

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
3911 Fish Hatchery Rd.
Fitchburg, , 53711

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



07/20/2021

Robert Phillips
210 Martin Luther King Jr Blvd
Madison, WI 53703

GP-SC-2021-13-02477

RE: Coverage under the wetland statewide general permit to impact wetlands for municipal activities, located at T7N R8E S28 in the City of MADISON, Dane County, docket GP-SC-2021-13-02477.

Dear Mr. Phillips:

Thank you for submitting an application for a General Permit to impact wetlands for municipal activities located in the NW 1/4, SE 1/4, Sec. 28, T. 07, R. 08E, City of MADISON, Dane 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 take this time to re-read the permit standards and conditions. The eligibility standards can be found on your application checklist or in the statewide general permit (found at <http://dnr.wi.gov/topic/waterways/> - keyword: general permits). 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 your local Water Management Specialist, Allen Ramminger at (608) 228-4067 or email Allen.Ramminger@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,

A handwritten signature in cursive script, appearing to read 'Allen Ramminger'.

Allen Ramminger
Water Management Specialist

Copy to:

Al Ramminger, WMS
USACE Project Manager
County Zoning Administrator
Dane County Warden
Phil Gaebler, Engineer

You agree to comply with the following conditions:

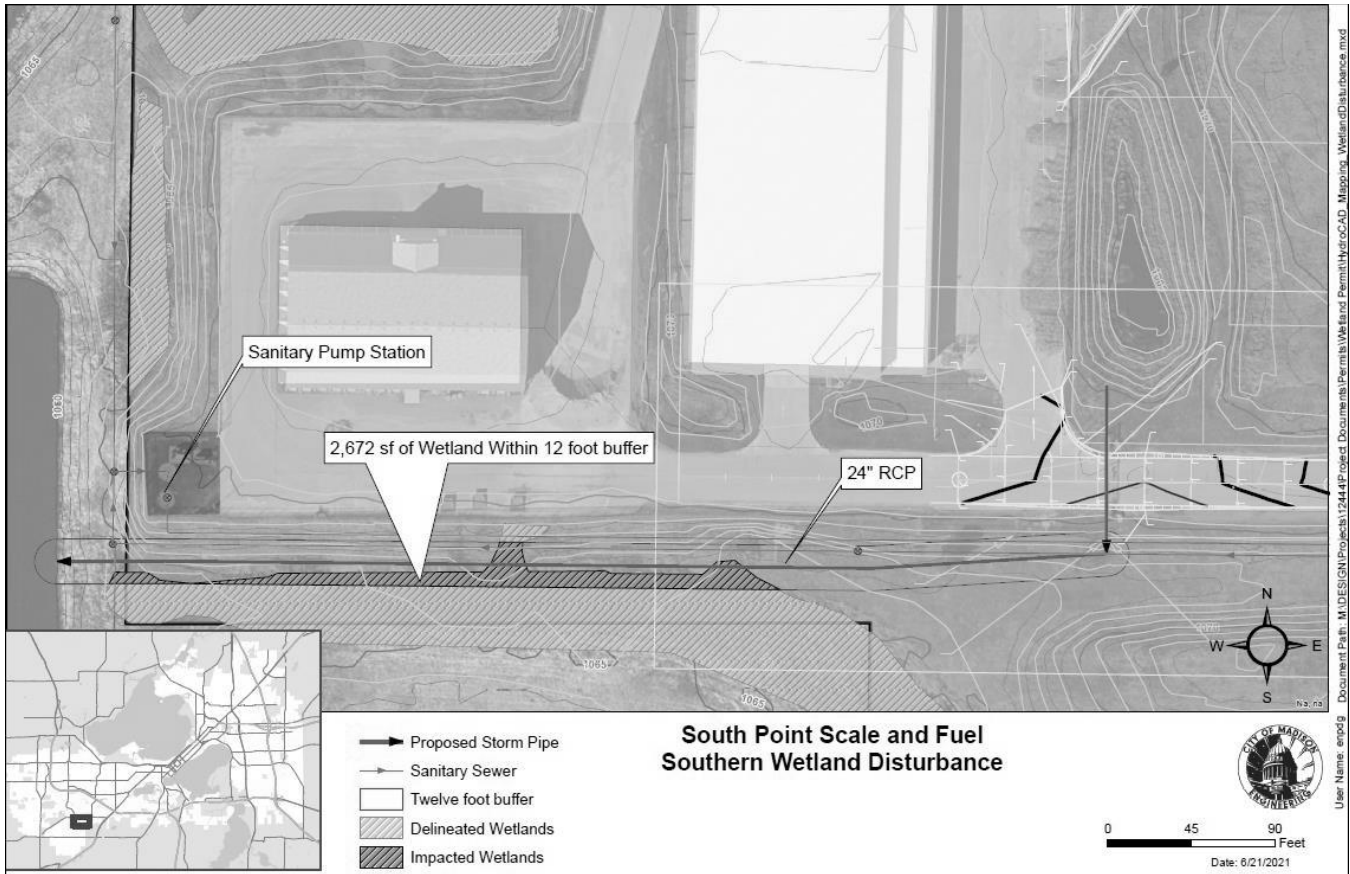
1. **Application.** You shall submit a complete application package to the Department as outlined in the application materials and Section 2 of this permit. If requested, you shall furnish the Department, within a reasonable timeframe, any information the Department needs to verify compliance with the terms and conditions of this permit.
2. **Certification.** Acceptance of general permit WDNR-GP11-2015 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 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. **Reliance on Applicant's Data.** The determination by this office that 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 you certified is in compliance with the terms and conditions of WDNR-GP11-2015.
5. **Expiration.** This WDNR-GP11-2015 expires on July 20, 2026. The time limit for completing work authorized by the provisions of WDNR-GP11-2015 ends 5 years after the date on which the discharge is considered to be authorized under WDNR-GP11-2015 or until the discharge is completed, whichever occurs first.
6. **Other Permit Requirements.** You are responsible for obtaining any other approvals required by other state agencies, local ordinances, the US Army Corps of Engineers, or any other federal agency before starting your project.
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 before starting construction.
9. **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, and keep it posted until five (5) days after the area of the permitted activity has been stabilized. You must also have a copy of the permit coverage letter and approved plan available at the project site at all times until the project is complete.
10. **Permit Compliance.** The department may modify or revoke coverage of this permit if the project is not constructed or carried out in compliance with the terms and conditions of this permit, or if the Department determines the project will be detrimental to wetland water quality standards. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action. Additionally, if any applicable conditions of this permit are found to be invalid or unenforceable, authorization for all activities to which that condition applies is denied.
11. **Construction Timing.** Once wetland work commences, all wetland construction activities must be continuous until the permitted activity is completed and the site is stabilized.
12. **Construction.** No other area of the wetland may be disturbed beyond the area designated in the submitted plans and approved by coverage granted under this permit.
13. **Project Completion.** Within one week of completing the regulated activity, you shall submit to the Department photographs of the activities authorized by this permit and a statement certifying the project complies with all the terms and conditions of this permit and. The statement must reference the Department-issued docket number and must be submitted to the Department staff member that authorized coverage.
14. **Proper Maintenance.** You must maintain the activity authorized by WDNR-GP11-2015 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.

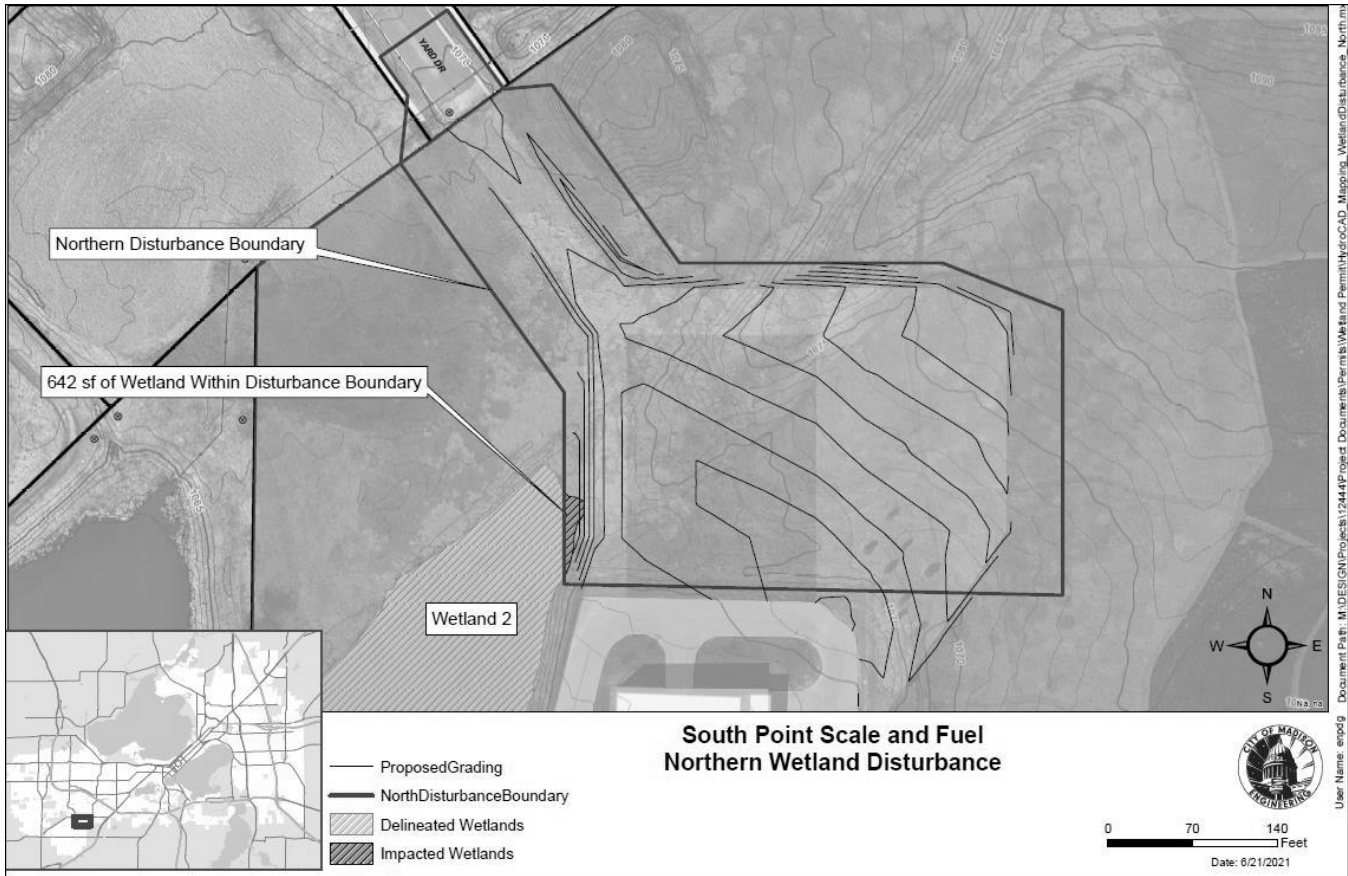
15. **Site Access.** Upon reasonable notice, you shall allow access to any privately owned area of the site to any Department employee who is investigating the project's construction, operation, or maintenance or its compliance with the terms and conditions of WDNR-GP11-2015 and applicable laws.
16. **Erosion and Sediment Control Practices.** The project site shall implement erosion and sediment control measures that adequately control or prevent erosion, and prevent damage to waterways and wetlands as outlined in NR 151.11(6m), Wis. Adm. Code.
17. **Invasive Species.** All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by utilizing other best management practices to avoid the spread of invasive species as outlined in ch. NR 40, Wis. Admin. Code. For more information, go to <http://dnr.wi.gov/topic/invasives/bmp.html>.
18. **Federal and State Threatened and Endangered Species.** WDNR-GP11-2015 does not affect the Department's responsibility to insure that all authorizations comply with Section 7 of the Federal Endangered Species Act and s. 29.604, Wis. Stats., and any other 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.
19. **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.
20. **Historic Properties and Cultural Resources.** WDNR-GP11-2015 does not affect the Department's responsibility to insure 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.
21. **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 your responsibility 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.
22. **Suitable fill material.** All fill authorized under this permit must consist of clean suitable soil material, as defined by s. NR 500.03(214), Wis. Admin. Code, free from hazardous substances as defined by s. 289.01(11), Wis. Stats., free from solid waste as defined by s. 289.01(33), Wis. Stats.
23. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.
24. **Transfers.** Coverage under this permit is transferable to any person upon prior written approval of the transfer by the Department.
25. **Limits of State Liability.** In authorizing work, the State Government does not assume any liability, including for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the State in the public interest.

- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this WDNR-GP11-2015.

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

- a. The applicant fails to comply with the terms and conditions of WDNR-GP11-2015.
- b. The information provided in support of the permit application proves to have been false, incomplete, or inaccurate.
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.





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South Point Refueling station

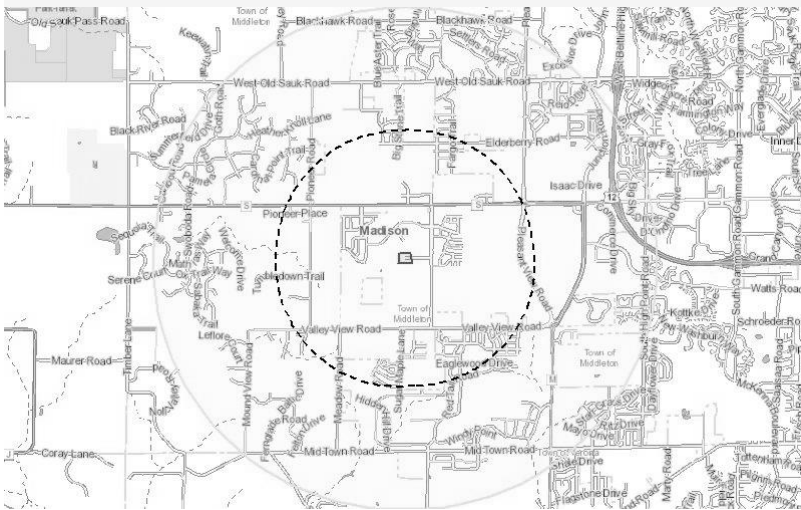
☰ Reviewer Information

| | |
|-------------------|----------------------|
| Reviewer Name | allen Ramminger |
| Review Date | 7/7/2021 |
| Bureau / Org Name | Watershed Management |
| Work Station | Dane |

☰ General Information

| | |
|----------------|-------------------------------|
| Project Title | South Point Refueling station |
| Project No | gp 02477 |
| Federal Nexus | No |
| Project Timing | July 17, 2021 |
| Property Type | |

☰ Map



☰ Project Location

| | |
|------------------|---------------|
| County | Dane |
| PLSS Description | T07N R08E S28 |
| Township Name | |
| Ownership Type | |
| Landowner Name | |

☰ Project Information

| | |
|-------------------------------------|---|
| Description | Install drain pipe from storm water pond to outlet. |
| Habitat Description | Canary grass dominated wet meadow. |
| Impacts to Wetlands and Waterbodies | .07 acres. Temporary disturbance by digging and refilling wetland soils back into trench. |
| Additional DNR and Other Permits | |

☰ Element Occurrences

Actions that need to be taken to comply with state and/or federal endangered species laws: **None**

Actions recommended to help conserve Wisconsin's Endangered Resources:

• **Rusty Patched Bumble Bee Federal High Potential Zone - Bee**

State Status: NA Federal Status: HPZ

| | |
|--|--|
| Impact Type | Impact possible |
| Recommended Measures | Other |
| Description of Recommended Measures | <ul style="list-style-type: none">• use native trees, shrubs and flowering plants in landscaping,• provide plants that bloom from spring through fall (refer to the USFWS RPBB Midwest Plant Guide),• remove and control invasive plants in any habitat used for foraging, nesting, or overwintering |

Additional Recommendations: **None**

No actions are required or recommended for the following endangered resources: **None**

 **Disclaimer**

This ER Review may contain Natural Heritage Inventory data (<http://dnr.wi.gov/topic/NHI>), including specific locations of endangered resources, which are considered sensitive and are not subject to Wisconsin's Open Records Law. As a result, information contained in this ER Review may be shared only with individuals or agencies that require this information in order to carry out specific roles in the permitting, planning and implementation of the proposed project. Specific locations of endangered resources may not be released or reproduced in any publicly disseminated documents.

Details related to project location, design, and timing of disturbance are important for determining both the endangered resources that may be impacted by the project and any necessary follow-up actions. If the project plans change, new details become available, or more than a year passed, please renew this review.