



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-19-0105-C

DOCUMENT TITLE

TEMPORARY IN-STREAM CROSSING 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

Temporary In-Stream Crossing 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/swdvl/>.
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. 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.

9. 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.

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 temporary in-stream crossing will be used to provide temporary access to an area of forest management activities that are taken on forest land to establish, maintain or enhance a forest, which includes planting trees, thinning and trimming trees, and harvesting timber and other forested products.	
The temporary in-stream crossing will not be located on a wild river designated under s. NR 302, or where similar federal, state or local regulations prohibit the construction.	
The temporary in-stream crossing will span a public stream that is less than 10 feet wide, measured from ordinary high water mark to ordinary high water mark.	
The temporary in-stream crossing will consist of poles, small logs, or pipes placed side by side in the stream channel parallel to the stream flow and geotextile fabric will be placed under the poles, small logs, or pipes and under any associated approach fill.	
For trout streams and navigable tributaries of those trout streams, the temporary in-stream crossing will include a culvert with a minimum diameter of 12 inches. This culvert will be placed on the streambed and will not obstruct fish passage and geotextile fabric will be placed under the culvert, poles, small logs, or pipes and any associated approach fill.	
Note: Poles, small logs, or pipes may be placed side by side parallel to stream flow over the culvert.	
The poles, small logs, or pipes will be cabled, chained or banded together prior to installation to facilitate placement and removal.	
The temporary in-stream crossing will be placed and removed during frozen or low flow conditions.	
Note: Frozen conditions exist when the stream is covered with ice thick enough to support vehicles and low flow conditions exist when there is little or no water in the streambed.	
The temporary in-stream crossing will be removed after the project requiring temporary access is completed or 160 days after installation, whichever occurs first.	
Note: Removal cannot occur during the time periods mentioned below.	
The temporary in-stream crossing will be installed and removed a single time, except for maintenance of the structure, such as removing accumulated brush, debris and other obstructions that impede stream flow.	

<p>Approach fill shall be a maximum of one foot deep at the bank and 0 feet at 15 feet landward of the bank. If depth of greater than one foot of approach fill is required or the approach must be located in a wetland, it shall be of an open ramp style that does not impede flow. Geotextile fabric shall be placed under approach fill to facilitate removal and reduce soil compaction.</p>	
<p>Accumulated brush, debris and other obstructions that are trapped in or underneath the structure shall be regularly removed to prevent upstream flooding and maintain structural integrity.</p>	
<p>Erosion control measures shall meet or exceed the technical standards for erosion control approved by the department under subch. V of ch. NR 151. Any area where topsoil is exposed during placement, repair or removal of a structure shall be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway. These standards can be found at: http://dnr.wi.gov/topic/stormwater/standards/.</p>	
<p>Unless part of a permanent storm water management system, all temporary erosion and sediment control practices will be removed upon final site stabilization. All areas disturbed during removal of temporary erosion and sediment control practices will be restored.</p>	
<p>All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.</p>	
<p>Placement, repair and removal of the structure shall minimize the removal of trees, shrubs, and other shoreline vegetation above the ordinary high water mark.</p> <p>Note: Local zoning ordinances may place restrictions on activities located in mapped floodplains or in shoreland zones. The riparian is responsible for ensuring that their project is in compliance with any local zoning requirements.</p>	
<p>All grading, excavation and land-disturbance activities in the plans and specs documents will be confined to the minimum area necessary for the placement, repair or removal of the structure and will not exceed 10,000 square feet.</p> <p>Note: If the project includes any grading, excavation or land-disturbance activity in excess of 10,000 square feet you may also need to receive approval under a Grading General or Individual permit in addition to this permit.</p>	
<p>The project plans minimize adverse impacts on fish movement, fish spawning, egg incubation periods and high stream flows, the project may not occur during the following time periods:</p> <ul style="list-style-type: none"> ✓ September 15 through May 15 for trout streams and navigable tributaries to trout streams. ✓ March 15 through May 15 for ALL waters located south of state highway 29. ✓ April 1 through June 1 for ALL waters located north of state highway 29. <p>Note: Per ch. NR 1.02(7), the department identifies and classifies trout streams to ensure adequate protection and proper management of this unique resource. To determine if a waterway is a trout stream, you may use the Designated Waters Theme on DNR's Surface Water Data Viewer: http://dnr.wi.gov/topic/surfacewater/swdv/</p> <p>Note: The applicant may request that these time period restrictions be waived by the department on a case-by-case basis, by submitting a written statement signed by the local department fisheries biologist, documenting consultation about the proposed dredging project, and that the local department fisheries biologist has determined that the requirements of this paragraph are not necessary to protect fish spawning for the proposed project</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> <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.</p> <ul style="list-style-type: none">• 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. <p>Wash your equipment with hot (>104° F) or high pressure water, steam clean or allow your equipment to dry thoroughly for 5 days.</p>	
<p>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</p>	
<p>Submit a series of photographs to the department within one week of placing the structure on this site and within one week of stabilizing disturbed areas on the site after removal of the structure. The photographs shall be taken from different vantage points and depict all work authorized by the permit.</p>	