

Artificial Wetland Exemption Determination Request Instructions

The DNR defines an artificial wetland as a landscape feature where hydrophytic vegetation may be present as a result of human modifications to the landscape or hydrology, and a landscape feature for which the DNR has no definitive evidence showing prior wetland or stream history existed before August 1, 1991. An artificial wetland cannot include any wetland area that serves as a fish spawning area, a passage to a fish spawning area, or a wetland created as a result of a wetland mitigation requirement.

To apply:

- Apply online using our online ePermitting System at <http://dnr.wisconsin.gov/permits/water>.
- Include all required attachments. Each document must be less than 15 megabytes and our online system offers a help guide to reduce file sizes. The overall application must be less than 200 MB or it cannot be processed.
- Exemption request processing review times begin when all of the required application materials are received by the DNR. The DNR may require additional information to evaluate the project.
- If you have questions regarding your application, use the “Ask for Help” support tool in ePermitting.

Prior to starting any work at the project site, you are responsible for all necessary:

- Local or county permits, such as shoreland zoning, floodplain zoning, etc.
- U.S. Army Corps of Engineer (USACE) permits or approvals.
- Tribal permits or approvals.
- Any other applicable state of Wisconsin permits or approvals.

Required attachments - Forms or documents you upload in the online ePermitting System:

1. **Wetland Map** - An accurate wetland map such as a wetland delineation or equivalent that clearly depicts an accurate wetland boundary and labels the wetlands requested for the exemption review.
Note: submittal of a wetland delineation map, report, and accompanying data forms may result in faster review and decision times.
2. **Exemption Statement** - A statement or narrative from a qualified environmental professional explaining how each wetland meets the artificial wetland exemption criteria
3. **Proposed Impacts** - A statement and/or a map describing where and how much discharge into wetland areas, in square footage or acres, is proposed.
4. **Photographs** that clearly show the on-the-ground conditions of the existing project areas. Remember that too much snow cover or vegetation may obscure important details. If possible, have another person stand near the project area for size reference. Color images are preferred.

5. **Historic Maps** - including all of the following:

- a. Original Land Survey (<https://digicoll.library.wisc.edu/SurveyNotes/>)
- b. Bordner Survey (<https://search.library.wisc.edu/digital/AWILandInv>)
- c. Historic USGS Topographic Maps from prior to August 1, 1991 (<https://store.usgs.gov/map-locator>)
- d. NRCS Web Soil Survey Maps (<https://websoilsurvey.nrcs.usda.gov/app/>)

6. **Aerial Photographs**

- a. 1937/1938 era aerial photographs (<https://maps.sco.wisc.edu/WHAlFinder/>)
- b. Available pre-disturbance historic aerial photographs showing each wetland area prior to its development
- c. Available post-disturbance aerial photographs showing each wetland area after human modifications to the landscape resulted in the formation of the features subject to this exemption request.

7. **Flooding and Water Quality Functions Narrative** - A narrative and/or plan describing whether or not each wetland protects adjacent or downstream property or infrastructure from flooding or is providing significant water quality protection to downstream waters or wetlands. If the landscape feature does provide significant protections to flooding or water quality, please provide a detailed plan on how these functions will be maintained on the landscape.

8. **Fisheries Function Narrative** - Documentation on whether fish use each wetland area for spawning purposes or for passage to a fish spawning area.

Additional documentation that is not required but may be useful include:

- Previous construction plans
- Previous wetland delineations
- Previous wetland approvals
- Soil borings