Municipal Roadway Projects in Wisconsin
Permits, Exemptions & Best Management Practices

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Wisconsin Waters Belong to Everyone

The Wisconsin Constitution declares that all **navigable waters** ***"shall be common highways and forever free"***, and held in trust by the Department of Natural Resources.

(Wisconsin Constitution, Article IX, Section 1)

Road – Stream Crossings in Wisconsin

- USH = 1982
- Interstate highway = 817
- State Highway = 5341
- County Roads = 12776
- Town Roads = 41055

Approximate Total Road / Stream Crossings in Wisconsin = 61971

(Probably Closer to 80,000!)

Where do we begin?

Where to find information on the WDNR web site:
dnr.wi.gov - Keyword "Transportation"

Oracle PeopleSoft Sign-in
https://ess.wi.gov/psp/ess/EMPLOYEE/HRMS/h/?...

Regulations | Recreation | Env. Protection | Contact | Join DNR | Search or Keywords

Transportation projects

Wisconsin has a comprehensive transportation network that includes roads, highways, airports, railroads and harbors. This system is essential to our economy because it moves workers to jobs, raw materials to factories, finished products to markets and travelers to their destinations. Building and maintaining transportation infrastructure can, however, result in environmental impacts to waterways, wetlands, fisheries, endangered species and other resources.

The DNR's Bureau of Environmental Analysis and Sustainability (EAS) works cooperatively with the Wisconsin Department of Transportation (WisDOT) and with local highway transportation departments to avoid and minimize environmental concerns with the construction and maintenance of highways, roads, bridges, culverts, airports, railways and harbors. For each county, there is an EAS regional staff person who serves as the transportation liaison [PDF] contact.

Environmental impacts | Emergencies | Municipal highways and permits | Learning | Funding

Environmental impacts

Potential environmental impacts

Business sectors & partnerships

Find
a DNR transportation liaison staff by county [PDF].

Read
the DNR-DOT cooperative agreement [PDF].

Related links

- Transportation sector
- Wisconsin Department of Transportation (DOT) [exit DNR]
- U.S. Army Corps of Engineers (USCOE) Regulatory Permits [exit DNR]

Municipalities should contact WDNR FIRST!

Every county has a Transportation Liaison and contact information can be found on the DNR web page – dnr.wi.gov.

WDNR EA Liaison Assignments

Liaisons

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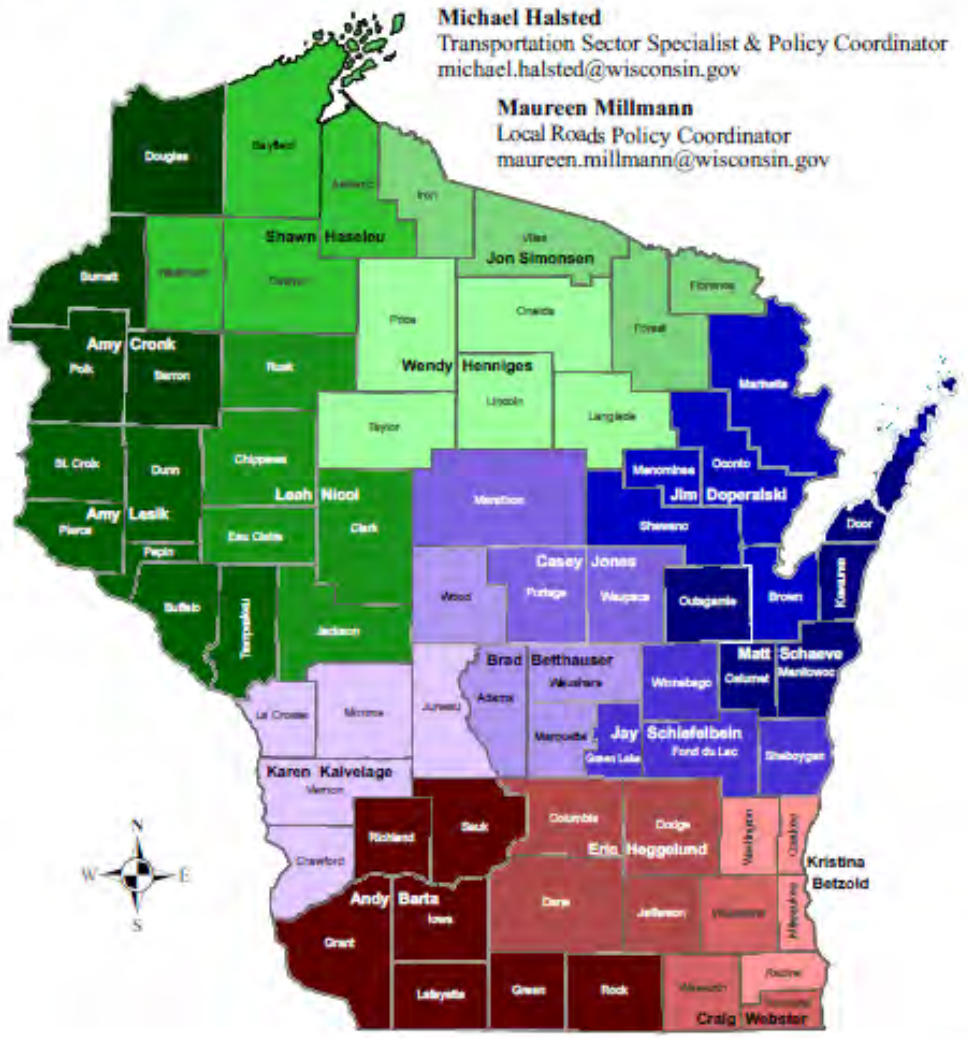


Updated 09-19-2018
by JDP

Who else do you need to be contact before you begin your project?

- Local / County Shoreland Zoning (Floodplain Zoning)
- US Army Corps of Engineers
- The WDNR Transportation Liaison can help your determine if you will need a WDNR Stormwater permit

Information Worksheet

INFORMATION WORKSHEET for Municipal Transportation Projects (rev. 2015)

Contact your DNR Transportation Liaison BEFORE filling out this information. For more information and to find your DNR Transportation Liaison, go to http://dnr.wi.gov (search key word "transportation").

Applicant/ Road Owner (Town, Village, City or County):	Road Name:
Municipal Representative's Name:	Stream Name:
Address, City, State, Zip Code:	County:
	Legal Description: _____ 1/4, _____ 1/4, Section _____ Township _____ North, Range _____ East / West
Telephone Number:	Project Start Date: Project End Date:
E-mail Address:	Project Start and End Location (attach map if necessary):
Contractor / Consultant Contact Information (if available):	

General Project Information (check all that apply)

	Wetlands present
	Streams/ lakes present
	Stream culvert(s) replacement
	Bridge replacement
	New culvert or bridge *(currently no crossing present)*
	Riprap placement
	Road surface / mill & overlay

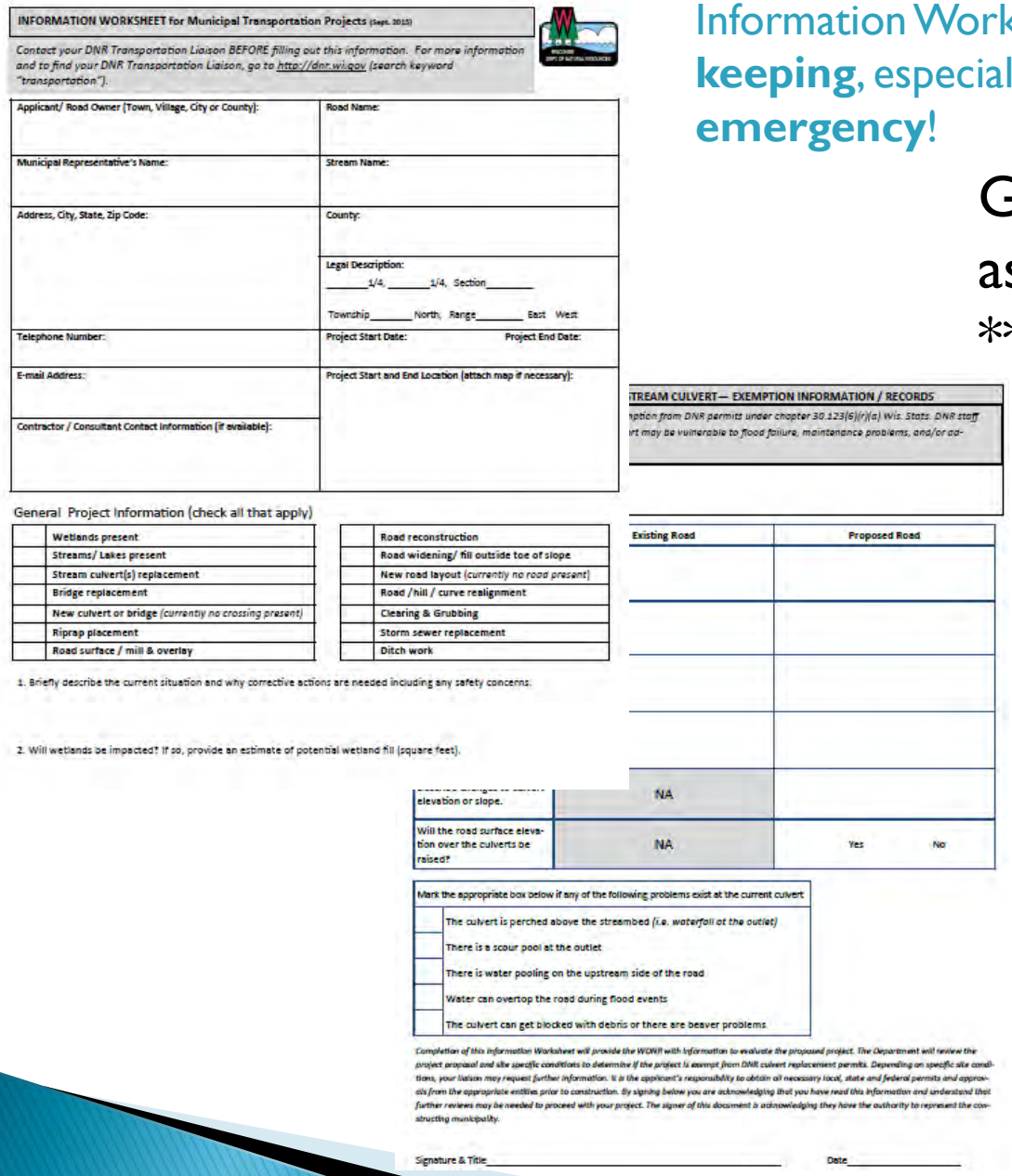
	Road reconstruction
	Road widening' fill outside toe of slope
	New road layout *(currently no road present)*
	Road / hill / curve realignment
	Clearing & Grubbing
	Storm sewer replacement
	Ditch work

1. Briefly describe the current situation and why corrective actions are needed including any safety concerns.

2. Will wetlands be impacted? If so, provide an estimate of potential wetland fill (square feet)

What is the Information Worksheet?

- Provides **contact information** to WDNR
- Describes the **what, where** and **why** of a project
- Can be used in place of the **WRAPP** (*Water Resources Application for Project Permits)* if a WDNR general permit is needed for a project
- **Can be used by WDNR to determine if a replacement culvert project is exempt from WDNR permitting**



INFORMATION WORKSHEET for Municipal Transportation Projects (Sept. 2013)

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Address, City, State, Zip Code:	County:
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	Wetlands present		Road reconstruction
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	Road surface / mill & overlay		Ditch work

1. Briefly describe the current situation and why corrective actions are needed including any safety concerns:

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STREAM CULVERT – EXEMPTION INFORMATION / RECORDS

...ption from DNR permits under chapter 30.123(6)(r)(a) Wis. Stats. DNR staff ...rt may be vulnerable to flood failure, maintenance problems, and/or ad-

	Existing Road	Proposed Road
elevation or slope.	NA	
Will the road surface elevation over the culverts be raised?	NA	Yes No

	Mark the appropriate box below if any of the following problems exist at the current culvert
	The culvert is perched above the streambed (*i.e. waterfall at the outlet*)
	There is a scour pool at the outlet
	There is water pooling on the upstream side of the road
	Water can overtop the road during flood events
	The culvert can get blocked with debris or there are beaver problems

Completion of this Information Worksheet will provide the WDNR with information to evaluate the proposed project. The Department will review the project proposal and site specific conditions to determine if the project is exempt from DNR culvert replacement permits. Depending on specific site conditions, your liaison may request further information. It is the applicant's responsibility to obtain all necessary local, state and federal permits and approvals from the appropriate entities prior to construction. By signing below you are acknowledging that you have read this information and understand that further reviews may be needed to proceed with your project. The signer of this document is acknowledging they have the authority to represent the constructing municipality.

Signature & Title_____ Date_____

Information Worksheet helps with **record keeping**, especially in case of an **emergency**!

Great for **keeping records** as described in Ch. 30.123(9)

****

RECORDS. A city, village, town, or county that replaces a culvert and that is exempt from the permitting requirements under sub. (6) shall make and retain a record of the replacement of the culvert. The record shall include all of the following information:

*30.123(9)(a) **(a)** The date on which the replacement culvert was constructed or placed.*

*30.123(9)(b) **(b)** The dimensions of the replacement culvert.*

*30.123(9)(c) **(c)** The location of the replacement culvert.*

Learning to navigate the permit process

Public Roads:

WDNR Transportation Liaison

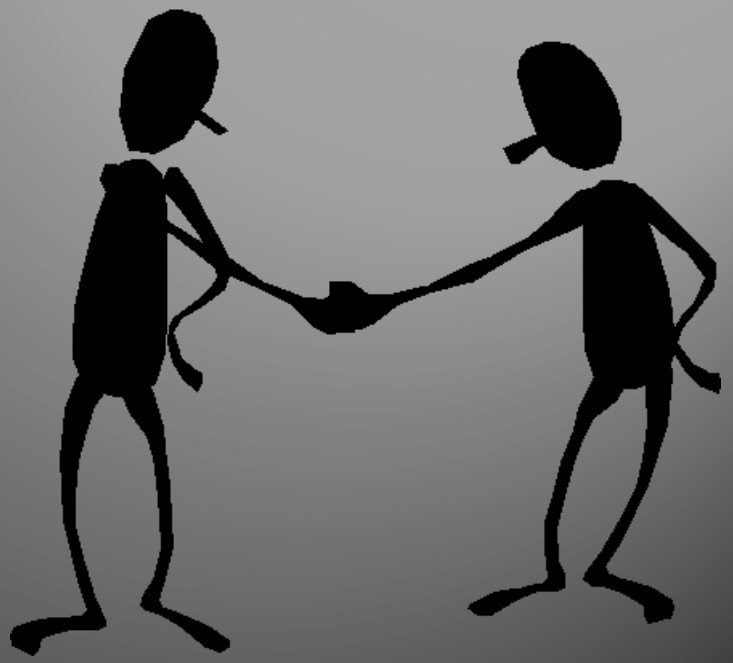
Private roads, driveways, trails:

DNR Water Management Specialist

WisDOT – WDNR Coordination

Cooperative Agreement Between WDNR and WisDOT

- **WisDOT contacts WDNR** during the scoping of a transportation project.
- **WDNR reviews projects** for impacts to wetlands, waterways, wildlife, NHI hits, protected lands.
- **WDNR is involved throughout the planning and construction of the WisDOT project**



WHEN does a municipality need a permit?

- WDNR-GP2-2017 applies to wetland and waterway impacts associated with **construction, reconstruction and maintenance** of a highway, bridge, arch or culvert that is part of a ***municipal transportation*** project.
- If the municipal road project impacts ***wetlands*** or a ***waterway***, they **may need a permit.**
- If the impacts to wetlands and waterways are less than 10,000 square feet, **they may be eligible for a general permit (GP).**
- If a permit is needed, the project needs to meet all (24) eligibility standards of the local roads general permit

Business | Licenses & Regulations | Recreation | Env. Protection | Contact

Permits

Local units of government may need to obtain waterway, wetland and storm water permits for a proposed transportation project. Local transportation officials and their consultants can find permit information and forms below.

Please contact the transportation liaison [PDF] for your county to determine if your project needs a permit.

Municipal Transportation General Wetland & Waterway Permit (GP)

The WDNR-GP2-2017 General Permit for Municipal Bridges, Arches & Culverts [PDF] is a general permit (GP) that is available for a discharge to waters and wetlands of no more than 10,000 square feet that is necessary for the construction, reconstruction or maintenance of a roadway, bridge, arch or culvert that is being carried out under the direction and supervision of a city, village, town or county, under s. 30.123, Wis. Stats.

See WDNR-GP2-2017 General Permit Application Checklist [PDF] for detailed instructions. A complete application for the GP includes information about the applicant, project plans, maps, photos, and an analysis narration that describes what alternatives were considered during the planning process.

If total impacts are equal to one acre or more, you may need a WDNR Stormwater permit.

Stormwater permitting

The Wisconsin Pollutant Elimination Discharge System (WPDES) Notice of Intent Permit process is used to regulate all stormwater discharges that result from disturbing one or more acres of land. This permit is needed for both transportation and non-transportation related projects. See Construction site stormwater permits for more information.

Federal permitting

United States Army Corps of Engineers wetland permits [exit DNR] are required for discharges to federal wetlands. For public transportation projects, the U.S. Army Corps of Engineers has issued general permit GP-003-WI [PDF exit DNR]. This federal general permit may be used for activities whose purpose is to construct, expand or improve transportation projects (e.g., roads, highways, railways, airport runways and taxiways) in waters of the United States.

A link to the US Army Corps of Engineers can be found on our web site. **Applicants need to check with the USACE to see if they need a federal permit.**

Culvert exemption language from Wisconsin Act 55, signed July 12, 2015

> The construction or placement and the maintenance of a replacement culvert that is placed in substantially the same location as the culvert being replaced if the replacement culvert is constructed or placed using best management practices to comply with water quality standards under subchapter II of chapter 281 [exit DNR].

Best Management Practices = BMPs

Wisconsin's best management practices for water quality are intended to provide *simple* and *cost-effective methods* for protecting water quality in lakes, streams and wetlands **before**, **during** and **after** construction activities.

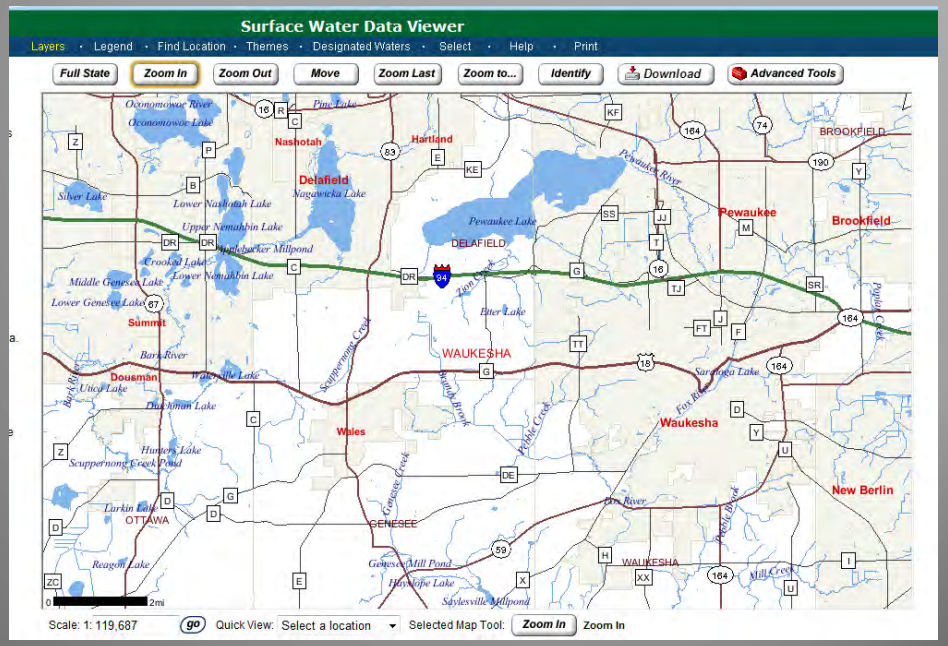
BEFORE Construction, get to know your project area!

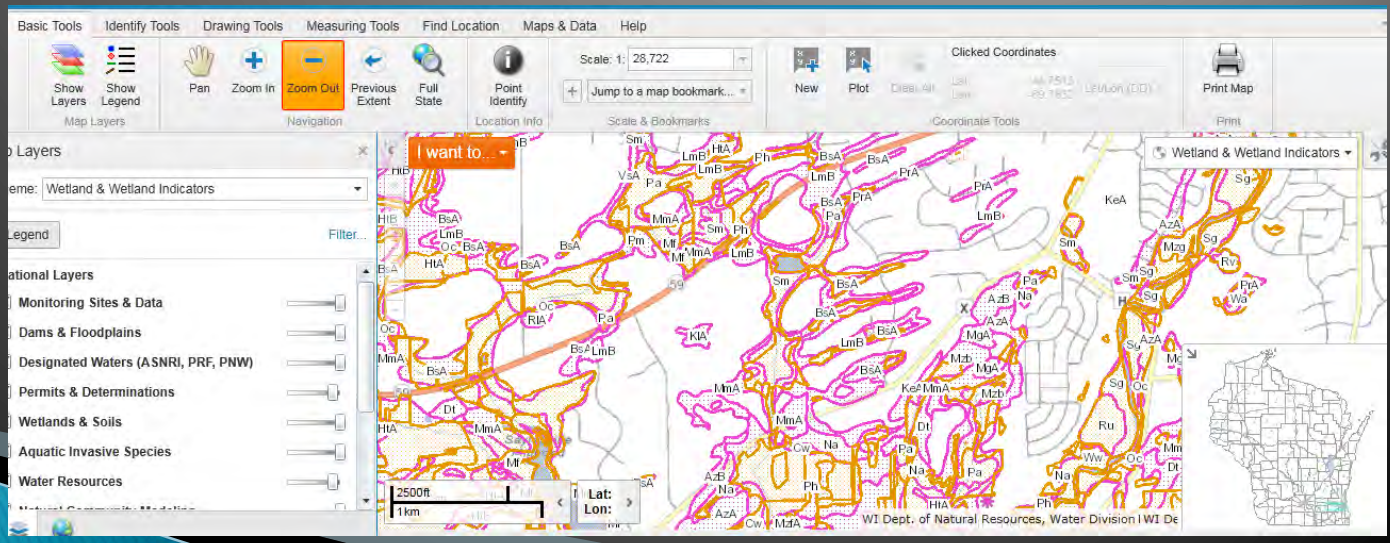
Look at your project area online

http://dnr.wi.gov/maps

Is there a waterway?

Are there wetlands that might be impacted by the project?

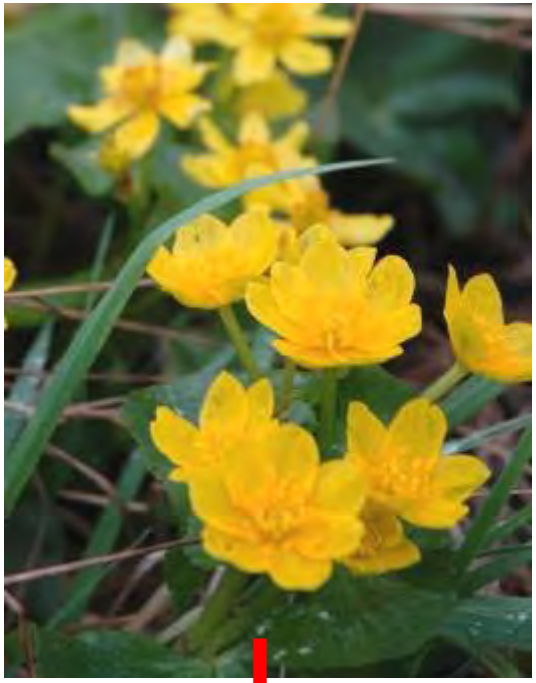




Do I need a permit?

Is it a wetland??

The presence of water at or near the ground surface for a portion of the year.



The presence of plants adapted to living in wet conditions.

The presence of hydric soils, which develop under wet conditions.

Act 183 – March 2018

- Artificial Wetland Exemption Determinations
  - WDNR reviews historical maps to determine wetland history and human influence
- Non-federal Wetland Exemption Determinations
  - WDNR reviews wetland maps and supporting data, but final determination is made by an USACE AJD (approved jurisdictional determination)
- Both are reviewed by the Wetland Exemption Team


Look out for….
Wetlands next to the road
11.16.2010 15:24

The Transportation Liaison will work with DNR experts to determine the amount and type of boating use in at the project location.

Navigation requirements based on use of the waterway.

Projects need to consider wildlife (including Threatened and Endangered Resources) Impacts & Passage

Turtle nesting along road shoulder

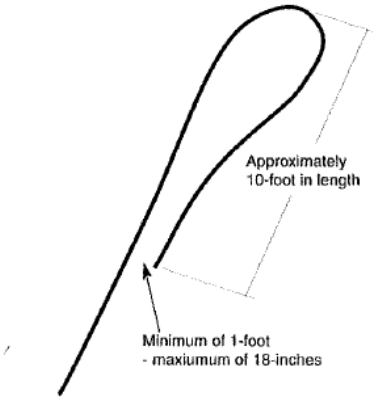


Figure 2. Overhead view of fence turn-around

Sometimes a ditch....

....is not a ditch!
Sometimes it's a stream!

Ditch Maintenance:

If you are proposing to change the **depth, width**, or **direction of flow** in an existing ditch through a wetland or near a waterway, *please contact the local WDNR Transportation Liaison.* **Ditching in wetland areas….**

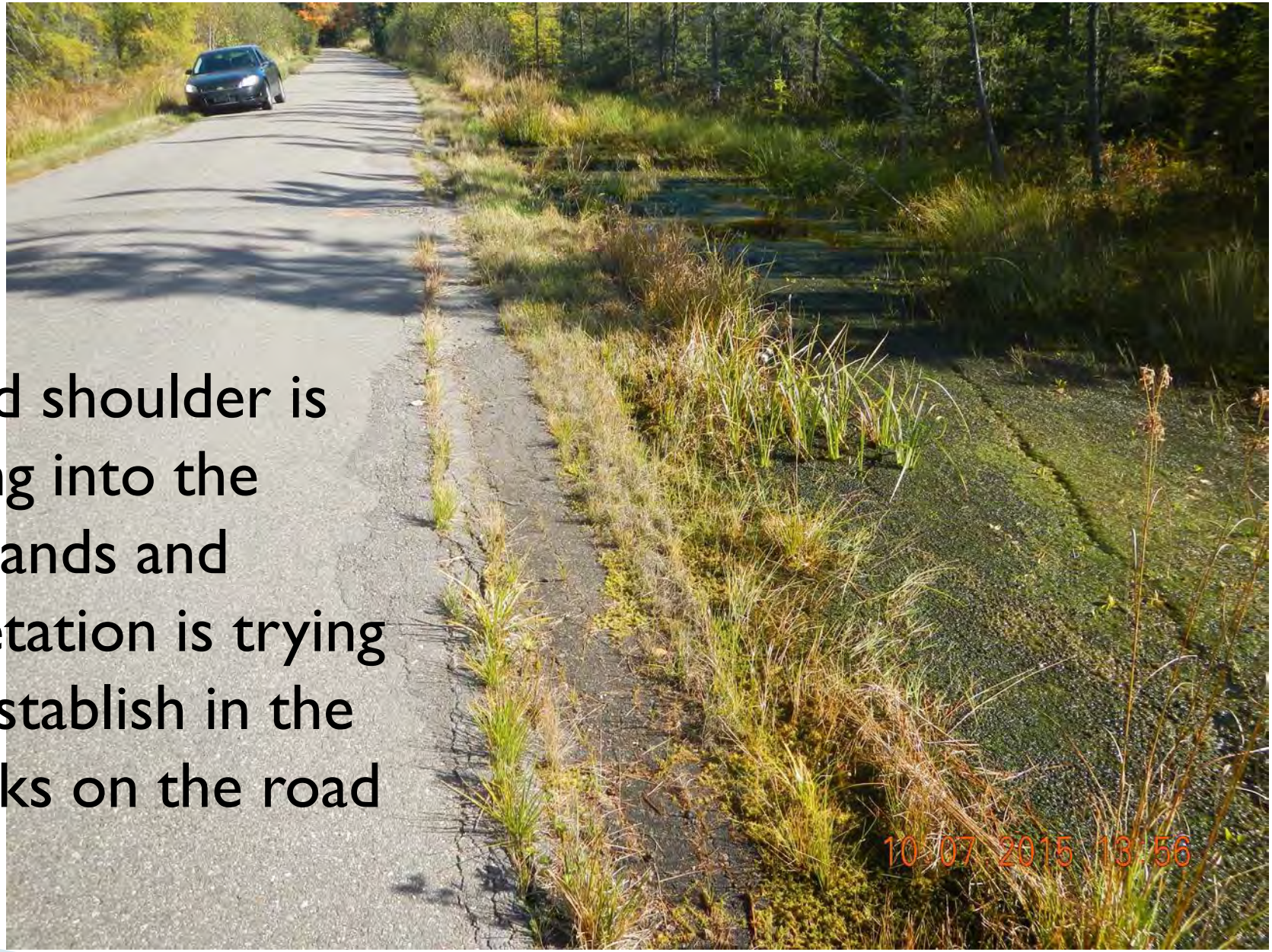
- Rarely provides the desired drainage
- Can result in water pooling at the base of the road.
- The outcome could be a **saturated road base**
  - More **road maintenance**
  - More **cost**

Work with DNR and USACE to find a solution!

Sometimes cross-culverts or raising the road and improving the road base will help.

In 2010, ditching was completed in a wetland next to a town road to improve drainage.

2015 - The culvert installed to improve drainage is popping up in the roadway



Road shoulder is falling into the wetlands and vegetation is trying to establish in the cracks on the road

Early Coordination with DNR may include an onsite meeting.

Something to consider:

Is the stream or road taking a beating?

Consider the factors that may influence structure options

Structure options may be limited in areas with minimal road fill.

If you have a road that is over-topping at a stream, you may want to consider **multiple structure types** to determine which **size, shape and elevation** is appropriate at that location.

Road–Stream Crossings As Barriers To Fish and Wildlife Movement

Barrier to fish due to high velocity due to under-sized and incorrectly placed culvert

Culvert placed too high causing leap barrier

Culvert placed too high and too much rip rap

Improperly placed culverts may become perched culverts over time

Culvert in 1979

Same culvert in 1998

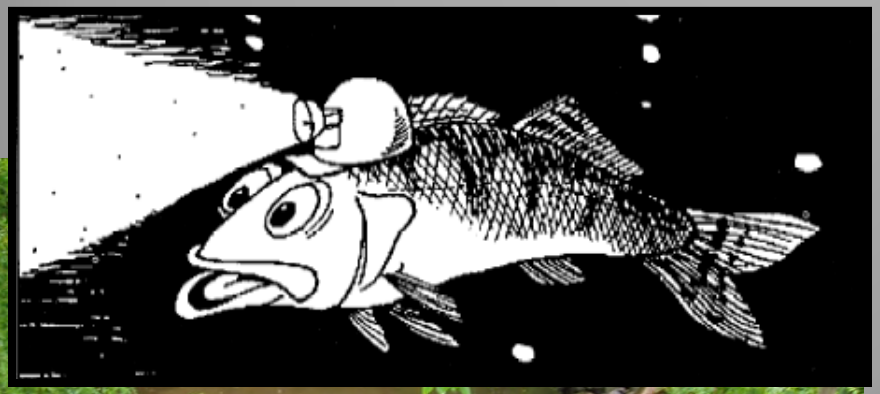
Culverts that collect debris need more maintenance

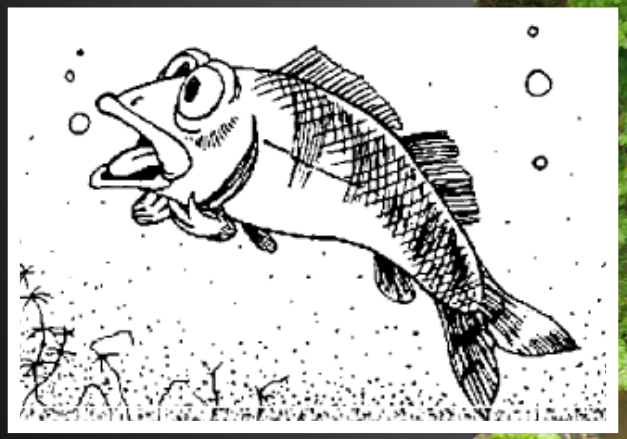
Culverts need to allow for the natural movement of water as if the culvert were not there.

More Benefits of Properly Sized and Placed Culverts

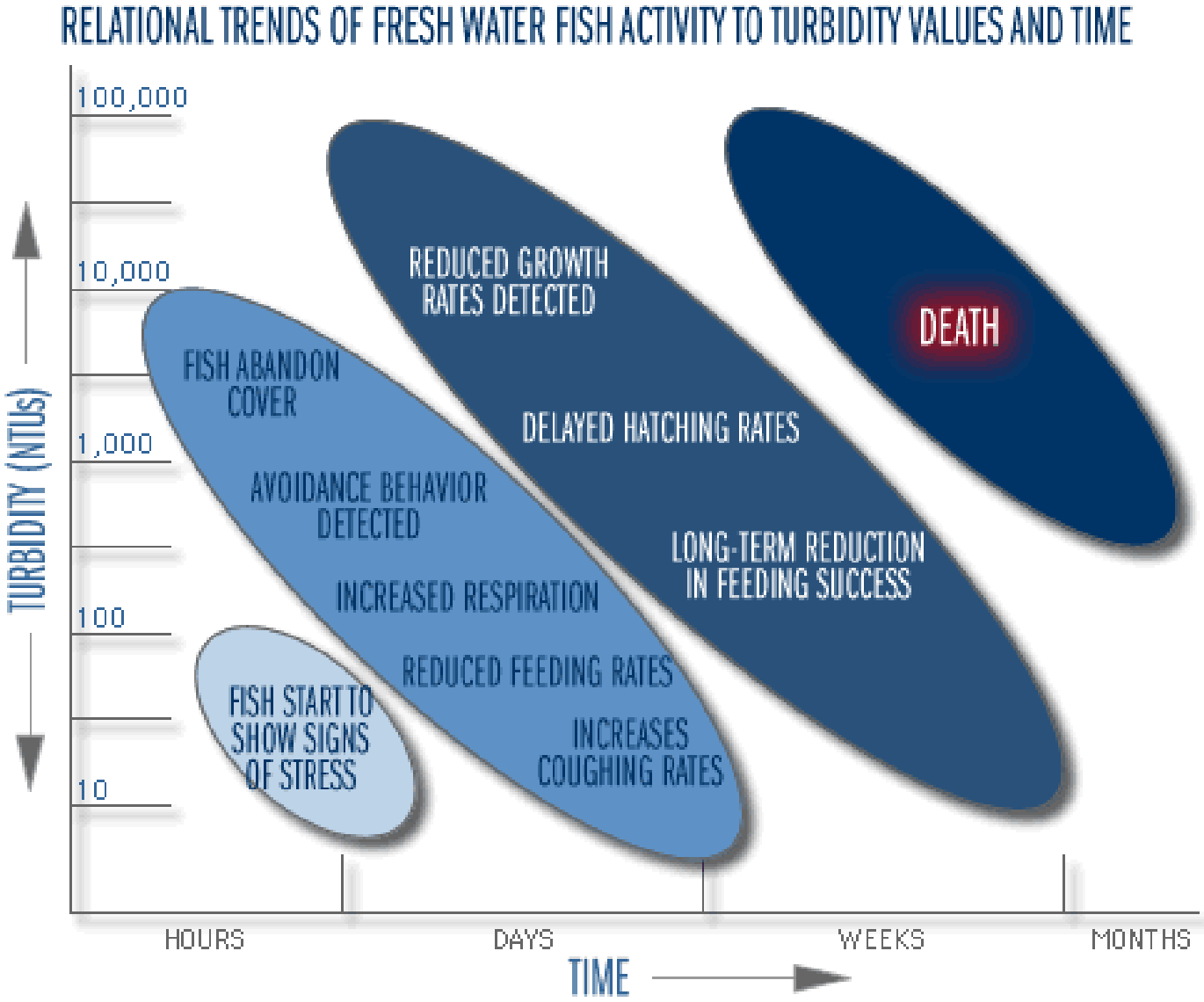
- Structure will be **more resilient** to floods
  - **Reduced closures and safer roads**
- **Less debris** getting stuck at the culvert
  - **Less maintenance costs**
- **Improved** stream connectivity
  - **Healthier fish and wildlife populations**
  - **Improved water quality**
  - **Increased recreation and tourism benefits**
- **Longer** structure **life** = **$$$ Saved!**

BMPs –WHY do we need them?





Why we use BMP's



Source Information: UW-Extension

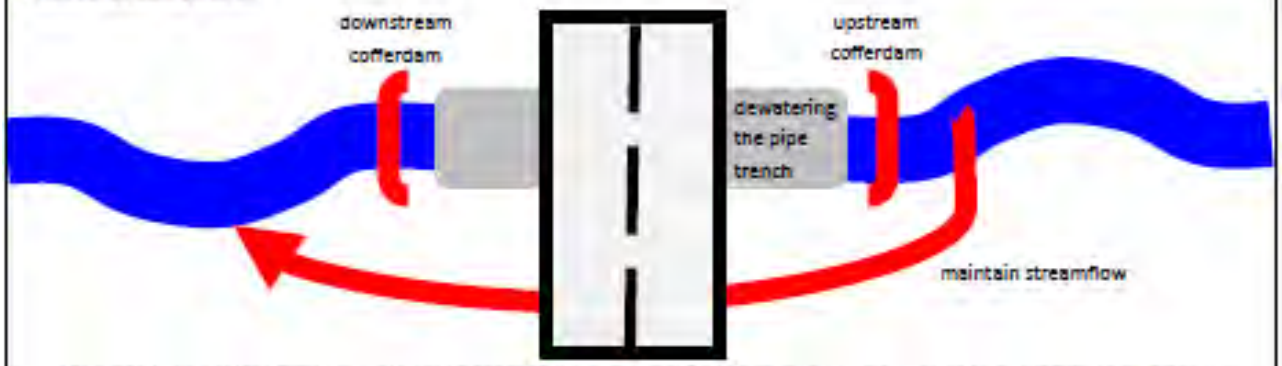
DNR has summarized BMPs for culverts and municipal transportation projects and broken them into before, during and after construction so they are easy to understand and use.

STREAM CULVERTS (NAVIGABLE WATERWAYS)—BEST MANAGEMENT PRACTICES (Sept. 2015)

The following example describes typical best management practices that are needed to protect water quality at culvert replacement projects.

BEFORE Construction: Devise an erosion control plan for the project site. Be sure the plans include stockpile protection. Further, be sure all stockpiles and borrow/waste sites are setback from waterways, wetlands, and floodplains. Begin to install erosion control items before any ground is disturbed. *Common methods include: construction site diversion, silt fence, ditch checks, vegetative buffers, inlet protection, sediment traps, and tracking pads.*

DURING Construction:



- **Non-erodible coffer dams** up and downstream to isolate the pipe during excavation. *Common methods include sand bags wrapped in plastic sheeting, other reinforced plastic sheeting, steel sheeting, and water bladder barrier.*
- **Treat water from the culvert trench** to prevent cloudy water from reaching waterways or wetlands. *Common methods include temporary settling basin, infiltration basin, filtration bag, sediment tank. Water applied polymer may be needed in conjunction with these methods.*
- **Maintain streamflow downstream** to protect aquatic life. *Common methods include by-pass pumping, plastic and rock/rock bag lined channel, by-pass culvert, and diverting water to one culvert (at sites with 2 or more culverts only).*

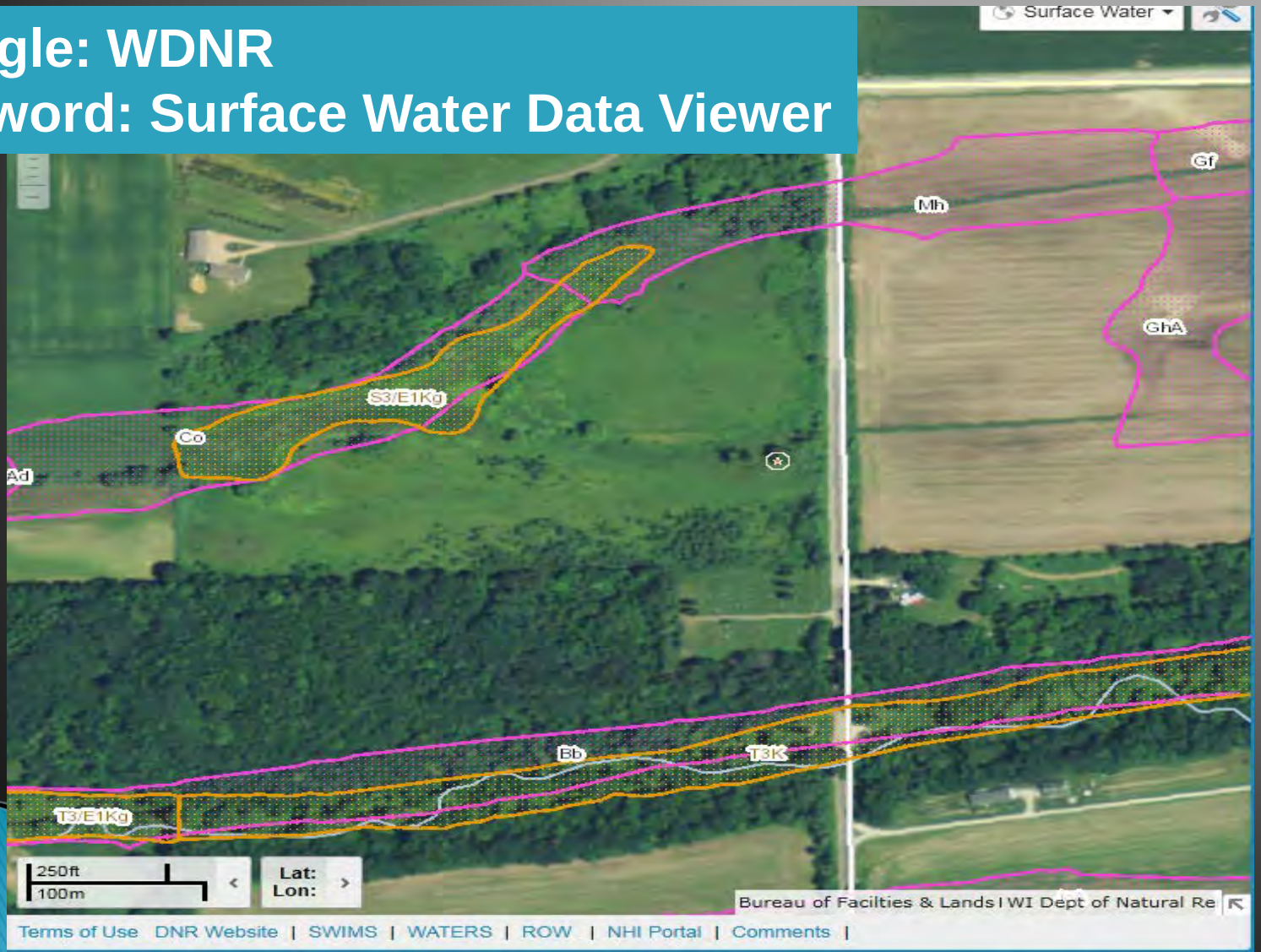
BMP's Before Construction

- Are there waterways? Wetlands? Check-in with DNR!
- Size road-stream crossings to fit waterway & road
- Follow in-stream restrictions protecting fish spawning and movement
- Prepare erosion control plan
- Initial erosion control installation prior to ground disturbance

BMP's Before Construction

Waterway or Wetland Present?

Google: WDNR
Keyword: Surface Water Data Viewer



BMP's Before Construction
Fish Spawning & Movement

March 1st through June 15th for all non-trout streams

Northern Pike

BMP's Before Construction
Fish Spawning & Movement

Trout

September 15th through May 15th for all trout streams

BMP's Before Construction
Prepare an Erosion Control Plan

- Plan for BMP's that will protect the wetlands and waterway not impacted by the project
- Helps establish a budget
- Communicates expectations with the contractor
- Consider consulting with county or state road-building authorities

BMPs Before Construction

Initial Erosion Control For Bridges and Culverts

Ditch Checks

BMPs Before Construction

Initial Erosion Control For Bridges and Culverts

Inlet Protection

Before construction– Temporary Erosion Control For Bridges and Culverts – Silt Fence

BMPs During Construction

- Non-erodible cofferdams/barriers to isolate work area
- Treat water from within the work area
- Maintain streamflow downstream

For Detailed Technical Standards Visit:
http://dnr.wi.gov/topic/Stormwater/standards/const_standards.html

BMPs During Construction

Non-erodible Barriers

Isolating the Work Area

Turbidity Barrier

Coffer Dam

BMPs During Construction

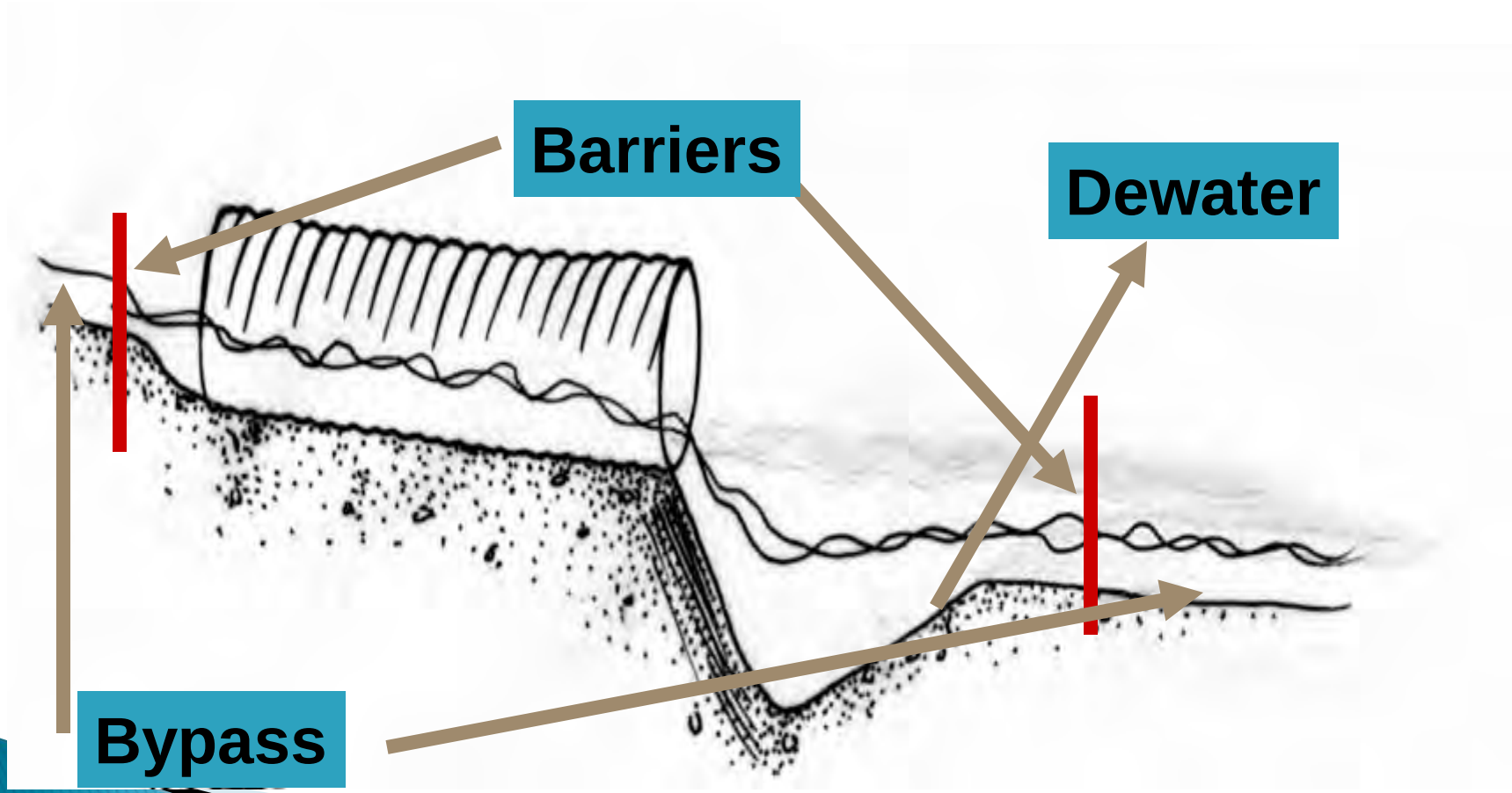
Dewatering & Water Applied Polymers

Filtration Basins & Polymer

****See Dewatering Matrix & Approved Water Applied Polymer list*

Sediment Control Practices For Bridges and Culverts – Stream Bypass—Channel

During Construction – Sediment Control Practices For Bridges and Culverts – **Dewatering**



Proper installation and maintenance

during construction is very important!

Pay close attention to all erosion control devices during construction so that they can work to their fullest potential.


CAT


04.23.2015 13:56

When erosion control devices are properly installed, the critters using the stream are able to move through the construction site unrestricted! Happy ducks!

Proper set up for a sediment bag

If a sediment bag looks like this, it is not working and needs to be switched out, or you need to consider a different erosion control device.

Don’t forget about dust control!

Sandbags!

Silt screen installed and working properly!

BMPs After Construction

- Riprap
- Topsoil, Seed, Mat/Mulch
- Silt fence, fiber logs, etc.

For Detailed Technical Standards Visit: http://dnr.wi.gov/topic/Stormwater/standards/const_standards.html

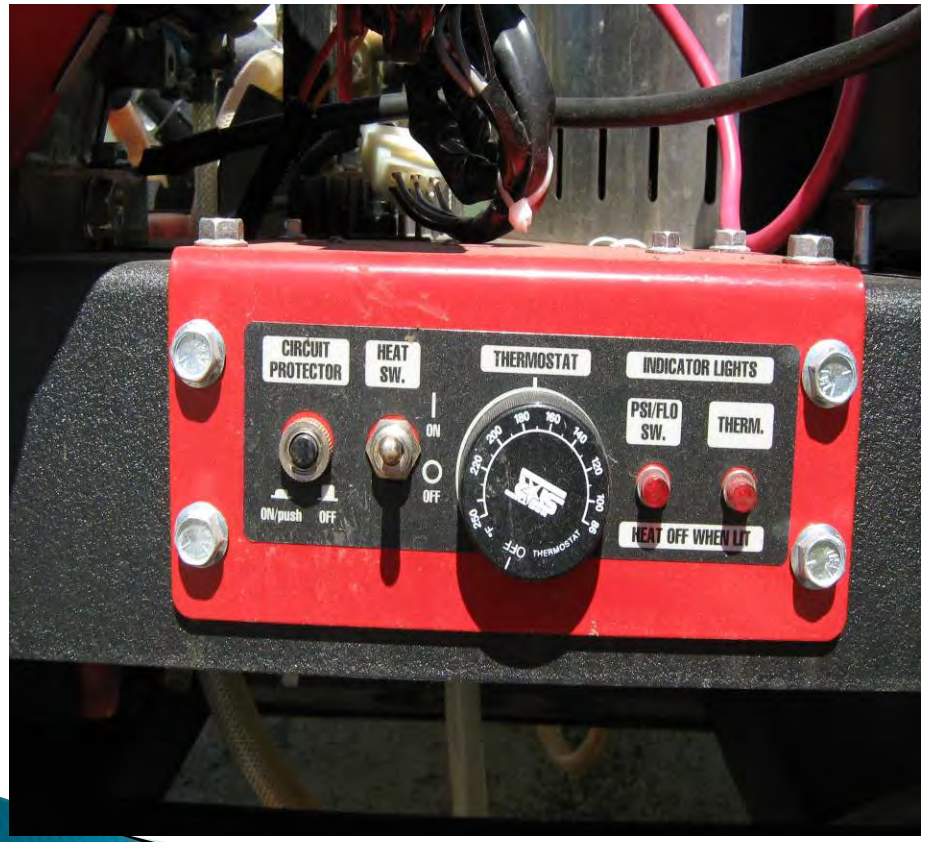
BMPs After Construction

Topsoil, Seed, and Mulch or Mat, & Silt Fence

***See Slope & Channel EC Control Matrices

Other Considerations

Cleaning Equipment for Invasive Species

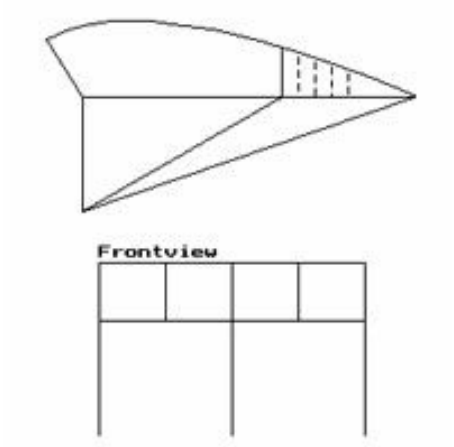


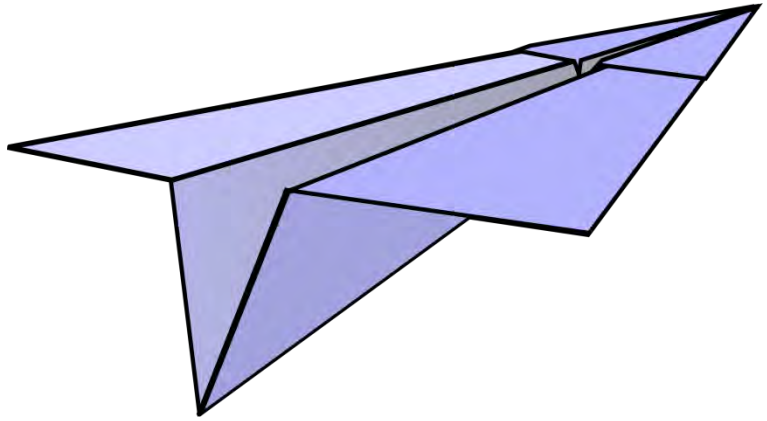
Other Considerations

Endangered Resources

Rip rap needs to be sized appropriately and placed appropriately for the stream. This rip rap is placed too high and is cutting off the stream.

- Contact WDNR early!
- **A good design leads to a good project**
- Read and understand the BMPs and the conditions of the permit or approval letter, if received
- Contact DNR if there is a discharge





Don't forget to check in with…..

- ✓ Local / County Shoreland Zoning (Floodplain Zoning)
- ✓ WDNR Stormwater
- ✓ US Army Corps of Engineers

Questions???

Check out – **dnr.wi.gov** – key word "Transportation"

Contact me – Maureen.Millmann@wisconsin.gov