

Minnesota Local/State/Federal Application Forms for Water/Wetland Projects

USE THIS APPLICATION FOR ANY PROJECT AFFECTING A LAKE, RIVER, STREAM OR WETLAND, INCLUDING:

Local Government Unit Approval Pursuant to Minnesota Wetlands Conservation Act (WCA)
 Minnesota Department of Natural Resources (DNR) Permit to Work in Public Waters
 Department of the Army Permit (33 CFR 325)

Note: The U.S. Army Corps of Engineers (COE) will forward application forms to the Minnesota Pollution Control Agency (MPCA) for processing if state water quality certification is required from the MPCA. You **do not** need to send this application to the MPCA.

This application packet includes :

Part I: The **BASIC APPLICATION** and the **COE APPLICATION** to be filled out by all applicants (see Instructions).

PART II: The **REPLACEMENT PLAN SUPPLEMENT** to be completed *only for* projects that impact wetlands and require a replacement plan for wetland mitigation. **If you're not sure** whether your project requires a replacement plan, call your Local Government Unit (LGU) or Soil and Water Conservation District (SWCD) office for guidance.

Do not proceed with your project until you have received all required approvals from your LGU, the DNR and the COE. If you wish to confirm the status of your application at any time, contact the agencies directly (see Instructions, page 2). **Proceeding with work before all required authorizations are obtained may result in fines or other penalties, and may include a requirement to restore the project site to original condition.**

If you have questions or need assistance with filling out these forms, contact your local SWCD office, your LGU, your Area DNR Waters office, or your COE field office (see Instructions, page 2).

If you believe that your project may be subject to watershed district, local zoning, or any other local regulations besides those of your LGU, contact those office(s) directly. **If you are a Federal Farm Program participant** and your project affects a wetland or water body on agricultural land, your eligibility for USDA benefits may be affected. Contact a Natural Resources Conservation Service office for further information.

A QUICK LOOK AT THE PROJECT APPLICATION PROCESS

Electronic files: Forms can be downloaded and filled out using Microsoft Word. Your input will be restricted to fill-in fields where users can enter text or check boxes. These areas appear gray on the screen, but not on the printed document.

Send copies of these completed application forms to your LGU, your Area DNR Waters office, and your COE regulatory office.

Any of the agencies may make initial contact with you to: a) inform you that it has no jurisdiction over your project; b) request additional information needed; or c) inform you of applicable fees.

When your application is considered complete and appropriate fees have been received (if requested) it will be distributed for appropriate review.

Following agencies' reviews, you will be informed if it has been approved, approved with changes or conditions, withdrawn, or denied.

For information about state laws, rules and regulations that direct this process go to the web site www.revisor.leg.state.mn.us. For information on U.S. Army Corps of Engineers regulations go to the web site www.mvp.usace.army.mil.

Instructions for Part I

HELP 1: Every applicant must fill out Section 1. The applicant is the person, agency, company, corporation, or other organization that owns, leases, or holds other legal rights to the land where the project is located. Indicate names of multiple applicants on a separate sheet.

HELP 1A: Fill out Section 1A only if you have designated an authorized agent. An authorized agent may be an attorney, builder, consultant, contractor, engineer, or any other person or organization designated by the applicant to represent him/her in this process. An agent is not required.

HELP 5: Purpose, description and dimensions of project: State briefly (in a sentence or two) what you propose to do and why it is needed. Also, describe whether your project will involve any of the following:

- Construction of structures, filling, draining, dewatering, removing, excavating or repair.
- Construction of an access path, bridge, culvert, dam, ditch, dock, driveway, riprap, road, sand blanket, shore protection, or tile line.
- Construction of any structures on fill, piles or a float-supported platform. If so, describe.
- Dredging or discharging (placing fill material) into a wetland or other water body (including the temporary placement of material). If so, explain the specific purpose of the placement of the material (such as erosion control) and indicate how it will be done (such as with a backhoe or dragline). If dredged material is to be discharged on an upland site, identify the location of the site.

Include an overhead view drawing showing the work to be undertaken and its relative location on the property. Show items such as property boundaries or lot dimensions; location and extent of shoreline, wetlands and water; location and dimensions and footprint of the proposed project, structure or activity (include length, width, elevation and other measurements as appropriate); points of reference such as existing homes, structures, docks or landscape features; indication of north; and location of spoil and disposal sites (if applicable). Hand drawn, computer generated or professionally prepared drawings are acceptable, as long as they contain all necessary information clearly, accurately, and in adequate detail. Please include specific dimensions whenever possible. You may also include photos, if you wish. Paper copies should be limited to maximum dimensions of 11" by 17". Computer files should be viewable in a PDF format; contact the agency for other usable formats.

HELP 7: For information regarding adjacent landowners, contact the tax assessor where the project is to be developed.

HELP 8: If any part of the work has already been completed, describe the area already developed. Include a description of structures completed; any dredged or fill material already discharged (including type of material and volume in cubic yards); acres or square feet filled (if a wetland or other water body); and whether the work was done under an existing permit (if so identify the authorization, if possible).

HELP 9: Other permits, reviews or approval related to the project may include the following: conditional use permit; plat approval; zoning variance; National Pollutant Discharge Elimination System permit; state disposal system permit (includes dredged material disposal); watershed district/watershed management organization permit (stormwater, erosion, floodplain); environmental assessment worksheet/environmental impact statement; hazardous waste site; feedlot permit; groundwater appropriation permit; or county/township driveway/road permit. Are you aware of any archeological or cultural resource determinations or surveys completed concerning the project or replacement site by the State Historic Preservation Office (SHPO) or others? If yes, please explain on a separate sheet or attach a copy of any determinations or surveys.

Final Checklists (Part I)

- Have you completed all of Part I** (Page 1), plus the Federal application (Page 2)?
- Did you (and your agent, if applicable) sign Section 10** on page 1?
- Have you signed the Application for the Department of the Army Permit** (Page 2) to seek Federal authorization of your project?
- Have you included the necessary attachments for Part I?**

Attachments must include:

- Site Locator Map (Section 3)
- Type of Project (Section 4) (if additional space was needed)
- Overhead View of Project (Section 5 and HELP 5)
- Project Purpose, Description and Dimensions (Section 5) (if additional space was needed)

Attachments may also include:

- Applicant Contact Information (HELP 1) (if additional space was needed)
- Project Location (Section 3) (if additional space was needed)
- Project Alternatives (Section 6) (if additional space was needed)
- Photographs
- Adjoining Property Owners (Section 7) (if additional space was needed)
- Work Already Completed Section (Section 8) (if you answered YES)
- State Historic Preservation Office determination or survey

Submitting Your Application

Make three copies of the entire application and all attachments. Keep the original, and mail a complete copy of your application to each of the local, state, and Federal entities listed below. Be sure to include Part I and all attachments with each application.

LOCAL: Send to the appropriate Local Government Unit (LGU). If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

STATE: Send to your Area DNR Waters office, attention Area Hydrologist. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the DNR website (www.dnr.state.mn.us) to locate the Area Hydrologist for your location, or contact a Regional DNR office:

NW Region:

2115 Birchmont Beach Road N.E.
Bemidji, MN 56601
Phone: 218-755-3973

NE Region:

1201 East Highway 2
Grand Rapids, MN 55744
Phone: 218-327-4416

Central Region:

1200 Warner Road
St. Paul, MN 55106
Phone: 651-772-7910

Southern Region:

261 Highway 15 South
New Ulm, MN 56073
Phone: 507 359-6053

FEDERAL: Send to the appropriate U.S. Army Corps of Engineers regulatory field office:

Brainerd:

U.S. COE, Regulatory Branch
10867 E. Gull Lake Drive N.W.
Brainerd, MN 56401-9051
Phone: 218-829-8402

St. Paul:

U.S. COE, Regulatory Branch
Army Corps of Engineers Centre
190 5th Street East
St. Paul, MN 55101-9051
Phone: 651-290-5375

La Crescent:

U.S. COE, Regulatory Branch
1114 South Oak Street
La Crescent, MN 55947-1338
Phone: 507-895-8059

Two Harbors:

U.S. COE, Regulatory Branch
1554 Highway 2, Suite 2
Two Harbors, MN 55616
Phone: 218-834-6630

WEB SITES: BWSR: www.bwsr.state.mn.us U.S. ACOE: www.mvp.usace.army.mil DNR: www.dnr.state.mn.us MPCA: www.pca.state.mn.us

Minnesota Local/State/Federal Application Form for Water/Wetland Projects

For Internal Use Only			
Application No.	Field Office Code	Date Initial Application Received	Date initial Application Deemed Complete

PART I: BASIC APPLICATION

“See **HELP**” directs you to important additional information and assistance in Instructions, Page 1.

1. LANDOWNER/APPLICANT CONTACT INFORMATION (See Help 1)

Name: _____ Phone: _____ E-mail: _____

Complete mailing address: _____

1A. AUTHORIZED AGENT (See Help 1A) (Only if applicable; an agent is not required)

Name: _____ Phone: _____ E-mail: _____

Complete mailing address: _____

2. NAME, TYPE AND SIZE OF PUBLIC WATERS or WETLANDS IMPACTED (Attach Additional Project Area sheets if needed)

Name or I.D. # of Waters Impacted (if applicable; if known): _____

(Check all that apply): Lake River Circular 39 Wetland type: 1, 1L, 2, 3, 4, 5, 6, 7, 8

Wetland plant community type¹: shallow open water, deep marsh, shallow marsh, sedge meadow, fresh meadow, wet to wet-mesic prairie, calcareous fen, open bog or coniferous bog, shrub-carr/alder thicket, hardwood swamp or coniferous swamp, floodplain forest, seasonally flooded basin

Indicate size of entire lake or wetland (check one): Less than 10 acres (indicate size: _____) 10 to 40 acres Greater than 40 acres

3. PROJECT LOCATION (Information can be found on property tax statement, property title or title insurance):

Project street address: _____ Fire #: _____ City (if applicable): _____

¼ Section: _____ Section: _____ Township #: _____ Range #: _____ County: _____

Lot #: _____ Block: _____ Subdivision: _____ Watershed (name or #) _____ UTM location: N _____ E _____

Attach a simple site locator map. If needed, include on the map written directions to the site from a known location or landmark, and provide distances from known locations. Label the sheet *SITE LOCATOR MAP*.

4. TYPE OF PROJECT: Describe the type of proposed work. Attach *TYPE OF PROJECT* sheet if needed.

5. PROJECT PURPOSE, DESCRIPTION AND DIMENSIONS: Describe what you plan to do and why it is needed, how you plan to construct the project with dimensions (length, width, depth), area of impact, and when you propose to construct the project. **This is the most important part of your application. See HELP 5 before completing this section; see What To Include on Plans** (Instructions, page 1). Attach *PROJECT DESCRIPTION* sheet.

Footprint of project: _____ acres or _____ square feet drained, filled or excavated.

6. PROJECT ALTERNATIVES: What alternatives to this proposed project have you considered that would avoid or minimize impacts to wetlands or waters? List at least **TWO** additional alternatives to your project in Section 5 that avoid wetlands (one of which may be “no build” or “do nothing”), and explain why you chose to pursue the option described in this application over these alternatives. Attach *PROJECT ALTERNATIVES* sheet if needed.

7. ADJOINING PROPERTY OWNERS: For projects that impact more than 10,000 square feet of water or wetlands, list the complete mailing addresses of adjacent property owners on an attached separate sheet. (See **HELP 7**)

8. PORTION OF WORK COMPLETED: Is any portion of the work in wetland or water areas already completed? Yes No. If yes, describe the completed work on a separate sheet of paper labeled **WORK ALREADY COMPLETED**. (See **HELP 8**)

9. STATUS OF OTHER APPROVALS: List any other permits, reviews or approvals related to this proposed project that are either **pending** or **have already been approved or denied on a separate attached sheet**. See **HELP 9**.

10. I am applying for state and local authorization to conduct the work described in this application. I am familiar with the information contained in this application. To the best of my knowledge and belief, all information in Part I is true, complete, and accurate. I possess the authority to undertake the work described, or I am acting as the duly authorized agent of the applicant.

Signature of applicant (Landowner) Date Signature of agent (if applicable) Date

This block must be signed by the person who desires to undertake the proposed activity and has the necessary property rights to do so. If only the Agent has signed, please attach a separate sheet signed by the landowner, giving necessary authorization to the Agent.

¹See *Wetland Plants and Plant Communities of Minnesota and Wisconsin (Eggers and Reed, 1997)* as modified by the Board of Water and Soil Resources, United States Army Corps of Engineers.

FOR LGU USE ONLY:

Determination for Part 1:

- No WCA Jurisdiction
- Exempt: No. ____ (per MN Rule 8420.0122)
- No Loss: ____ (A,B,..G, per MN Rule 8420.0220)
- Wetland Boundary or type
- Replacement required – applicant must complete Part II

COMPLETE THE SECTION BELOW ONLY IF REPLACEMENT IS NOT REQUIRED:

Application is (check one): Approved Approved with conditions (conditions attached) Denied

Comments/Findings: _____

LGU official signature *Date*

Name and Title

For Agricultural and Drainage exemptions (MN Rule 8420.0122 Subps. 1 and 2B), LGU has received proof of recording of restrictions (per MN Rule 8420.0115):

County where recorded *Date* *Document # assigned by recorder*

LGU official signature *Date*
