



January 28, 2019

IP-SE-2018-68-N04505, N04506
GP-SE-2018-68-N04503

Mr. Dan Duchniak
Waukesha Water Utility
115 Delafield Street
Waukesha, WI 53188

Dear Mr. Duchniak:

Thank you for continuing to work with the Department of Natural Resources (DNR) on the proposed Great Water Alliance-Great Lakes Water Supply Program project. This letter contains important information regarding your DNR waterway and wetland permit applications.

DNR has reviewed your application materials and determined additional information is needed to complete the applications and to determine if the proposed project will meet applicable legal standards. It is important to submit clear detailed information that adequately documents your project as the DNR's decision must be supported by the file information. Specifically, we need the following information:

- A description of how temporary wetland disturbance was calculated. The summary indicates 9.62 acres of wetland will be temporarily impacted. It is unclear how that number was calculated. Specify the proposed trench width and the dimensions of other disturbance in the wetland (i.e. temporary soil stockpiles, equipment staging and operation, etc.). Discuss what activities were included in the grading column of DNR Table 1.
- Further detail on the proposed permanent impact at the Clean Water Plant. Is the fill for pipe bedding, cover, etc.? Specify why it is considered permanent.
- An updated narrative that includes a discussion on the wetland field delineation. What areas of the project were field-delineated? How many delineations were conducted? Indicate if the delineations are assured or non-assured delineations. Update the narrative to indicate if the proposed wetland impact amounts are based off wetland field delineations or desktop information.
- A project specific description of how temporary wetland impact was avoided and minimized. Section 5.1 of the Wetland and Waterway Impact Permit Application (WWIPA) discusses ways to avoid and minimize wetland impact. Some of these techniques were further detailed in the application (i.e. trenchless installation method and siting alignment on side of road with less wetland). Other techniques, such as using matting in travel areas, minimizing the width of the workspace in wetland and using additional temporary workspace in adjacent upland, etc. were not detailed. Update the Practicable Alternatives Analysis (PAA) and DNR Table 2 to specify how the minimization techniques included in Section 5.1, and any other minimization techniques, will be utilized by this project.

- Verification of wetland impacts numbers. There are discrepancies between the permanent and temporary wetland impact numbers between the narrative, tables and exhibits. Revise the amount of wetland impact as appropriate. For example, DNR Table 2 states impacts to wetland R-W39 would be avoided but DNR Table 1 and page 32 of 82 of the Wetland Impact Exhibit shows impacts are proposed.
- A revised DNR Table 1 as appropriate to:
 - a. Verify the ASNRI column is accurate.
 - b. Verify the temporary wetland impact amounts for trenching and grading correspond to the plans, narrative and DNR Table 2.
 - c. Verify the total temporary wetland fill amount is accurate. For example, R-W07 lists 8003 square feet of trenching and 55036 square feet of grading. These numbers appear to be inaccurate if the construction ROW is 50 feet wide.
 - d. Add the square footage of timber matting if it will be used to minimize impacts.
 - e. Verify the wetland conversion amounts are accurate. Differentiate between wetland conversion resulting from a discharge of dredge or fill material and wetland conversion that does not.
 - f. Verify the permit required column is accurate. For example, a Chapter 30 permit is not required to HDD a waterway as long as there is not disturbance to the waterway. Bore pits in wetland should be accounted for in the temporary wetland impact column of the applicable wetland.
- Verification of the number of waterways within the project area. The application has conflicting information on the number of waterways in both the supply line and return line. Revise the narratives of both the PAA and the WWIPA to have consistent information. The narratives should include the number of DNR mapped waterways, how many and which waterways were deemed non-navigable by the DNR and the subsequent number of DNR jurisdictional (navigable) waterways. Table 2 should support this narrative discussion.
- Verification of the duration of wetland disturbance. The application material has conflicting information (3 months versus 4 months).
- A wetland restoration plan that details the specific wetland seed mix to be used and provides a mechanism for verifying the wetlands were restored to pre-existing conditions.
- Additional information on the trenching of the waterways. Include information on timing, construction sequence, erosion control measures, stream bypass plans and restoration.
- Detailed plans of the proposed outfall structure and associated riprap on the Root River. Include a scaled top view and cross section with dimensions. Include existing bank.
- A statement from the riparian property owner at the proposed outfall location at the Root River. The statement shall indicate they are aware of the proposed project and the structure being placed on the bed of the waterway.
- Verification the project information submitted as part of the NHI review includes the total proposed project area and that the project layout has not changed since the NHI review. The NHI review is valid for one year and will have to be updated.

In addition to the information above, the DNR has the following comments:

- We are working to confirm eligibility for an exemption from state mitigation requirements under s. 281.36(3n)(d)2, Wis. Stats. Further information may be requested from the DNR to complete this review.
- The DNR Archeologist is currently reviewing the submitted cultural information. Further information may be requested to complete this review.
- You submitted an application for Chapter 30 general permit for the utility crossing of waterways. It does not appear the project meets the general permit eligibility standards and that general permit coverage cannot be conveyed with the information submitted. It is recommended you withdraw the general permit for utility crossing of waterways and request the waterway crossings be reviewed as an individual permit application.
- You submitted a permit fee for this project. The DNR will refund the permit application fee, minus the \$130 public notice fee.
- Since you do not know the timing of the waterway crossings, it is recommended you submit a request for waiver of timing restrictions for in-water work. The request can be found at: <https://dnr.wi.gov/topic/sectors/documents/energy/RevisedTCSBorInWaterWorkRestrictionWaiverRequestForm.pdf>.
- There are several areas where waterways are parallel to the pipe alignment and it is unclear if the waterway will be avoided. For example, on Sheet 11 of 82 of the Wetland Exhibit, waterway R-S03 is parallel to the alignment. The line will be horizontally directionally drilled (HDD) under R-S04, but it is unclear how the HDD can occur without a bore pit disturbing the stream. It is also unclear how the trenched portion of the alignment will avoid disturbance to R-S03. Please review the plans and provide further details on the areas where the alignment and waterways are parallel.

Please submit the requested information to me as soon as possible so we can determine your application to be complete and continue our review process. Please be sure to point out any additions or alterations to the project that differ from the original permit application. This is also an opportunity for you to explain how your project will avoid or minimize impacts to wetlands and public waters.

You will also receive DNR correspondence under a separate cover related to informational needs associated with the Environmental Impact Statement being completed under NR 150 (Wis. Adm. Code). If you would like to meet with DNR staff before submitting your responses to these requests, please let us know.

Sincerely,



Gerri Radermacher
Water Management Specialist

cc: Marie Kopka-ACOE
Ron Londre-TRC
Callan, Pardee, Clayton-DNR