

Commercial, Residential, Industrial Wetland Discharge General Permit Application Instructions

The General Permit (WDNR-GP1-2023) is available under section 281.36 (3g), Wis. Stats., for a permanent or temporary discharge to or fill of wetlands of no more than 10,000 square feet that is part of a residential, commercial, or industrial development. To qualify for this general permit, your project must meet all eligibility standards listed below and all other terms and conditions outlined in WDNR- GP1-2023.

Determine eligibility for this general permit:

- Choose an activity decision module on web, <https://dnr.wisconsin.gov/> Keyword: "Wetland Permit," **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. Failure to include all of the required information will result in an incomplete permit application and delay the processing of your permit. 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. You can find contact information online at <https://dnr.wisconsin.gov/> Keyword "wetland permit contact."
- Your signed submittal of this project application checklist constitutes a request that certifying authority (State of Wisconsin) review and take action on this CWA 401 certification request, as required, within the applicable reasonable period of time.
- If the project does not meet all of the eligibility standards, then apply for an Individual Permit.
 - The Department also has the authority under s. 281.36 (3g) (i), Wis. Stats., to require an individual permit in lieu of a general permit, if the Department has determined that conditions specific to the site require additional restrictions on the discharge or fill to provide reasonable assurance that no significant adverse impacts to wetland functional values will occur.

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, <https://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 application fees can be found on the fee sheet at <https://dnr.wisconsin.gov/>, keyword "Waterway Permit Fee."
3. **Ownership documentation** - (i.e., copy of deed, land contract, current property tax statement/receipt)
4. **Application Checklist** - A signed copy of the permit application checklist certifying that the applicant agrees to meet the eligibility criteria and permit conditions established in WDNR GP1-2023.
5. **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.

6. **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 <https://dnr.wisconsin.gov/>, Keyword "surface water data viewer." Be sure to include:
- Clear directions to the project site with project and property boundaries clearly labeled
 - Wisconsin Wetland Inventory Map
 - Soil Survey Map
 - Topographic Map
 - Floodplain Map
 - Map showing a recent aerial photo of the site with the locations of all proposed wetland fill clearly labeled.
7. **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. Please be sure to include the following:
- Top view plans showing the proposed disturbance or fill (both temporary and permanent), including the location, dimension, and area of wetland impact clearly identified and quantified in square feet
 - Cross/side section view(s) for each wetland impact area
 - Location of any waterways and wetlands, including dimensions and area of impact, and description of wetland type
 - The location of silt fences or any other sediment/erosion control devices
8. **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, equipment, and long-term site management
 - 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, if applicable
 - For disturbances or fill, provide a description of type, composition, and quantity of materials
 - How you plan to avoid, minimize, and mitigate impacts to waterways and wetlands
 - If temporary impacts are proposed, provide a detailed restoration plan
 - A description of the type and area (e.g., square feet) of proposed wetland impact
9. **Wetland Delineation Report** is required. Wetland Delineation reports either need to be conducted by an assured delineator or have received concurrence from either the WI DNR Wetland ID program or by the US Army Corps of Engineers (USACE) prior to submittal of the application. More information can be found on our website here: <https://dnr.wisconsin.gov/> Keyword "wetland delineation." The Department's local reviewer and the applicant(s) may agree in advance that a delineation is not necessary for the given site or area of impact. If this is true, please submit documentation from the local reviewer at the time of application.
10. **Alternatives Analysis** – Provide clear, detailed documentation on how the wetland impact was avoided and minimized. Include the following information:
- Background or description of the project*
- Describe the purpose and need for the project, and explain why the project must impact wetlands
 - Explain if the project is an expansion of existing work or new construction
- Alternatives*
- Describe and evaluate any alternative locations to avoid wetland impacts. (e.g., construct facility on upland, other available properties for sale, other properties owned by the applicant, etc.)
 - Describe any alternative designs to minimize wetland impacts such as a narrower structure with less vegetation removal. (e.g., reduce the size, shift, or reconfigure structure or facility, reduce the width of the road, reduce the side slopes of the road, remove or reduce sidewalks, choose different structure type if there is a waterway crossing, etc.)
 - For each of the alternatives you identified:
 - Explain and provide documentation on why you eliminated the alternative from consideration (e.g., cost comparisons, safety issues, logistical, technological, design choice – such as wetland or soil type, hydrology, or topography, weight bearing needs, etc.)
 - Explain what you plan to do to minimize adverse effects on the wetlands during construction of your project (e.g., erosion control, minimize vegetation clearing for construction, avoid more sensitive wetland types, timing of construction, other best management practices, etc.)
 - Additional guidance to help develop your alternatives analysis can be accessed on our website here: <https://dnr.wisconsin.gov/> Keyword "PAA wetlands."

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- 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 request a review can be located on the website at <https://dnr.wisconsin.gov/> keywords "ER review request". Applicants can also visit the NHI Public Portal to determine if a full ER Review is required. The NHI Public Portal is located at <https://dnr.wisconsin.gov/> keyword "NHI public portal." 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.

Eligibility criteria:

Projects that do not meet all criteria are not eligible for this general permit and are therefore excluded from coverage under WDNR-GP1-2023. For projects that do not qualify for WDNR-GP1-2023, you may apply for an individual permit as outlined in section 281.36 (3m), Wis. Stats.

The discharge will cause only minimal adverse environmental effects.

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Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters and wetlands. All erosion control measures shall meet or exceed the department approved technical standards listed under subchapter 3 of ch. NR 151, Wis. Adm. Code. The technical standards are found at <https://dnr.wisconsin.gov/> keyword "stormwater technical standard."

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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.

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The activity shall not result in significant adverse impacts to fishery spawning habitat, including obstruction of fish passage, or adversely affect bird breeding areas or substantially disrupt the movement of species that normally migrate from open water to upland or vice versa (i.e., amphibians, reptiles, and mammals) as determined by the department.

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The activity will not result in adverse impacts to historical or cultural resources and will comply with s. 44.40, Wis. Stats., as determined by the department.

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The project will 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 ch. NR 40, Wis. Adm. Code. These protocols and practices can be found on the Department website at <https://dnr.wisconsin.gov/>, keyword "invasive species BMPs."

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The project purpose is to conduct construction activities to build or expand commercial, residential, or industrial development associated with a single and complete project.

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The purpose of the project is not to fill wetlands to create a buildable lot to be sold and/or developed at a later date for commercial, residential, or industrial development.

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If the project is associated with the development for a residential subdivision, the discharge cannot affect more than 10,000 square feet (0.23 acre) of wetlands. This includes any aggregate effects to wetlands associated with the development of roads, infrastructure, individual subdivision lots, etc.

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The project applicant is the landowner or easement holder or otherwise has legal authorization to proceed.	☐
The project is not eligible for authorization under a "Superior SAMP" permit reviewed by the City of Superior, Wisconsin.	☐
The project discharge does not affect (as defined in section 7 of the permit) more than 10,000 square feet (0.23 acre) of wetland as part of a single and complete project.	☐
The proposed project cannot practicably avoid wetland impacts.	☐
The proposed project minimizes wetland impacts to the greatest extent practicable.	☐
The project will be constructed in a manner that will maintain wetland hydrology in the remaining wetlands.	☐
The project will not result in the conversion of a wetland to a storm water treatment feature such as but not limited to a pond or infiltration basin.	☐
Discharge will not occur in the following resources: Great Lakes ridge and swale complexes, interdunal wetlands, coastal plain marshes, emergent marshes containing wild rice, sphagnum bogs that are located in the area located south of a horizontal line drawn across the state based on the routes of STH 16 and STH 21 west of Lake Winnebago and on USH 151 east of Lake Winnebago, boreal rich fens, or calcareous fens.	☐
This permit does not authorize impacts to navigable waterways waterward of the ordinary high mark. Note: This does not preclude eligibility of waterway exemptions or eligibility of other general or individual permits. Waterway permitting information is available online at https://dnr.wisconsin.gov/ keyword "waterway permit."	☐
The project will not occur in a mapped floodplain (official Federal Emergency Management Agency (FEMA) or local zoning map), or if the project is located in a regulated floodplain, the applicant has certified that they are working to or have obtained applicable floodplain permits from the local zoning authority.	☐

Other Authorities

- ☐ By checking this box, I certify that the proposed project will not occur in a mapped floodplain (official Federal Emergency Management Agency (FEMA) or local zoning map), or if the project is in a regulated floodplain, I am obtaining or have obtained applicable floodplain permits from the local zoning authority.

Certification

I certify that I have read and understand all project eligibility criteria and agree to design and construct my project in accordance with all listed eligibility criteria found in this checklist. In addition, I agree to meet all conditions required for structure placement as identified in the above referenced eligibility criteria.

- ☐ *This form may be signed electronically, pursuant to ch.137, Wis. Stats. By checking the electronic signature acknowledgement box and typing your name, you are expressing intent to sign this form and certifying that all information contained herein is true, accurate, and complete, to the best of your knowledge and belief. If you decline to sign this form electronically, you must physically sign this form and all other forms required for your project.*

Signature _____

Date signed _____