



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

October 10, 2016

City of Whitewater Municipal Building  
Community Room

312 W. Whitewater St., Whitewater, Wisconsin

6:30 p.m.

1.	Call to order and Roll Call.
2.	<b>Hearing of Citizen Comments.</b> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Review and approve the Plan Commission minutes of September 12, 2016.
4.	Hold a public hearing for consideration a conditional use permit for the installation of OPGW (Optical Ground Wire) in the road right of way between the University Substation located in the City of Whitewater and the Whitewater Substation located in the Town of Whitewater for American Transmission Company.
5.	Review proposed extra-territorial 1 lot certified survey map for a separation of the farm structures at N8901 Parker Road for Wilfred and Jean Ludeman.
6.	Discussion of reduction of paper work.
7.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – November 14, 2016
8.	Adjournment.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Director, 312 W. Whitewater Street,

Whitewater, WI, 53190 or [jwegner@whitewater-wi.gov](mailto:jwegner@whitewater-wi.gov).

The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)



Neighborhood Services Department  
*Planning, Zoning, Code Enforcement, GIS  
and Building Inspections*

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

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NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 10th day of October 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for the installation of OPGW (Optical Ground Wire) in the road right of way between the University Substation located in the City of Whitewater and the Whitewater Substation located in the Town of Whitewater for American Transmission Company.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540.

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Chris Munz-Pritchard, Neighborhood Services Director/City Planner

**M E M O R A N D U M**

To: City of Whitewater Plan and Architectural Review Commission  
From: Christine Munz-Pritchard City Planner  
Date: October 10th 2016  
Re: **Item # 4** Proposed Conditional Use Permit for the installation of OPGW (Optical Ground Wire) per 19.45.030 D.

<b>Summary of Request</b>	
<b>Requested Approvals:</b>	installation of OPGW (Optical Ground Wire)
<b>Location:</b>	In the road right of way between the University substation location in the City of Whitewater and the Whitewater Substation located in the Town of Whitewater.

**Description of the Proposal:**

This is a proposed Conditional Use Permit (CUP) for the installation of OPGW (Optical Ground Wire) by American Transmission Company. The proposed location is being bored under a known shoreland - wetland district. Per code 19.45.030 D the CUP requirements:

The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines, and related facilities; provided that:

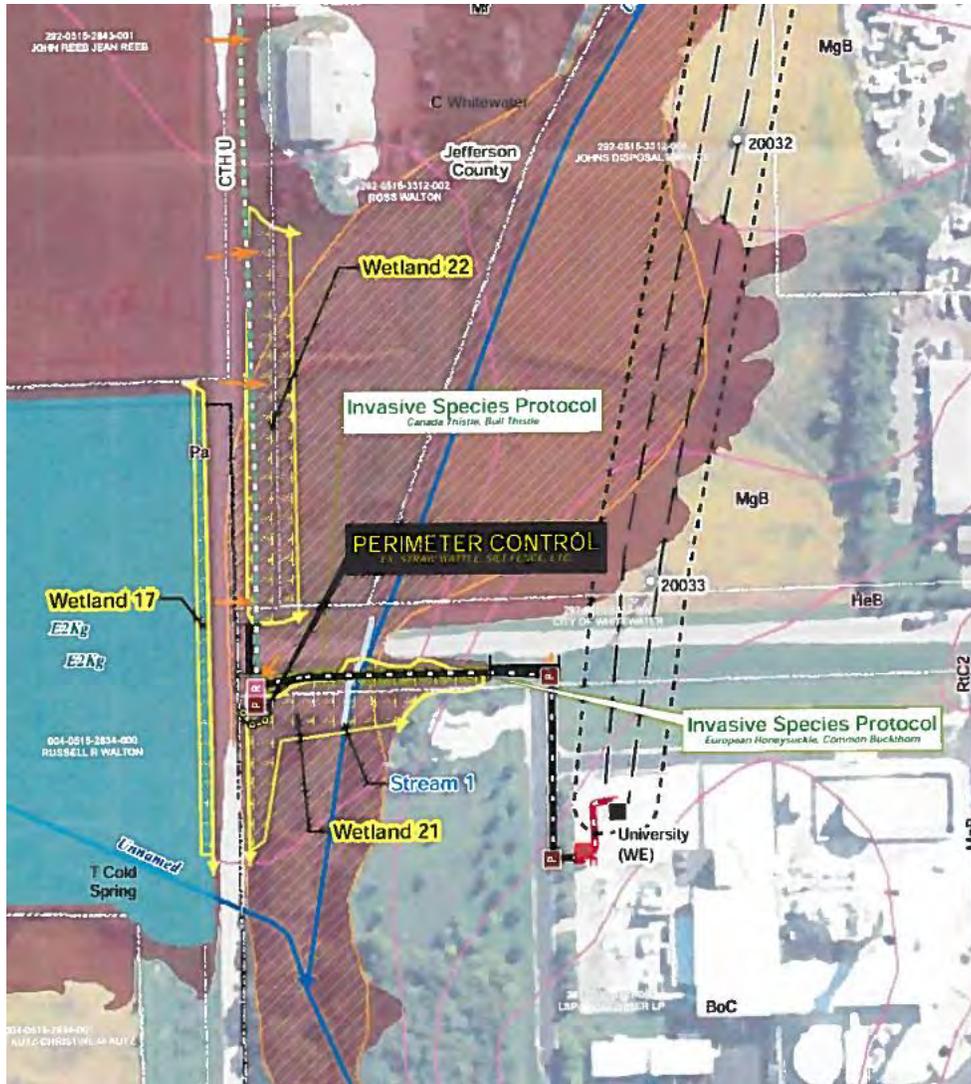
1. The transmission and distribution lines and related facilities cannot as a practical matter be located outside the conservancy district; and
2. Any filling, draining, dredging, ditching, or excavating that is done must be necessary for the construction or maintenance of the utility, and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the conservancy area.

The construction actives proposed in the 100-year floodplain include the following: the installation of one(1) riser at grade, the construction of one (1) temporary bore pit at grade, the installation of 330 feet of OPGW underground via directional bore, and the installation of 1,450 feet of OPGW on an existing overhead utility poles above flood elevation.

**PLANNER’S RECOMMENDATIONS:**

I recommend the Commission grant *conditional approval* for the request to allow for a Conditional Use Permit (CUP) to install electrical and gas service between the two substations subject to the following conditions of approval:

1. A letter documenting if DNR approval is not needed and why.
2. Easements must be established to document the utilities.
3. Any other conditions identified by the Plan Commission.



**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

<b>Analysis of Proposed Conditional Use Permit for: OPGW between the University Substation and the Town of Whitewater Substation</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	NA
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	This is the installation of utilities
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	NA
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	NA
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	NA

September 9, 2016  
American Transmission Company University to Whitewater OPGW Project

Chris Munz-Pritchard  
Neighborhood Service Manager/Planner  
Neighborhood Services Department  
312 West Whitewater Street  
Whitewater, Wisconsin 53190

**Conditional Use Permit Application for American Transmission Company  
University to Whitewater OPGW Project**

Dear Ms. Munz-Pritchard:

On behalf of the project proponent, American Transmission Company (ATC), GAI Consultants, Inc. (GAI) is pleased to submit this Conditional Use Permit Application in support of the University to Whitewater Optical Ground Wire (OPGW) Project (Project). This application is being submitted to the City of Whitewater to obtain coverage under a Conditional Use Permit for floodplain activities associated with the installation of OPGW in road right-of-way between University Substation located in the City of Whitewater and Whitewater Substation located in the Town of Whitewater. Construction of the OPGW communication line is scheduled to start on or around November 1, 2016 and conclude by December 31, 2016.

Construction activities proposed in the 100-year floodplain include the following: the installation of one (1) riser at grade, the construction of one (1) temporary bore pit at grade, the installation of 330 feet of OPGW underground via directional bore, and the installation of 1,450 feet of OPGW on existing overhead utility poles above flood elevation. Total temporary disturbance in the floodplain will be 400 square feet, and all temporary disturbances will be restored to pre-construction contours upon completion of the project. There will be no permanent alterations to pre-construction base flood elevation or drainage patterns.

If you have any questions or need further assistance please call me at (920) 344-8912.

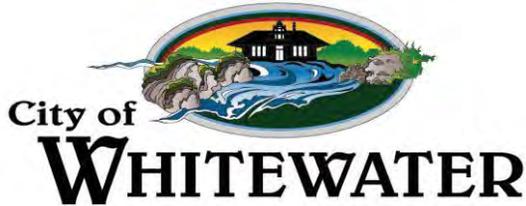
Sincerely,  
GAI Consultants, Inc.



Mary K. Rohde  
Environmental Manager

MKR/amn

Enc.: Conditional Use Permit Application, Permit Fee Check



Neighborhood Services Department  
Planning, Zoning, GIS, Code Enforcement  
and Building Inspections

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: CTH U & South Wisconsin Street Road Right-of-Way (ROW)

Owner's Name: Utility Easements in Road ROW - Refer to Section 1.2 of the Application Narrative

Applicant's Name: American Transmission Company; Contact: Nayo Parrett

Mailing Address: P.O. Box 47

Phone #: 262-506-6788 Email: nparrett@atcllc.com

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): \_\_\_\_\_

Refer to Section 1.2 and Attachment 2 of the Application Narrative

### **Existing and Proposed Uses:**

Current Use of Property: Road ROW / Utility - Refer to Section 1.2 of the Application Narrative

Zoning District: AT, M-1, M-2, PCD, R-1, R-O; Refer to Section 1.2 of the Application Narrative

Proposed Use: Road ROW / Utility - Refer to Section 1.2 of the Application Narrative

**NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.**

### Conditions

*The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.*

# APPLICATION REQUIREMENTS

## THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

**\*\*Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy** (include color where possible) site plan copies, drawn to scale and dimensioned.

**STANDARDS FOR REVIEW AND APPROVAL**

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

STANDARD	APPLICANT'S EXPLANATION
<p>A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.</p>	<p>The bore pit and riser disturbance in the 100-year floodplain will be temporary in nature, and will be restored to pre-construction contours upon completion of the project. The overhead optical ground wire (OPGW) will be installed above the 100-year flood elevation on existing utility poles, and the underground portion of the OPGW communication line will be installed via directional bore. There will be no change to the base flood elevation in the two floodplain areas. Since the OPGW will be installed in Road ROW along an existing utility corridor there will be no change in land use or property value.</p>
<p>B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.</p>	<p>This project involves the installation of OPGW along an existing utility corridor in road ROW. No additional utilities, access, roads, parking, drainage, landscaping, or other site improvements are needed. All temporary disturbances will be restored to pre-construction contours upon completion of the project.</p>
<p>C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.</p>	<p>The proposed OPGW installation will conform to all applicable City of Whitewater regulations. The Project is located in several separate political jurisdictions, and ATC is applying for all of the necessary federal, state, and local permits required to start construction.</p>
<p>D. That the conditional use conforms to the purpose and intent of the city Master Plan.</p>	<p>This project involves the installation of OPGW along an existing utility corridor in road ROW. There will be no change in land use or zoning district; the conditional use therefore conforms to the purpose and intent of the Master Plan.</p>

\*\*Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature: Nayo Parrett, Env. P.M. Date: 9-8-16

Printed: Nayo Parrett

**TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT**

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on \_\_\_\_\_. Received by:\_\_\_\_\_ Receipt #:\_\_\_\_\_
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on \_\_\_\_\_.
- 3) Notices of the Public Hearing mailed to property owners on \_\_\_\_\_.
- 4) Plan Commission holds the PUBLIC HEARING on \_\_\_\_\_. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

**ACTION TAKEN:**

Condition Use Permit: Granted\_\_\_\_\_ Not Granted\_\_\_\_\_ By the Plan and Architectural Review Commission

**CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

## **Tips for Minimizing Your Development Review Costs: A Guide for Applicants**

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

### **Meet with Neighborhoods Services Department before submitting an application**

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

### **Submit a complete and thorough application**

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

### **For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans**

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

## **For simpler projects, submit thorough, legible, and accurate plans**

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

## **Submit your application well in advance of the Plan and Architectural Review Commission meeting**

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

## **For more complex projects, submit your project for conceptual review**

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

## **Hold a neighborhood meeting for larger and potentially more controversial Projects**

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

## **Typical City Planning Consultant Development Review Costs**

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
<b>Major Site/Building Plan</b> (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
<b>Land Division</b>	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
<b>Annexation</b>	\$200 to \$400

\*\*Note: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

# Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City’s review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City’s planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

## Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Name of Applicant: American Transmission Company

Applicant’s Mailing Address: Contact: Nayo Parrett  
P.O. Box 47, Waukesha, WI 53187-0047

Applicant’s Phone Number: 262-506-6788

Applicant’s Email Address: nparrett@atcllc.com

Project Information:

Name/Description of Development: University to Whitewater OPGW Project

Address of Development Site: CTH U & S. Wisconsin St. Road ROW

Tax Key Number(s) of Site: Multiple - Refer to Section 1.2 of the Application Narrative

Property Owner Information (if different from applicant):

Name of Property Owner: Multiple - Refer to Section 1.2 of the Application Narrative

Property Owner’s Mailing Address: Multiple - Refer to Attachment 2 of  
the Application Narrative

## Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the Neighborhood Services Department -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

## Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.

Nayo Parrett, Env. P.M.  
Signature of Applicant/Petitioner

Nayo Parrett, ATC

Printed Name of Applicant/Petitioner

9-8-16  
Date of Signature

\_\_\_\_\_  
Signature of Property Owner (if different)

\_\_\_\_\_  
Printed Name of Property Owner (if different)

\_\_\_\_\_  
Date of Signature



gai consultants

## **CITY OF WHITEWATER CONDITIONAL USE PERMIT**

### **PERMIT APPLICATION**

American Transmission Company  
University to Whitewater OPGW Project

GAI Project Number: D140737.00

**September 2016**

Prepared for:  
**American Transmission Company, LLC**  
P.O. Box 47  
Waukesha, WI 53187-0047



Prepared by:  
**GAI Consultants, Inc.**  
N8218 State Road 28, Suite B  
Mayville, WI 53050-2126

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Attachment 3: USACE General Permit GP-002-WI  
Attachment 4: WDNR General Permit WDNR-GP3-2013

## Section 1 – Project Background

### 1.0 Introduction

#### Background and Description

On behalf of American Transmission Company (ATC), this application is being submitted to the City of Whitewater to obtain approval under a Conditional Use Permit for the University to Whitewater Optical Ground Wire (OPGW) Project (Project). This project involves the installation of approximately four (4) miles of OPGW between University Substation located in the City of Whitewater and Whitewater Substation located in the Town of Whitewater. An additional component of the Project includes the reconfiguration and modification of components at University and Whitewater Substations, and expanding the Control House at University Substation. Since this work will occur concurrently with the OPGW installation, it is being included as part of the overall Project.

The installation of OPGW between University and Whitewater Substations will create a fiber link that will function as a redundant protection communication scheme for stability of the LSP-Whitewater generation plant. In addition, this fiber link will support a second relay communication scheme for a potential future transmission line. Work inside the substations is needed to reconfigure and upgrade existing equipment to accommodate transmission line reconfigurations occurring outside the City of Whitewater. As part of this, the Control House at University Substation will be expanded.

The Project is located in several separate political jurisdictions, and ATC is applying for all of the necessary federal, state, and local permits required to start construction. A City of Whitewater Conditional Use Permit is required for activities located within the 100-year floodplain. Activities located within the 100-year floodplain for this project include the following:

- Installation of one (1) riser at grade
- Construction of one (1) temporary bore pit at grade
- Installation of OPGW underground via directional bore
- Installation of OPGW on existing overhead utility poles above flood elevation

Project activities will not increase base flood elevations since temporary disturbances resulting from the riser installation and bore pit construction will be restored to pre-construction contours, and the OPGW will be installed above flood elevation on existing utility poles.

## 1.1 Applicant

- **Applicant:**  
**American Transmission Company, LLC**  
P.O. Box 47  
Waukesha, WI 53187-0047

*Contact:*  
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- **Consultant:**  
**GAI Consultants, Inc.**  
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## 1.2 Location and Site Description

### Location

Within the City of Whitewater, floodplain impacts are located along CTH U west of CTH D, and along South Wisconsin Street at Whitewater Creek. Figure 1, attached, depicts the Project location in the City of Whitewater.

### Site Description

The Project site boundaries, access routes, environmental features, substations, OPGW route, and substation work can be found on the Environmental Access Plan (EAP) (Figure 2). A pre-construction Photo Log documenting pre-construction conditions is also attached as a visual reference (Attachment 1). Lands adjacent to the Project consist of agricultural fields, residential, and industrial properties. The OPGW communication line will be installed along and inside existing road ROW. The beginning and ends of the OPGW line will transect ATC and LSP-Whitewater LP property to the substations.

The Federal Emergency Management Agency (FEMA) National Flood Hazard Layer GIS data was used to identify the 100-year floodplain in the vicinity of the Project. Two 100-year floodplain areas were identified in the project area; one of the floodplain areas is located along Whitewater Creek on South Wisconsin Street, while the other floodplain area is located along an unnamed tributary to Whitewater Creek on CTH U. Both floodplain areas are mapped as Zone AE, meaning that Base Flood Elevations have been determined. FEMA maps showing the floodplain areas are included as Figure 3. Several wetlands and streams are located along the project corridor, and are depicted on Figure 2.

### Landowners & Zoning

Project activities intersect multiple parcels in floodplain areas. All of these parcels are traversed by an existing utility line located in road ROW; the addition of OPGW along these existing utility lines will therefore not result in a land use change. The zoning districts for these parcels include the following: Agricultural Transition (AT); General Manufacturing (M-1); Manufacturing and Miscellaneous Use (M-2); Planned Community Development (PCD); One Family Residence (R-1); and One Family Residential Overlay (R-O).

ATC has secured pole attachment agreements for the length of the overhead OPGW route that provide permission to attach the OPGW to the existing utility poles. Landowners adjacent to construction activities are presented in Table 1, below. The table also identifies the current and proposed land use and zoning district for each parcel. Refer to Attachment 2 for landowner addresses and parcel descriptions.

Table 1: Landowners Adjacent to Floodplain Activities

Parcel ID	Owner	Current & Proposed Use	Zoning District <sup>1</sup>
200073 /WE 00001	Warren Devries	Road ROW / Utility	R-O
200073 /WE 00002	David Flemming	Road ROW / Utility	R-O
200073 /WE 00003	Danny & Linda Wolfe	Road ROW / Utility	R-O
200073 /WE 00004	Daniel & Gloria Navarre	Road ROW / Utility	R-O
200073 /WE 00005	Edwin & Sandy Czarnecki	Road ROW / Utility	R-O
200073 /WE 00006	Anita Schanke	Road ROW / Utility	R-O
200073 /WE 00007	Taggart Trust	Road ROW / Utility	R-O
200073 /WE 00008	Mary Schwartz Trust	Road ROW / Utility	R-O
200073 /WE 00009	James Lasley	Road ROW / Utility	R-O
200073 /WE 00010	William Barrow	Road ROW / Utility	R-O
200073 /WE 00011	Allen & Lucretia Gunther	Road ROW / Utility	R-O
200073 /WE 00012	Lyle Hunter Trust; Dawn Hunter Trust	Road ROW / Utility	R-O
200073 /WE 00013	Dana & Andrea Kratz	Road ROW / Utility	R-O
200073 /WE 00014	Susan Kidd Trust; Kenneth Kidd Trust	Road ROW / Utility	R-O
200073 /WE 00015	Myra Brien	Road ROW / Utility	R-O
200073 /WE 00016	Paul & Janis Goder	Road ROW / Utility	R-O
WUP 00217A	City of Whitewater 'Pump House'	Road ROW / Utility	R-1
292-0515-3311-000	Lurvey Trust	Road ROW / Utility	AT
292-0515-3312-001	Basura LLC	Road ROW / Utility	M-1
292-0515-3312-002	Ross & Melissa Walton	Road ROW / Utility	M-1
292-0515-3312-003	Johns Disposal Service	Road ROW / Utility	M-1
292-0515-3313-000	City of Whitewater	Road ROW / Utility	M-2
292-0515-3321-000	LSP-Whitewater LP	Road ROW / Utility	PCD

<sup>1</sup>Zoning Districts: AT: Agricultural Transition; M-1: General Manufacturing; M-2: Manufacturing and Miscellaneous Use; PCD: Planned Community Development; R-1: One Family Residence; R-O: One Family Residential Overlay

### 1.3 Schedule

Construction is anticipated to begin on or around November 1, 2016, with all of the OPGW line being installed by December 31, 2016. All construction activities in the floodplain will occur concurrently.

Temporary erosion and sedimentation control devices will be installed prior to ground-disturbing construction activities. Restoration and revegetation dates are weather dependent; final restoration will begin as soon as schedule, weather, and soil conditions permit, following completion of all construction activities or as soon as reasonably practicable if winter conditions are present.

### 1.4 Federal, State, & Local Permit Requirements

The Project is located in several separate political jurisdictions, and ATC is applying for all of the necessary federal, state, and local permits required to start construction. Additional Environmental permit authorizations required for the project include the following:

#### U.S. Army Corps of Engineers (USACE)

The USACE regulates the discharge of dredged and fill material into waters of the United States. Regulated USACE impacts in the City of Whitewater for this project include temporary disturbance from the one (1) riser and one (1) bore pit that will be constructed in Wetland 21. Total wetland impacts from these activities will be 400 square feet, which is eligible for authorization under the non-reporting Minor Fills category of USACE general permit GP-002-WI. ATC has verified that the terms and conditions of GP-002-WI can be met, and will therefore not be applying for permit authorization from the USACE. GP-002-WI is included in Attachment 3.

#### Wisconsin Department of Natural Resources (WDNR)

The WDNR regulates impacts to wetlands and waterways as well as storm water runoff. Regulated WDNR wetland and waterway impacts in the City of Whitewater for this project include temporary disturbance from the one (1) riser and one (1) bore pit that will be constructed in Wetland 21. Total wetland impacts from these activities will be 400 square feet, which is eligible for authorization under the non-reporting Standards for Minor Projects Affecting Wetlands of WDNR general permit WDNR-GP3-2013. ATC has verified that the terms and conditions of WDNR-GP3-2013 can be met, and will therefore not be applying for wetland permit authorization from the WDNR. WDNR-GP3-2013 is included in Attachment 4.

This project will disturb less than one acre of land; application to the WDNR (Notice of Intent) requesting coverage under the Construction Site Storm Water Runoff General Permit No. WI-S067831 is therefore not required. ATC will be implementing erosion and sediment control best management practices (BMPs) during construction, and will monitor the project until revegetation is achieved.

#### Local Permits

In addition to this Conditional Use Permit application, ATC will be applying to the City of Whitewater for Construction Site Erosion Control permit approval. ATC will also obtain all other local environmental permits required for the remaining political jurisdictions that will be impacted by this project. In addition, ATC's Real Estate staff will acquire all non-environmental permits required to start construction.

## Section 2 – Construction Activities

This Conditional Use Permit application requests authorization for the following activities proposed to occur in the 100-year floodplain: the installation of one (1) riser at grade, the construction of one (1) temporary bore pit at grade, the installation of 330 feet of OPGW underground via directional bore, and the installation of 1,450 feet of OPGW on existing overhead utility poles above flood elevation. Detailed plans of the proposed construction activities are included as Figure 4.

### 2.0 Construction Procedures

Construction procedures will be in accordance with all City of Whitewater Conditional Use Permit requirements, as well as all other federal, state, and local permit authorizations obtained for the Project. Construction procedures for activities located within the 100-year floodplain are as follows:

The underground portion of the OPGW communication line will be installed via directional bore. Directional bore is a trenchless method of installing underground facilities and is commonly used when there is a need to avoid impacts to the surface. A directional bore rig first creates a horizontal underground pilot hole by pushing rods attached to a steerable bore head. This bore head is lubricated, typically with a bentonite slurry. Once the bore has completed the pilot hole and has reached the surface again, then either a reamer is attached to create a larger pilot hole or the conduit is attached and pulled back through the pilot hole. There are no impacts to the surface between the two tie-in pits on each end of the bore. Bore pits involve a localized area of excavation to either tie-in two facilities, tie a new facility to an existing facility, or start or end a directional bore. One (1) bore pit will be located in the 100-year floodplain.

The overhead portion of the OPGW communication line will be installed with bucket trucks. Crew members will be lifted to the top of each existing utility pole where they will attach the new OPGW. The majority of this work will occur from the road shoulder, however, off-road access in road ROW may be required in instances where there are access constraints (i.e. distance to the utility pole, presence of structures, etc.). Limited tree trimming may be necessary along the overhead OPGW route. Trimming will be conducted on a case-by-case basis, and will be in compliance with City of Whitewater ordinances.

Where the underground OPGW communication line transitions to an overhead line, a riser will be installed. One (1) riser will be located in the 100-year floodplain. Risers are installed at utility poles, and require excavation for connecting the underground line to an existing overhead pole. Since all riser impacts for this project are located at bore pits, riser impacts have been included in the overall bore pit impacts.

## 2.1 Construction Activities

Construction activities in the 100-year floodplain will include the following:

- **Installation of underground OPGW:**
  - Installed via directional bore.
  - Location: Southwest corner of CTH U and the access road leading to the LSP-Whitewater generation plant. (Refer to Page 1 of Figure 2)
  - *Linear feet in the floodplain: 330 feet*
  
- **Installation of overhead OPGW:**
  - Installed above flood elevations on existing utility poles.
  - Location: Along CTH U and S. Wisconsin Street. (Refer to Pages 1 & 2 of Figure 2)
  - *Linear feet across the Tributary to Whitewater Creek floodplain: 1,390 feet*
  - *Linear feet across the Whitewater Creek floodplain: 60 feet*
  
- **Construction of one (1) temporary bore pit at grade:**
  - This is a temporary disturbance that will be restored to pre-construction contours.
  - Location: Southwest corner of CTH U and the access road leading to the LSP-Whitewater generation plant. (Refer to Page 1 of Figure 2)
  - *Temporary Tributary to Whitewater Creek floodplain impact size: 400 square feet*
  
- **Installation of one (1) riser at grade:**
  - This is a temporary disturbance that will be restored to pre-construction contours.
  - Location: Southwest corner of CTH U and the access road leading to the LSP-Whitewater generation plant. (Refer to Page 1 of Figure 2)
  - *Temporary Tributary to Whitewater Creek floodplain impact size: Riser impacts are included in the overall bore pit impacts.*

**Total temporary disturbance in the 100-year floodplain will be 400 square feet. All temporary disturbances will be restored to pre-construction contours, and there will be no change to pre-construction drainage patterns.**

### Base Flood Elevation

Base flood elevations are shown on the FEMA maps included as Figure 3. The base flood elevation near the Tributary to Whitewater Creek is 800 feet while the base flood elevation near Whitewater Creek is 819 feet. The bore pit and riser disturbance in the 100-year floodplain will be temporary in nature, and will be installed to pre-construction contours upon completion of the project. The overhead OPGW will be installed above the 100-year flood elevation on existing utility poles, and the underground portion of the OPGW communication line will be installed via directional bore. There will therefore be no change to the base flood elevation in the two floodplain areas.

## Section 3 – Erosion and Sediment Control, Restoration and Monitoring

### 3.0 Erosion and Sediment Control

Soil disturbance will be avoided and minimized to the maximum extent practicable. Soil erosion and sediment control BMPs are proposed at the riser and bore pit located in the floodplain at Wetland 21. An environmental monitor will be onsite as construction occurs and will monitor disturbance to determine if additional BMPs become necessary at a particular site. Temporary stabilization procedures will be put in place, as appropriate.

Roadways will be maintained free of mud-tracking during construction. Mud and sediment tracked onto the roadway will be cleaned up using mechanical brooms, sweepers or other methods at a minimum of once per day, or as needed.

Should dewatering be necessary, water shall be discharged to a suitable upland area as practicable and will be in accordance with Wisconsin Department of Natural Resources (WDNR) Conservation Practice Standard Dewatering Code No. (1061). Temporary erosion and sediment control devices will be monitored and maintained until disturbed areas have been stabilized. Restoration and monitoring are described in the next section. ATC has prepared an erosion control plan for the Project which will be submitted with the City of Whitewater erosion control permit application.

### 3.1 Restoration and Monitoring

To comply with applicable regulations during active construction, qualified ATC staff or representatives will inspect erosion and sediment control practices a minimum of once per week and within 24 hours following a rainfall of 0.5 inch or more. Inspections will be documented on ATC's Environmental Field Inspection Form. Any damaged or ineffective erosion or sediment control devices will be repaired when encountered. Temporary disturbance areas will be restored to match surrounding grade and cover upon completion of the Project. Temporary erosion and sediment control devices will be removed upon site stabilization. Final restoration will begin as soon as schedule, weather, and soil conditions permit, following completion of all construction activities or as soon as reasonably practicable if winter conditions are present. A standard seed mix will be used to facilitate re-vegetation of all disturbance areas.



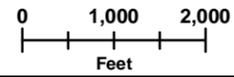
## FIGURE 1: SITE LOCATION

**University to Whitewater  
OPGW Project  
SITE LOCATION**

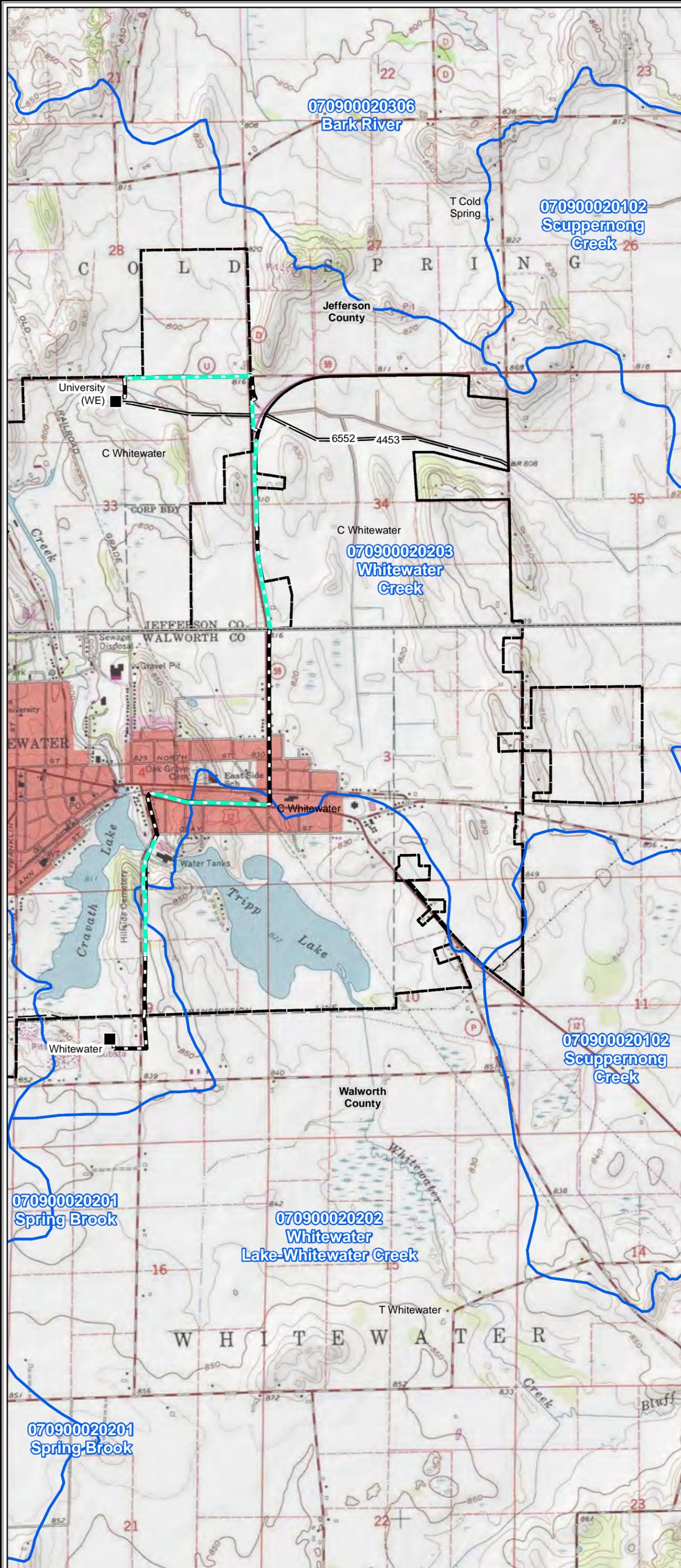


**September 7, 2016**

Orthophotography: NAIP 2015  
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Line 6552 Uprate\GIS\PDF\EAP



Page 1 of 1



■ Existing Substation

— Existing Transmission Line

— Fiber Install- Overhead

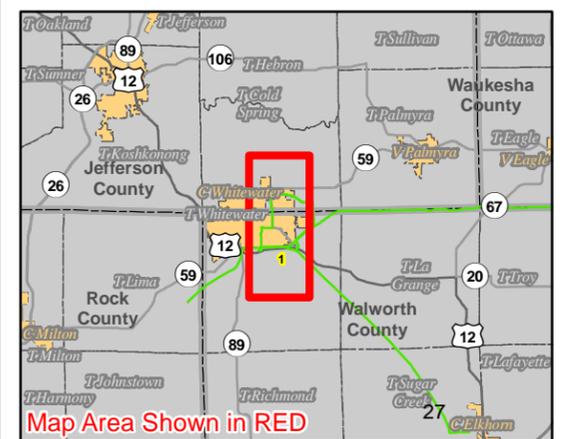
— Fiber Install- Underground

□ HUC-12 Watershed

□ Community Boundary

□ County Boundary

Base Map Data Sources:  
ATC, WDNR, PSCW, FEMA, NRCS, NAIP (2015). Parcels:  
Walworth and Jefferson & Walworth County, Dec. 2013 & 2014 &  
WI V101 Parcels 2015. WISDOT.  
Contours: USGS NED 10-foot Contours, April, 2015.  
The information presented in this map document is advisory and  
is intended for reference purposes only. American Transmission  
Company owned and operated facility locations are approximate.



Map Area Shown in RED



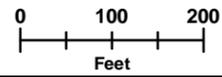
## FIGURE 2: ENVIRONMENTAL ACCESS PLAN

**University to Whitewater  
OPGW Project  
ENVIRONMENTAL ACCESS PLAN**



**SEPTEMBER 08, 2016**

Orthophotography: NAIP 2015  
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Line 6552 Uprate\GIS\PDF\EAP



Page 1 of 2

**CONSTRUCTION METHOD**

Overhead Project Centerline Underground  
CT 1 - No Special Technique Needed

Construction Access

Fiber Install-Overhead Fiber Install-Underground

Conduit Install



Existing Pole Existing Substation

Existing Transmission Line

Inlet- City of Whitewater

Bore Pit- City of Whitewater

Riser- City of Whitewater

Vault- City of Whitewater

Culvert

Control House Expansion

Transmission Right-of-Way

\* Right-of-way shown on this map is approximate and is shown for guidance only. Generally, right-of-way along existing roads is 50' on private property. Right-of-way along existing transmission lines or cross country is 40' on each side, or 80' total.

Erosion Control Devices  
Device Type Noted on Map

Invasive Species Protocol  
Species Type Noted on Map

Topographic Line  
Elevation

Property Line  
Shown with Parcel Number and Owner Name

WDNR Hydrology

Field Located Waterway

FEMA 100-Yr Floodplain FEMA Floodway

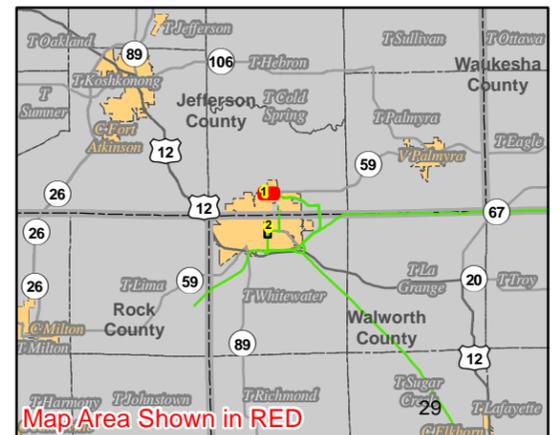
Soil Type Boundary

Potential Wetland (WDNR)

Field Determined Wetland

Community Boundary

Base Map Data Sources:  
ATC, WDNR, PSCW, FEMA, NRCS, NAIP (2015). Parcels:  
Walworth and Jefferson & Watworth County, Dec. 2013 & 2014 &  
WI V101 Parcels 2015. WISDOT.  
Contours: USGS NED 10-foot Contours, April, 2015.  
The information presented in this map document is advisory and  
is intended for reference purposes only. American Transmission  
Company owned and operated facility locations are approximate.



**Tributary to Whitewater Creek - Floodplain Impacts:  
Temporary Bore Pit & Riser Disturbance: 400 square feet  
Overhead OPGW: 1390 Feet  
Underground OPGW: 330 Feet**

Wetland 16

Wetland 22

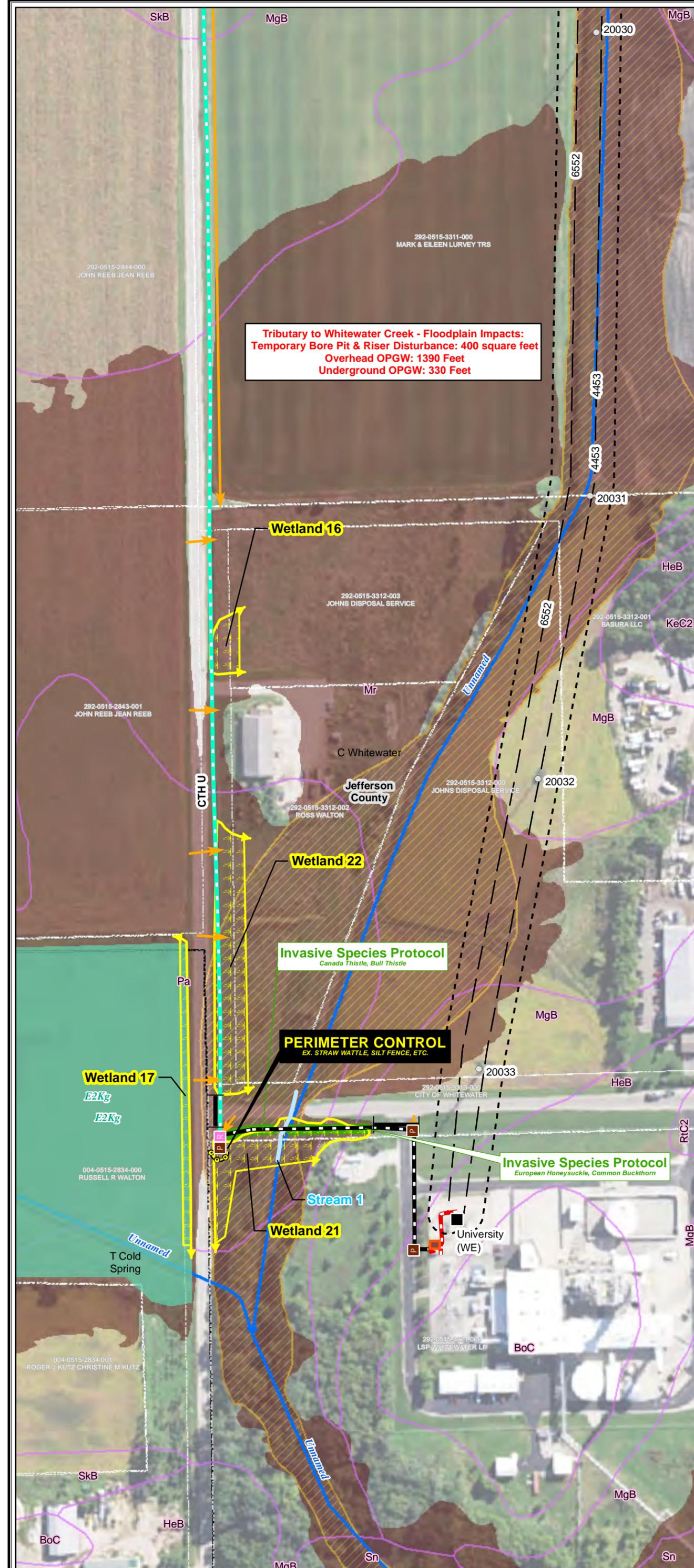
Wetland 17

Wetland 21

**Invasive Species Protocol**  
Canada Thistle, Bull Thistle

**PERIMETER CONTROL**  
EX. STRAW WATTLE, SILT FENCE, ETC.

**Invasive Species Protocol**  
European Honeysuckle, Common Buckthorn

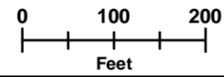


**University to Whitewater  
OPGW Project  
ENVIRONMENTAL ACCESS PLAN**



SEPTEMBER 08, 2016

Orthophotography: NAIP 2015  
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Page 2 of 2

**CONSTRUCTION METHOD**

Overhead Project Centerline Underground  
CT 1 - No Special Technique Needed

Construction Access

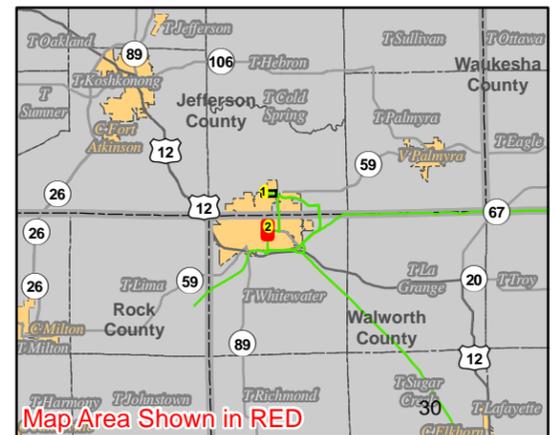
Fiber Install-Overhead Fiber Install-Underground

Conduit Install



- Existing Pole    ■ Existing Substation
- Existing Transmission Line
- Inlet- City of Whitewater
- Bore Pit- City of Whitewater
- Riser- City of Whitewater
- Vault- City of Whitewater
- Culvert
- Control House Expansion
- Transmission Right-of-Way  
\* Right-of-way shown on this map is approximate and is shown for guidance only. Generally, right-of-way along existing roads is 50' on private property. Right-of-way along existing transmission lines or cross country is 40' on each side, or 80' total.
- Erosion Control Devices  
Device Type Noted on Map
- Invasive Species Protocol  
Species Type Noted on Map
- 200 Topographic Line  
Elevation
- Property Line  
Shown with Parcel Number and Owner Name
- WDNR Hydrology
- Field Located Waterway
- FEMA 100-Yr Floodplain    ■ FEMA Floodway
- Soil Type Boundary
- Potential Wetland (WDNR)
- Field Determined Wetland
- Community Boundary

Base Map Data Sources:  
ATC, WDNR, PSCW, FEMA, NRCS, NAIP (2015). Parcels:  
Walworth and Jefferson & Walworth County, Dec. 2013 & 2014 &  
WI V101 Parcels 2015. WISDOT.  
Contours: USGS NED 10-foot Contours, April, 2015.  
The information presented in this map document is advisory and  
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Company owned and operated facility locations are approximate.

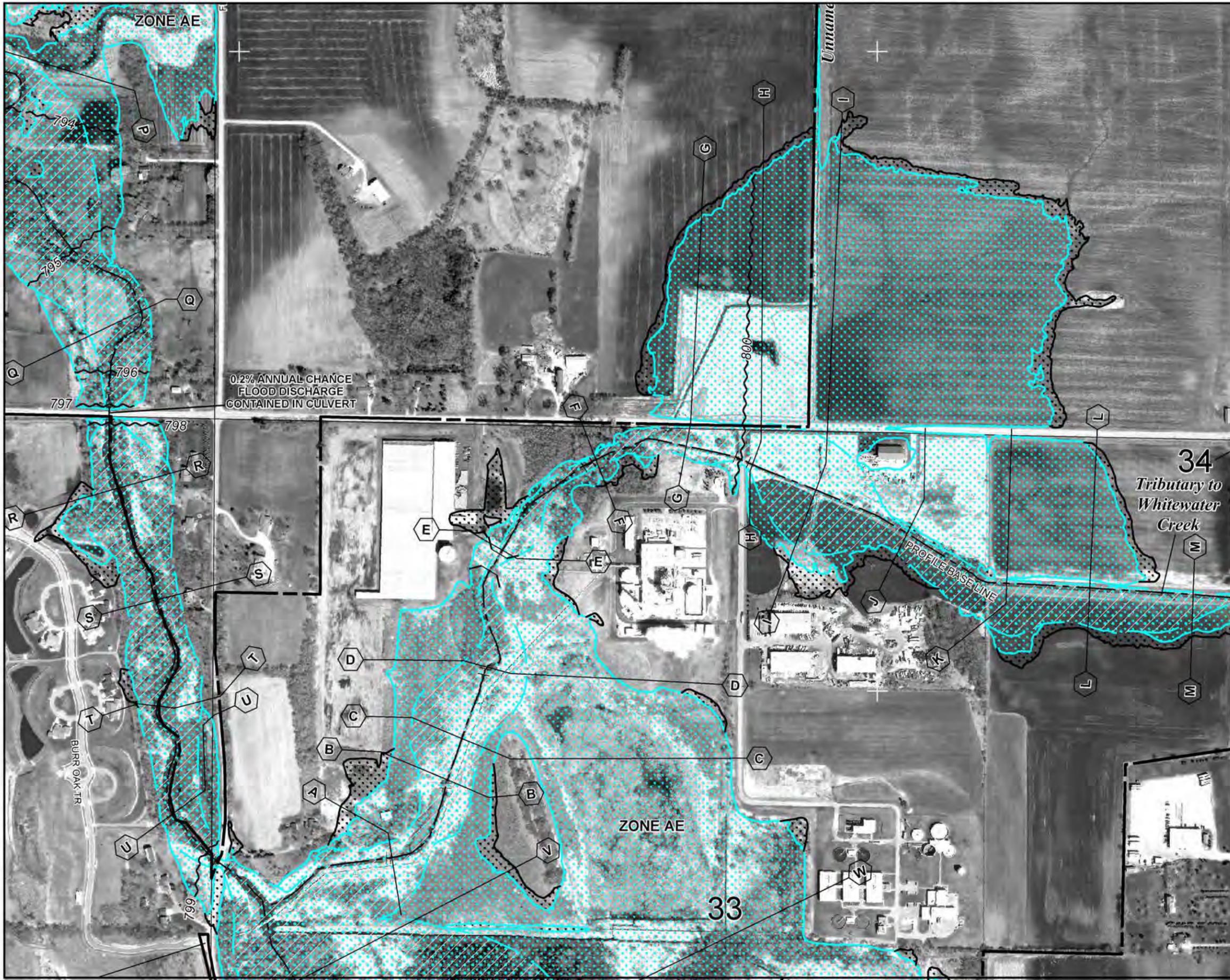


**Whitewater Creek - Floodplain Impacts:  
Overhead OPGW: 60 Feet**

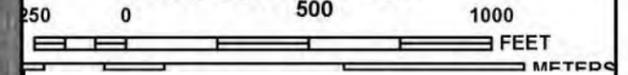
Utilize S. Wisconsin Street bridge  
for access across Stream 4.



## FIGURE 3: FEMA FLOODPLAIN MAP



MAP SCALE 1" = 500'



PANEL 0451F

**FIRM**

FLOOD INSURANCE RATE MAP  
JEFFERSON COUNTY,  
WISCONSIN  
AND INCORPORATED AREAS

PANEL 451 OF 500  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
JEFFERSON COUNTY	550191	0451	F
WHITEWATER, CITY OF	550200	0451	F

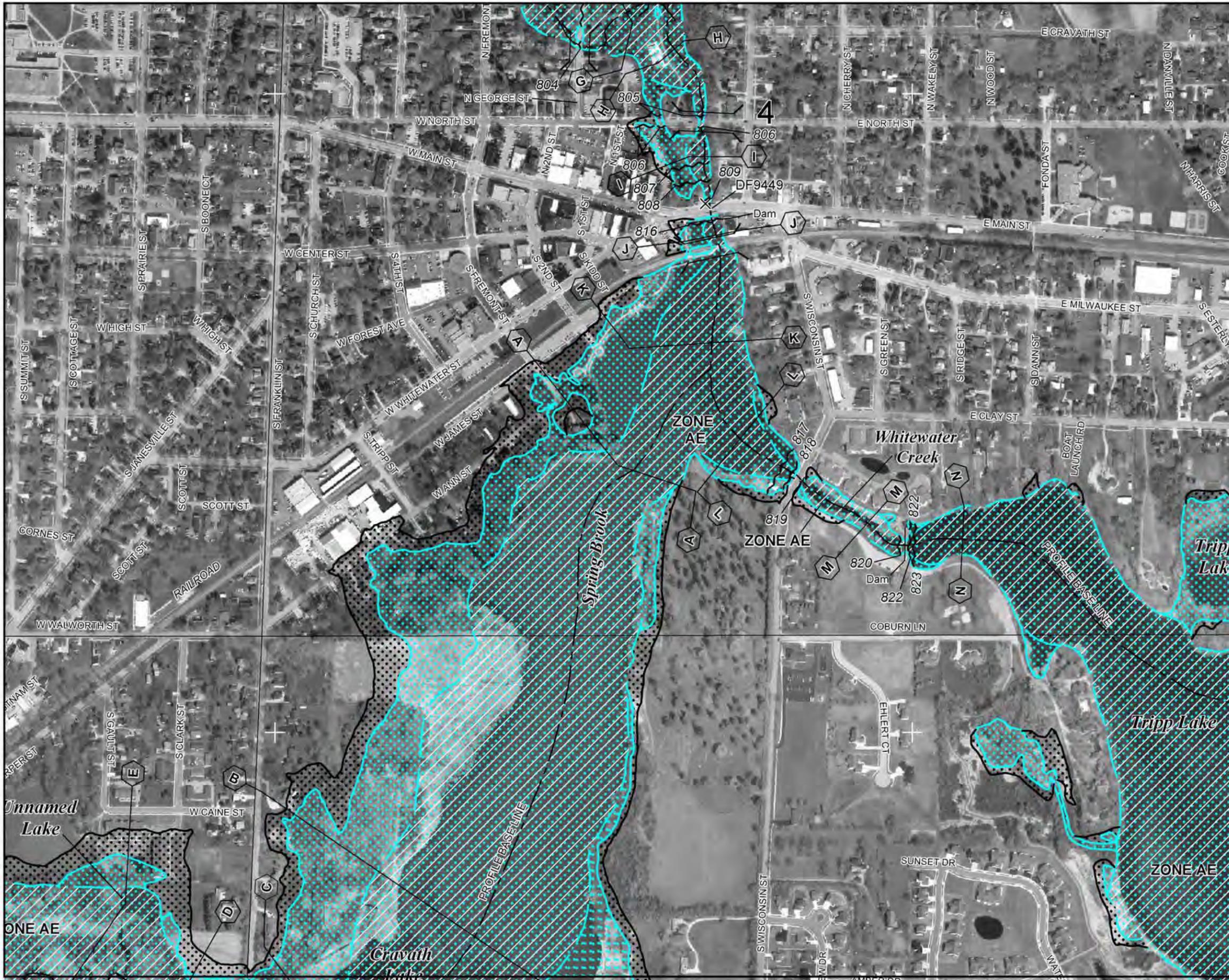
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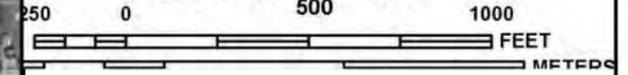
MAP NUMBER  
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MAP REVISED  
FEBRUARY 4, 2015

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



MAP SCALE 1" = 500'



PANEL 0028E

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**WALWORTH COUNTY,**  
**WISCONSIN**  
**AND INCORPORATED AREAS**

PANEL 28 OF 500  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
WALWORTH COUNTY	550462	0028	E
WHITEWATER, CITY OF	550200	0028	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
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 MAP REVISED  
 SEPTEMBER 3, 2014

Federal Emergency Management Agency

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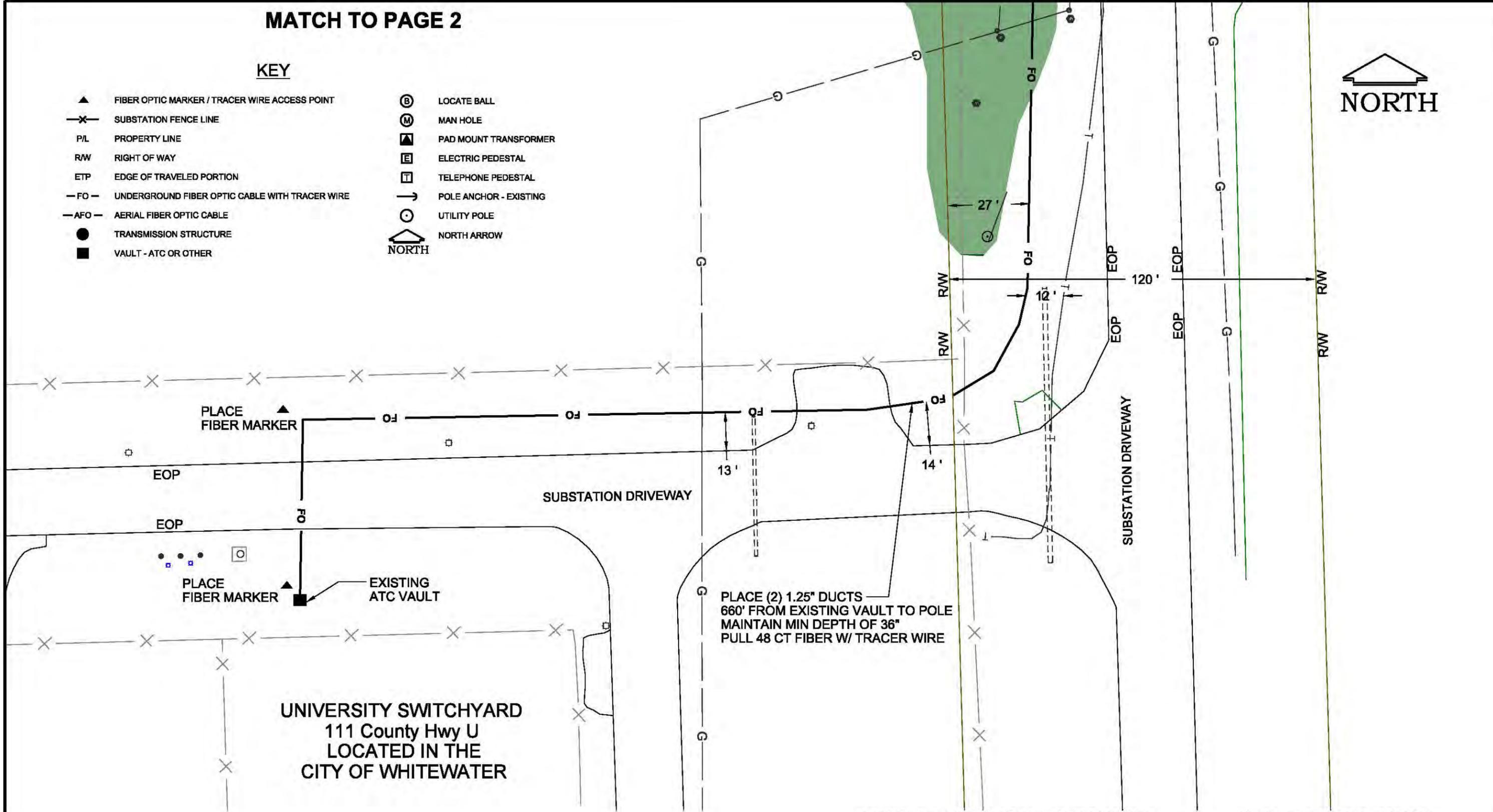


## FIGURE 4: CONSTRUCTION SKETCH

# MATCH TO PAGE 2

## KEY

- |   |                          |
|---|--------------------------|
| ▲ FIBER OPTIC MARKER / TRACER WIRE ACCESS POINT     | Ⓟ LOCATE BALL            |
| —X— SUBSTATION FENCE LINE                           | Ⓜ MAN HOLE               |
| P/L PROPERTY LINE                                   | ▣ PAD MOUNT TRANSFORMER  |
| R/W RIGHT OF WAY                                    | Ⓛ ELECTRIC PEDESTAL      |
| ETP EDGE OF TRAVELED PORTION                        | Ⓣ TELEPHONE PEDESTAL     |
| —FO— UNDERGROUND FIBER OPTIC CABLE WITH TRACER WIRE | → POLE ANCHOR - EXISTING |
| —AFO— AERIAL FIBER OPTIC CABLE                      | ⊙ UTILITY POLE           |
| ● TRANSMISSION STRUCTURE                            | ▲ NORTH ARROW            |
| ■ VAULT - ATC OR OTHER                              | ▲ NORTH                  |



**UNIVERSITY SWITCHYARD**  
111 County Hwy U  
LOCATED IN THE  
CITY OF WHITEWATER

PLACE (2) 1.25" DUCTS  
660' FROM EXISTING VAULT TO POLE  
MAINTAIN MIN DEPTH OF 36"  
PULL 48 CT FIBER W/ TRACER WIRE

### REFERENCE DRAWINGS

DRAWING NUMBER	TITLE / DESCRIPTION

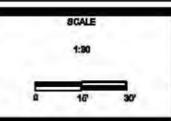
### MISCELLANEOUS INFORMATION

NAME	LOCATION
VAULT	X,Y COORDINATES
FIBER MARKER	X,Y COORDINATES

### CABLE INFORMATION

CABLE TYPE	DNL-4094-01/ SM48 STRAND FIBER CABLE
YEAR OF INSTALLATION	DATE
MANUFACTURER	AFL
NOTES: CONTRACTOR JOB NUMBER T5N, R15E, SEC. 33 WALWORTH COUNTY, WI	

REV	DATE	W.D.#	DESCRIPTION	DRWN	CHKD	APPD	CMPT
00	7/6/2016	601086	CONSTRUCTION	NWT		NWT	



**48 COUNT FIBER OPTIC CABLE**  
PLAN VIEW  
WHITEWATER TO UNIVERSITY SUBSTATIONS  
COMMUNICATION DRAWING No. COM-01-000099-001

**KEY**

- ▲ FIBER OPTIC MARKER / TRACER WIRE ACCESS POINT
- ✕ SUBSTATION FENCE LINE
- P/L PROPERTY LINE
- R/W RIGHT OF WAY
- ETP EDGE OF TRAVELED PORTION
- FO- UNDERGROUND FIBER OPTIC CABLE WITH TRACER WIRE
- AFO- AERIAL FIBER OPTIC CABLE
- TRANSMISSION STRUCTURE
- VAULT - ATC OR OTHER
- ⊙ LOCATE BALL
- Ⓜ MAN HOLE
- ▲ PAD MOUNT TRANSFORMER
- ⓔ ELECTRIC PEDESTAL
- Ⓣ TELEPHONE PEDESTAL
- POLE ANCHOR - EXISTING
- UTILITY POLE
- ▲ NORTH ARROW

**RISER POLE MATCH TO AERIAL PAGE 3**



PLACE (2) 1.25" DUCTS  
660' FROM EXISTING VAULT TO POLE  
MAINTAIN MIN DEPTH OF 36"  
PULL 48 CT FIBER W/ TRACER WIRE

**MATCH TO PAGE 1**

**MISCELLANEOUS INFORMATION**

**CABLE INFORMATION**

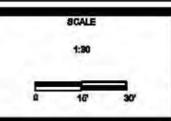
NAME	LOCATION
VAULT	X,Y COORDINATES
FIBER MARKER	X,Y COORDINATES

CABLE TYPE	DNL-4094-01/ SM48 STRAND FIBER CABLE
YEAR OF INSTALLATION	DATE
MANUFACTURER	AFL
NOTES: CONTRACTOR JOB NUMBER T5N, R15E, SEC. 33 WALWORTH COUNTY, WI	

**REFERENCE DRAWINGS**

DRAWING NUMBER	TITLE / DESCRIPTION

REV	DATE	W.O.#	DESCRIPTION	DRAWN	CHKD	APPD	CMPT
00	7/6/2016	601086	CONSTRUCTION	NWT		NWT	



**48 COUNT FIBER OPTIC CABLE  
PLAN VIEW  
WHITTEWATER TO UNIVERSITY SUBSTATIONS**

COMMUNICATION DRAWING No. **COM-01-000099-002**

**KEY**

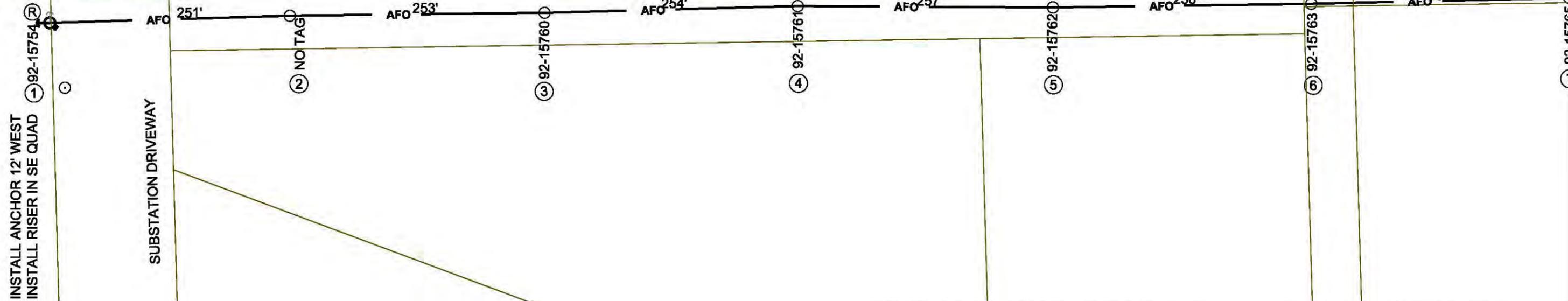
- ▲ FIBER OPTIC MARKER / TRACER WIRE ACCESS POINT
- X— SUBSTATION FENCE LINE
- P/L PROPERTY LINE
- R/W RIGHT OF WAY
- ETP EDGE OF TRAVELED PORTION
- FO— UNDERGROUND FIBER OPTIC CABLE WITH TRACER WIRE
- AFO— AERIAL FIBER OPTIC CABLE
- TRANSMISSION STRUCTURE
- VAULT - ATC OR OTHER
- Ⓟ LOCATE BALL
- Ⓜ MAN HOLE
- ▲ PAD MOUNT TRANSFORMER
- ⓔ ELECTRIC PEDESTAL
- Ⓣ TELEPHONE PEDESTAL
- POLE ANCHOR - EXISTING
- UTILITY POLE
- ▲ NORTH ARROW



MATCH TO PAGE 4

COUNTY HIGHWAY U

RISER POLE  
MATCH TO PAGE 2



**REFERENCE DRAWINGS**

DRAWING NUMBER	TITLE / DESCRIPTION

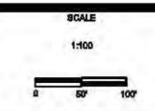
**MISCELLANEOUS INFORMATION**

NAME	LOCATION
VAULT	X,Y COORDINATES
FIBER MARKER	X,Y COORDINATES

**CABLE INFORMATION**

CABLE TYPE	DNL-4094-01/ SM48 STRAND FIBER CABLE
YEAR OF INSTALLATION	DATE
MANUFACTURER	AFL
NOTES: CONTRACTOR JOB NUMBER T5N, R15E, SEC. 33 WALWORTH COUNTY, WI	

REV	DATE	W.O.#	DESCRIPTION	DRAWN	CHKD	APPD	COMPY
00	7/6/2016	601086	CONSTRUCTION	NWT		NWT	



**48 COUNT FIBER OPTIC CABLE  
PLAN VIEW  
WHITTEWATER TO UNIVERSITY SUBSTATIONS**

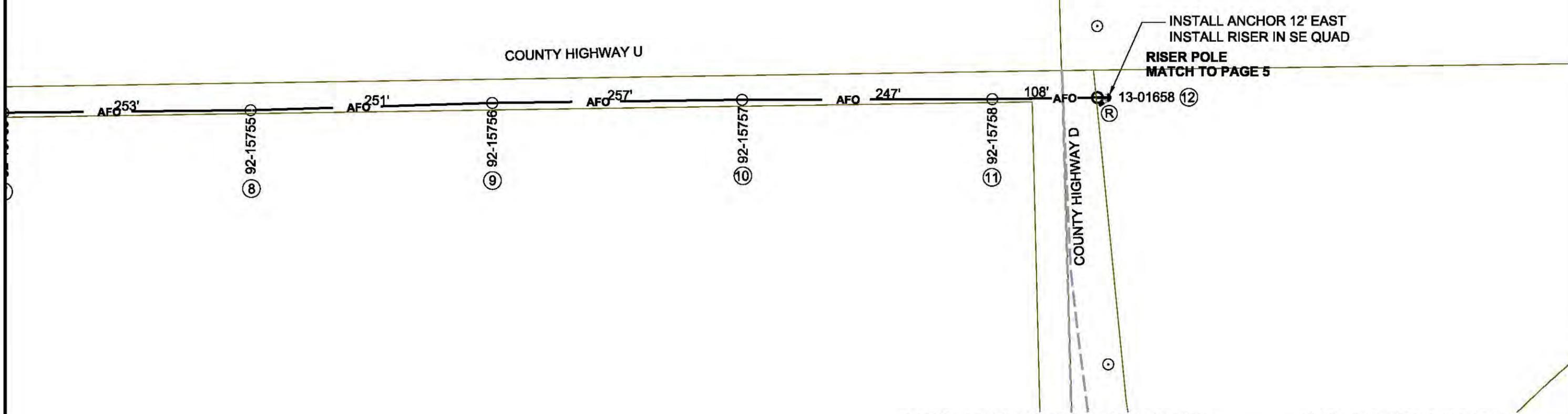
COMMUNICATION DRAWING No. **COM-01-000099-003**



**KEY**

- ▲ FIBER OPTIC MARKER / TRACER WIRE ACCESS POINT
- X— SUBSTATION FENCE LINE
- P/L PROPERTY LINE
- R/W RIGHT OF WAY
- ETP EDGE OF TRAVELED PORTION
- FO— UNDERGROUND FIBER OPTIC CABLE WITH TRACER WIRE
- AFO— AERIAL FIBER OPTIC CABLE
- TRANSMISSION STRUCTURE
- VAULT - ATC OR OTHER
- ⓑ LOCATE BALL
- Ⓜ MAN HOLE
- ▲ PAD MOUNT TRANSFORMER
- ⓔ ELECTRIC PEDESTAL
- Ⓣ TELEPHONE PEDESTAL
- POLE ANCHOR - EXISTING
- UTILITY POLE
- ▲ NORTH ARROW

MATCH TO PAGE 3



**REFERENCE DRAWINGS**

DRAWING NUMBER	TITLE / DESCRIPTION

**MISCELLANEOUS INFORMATION**

NAME	LOCATION
VAULT	X,Y COORDINATES
FIBER MARKER	X,Y COORDINATES

**CABLE INFORMATION**

CABLE TYPE	DNL-4094-01/ SM48 STRAND FIBER CABLE
YEAR OF INSTALLATION	DATE
MANUFACTURER	AFL
NOTES: CONTRACTOR JOB NUMBER T5N, R16E, SEC. 33 WALWORTH COUNTY, WI	

SCALE 1:100		<b>48 COUNT FIBER OPTIC CABLE PLAN VIEW WHITTEWATER TO UNIVERSITY SUBSTATIONS</b>	COMMUNICATION DRAWING No. <b>COM-01-000099-004</b>																
<table border="1" style="font-size: small;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>W.O.#</th> <th>DESCRIPTION</th> <th>DRAWN</th> <th>CHKD</th> <th>APPD</th> <th>COMPY</th> </tr> </thead> <tbody> <tr> <td>00</td> <td>7/6/2016</td> <td>601086</td> <td>CONSTRUCTION</td> <td>NWT</td> <td></td> <td></td> <td>NWT</td> </tr> </tbody> </table>	REV	DATE	W.O.#	DESCRIPTION	DRAWN	CHKD	APPD	COMPY	00	7/6/2016	601086	CONSTRUCTION	NWT			NWT	THIS DOCUMENT IS THE PROPERTY OF AMERICAN TRANSMISSION COMPANY. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.		
REV	DATE	W.O.#	DESCRIPTION	DRAWN	CHKD	APPD	COMPY												
00	7/6/2016	601086	CONSTRUCTION	NWT			NWT												

E. CLAY ST



INSTALL ANCHOR 12' NORTH  
INSTALL RISER IN SE QUAD

CRAVATH LAKE

RISER POLE  
MATCH TO PAGE 35

**KEY**

- ▲ FIBER OPTIC MARKER / TRACER WIRE ACCESS POINT
- ✕ SUBSTATION FENCE LINE
- P/L PROPERTY LINE
- RAW RIGHT OF WAY
- ETP EDGE OF TRAVELED PORTION
- FO - UNDERGROUND FIBER OPTIC CABLE WITH TRACER WIRE
- AFO - AERIAL FIBER OPTIC CABLE
- TRANSMISSION STRUCTURE
- VAULT - ATC OR OTHER

- ⓑ LOCATE BALL
- Ⓜ MAN HOLE
- ▲ PAD MOUNT TRANSFORMER
- ⓔ ELECTRIC PEDESTAL
- Ⓣ TELEPHONE PEDESTAL
- POLE ANCHOR - EXISTING
- UTILITY POLE
- ▲ NORTH ARROW

S. WISCONSIN ST

TRIPP LAKE

MATCH TO PAGE 37

**MISCELLANEOUS INFORMATION**

**CABLE INFORMATION**

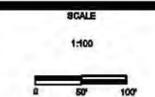
NAME	LOCATION
VAULT	X,Y COORDINATES
FIBER MARKER	X,Y COORDINATES

CABLE TYPE	DNL-4094-01/ SM48 STRAND FIBER CABLE
YEAR OF INSTALLATION	DATE
MANUFACTURER	AFL
NOTES: CONTRACTOR JOB NUMBER T5N, R15E, SEC. 33 WALWORTH COUNTY, WI	

**REFERENCE DRAWINGS**

DRAWING NUMBER	TITLE / DESCRIPTION

REV	DATE	W.O.#	DESCRIPTION	DRAWN	CHKD	APP'D	COMPY
00	7/6/2016	601086	CONSTRUCTION	NWT		NWT	



48 COUNT FIBER OPTIC CABLE  
PLAN VIEW  
WHITTEWATER TO UNIVERSITY SUBSTATIONS  
COMMUNICATION DRAWING No. COM - 01 - 000099 - 036



## **ATTACHMENT 1: PRE-CONSTRUCTION PHOTO LOG**

## Pre-Construction PhotoLog

### University to Whitewater OPGW Project



Proposed bore pit and riser location; Southwest Corner of CTH U and LSP-Whitewater Generating Facility access drive. View West. 07/14/2016.



Proposed overhead OPGW installation along CTH U. View East. 07/14/2016.

## Pre-Construction PhotoLog



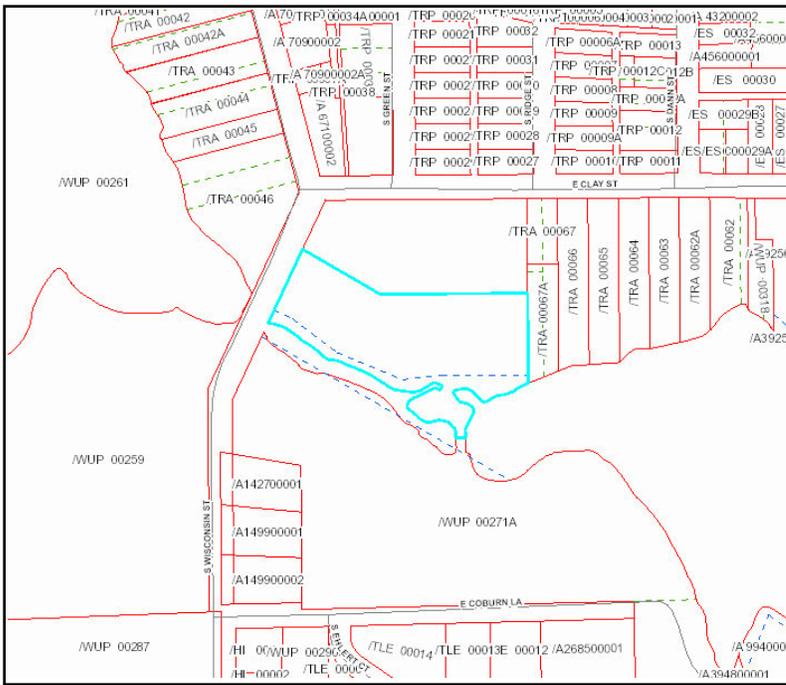
Proposed OPGW route over Whitewater Creek. View South.  
09/2012. (Image Source: Google Street View)



## ATTACHMENT 2: PARCEL INFORMATION



# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00001  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: WARREN R DEVRIES  
 Owner Name 2:  
 Mailing Address: 10205 WINCOPIN CIR  
 #404  
 COLUMBIA MD, 210440000

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$195,700.00  
 Total: \$240,100.00  
 Acres: 0.0000  
 Fair Market Value: \$244,800.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,962.53  
 Net Tax \$4,962.53  
 School Credit: \$463.59  
 Lottery Credit: \$0.00  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

SCH WHITEWATER \$2310.40  
 WALWORTH COUNTY \$1123.40  
 CITY OF WHITEWATER \$1366.27  
 STATE OF WISCONSIN \$41.54  
 GATEWAY TECHNICAL \$194.58

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

UNIT 1 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITTS /A3429-1 & /A3429-2

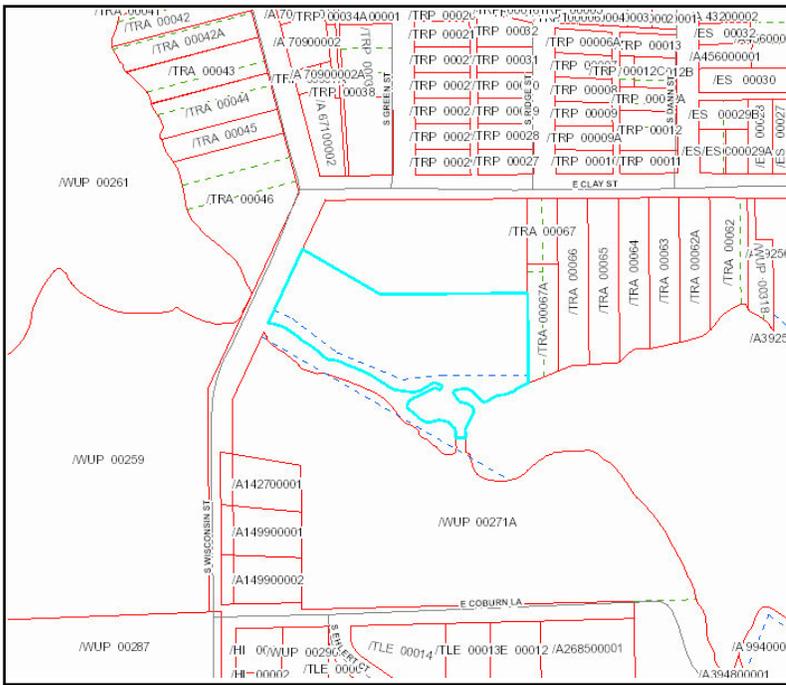
### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00003  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: DANNY D WOLFE  
 Owner Name 2: LINDA F WOLFE  
 Mailing Address: 351 S WISCONSIN ST #3

WHITEWATER WI, 53190

### 2015 Valuation Information

Land: \$46,500.00  
 Improvements: \$138,800.00  
 Total: \$185,300.00  
 Acres: 0.0000  
 Fair Market Value: \$188,900.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$357.78
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$3,694.10	Woodland Tax Law Taxes: \$0.00
Net Tax \$3,694.10	

### Tax Jurisdictions

WALWORTH COUNTY \$867.00  
 CITY OF WHITEWATER \$1054.44  
 STATE OF WISCONSIN \$32.06  
 SCH WHITEWATER \$1783.08  
 GATEWAY TECHNICAL \$150.17

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

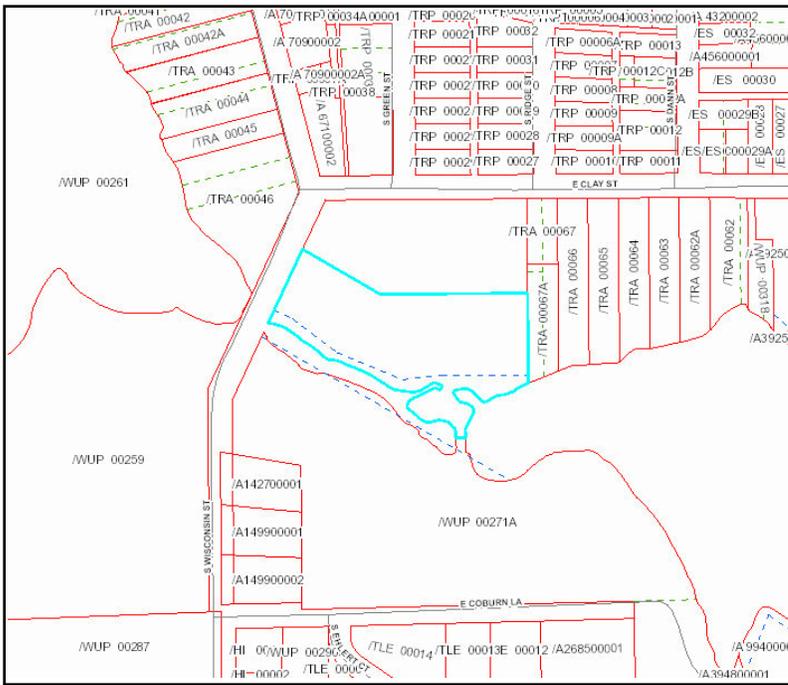
UNIT 3 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITTS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00004  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: DANIEL J NAVARRE  
 Owner Name 2: GLORIA J NAVARRE  
 Mailing Address: 351 S WISCONSIN ST #4

WHITEWATER WI, 53190

### 2015 Valuation Information

Land: \$58,100.00  
 Improvements: \$178,800.00  
 Total: \$236,900.00  
 Acres: 0.0000  
 Fair Market Value: \$241,500.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$457.41
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$4,776.42	Woodland Tax Law Taxes: \$0.00
Net Tax \$4,776.42	

### Tax Jurisdictions

SCH WHITEWATER \$2279.61  
 GATEWAY TECHNICAL \$191.98  
 STATE OF WISCONSIN \$40.99  
 WALWORTH COUNTY \$1108.43  
 CITY OF WHITEWATER \$1348.00

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

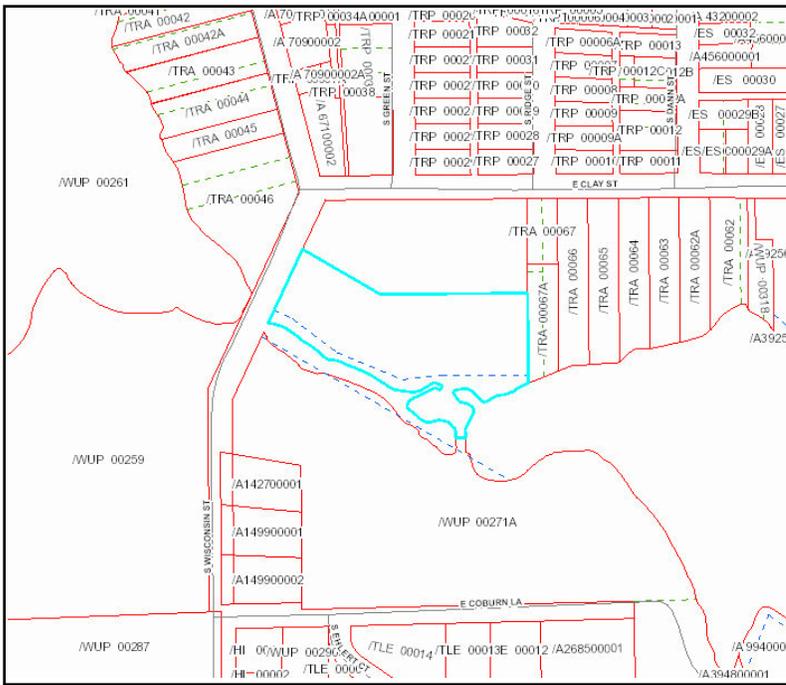
UNIT 4 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00005  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: EDWIN B CZARNECKI  
 Owner Name 2: SANDY C CZARNECKI  
 Mailing Address: PO BOX 95

WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$191,100.00  
 Total: \$235,500.00  
 Acres: 0.0000  
 Fair Market Value: \$240,100.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,747.07  
 Net Tax \$4,747.07

School Credit: \$454.71  
 Lottery Credit: \$118.99  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

GATEWAY TECHNICAL \$190.85  
 STATE OF WISCONSIN \$40.75  
 WALWORTH COUNTY \$1101.88  
 CITY OF WHITEWATER \$1340.10  
 SCH WHITEWATER \$2266.14

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

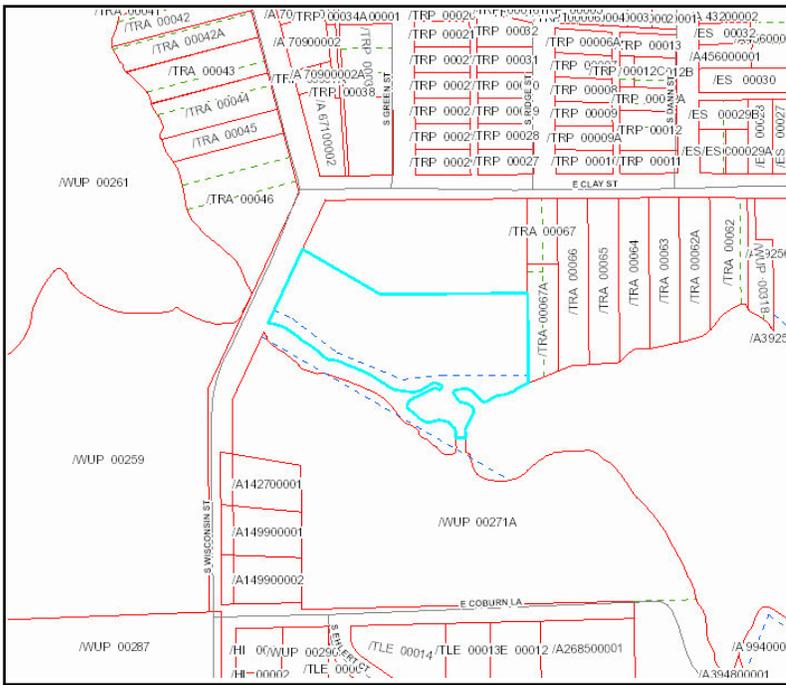
UNIT 5 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITTS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00006  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: ANITA SCHANKE  
 Owner Name 2:  
 Mailing Address: 351 WISCONSIN ST  
 UT 6  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$46,500.00  
 Improvements: \$171,200.00  
 Total: \$217,700.00  
 Acres: 0.0000  
 Fair Market Value: \$221,900.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$420.34
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$4,373.70	Woodland Tax Law Taxes: \$0.00
Net Tax \$4,373.70	

### Tax Jurisdictions

SCH WHITEWATER \$2094.85  
 WALWORTH COUNTY \$1018.60  
 GATEWAY TECHNICAL \$176.42  
 CITY OF WHITEWATER \$1238.81  
 STATE OF WISCONSIN \$37.67

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

351 S WISCONSIN ST WHITEWATER

### Legal Description

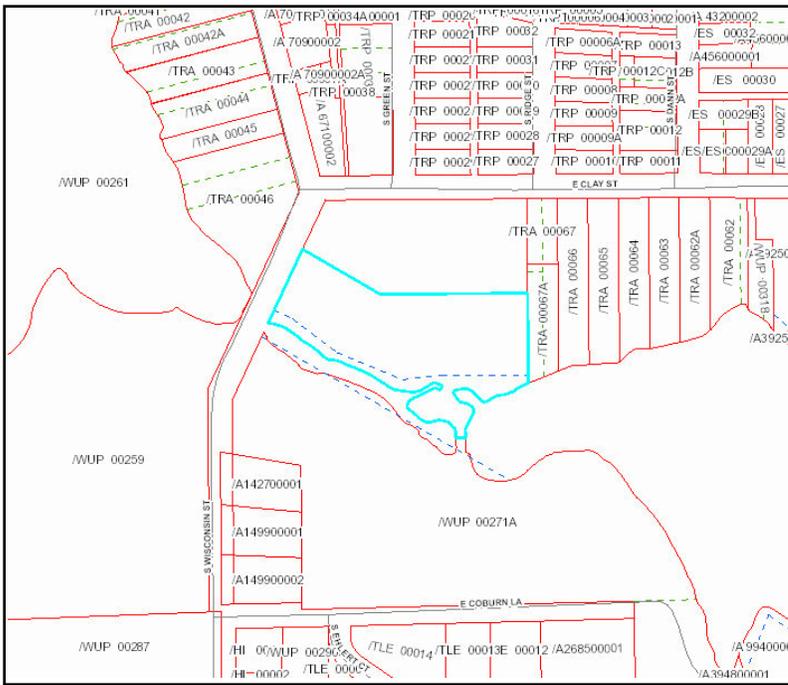
UNIT 6 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00007  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: TAGGART TRUST  
 Owner Name 2:  
 Mailing Address: 351 S WISCONSIN ST  
 #7  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$46,500.00  
 Improvements: \$166,500.00  
 Total: \$213,000.00  
 Acres: 0.0000  
 Fair Market Value: \$217,100.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,275.11  
 Net Tax \$4,275.11

School Credit: \$411.27  
 Lottery Credit: \$118.99  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

GATEWAY TECHNICAL \$172.62  
 SCH WHITEWATER \$2049.62  
 STATE OF WISCONSIN \$36.85  
 WALWORTH COUNTY \$996.61  
 CITY OF WHITEWATER \$1212.06

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

UNIT 7 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITTS /A3429-1 & /A3429-2

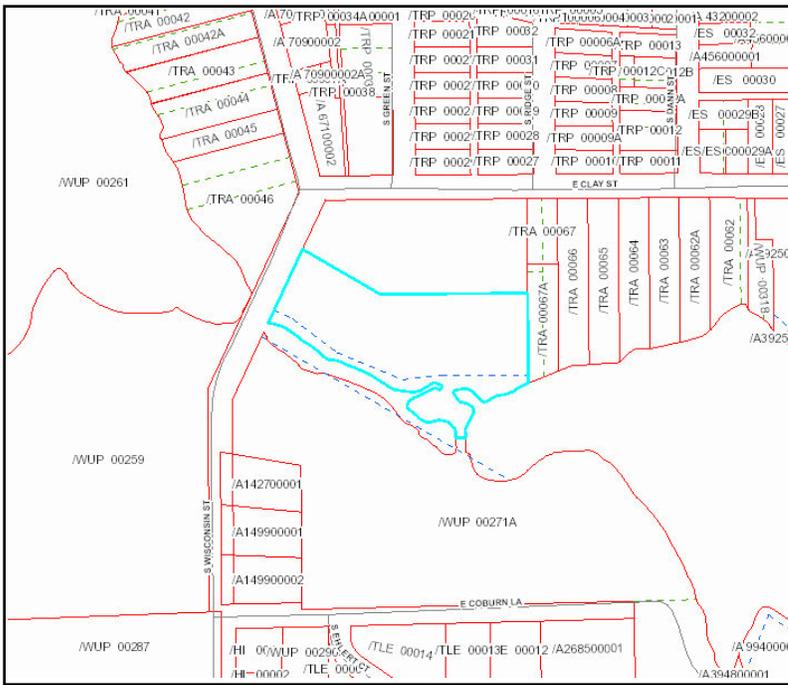
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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00009  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: JAMES E LASLEY  
 Owner Name 2:  
 Mailing Address: 351 S WISCONSIN ST #9

WHITEWATER WI, 53190

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$207,600.00  
 Total: \$252,000.00  
 Acres: 0.0000  
 Fair Market Value: \$256,900.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$486.57
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$5,093.15	Woodland Tax Law Taxes: \$0.00
Net Tax \$5,093.15	

### Tax Jurisdictions

STATE OF WISCONSIN \$43.60  
 SCH WHITEWATER \$2424.91  
 CITY OF WHITEWATER \$1433.99  
 GATEWAY TECHNICAL \$204.22  
 WALWORTH COUNTY \$1179.08

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

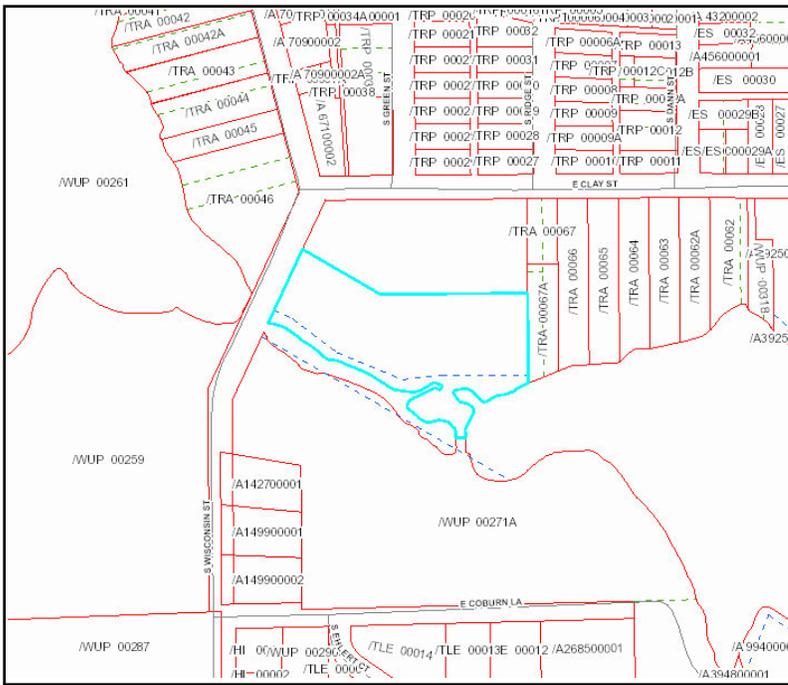
UNIT 9 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00010  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: WILLIAM D BARROW  
 Owner Name 2:  
 Mailing Address: 351 S WISCONSIN ST  
 UT 10  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$131,000.00  
 Total: \$175,400.00  
 Acres: 0.0000  
 Fair Market Value: \$178,800.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$338.67
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$3,486.43	Woodland Tax Law Taxes: \$0.00
Net Tax \$3,486.43	

### Tax Jurisdictions

WALWORTH COUNTY \$820.68  
 CITY OF WHITEWATER \$998.10  
 STATE OF WISCONSIN \$30.35  
 GATEWAY TECHNICAL \$142.14  
 SCH WHITEWATER \$1687.81

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

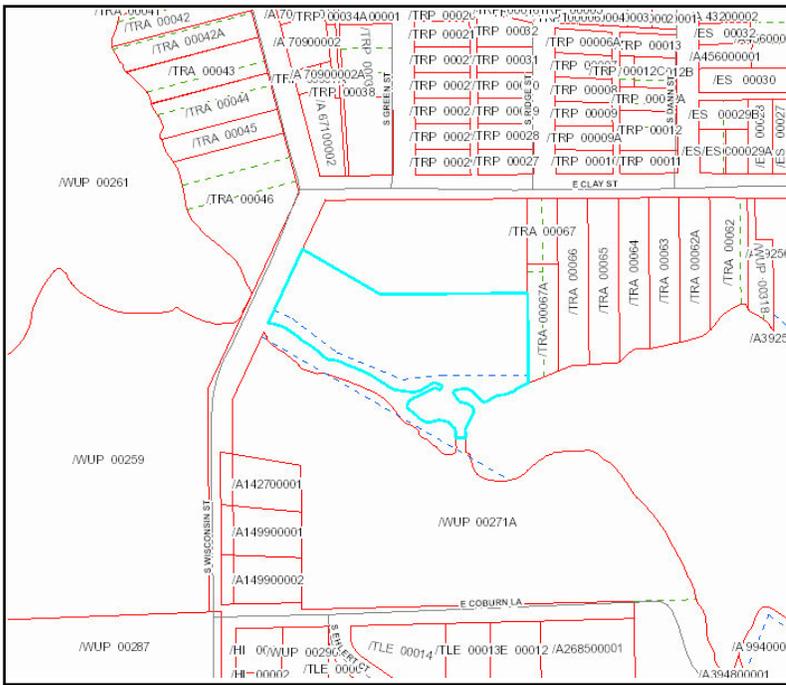
UNIT 10 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00011  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: ALLEN E GUNTHER  
 Owner Name 2: LUCRETIA M GUNTHER  
 Mailing Address: 351 WISCONSIN  
 UT 11  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$46,500.00  
 Improvements: \$177,600.00  
 Total: \$224,100.00  
 Acres: 0.0000  
 Fair Market Value: \$228,400.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,507.93  
 Net Tax \$4,507.93  
 School Credit: \$432.70  
 Lottery Credit: \$118.99  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

STATE OF WISCONSIN \$38.77  
 SCH WHITEWATER \$2156.44  
 GATEWAY TECHNICAL \$181.61  
 CITY OF WHITEWATER \$1275.22  
 WALWORTH COUNTY \$1048.54

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

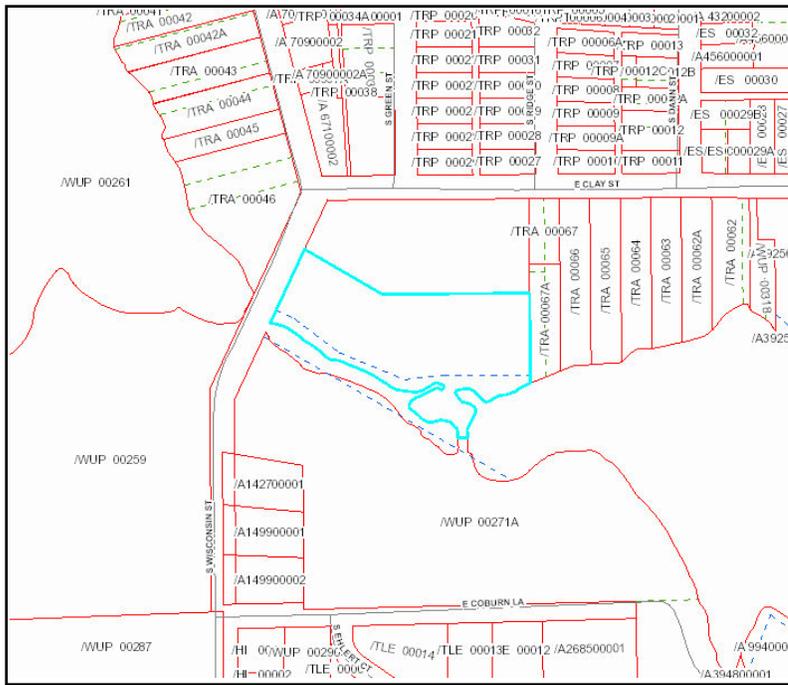
UNIT 11 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00012  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: LYLE W HUNTER TRUST  
 Owner Name 2: DAWN M HUNTER TRUST  
 Mailing Address: 351 S WISCONSIN ST  
 UT 12  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$195,100.00  
 Total: \$239,500.00  
 Acres: 0.0000  
 Fair Market Value: \$244,200.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$462.43
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$4,830.97	Woodland Tax Law Taxes: \$0.00
Net Tax \$4,830.97	

### Tax Jurisdictions

GATEWAY TECHNICAL \$194.09  
 STATE OF WISCONSIN \$41.44  
 CITY OF WHITEWATER \$1362.86  
 WALWORTH COUNTY \$1120.60  
 SCH WHITEWATER \$2304.63

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

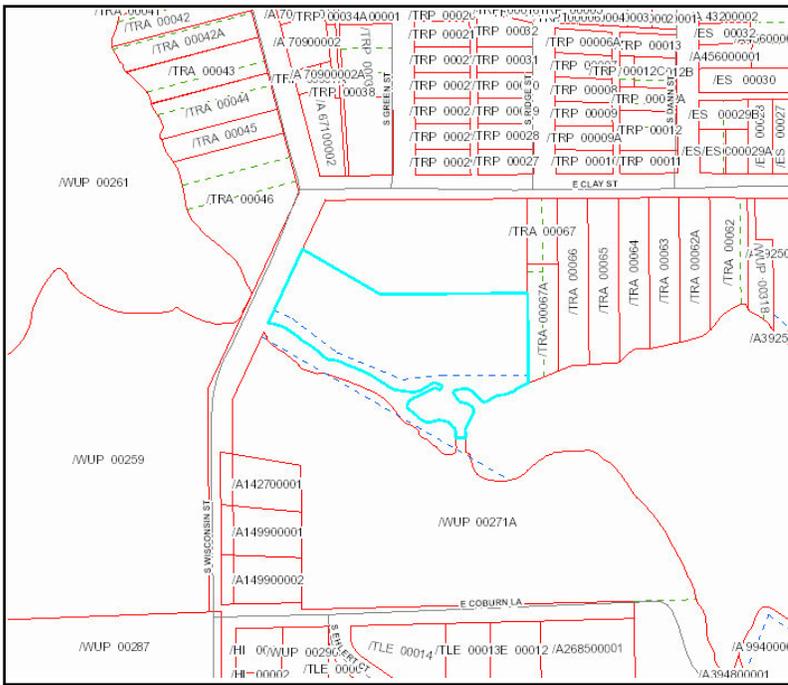
UNIT 12 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

### Disclaimer

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00013  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: DANA KRATZ  
 Owner Name 2: ANDREA KRATZ  
 Mailing Address: 351 S WISCONSIN ST #13

WHITEWATER WI, 53190

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$194,500.00  
 Total: \$238,900.00  
 Acres: 0.0000  
 Fair Market Value: \$243,600.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,818.37  
 Net Tax \$4,818.37  
 School Credit: \$461.27  
 Lottery Credit: \$118.99  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

SCH WHITEWATER \$2298.86  
 GATEWAY TECHNICAL \$193.60  
 WALWORTH COUNTY \$1117.79  
 CITY OF WHITEWATER \$1359.44  
 STATE OF WISCONSIN \$41.33

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

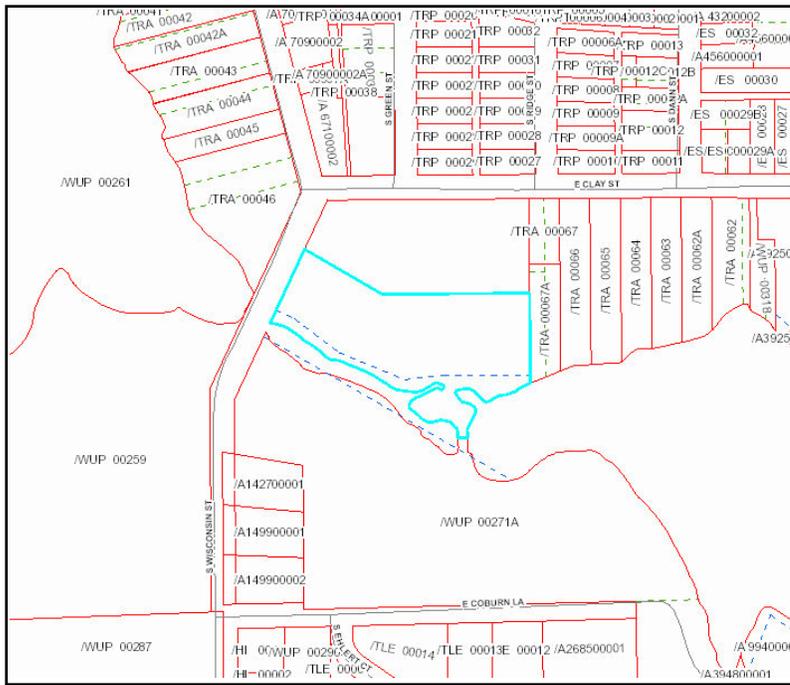
UNIT 13 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00014  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: SUSAN L KIDD TRUST  
 Owner Name 2: KENNETH R KIDD TRUST  
 Mailing Address: 351 S WISCONSIN ST #14

WHITEWATER WI, 53190

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$187,600.00  
 Total: \$232,000.00  
 Acres: 0.0000  
 Fair Market Value: \$236,500.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,673.65  
 Net Tax \$4,673.65  
 School Credit: \$447.95  
 Lottery Credit: \$118.99  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

GATEWAY TECHNICAL \$188.01  
 STATE OF WISCONSIN \$40.14  
 CITY OF WHITEWATER \$1320.18  
 SCH WHITEWATER \$2232.46  
 WALWORTH COUNTY \$1085.51

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

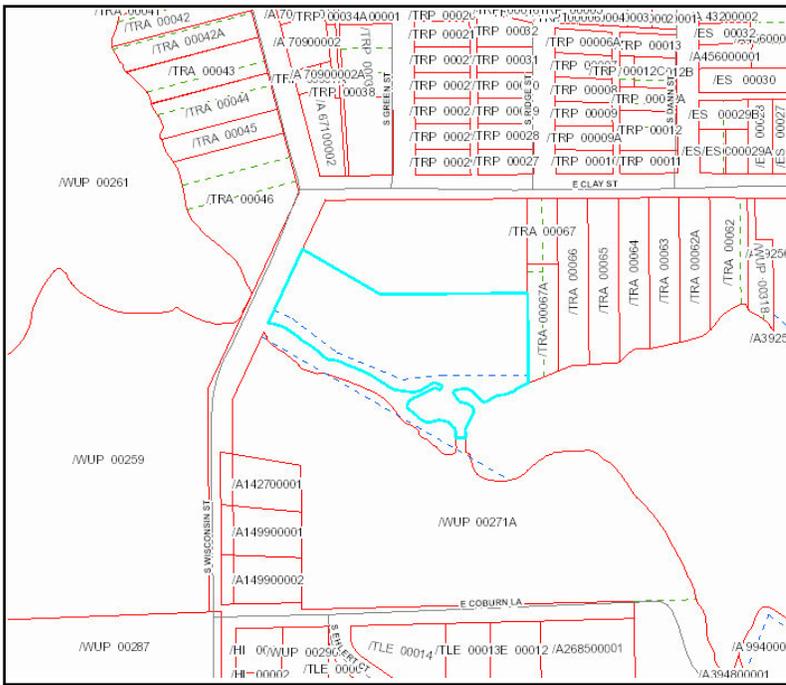
UNIT 14 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00015  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: MYRA J BRIEN  
 Owner Name 2:  
 Mailing Address: 351 WISCONSIN ST, #15

WHITEWATER WI, 53190000

### 2015 Valuation Information

Land: \$46,500.00  
 Improvements: \$185,300.00  
 Total: \$231,800.00  
 Acres: 0.0000  
 Fair Market Value: \$236,300.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66	School Credit: \$447.56
Special Assessment: \$0.00	Lottery Credit: \$118.99
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$4,669.46	Woodland Tax Law Taxes: \$0.00
Net Tax \$4,669.46	

### Tax Jurisdictions

CITY OF WHITEWATER \$1319.04  
 GATEWAY TECHNICAL \$187.85  
 WALWORTH COUNTY \$1084.57  
 STATE OF WISCONSIN \$40.11  
 SCH WHITEWATER \$2230.54

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

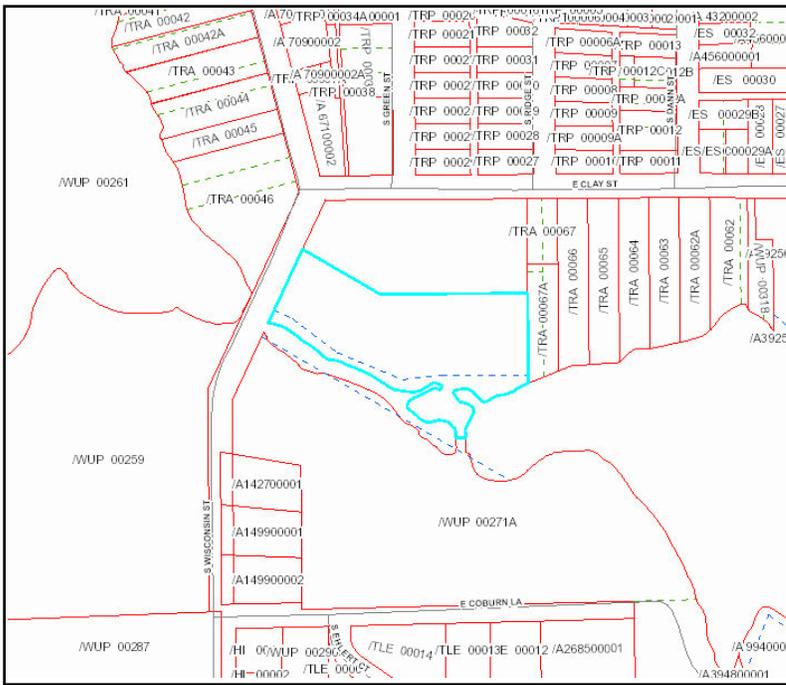
UNIT 15 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

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# Walworth County, WI Land Information Division



### Property Details

Municipality: CITY OF WHITEWATER  
 Parcel Number: /WE 00016  
 School District: 6461-SCH WHITEWATER  
 Zoning District:

### Owner Information

Owner Name: PAUL A GODER  
 Owner Name 2: JANIS K GODER  
 Mailing Address: 351 S WISCONSIN ST  
 UT 16  
 WHITEWATER WI, 531900000

### 2015 Valuation Information

Land: \$44,400.00  
 Improvements: \$164,000.00  
 Total: \$208,400.00  
 Acres: 0.0000  
 Fair Market Value: \$212,500.00  
 Assessment Ratio: 0.9809498740  
 Mill Rate: 0.0209754060

### Tax Information

First Dollar Credit: \$73.66  
 Special Assessment: \$0.00  
 Delinquent Utility Charge: \$0.00  
 Managed Forest Land Taxes: \$0.00  
 Total Billed: \$4,297.62  
 Net Tax \$4,297.62  
 School Credit: \$402.38  
 Lottery Credit: \$0.00  
 Special Charges: \$0.00  
 Private Forest Crop Taxes: \$0.00  
 Woodland Tax Law Taxes: \$0.00

### Tax Jurisdictions

STATE OF WISCONSIN \$36.06  
 SCH WHITEWATER \$2005.37  
 WALWORTH COUNTY \$975.08  
 CITY OF WHITEWATER \$1185.88  
 GATEWAY TECHNICAL \$168.89

### Elected Officials / Voting Districts

Supervisory District: Tim Brellenthin (D3)  
 State Representative: Andy Jorgensen(D) (43rd District)  
 State Senator: Janis Ringhand(D) (15th District)  
 US Representative: James Sensenbrenner(R) (5th District)  
 US Senator: Ron Johnson (R) & Tammy Baldwin (D)

### Special Assessments / Charges

### Soil Classification

Soil Type	Soil Name	Acres
MxC2	SANDY LOAM SUBSTRATUM, 6 TO 12 PERCENT SLOPI	2.3191
Na	NAVAN SILT LOAM	1.6618
W	WATER GREATER THAN 40 ACRES	0.1740

### Property Address

### Legal Description

UNIT 16 WATERS EDGE OF WHITEWATER CONDOMINIUM AS RECORDED IN CONDO CAB A SLIDE 401 WCR. LOCATED IN SW 1/4 SE 1/4 SEC 4 T4N R15E. CITY OF WHITEWATER OMITS /A3429-1 & /A3429-2

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Parcel Number - 292-0515-3311-000 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality City of Whitewater  
 State Municipality Code 292  
 Township 05  
 Range 15  
 Section 33  
 Quarter-Quarter 11  
 ID 000

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Last Name	First Name	M.I.	JR/SR
<a href="#">LURVEY TRUST</a>	<a href="#">MARK</a>	D	
<a href="#">LURVEY TRUST</a>	<a href="#">EILEEN</a>	E	
<a href="#">LURVEY TRUST</a>	<a href="#">GREGORY</a>	J	
<a href="#">LURVEY TRUST</a>	<a href="#">DEBRA</a>	L	

**PARCEL ADDRESSES** ?

Address City Zip

**BILL ADDRESS**

Name MARK & EILEEN LURVEY TRS  
 GREGORY & DEBRA LURVEY T  
 Street W3411 STATE ROAD 59  
 City State Zip WHITEWATER, WI 53190

**PROPERTY SIZE** ?

Acres	Front	Depth
39.023	0.00	0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

NE1/4 NE1/4. EX LD IN STH 59 IN 435-45.

**VALUATION INFORMATION** ?

Assessment Year	2016
Assessment Acres	39.023
Assessed Land Value	\$10,200
Assessed Improved Value	\$0
Total Value	\$10,200

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	214.52	<a href="#">Display Tax Bill Image</a>	
First Dollar	0.00		
Lottery Credit	0.00	<b>Paid</b>	<b>Balance</b>
General Tax	214.52	214.52	0.00
Specials			
MFL			
Tax Totals	214.52	214.52	0.00

Category	Assessed Value	Average Assessment Ratio	Estimated Market Value
USE Asmt	10,100		
Total	10,100 /	0.9948	

First Installment	107.52	Second Installment	107.00
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Tax Detail	Print Summary	Payment History
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EFMV is not valid for Use Value Ag, 5M Forest and Undeveloped land classes

**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC
TID District	292008	TID District #8

**RECORDED DOCUMENTS** ?

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Parcel Number - 292-0515-3312-001 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality	City of Whitewater
State Municipality Code	292
Township	05
Range	15
Section	33
Quarter-Quarter	12
ID	001

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Business Name  
[BASURA LLC](#)

**PARCEL ADDRESSES** ?

Address City Zip

**BILL ADDRESS**

Name BASURA LLC  
Street 7311 OMEGA CIRCLE  
City State Zip FRANKSVILLE, WI 53126

**PROPERTY SIZE** ?

Acres	Front	Depth
12.116	0.00	0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

COM N1/4/C, S88DG48'E 1272.65FT TO POB, S88DG48'E 50.01FT, S0DG25'W 1329.11FT, N88DG49'W 1203.25FT, N0DG27'E 53.49FT, S88DG49'E 393.50FT, N0DG27'E 526.14FT, S88DG49'E 759.48FT, N0DG25'E 749.50FT TO POB.

**VALUATION INFORMATION** ?

Assessment Year	2016
Assessment Acres	12.116
Assessed Land Value	\$0
Assessed Improved Value	\$0
Total Value	\$0

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	10,241.66	<a href="#">Display Tax Bill Image</a>	
First Dollar	73.66		
Lottery Credit	0.00	Paid	Balance
General Tax	10,168.00	10,168.00	0.00
Specials			
MFL			
Tax Totals	10,168.00	10,168.00	0.00

Category	Assessed Value	Average Assessment Ratio	Estimated Market Value
Land	196,200		
Improvement	286,000		
Total	482,200 /	0.9948	484,700

First Installment	5,084.00	Second Installment	5,084.00
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Tax Detail	Print Summary	Payment History
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**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC

**RECORDED DOCUMENTS** ?

Doc. Type	Status	Document Date	Sale Amt.	Doc. Number
WAR-DEED A		10/28/1998		<a href="#">1006623</a>
WAR-DEED P		10/28/1998	171,000	<a href="#">1006134</a>

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Parcel Number - 292-0515-3312-002 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality	City of Whitewater
State Municipality Code	292
Township	05
Range	15
Section	33
Quarter-Quarter	12
ID	002

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Last Name	First Name	M.I.	JR/SR
<a href="#">WALTON</a>	<a href="#">ROSS</a>	R	
<a href="#">WALTON</a>	<a href="#">MELISSA</a>	A	

**PARCEL ADDRESSES** ?

Address	City	Zip
105 COUNTY ROAD U	WHITEWATER	53190

**BILL ADDRESS**

Name	ROSS WALTON
	MELISSA WALTON
Street	W3442 VANNOY DR
City State Zip	WHITEWATER, WI 53190

**ZONING INFORMATION**

[Zoning Permits & Petitions](#)

**PROPERTY SIZE** ?

Acres	Front	Depth
5.390	0.00	0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

LOT 1, CSM 4101-20-82.

**VALUATION INFORMATION** ?

Assessment Year	2016	2015
Assessment Acres	5.390	5.390
Assessed Land Value	\$74,500	\$74,500
Assessed Improved Value	\$162,900	\$162,900
Total Value	\$237,400	\$237,400

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	5,042.25	<a href="#">Display Tax Bill Image</a>	
First Dollar	73.66		
Lottery Credit	0.00	Paid	Balance
General Tax	4,968.59	4,968.59	0.00
Specials			
MFL			
Tax Totals	4,968.59	4,968.59	0.00

Category	Assessed Value	Average Assessment Ratio	Estimated Market Value
Land	74,500		
Improvement	162,900		
Total	237,400 /	0.9948	238,600

First Installment	2,484.59	Second Installment	2,484.00
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Tax Detail	Print Summary	Payment History
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**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC

**RECORDED DOCUMENTS** ?

Doc. Type	Status	Document Date	Sale Amt.	Doc. Number
WAR-DEED P		11/08/2001	95,000	<a href="#">1069733</a>
WAR-DEED X		05/23/2001	17,500	<a href="#">1059640</a>

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Parcel Number - 292-0515-3312-003 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality	City of Whitewater
State Municipality Code	292
Township	05
Range	15
Section	33
Quarter-Quarter	12
ID	003

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Business Name  
[JOHNS DISPOSAL SERVICE](#)

**PARCEL ADDRESSES** ?

Address City Zip

**BILL ADDRESS**

Name JOHNS DISPOSAL SERVICE  
 Street 7311 OMEGA CIRCLE  
 City State Zip FRANKSVILLE, WI 53126

**PROPERTY SIZE** ?

Acres	Front	Depth
4.327	0.00	0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

LOT 2, CSM 4101-20-82.

**VALUATION INFORMATION** ?

Assessment Year	2016	2015
Assessment Acres	4.327	4.327
Assessed Land Value	\$32,000	\$32,000
Assessed Improved Value	\$0	\$0
Total Value	\$32,000	\$32,000

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	679.66	<a href="#">Display Tax Bill Image</a>	
First Dollar	0.00		
Lottery Credit	0.00	<b>Paid</b>	<b>Balance</b>
General Tax	679.66	679.66	0.00
Specials			
MFL			
Tax Totals	679.66	679.66	0.00

Category	Assessed Value	Average Assessment Ratio	Estimated Market Value
Land	32,000		
Total	32,000 /	0.9948	32,200

First Installment	340.66	Second Installment	339.00
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Tax Detail

Print Summary

Payment History

**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC

**RECORDED DOCUMENTS** ?

Doc. Type	Status	Document Date	Sale Amt.	Doc. Number
QCD	A	06/30/1992	414,200	<a href="#">908354</a>
WAR-DEED P		11/02/1988		<a href="#">845972</a>

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Parcel Number - 292-0515-3313-000 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality City of Whitewater  
 State Municipality Code 292  
 Township 05  
 Range 15  
 Section 33  
 Quarter-Quarter 13  
 ID 000

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Last Name First Name M.I. JR/SR  
[WHITEWATER](#) [CITY OF](#)

**PARCEL ADDRESSES** ?

Address City Zip  
 No Parcel Address

**BILL ADDRESS**

Name CITY OF WHITEWATER  
 Street PO BOX 149  
 City State Zip WHITEWATER, WI 53190

**PROPERTY SIZE** ?

Acres Front Depth  
 44.060 0.00 0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

SW1/4 NE1/4. ALSO W120FT OF NW1/4 NE1/4,  
 ALSO 100FT DRAINAGE ESMT OVER S100FT  
 NW1/4. SUBJ TO ESMTS IN 911-964.

**VALUATION INFORMATION** ?

Assessment Year	2016	2015
Assessment Acres	44.060	44.060
Assessed Land Value	\$0	\$0
Assessed Improved Value	\$0	\$0
Total Value	\$0	\$0

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	0.00		
First Dollar	0.00		
Lottery Credit	0.00	<b>Paid</b>	<b>Balance</b>
General Tax	0.00	0.00	0.00
Specials			
MFL			
Tax Totals	0.00	0.00	0.00
<b>Category</b>	<b>Assessed Value</b>	<b>Average Assessment Ratio</b>	<b>Estimated Market Value</b>
Total	0 /	0.9948	

**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC
TID District	292008	TID District #8

**RECORDED DOCUMENTS** ?

Doc. Type	Status	Vol.	Vol.	Page	Doc. Number
NO DOC MAS	P	491	526		708705

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Parcel Number - 292-0515-3321-000 [MAP](#)

Data Updated - September 05, 2016 10:00am

Parcel Status - ACTIVE

**PARCEL INFORMATION** ?

Municipality	City of Whitewater
State Municipality Code	292
Township	05
Range	15
Section	33
Quarter-Quarter	21
ID	000

**PARCEL OWNERS**

(CLICK ON NAME TO LIST PARCELS WITH OWNERS NAME)

Business Name

[LSP-WHITEWATER LP](#)

**PARCEL ADDRESSES** ?

Address	City	Zip
111 COUNTY ROAD U	WHITEWATER	53190

**BILL ADDRESS**

Name	LSP-WHITEWATER LP
Street	402 E MAIN ST
City State Zip	BOZEMAN, MT 59715

**PROPERTY SIZE** ?

Acres	Front	Depth
33.424	0.00	0.00

**BRIEF LEGAL DESCRIPTION** ?

(NOT FOR USE ON LEGAL DOCUMENTS)

LOT 1, CSM 3066-13-3. ALSO ESMTS IN 911-964.

**VALUATION INFORMATION** ?

Assessment Year	2016	2015
Assessment Acres	33.424	33.424
Assessed Land Value	\$0	\$0
Assessed Improved Value	\$0	\$0
Total Value	\$0	\$0

Current year valuations are subject to change until Board of Review final adjournment [Assessment Detail](#)

**TAX INFORMATION** ?

[2015](#) [2014](#) [2013](#) [2012](#) [2011](#) [2010](#) [2009](#) [2008](#)

**2015 Tax Values** **Not Delinquent**

General Taxes:	0.00		
First Dollar	0.00		
Lottery Credit	0.00	<b>Paid</b>	<b>Balance</b>
General Tax	0.00	0.00	0.00
Specials			
MFL			
Tax Totals	0.00	0.00	0.00
<b>Category</b>	<b>Assessed Value</b>	<b>Average Assessment Ratio</b>	<b>Estimated Market Value</b>
Total	0 /	0.9948	

**DISTRICT INFORMATION** ?

Type	State Code	Description
School District	646461	WHITEWATER SCH DIST
Technical College	000400	MATC

**RECORDED DOCUMENTS** ?

Doc. Type	Status	Document Date	Sale Amt.	Doc. Number
WAR-DEED P		04/17/1995	140,000	<a href="#">937739</a>

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**ATTACHMENT 3:  
USACE GENERAL PERMIT GP-002-WI**



US Army Corps  
of Engineers  
St Paul District

**ISSUANCE OF  
REGIONAL GENERAL  
PERMIT GP-002-WI**

**Public Notice**

**ISSUED: 15 July 2016  
EXPIRES: 14 July 2021**

**(MVP-2016-00163-RMG)**

**Section: 404 Clean Water Act**

**1. FINAL ACTION:**

This public notice announces the St. Paul District Corps of Engineers Regulatory Branch (Corps) issuance of GP-002-WI, the last iteration of which expired on May 31, 2016. The GP-002-WI is valid in the State of Wisconsin, except within the exterior boundaries of Indian Reservations.

The following represent the four notable changes compared to the previous version of GP-002-WI:

- a. The time limit to complete authorized work was modified to allow authorized projects which have commenced work, or would be under contract to commence work at the time GP-002-WI expires to remain grandfathered for up to one year.
- b. The reporting utility line category (category 2.a.9) was reorganized, and four clarifications were inserted to address impact thresholds, compensatory mitigation, the definition of a utility, and the authorized duration of temporary construction matting in WOUS.
- c. Additional language has been added to condition 3.b.18 which requires permittees to ensure that use of matting is appropriately sequenced, and to ensure that matting used will limit spread of invasive species by requiring all matting be cleaned prior to arrival at a project site.
- d. Finally, the Wisconsin Department of Natural Resources (WDNR) has neither certified nor denied Section 401 Clean Water Act Water Quality Certification (WQC) for GP-002-WI. GP-002-WI has been issued as a provisional GP which will require permittees to obtain individual WQC from the WDNR.

**2. JURISDICTION AND REGULATORY AUTHORITY**

All discharges of dredged or fill materials eligible for authorization under GP-002-WI is within waters of the United States, which includes navigable waters of the U.S., wetlands, and other waters subject to the regulatory jurisdiction of the Corps pursuant to Section 404 of the Clean Water Act.

**3. QUESTIONS AND ADDITIONAL INFORMATION**

The final version of GP-002-WI is available on the St. Paul District website at:  
<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

Questions regarding GP-002-WI may be addressed to Rebecca Graser in our Brookfield, Wisconsin office at (651) 290-5728 or via email at [rebecca.m.graser@usace.army.mil](mailto:rebecca.m.graser@usace.army.mil).

FOR THE DISTRICT COMMANDER:

  
Chad S. Konickson  
Chief, Regulatory Branch

**DEPARTMENT OF THE ARMY PERMIT**

Permittee: The General Public in Wisconsin  
Permit No. GP-002-WI  
Issuing Office: St. Paul District, United States Army Corps of Engineers  
Issuance Date: July 15, 2016  
Expiration Date: July 14, 2021

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the St. Paul District of the Corps of Engineers or the appropriate official of that office acting under the authority of the commanding officer.

**GENERAL PERMIT AUTHORIZATIONS:** The general public in the state of Wisconsin is authorized to perform work in accordance with the terms and conditions of the general permits (GPs) specified below, after satisfying all applicable permit terms and conditions.

**IMPORTANT:** GP-002-WI authorizations are subject to all applicable terms and conditions specified in this permit. In addition, reporting GP authorizations may be subject to project-specific special conditions that will be listed in the St. Paul District's verification letter. Refer to the appropriate sections of this permit for a description of GP eligible activities, conditions, exclusions and application instructions.

**PROJECT DESCRIPTION AND LOCATION:** GP-002-WI applies to certain discharges of dredged and/or fill material into waters of the United States, including wetlands, as described herein, in the state of Wisconsin except within the exterior boundaries of Indian Reservations.

**Department of the Army General Conditions** (applicable to all GP-002-WI authorizations):

1. GP-002-WI expires on July 14, 2021. Unless activities authorized under the GP-002-WI issued on July 15, 2016, have commenced construction or are under contract to commence construction by July 14, 2021, the time limit for completing work ends upon the expiration date of GP-002-WI. Activities authorized under GP-002-WI which have commenced construction or are under contract to commence construction by July 14, 2021, will have until July 13, 2022, to complete their activities under the terms and conditions of GP-002-WI. If you find that you require additional time to complete authorized activities, submit your time extension request to this office for consideration at least three months before the expiration date is reached.
2. You must maintain the activity authorized by GP-002-WI in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain an activity authorized by the reporting GP, or abandon it without a good faith transfer; you must obtain a modification of the Corps authorization, which may require restoration of the area. If you wish to transfer responsibility for project completion or maintenance, please contact this office so we may provide you with the necessary documentation to transfer the authorization.

3. If you discover any previously unknown historic or archaeological remains while accomplishing any activity authorized by GP-002-WI, you must immediately stop work and notify the Corps. The St. Paul District will initiate the federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. You must allow representatives from this office to inspect the proposed project site and the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of GP-002-WI.
5. If a conditioned water quality certification has been issued for your project by the Wisconsin Department of Natural Resources (WDNR), you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must also comply with the other GP-002-WI terms and conditions specified below as well as any project specific conditions imposed by the St. Paul District.

Further Information:

1. Congressional Authorities: Authorization to undertake the activities described above is pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Work that also requires authorization under Section 10 of the Rivers and Harbors Act must be authorized separately through other GPs or individual permits.
2. Limits of this Authorization:
  - a. GP-002-WI does not obviate the need to obtain other federal, state, or local authorizations required by law.
  - b. GP-002-WI does not grant any property rights or exclusive privileges.
  - c. GP-002-WI does not authorize any injury to the property or rights of others.
  - d. GP-002-WI does not authorize interference with any existing or proposed federal project.
3. Limits of Federal Liability. In authorizing work, the Federal 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 United States 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 permit.
4. Reliance on Applicant's Data. The determination by this office that an activity is not contrary to the public interest will be made in reliance on the information provided by the applicant.
5. Reevaluation of Decision. This office may reevaluate its decision on an authorization at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. The applicant fails to comply with the terms and conditions of this general permit.
  - b. The information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate (see 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

A reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring the permittee to comply with the terms and conditions of the permit and for the initiation of legal action where appropriate.

6. This office may also reevaluate its decision to issue GP-002-WI at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following: significant new information surfaces which this office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7.

This GP-002-WI becomes effective when the federal official, designated to act for the Secretary of the Army, has signed below.

  
Chad Konickson  
Chief, Regulatory Branch

15 July 2016  
Date

For: Samuel L. Calkins  
Colonel, Corps of Engineers  
District Engineer

## **GP-002-WI ACTIVITIES, PROVISIONS, AND CONDITIONS**

This describes the Section 404 Clean Water Act (Section 404) general permit authorization procedures implemented by the St. Paul District Corps of Engineers (Corps) in GP-002-WI.

**Persons proposing to do work should note that, in ALL cases, GP-002-WI requires that adverse impacts on water and wetland resources be avoided and minimized to the maximum extent practicable. Also, activities that would adversely affect federal endangered plant or animal species or certain cultural or archaeological resources, or that would impair reserved Native American tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights, are not eligible for authorization under GP-002-WI.**

### **1. NON-REPORTING GENERAL PERMIT**

The following discharges, for a single and complete project, that comply with all applicable terms and conditions of GP-002-WI are authorized by this GP. **No application or notification to the Corps is required under this GP. Project proponents may proceed with the described discharges after very carefully making sure that the work will meet all applicable terms and conditions of GP-002-WI.** Project proponents with non-reporting activities should consult the Wisconsin Department of Natural Resources (WDNR) and local governments concerning state and local permit requirements.

Note that certain areas and activities are EXCLUDED from this non-reporting GP in section 1.b., below.

#### **a. ACTIVITIES ELIGIBLE FOR AUTHORIZATION BY THE NON-REPORTING GP:**

##### **1. Maintenance Activities.**

Discharges of dredged or fill material for the repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure or fill, or any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that they affect not more than ½ acre of waters of the United States, including wetlands. The temporary placement of mats in herbaceous wetland communities to minimize soil disturbance during maintenance activities may be authorized by this category, but does not contribute to the ½ acre threshold above. The structure or fill is not to be put to uses differing from those specified in the original authorization or most recently authorized modification. Minor deviations are allowed where necessary to conform to modern construction practices, materials, construction codes, or safety standards. This GP may be used for the replacement of bridge abutments and culverts, side-slope flattening, reconditioning of roadbeds. This GP may not be used for the addition of new lanes on roadways. This GP authorizes the minimal impact repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill that does not qualify for the Section 404(f) exemption for maintenance.

##### **2. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities.**

Section 404 discharges for fish and wildlife harvesting devices and activities such as pound nets, crayfish/minnow traps, duck blinds, clam digging; and enhancement or attraction devices such as fish cribs, tree drops, and small fish attraction devices. This GP does not authorize artificial reefs, impoundments, or semi-impoundments of waters of the United States for the culture or holding of motile species.

3. Scientific Measurement Devices.

Section 404 discharges for staff gages, tide gages, water recording devices, water quality testing and improvement devices and similar structures. Small weirs and flumes constructed primarily to record water quantity and velocity are also authorized. The discharge of fill material into waters of the United States must be limited to 150 square feet.

4. Survey Activities.

Section 404 discharges for survey activities including core sampling, seismic exploratory operations, and plugging of seismic shot holes and other exploratory-type bore holes. Drilling and the discharge of excavated material from test wells for oil and gas exploration is not authorized by this GP; the plugging of such wells is authorized. Fill placed for roads, pads and other similar activities is not authorized by this GP. The discharge of drilling mud and cuttings may require a permit under the National Pollutant Discharge Elimination System Program (Section 402 of the Clean Water Act).

5. Oil Spill/Hazardous Substances Containment/Cleanup.

Activities required for the containment and cleanup of oil and hazardous substances which are subject to the National Oil and Hazardous Substances Pollution Contingency Plan, (40 CFR Part 300), provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3. In addition, if a Regional Response Team exists in the area, they must concur with the proposed containment and cleanup action plan to be eligible for this GP. Discharges for such containment and cleanup are authorized by this GP; however, all appropriate governmental units, as well as the Corps, shall be informed of any such discharges as soon as practical.

6. Removal of Vessels.

Minor discharges of dredged or fill material required to remove wrecked, abandoned, or disabled vessels, or remove man-made obstructions to navigation. This GP does not authorize the removal of vessels listed or determined eligible for listing on the National Register of Historic Places unless the District Engineer determines that the work would be done in compliance with the "Historic Properties" standard condition (see Standard Condition: 3.b.11., below). This GP does not authorize maintenance dredging, shoal removal, or river bank snagging. Vessel disposal in waters of the United States may need a permit from the United States Environmental Protection Agency (EPA) (see 40 CFR 229.3).

7. Stream and Wetland Restoration Activities.

This GP does not cover any conversion of sedge meadow or forested wetland to other wetland types. This GP covers Section 404 activities in waters of the United States associated with the restoration and enhancement (see definitions: 3.a.6 through 3.a.10, below) of degraded wetlands and riparian areas, the creation of wetlands and riparian areas, and the restoration and enhancement of non-Section 10 streams and open water areas on:

- (a) Non-federal public and private lands, in accordance with the terms and conditions of a binding wetland enhancement, restoration or creation agreement between the landowner and the United States Fish and Wildlife Service (USFWS) or the Natural Resources Conservation Service (NRCS); or
- (b) Any federal land; or
- (c) Any public or private land by a state agency.

This GP cannot be used to authorize activities for the conversion of a natural stream to another aquatic use, such as the creation of waterfowl impoundments. This GP cannot be used to authorize channelization of a

stream and does not authorize the conversion of natural wetlands to another aquatic use, such as creation of waterfowl impoundments where a forested wetland previously existed. However, this GP may be used to relocate aquatic habitat types on the project site, provided there are net gains in aquatic resource functions, values, and no net loss of aquatic resource acreage. For example, this GP may authorize the creation of an open water impoundment in an emergent wetland, provided the emergent wetland is replaced by creating that wetland type in the adjacent uplands. This category may be used to authorize rock rip rap associated with stream restoration; however, the rip rap must be the minimum necessary to protect the shoreline.

Reversion: For enhancement, restoration and creation projects conducted pursuant to paragraph (b) and (c) above, this GP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its condition prior to the enhancement, restoration, or creation project. In such cases, a separate permit would be required at that time for any reversion. For restoration, enhancement and creation projects conducted as specified in paragraph (a), this GP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (i.e., prior to the restoration, enhancement, or creation activities) within five years after expiration of a limited term wetland restoration or creation agreement (such as Wetland Reserve Program) or permit, even if the discharge occurs after this authorization expires. The five year reversion limit does not apply to agreements specified in paragraph (a) that do not include time limits. The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the federal agency executing the agreement or permit. Prior to any reversion activity, the permittee or the appropriate federal agency must notify the District Engineer and include the documentation of the prior condition. Once an area has reverted back to its prior physical condition, it will be subject to whatever the Corps regulatory requirements will be at that future date. Because projects that would be authorized by this permit are designed to enhance the aquatic environment, mitigation will not be required for the work.

#### 8. Moist Soil Management for Wildlife Maintenance Activities.

Discharges of dredged or fill material for maintenance activities associated with existing moist soil management infrastructure for wildlife performed on non-tidal federal, tribal or state owned or managed properties, for the purpose of continuing ongoing, site-specific, wildlife management activities where soil manipulation is used to manage habitat and feeding areas for wildlife. Such activities include, but are not limited to: the repair, maintenance or replacement of existing water control structures; the repair or maintenance of dikes; and plowing or disking to impede succession, prepare seed beds, or establish fire breaks. Sufficient vegetated buffers must be maintained adjacent to all open waterbodies, streams, etc., to preclude water quality degradation due to erosion and sedimentation. This GP does not authorize the construction of new dikes, roads, water control structures, etc. associated with the management areas. This GP does not authorize converting wetlands to uplands, impoundments or other open waterbodies.

#### 9. Emergency Watershed Protection - Rehabilitation.

Work done or funded by the NRCS qualifying as an "exigency" situation (requiring immediate action) under its Emergency Watershed Protection Program (7 CFR Part 624) and work done or funded by the Forest Service under its Burned-Area Emergency Rehabilitation Handbook (FSH 509.13).

#### 10. Outfall Structures.

Activities related to construction of outfall structures and associated intake structures where the effluent from the outfall is authorized, conditionally authorized, or specifically exempted, or which are otherwise in compliance with regulations issued under the National Pollutant Discharge Elimination System program

(Section 402 of the Clean Water Act). This GP only authorizes those intake structures that are directly associated with an authorized outfall structure.

11. Bank Stabilization.

Discharges of dredged or fill material for bank stabilization activities necessary for erosion prevention provided that no material is placed in wetlands and the bank stabilization activity will not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark. (Bank stabilization projects that exceed one cubic yard per running foot or that otherwise do not qualify for this non-reporting GP may be eligible for authorization under a different GP, a letter of permission or a standard individual permit). Habitat improvements included as part of a bank stabilization project do not contribute to the threshold above.

12. Boat Ramps.

Discharges required for the construction of boat ramps provided the discharge into waters of the United States does not exceed 50 cubic yards of concrete, rock, crushed stone, or gravel into forms, or placement of pre-cast concrete planks or slabs (unsuitable material that causes unacceptable chemical pollution or is structurally unstable is not authorized); the boat ramp does not exceed 20 feet in width; the base material is crushed stone, gravel or other suitable material; the excavation is limited to the area necessary for site preparation and all excavated materials are removed to the upland; and no material is placed in special aquatic sites, including wetlands. Dredging to provide access to the boat ramp may be authorized by another GP, letter of permission, or individual permit pursuant to Section 10 if located in navigable waters of the United States.

13. Minor Fills.

Discharges of dredged and/or fill material for a single and complete project that would result in filling, draining (including full or partial diversion of flows), excavating or inundating not more than 400 square feet of waters of the United States, including wetlands. This authorization may not be used more than once by a permittee or landowner in a manner that would cumulatively impact more than 400 square feet of waters of the United States for a single and complete project (see definition of a “single and complete project” at 3.a.5., below).

**b. AREAS/ACTIVITIES EXCLUDED FROM THE NON-REPORTING GP:**

1. Diversions of water. This permit may not be used to authorize all or any portion of a project that would divert more than 10,000 gallons/day of surface water or groundwater into or out of the Great Lakes Basin.
2. In the Pleasant Prairie, Wisconsin, area identified in Corps permit 198700323, only discharges for bank stabilization, limited to one cubic yard per running foot, are eligible for authorization under this part of GP-002-WI.
3. The non-reporting GP does not authorize any activity in:
  - A. Federal and state Wild and/or Scenic Rivers. All regulated activities in these rivers, including stream and wetland restoration activities by a government agency, require evaluation under a Corps reporting general permit, letter of permission, or standard individual permit procedure.
  - B. Calcareous fens as identified by WDNR, and wetlands within 300 feet of such fens. All regulated

activities in these areas require evaluation under Corps standard individual permit procedures (except oil - hazardous material spill confinement and cleanup described at 1.a.5. above).

C. Coastal wetlands in ridge and swale complexes as identified on WDNR maps, and wetlands adjacent to the Mink River in Door County or the Bad River in Ashland County.

NOTE: Unless otherwise noted, activities excluded above may be eligible for authorization under a reporting GP, a letter of permission, or a standard individual permit.

**c. APPLICATION/EVALUATION PROCEDURES UNDER THE NON-REPORTING GP:**

An activity authorized by the non-reporting portion of this GP may commence when project proponents have carefully confirmed that the activity will be conducted in compliance with all terms and conditions of GP-002-WI. No application to the Corps is required; however, if requested, the Corps will confirm whether or not proposed work is authorized by the non-reporting GP. Persons proposing to do work should note that conditions of the GP require that adverse impacts on water and wetland resources be avoided and minimized to the maximum extent practicable. Activities that would adversely affect federal endangered plant or animal species or certain cultural/archaeological resources are not authorized by this non-reporting general permit. Information about federal and state endangered species may be obtained by contacting the USFWS at (952) 252-0092 (information on state species may be found by contacting the WDNR at (608) 261-6449). The Corps website (<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>) also contains a link to the USFWS list of federal and state endangered species for each Wisconsin county. Information concerning cultural resources may be obtained by contacting the State Historic Preservation Office at (608) 264-6400. Project proponents are encouraged to contact these agencies early in project planning to help avoid violations of federal law and potentially lengthy project delays.

**2. REPORTING GENERAL PERMIT**

The following discharge activities, for a single and complete project, that comply with all terms and conditions of GP-002-WI are eligible for authorization under the reporting GP. **Persons proposing to do work should note that conditions of GP-002-WI require that adverse impacts on water and wetland resources be avoided and minimized to the maximum extent practicable.**

Note that certain areas and activities are EXCLUDED from this reporting GP as described in section 2.b., below.

Applicants for all activities should consult with the WDNR and local governments concerning state and local permit requirements.

**a. ACTIVITIES ELIGIBLE FOR AUTHORIZATION BY THE REPORTING GP:**

1. Activities excluded from authorization by the non-reporting GP because they are in a coastal wetland area described at 1.b.3.C, above. These proposals must also comply with Standard Condition 3.b.27, below.

2. United States Coast Guard (USCG) Approved State or Federally Funded Bridges.

Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the

United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided the project has been authorized by the USCG as part of the bridge permit. Causeway and approach fills are not included.

3. Return Water From Upland Contained Disposal Areas.

Return water from upland, contained dredged material disposal areas. The dredging itself requires a Section 10 permit if located in navigable waters of the United States. The return water from a contained disposal area is administratively defined as a discharge of dredged material by 33 CFR 323.2(d) even though the disposal itself occurs on the upland and thus does not require a Section 404 permit. Authorization under this GP satisfies the technical requirement for a Section 404 permit for the return water where the quality of the return water is controlled by the state through the Section 401 certification procedures.

4. Hydropower Projects.

Discharges of dredged or fill material associated with (a) small hydropower projects at existing reservoirs where the project, which includes the discharge of dredged or fill material, is licensed by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act of 1920, as amended; and has a total generating capacity of not more than 5000 KW; or (b) hydropower projects for which the FERC has granted an exemption from licensing pursuant to Section 408 of the Energy Security Act of 1980 (16 U.S.C. 2705 and 2708) and Section 30 of the Federal Power Act, as amended.

5. Cleanup of Hazardous and Toxic Waste.

Discharges of dredged or fill material required to effect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Court ordered remedial action plans or related settlements may also be authorized by this GP when the Corps determines that it has received appropriate documentation of the court order or settlement. For discharges in special aquatic sites, including wetlands, the application must include a delineation of the affected site(s). This GP does not authorize the establishment of new disposal sites or the expansion of existing sites used for the disposal of hazardous or toxic waste.

6. Completed Enforcement Actions.

Discharges of dredged or fill material in no more than five acres of waters of the United States remaining in place or undertaken for mitigation, restoration, or environmental benefit in compliance with either:

- (a) The terms of a signed written Corps non-judicial settlement agreement resolving a Section 404 violation. The settlement must provide for equal or greater environmental benefit than the environmental detriments caused by the unauthorized activity to be authorized by this GP;
- (b) The terms of a United States Environmental Protection Agency 309(a) order on consent resolving a Section 404 violation;
- (c) The terms of a final federal court decision, consent decree, or settlement agreement resulting from an enforcement action brought by the United States for violation of Section 404; or
- (d) The terms of a final court decision, consent decree, settlement agreement, or non-judicial settlement agreement resulting from a natural resource damage claim brought by a trustee or trustees for natural resources (as defined by the National Contingency Plan at 40 CFR subpart G) under Section 311 of the Clean Water Act, Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, Section 1002 of the Oil Pollution Act of 1990, or the Park System Resource Protection Act at 16 U.S.C. 19jj, to the extent that a Corps permit is required.

Verification issued by the District Engineer pursuant to categories (a) through (d) above is subject to the terms and conditions of GP-002-WI, and shall include a specified completion date. Compliance with the terms of the underlying court decision, consent decree, settlement agreement, non-judicial settlement agreement, or 309(a) order that pertain to the retention, placement, protection or maintenance of the discharges authorized by this permit are conditions of this GP. The District Engineer may include additional conditions not inconsistent with underlying court decision, consent decree, settlement agreement, non-judicial settlement agreement, or 309(a) order. A violation of this GP occurs if the permittee does not comply with the terms of this GP or the pertinent terms of the underlying court decision, consent decree, judicial/non-judicial settlement agreement, or 309(a) order. This GP does not apply to any discharges occurring after the date of the decision, consent decree, or agreement that are not in compliance with the underlying order or settlement agreement. For purposes of this authorization, a violation of Section 404 includes both violations of Section 404 and violations of Section 301 of the Clean Water Act involving discharges regulated under Section 404.

7. Temporary Construction, Access and Dewatering.

Temporary structures and discharges, including cofferdams needed for construction activities or access fills or dewatering of construction sites; provided the associated permanent activity was previously authorized by the Corps, or for bridge construction activities not subject to federal regulation. Appropriate measures must be taken to maintain near-normal downstream flows and to minimize flooding. Fill must consist of appropriate materials and be placed in a manner that will not be eroded by expected high flows. Temporary fill must be entirely removed to upland areas following completion of the construction activity and affected areas restored to the pre-project conditions. Construction mats may be placed in wetland areas for up to two weeks during the growing season unless otherwise specified in the Corps verification letter. Cofferdams cannot be used to dewater wetlands or other aquatic areas so as to change their use. The application for this GP must demonstrate reasonable measures to avoid and minimize impacts to aquatic resources, as well as include a restoration plan describing how the site will be restored to pre-project conditions. The District Engineer will add special conditions to verification letters, where necessary, to ensure that adverse environmental impacts are minimal. Such conditions may include: limiting the temporary work to the minimum necessary; requiring seasonal restrictions; modifying the restoration plan; and requiring alternative construction methods. This GP does not authorize temporary structures or fill associated with mining activities or the construction of marina basins that have not been authorized by the Corps.

8. Structural Discharges.

Discharges of material such as concrete, sand, rock, etc. into tightly sealed forms or cells where the material will be used as a structural member such as a utility pole, bridge support, ramp surface, or retaining wall. This activity does not include building foundations or other structures such as pilings intended for use as building supports.

9. Utility Line Discharges.

Activities required for the construction, expansion, maintenance and repair of utility lines (for this GP, a “utility line” is defined below) and associated facilities in waters of the United States as follows:

- (a) Utility lines: The construction, expansion, maintenance, or repair of utility lines, including outfall and intake structures and the associated excavation, backfill, or bedding for the utility lines, in all waters of the United States, provided there is no change in preconstruction contours. Material resulting from trench excavation may be temporarily side-cast (up to two weeks during the growing season) into waters of the United States, provided that the material is not placed in such a manner that

it is dispersed by currents or other forces. In wetlands, the top 6" to 12" of the trench shall be backfilled with topsoil from the trench. Furthermore, the trench cannot be constructed in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). For example, utility line trenches can be backfilled with clay blocks to ensure that the trench does not drain the waters of the United States through which the utility line is installed. Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

(b) Utility line substations: The construction, maintenance, or expansion of a substation facility associated with a power line or utility line in waters of the United States.

(c) Foundations for overhead utility line towers, poles, and anchors: The construction or maintenance of foundations for overhead utility line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

Loss of waters of the United States associated with activities (a) through (c) above may not exceed 10,000 square feet (see exclusion at 2.b.4 below). The area of waters of the United States filled, excavated, or flooded must be limited to the minimum necessary. Excess fill material must be removed to upland areas immediately upon completion of activities authorized. Temporary placement of construction matting (e.g., timber, steel, geotextile) may also be authorized. Placement of temporary construction matting shall not result in loss of waters, and does not contribute to the 10,000 square foot threshold above. When matting is proposed to be in place for more than two weeks, the duration should be specified by the applicant and verified in writing by the Corps (refer to Standard Condition 3.a.9). Mechanized land clearing may also be authorized, provided the cleared area is kept to the minimum necessary and preconstruction contours are maintained as near as possible. If using directional-drilling method of utility line installation, the applicant must provide the Corps a detailed narrative describing water supply intake(s) and recapture and disposal methods for used drilling fluids. This plan must describe the correctional steps to be taken in the event of a leak, either through the substrate into the waterbody or waterway, or onto the upland area with possible return to the waterbody or waterway.

Where certain functions and services of waters of the United States are permanently adversely affected by new or expanded construction of utility lines, substations, or foundations, such as the conversion of a forested wetland to an herbaceous wetland, compensatory mitigation may be required to reduce the adverse effects of the project to the minimal level.

A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, internet, telephone, and digital messages, and radio and television communication. The term "utility line" does not include activities which drain a water of the United States, such as drainage tile, or french drains; however, it does apply to pipes conveying drainage from another area.

#### 10. Commercial, Residential, Industrial, Agricultural, Recreational and Public Development (including roads for these purposes).

Discharges of dredged or fill material for a single and complete project (see 3.a.5., below) that directly and/or indirectly impact by filling, draining, excavating and/or inundating not more than 10,000 square feet of wetland/water area for commercial, residential, industrial, agricultural, recreational or public development projects, including associated roads. This reporting GP does NOT include access paths across water or

wetland areas to provide upland access to a waterbody for any purpose. It is important for applicants for this GP to include information with their application that clearly shows that an alternatives analysis has been conducted and the proposed work is the least environmentally damaging practical method of accomplishing the project purpose. This will minimize delays in federal and state evaluation procedures and increase the chance that the project will receive prompt and favorable review.

#### 11. Wildlife Ponds.

Discharges of dredged or fill material for the construction of wildlife ponds that impact (see 3.a.1., below) not more than 1 acre of waters of the United States. The wildlife ponds shall be constructed with irregular shorelines, shallow sideslopes (e.g., 8-foot H to 1-foot V), and shall not exceed 5-feet of water depth. Excess fill material not needed for construction of the pond must be removed to an upland location. The primary purpose of this activity must be wildlife habitat improvement. This GP does not authorize the discharge of fill material for the construction of wildlife ponds in forested wetlands, sedge meadows or calcareous fens.

#### 12. Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

This GP does not cover conversion of sedge meadow or forested wetland to other wetland types. Activities in waters of the United States associated with the restoration, enhancement, and creation (see 3.a., below) of wetlands and riparian areas and the restoration and enhancement of streams and other open waters, provided the results are a net increase in aquatic resource function and no net loss of waters of the United States.

Activities authorized by this GP may not result in a discharge of dredged or fill material into more than 2 acres of waters of the United States. Activities authorized by this GP include, but are not limited to: the removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms; the installation of current deflectors; the enhancement, restoration, or establishment of riffle and pool stream structure; the placement of in-stream habitat structures, including lunkers; modifications of stream bed and/or banks to restore or establish stream meanders; the backfilling of artificial channels and drainage ditches; the removal of existing drainage structures; the construction of small nesting islands; the construction of open water areas; activities needed to re-establish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and related activities.

This GP does not authorize stream channelization. The District Engineer's verification letter may include project specific conditions limiting the placement of riprap. This GP does not authorize the conversion of a stream or natural wetlands to another aquatic habitat type (e.g., stream to wetland or vice versa) or uplands. This GP does not authorize the conversion of natural wetlands to another aquatic use, such as creation of waterfowl impoundments where a forested or sedge meadow wetland previously existed. However, this GP may be used to relocate aquatic habitat types on the project site, provided there are net gains in aquatic resource functions, values, and no net loss of aquatic acreage. For example, this GP may authorize the creation of an open water impoundment in an emergent wetland, provided the emergent wetland is replaced by creating that wetland type in the adjacent uplands.

This GP can be used to authorize compensatory mitigation projects, including banks and in-lieu fee programs. Once an area has been created, restored, or enhanced, it will be subject to all applicable Corps regulatory requirements. Because projects that would be authorized by this permit are designed to enhance the aquatic environment, mitigation will typically not be required for the work.

**b. AREAS/ACTIVITIES EXCLUDED FROM THE REPORTING GP:**

1. Diversions of Water. This GP may not be used to authorize all or any portion of a project that would divert more than 10,000 gallons of surface or groundwater into, or out of, the Great Lakes Basin daily.
2. Activities in the City of Superior, Wisconsin, eligible for authorization under a "Superior SAMP" permit are not eligible for authorization under the reporting GP (Corps permits 199606788 through 199606792).
3. The reporting GP does not authorize any activity in calcareous fens as identified by the WDNR, and waters of the United States within 300 feet of such fens. All regulated activities in these areas require evaluation under Corps individual permit procedures.
4. Listed impaired waters. For activities 2.9.b. (utility line substations) and 2.9.c. (foundations for utility towers), this GP may not be used to authorize projects that involve filling, draining, or inundating more than 0.1 acre of wetland/water in waterbodies, and adjacent wetlands, that are listed on the EPA-approved list of Wisconsin impaired waters pursuant to Section 303(d) of the Clean Water Act. This exclusion applies only to those impaired waters that are listed for one or more of the following reasons: nutrients, dissolved oxygen (DO), ammonia, suspended solids, turbidity, sediment, streambank erosion, flow habitat, hydrological modification, wetland loss, siltation and organic enrichment. Such projects in these areas may be eligible for evaluation under a letter of permission or standard individual permit procedure.

**c. APPLICATION/EVALUATION PROCEDURES UNDER THE REPORTING GP:**

Applicants must submit a complete application to the Corps. The Corps accepts the WDNR WRAPP form available from the Corps and WDNR offices and on the websites of both agencies. Upon receipt of a permit application, the Corps will commence to review the proposed activity to determine eligibility for the reporting GP. In some cases, the Corps may require a wetland delineation prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual (including applicable Regional Supplement) before an authorization decision can be made. The Corps will complete its review as noted below and send the applicant a letter advising of the outcome. If the Corps decision is to issue a reporting GP, the Corps will provide a reporting GP verification letter to the applicant, and send a copy of the letter to the WDNR.

**ENDANGERED SPECIES AND CULTURAL RESOURCES REVIEW**

The Corps review will include a determination concerning compliance of the project with Section 7 of the Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA). Projects found not to comply with either or both of these Acts will not be authorized under the GP or any other Corps authorization until actions are taken so that compliance with both acts is assured.

The Corps federal endangered species review will consist of Corps staff consulting appropriate reference materials including endangered species information published by the USFWS in informational brochures and on Internet web pages and any other available data, information or specific guidance provided by USFWS. Corps staff will be aware of locations where endangered species are known or likely to be present and of the types of activities that may affect those species. Corps staff will directly consult with USFWS staff concerning proposals which appear to have potential to affect listed species. The review will include Corps

and/or USFWS site inspections of specific project sites, and/or formal Section 7 interagency consultation where necessary.

The Corps federal cultural resources review will be conducted in a manner similar to the endangered species review. The National Register of Historic Places (NRHP) will be used to determine the presence or absence of known cultural resources. Corps regulatory staff will be aware of areas that have a high probability to contain important cultural resources and will consult Corps cultural resource staff concerning questionable projects. Corps regulatory or cultural resource staff will consult with the State Historic Preservation Office (SHPO) and Tribal Historic Preservation Office (THPO) as appropriate. Cultural resource surveys and/or formal consultation with Tribal governments or the President's Advisory Council on Historic Preservation will be conducted as necessary.

### COMPENSATORY MITIGATION

Complete applications for activities involving a discharge of dredged or fill material into waters of the United States must minimally include a statement regarding compensatory mitigation (33 CFR Part 325.1). This statement must describe how impacts to waters of the United States are to be compensated for, or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

Corps reporting verification letters may require compensatory mitigation in accordance with 33 CFR Part 332 for any impacts authorized if a determination is made that the functions lost or impaired by the proposed project warrant replacement. These determinations are made on a case-by-case basis, however, projects that adversely affect 10,000 square feet or more of waters of the United States routinely require compensation. Applicants whose project requires compensatory mitigation should include a mitigation plan prepared in accordance with 33 CFR Part 332, and may utilize the *Guidelines for Wetland Compensatory Mitigation in Wisconsin*. The plan prepared should describe the measures proposed to ensure that the activity complies with the Section 404(b)(1) guidelines (40 CFR 230). Compensatory mitigation that is proposed to satisfy state or local requirements may, but will not necessarily, satisfy the federal requirement.

**Work is authorized under the reporting GP when the project proponent receives both a reporting GP verification letter from the Corps AND confirmation from the WDNR that state water quality certification has been granted or waived for the project.**

### 3. GP-002-WI PROVISIONS

#### a. GP-002-WI DEFINITIONS:

1. Calculation of Aquatic Impact Thresholds: For GP categories with threshold limits not otherwise specified, impacts shall be determined by calculating area of waters of the United States permanently and temporarily filled plus the impacts to waters of the United States that are excavated, inundated, or drained as a result of the regulated discharge.
2. Fill Material: Fill material, as defined in 33 CFR 323.2, means material placed in waters of the United States where the material has the effect of:
  - (i) Replacing any portion of a water of the United States with dry land; or
  - (ii) Changing the bottom elevation of any portion of a water of the United States.

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 the waters of the United States. The term fill material does not include trash or garbage.

3. Loss of Waters: This term refers to aquatic resources filled or otherwise permanently adversely affected by flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent above-grade, at-grade, or below-grade fills that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change its use. The loss of streambed includes the linear feet of streambed that is filled, excavated, or flooded. Waters of the United States temporarily filled, flooded, excavated, or drained but restored to preconstruction contours and elevations after construction are not typically included in the measurement of loss of waters of the United States. However, temporary fill in waters of the United States is regulated by Section 404.
4. Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purpose.
5. Single and Complete Project: For purposes of GP-002-WI, the term "single and complete project" means the total project proposed by the project proponent. For example, if construction of a residential development or linear project such as a road or utility line affects several different areas of waters of the United States, the cumulative total of all filled areas is the basis for deciding the project's total wetland/water 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.
6. Wetland Creation: The construction of a wetland in an area that was not wetland in the past.
7. Wetland Restoration: Re-introduction of wetland vegetation AND wetland hydrology to an upland area where these vegetative and hydrologic qualities previously existed (re-establishment of hydric soil may rarely be required). This alteration results in the restoration of previously existing wetland.
8. Wetland Conversion: Alterations to an existing wetland that result in a change in wetland classification (i.e. the conversion of a wet meadow to a shallow marsh, or a forested wetland to wet meadow).
9. Wetland Enhancement: Alterations made to existing wetlands that result in a net increase in wetland function (i.e. vegetation management techniques or changes to the hydrologic regime). Wetland enhancement generally does not include wetland conversion, unless the purpose of the conversion is to return the wetland to known pre-disturbance conditions AND represents a net increase in wetland function.
10. Stream Restoration and/or Enhancement: Alterations to an existing or previously existing stream corridor that result in naturalization of the stream, including activities that mimic natural features or return the stream corridor to pre-disturbance conditions. This may include installation of vortex weirs, current deflectors, small habitat structures, riffle and pool stream structure, modification of the stream bed or banks to restore meanders, selective removal of non-native vegetation, and the backfilling of artificial channels. Stream enhancement and restoration does not generally include significant artificial changes to the stream corridor such as widespread bank armoring with non-biodegradable materials (i.e. riprap) or conversion of adjacent wetlands which do not meet the definition of wetland enhancement (see 3.a.9., above).

**b. GP-002-WI STANDARD CONDITIONS:**

1. Discretionary Authority.

The Corps retains discretionary authority to require a standard individual permit review of any activity eligible for authorization under GP-002-WI based on concern for the aquatic environment.

2. Federal Trust Responsibility to Indian Tribes.

Projects the Corps finds to have potential to affect tribal interests will be coordinated with the appropriate Indian Tribal governments. The Tribe's views and the federal trust responsibility will be considered in the Corps evaluation. Based on treaty rights, no activity or its operation may impair reserved treaty rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

3. Form and Verification of Authorization.

Every GP-002-WI authorization that requires submission of an application will be verified in writing by the Corps. Any verification issued may include required special conditions.

4. Case-by-Case Conditions.

The authorized activity must comply with any special conditions that may have been added by the Corps or by a state, tribe, or the United States Environmental Protection Agency in its Section 401 Water Quality Certification or consistency determination under the Coastal Zone Management Act. Such conditions will be specifically identified in any Corps authorization.

5. Avoidance and Minimization.

Discharges of dredged or fill material into waters of the United States must be avoided and minimized to the maximum extent practicable (please see 3.a.4., above for the definition of practicable).

6. State Water Quality Certification and Coastal Zone Management (CZM) Consistency Determination.

GP-002-WI authorizations are provisional and require that the WDNR provide confirmation that the activity complies with state water quality certification. A CZM consistency determination may also be required from, or waived by the Wisconsin Coastal Management Program. If such a condition applies, it will be noted in the Corps authorization letter for the project.

7. Proper Maintenance.

Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.

8. Erosion and Siltation Controls.

Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark must be permanently stabilized at the earliest practicable date. Work should be done in accordance with state-approved published practices. Upon completion of earthwork operations, all exposed slopes, fills, and disturbed areas must be given sufficient protection by appropriate means such as landscaping, or planting and maintaining vegetative cover, to prevent subsequent erosion. Cofferdams shall be constructed and maintained so as to prevent erosion into the water. If earthen material is used for cofferdam construction, sheet piling, riprap or a synthetic cover must be used to prevent dam erosion. All non-biodegradable erosion controls must be removed within two weeks of site stabilization unless otherwise conditioned in the Corps project confirmation letter.

9. Removal of Temporary Fills.

Any temporary fills, including construction mats, must be removed in their entirety and the affected areas returned to their preexisting elevation. The timeframe for completing this removal shall be:

- (a) Not later than the timeframe stipulated in the activity description (unless extended in writing by our office);
- (b) Not later than the timeframe stipulated in our office's verification letter; or
- (c) Not longer than two weeks from the date the temporary fill was placed in waters of the United States (condition (c) applies only if a timeframe is not otherwise established by applying (a) or (b) above).

10. Federal Threatened and Endangered Species.

GP-002-WI does not affect the Corps responsibility to insure that all Section 404 authorizations comply with Section 7 of the Federal Endangered Species Act (ESA).

(a) 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 ESA or which is likely to destroy or adversely modify the critical habitat of such species. Permittees shall notify the Corps if any listed species or critical habitat might be affected or is in the vicinity of the project, and shall not begin work on the activity until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is authorized.

(b) Authorization of an activity under GP-002-WI does not authorize the take of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with incidental take provisions, etc.) from the United States Fish and Wildlife Service (FWS), both lethal and non-lethal takes of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS, WDNR or their internet pages.

11. Historic Properties, Cultural Resources.

GP-002-WI does not affect the Corps responsibility to insure that all Section 404 authorizations comply with Section 106 of the National Historic Preservation Act (NHPA). No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) is authorized, until the Corps has complied with the provisions of 33 CFR Part 325, Appendix C. Project sponsors must disclose in the Corps permit application if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the NRHP, and shall not begin the activity until notified by the Corps that the requirements of the NHPA have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office (SHPO) and the NRHP. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately and the SHPO must be contacted for further instruction.

12. Spawning Areas.

Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.

13. Obstruction of High Flows.

To the maximum extent practicable, discharges must not permanently restrict or impede passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose is to impound waters).

14. Adverse Effects from Impoundments.

If the discharge creates an impoundment of water, adverse effects on the aquatic system due to the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.

15. Waterfowl Breeding Areas.

Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

16. Navigation.

No activity may cause more than a minimal adverse effect on navigation.

17. Aquatic Life Movements.

No activity may substantially disrupt the movement of those species of aquatic life indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's primary purpose is to impound water.

18. Equipment.

Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance. Where temporary construction mats are used, they must be placed in a manner that minimizes the matted area to the minimum necessary to allow safe access to work areas and operation of equipment. To prevent the introduction of invasive species, all construction mats used shall be cleaned and free of debris (excess soil and plant material) prior to delivery at the project site.

19. Water Quality Standards.

All work or discharges to a watercourse resulting from permitted construction activities, particularly hydraulic dredging, must meet applicable federal, state, and local water quality and effluent standards on a continuing basis.

20. Preventive Measures.

Measures must be adopted to prevent potential pollutants from entering the watercourse. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a way that allows them to enter the watercourse as a result of spillage, natural runoff, or flooding.

21. Disposal Sites.

If dredged or excavated material is placed on an upland disposal site (above the ordinary high-water mark), the site must be securely diked or contained by an acceptable method that prevents the return of potentially polluting materials to the watercourse by surface runoff or by leaching. Construction of containment areas, whether bulkhead or upland disposal site, must be complete prior to the placement of any dredged material.

22. Suitable Fill Material.

All fill (including riprap), if authorized under this permit, must consist of suitable material (e.g. no trash, debris, car bodies, asphalt, etc.) free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act). In addition, rock or fill material used for activities dependent upon this permit and obtained by excavation must either be obtained from existing quarries or, if a new borrow site is opened up to obtain fill material, the State Historic Preservation Office (SHPO) must be notified prior to the use of the new site. Evidence of this consultation with the SHPO will be forwarded to the Corps.

23. Water Intakes/Activities.

An investigation must be made to identify water intakes or other activities that may be affected by suspended solids and turbidity increases caused by work in the watercourse. Sufficient notice must be given to the owners of property where the activities would take place to allow them to prepare for any changes in water quality.

24. Spill Contingency Plan.

A contingency plan must be formulated that would be effective in the event of a spill. This requirement is particularly applicable in operations involving the handling of petroleum products. 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 Emergency Management Duty Officer at 1-800-943-0003 and the National Response Center at telephone number 1-800-424-8802.

25. Other Permit Requirements.

No GP-002-WI authorization eliminates the need for other local, state or Federal authorizations, including but not limited to National Pollutant Discharge Elimination System or State Disposal System permits.

26. State Section 401 Certification Conditions and Limitations: All GP-002-WI authorizations are provisional, and require individual Section 401 Clean Water Act Water Quality Certification or waiver from the Wisconsin Department of Natural Resources.

27. Wisconsin Coastal Management Program (WCMP) Conditions:

The WCPM's Federal consistency determination for GP-002-WI provides that no GP-002-WI authorization for an activity taking place in coastal wetlands identified as ridge and swale complexes and/or wetlands adjacent to the Mink River (Door County), and the Kakagon and Bad Rivers (Ashland County) will be valid unless and until a Federal consistency determination is granted or waived by the WCMP. This requirement therefore is incorporated as a permit condition of GP-002-WI. Project proponents will be notified of this condition in the Corps' GP-002-WI verification letter for projects in these areas.



**ATTACHMENT 4:  
WDNR GENERAL PERMIT WDNR-GP3-2013**

**STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**



**GENERAL PERMIT FOR UTILITIES TO PLACE STRUCTURES ON THE BED OR TO PLACE  
TEMPORARY BRIDGES ACROSS WATERWAYS, OR TO PLACE FILL IN WETLANDS**

PERMITTEE: Utilities

PERMIT NO. WDNR-GP3-2013

ISSUING OFFICE: Office of Business Support and Sustainability, Bureau of Energy, Transportation and Environmental Analysis, Wisconsin Department of Natural Resources (Department or WDNR)

ISSUANCE DATE: 07/09/2013

EXPIRATION DATE: 07/08/2018

**GENERAL PERMIT AUTHORIZATIONS:** In compliance with the provision(s) of s. 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 by statute. In compliance with the provision(s) of ss. 30.025, 30.12, 30.123, 30.20, 30.206 and 182.017, Wis. Stats., utilities are authorized to construct, reconstruct or maintain utility facilities provided they comply with the terms and conditions of WDNR-GP3-2013. Please refer to the following sections of this permit for the specific eligibility standards, notification requirements, certification requirements and responsibilities, definitions and conditions required by WDNR-GP3-2013.

**OTHER AUTHORIZATIONS NECESSARY:** WDNR-GP3-2013 authorizations are subject to all applicable terms and conditions specified in this permit. Moreover, **WDNR-GP3-2013 authorizations are provisional and require that project proponents obtain all necessary local, state or federal permits before any work may proceed.** U.S. Army Corps of Engineers permits may be required for discharges to waters of the United States, including most wetlands.

**PROJECT DESCRIPTION AND LOCATION:** WDNR-GP3-2013 applies to the removal of materials from or discharge of materials to waters of the State when such removal or discharge is necessary for the construction, reconstruction, repair, or maintenance of utility facilities. WDNR-GP3-2013 applies to certain discharges of dredged or fill material into wetlands if the discharge is for routine utility construction and maintenance projects and activities. WDNR-GP3-2013 does not apply to the removal or discharge of materials in the course of routine construction or maintenance of any storm sewer, sanitary sewer, or routine watermain utility projects.

**GENERAL PERMIT COVERAGE:** A utility in the state of Wisconsin is authorized to perform work, subject to the terms and conditions specified below, if it meets the eligibility criteria for the non-reporting general permit. For all other projects, unless notified by the Department to the contrary, the effective date of coverage under this general permit is thirty (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-GP3-2013 permit coverage is valid for 5 years after the date on which the discharge is considered to be authorized or until the discharge has been completed, whichever occurs first.** Therefore, permit coverage terminates unless another application is submitted to retain coverage under this permit or a reissued version of this permit.

State of Wisconsin Department of Natural Resources  
For the Secretary



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David Siebert – Director  
Bureau Energy, Transportation  
and Environmental Analysis

July 8, 2013  
Date Permit Signed

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**WDNR-GP3-2013 TERMS AND CONDITIONS**

The following sections describe the general permit authorization procedures implemented by the Department in WDNR-GP3-2013. Projects must meet all the terms and conditions of this permit to be eligible for coverage under WDNR-GP3-2013.

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

**SECTION 1 – WDNR-GP3-2013 ELIGIBILITY CRITERIA**

The utility project must meet **all** the following standards to be eligible for coverage and authorization under this general permit. Persons proposing to do work under this general permit are subject to the ss. 281.36(3g)(h), Wis. Stats., requirements that applicants must demonstrate that adverse impacts to wetlands cannot be avoided and have been minimized to the greatest extent practicable.

**NOTE:** Only projects that meet all the standards in this general permit are eligible for this general permit. All other projects are excluded from coverage under WDNR-GP3-2013. For utility projects that do not qualify for WDNR-GP3-2013, the department is authorized under ss. 281.36(3g)(i) and 30.206(3r), Wis. Stats., to require an individual permit. Pursuant to ss. 281.36(3g)(i) and 30.206(3r), the department also may require an applicant to apply for an individual permit if the department has inspected the site and determined that conditions specific to the site require additional restrictions upon the discharge or upon the activity to provide reasonable assurance that no significant adverse impacts to wetland functional values will occur or to prevent significant adverse impacts to the public rights and interest, environmental pollution, or material injury to the riparian rights of any riparian owner.

### **General Standards**

1. A utility is the project applicant and the project purpose is to access, construct, reconstruct, repair or maintain a utility facility in or over a wetland or navigable waterway.
2. The project applicant is the owner, or holds an easement over, or has other legal authorization to undertake the project on the land shown in the application.
3. Utility projects that are necessary for the placement, reconstruction, maintenance, repair or removal of utility facilities must be defined as a single and complete project, and cannot be segmented for the purpose of meeting the eligibility requirements of this general permit.
4. 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 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.
5. The activity will not result in adverse impacts to historical or cultural resources and will comply with s. 44.40, Wis. Stats., as determined by the Department.
6. Projects that may impact tribal lands or rights may require additional coordination. Please contact the Department Office of Energy staff to initiate coordination.

### **General Waterway Standards**

7. The permit does not authorize access or construction on or across a wild river designated under s. 30.26, Wis. Stats, and ch. NR 302, Wis. Adm. Code, or in a location where similar federal, state or local regulations prohibit the construction.
8. This permit does not authorize bridges across waterways that are more than 35 feet wide, measured from ordinary high water mark to ordinary high water mark.
9. This permit does not authorize the placement of structures on the bed that could materially obstruct navigation or impact designated public rights features (PRF).
10. Upon completion of waterway work, the bed shall be restored to pre-existing conditions, and the banks shall be restored to pre-existing or stable conditions.

### **General Wetland Standards**

11. The project will not result in more than 10,000 square feet (0.23 acres) of permanent wetland fill.
12. The project will not result in more than two (2) acres of total temporary wetland impact associated with underground utility placement, repair, maintenance, or removal.

13. The project will not result in more than five (5) acres of total temporary wetland impact associated with construction matting.
14. The project will not result in more than 10,000 square feet (0.23 acres) of forested wetland clearing.
15. The project is not eligible for authorization under a "Superior SAMP" permit reviewed by the City of Superior, Wisconsin.
16. Projects above the non-reporting threshold that impact wetlands must comply with the standards outlined in s. 281.36(3g)(h), Wis. Stats., including the submission of narrative describing avoidance and minimization of wetland impacts found in the application attachment for WDNR-GP3-2013.
17. The proposed project cannot avoid wetland impacts.
18. The proposed project minimizes wetland impacts to the greatest extent practicable.
19. Except where permanent fill is authorized, all wetlands shall be restored to pre-existing elevations and hydrology. Where permanent fill is authorized, the project will be constructed in a manner that will maintain wetland hydrology in the remaining wetland complex.

#### **Temporary Bridge Standards - Waterways**

20. All clear span bridges shall completely span the waterway from top of channel to top of channel with no support pilings in the waterway.
21. This permit authorizes the placement of temporary clear span bridges (TCSBs) and does not authorize permanent bridges or channel relocation.
22. This permit does not authorize the removal of any material below the ordinary high water mark for the placement of TCSBs.
23. You shall inspect the bridge openings periodically for debris, and shall remove any restriction of flow. Removed debris must not be placed in a wetland.
24. You shall ensure that all bridges and mats are secure and prevent them from being transported downstream during high flow conditions.
25. Bridge approach should be open ramp style, or approach fill shall be limited to a maximum of one (1) foot deep at the bank, and zero (0) feet deep at the fifteen (15) feet landward mark, and shall be removed with the bridge.
26. Bridges shall be removed no later than 7 days after the necessary waterway crossing activities have been completed, unless the removal conflicts with a required timing restriction.

#### **Miscellaneous Structure on Bed Standards - Waterways**

27. If the utility does not own the land adjacent to the waterway where the miscellaneous structure is placed, then you shall provide documentation that all affected riparians have been notified of the proposed project.
28. This permit authorizes the maintenance, repair, and replacement of existing miscellaneous structures below the OHWM, or placement of new submarine utility structures on the bed of public waters.
29. This permit does not authorize new utility miscellaneous structures below the OHWM that are exposed above the water, or could affect natural scenic beauty as determined by the Department.
30. Miscellaneous structures shall not impair navigation, flood flows, water quality, fisheries or wildlife habitat.
31. All miscellaneous structures placed in the waterway shall be appropriately marked to prevent navigational hazards.
32. This permit does not authorize any change in the course of a navigable stream under s. 30.195, Wis. Stats., and only allows removal of material from the bed of any waterway under s. 30.20, Wis. Stats., sufficient to place or remove miscellaneous structures.
33. Unless the waterway is dry for the duration of the construction activities, you shall install a cofferdam system to isolate the workzone from the waterway.
34. You shall remove all cofferdams gradually, in such a way that minimizes the downstream sediment impacts.
35. You shall minimize the need to operate construction equipment on the bed of the waterway, below the OHWM.
36. All stockpiled spoils, supplies or materials shall be isolated from the waterway to prevent impacts beyond the work area.
37. All construction vessels, vehicles, and equipment used shall be appropriate for the job, and can be brought to and removed from the project site without unreasonable harm to fish, wildlife, and their habitats.
38. Installation of the miscellaneous structure(s) shall be completed as quickly as possible in order to minimize waterway disruption. Construction shall minimize the removal of shoreline vegetation above the OHWM.
39. You are not allowed to begin construction if the water elevation or flow is expected to be above the OHWM before completion.

**Wetland Construction Standards**

40. The project will not result in permanent wetland impacts to Great Lakes ridge and swale complexes, interdunal wetlands, coastal plain marshes, emergent marshes containing wild rice, southern sphagnum bogs, boreal rich fens, or calcareous fens.
41. Temporary wetland excavation activities shall segregate topsoil from subsoil. Topsoil shall be replaced to its original stratum. Subsoil shall be removed or replaced to its original stratum.
42. This permit does not authorize any permanent or temporary earthen, soil, or gravel roads in wetlands.
43. To avoid topsoil and subsoil mixing, the vehicles and equipment used in wetlands shall work from construction mats, must be low ground pressure equipment, or shall work during stable conditions.
44. All construction waste materials shall be removed from wetlands at the completion of construction.
45. Final site stabilization in wetlands requires the re-establishment of native or pre-existing perennial vegetation to at least 70 percent vegetative cover.

#### **General Construction Standards**

46. Measures shall be implemented to prevent fluid leaks (e.g., fuel, oil, hydraulic, coolant, etc.) from vehicles and equipment into wetlands or adjacent to waterways. Leaks shall be corrected before the equipment is allowed back into operation in wetlands or adjacent to waterways.
47. Construction and dewatering activities 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:  
<http://dnr.wi.gov/topic/stormwater/standards/index.html>
48. At no time shall dewatering activities directly discharge to wetlands or waterways without prior effective water quality treatment.
49. Pump intakes and discharges shall be placed to prevent impacts to fisheries, wildlife, and their habitat.
50. Pump intakes and discharges shall be placed to prevent the disturbance, removal and scour of bed material.
51. The project shall not result in a material obstruction of or result in a significant adverse impact upon navigation of public waters, and shall allow for portage to anyone legally navigating the waterway. All bridges and structures shall comply with standards in ch. NR 320.04(3), Wis. Adm. Code.

52. To minimize adverse impacts on fish movement, fish spawning, and egg incubation periods, placement and removal of the TCSB or work below the OHWM, may not occur during the following time periods:
- **September 15th through May 15th for trout streams, and the segments upstream to the first dam or barrier of the following waterways: the Root River (Racine Co.), Kewaunee River (Kewaunee Co.), Strawberry Creek (Door Co.).**
  - **March 1st through June 15th for ALL other waters.**

Note: The timing restrictions described above apply to waterways that have standing or flowing water. The timing restrictions listed may be waived by the Department's regional Fisheries Biologist. Trout stream maps are available on line at: <http://dnr.wi.gov/fish/species/trout/streammaps.html>.

53. To prevent the spread of invasive species, you shall ensure that all machinery and equipment used for the project is free of invasive and exotic species and viruses prior to use and after use in any waterway and wetland. Utility right-of-way best management practices for invasive species can be found at: <http://dnr.wi.gov/topic/Invasives/bmp.html>
54. You shall report all incidents of non-compliance with this permit to the Department within 24 hours of the incident occurrence.

#### **Clean-Up of Releases of Drilling Fluids Standards**

55. The project involves the placement of temporary structures in wetlands associated with the clean-up of an inadvertent release of drilling fluid from a directional bore.
56. The project involves the placement of a temporary miscellaneous structure below the OHWM for up to five (5) consecutive days associated with the clean-up of an inadvertent release of drilling fluid from a directional bore.
57. The project will not result in more than 2 cubic yards of dredging below the OHWM associated with the clean-up of an inadvertent release of drilling fluid from a directional bore.

**Non-Reporting Standards for Minor Projects Affecting Wetlands** Projects meeting any of the following standards and all the applicable standards above may qualify for non-reporting coverage under Section 2.

58. The project involves only minor fills associated with the clean-up of an inadvertent release of drilling fluid, the installation of scientific measuring devices, or the restoration of wetlands disturbed by scientific surveying or geotechnical exploration.
59. The project will not result in more than 400 square feet of total wetland fill.
60. The project consists of maintenance of a previously authorized utility facility within an existing utility easement that will not result in more than 0.5 acres of temporary wetland fill within an existing easement.

#### **SECTION 2: APPLICATION REQUIREMENTS FOR WDNR-GP3-2013 COVERAGE**

## **A. Non-Reporting**

1. Projects that qualify under one or more of the Non-Reporting standards in Section 1, and all other terms and conditions of WDNR-GP3-2013, are regulated and authorized under this general permit.
2. Project proponents shall ensure that the proposed construction, reconstruction, repair, or maintenance of a utility facility meets all applicable terms and conditions of WDNR-GP3-2013.
3. Upon request by the Department for auditing purposes, you shall provide records documenting compliance with Section 2 (A)(2).
4. Activities that would adversely affect state or federal threatened / endangered species or cultural / archaeological resources are not authorized by WDNR-GP3-2013.
5. As provided under s. 281.36(3g)(h)4 and (i), Wis. Stats., the Department may determine the project may not proceed under the Non-Reporting section of this general permit and require that the project be reviewed through the Reporting section, or the individual permit process outlined in s. 281.36(3m), Wis. Stats.

## **B. Reporting - Notification**

1. Projects that qualify under one or more of the following standards, and all other terms and conditions of WDNR-GP3-2013, may use the notification application process (outlined in Section B. 9.):
  - a. The project involves the placement of a TCSB across a navigable waterbody for a maximum of two weeks.
  - b. The project is the clean-up below the OHWM of an inadvertent release of drilling fluid from a directional bore and meets standards 55, 56, and 57.
  - c. The project will result in more than 0.5 acres and not more than two (2) acres of total temporary wetland impact associated with the placement of construction matting.
  - d. The project involves the maintenance or removal of a previously authorized utility facility below the OHWM, but does not include dredging in excess of 2 cubic yards, the placement of other miscellaneous structures, or vehicle access below the OHWM.
2. Project proponents shall ensure that the proposed construction, reconstruction, repair, or maintenance of a utility facility meets all applicable terms and conditions of WDNR-GP3-2013.
3. Activities that would adversely affect state or federal threatened / endangered resources species or cultural / archaeological resources are not authorized by WDNR-GP3-2013.
4. You must submit a *complete notification package* (outlined in Section B. 9. below) to the Department office designated in the application materials provided by the Department. Notification materials, including an application/notification checklist and practicable alternatives analysis, can be found at: <http://dnr.wi.gov/topic/Waterways/>

NOTE: You are responsible for sending a copy of your complete application package to the US Army Corps of Engineers for their review and determination regarding federal permit requirements and coverage.

5. Unless notified by the Department to the contrary, the effective date of coverage under this permit is thirty (30) calendar days after the designated Department office receives a complete notification package.
6. 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 thirty (30) calendar days after receiving your notification package.
7. If adverse weather conditions prevent the Department from conducting an accurate on-site inspection or assessing the potential for site-specific impacts, the Department shall give notice during the thirty (30) calendar day period to the applicant of this condition and shall complete the inspection as soon as weather conditions permit.
8. As provided under s. 281.36(3g)(i) Wis. Stats., the Department may determine the project may not proceed under the Notification section of this general permit and require the project be reviewed through the Reporting section, or the individual permit process outlined in s. 281.36(3m), Wis. Stats. If the Department determines your project may not proceed under the Notification section of this permit, you will be notified within thirty (30) calendar days after the Department receives your complete notification package.
9. Notifications shall be submitted on forms supplied by the Department. Details for a complete notification can be found at: <http://dnr.wi.gov/topic/Waterways/>. Notification shall include:
  - a. Complete and Signed Application Form (or up to date application form on file with the Department) certifying that the project meets the terms and conditions of WDNR-GP3-2013, including project plan and total square feet of wetland fill.
  - b. Maps or tables of the project site that include Township, Range and Section(s), and a description of the jurisdictional work. Maps shall include Soil Survey or Wetland Indicators Maps, WI Wetland Inventory Maps, and recent Aerial Photographs.
  - c. Documentation that the project will not result in an adverse impact to federal or state threatened/endangered resources or cultural/historical resources.

### **C. Reporting – GP Application**

1. Project proponents shall ensure that the proposed construction, reconstruction, repair, or maintenance of a utility facility meets all the terms and conditions of this permit you must submit a *complete application package* (outlined in C. 6. below) to the Department office designated in the application materials provided by the Department. Application materials, including an application checklist and practicable alternatives analysis, can be found at: <http://dnr.wi.gov/topic/Waterways/>

NOTE: You are responsible for sending a copy of your complete application package to the US Army Corps of Engineers for their review and determination regarding federal permit requirements and coverage.

2. Unless notified by the Department to the contrary, coverage under this general permit takes effect thirty (30) calendar days after the designated Department 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 thirty (30) calendar days after receiving your application package.
4. If adverse weather conditions prevent the Department from conducting an accurate on-site inspection or assessing the potential for site-specific impacts, the Department shall give notice during the thirty (30) day application period 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 may not proceed under this general permit and require that the project be reviewed through the individual permit process outlined in s. 281.36(3m), Wis. Stats. If the Department determines your project may not proceed under this permit, you will be notified within thirty (30) calendar days after the Department receives your complete application package.
6. Applications shall be submitted on forms supplied by the Department. Details for a complete application or notification can be found at: <http://dnr.wi.gov/topic/Waterways/>. An application shall include:
  - a. Complete and Signed Application Form certifying project meets the terms and conditions of WDNR-GP3-2013, including the utility plan / design worksheets.
  - b. Project plans that include final project design and construction and total acreage of wetland impact.
  - c. Maps of the project site that include Township, Range and Section(s), Soil Survey or Wetland Indicators Maps, WI Wetland Inventory Maps, topographic map and recent Aerial Photographs. All maps must show clear directions to the project site with project and property / easement boundaries clearly labeled.
  - d. Photographs that represent existing site conditions where project will occur.
  - e. Documentation that the project will not result in an adverse impact to federal or state threatened/endangered resources and/or cultural/historical resources if the respective databases document these resources within or adjacent to the project site or any other documentation that may help verify project is eligible (e.g. Department Bureau of Endangered Resources consultation feedback).
  - f. Detailed documentation that clearly demonstrates why any proposed wetland impact cannot be avoided and how the wetland impacts will be minimized.

**SECTION 3: WDNR-GP3-2013 CERTIFICATION AND RESPONSIBILITIES** The applicant certifies and agrees to the following:

1. You agree to be the responsible party that supervises and oversees all aspects of the project to ensure compliance with the terms and conditions of WDNR-GP3-2013.

2. Upon submittal of a complete application or notification package to the Department, you have certified that the project will be conducted in compliance with all the terms and conditions of WDNR-GP3-2013.
3. You certify the project will not result in adverse impacts to riparian rights of riparian owners.

**SECTION 4: WDNR-GP3-2013 GENERAL PERMIT CONDITIONS** You agree to comply with the following conditions:

1. **Application.** You shall submit a complete application or notification package to the Department as outlined in Section 2 of this permit. If requested, you shall furnish the Department, within a reasonable timeframe, any information the department needs to verify compliance with the terms and conditions of this permit.
2. **Certification.** Acceptance of general permit WDNR-GP3-2013 and efforts to begin work on the activities authorized by this general permit signify that you have certified that the project meets all eligibility standards outlined in Section 1 of this permit 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 notification package and plans that you submitted to the Department and certified to comply with the terms and conditions of WDNR-GP3-2013.
5. **Expiration.** This WDNR-GP3-2013 expires on 07/08/2018. The time limit for completing work authorized by the provisions of WDNR-GP3-2013 ends five (5) years after the date on which the discharge is considered to be authorized under WDNR-GP3-2013 or until the discharge is completed, whichever occurs first.
6. **Other Permit Requirements.** You are responsible for obtaining all other permits or approvals that may be required for your project by local zoning ordinances, other local authority, other state permits and by the U.S. Army Corps of Engineers before starting your project.
7. **Authorization Distribution.** You shall supply a copy of the permit coverage authorization to every contractor working on the project.
8. **Project Start.** You shall notify the Department at the telephone number or email address provided on the confirmation of coverage letter you receive before starting construction.
9. **Permit Posting.** A copy of the permit coverage letter and approved plan shall be maintained and available on the project site prior to and during the execution of the regulated activity.
10. **Permit Compliance.** The department may modify or revoke coverage of this permit if it is not constructed in compliance with the terms and conditions of this permit, or if the Department determines the project will be detrimental to the public interest or wetland water quality

standards. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action. Additionally, if any conditions of this permit are found to be invalid or unenforceable, authorization for all activities to which that condition applies is denied.

11. **Construction Timing.** Once waterway work below the OHWM commences, all construction activities in those waterways shall be continuous until the work is completed and the site is stabilized. Once wetland work commences, all construction activities in those wetlands shall be continuous to the extent practicable. During periods of inactivity in wetlands, the site shall be stabilized until the work is resumed and completed.
12. **Construction.** No other portion of the wetland may be disturbed beyond the area designated in the submitted plans.
13. **Project Completion.** For projects authorized under the Notification or Reporting sections, within two (2) weeks after completing of the regulated activity, you shall submit to the Department a statement certifying the permitted 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.
14. **Proper Maintenance.** The activity authorized by WDNR-GP3-2013 must remain in good condition and in conformance with the terms and conditions of this permit, and shall avoid additional impacts to waterways and wetlands.
15. **Site Access.** Upon reasonable notice, you shall allow access to the site to any Department employee who is investigating the project's construction, operation, maintenance or compliance with the terms and conditions of WDNR-GP3-2013 and applicable laws.
16. **Erosion and Sediment Control Practices.** 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, shall be implemented on the project site.
17. **Invasive Species.** All project equipment shall be free of invasive species before and after each use on the project site by using best management practices to avoid the spread of invasive species. More information can be found at: <http://dnr.wi.gov/topic/Invasives/bmp.html>
18. **Federal and State Threatened and Endangered Species.** WDNR-GP3-2013 does not affect the Department's responsibility to insure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats and any other applicable state laws. The Department may not grant authorization under this permit for projects found not to comply with these laws. No activity is authorized that: (a) 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 or state law; or (b) 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-GP3-2013 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 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 or appropriate Tribal Historic Preservation Officer must be contacted for further instruction.
21. **Equipment Use.** To avoid topsoil and subsoil mixing, the vehicles and equipment used in wetlands shall work from construction mats, shall be low ground pressure equipment, or shall work during stable conditions.
22. **Preventive Measures.** Measures shall be adopted to prevent potential pollutants from entering a wetland or waterbody. Construction materials and debris, including fuels, oil, and other liquid substances, may not be stored in a manner that would allow them to enter a wetland or waterbody as a result of spillage, natural runoff, or flooding. If a reportable spill 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**. More information can be found at: <http://dnr.wi.gov/topic/Spills/Define.html>
23. **Waste Restrictions.** You shall follow field protocols for activities in proximity to known landfills. Any solid waste encountered shall be disposed of in accordance with chs. NR 500 et. seq., Wis. Adm. Code.
24. **Suitable Fill Material.** All permanent fill authorized under this permit shall consist of clean suitable soil material, 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 ss. 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. **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.
27. **Transfers** Coverage under this permit is not transferable to any other utility.
28. **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 WDNR-GP3-2013.

29. **Reevaluation of Decision.** The Department may suspend, modify 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-GP3-2013.
  - b. The information provided by the applicant in support of the permit application or notification 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.

**SECTION 5: WDNR-GP3-2013 FINDINGS OF FACT**

1. The Department has determined that the project site and project plans meet the standards in WDNR-GP3-2013 to qualify for this General Permit.
2. Pursuant to s. NR 299.04(1), Wis. Adm. Code, the Department has reasonable assurance that the proposed project will meet all applicable water quality standards.
3. The Department has determined pursuant to wetland water quality standards under s. NR 103.03, Wis. Adm. Code, and ss. 281.36(3g)(d), and 30.206(1)(am), Wis. Stats., that the proposed project will cause only minimal adverse environmental effects or impacts.
4. The proposed project will not injure public rights or interests, or cause environmental pollution as defined in s. 299.01(4), Wis. Stats.
5. The proposed project will not materially interfere with navigation.
6. The proposed project will not have an adverse impact on the riparian rights of adjacent riparian owners, if constructed in accordance with this permit.
7. The Department and the applicant have completed all procedural requirements, and the project as permitted will comply with all applicable requirements of 33 U.S.C.S. § 1341 (CWA §401), WDNR-GP3-2013, ss. 30.206 and 281.36(3g), Wis. Stats., and chs. NR 102, 103, 150, 299, 310, 320, and 328, Wis. Adm. Code.

**SECTION 6: WDNR-GP3-2013 CONCLUSIONS OF LAW**

1. The Department is authorized by ss. 30 and 281.36(3g), Wis. Stats., to issue a General Permit for the construction, reconstruction, repair, or maintenance of the utility facilities authorized in this permit.
2. The Department has complied with s. 1.11, Wis. Stats.

**SECTION 7: WDNR-GP3-2013 DEFINITION OF TERMS** For the purposes of this general permit, you accept the following definitions:

1. Boreal Rich Fen is a rare open peat-land community of northern Wisconsin that is associated with glacial moraines, or less commonly, outwash landforms, in which the underlying substrate includes calcareous materials.
2. 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.
3. Coastal Plain Marshes are within the sandy beds or margins of extinct glacial lakes, on level or gently sloping glacial outwash sands, and, possibly in glacial tunnel channels.
4. Cofferdams are structures that isolate a portion of a waterway to limit impacts from construction disturbance. Cofferdams can include, but are not limited to, sheetpile, sandbags, Portadam<sup>®</sup>, Aquabarrier<sup>®</sup>, or culverts placed on end (e.g. vertically). Cofferdams do not include earthen dams.
5. Cold Water Community includes surface waters capable of supporting a community of cold water fish and other aquatic life, or serving as a spawning area for cold water fish species. This subcategory includes, but is not restricted to, surface waters identified as trout water by the Department (Wisconsin Trout Streams, publication 6-3600 (80)).
6. 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.
7. Critical Habitat Areas means any waters or wetland necessary for any life stage of a threatened or endangered species.
8. Emergent Marshes Containing Wild Rice are emergent aquatic communities that have wild rice as the dominant macrophyte. Substrates supporting wild rice usually consist of poorly-consolidated, semi-organic sediments. Water fertility is low to moderate, and a slow current is present.
9. Fill Material 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 portion of any wetland. Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood products, 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.
10. Forested Wetlands are dominated by woody vegetation at least twenty (20) feet in height with more than seventy five (75) percent canopy cover.

11. 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 on the dry ridges can vary from open herbaceous or shrub communities on the semi-stabilized dunes closest to the shoreline, dry forests dominated by pines and oaks farther inland, and mixed mesophytic forests of northern hardwoods or hemlock hardwoods farthest from the shore.
12. 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.
13. Intermittent Flow typically will cease flowing for weeks or months each year especially in the summer months when lack of rainfall runoff or soil moisture will dry out drainage systems. The time period to determine intermittent versus permanent flow is typically July through Sept in most years with average weather conditions.
14. Invasive Species include nonnative species, hybrids, cultivars, subspecific taxa, and genetically modified variants that invade natural communities and wild areas replacing desirable native species. For a listing of common invasives found in Wisconsin, visit Department's website at: <http://dnr.wi.gov/topic/Invasives/what.html>.
15. Maintenance means the inspection, repair, replacement or reconstruction of a previously authorized utility facility within an existing easement, or the upkeep of the easement, that does not result in an increase in capacity or volume.
16. Miscellaneous Structures are facilities placed on the bed of a waterway (below the ordinary high water mark), and can include utility poles, utility pole foundations, guy anchors or cables, electric cables, telecommunication cables or fiber optic lines, timber mats, or composite mats.
17. Navigable waterway means any body of water with defined bed and banks that is navigable under the laws of the state. In Wisconsin, a navigable body of water is capable of floating the lightest boat or skiff used for recreation or any other purpose on a regularly occurring basis.
18. 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 characteristics.
19. Permanent Flow typically occurs throughout the year and flow will be present even during the summer months when lack of rainfall runoff or soil moisture will dry out intermittent drainage systems. The time period to determine intermittent versus permanent flow is July through Sept in most years with average weather conditions.
20. Permanent Wetland Fill means physical placement of fill material in a wetland with the intent of, or resulting in, the area becoming upland.
21. Public Rights Feature is defined in s. NR 1.06(5), Wis. Adm. Code.

22. Routine Utility Project means the customary installation, construction, reconstruction, repair, or maintenance of a utility facility, on land or easements owned by a utility.
23. Scientific Measuring Device means equipment necessary to record technical data used to assess hydrology, water quality, or other parameters.
24. Single and complete project means the total project proposed by the project proponent. For example, if construction of a linear utility facility affects several different waterway and wetland areas, the cumulative total of all regulated areas is the basis for deciding the project's total waterway and wetland impact. For "phased" developments, each phase may constitute a single and complete project if it has an independent objective and would accomplish its intended purpose whether or not other phases were constructed.
25. Southern Sphagnum Bogs are 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. Southern sphagnum bogs located in the area 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, are not eligible for a General Permit.
26. Temporary Clear Span Bridges (TCSBs) are structures placed above the OHWM and completely across a waterway that allow vehicles, equipment or people to safely cross from one side of a waterway to the other. TCSBs are generally constructed from timber or composite construction mats.
27. Temporary Wetland Fill or Impact means non-permanent wetland discharge during access, construction, or utility installation, but does not result in loss of wetland, wetland degradation, or conversion from one type of wetland to another. For example, construction mats used for equipment access, or stockpiling segregated soils from trench excavation before placing an underground pipeline.
28. Upland means non-wetland areas above the OHWM.
29. Utility means a corporation, company, cooperative, or organization that owns, operates, manages or controls the production, transmission, or distribution of electricity, heat, light, natural gas, petroleum products, or telecommunication, either directly or indirectly to or for the public or members of a cooperative.
30. Utility facility means an aboveground or underground conduit, duct, cable, fiber, wire, or pipeline, or any appurtenance structures associated with these facilities, used to transmit or distribute electricity, heat, light, natural gas, petroleum product, or telecommunication.
31. Watercourse means a running stream of water; a natural stream fed from permanent or natural sources, including rivers, creeks, runs and rivulets. There must be a stream, usually flowing in a particular direction, though it need not flow continuously. It may sometimes be dry. It must flow in a definite channel, having a bed or banks, and usually discharges itself into some other stream or body of water. It must be something more than a mere surface drainage over the entire face of the tract of land, occasioned by unusual freshets or other extraordinary causes.

32. Wetland is defined in s. 23.324(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.

## MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: October 10<sup>th</sup> 2016

Re: **Item # 5 Review** proposed Extra-territorial Jurisdiction Certified Survey Map at N8901 Parker Rd at Southwest ¼ of Section 12, town 4 North, Range 15 East in the Town of Whitewater, Walworth County, Wisconsin.

### **Requested Approval:**

Wilfred A Ludeman Trust and Jean R Ludeman Trust (surveyor is Peter S. Gordon, Farris, Hansen & Associates Inc.) are requesting to create one residential lot sized 1.94 acres from a larger 20 acres parcel located in Whitewater Township, Walworth County, WI.

### **LOCATION**

Parcel number D W 1200009 in Southwest ¼ of Section 12, town 4 North, Range 15 East in the Town of Whitewater, Walworth County, Wisconsin.

### **PLANNER'S RECOMMENDATIONS CSM:**

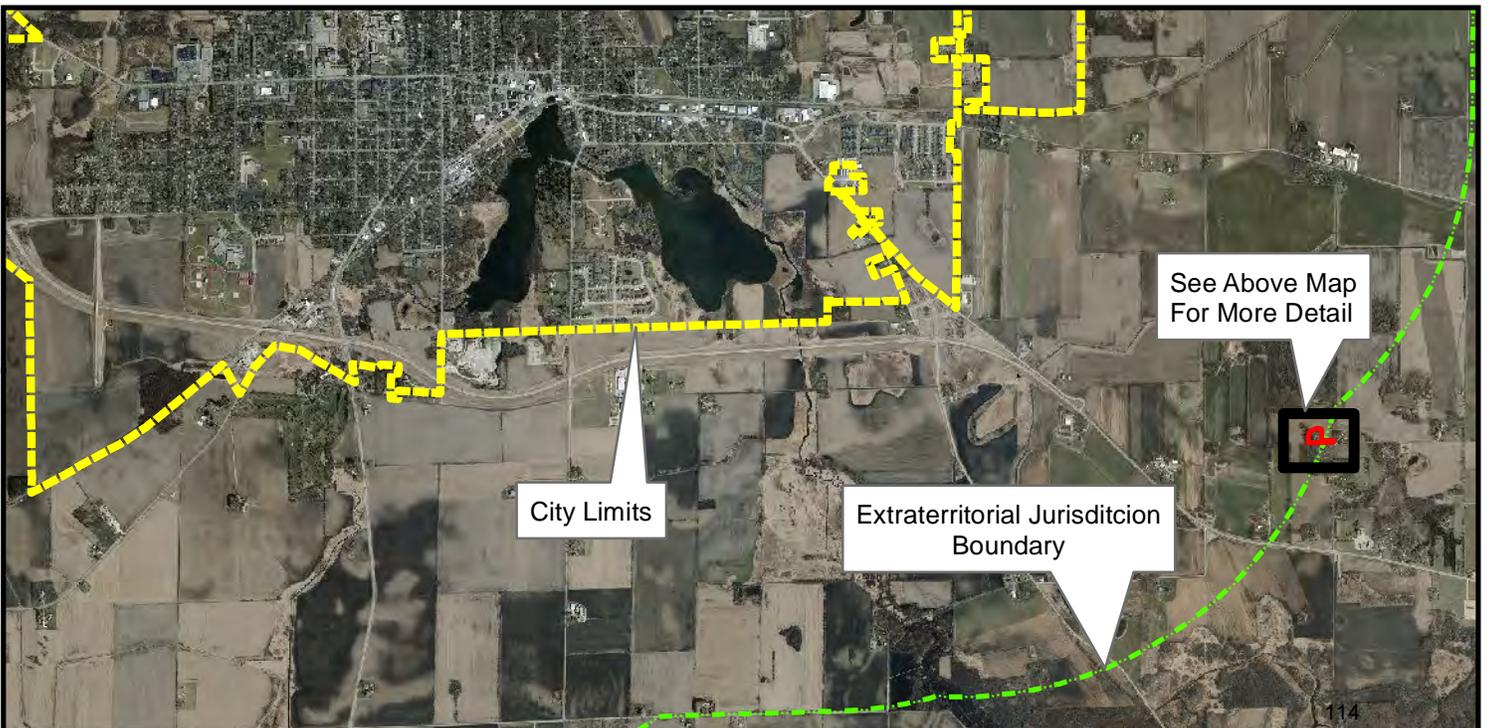
This preliminary CSM complies with all design standards and general provisions of the City Code Section 18.04.048 Extra-territorial subdivisions. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. The applicant shall meet all conditions set by Walworth County and Town of Whitewater for final approval.
2. Final CSM shall be reviewed by City Staff and recorded with Walworth County.



# LUDEMAN CSM

## EXTRATERRITORIAL JURISDICTION





WISCONSIN DEPARTMENT OF  
ADMINISTRATION

SCOTT WALKER  
GOVERNOR  
SCOTT A. NEITZEL  
SECRETARY

Plat Review

101 E Wilson St FL 9, Madison WI 53703  
PO Box 1645, Madison WI 53701  
(608) 266-3200 Fax: (608) 264-6104 TTY: (608) 267-9629  
E-mail: [plat.review@wi.gov](mailto:plat.review@wi.gov)  
<http://doa.wi.gov/platreview>

August 29, 2016

31  
PERMANENT FILE NO. 101113

PETER S. GORDON  
FARRIS, HANSEN & ASSOCIATES, INC.  
PO BOX 437  
ELKHORN WI 53121

Subject: CERTIFIED SURVEY MAP  
SW 1/4 S12 T4N R15E  
TOWN OF WHITEWATER, WALWORTH COUNTY

Prepared for: WILFRED LUDEMAN TRUST

Dear Mr. Gordon:

Per your request, we have checked this certified survey map (CSM) for compliance with s. 236.34 Wis. Stats. Our comments are as follows:

REVIEW COMMENTS:

-It appears that lines 13&14 of the Survey(ors) certificate should refer to the Southwest 1/4 of said section 12.

Note to all: It appears that this land division may be within the extraterritorial approval jurisdiction of the City of Whitewater. If the City has adopted a subdivision control ordinance or an official map, it may be an approving authority for this CSM.

Please contact our office if you have questions regarding this review or preparation of the CSM.

Regards,

Don Sime, PLS  
Plat Review  
Phone: (608) 266-3200

Enc: Copy of Certified Survey Map

cc: Clerk, Town of Whitewater  
Clerk, City of Whitewater  
Walworth County Land Use & Resource Management Dept.



# 101113

A FARM STRUCTURE SEPARATION CSM  
LOCATED IN THE SE 1/4 OF THE SW 1/4  
SECTION 12, TOWN 4 NORTH, RANGE 15 EAST  
TOWN OF WHITEWATER  
WALWORTH COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

SURVEY CERTIFICATE

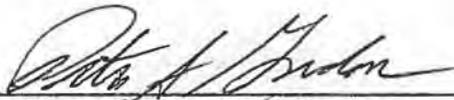
I HEREBY CERTIFY THAT AT THE DIRECTION OF WILFRED A. LUDEMAN TRUST & JEAN R. LUDEMAN TRUST, OWNERS, AND IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 236.34 OF WISCONSIN STATUTES, THE LAND DIVISION ORDINANCE FOR THE TOWN OF WHITEWATER, AND THE SUBDIVISION CONTROL ORDINANCE, WALWORTH COUNTY, WISCONSIN, I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING DESCRIBED LANDS AND THAT THIS MAP IS A TRUE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND OF THE DIVISION THEREOF TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF:

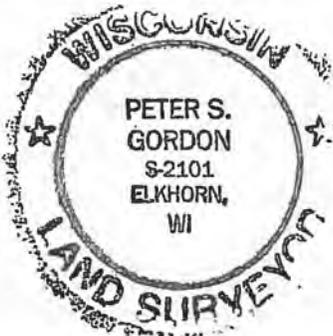
A FARM STRUCTURE SEPARATION CSM LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 4 NORTH, RANGE 15 EAST, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 12 (T4N, R15E); THENCE S 88DEG 33MIN 36SEC W, ALONG THE SOUTH LINE OF SAID SECTION 12, 517.97 FEET; THENCE N 01DEG 26MIN 23SEC W, 142.37 FEET; THENCE N 23DEG 13MIN 12SEC E, 122.10 FEET; THENCE N 68DEG 57MIN 45SEC E, 139.11 FEET; THENCE N 88DEG 33MIN 37SEC E, 46.10 FEET; THENCE S 59DEG 13MIN 14SEC E, 58.94 FEET; THENCE S 00DEG 12MIN 54SEC W, 218.67 FEET; THENCE N 88DEG 33MIN 36SEC E, 247.78 FEET TO THE EAST LINE OF THE SOUTHWEST OF SAID SECTION 12; THENCE S 00DEG 12MIN 54SEC W, 50.02 FEET TO THE POINT OF BEGINNING. CONTAINING 85,688 SQUARE FEET OF LAND (1.97 ACRES) MORE OR LESS.

44

NOTE: LOT 1 HAS AN EXISTING SANITARY SYSTEM IN PLACE WHICH APPEARS TO BE FUNCTIONING. NO EVALUATION BY THE WALWORTH COUNTY SANITATION DEPARTMENT AS TO MEETING THE REQUIREMENTS FOR A REPLACEMENT SYSTEM UNDER SPS 383 AND SPS 385 OF THE WISCONSIN ADMINISTRATIVE CODE WAS MADE.

DATED: AUGUST 2, 2016

  
PETER S. GORDON PLS 2101



TOWN OF WHITEWATER APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016 BY THE TOWN BOARD OF THE TOWN OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

\_\_\_\_\_  
CARRIE HINTZ, TOWN OF WHITEWATER CLERK

WALWORTH COUNTY APPROVAL

APPROVED BY RESOLUTION OF THE WALWORTH COUNTY ZONING AGENCY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
TIMOTHY BRELLENTHIN CHAIRPERSON

CITY WHITEWATER ET.?

# 101113

A FARM STRUCTURE SEPARATION CSM  
LOCATED IN THE SE 1/4 OF THE SW 1/4  
SECTION 12, TOWN 4 NORTH, RANGE 15 EAST  
TOWN OF WHITEWATER  
WALWORTH COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

OWNER'S CERTIFICATES

AS OWNER WE HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THE MAP. THIS MAP IS REQUIRED TO BE SUBMITTED AND APPROVED BY THE TOWN OF WHITEWATER, AND WALWORTH COUNTY.

DATED: \_\_\_\_\_

\_\_\_\_\_  
WILFRED A. LUDEMAN  
TRUSTEE FOR THE WILFRED A. LUDEMAN TRUST

\_\_\_\_\_  
JEAN R. LUDEMAN  
TRUSTEE FOR THE JEAN R. LUDEMAN TRUST

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, THE ABOVE NAMED WILFRED A. LUDEMAN AND JEAN R. LUDEMAN TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
MY COMMISSION EXPIRES

NOTARY PUBLIC \_\_\_\_\_

LEGAL DESCRIPTION  
BALANCE OF A-1 LANDS SUBJECT TO CONDITIONAL USE  
NOT TO BE USED FOR TRANSFER OF TITLE

A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWN 4 NORTH, RANGE 15 EAST, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
ALL A-1 LANDS WITHIN THE EAST 1/3 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, AND THE SOUTH 20 ACRES OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, EXCEPTING THE FOLLOWING DESCRIBED PARCEL:  
BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 12 (T4N, R15E); THENCE S 88DEG 33MIN 36SEC W, ALONG THE SOUTH LINE OF SAID SECTION 12, 517.97 FEET; THENCE N 01DEG 26MIN 23SEC W, 142.37 FEET; THENCE N 23DEG 13MIN 12SEC E, 122.10 FEET; THENCE N 68DEG 57MIN 45SEC E, 139.11 FEET; THENCE N 88DEG 33MIN 37SEC E, 46.10 FEET; THENCE S 59DEG 13MIN 14SEC E, 58.94 FEET; THENCE S 00DEG 12MIN 54SEC W, 218.67 FEET; THENCE N 88DEG 33MIN 36SEC E, 247.78 FEET TO THE EAST LINE OF THE SOUTHWEST OF SAID SECTION 12; THENCE S 00DEG 12MIN 54SEC W, 50.02 FEET TO THE POINT OF BEGINNING.



*8/2/2016*

THIS INSTRUMENT DRAFTED  
BY PETER S. GORDON  
PROJECT NO. 9552  
DATED: 08-02-20169  
SHEET 3 OF 3 SHEETS