neighbor's property without consent
- Complies with FEMA regulations
- BMPs must be used for all of the following:
 - Temporary water control structures
 - Stormwater management
 - AIS prevention
- Cannot result in significant adverse impacts to the public rights and interests
- Not eligible for the "SAMP"
- Cannot impact any of the following:
 - Rare and high quality wetlands
 - Cold water fish communities
 - T/E species
 - Historic/cultural resources
 - Fish spawning
 - Bird migration on breeding
- Wetland hydrology is maintained in remaining wetland complex
- Must be a single and complete project

GENERAL APPLICATION SUBMITTAL REQUIREMENTS

- Application form (WRAPP sheet)
- Project plans including project design and construction
- Maps-> WWI, topo, floodplain
- Aerial images
- Current photos
- Wetland delineation and DNR concurrence or assured delineation*
- T/E species information
- Cultural/historic resource information
- Practicable alternatives analysis

UNIQUE CONDITIONS FOR MUNICIPAL DEVELOPMENT (GP-11)

Proposed conditions to be carried through:

- Can impact 10,000 SF
- Cannot create a buildable lot to be sold to a developer at a later date
- Not to reconstruct or maintain a highway, bridge arch or culvert (covered through separate GP)

Potential new:

- Direct or secondary impacts will not result in conversion from natural wetlands to stormwater treatment systems
- Wetland converted into stormwater treatment feature prior to August 1, 1991 can be maintained to NR 151 standards using this GP

UNIQUE CONDITIONS TO ~~WETLAND~~ RESTORATION GP

- Small dams included
 - Cannot impound water on a permanent basis
 - Requires technical assistance by a WME, NRCS, FWS or LCD
- Comprehensive vegetation plan must be included
- Site must be have degraded functions and values
 - Vegetative degradation
 - Hydrologic degradation
 - Dredging, bank stabilization, other?
- Considering some size constraints depending on wetland quality
 - Can disturb 10,000 SF permanently, 2 acres temporarily (hydrologic component)
- Cannot be used for stormwater treatment

UNIQUE CONDITIONS FOR MINOR DISCHARGES GP

- Self-certification process
- Less than 400 SF of impact
- Degraded wetland only
 - Dominated by agricultural crops, early successional hydrophytes, invasive plants (native or non-native) or non-native plants

QUESTIONS?

