

**++WISCONSIN DEPARTMENT OF NATURAL RESOURCES
WETLAND GENERAL PERMIT
FOR COMMERCIAL, RESIDENTIAL, AND INDUSTRIAL ACTIVITIES**



Permittee: The General Public in Wisconsin

Permit #: WDNR-GP1-2022

Issuing Office: Waterway and Wetlands Section, Bureau of Waterways,
Wisconsin Department of Natural Resources (Department)

Issuance Date: Month, Day, 2022

Expiration Date: Month, Day, 2027

GENERAL PERMIT AUTHORIZATIONS

In compliance with the provision(s) of section 281.36 (3b)(b), Wis. Stats., no person may discharge/place dredged or fill material into a wetland unless the discharge is authorized by a wetland general permit or individual permit issued by the Department of Natural Resources (Department) or the discharge is exempt under s. 281.36. by statute.

The Department has authority to issue general permits under s. 281.36(3g), Wis. Stats. Pursuant to s. 281.36(3b)(a), Wis. Stats., a wetland general permit issued by the Department constitutes the water quality certification required by 33 USC 1341(a) (Clean Water Act section 401) for federal permits that authorize the discharge of dredged or fill material into wetlands regulated under 33 USC 1344(a) (Clean Water Act section 404) and have not already been certified through a previous Department action.

Sections 281.36(3g)(a)4., 5. and 6., Wis. Stats., authorize any person in the State of Wisconsin to perform work in accordance with the terms and conditions of the general permit specified below after satisfying all applicable permit terms and conditions. Please refer to the following sections of this permit for the specific eligibility standards, application requirements, certification requirements and responsibilities, conditions, findings of fact, conclusions of law, and definitions required by WDNR-GP1-2022.

Note: Coverage under this permit authorizes the permittee to undertake specified activity/activities in compliance with the *above* statutes and the terms of this permit but does not authorize a permittee to undertake any activity prohibited by other applicable federal, state, or local law.

OTHER AUTHORIZATIONS NECESSARY

WDNR-GP1-2022 authorizations are subject to all applicable terms and conditions specified in this permit. However, **WDNR-GP1-2022 authorizations do not supersede any other local, state or federal authority so additional permits may be required before any work may proceed.** U.S. Army Corps of Engineers Clean Water Act s. 404 permits are required for discharges of dredged or fill material to Waters of the United States, including discharges to federal wetlands. Rivers and Harbors Act Section 10 permits are required for work including the placement of structures and dredging in navigable waters of the United States. Floodplain permits (ch. NR 116, Wis. Adm. Code) or other local zoning permits may

be required. Please contact your local zoning authority; county zoning administrator contact information is available at <https://www.wccadm.com/wcca-contacts>.

Additional waterway and wetland permitting may also be necessary depending on the project size, scope and purpose and need. Please visit <https://dnr.wisconsin.gov/>, keyword “water permitting” for more information.

This permit does not supersede any applicable easement(s) within the project boundary. It is the responsibility of the applicant to ensure that the proposed project does not conflict with existing land use or development restrictions, including easements, applicable to the property. This permit also does not authorize flooding or impeding drainage of the adjacent properties or upstream properties. It is the responsibility of the applicant to secure any necessary easements or other permissions from affected landowner(s).

PROJECT DESCRIPTION AND LOCATION

WDNR-GP1-2022 applies to certain wetland activities undertaken as part of a project with a commercial, residential or industrial purpose.

The following activities are eligible for coverage under WDNR-GP1-2022:

WDNR-GP1-2022 applies to certain discharges affecting up to 10,000 square feet in size, of dredged and/or fill material into wetlands if the discharge is for commercial, residential, or industrial purposes, as described herein, in the state of Wisconsin, except for proposed tribal activities located on Federal Indian Trust lands. Discharges to wetlands are regulated under sections 281.36 (3b), (3g), (3m), and (4), Wis. Stats.

Note: WDNR GP1-2022 does not apply to tribal activities located within the exterior boundary of a reservation.

GENERAL PERMIT COVERAGE

Unless notified by the Department to the contrary, the effective date of coverage under this general permit is 30 calendar days after a complete application package has been received by the Department at the office designated in the permit application materials provided by the Department. **WDNR-GP1-2022 permit coverage is valid for 5 years after the date the coverage is granted by the department, or until the discharge has been completed, whichever occurs first.** If the project is not completed within 5 years after the date of coverage another application must be submitted. If the project scope changes within the valid period of the permit coverage the department may require a new application or modify coverage if the project continues to meet all eligibility criteria. The 5 year timeline is based on the date coverage is granted by the department, not the expiration date of **WDNR-GP1-2022**.

State of Wisconsin Department of Natural Resources
For the Secretary

Daniel Helsel – Director
Bureau of Waterways

Date

Table of Contents

SECTION 1. GENERAL ELIGIBILITY CRITERIA.....3-5

SECTION 2. APPLICATION REQUIREMENTS5-7

SECTION 3. CERTIFICATION & RESPONSIBILITIES.....7

SECTION 4. GENERAL PERMIT CONDITIONS.....7-9

SECTION 5. FINDINGS OF FACT9-9

SECTION 6. CONCLUSIONS OF LAW.....10

SECTION 7. DEFINITION OF TERMS102

WDNR-GP1-2022 TERMS AND CONDITIONS

The following sections describe the general permit authorization procedures implemented by the DNR in WDNR-GP1-2022. Projects must meet all the terms and conditions of this permit to be eligible for coverage under WDNR-GP1-2022.

Note: The term "you" and its derivatives, as used in this general permit, means the permittee, which is the landowner. The term "the Department" or "this office" refers to the appropriate Wisconsin Department of Natural Resources (WDNR or DNR) Service Center, DNR Region or Central Office headquarters of the WDNR having jurisdiction over the authorized activity or the appropriate official of that office acting under the authority of the Secretary of the Department.

The project must meet **all** the following standards to be eligible for coverage and authorization under this general permit. Persons proposing to do work should note that s. 281.36 (3g)(h), Wis. Stats., requires applicants to demonstrate that adverse impacts to wetland functions and values have been avoided and minimized to the maximum extent practicable.

Note: Projects that do not meet all standards below are not eligible for this general permit and are therefore excluded from coverage under WDNR-GP1-2022. In these cases, persons may apply for an Individual Permit as outlined in s. 281.36(3m), Wis. Stats. The Department also has 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 to provide reasonable assurance that no significant adverse impacts to wetland functional values and floristic integrity will occur.

Note: Projects that may impact tribal lands or a legally recognized treaty right may need additional coordination.

SECTION 1. ELIGIBILITY CRITERIA

Note: Applicant must provide detailed plans and narrative information that demonstrates that the proposed project meets all of the eligibility criteria listed below.

1. The discharge will cause only minimal adverse environmental effects.
2. 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 of ss. NR 151.11 and 151.12, Wis. Adm. Code. The technical standards are found at <https://dnr.wisconsin.gov/>, keyword “stormwater technical standard”.
3. 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.
4. 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 disrupts 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.
5. The activity will not result in adverse impacts to historical or cultural resources and will comply with s. 44.40, Wisconsin Statutes as determined by the department.
6. 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 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”.
7. The project purpose is to conduct construction activities to build or expand commercial, residential, or industrial development associated with a *single and complete project*, (as defined in section 7).
8. 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.
9. 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.
10. Project applicant is the landowner or easement holder or otherwise has legal authorization to proceed.
11. The project is not eligible for authorization under a “Superior SAMP” permit reviewed by the City of Superior, Wisconsin.
12. Project discharge does not affect (as defined in section 7) more than 10,000 square feet (0.23 acre) of wetland as part of a *single and complete project* (as defined in section 7).
13. The proposed project cannot practicably avoid wetland impacts.
14. The proposed project minimizes wetland impacts to the greatest extent practicable.
15. The project will be constructed in a manner that will maintain wetland hydrology in the remaining wetlands.
16. 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.

17. 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.
18. This permit does not authorize impacts to navigable waterways waterward of the ordinary high water mark (as defined in section 7).
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".

SECTION 2. APPLICATION REQUIREMENTS

1. After you have carefully confirmed the proposed discharge of dredged and/or fill material into wetland meets all the terms and conditions of this permit you must submit a complete application package to the Department as outlined in item 6 below. Pursuant to s. 281.36(3g)(h) Wis. Stats., the complete application package should be received a minimum of 30 calendar days before the desired project start date. Permit application materials can be found and submitted online at <https://dnr.wisconsin.gov/>, keyword "water permit".
2. Unless notified by the Department to the contrary, the effective date of coverage under this permit is 30 calendar days after the designated DNR office receives a complete application package.
3. The Department has one opportunity to request that you provide additional information necessary to verify compliance with the terms and conditions of this permit. If additional information is needed, the Department will notify you within 30 calendar days after receiving your application package. If the Department makes a request for additional information, the 30-day period is paused on the date the person applying for authorization receives the request for additional information. The clock remains paused until the date that the Department receives all of the requested information at the designated DNR office, at which point the clock resumes from the point it was initially stopped.
4. If adverse weather conditions prevent the Department from conducting an accurate on-site inspection or assessing the potential for site-specific impacts during the 30-day application period, the Department shall give notice to the applicant of this condition and shall complete the inspection as soon as weather conditions permit.
5. As provided under s. 281.36 (3g)(i), Wis. Stats., the Department may determine the project is not eligible for this general permit and require the project be reviewed through the individual permit process outlined in s. 281.36(3m), Wis. Stats. If the Department determines your project is not eligible for this permit, you will be notified within 30 calendar days after your complete application package is received by DNR.
6. A complete application package must include all of the following information:
 - a. Complete and Signed Application Form certifying project meets the terms and conditions of WDNR-GP1-2022. This form can be found at <https://dnr.wisconsin.gov/>, keyword "water permit".
 - b. Application fees as shown on the fee sheet at <https://dnr.wisconsin.gov/>, keyword "Waterway Permit Fee".
 - c. A copy of the deed or similar proof of ownership of the site where the activity will occur. If you do not own the site, also include proof of any notice(s) and permission(s) required under wetland general permit WDNR-GP1-2022 eligibility criterion for condition 10 stated above.

- d. A signed permit checklist that confirms the applicant understands the eligibility standards specified in Section 1.
- e. Project plans that include final project design and construction including a project diagram that shows all of the following:
- The final proposed project plans relative to wetland boundaries with the location and size of all proposed wetland impacts clearly identified and quantified in square feet. Project plans must clearly differentiate between proposed permanent and temporary wetland impacts. Where applicable, provide the project location relative to any Ordinary High-Water Mark (OHWM) of navigable waterways.
 - Detailed documentation that clearly demonstrates why any proposed wetland impacts cannot be avoided, the practicable alternatives that were considered, and how the impact to the wetland will be minimized as required by s. 281.36(3g)(h)1, Wis. Stats.
 - The methods, materials, and equipment that will be used to carry out the project.
 - The location and type of silt fences or any other sediment/erosion control devices.
 - Top, side, and cross section plan profiles with appropriate measurements for the proposed project.
 - The construction schedule and sequence of work.
 - For disturbance or fill, a description of type, composition, and quality of materials.
 - The location of any stockpiled materials or disposal area for dredged or excavated materials, if applicable.
 - Maps of the project site with information that includes: most recent Soil Survey map, WI Wetland Inventory map, topographic map, floodplain information, and aerial photographs. All maps must show basic map elements (e.g., scale) and clear directions to the project site with project and property boundaries clearly labeled. The aerial photo shall also show the locations of all proposed wetland fill or discharge clearly labeled.
 - Current photographs that represent existing site conditions where the project will occur. Photos must show a clear and unobstructed view of the wetland within the project area. (not covered in snow/ice/thick vegetation, etc.)
 - A copy of a concurred with wetland delineation, a wetland delineation conducted by an assured wetland delineator, or a waiver by the WDNR Water Management Specialist (WMS) stating that a delineation is not needed.
 - Documentation verifying the project will not result in an adverse impact to cultural/historical resources.
 - Documentation verifying the project will not result in an adverse impact to federal or state threatened/endangered resources. Documentation options include:
 - i. An ER Review Verification Form showing that the project is covered by the Broad Incidental Take Permit for no/low impact activities and therefore does not require a review.
 - ii. An ER Preliminary Assessment from the NHI Public Portal stating that no further actions are necessary or that further actions are recommended. The NHI Public Portal is located at <https://dnr.wisconsin.gov/>, keyword "NHI public portal".
 - iii. If the ER Preliminary Assessment from the NHI Public Portal shows that "further actions are required" then submit one of the following:

- A Department or Certified ER Review letter. The request form for an ER Review letter and a list of Certified Reviewers is located at <https://dnr.wisconsin.gov/>, keywords “ER review request”

SECTION 3. CERTIFICATION & RESPONSIBILITIES

You certify and agree that upon submittal of a complete application package to DNR, the wetland project will be conducted in compliance with all the terms and conditions of WDNR-GP1-2022.

SECTION 4. GENERAL PERMIT CONDITIONS

The applicant agrees 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-GP1-2022 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 application package and plans submitted to the Department and is certified by you to comply with the terms and conditions of WDNR-GP1-2022.
5. Expiration. The time limit for completing an activity authorized by the provisions of WDNR-GP1-2022 ends 5 years after the date on which the activity is considered to be authorized under WDNR-GP1-2022 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 **Month, day, 2027.**
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 area 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-GP1-2022 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 inspecting the project's construction, operation, maintenance or permit compliance with the terms and conditions of WDNR-GP1-2022 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 areas of exposed soil 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 along with a fact sheet for equipment operators can be found on the Department website at <https://dnr.wisconsin.gov/> Keyword: "invasive species bmps".
20. Federal and State Threatened and Endangered Species. WDNR-GP1-2022 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-GP1-2022 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-GP1-2022.
 - b. The information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate.

SECTION 5. FINDINGS OF FACT

1. The Department has determined that projects that meet the eligibility criteria and conditions of this general permit individually and cumulatively will cause only minimal adverse environmental effects.
2. The Department has reasonable assurance that the applicant has adequately avoided and minimized wetland impacts to the greatest extent practicable based on the information submitted in accordance with the application requirements listed above and the fact that the project scope is confined to the project area, which is limited to the minimum area needed to place, replace, or maintain the project.
3. Pursuant to s. NR 299.04(1), Wis. Adm. Code, the Department has reasonable assurance that projects that meet the eligibility criteria and conditions and are granted coverage under this general permit will meet all applicable water quality standards.
4. The Department has determined pursuant to wetland water quality standards under s. NR 103.03, Wis. Adm. Code, and s. 281.36(3g)(d), Wis. Stats., that projects that meet the eligibility criteria and conditions and are granted coverage under this general permit will only result in minimal adverse environmental effects.

5. The Department and the applicant have completed all procedural requirements, and projects that meet the eligibility criteria and conditions and are granted coverage under this general permit will comply with all applicable requirements of WDNR-GP1-2022, s. 281.36(3g) Wis. Stats., and Ch. 31 Wis. Stats., and chapters NR 102,103,150, 299, and 300 Wis. Adm. Codes.
6. The Department has reasonable assurance that the project will comply with floodplain zoning requirements because 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 obtaining or have obtained applicable floodplain permits from the local zoning authority.

SECTION 6. CONCLUSIONS OF LAW

1. The Department has authority under s. 281.36 Wis. Stats., to issue this general permit.
2. The Department has determined that issuance of this general permit is a prior compliance action under s. NR 150.20(3), Wis. Adm. Code, based on the Environmental Analysis and Environmental Impact Statements prepared previously for statewide general permits. The Department has determined that on that basis we have complied with chapters NR 102 and 103, Wis. Adm. Code, and s. 1.11, Wis. Stats.
3. Issuance of coverage under this general permit constitutes federal Water Quality Certification under 33 U.S.C. s. 1341 if the project has not already been certified through a separate Department action.

SECTION 7. DEFINITION OF TERMS

For the purposes of this general permit, you accept the following definitions:

1. Affect includes direct impacts and secondary impacts to wetlands. Direct impacts to wetlands are temporary or permanent placement of dredged or fill material into the wetland and secondary impacts mean impacts associated with any adverse impact on wetland functions such as watershed hydrology (e.g. segmenting a wetland complex, severing a portion of a complex, reduction in flood capacity, etc.).
2. Boreal rich fens are a rare open peatland community of northern Wisconsin that are associated with glacial moraines, or less commonly, outwash landforms, in which the underlying substrate includes calcareous materials.
3. Calcareous fens occur mostly in southern Wisconsin, on sites that are fed by carbonate-enriched groundwater and are often associated and can intergrade with more abundant and widespread wetland communities such as southern sedge meadow, wet prairie, shrub-carr, emergent marsh, and southern tamarack swamp.
4. Coastal plain marshes are an extremely rare wetland community that occupies the littoral zones and open shores of sand bottomed seepage ponds and lakes, mostly on outwash or glacial lakebed landforms in south central Wisconsin. The community is named for the presence of plants that are significantly disjunct from their core ranges in the Atlantic Coastal Plain of the eastern United States. Some, but not all, occurrences of this community are associated with the bed of extinct Glacial Lake Wisconsin.

5. Complete Application Package means a completed and signed application, the information specified in Section 2 of this permit and any other information which can reasonably be required from an applicant that the department needs to make a decision.
6. Emergent marshes containing wild rice are typically emergent aquatic communities that have wild rice as a component. Substrates supporting wild rice usually consist of poorly- consolidated, semi-organic sediments. Water fertility is low to moderate, and a slow current is present.
7. Department means the Department of Natural Resources or WDNR.
8. Fill material has the meaning given in 33 CFR 323.2(e), and means material placed in wetlands where the material has the effect of replacing any portion of a wetland with dry land; or changing the bottom elevation of any wetland. Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in a wetland. The term fill material does not include trash or garbage.
9. Floodplain means land which has been or may be covered by flood water during the regional flood. It includes the floodway and flood fringe and may include other designated floodplain areas for regulatory purposes.
10. Great Lakes ridge and swale complexes are associated closely with Great Lakes shorelines and are a series of narrow sandy ridges alternate with low swales, parallel to the lakeshore. The vegetation mosaic can be extremely complex and includes marsh, sedge meadow, shrub swamp, hardwood swamp, and several conifer swamp communities.
11. Interdunal wetlands occupy wind-created hollows that intersect the water table within active dune fields along the Great Lakes shores. They may also occur where moving sand encroaches on nearby wetlands, surrounding and isolating all or portions of them.
12. Invasive Plants are non-native or native plant species that invade natural plant communities and wild areas replacing desirable native vegetation. For a listing of common invasive plants found in Wisconsin visit DNR's website at <https://dnr.wisconsin.gov/>, keyword "invasive plants".
13. Navigable waterway means any body of water with a defined bed and banks that is navigable under Wisconsin law. In Wisconsin, a body of water is navigable if it is capable of floating on a regularly recurring basis the lightest boat or skiff used for recreation or any other purpose. This incorporates the definition at s. 30.01(4m), Wis. Stats., and current case law, which requires a watercourse to have a bed and banks, Hoyt v. City of Hudson, 27 Wis. 656 (1871), and requires a navigable waterway to float on a regularly recurring basis the lightest boat or skiff, DeGayner & Co., Inc. v. DNR, 70Wis. 2d 936 (1975); Village of Menomonee Falls v. DNR, 140 Wis. 2d 579 (Ct. App. 1987).
14. Ordinary high-water mark (OHWM) means the point on the banks or shore up to which the presence and action of water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation or other easily recognizable characteristic. More information can be found on the Department's website here: <https://p.widencdn.net/f06q6i/OHWMFactsheet>
15. Single and complete project means the total project proposed by the project proponent. For example, if construction of a residential development affects several different wetland areas, the cumulative total of all impacted areas is the basis for deciding the project's total wetland impact.

For "phased" developments, each phase may constitute a single and complete project if it has independent utility and would accomplish its intended purpose whether or not other phases, were constructed.

16. Solid waste disposal means the discharge, deposit, injection, dumping or placing of any solid waste into or on any land or water. This term does not include the transportation, storage, or treatment of solid waste. This is the definition given in s. 289.01(34) Wis. Stats.
17. Southern sphagnum bogs are 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. They are typically composed of a carpet of living sphagnum moss growing over a layer of acidic peat. Sedges, forbs and/or the low shrubs of the heath family (Ericaceae) colonize the sphagnum moss mat.
18. Wetland has the meaning as defined in s. 23.32(1) Wis. Stats., and means an area where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wetland conditions.
19. Wetland Functional Values means the physical, chemical and biological process or attributes that occur in a wetland and the benefit society derives from certain functions as listed in s. NR [103.03\(1\)](#) and [350.003\(17\)](#) Wis. Admin. Code.
20. Wetland Floristic Integrity means the overall condition of the wetland plant community as a direct indicator of wetland quality. ,typically calculated using floristic quality assessment (FQA) methodology.