



## 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-19-01 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

## Stream Realignment and Enclosures Individual Permit Application Instructions

All applications for permits to realign the course of or enclose a navigable stream require the following information. Some of this information will require the services of an engineer. Please make sure to provide in detail all of the information listed below. Failure to include all of the required information will result in a delay in processing your permit. Only a municipality may apply for a stream enclosure, please refer to s. 30.196, Wisconsin Statute for the eligibility criteria.

### Determine eligibility for this individual permit:

- Choose an activity decision module on web, <http://dnr.wi.gov/topic/waterways>

### 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.

- Location sketch – sketch or trace a map that clearly indicates the location of the project.
- Project plans – supply a top view and as many cross-section(s) as necessary to show the existing and proposed channel conditions along its length. Indicate the scale on each drawing, and include dimensions as appropriate. All elevations should be referenced to the same benchmark.
  - The top view should include:
    - The existing waterway and the proposed new waterway, and the location of the cross-sections. The floodplain boundary should also be included.
    - The location, elevation and description of the benchmark (permanent vertical reference)
    - The water surface elevation and the channel bottom elevation at selected positions along the center line of the stream. Show the water surface elevation on top, the ground elevation below (see sample drawing). These measurements should start upstream of the proposed channel change or enclosure, and should end downstream of the end of the channel change or enclosure.
    - Scale and a north arrow
  - The cross-section view of the project should include:
    - The water level in the existing waterway
    - A complete profile of the floodplain at the cross-section.
    - The cross-sections should be selected approximately perpendicular to the existing stream, and must show the proposed new channel. The cross-sections should also show the areas beyond the banks.

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
- Indicate the method proposed to dig or enclose the new channel
- Indicate where the spoils will be placed
- If any riprap will be used, describe the placement and amount
- Your proposed construction schedule and sequence of work; including the connection to or enclosure of the existing channel(s). A proposed time schedule must be included.
- 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
- Detailed review of alternatives to channel realignment or enclosure

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

9. **Hydrologic and hydraulic computations** must be provided for the existing and proposed channel or enclosure. The design storms must be the two year and the 100 year events. If the 100 year flood profile raises the flood elevation on property owned by someone else, you must provide flooding easements from all affected owners.

10. **Erosion control plan** must be provided and include what temporary and permanent erosion control measures will be used.

11. **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.

12. **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.