



## 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-19-012 -C

### DOCUMENT TITLE

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### 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

## Grading Over 10,000 sq. ft. Individual Permit Application Instructions

### Determine eligibility for this individual permit:

- Choose an activity decision module on web, <http://dnr.wi.gov/topic/waterways>
- A grading application is not required if:
  - Authorized under a stormwater discharge permit issued under s. 283.33, (Wis. Stats. 30.19 (1m) (f)).
  - Authorized by a permit issued by a county under a shoreland zoning ordinance enacted under s. 59.692, (Wis. Stats. 30.19 (1m) (g)).

### 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 refer to <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.
- Obtain any other applicable state permits.

### Public notice newspaper posting:

- As part of the permit process, it is required to publish in the newspaper as a Class 1 public notice.
- The department will prepare the Notice
- If you would like to delegate to the department the required task of publishing in the newspaper, please select and pay the additional fee.

To find the local Water Management Specialist for your county refer to <http://dnr.wi.gov/topic/Waterways/contacts.html#county>.

### 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 needs to 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.

- Proposed materials indicate:
  - What erosion control materials you intend to use. If any riprap or bank protection is to be used, this would be a separate permit.
  - Accurate computations of volume of earth to be removed (in cubic yards) and areas disturbed (in square feet).
- Project plans – supply a top view and as many cross-section(s) as necessary to show the existing and proposed project area.
  - The top view should include:
    - The location of the waterway and the area to be graded
    - The floodplain boundary
    - Any known wetland
    - Location of all stormwater and erosion control practices
    - The location, description and elevation of a reference benchmark ( permanent vertical reference)
    - Indicate any area between the grading project and the waterbody to be left undisturbed
    - Scale and a north arrow
  - The cross-section view(s) of the project should include:
    - The existing and proposed slope of bank and the water level of the existing waterway
    - Elevation of the 100 year floodplain at the cross-section.
    - The scale – both horizontal and vertical scale must be indicated.
    - **If along river or stream**, consult staff for additional survey information that may be needed to evaluate flooding effects

Definitions:

**Bank** - the land surface abutting the bed of any navigable waterway which, either prior to any project or alteration of land contours or as a result of the purposed project or alteration, slopes or drains without complete interruption into the waterway.

**Grade or otherwise remove** - the physical disturbance of the bank by the addition, removal or redistribution of topsoil.

**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
- Delivery of any fill or soil, and final landscaping/stabilization measures.

8. **Riparian owners list** - Names and addresses of the adjacent property owners.

9. **Wetland delineation report** may be required. Use the Surface Water Data Viewer <http://dnr.wi.gov/topic/surfacewater/swdv/> to determine if there are mapped wetlands or wetland indicator soils in the area (using the Wisconsin Wetland Indicator and the Wetland Indicator layers). If wetlands are present near the project area, it is suggested to have a wetland delineation done for the property. Wetland delineation reports either need to be conducted by an Assured Delineator (<http://dnr.wi.gov/topic/Wetlands/assurance.html>) or to have received concurrence from either WI DNR Wetland ID program (<http://dnr.wi.gov/topic/Wetlands/identification.html>) or by the US Army Corps of Engineers (ACOE) prior to submittal of the application.

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.