PLACING NET PEN STRUCTURES IN YEARS AFTER THE YEAR OF INITIAL PLACEMENT AUTHORIZED UNDER THIS PERMIT.

This checklist is to be used by persons who paid a permit fee and were granted general permit coverage authorization under GP9-2013-WI in one year to place net pens in a Great Lakes water body or a tributary of a Great Lakes water body and in and now want to place additional net pens years after the year of initial placement under their general permit coverage authorization with no additional permit fee under certain circumstances.

To apply to add new sites to existing fish sticks projects on the same waterbody, please submit all of the information listed below. Permit review times begin when the application is received by the Department and is determined to be complete.

Please enclose a copy of this checklist with your application form to assist our intake staff in quickly knowing if a fee is or is not required for your project.

Please note that you are responsible for obtaining all necessary local (e.g. city, town, village or county) and U.S. Army Corps of Engineer permits or approvals in addition to any applicable state permits prior to commencing any work at the project site.

The Department offers the opportunity to apply electronically for all waterway and wetland permits. The Water Permits portal page can be found at http://dnr.wi.gov/Permits/Water/

Informational Requirements:


2. **Docket or identification number** of the initial general permit coverage to which you seek to add new or additional locations.

3. **Application fee.**
   a. Application **fee required**
      i. Every time a net pen is placed in a different waterbody. This means if, after initial placement, net pens are proposed to be placed in a different waterbody in a subsequent year(s), a permit fee is required for that subsequent placement
      ii. Every time a net pen is placed in a different location on the same waterbody. This means if, after initial placement, net pens are proposed to be placed in a different location on the same waterbody in a subsequent year(s) a permit fee is required for that subsequent placement
   b. Application **fee NOT required.**
      i. Net pens placed in the same water body in subsequent years after initial placement, if placement is in the identical location of previously authorized general permit coverage.

4. **Site maps** which clearly illustrate the location and perimeter of the project site, and its relationship to nearby water resources (e.g. lakes, rivers, streams, wetlands), major landmarks and roads.

5. **Photographs** that clearly show the existing project area. Remember that too much snow cover or vegetation may obscure important details. If possible, have another person stand near the project area for size reference.
6. **Project plans and specifications** reflecting the General Permit Eligibility Standards as listed in the project-specific checklist below. If your project does not meet all of the eligibility standards, you will need to apply for an Individual Permit.

7. **Electronic documents.** If you are applying on paper, all documents listed above must also be submitted in an electronic format, either by enclosing a disk with your application materials, providing a link to an ftp site, or by other electronic methods. If possible, please create a separate file for each component of the application (i.e., forms, photos, maps, plans, etc.). Each file must be less than 15 megabytes in size, and the total size of the files combined must be less than 30 megabytes.

### Eligibility Criteria:

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<tr>
<th>Projects that do not meet all criteria are not eligible for this general permit. If your project does not qualify for this general permit, you may apply for an individual permit.</th>
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<td>The project purpose is the placement of a net pen(s) for holding or rearing fish for noncommercial purposes.</td>
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| A cooperative fish rearing agreement with the Department is required before the placement of fish in any public waterway. This includes the placement of fish in a net pen(s) authorized under this general permit. For information on how to obtain a cooperative fish rearing agreement, contact your fisheries biologist. A list of fisheries biologists can be found at [http://dnr.wi.gov/topic/fishing/people/index.html](http://dnr.wi.gov/topic/fishing/people/index.html). |

| Net pens may only be placed in Great Lakes water bodies or tributaries of Great Lakes water bodies. |

| Net pens may not be located within a public rights feature as described in Wis. Admin. Code s. NR 1.06. |

| There is no limit to the number of times that a person may place a net pen(s) in a Great Lakes water body or a tributary of a Great Lakes water body under the authority of this general permit. |

| A WPDES permit is required if the holding or rearing of fish in net pens authorized under this general permit meets the criteria for a concentrated aquatic production facility under 40 C.F.R. 122.24. |

| The applicant is the riparian owner or if the project location is waterward of the line of navigation (3 foot water depth), the applicant has notified the riparian owner of the intention to place a net pen(s) for holding or rearing fish. |

| The applicant is the riparian owner or if the project location is landward of the line of navigation (3 foot water depth) in the riparian zone of interest (as determined by one of the methods outlined in Wis. Admin. Code s. NR 326.07), the applicant has obtained permission of the riparian owner to place a net pen(s) for holding or rearing fish. |

| If the water is a tributary to a Great Lakes water body, the applicant has obtained permission of the bed owner (who may be the riparian owner) to place a net pen(s) for holding or rearing fish. |

| A net pen(s) for the purpose of holding or rearing fish for noncommercial purposes may be placed for a period not to exceed 8 weeks. |

| The Department must be present when fish are being placed into a net pen(s). |
The fish held or reared in the net pen(s) must be stocked by the Department or by a person who is in compliance with Wis. Stats s. 29.736.

The fish held or reared in the net pen must be released by the Department or by a person who is in compliance with Wis. Stats. s. 29.736 into the same body of water in which the net pen(s) is placed.

The placement and location of the net pen(s) and the holding or rearing of fish therein will not materially interfere with navigation, cause environmental pollution as defined in Wis. Stats. s. 299.01(4), or result in significant cumulative adverse environmental impacts, injury or significant adverse impacts to the public rights and interests in the waterway, material injury to the rights or riparian rights of any riparian owner, or adverse impacts to the riparian property rights of adjacent riparian owners, pursuant to Wis. Stats. s. 30.206(1)(ag) and (3r)(a)2.

The net pen structure(s) must be placed fully within the riparian lines of the riparian property as determined by one of the methods in Wis. Admin. Code s. NR 326.07, but may be placed or extend water ward beyond the line of navigation (3 ft. water depth).

If possible, a net pen(s) should not be placed at a location where the area for boating traffic and open water navigation is narrower than 250 ft. A net pen(s) placed in such a location must allow an area for boating traffic and open water navigation at least 150 ft. wide between the waterward side of the net pen(s) and the opposite shore’s line of navigation (3 ft. water depth as defined in Wis. Admin. Code s. NR 326.03(4).

The structure must be placed at least 100 feet away from all of the following:
- a bridge.
- a designated swimming area open to the public and marked by buoys, ropes, or postings along the shore. This includes publicly accessible swimming areas on private land.
- a designated carry-in only watercraft access point.
- swim rafts.

Net pens must be adequately marked with buoys and reflectors or any other visual warning mechanism that is highly visible and that is reflectorized, fluorescent, or lighted.

Net pens must be adequately secured or anchored to prevent movement.

Any person placing a net pen must, prior to placement, provide written notice to the harbor master or equivalent representative within the local municipality. The notice must include a description of the net pen and a map identifying the exact location.

A net pen(s) must be placed in a manner that prevents sediment from accreting up-drift or eroding down-drift of the net pen(s) or being transported away from the net pen(s) to the maximum extent practicable.

A net pen(s) must be placed in a manner that prevents the collection, removal or dispersal of sediment away from the project site to the maximum extent practicable.

Temporary sediment control measures to control erosion, accretion, and dispersal of sediment should be completely removed from the water body no more than 24 hours after the project is completed.

Erosion control measures must meet or exceed the technical standards for erosion control approved by the department under Wis. Admin. Code subch. V of ch. NR 151. Any area where topsoil is exposed
during construction must be immediately seeded and mulched or riprapped to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway. Note: These standards can be found at the following website: http://dnr.wi.gov/topic/stormwater/standards/.

All temporary sediment control measures must follow all state lighting requirements and may not materially obstruct navigation.

Live, living or growing plants may not be removed unless the removal is exempt under Wis. Stats. s. 23.24 (4) or complies with the provisions for waiver of the permit requirement under Wis. Admin. Code s. NR 109.06.

Dredging under Wis. Stats. s. 30.20(1g) (b) 1., is not allowed for the placement of a net pen structure. This general permit does not authorize the removal of native bed and bottom material which includes sand, cobble, silt, detritus, and other organic material. Dredging does not include "de minimus" activities.

To Apply:
Once your application is complete, submit using the online system, or mail it to the permit intake address based on the county where your project is located. If you have questions or problems filling out or completing the application requirements, contact the Water Management Specialist for your county.

Permit intake addresses and Water Management Specialist contact information can both be found at the following web link: http://dnr.wi.gov/topic/Waterways/about_us/county_contacts.html