

# WHEN IS A PERMIT REQUIRED?

## NO Permit Required When...

- ✘ Land disturbing activities directly involved in the planting, growing and harvesting of any plant grown for human or livestock consumption and pasturing or yarding of livestock, including sod farms and tree nurseries.
- ✘ Land development and land disturbing activities exempted by state or federal law, including highway construction and other projects conducted by a state agency, as defined under s. 227.01 (1), Wisconsin Statutes, or under a memorandum of understanding entered into under s. 281.33 (2), Wisconsin Statutes. To recognize an exemption under this paragraph, the LWRD may require documentation of the person(s) and regulatory agency charged with enforcing erosion control and storm water management for the project.
- ✘ Land disturbing activity directly involved in the installation and maintenance of private on-site waste disposal systems, as regulated under this ordinance.
- ✘ If another regulatory agency is enforcing erosion control and storm water management provisions that the LWRD determines are at least as restrictive as those contained in the new ordinance.

**Exempt From Erosion Control Requirements Only.** The following land disturbing activities shall be exempt from the erosion control provisions.

- ✘ Those activities the LWRD determines are required for the construction of individual one and two family residential buildings under COM.21.125 Wis. Admin. Code.

**NOTE:** *The Wisconsin Uniform Dwelling Code (COM 21) includes erosion control requirements that apply statewide. The County Zoning Administrator or any Town may request a determination from the LWRD.*

- ✘ Nonmetallic mining activities that are covered under a nonmetallic mining reclamation permit under NR 135 Wis. Admin. Code.
- ✘ Placement of underground pipe or other utility that is plowed or bored into the ground outside areas of channelized runoff.
- ✘ **Other Exemptions:** The LWRD may exempt a site or a portion of a site from meeting certain technical requirements of this ordinance.

# WHEN IS A PERMIT REQUIRED?

## Permit IS Required When...

### Construction Site Erosion Control

- ✘ Disturbs a total land surface area of 3,000 square feet or more; or
- ✘ Involves excavation or filling, or a combination of excavation and filling, in excess of 400 cubic yards of material; or
- ✘ Involves the laying, repairing, replacing, or enlarging of an underground utility, pipe or other facility, or the disturbance of road ditch, grass swale or other open channel for a distance of 300 feet or more; or
- ✘ Is a land disturbing activity, regardless of size, that the LWRD determines is likely to cause an adverse impact to an environmentally sensitive area or other property, or may violate any other erosion control standard set forth in this ordinance.

### Storm Water Management Requirements

- ✘ Is a subdivision plat; or
- ✘ Is a certified survey map or any other land development activity that may ultimately result in the addition of 0.5 acres or greater of impervious surfaces, including smaller individual sites that are part of a common plan of development that may be constructed at different times; or
- ✘ Involves the construction of any new public or private road; or
- ✘ Is a land development activity, regardless of size, that the LWRD determines is likely to cause an adverse impact to an environmentally sensitive area or other property. For purposes of this section, adverse impacts shall include causing chronic wetness on other property due to reoccurring discharges of storm water, or violating any other storm water management standard set forth in the proposed ordinance.