Great Lakes – Net Pens Additional Sites General Permit Application Instructions

This checklist is to be used by persons who paid a permit fee and were granted general permit coverage authorization under the Great Lakes – Net Pens (GP9-2013-WI) in one year to place net pens in a Great Lakes waterbody or a tributary of a Great Lakes waterbody 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.

Determine eligibility for this general permit:

- Choose an activity decision module on web, http://dnr.wi.gov/topic/waterways, ***or***
- Review the eligibility criteria below
    - If the project does not meet all of the eligibility standards, apply for an Individual Permit

To apply:

- Apply online using our online ePermitting System at http://dnr.wi.gov/permits/water
- Include all required attachments. Each document must be less than 15 megabytes and our online system offers a help guide to reduce file sizes,
- Permit processing review times begin when all of the required application materials are received by the DNR. The department may require additional information to evaluate the project.
- If you have questions regarding your application, contact the local Water Management Specialist for your county http://dnr.wi.gov/topic/Waterways/contacts.html#county.

Please note, prior to starting any work at the project site, you are responsible for:

- Obtain all necessary local (e.g. city, town, village or county) permits.
- Obtain U.S. Army Corps of Engineer permits or approvals, http://www.mvp.usace.army.mil/Missions/Regulatory.aspx.
- Any other applicable state permits

Required attachments - Forms or documents you upload in our online ePermitting System

1. **Application form** - A complete, signed application form "Water Resources Application for Project Permits (WRAPP)" (Form 3500-053).

2. **Application fee** - Payment must be submitted through the ePermitting System as part of the application process. A list of fees can be found at http://dnr.wi.gov/topic/waterways/documents/PermitDocs/feesheet.pdf.

- Application fee is **required**:
    - 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.
    - 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.
- Application fee is **not required**:
    - Net pens placed in the **same waterbody** in subsequent years after initial placement, if placement is in the **identical location** of previously authorized general permit coverage.

3. **Ownership documentation** - (i.e. copy of deed, land contract, current property tax statement/receipt)

4. **Photographs** that clearly show the on-the-ground conditions of the existing project areas. 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. Color images are preferred.

5. **Site maps** that 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. Provide copies of relevant maps (e.g. wetland, aerial, topographical, soil, floodplain, or zoning maps), with the project location clearly identified. The department offers a web mapping tool to assist in creating these maps at http://dnr.wi.gov/topic/surfacewater/swdv/.

6. **Plans and specifications** that show what you intend to do. Plan drawings should be clear and to scale. Be sure to draw all plans as accurately and detailed as possible. The department reserves the right to require additional information to evaluate the project.

7. **Narrative description** of your proposal on a separate page. Please include:
- What the project is, purpose of project, and need for the project
- How you intend to carry out the project, including methods, materials, and equipment
- Your proposed construction schedule and sequence of work
- What temporary and permanent erosion control measures will be used
- The location of any disposal area for dredged or excavated materials
- For disturbances or fill, provide a description of type, composition, and quality of materials
- How you plan to avoid, minimize and mitigate impacts to waterways
- Area (e.g. linear feet) impacted

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

Eligibility criteria: 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.	
The project purpose is the placement of a net pen(s) for holding or rearing fish for noncommercial purposes.	
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.	
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.	