

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Horicon, WI, 53032

Tony Evers, Governor

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June 19, 2024

Lee Alexander
1301 Avenue of the Americas, 10th Floor
New York, NY 10019
[sent electronically]

GP-SE-2024-60-01542

RE: Coverage under the wetland statewide general permit to impact wetlands from residential, commercial, and industrial activities, located in the Town of Plymouth, Sheboygan County

Dear Mr. Alexander,

Thank you for submitting a wetland discharge for residential, commercial, and industrial activities general permit application to impact 700 square feet of wetlands located in the SE 1/4 of NW 1/4, Section 02, Township 15 North, Range 21 East, W5197 Green Tree Road, Town of Plymouth, Sheboygan County. You have certified that your project meets the eligibility criteria for this activity. Based upon your signed certification you may proceed with your project.

Please re-read the permit eligibility standards and conditions. The eligibility standards can be found on the GP1 application checklist or in the GP1 statewide general permit. The permit conditions are attached to this letter. You are responsible for meeting all general permit eligibility standards and permit conditions. This includes notifying the Department before starting the project and submitting photographs within one week of project completion. Please note your coverage is valid for 5 years from the date of the department's determination or until the activity is completed, whichever occurs first.

The Department conducts routine and annual compliance monitoring inspections. Our staff may follow up and inspect your project to verify compliance with state statutes and codes. If you need to modify your project, please contact me, your local Water Management Specialist, Francesca Sanchez, at (414) 531-0305 or at francesca.sanchez@wisconsin.gov to discuss your proposed modifications.

The Department of Natural Resources appreciates your willingness to comply with wetland regulations, which help to protect the water quality, fish and wildlife habitat, recreational value, and other functions and values wetlands provide to current and future generations. **You are responsible for obtaining any other local, state, or federal permits that are required before starting your project.**

Sincerely,

Francesca Sanchez
Water Management Specialist

Email CC:

Leah Huff, USACE Project Manager
Kathryn Fabian, Sheboygan County Code Administrator
Anthony Arndt, WDNR Conservation Warden
Joseph Bronoski, JB Site Design and Engineering, LLC
Waterway/Wetland File

You agree to comply with the following conditions:

1. **Application.** You shall submit a complete application package to the Department as outlined in the application requirements (section 2) section of this permit. If requested, within a reasonable timeframe you shall furnish the Department any information it needs to verify compliance with the terms and conditions of this permit.
2. **Certification.** Acceptance of coverage under general permit WDNR-GP1-2023 and efforts to begin work on the activities authorized by this general permit signifies that you have certified the project meets all eligibility standards outlined above and that you have read, understood, and agreed to follow all terms and conditions of this general permit.
3. **Reliance on Applicant's Data.** The determination by this office that a confirmation of authorization is not contrary to wetland water quality standards will be based upon the information provided by the applicant and any other information required by the Department.
4. **Project Plans.** This permit does not authorize any work other than what is specifically described in the notification package and plans submitted to the Department and is certified by you to comply with the terms and conditions of WDNR-GP1-2023.
5. **Expiration.** The time limit for completing an activity authorized by the provisions of WDNR-GP1-2023 ends 5 years after the date on which the activity is considered to be authorized under WDNR-GP1-2023 or until the activity is completed, whichever occurs first. The Department's use of general permit WDNR-GP1-2022 established under s. 281.36(3g) Wis. Stats. expires on June 30, 2028.
6. **Written authorization for modification of scope.** Any modification to the wetland impacts authorized under this general permit must be approved by the Department in writing to ensure that the project continues to meet the general permit eligibility in section 1. Separate permitting is necessary if the modified project scope no longer meets general permit eligibility.
7. **Authorization Distribution.** You must supply a copy of the permit coverage authorization to every contractor working on the project.
8. **Project Start.** You shall notify the Department using the information provided on the confirmation of coverage letter you receive before starting any activity and again not more than 5 days after each activity is completed.
9. **Project Completion.** Within one week after completing the regulated activity, you shall submit to the Department a statement certifying the project complies with all the terms and conditions of this permit, and photographs of the activities authorized by this permit. This statement must reference the Department-issued docket number and be submitted to the Department staff member that authorized coverage.
10. **Permit Posting.** You must post a copy of this permit coverage letter at a conspicuous location on the project site before beginning the permitted activity. The copy of the permit coverage letter must remain posted at that location until at least five days after the area where the activity took place is stabilized. You must also keep a copy of the permit coverage letter and the approved plan available at the project site at all times until the project is complete.
11. **Permit Compliance.** The department may revoke coverage of this permit if it is not constructed in compliance with the terms and conditions of this permit. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action.
12. **Construction Timing.** Once wetland work begins, all construction activities in those wetlands must be continuous to the extent practicable. During periods of inactivity in wetlands, the site must be stabilized until the work is resumed and completed.
13. **Construction.** No other portion of the wetland may be disturbed beyond the area designated in the submitted plans.
14. **Proper Maintenance.** You must maintain the activity authorized by WDNR-GP1-2023 in good condition and in conformance with the terms and conditions of this permit using best management practices. Any structure or fill authorized shall be properly maintained to ensure no additional impacts to the remaining wetlands and waterways.

15. Site Access. Upon reasonable notice, you shall allow access to the site to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance with the terms and conditions of WDNR-GP1-2023 and applicable laws.

16. Erosion and siltation controls. The project site shall implement erosion and sediment control measures that adequately control or prevent erosion and prevent damage to wetlands as outlined in s. NR 151.11(6m), Wis. Admin. Code. These standards can be found at the following website: <https://dnr.wisconsin.gov/>, keyword "stormwater technical standards". Any area where topsoil is exposed during the project should be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.

17. Equipment use. The equipment used in the wetlands must be low ground weight equipment as specified by the manufacturer specifications.

18. Wetland Protection. You shall not store any vegetation, material, or equipment in wetlands unless authorized to do so through an approved project design. The project will be constructed in a manner that will maintain wetland hydrology in the remaining wetland complex, if applicable.

19. Invasive Species. All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by using 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>.

20. Federal and State Threatened and Endangered Species. WDNR-GP1-2023 does not affect the Department's responsibility to ensure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats., and applicable state laws. No Department authorization under this permit will be granted for projects found not to comply with these acts/laws. No activity is authorized which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act and/or state law or which is likely to destroy or adversely modify the critical habitat of a species as identified under the Federal Endangered Species Act.

21. Special Concern Species. If the Wisconsin National Heritage Inventory lists a known special concern species to be present in the project area you will take reasonable action to prevent significant adverse impacts or to enhance the habitat for the species of concern.

22. Historic Properties and Cultural Resources. WDNR-GP1-2023 does not affect the Department's responsibility to ensure that all authorizations comply with Section 106 of the National Historic Preservation Act and s. 44.40, Wis. Stats. No Department authorization under this permit will be granted for projects found not to comply with these acts/laws. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately, and the State Historic Preservation Officer must be contacted for further instruction.

23. Preventive Measures. Measures must be adopted to prevent potential pollutants from entering a wetland or waterbody. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a manner that would allow them to enter a wetland or waterbody as a result of spillage, natural runoff, or flooding. **If a spill of any potential pollutant should occur, it is the responsibility of the permittee to remove such material, to minimize any contamination resulting from this spill, and to immediately notify the State Duty Officer at 1-800-943-0003.**

24. Suitable fill material. All fill authorized under this permit must consist of clean suitable soil, as defined by s. NR 500.03(214), Wis. Adm. Code, free from hazardous substances as defined by s. 289.01(11), Wis. Stats., and free from solid waste as defined by s. 289.01(33), Wis. Stats.

25. Standard for Coverage. Wetland impacts from the project will cause only minimal adverse environmental impacts as determined by the Department.

26. **Transfers.** Coverage under this permit is transferable to any person upon prior written approval of the transfer by the Department.

27. **Reevaluation of Decision.** The Department may suspend or revoke authorization of any previously authorized activity and may take enforcement action if the following occur:

- a. The applicant fails to comply with the terms and conditions of WDNR-GP1-2023.
- b. The information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate.