



August 11, 2015

GP-NO-2015-64-02957

USFS
Evan Miller
1247 East Wall Street
Eagle River, WI 54521

Dear Mr. Miller:

The Department of Natural Resources has completed its review of your application for a permit to construct a clear span bridge across Wisconsin River, in the Town of Land O Lakes, Vilas County. You will be pleased to know your application is approved with a few limitations.

Please take this time to carefully re-read the permit eligibility standards and conditions enclosed with this letter so that you are fully aware of what is expected of you. You are responsible for meeting all general permit eligibility standards and permit conditions.

Please note you are required to submit photographs of the completed project within 7 days after you've finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Be sure to contact your local zoning office and U.S. Army Corps of Engineers for any local or federal permits that may be required for your project.

Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please call me at (715) 365-8991 or email Kyle.McLaughlin@wisconsin.gov.

Sincerely,

Kyle McLaughlin

Water Management Specialist

cc: Eric Norton, U.S. Army Corps of Engineers
Jim Janet, Vilas County Deputy Zoning Administrator
Dale Mayo, Vilas County Trails Coordinator

We are committed to service excellence.

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

Eligibility Criteria:	
Projects that do not meet all criteria are not eligible for this general permit. If your project does not qualify for this general permit, you may apply for an individual permit.	
The clear span bridge will not be located on a wild river designated under ch. NR 302, or where similar federal, state or local regulations prohibit the construction.	
The clear span bridge will span a bridge that is less than 35 feet wide, measured from ordinary high water mark to ordinary high water mark.	
At least one end of the bridge structure will be firmly anchored in a manner that will prevent the bridge from being transported downstream during flood conditions.	
The bridge will completely span the navigable stream from top of channel to top of channel with no support pilings in the stream.	
New bridges or replacements of existing bridges spanning navigable waterways shall maintain a clearance of not less than 5 feet.	
<p>Note: The department may require clearance of more than 5 feet when it is likely the waterway will be navigated above its ordinary high water mark elevation or if it is used by watercraft or snowmobiles requiring greater clearance.</p> <p>Note: The department may allow less than 5 feet clearance when <u>all</u> the following apply: waterway is known to have little or no navigation or snowmobile use; the waterway is not anticipated to have navigational use by other than lightweight craft; the owner provides a portage over or around the bridge; the reduced clearance would not be detrimental to the public interest.</p>	
Approach fill shall be a maximum of one foot deep at the bank and 0 feet at 15 feet landward of the bank. If depth of greater than one foot of approach is required or the approach must be located in a wetland, it shall be of an open ramp style that does not impede flow.	
Placement, repair and removal of the structure shall minimize the removal of trees, shrubs, and other shoreline vegetation above the ordinary high water mark.	
<p>Note: Local zoning ordinances may place restrictions on activities located in mapped floodplains or in shoreland zones. The riparian is responsible for ensuring that their project is in compliance with any local zoning requirements.</p>	
Accumulated brush, debris or other obstructions that are trapped in or underneath the structure will be regularly removed to prevent upstream flooding and to maintain structural integrity.	
Erosion control measures shall meet or exceed the technical standards for erosion control approved by the department under subch. V of ch. NR 151. Any area where topsoil is exposed during placement, repair or removal of a structure shall be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway. These standards can be found at: http://dnr.wi.gov/topic/stormwater/standards/ .	
The plans ensure that any area where topsoil is exposed during the placement, repair or removal of the structure will be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.	
Unless part of a permanent storm water management system, all temporary erosion and sediment control practices will be removed upon final site stabilization. All areas disturbed during removal of temporary erosion and sediment control practices will be restored.	
All grading, excavation and land-disturbance activities in the plans and specs documents will be confined to the minimum area necessary for the placement, repair or removal of the structure and will not exceed 10,000 square feet.	
<p>Note: If the project includes any grading, excavation or land-disturbance activity in excess of 10,000 square feet</p>	

<p>you may also need to receive approval under a Grading General or Individual permit in addition to this permit.</p>	
<p>The project plans minimize adverse impacts on fish movement, fish spawning, egg incubation periods and high stream flows, the project may not occur during the following time periods:</p> <ul style="list-style-type: none"> ✓ September 15 through May 15 for trout streams and navigable tributaries to trout streams. ✓ March 15 through May 15 for ALL waters located south of state highway 29. ✓ April 1 through June 1 for ALL waters located north of state highway 29. <p>Note: Per ch. NR 1.02(7), the department identifies and classifies trout streams to ensure adequate protection and proper management of this unique resource. To determine if a waterway is a trout stream, you may use the Designated Waters Theme on DNR's Surface Water Data Viewer: http://dnr.wi.gov/topic/surfacewater/swdv/</p> <p>Note: The applicant may request that these time period restrictions be waived by the department on a case-by-case basis, by submitting a written statement signed by the local department fisheries biologist, documenting consultation about the proposed dredging project, and that the local department fisheries biologist has determined that the requirements of this paragraph are not necessary to protect fish spawning for the proposed project.</p>	
<p>All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.</p> <p>The following steps must be taken every time you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.</p> <ul style="list-style-type: none"> • Inspect and remove aquatic plants, animals, and mud from your equipment. • Drain all water from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps. • Dispose of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another. • Wash your equipment with hot (>104° F) or high pressure water, steam clean or allow your equipment to dry thoroughly for 5 days. 	
<p>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 http://dnr.wi.gov/topic/Invasives/bmp.html Keyword: "equipment operator" and at http://dnr.wi.gov/topic/Invasives/documents/EquipOper.pdf</p>	
<p>All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.</p>	
<p>Submit a series of photographs to the department within one week of placing the structure on this site and within one week of stabilizing disturbed areas on the site after removal of the structure. The photographs shall be taken from different vantage points and depict all work authorized by the permit.</p>	

To Apply:

Once your application is complete, submit using the online system, or mail it to the permit intake address based on the county where your project is located. If you have questions or problems filling out or completing the application requirements, contact the Water Management Specialist for your county.

Permit intake addresses and Water Management Specialist contact information can both be found at the following web link: http://dnr.wi.gov/topic/Waterways/about_us/county_contacts.html

STATE OF WISCONSIN GENERAL PERMIT - Bridge-clear span
DEPARTMENT OF NATURAL RESOURCES GP-NO-2015-64-02957

Evan Miller, USFS is hereby granted under Section 30.123(7), Wisconsin Statutes, a permit to construct a clear span bridge across Wisconsin River, in the Town of Land O Lakes, Vilas County, also described as in the NE1/4 of the NW1/4 of Section 7, Township 42 North, Range 11 East, subject to the following conditions:

PERMIT

1. You must notify Kyle McLaughlin at phone (715) 365-8991 or email Kyle.McLaughlin@wisconsin.gov before starting construction and again not more than 5 days after the project is complete.
2. You must complete the project as described on or before 08/20/2018. If you will not complete the project by this date, there is no opportunity for an extension and you must apply for a new permit.
3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
4. Before you start your project, you must first obtain any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers. You are responsible for contacting these local and federal authorities to determine if they require permits or approvals for your project. These local and federal authorities are responsible for determining if your project complies with their requirements.
5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.
6. The Department may modify or revoke this permit for good cause, including if the project is not completed according to the terms of the permit or if the Department determines the activity is detrimental to the public interest.
7. You must post a copy of this permit at a conspicuous location on the project site, visible from the waterway, 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. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.

9. The permittee shall maintain the project in good condition and in compliance with the terms and conditions of the permit, NR 320, Wis. Admin. Code and s. 30.206, Stats.
10. This project shall comply with all conditions identified in Wisconsin Administrative Code NR 320, and identified in the Instructions for the General Permit application.
11. You must submit a series of photographs to the Department, within one week of completing work on the site. The photographs must be taken from different vantage points and depict all work authorized by this permit.
12. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes, or this permit.
13. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Admin. Code. The technical standards are found at:
http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.
14. All equipment used for the project, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile, and pumps shall be decontaminated for invasive and exotic viruses and species prior to use and after use.

The following steps must be taken every time you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.

1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.
2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile and pumps.
3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
4. **Wash your equipment** with hot (>104° F) and/or high pressure water,
- OR -
Allow your equipment to **dry thoroughly for 5 days**.

FINDINGS OF FACT

1. Evan Miller has filed an application for a permit to construct a clear span bridge across Wisconsin River, in the Town of Land O Lakes, Vilas County, also described as NE1/4-NW1/4 S7, T42N, R11E.

2. The project will consist of replacing an existing bridge and abutments located in/across the Wisconsin River with a new bridge spanning a greater distance (35') and new abutments placed further landward than the existing abutments. The old bridge and abutments will be removed and disposed of appropriately.
3. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.
4. Wisconsin River is a navigable water.
5. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in s. 283.01(6m), Wis. Stats.
6. The proposed project, if constructed in accordance with this permit will not adversely affect wetlands.
7. 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, 30.123(7), Wisconsin Statutes and Chapters NR 102, 103, 150, 299, NR 320 of the Wisconsin Administrative Code.
8. The structure or deposit will not materially obstruct navigation.
9. The structure or deposit will not be detrimental to the public interest.
10. The structure or deposit will not materially reduce the flood flow capacity of a stream.

CONCLUSIONS OF LAW

1. The Department has authority under ch. 30, Wis. Stats., and ch. NR 320, Wis. Adm. Code, to issue a permit for the construction and maintenance of this project.
2. The Department has complied with s. 1.11, Wis. Stats.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

Dated at Northern Region Headquarters (Rhinelander), Wisconsin on 08/20/2015.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By  _____
Kyle McLaughlin
Water Management Specialist