



April 15, 2016

GP-NE-2016-59-00994

STOCKBRIDGE-MUNSEE COMMUNITY
ANGELA WAUPOCHICK
P.O. BOX 70
BOWLER, WI 54416

RE: Coverage under the wetland statewide general permit to restore or enhance a wetland, located in the Town of Red Springs, Shawano County, also described as being in the SE1/4 of the SE1/4 of Section 23, Township 28 North, Range 14 East.

Dear Ms. Waupochick:

Thank you for submitting an application for coverage under the wetland statewide general permit to restore or enhance a wetland, 30.2065.

You have certified that your project meets the eligibility criteria and conditions for this activity. Based upon your signed certification you may proceed with your project to restore and enhance 2.5 acres of wetlands. Please take this time to re-read the permit eligibility standards and conditions. The eligibility standards can be found on your application checklist or in the statewide general permit WRGP-2011-WI (found at <http://dnr.wi.gov/topic/waterways/construction/wetlands.html>). 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. This permit coverage constitutes the state of Wisconsin's wetland water quality certification under USCS s. 1341 (Clean Water Act s. 401).

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 your local Water Management Specialist, Scott Koehnke at (715) 526-4232 or email scott.koehnke@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, natural scenic beauty and recreational value of Wisconsin's wetland resources for future generations. Please be sure to obtain any other local, state or federal permits that are required before starting your project.

If you have any questions, please call (715) 526-4232 or email scott.koehnke@wisconsin.gov .

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koehnke". The signature is fluid and cursive, with the first name "Scott" and last name "Koehnke" clearly distinguishable.

Scott Koehnke
Water Management Specialist

cc: Ryan Huber - COE
Bob Jacobson - Shawano County Zoning Administrator
Red Springs Town Clerk
Mark Schraufnagel - Conservation Warden
WZ - file

WRGP-2011-WI Permit Conditions - Wetland Restoration

You agree to comply with the following conditions:

1. **Notification.** You shall submit a complete notification package to the Department as outlined in Section 2 of this permit. If requested, you shall furnish the Department, within a reasonable timeframe, any information the department needs to verify compliance with the terms and conditions of this permit.
2. **Certification.** Acceptance of general permit WRGP-2011-WI and efforts to begin work on the wetland conservation activities authorized by this general permit signifies that you have certified the project meets all eligibility standards outlined in Section 1 of this permit and that you have read, understood and have agreed to follow all terms and conditions of this general permit.
3. **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 you certified is in compliance with the terms and conditions of WRGP-2011-WI.
4. **Expiration.** This WRGP-2011-WI expires on May 16, 2016. The time limit for completing work authorized by the provisions of WRGP-2011-WI ends upon the expiration date of WRGP-2011-WI or three years from the date of the DNR letter confirming the project complies with the requirements for the WRGP-2011-WI, but no more than 3 years unless a permit extension (2 yr. maximum) is granted by the Department.
5. **Other Permit Requirements.** You are responsible for obtaining any other permit or approval that may be required for your project by local zoning ordinances, other state permits and by the U.S. Army Corps of Engineers before starting your project.
6. **Project Start.** You shall notify the Department at the telephone number provided on the confirmation of coverage letter you receive before starting construction and again not more than 5 days after the project is complete.
7. **Permit Posting.** You must post a copy of this permit at a conspicuous location on the project site for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.
8. **Permit Compliance.** The department may modify or revoke coverage of this permit if it is not constructed in compliance with the terms and conditions of this permit, or if the Department determines the project will be detrimental to the public interest. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action. Additionally, if any conditions of this permit are found to be invalid or unenforceable, authorization for all activities to which that condition applies is denied.
9. **Project Completion.** Within one week of project completion you shall submit to the Department a statement certifying project is in compliance with all the terms and conditions of this permit and photographs of the wetland conservation activities authorized by this permit. This information must be submitted to the same DNR office you submitted your notification package to.

- 10. Proper Maintenance.** You must maintain the activity authorized by WRGP-2011-WI in good condition and in conformance with the terms and conditions of this permit. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety, and preventive actions to avoid the spread of invasive plant species. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain an activity authorized by WRGP-2011-WI or should you desire to abandon it, you must obtain a modification of the authorization from this office, which may require restoration of the area.
- 11. 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 the terms and conditions of WRGP-2011-WI and applicable laws.
- 12. Wetland Fill.** Any removed vegetation or soil shall be deposited on uplands (non-hydric soils) or used in other approved wetland conservation practices that include ditch fills, ditch plugs, embankments, low berms and dikes. Additionally, all fill must consist of suitable material (i.e. no trash, debris, asphalt, etc.) free from toxic pollutants in other than trace quantities (see Section 307 of the Clean Water Act).
- 13. Wetland Buffer.** Project sites, whenever possible, should include an adjacent zone of vegetated upland pursuant to NRCS Field Office Technical Guide Standard Conservation Practice 657- Wetland Restoration, unless the site conditions or configuration will not accommodate such a zone.
- 14. Dam Owner Responsibilities.** For projects that result in the construction of a small dam the following conditions apply:
- All embankments shall be kept free of trees and maintained with sufficient grass cover.
 - The dam cannot be altered or removed without approval from the department.
 - Any sale of the dam or property containing the dam is subject to the provisions of Sections 710.11 and 31.14(4), Wis. Stats., which requires proof of financial responsibility and department approval.
 - The impoundment cannot flood or adversely impact drainage of adjacent lands.
- 15. Adverse effects from impoundments.** If the project creates an impoundment of water, adverse effects on the aquatic system shall be minimized to the maximum extent practicable.
- 16. Navigation.** No activity may cause more than a minimal adverse effect on navigation.
- 17. Spawning areas.** Restoration activities in fish, amphibian and reptile spawning areas during spawning seasons, and wildlife nesting must be avoided to the maximum extent practicable.
- 18. Erosion and siltation controls.** Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark must be permanently stabilized at the earliest practicable date. Work should be done in accordance with state approved published practices that meet or exceed the technical standards for erosion control approved by the DNR under subch. V of ch. NR 151, Wis. Adm. Code. Any area where topsoil is exposed during construction shall be immediately seeded and mulched or

rip-rapped to stabilize disturbed areas and prevent soils from being eroded and washed into a water of the state, including wetlands.

- 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 washing equipment or utilizing other best management practices to avoid the spread invasive species.
- 20. Removal of temporary fills.** Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.
- 21. Federal and State Threatened and Endangered Species.** WRGP-2011-WI does not affect the DNR's responsibility to insure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats and applicable State Laws. No DNR 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.
- 22. 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 activities to prevent significant adverse impacts or to enhance the habitat for the species of concern.
- 23. Historic Properties and Cultural Resources.** WRGP-2011-WI does not affect the DNR's responsibility to insure that all authorizations comply with Section 106 of the National Historic Preservation Act and s. 44.40, Wis. Stats. No DNR 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.
- 24. 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.
- 25. Drainage Districts.** Project will not occur within a Drainage District or if the project does occur within a Drainage District you have received approval from the Drainage District for the project.

FINDINGS OF FACT

1. Angela Waupochick, Stockbridge-Munsee Community has filed an application to impact wetlands under the wetland statewide general permit for wetland restoration/enhancement,

located in the Town of Red Springs, Shawano County, also described as in the SE1/4 of the SE1/4 of Section 23, Township 28 North, Range 14 East.

2. The project will consist of the removal of agricultural fill from western edge of existing scrape dominated by reed canary grass and creation of micro-topography on the south edge of the existing scrape. An existing berm will be removed to provide for enhanced wetland habitat. Herbicide treatment of the area will assist in removal of invasive species. The site will be planted with tree species such as bur oak, swamp white oak, sycamore, hemlock and tamarack along with a wet-meadow seed mix.
3. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.
4. The proposed project will not adversely impact these wetlands if constructed in accordance with this permit.
5. The project will not result in significant adverse impacts to wetland functional values, significant impacts to water quality, or other significant environmental consequences.
6. No practicable alternative exists which would avoid adverse impacts to wetlands.
7. All practicable measures to minimize adverse impacts to the functional values of wetlands have been taken.
8. A rapid assessment of the functional values of the wetlands indicated low values for wildlife habitat, water quality protection, groundwater processes and human use; medium value for floristic diversity, fish/aquatic life habitat and flood/stormwater storage.
9. The Department of Natural Resources and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of Sections 1.11, 281.36, Wisconsin Statutes, Section 401 Clean Water Act and Chapters NR 102, 103, 115, 116, 117, 150, 151, 299 and 353 of the Wisconsin Administrative Code.

CONCLUSIONS OF LAW

1. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.
2. The Department has complied with s.1.11, Wis. Stats.

Dated at Shawano DNR Office, Shawano, WI on April 15, 2016

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary



Scott Koehnke
Water Management Specialist