



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

WW-19-0083-C

DOCUMENT TITLE

LAKESHORE EROSION CONTROL– SEAWALL REPLACEMENT CHECKLIST

PROGRAM/BUREAU

WATERWAYS PROGRAM

STATUTORY AUTHORITY OR LEGAL CITATION

CH. 30, WIS. STATS.

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

12/2/2019

DATE FINALIZED

12/30/19

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

12/23/19

Signature

Date

Lakeshore Erosion Control – Seawall Replacement General Permit Application Instructions

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>.

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. Please refer to this sample drawing for assistance developing your plans and specifications, http://dnr.wi.gov/topic/Waterways/sample_drawings/RetainingWall.pdf.

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. **Vegetation plan** - Native vegetation must be seeded above the ordinary high water mark (OHWM). Please refer to the Shoreland Habitat: Wisconsin Biology Technical Note 1 (<http://dnr.wi.gov/topic/shorelandzoning/documents/nrcsbiotechnote.pdf>) or the NRCS Conservation Practice Standard 643A: Shoreland Habitat (<http://dnr.wi.gov/topic/ShorelandZoning/documents/NRCSshorehabstandard.pdf>) to see the recommended practice standards establishing native vegetation.

9. **Erosion Intensity Worksheet (EI) or Wave Energy Calculation** to meet the requirements of the general permit which directs the type of shoreline erosion control structure needed based on the erosive energy at the project site. Please refer to the Wave Energy Calculation (<http://dnr.wi.gov/topic/Waterways/shoreline/erosioncalculator.html>) or the EI Worksheet, which is filled out within the ePermitting System. Remember if the Energy Calculation and the EI Worksheet result in different energy levels, you must use the EI worksheet energy level.

Site energy calculation definitions:

- High energy site – a site where the storm-wave height calculated is greater than or equal to 2.3 feet or where the erosion intensity score calculated has a score of greater than 67.
- Moderate energy site – a site where the storm-wave height is greater than or equal to 1.0 foot, but less than 2.3 feet, or where the erosion intensity score calculated has a score of 48 to 67.
- Low energy site – a site where the storm-wave height is less than 1.0 foot, or where the erosion intensity score calculated has a score of 47 or less.

10. **Endangered and threatened resources** - The applicant is not required, but is encouraged to request an endangered resources (ER) review letter before applying for the permit. Information on how to obtain a review can be found by visiting the website at <http://dnr.wi.gov/topic/ERReview/Review.html>. The applicant can also visit the NHI Public Portal, <http://dnr.wi.gov/topic/ERReview/PublicPortal.html>, to determine if a full ER Review is required. Read the 'What is an ER Preliminary Assessment and what do the results mean?' section to determine follow-up steps.

11. **Historical and cultural resources** - If you are aware there is a historical or cultural resource present, you are **required** to contact the Wisconsin State Historical Society to verify and receive documentation that the activity will not result in an adverse impact to these resources.

<p>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.</p>	
<p>The replacement may not exceed 100 feet of shoreline and must be located on an inland lake or flowage of 300 acres or more.</p>	
<p>Seawall replacement may be permitted only at the following locations:</p> <ul style="list-style-type: none"> • Municipal or commercial marinas where vertical docking facilities are a practical alternative after considering the public interest. • Navigational channels actively used as thoroughfares or for access, where slopes are greater (steeper) than 1.5 feet vertical to one foot horizontal, showing evidence of erosion, where alternative methods of erosion control would impede navigation. • Locations where slopes are greater (steeper) than 1.5 feet vertical to one foot horizontal, and where the applicant demonstrates that alternative measures are not practicable taking into consideration bank height and the location of other permanent structures on the property. 	
<p>For locations where slopes are greater (steeper) than 1.5 feet vertical to one foot horizontal, and where the applicant demonstrates that alternative measures are not practicable taking into consideration bank height and the location of other permanent structures on the property:</p> <ul style="list-style-type: none"> • Rock riprap shall be placed in front of the seawall to dissipate wave energy, minimize scour at the base of the wall and provide aquatic habitat. • Rock shall be placed to the top of the wall. • Riprap shall be clean fieldstone or quarry stone 6 to 24 inches in diameter, placed at a slope not to exceed (be steeper than) 2 feet horizontal to one foot vertical, and may not extend more than 8 feet waterward of the face of the seawall 	
<p>The seawall replacement shall incorporate an adequate footing to prevent settlement, tipping or undermining.</p>	
<p>The seawall shall be attached, where appropriate, to tieback anchors placed on the upland to prevent or minimize tipping of the wall.</p>	
<p>The seawall shall include weep holes where necessary to relieve hydrostatic pressure in upland soils. A filter fabric or gravel filter layer backing at weep holes shall be installed to facilitate drainage and prevent the loss of soil from behind the wall.</p>	
<p>Each end of the seawall shall be buried or keyed into the bank to prevent flanking.</p>	
<p>The seawall may be built only high enough to prevent the over-topping by storm waves.</p>	
<p>All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.</p>	

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

- Inspect and remove aquatic plants, animals, and mud from your equipment.
- Drain all water from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.
- Dispose of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.

Wash your equipment with hot (>104° F) or high pressure water, steam clean or allow your equipment to dry thoroughly for 5 days.

Follow the most recent department approved washing and disinfection protocols and department approved best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. These protocols and practices can be found on the Department website at <http://dnr.wi.gov/topic/Invasives/bmp.html> Keyword: "equipment operator" and at <http://dnr.wi.gov/topic/Invasives/documents/EquipOper.pdf>