

Notice of Pending Application for Proposed Wetland Individual Permit

Nick Fuchs, City of Franklin Senior Planner, 9229 West Loomis Road, Franklin, WI 53132 has applied to the Department of Natural Resources for a permit to discharge dredged or fill material into Root River.

The project is located in the SE1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County.

Evergreen Street Extension

The Department has determined that the application is complete and is currently evaluating the applicant's proposal. The Department must consider factual information about the following legal standards in deciding whether to issue, modify, or deny the permit or approve or disapprove the contract:

- Whether the project will materially obstruct navigation, including commercial, recreational, active and passive forms of navigation
- Whether the project will be detrimental to the public interest, including fish and wildlife or their habitat, natural scenic beauty, or water quality
- Whether the project will materially reduce the flood flow capacity of a stream

- Whether a practicable alternative exists which would avoid adverse impacts to wetlands, and the project will result in the least environmentally damaging practicable alternative taking into consideration practicable alternatives that avoid wetland impacts
- Whether all practicable measures to minimize adverse impacts to the functional values of the wetland have been taken
- Whether the proposed project will result in significant adverse impacts to wetland functional values, significant impacts to water quality, or other significant adverse environmental consequences
- Whether the proposed mitigation will meet the standards in S. 281.36(3r)

The Department will follow the steps below to reach its final decision on the application:

1. Review the plans and information provided by the applicant.
2. Review the information from public comments.
3. Review the information presented at a public informational hearing if one is requested.
4. Review the information found in natural resource inventories and plans, maps, or data collected by the Department or others using commonly accepted methods.
5. Determine whether the proposed project or activity complies with s. 1.11, Stats [the Wisconsin Environmental Policy Act], and ch. NR 150, Wis. Adm. Code.
6. Ensure that the required mitigation meets the standards in S. 281.36(3r)

The Department has made a tentative determination that it will issue the permit or contract for the proposed activity.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at:

<https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

If notice of a public informational hearing is not included in this notice of pending application, no public informational hearing will be held unless the Department receives a request for hearing or determines within 20 days after this notice is published that there is a significant public interest in holding a hearing. If no hearing is requested, the Department may issue its decision without a hearing.

Any person may request a public informational hearing by writing to Kristina Betzold, 2300 N Dr. Martin Luther King Jr. Dr., Milwaukee, WI 53212 by U.S. mail postmarked no later than 20 days following publication of this notice. A request for hearing must include the docket number or applicant name and specify the issues that the party desires to be addressed at the informational hearing. Because the Department must base its decision to issue, deny, or modify the permit or approve or disapprove the contract on whether the project or activity meets the legal standards listed above, the issues raised in the request for hearing should relate to those standards.

Any member of the public may submit written comments to the address above by U.S. mail. Comments should include the docket number or applicant name.

If no public informational hearing is held on this application, comments must be postmarked within 30 days after the date this notice is published in a newspaper as a class 1 notice or within 30 days after the date this notice is published on the Department's website, whichever is later. If a public informational hearing is held, comments must be postmarked no later than 10 days following the date on which the hearing is completed.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-SE-2013-41-T03657

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary



Kristina Betzold
Environmental Analysis and Review Specialist

11/25/13
Date

Publish: December 19th