

IP-SE-2010-46-03874

RECEIVED

AUG 26 2010

DNR GREEN BAY

APPLICATION FOR WETLAND WATER QUALITY CERTIFICATION

State of Wisconsin
Department of Natural Resources

Form 3500-53N (R 1/2002)

COPY

Thank you for contacting the Wisconsin Department of Natural Resources.
Enclosed are the project application materials you have requested.

These forms can be used to file your permit application with both the U.S. Army Corps of Engineers and DNR.

If you propose to alter a wetland, you will need to an Army Corps permit. The type of permit needed, and the length of the Army Corps review of your proposal, will depend on the extent of wetland alteration you propose.

You will also need Wisconsin Department of Natural Resources certification in order to use your Army Corps permit in most cases. Your Army Corps permit will identify if DNR approval is required. State law requires landowners to avoid wetlands whenever possible. To obtain DNR approval, you will need to explain why you cannot avoid or minimize wetland impacts and that the project will not significantly impact wetland functions.

To help us make a decision in the shortest time possible, please prepare the following information and send to the Water Management Specialist covering the county where your project is located:

See First Attached Sheet

1. *Register of Deeds Tax Parcel*
A copy of your deed or similar proof of ownership (e.g. land contract, current property tax receipt).
 2. *Photo's Taken 8/5/2010*
Good photographs that clearly show the existing project area. Remember, too much snow cover or vegetation may obscure important details. If possible, have another person stand near the project area for size reference.
 3. Five (5) copies of a completed application Form 3500-53N including applicant information page and project plans. When completing your application, please use a ballpoint pen with black ink. The site location sketch and plan drawings should be clear and to scale and have enough detail to find the site and understand the project proposal. Also, make sure your phone number (both business and home) and property address or fire number is on the application.
 4. Five (5) copies of a narrative description and drawings of your proposal, on a separate blank page. Please state:
 - A - What the project is including length, width and depth,
 - B - How you intend to carry out the project, including methods, materials (type and quantity) and equipment,
 - C - Your proposed construction schedule and sequence of work,
 - D - What temporary and permanent erosion control measures will be used and their locations,
 - E - The location of any disposal area for dredged or excavated materials,
 - F - Types of trees and other plants found in the wetland,
 - G - Distance from your project to the nearest lake, stream or pond,
 - H - Surface area of wetland to be filled or excavated (square feet or acres).
 5. Wetland boundary information
 - Show location of wetland boundary on project plan,
 - Who determined the wetland boundary and a date of determination,
 - The Department may require additional information such as:
 - Wetland data forms,
 - A property survey showing wetland boundary and data points,
 - An assessment of wetland functions and project impacts.
- Please select the scale of the drawing carefully to fit all the necessary information on the application form. If necessary, use additional sheets. Be sure to draw all the plans as accurately as possible. The Department may require additional information to evaluate the project.
6. A completed "Practicable Alternatives Analysis."
 7. Five (5) copies of site maps. Provide copies of relevant maps (when possible), such as USGS topographic map, Wisconsin Wetland Inventory map, FEMA floodplain maps, soil or zoning maps, with the project location clearly identified.



Land and Water Management Department
121 West Main Street Port Washington, WI 53074

Andy Holschbach, Director
Edward J. Pfister, Sanitation & Zoning Coordinator
Jeffrey P. Bell, Land & Water Coordinator
www.co.ozaukee.wi.us
1-262-284-8270

Application For Wetland Water Quality Certification: Northern Ozaukee Unified School District #1 For Wetland Crossing Includes Fill & Culvert.

Information Needed:

- 1) Copy Register Of Deeds Tax Parcel info attached.
- 2) Photo's taken on 8/5/2010 by Geoff Schramm Ozaukee County Land & Water Employee. This is a depression area with Radford soils (RaA). The area was ditched out when a subdivision was built above it to concentrate the water flow.
- 3) Five copies are enclosed. Notice the property line in green for the tax parcel. As of right now the school has no viable access to the north side of the parcel. This is the reason for the wetland fill crossing permit proposal.
- 4) A. The access road will be approximately 40 feet long and 14 -18 feet wide at the top. The existing ditch is approximately 3 - 4 feet deep and is fed by an 18" inlet diameter culvert coming off the above watershed subdivision. This existing culvert is located approximately 100 feet upstream of the new proposed crossing.
B. The project will be constructed when the ditch is dry. The excavation equipment used will simply be a hoe/excavator. The sides of the ditch will be scraped clean of vegetation and approximately 12 feet on each side of the ditch will be excavated down 1.5 feet x 18 feet wide for an approach. Materials include: 720 square feet of Geotextile fabric, 33 cubic yards of sand & gravel, 13 cubic yards traffic bond, and a 2' diameter x 30' long culvert.
C. The work shall be completed in one day. Work will be performed in this manner: Excavation of access crossing approach and ditch, followed by laying Geotextile fabric, followed by culvert placement, followed by sand & gravel fill, and finally the traffic bond.
D. Two straw bales will be staked upstream and downstream in the ditch before construction begins.
E. Excavated material will be spread in farm field to the north or trucked off site.
F. Vegetation is mainly reed canary grass with burdock and some golden rod.
G. Project is over 1,000 feet from any stream or lake.
H. Approximately 800 square feet or 0.02 acres will be disturbed (18' wide x 40' long = 720 sq ft).
- 5) Wetland was delineated in March of 2002 by SEWRPC. The delineation does not show a wetland at this spot, but the County Shoreland map does and the Radford soil is approximately 40 feet wide at this point and this is why I am using all 40 feet as wetland fill.
- 6) I believe the "Practicable Alternatives Analysis" is part of form 3500-53N. I am assuming it is Roman Numeral I and II.
- 7) Five site map copies are enclosed. They came off the Ozaukee County Land & Water Management Department GIS Mapping.

Prepared by:
Jeffrey P Bell
Ozaukee County Land & Water Coordinator
(Cell) 262-483-2675
(Work) 262-284-8274

Parcel..... 09-026-04-003.00 Sec# 000 Qtr 00 CURRENT ASSESSMENT MASTER

School Dist 01945 NORTHERN OZAUKEE . .

Mailing Address:
UNIFIED SCHOOL DISTRICT NO 1

LEGAL DESCRIPTION

254/77 960/187 0848206
PART SE NE 27.09 ACS
COMM SE COR TH W 1062 FT N
111 FT SW 140 FT NW 68 FT NE
60 FT NW 99 FT NE 82 FT
NW'LY 324 FT N'LY 462 FT W
135 FT NE'LY 539 FT E 357 FT
S 125 FT E 338 FT S 716 FT
E 601 FT S 410 FT POB
SEC 26 T 12 R 21

Physical Address:
401 HIGHLAND DR

ALL INFORMATION ABOVE THIS NOTE IS CURRENT & ACTIVE. INFORMATION BELOW THIS NOTE IS STATIC AS OF MAY 25, 2004. SEE LAREDO SYSTEM FOR POST MAY 25, 2004.

<u>Vol</u>	<u>Page</u>	<u>Instrument</u>	<u>Grantor name</u>	<u>Grantee name</u>	<u>(PAGE UP/DOWN)</u>
SEPT	6	NEW #	PART WAS KNOWN AS	09-026-04-002.00	
SEPT	6	NEW #	PART WAS PART OF	09-026-<01-003 & 03-001>.0	

F1=Exit F2=Inquire tax balance F3=Print F4=Treas Prt F5=Prior tax

North

Crossing

South

4 of 12

PLEASE COMPLETE BOTH PAGES 1 & 2 OF THIS APPLICATION. PRINT OR TYPE. The Department requires use of this form for any application filed pursuant to Chapter 30, Wis. Stats. The Department will not consider your application unless you complete and submit this application form. Personally identifiable information on this form will not be used for any other purpose, but it must be made available to requesters under Wisconsin's open records law [s. 19.31-19.39, Wis. Stats.].

1. Applicant (Individual or corporate name) <u>Northern Ozaukee School District</u> Address <u>401 Highland Dr</u> City, State, Zip Code <u>Fredonia WI</u> Telephone No. (Include area code) <u>262-692-6174</u> Fire Number Tax Parcel Number <u>09-026-04-003.00</u>	2. Agent/Contractor (firm name) <u>J+M EXCAVATING LLC</u> Address <u>W3478 Meadowlark RD</u> City, State, Zip Code <u>Fredonia WI 53021</u> Telephone No. (Include area code) <u>262-692-9513</u>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

3. If applicant is not owner of the property where the proposed activity will be conducted, provide name and address of owner and include letter of authorization from owner. Owner must be the applicant or co-applicant for structure, diversion and stream realignment activities.

Owner's Name <u>N/A</u>	Address <u>N/A</u>	City, State, Zip Code <u>N/A</u>
----------------------------	-----------------------	-------------------------------------

4. Is the applicant a business? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, is the permit or approval you are applying for necessary for you to conduct this business in the State of Wisconsin? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, please explain why (attach additional sheets if necessary):	5. Project Location Address <u>401 Highland Dr</u> Village/City/Town <u>Fredonia</u> Fire Number _____ Tax Parcel Number <u>09-026-04-003.00</u> Waterway <u>Sauk Cree Water shed</u> County <u>OZAUKEE</u> Govt. Lot <u>N/A</u> OR <u>SE</u> 1/4, <u>NE</u> 1/4, of Section <u>26</u> , Township <u>12</u> North, Range <u>21</u> East (West)
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

6. Adjoining Riparian (Neighboring Waterfront Property Owner) Information

Name of Riparian #1 <u>DNA N/A</u>	Address	City, State, Zip Code
Name of Riparian #2 <u>N/A</u>	Address	City, State, Zip Code

7. Project Information (Attach additional sheets if necessary)

(a) Describe proposed activity (include how this project will be constructed)
Install a 30' culvert

(b) Purpose, need and intended use of project
To Access our property to North

(c) I have applied for or received permits from the following agencies: (Check all that apply)
Nothing Needed From Fredonia & County Municipal County Wis. DNR Corps of Engineers With This Permit Application

(d) Date activity will begin if permit is issued ASAP; be completed: ASAP One Day Project

(e) Is any portion of the requested project now complete? Yes No
 If yes, identify the completed portion on the enclosed drawings and indicate here the date activity was completed:

I hereby certify that the information contained herein is true and accurate. I also certify that I am entitled to apply for a permit, or that I am the duly authorized representative or agent of an applicant who is entitled to apply for a permit. Any inaccurate information submitted may result in permit revocation, the imposition of a forfeiture(s) and requirement of restoration.

Signature of Applicant(s) or Duly Authorized Agent <u>Roger L. Sinnen</u>	Date Signed <u>8/5/2010</u>
------------------------------------------------------------------------------	--------------------------------

LEAVE BLANK - FOR RECEIVING AGENCY USE ONLY		
Corps of Engineers Process No.	Wisconsin DNR File No.	
Received By	Date Received	Date Application Was Complete

INFORMATIONAL REQUIREMENTS FOR PRACTICABLE ALTERNATIVES ANALYSIS

All of the questions must be answered in detail and supported with documentation (attach additional sheets if needed).

I. Background/Description of Project

A. Describe the purpose and need for the project.

To install a 30' culvert which will allow the Ozaukee School District access the land to our north. Right now we are land locked. See Site Map. No other Real Alternatives

B. Is your project an expansion of existing work or is it new construction? Explain. Ongoing since

Mastercraft Subdivision, The subdivision caused more water to the depression area (Radford Soil) which was excavated out to channelize the flow of water. The school has no access to the north because of this. The 30' long culvert will give a 14'-18' wide top of road access. See Drawing Form 3500-053 Page 2 of 2

C. When did you start to develop a plan for your project?

We have been doing evaluations on water flow since delineation. I believe in 2005 area. Actual Delineation was done in March of 2002 by SEWRPC. There were issues with water being backed up, which were resolved in 2009. Now seeing the area to the north is useful again a crossing is needed.

D. Explain why the project must be located in or adjacent to wetlands.

Land lock, The bottom of the ditch is most likely a wetland. I truly do not believe the sides or top is, but to include everything is just being safe. The culvert needs to be placed in the wetland, because the ditch cuts the property in two parcels, as of now no access to north parcel.

II. Alternatives (your analysis should address the following questions).

A. How could you redesign or reduce your project to avoid the wetland, and still meet your basic project purpose?

Drive over someone else's property or have mastercraft redesign the property. There is no practical alternative. School District ~~has~~ simply has a land lock piece of property, which needs an access point.

B. Other sites

1. What geographical area(s) was searched for alternative sites? ~~None~~ None. The Ditch cuts Property In Two & Increase Water Flow From Subdivision Caused The Problem.
2. Were other sites considered? NO, This Is The Highest & Closest Point To Cross.
3. Have you sold any lands in recent years that are located within the vicinity of the project? If so, why were they unsuitable for the project? The delimitation was in place This Question Is Not Practical For The Project Being Proposed.

C. For each of the alternatives you identified, explain why you eliminated the alternative from consideration (include cost comparisons, logistical, technological, and any other reasons).

As Stated Above There Are No Real Practical Alternatives, The School District Could Try To Buy An Access Easement & Build A Road To The North Parcel, But Practicality & Feasibility Would Not Make Sense. Also A Liability Issue With Students.

D. What are the consequences of not building the project? (include social and economic consequences):

No access to our property to North.

Tax Payers Are paying for school property which is suitable to be used for multiple purpose, but is not because of access.

If you have chosen an alternative that would result in wetland impacts:

E. Summarize why your alternative was selected.

No Alternative chosen

8 of 12

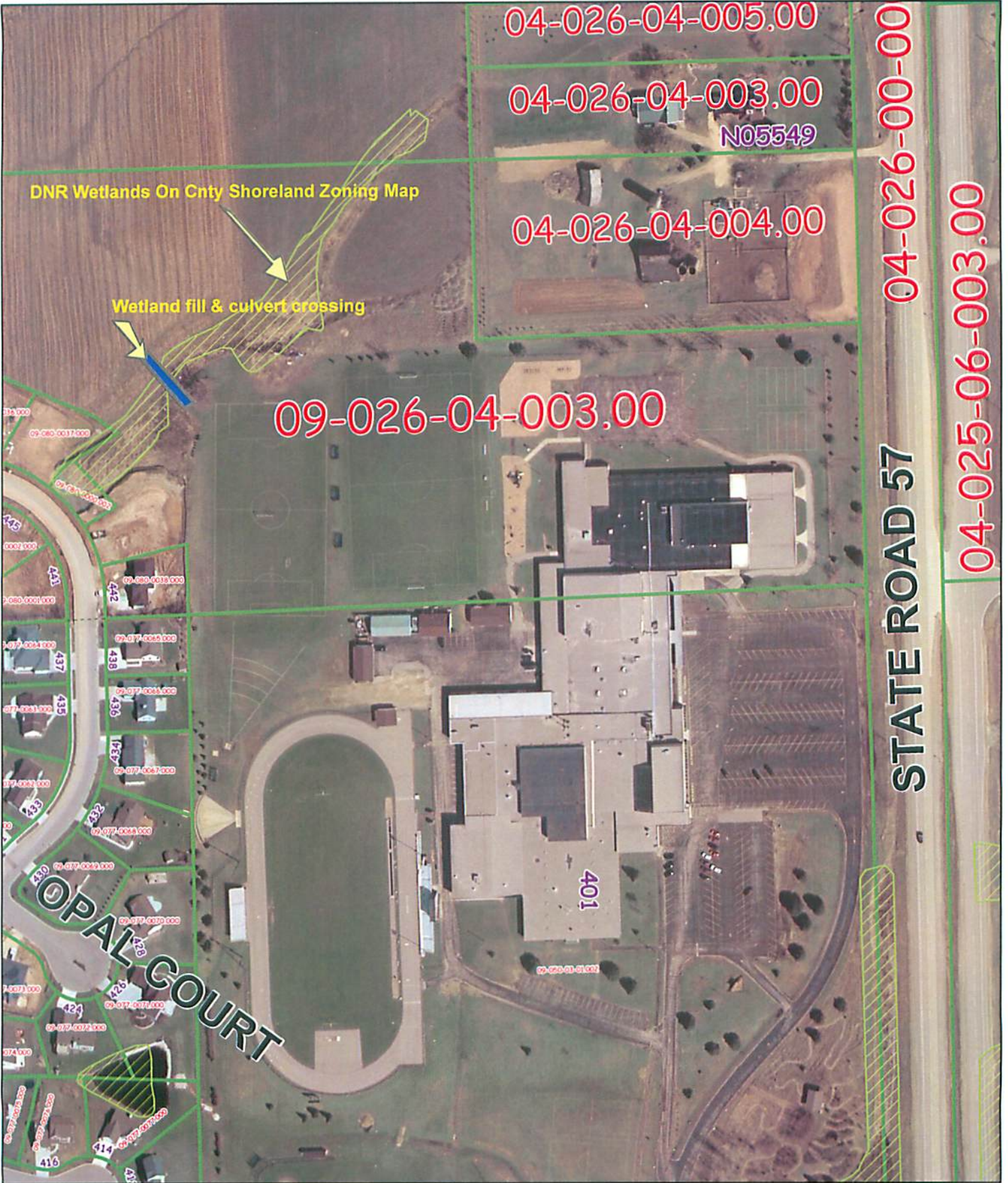
F. Explain what you plan to do to minimize adverse effects on the wetlands during your project (e.g. erosion control, best management practices, setbacks, etc.).

IT will be completed during a dry time of year. The project will take 1 day to complete. There is no water flowing during dry times of year. Straw Bales will be placed upstream & Downstream During Construction.

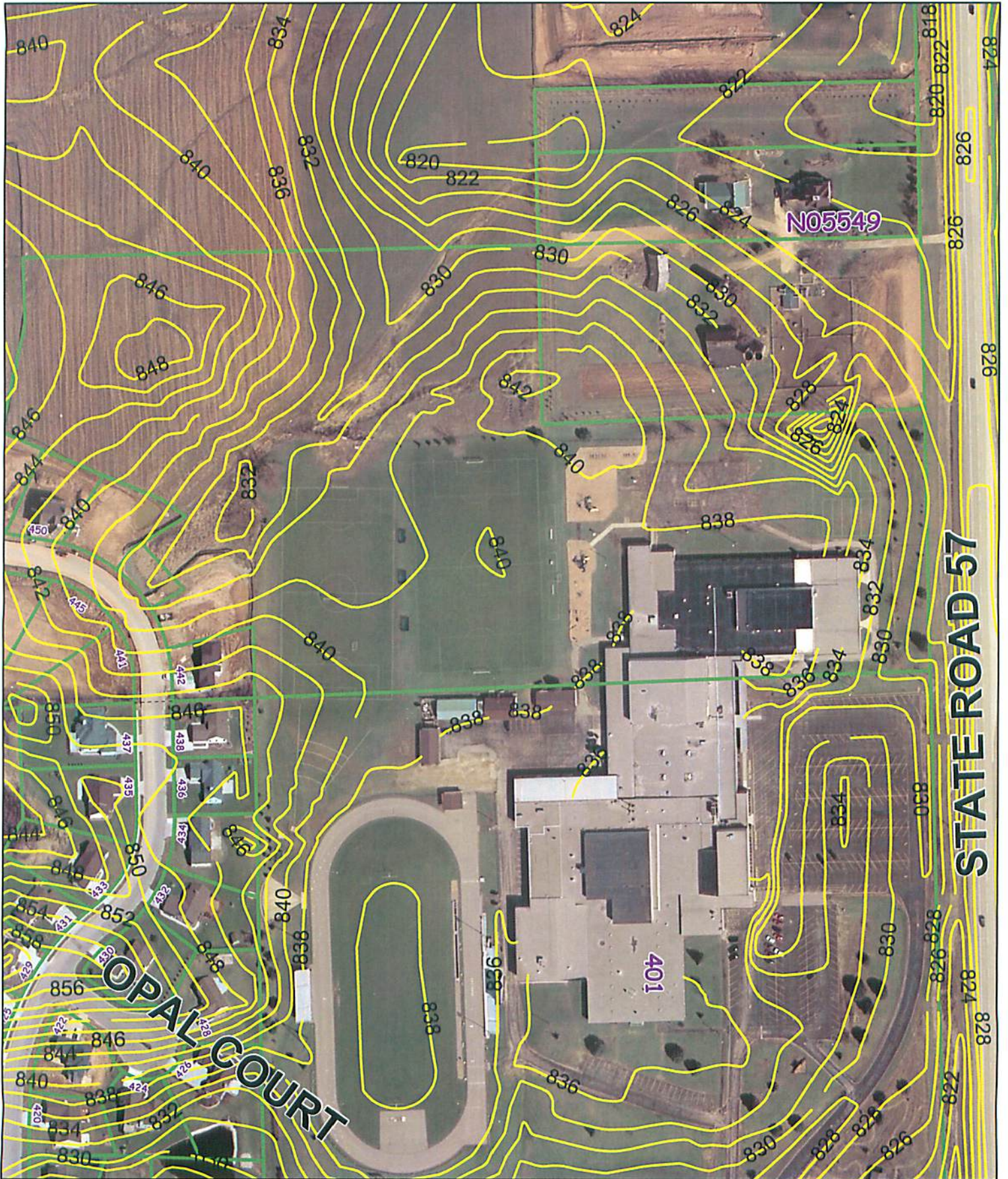


SITE MAP

Northern Ozaukee School District (showing property boundary, soils, wetland, tax ID, roads)



1 inch = 200 feet



1 inch = 200 feet

10 of 12

Please review the permit application materials closely to see if your project is eligible for a General Permit (GP) or an Individual Permit (IP). This will make a difference in your fee, and in the permit processing time. For projects that require multiple permits or approvals, use the right hand columns to calculate your total fee. **The following projects do not require fees:** Waterway projects funded in whole or in part by any Federal or State agency, dam or wetland projects conducted by any Federal or State agency.

Activity	Quantity	Amount	Subtotal
Activities requiring a \$50 fee:			
GP for biological shore erosion control structure			
GP for boat landing (public only)			
GP for clear-span bridge			
GP for dredging- manual or less than 25 cubic yards from a river or stream			
GP for dredging- plant and animal nuisance removal in "outlying waters"			
GP for dredging - previously permitted drainage district maintenance			
GP for dry fire hydrant			
GP for fish crib, half log, spawning reef, tree drop, wing deflector)			
GP for ford			
GP for piling			
GP for pond-landscape (not located in a wetland)			
GP for pond-wildlife / wetland conservation (meeting criteria in NR 353.04 and NR 353.05)			
GP for new riprap on moderate and high energy lakes and flowages			
GP for riprap repair or replacement on inland lakes and flowages			
GP for seawall replacement or seawall replacement with riprap or vegetated armoring			
GP for temporary in-stream crossing			
GP for weed rake			
GP for wildlife habitat structure (nesting structure)			
Boathouse / fixed houseboat repair certification			
Total Quantity		x \$50	= \$
Activities requiring a \$300 fee:			
GP for a new culvert			
GP for dredging-each open trench utility crossing or dredging a previously dredged area			
GP for grading greater than 10,000 square feet on the bank			
GP for intake-outfall structure			
GP for pond-stormwater			
Total Quantity		x \$300	= \$
Activities requiring a \$300 fee:			
Individual Permit (IP) for fish/wildlife habitat structures			
IP for non-metallic mining in Marathon County			
IP for piling			
Boathouse certification for an exception	single project	\$300	= \$300
Permits requiring a \$500 fee:			
All Individual Permits (IP) unless otherwise specified	3500-053 → 1	\$0.00	
Dam construction or modification approval	3500-053A		
Dam transfer ownership and/or financial responsibility approval	Wetland		
Declaratory rulings	Fill		
Municipal bulkhead line approval			
Water level or flow order			
Water Quality Certification (e.g. wetland draining, dredging, filling)	single project	\$500	= \$500
Subtotal		\$ 0.00	
After-the-fact Permit Fee: double the applicable fee (these fees are non-refundable)		\$ —	
Optional Request for Expedited Permit Decision: Supplement Fee of \$2000 per county		\$ —	
Make checks payable to "Wisconsin DNR" TOTAL		\$ 0.00	

↓
\$0.00
State Agency
SWRM Money
OZaukee Cnty

11 of 12

FEE INFORMATION

Information about Fees for Applications to Alter Lakes, Streams or Wetlands

State law requires that the Department charge a fee for processing your request to make changes to public waters and wetlands. The Department begins review of each application for completeness only after the correct fee is received. Please review the application information for the activity you are applying for in order to determine the correct fee. This information is available on the Department's web site at www.dnr.wi.gov under the topic Waterway and Wetland Permits.

*** Please see Page 8 of this Application for Applicable Fees ***

*** COMPLETE BOTH SIDES OF THIS FORM AND SUBMIT WITH YOUR APPLICATION ***

For purposes of determining permit application fees, a "single project" is defined as an activity that affects a single waterway, waterbody or wetland within a single county. **After exemption determinations and general permit deadlines are met, individual applications are reviewed on a first in - first out basis.**

An optional **expedited decision process** is available for a supplemental fee of \$2000. The expedited permit review guarantees a decision by a mutually agreed-upon date between the applicant and the Department. If you wish to request an expedited permit review, submit a letter with your application describing the time frame that will meet your needs, along with a check for the applicable permit fee and a separate check for the supplemental fee. Supplemental fees are based on county boundaries. If your project involves alterations to the landscape in 2 separate counties your supplemental fee will be \$4,000. (The supplemental fee funds permit reviewers specifically designated for expedited decision-making). Within twenty days we will respond in writing, specifying any additional information needed for an expedited decision on your proposal, and the date by which we can make a decision once the application is complete.

After-the-fact applications, for permits or approvals submitted after work has been commenced or completed, require twice the usual fee. Projects started or completed without obtaining the appropriate permits are subject to enforcement actions (e.g. monetary forfeitures, mandatory abatement, mandatory restoration).

Refunds of standard fees are made only if the applicant withdraws their application and requests a refund before we determine that the application is complete.

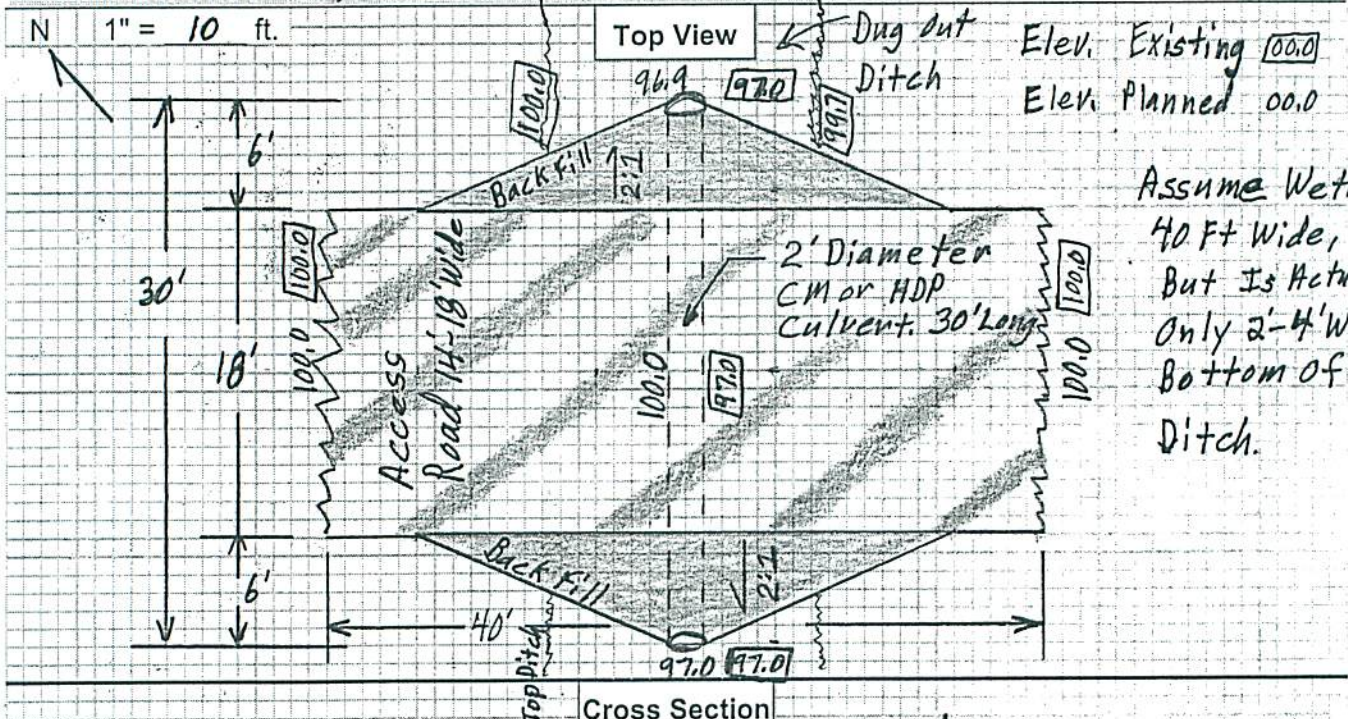
Note: Personally identifiable information on this form is not used for any other purpose than filing of this application but it may be made available to requesters under Wisconsin's open records law [s. 19.31-19.39, Wis. Stats.].

Activity Applied for 3500-053A Wetland Fill/Crossing	Amount Enclosed <i>Ozaukee Cnty Helped In Design With SWRM DATCP Cost Share Funds.</i> \$ 0.00 Make checks payable to "Wisconsin DNR"
------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------

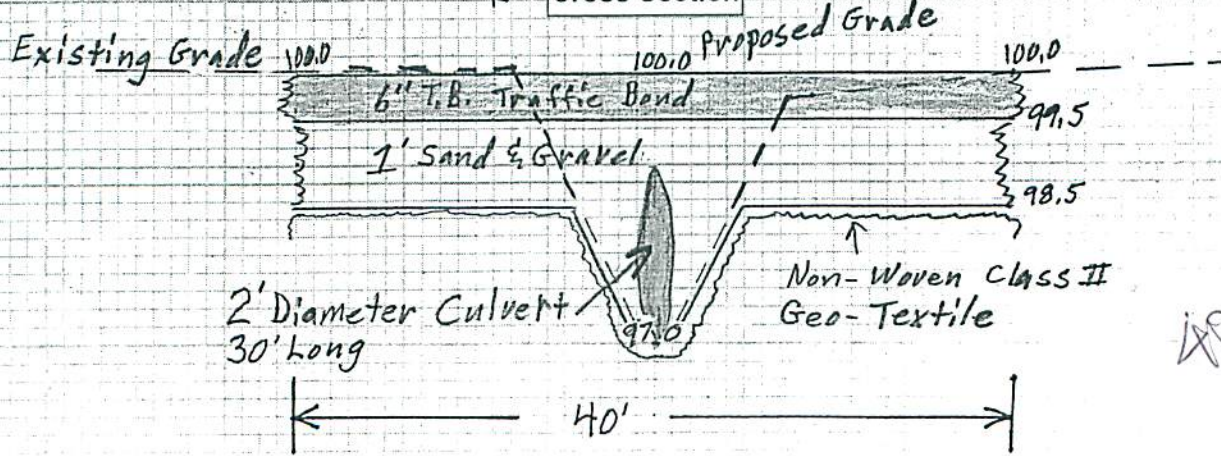
LEAVE BLANK – DEPARTMENT OF NATURAL RESOURCES USE ONLY		
Fee Received \$ _____	<input type="checkbox"/> Check <input type="checkbox"/> Money Order	Check/Order Number
Received by		Docket Number

Drawings of proposed activity should be prepared in accordance with sample drawing.	Location Sketch (Indicate scale) Show route to project site: include nearest main road and crossroad.
Proposed Materials 2' Diameter x 30' Long Culvert 720 sq ft Geotextile 30 cu. yds. Sand & Gravel 13 cu. yds. Traffic Bond	N 1" = ft. Fire Number <u>401</u> <p style="font-size: 1.5em; text-align: center;">See Attached Aerial Photo.</p>

Project Plans (Include top view and typical cross sections. Clearly identify features and dimensions or indicate scale.)
 Use additional sheets if necessary.



Assume Wetland
 40 Ft Wide,
 But Is Actually
 Only 2'-4' Wide.
 Bottom of
 Ditch.



40' x 30' =
 1200