

Section 4
Authorities and Approvals

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The agencies that are expected to be applicable are listed below and the applicable permits, reviews, and clearances are listed in Table 4-1. To date, consultations with federal, state, and local regulatory officials and government agencies regarding clearances and data consultations for this Project have been limited to preliminary or screening-level discussions. In-depth coordination regarding project specific permits, approval, and conditions will be completed once approvals for Lake Michigan water have been obtained and the water supplier has been finalized.

4.1 WDNR

The Wisconsin Department of Natural Resources is the lead state agency on the project. Details regarding the individual permits are listed in Table 4-1 under State Permit Approvals.

4.2 Great Lakes Compact

Implementing a Lake Michigan water supply alternative would require review and approval under the Great Lakes-St. Lawrence River Basin Water Resources Compact, under Article 4, Water Management and Regulation. This approval is listed in Table 4-1.

4.3 Other Wisconsin

Other Wisconsin state approval authorities include the Wisconsin State Historic Preservation Office and the Wisconsin Department of Agriculture, Trade, and Consumer Protection and are listed in Table 4-1 under State.

4.4 Federal

Federal agency approvals include the U.S. Fish and Wildlife Service, Green Bay Endangered Species Field Office and the U.S. Army Corps of Engineers St. Paul District listed in Table 4-1 under Federal.

4.5 Local

Local county agency and municipal approvals include individual county agencies and permits, which are listed on Table 4-1 under County.

4.6 Tribal

Coordination with the various tribes (if applicable) will be coordinated as part of the Federal and State regulatory review.

TABLE 4-1
Permits, Licenses, Approvals, and Certificates Required for Construction, Operation, and Maintenance

Permit/Approval (Statute/Reg.)	Administering Agency	Status
State		
Chapter 30 Stream Crossings Navigable Waters (Applications on County Basis; WI NR 199, 102, 103, 155, 117)	WDNR, Bureau of Fisheries Management and Habitat Protection	Pending selection of a preferred supply, return flow alternative, and governors' approval
WPDES Stormwater Discharge Permit (WI NR 216)	WDNR, Bureau of Watershed Management	Pending selection of a preferred supply, return flow alternative, and governors' approval
Hydrostatic Test Discharge General Permit (WI Chapter 283, 216)	WDNR, Bureau of Watershed Management	Pending selection of a preferred supply, return flow alternative, and governors' approval
Pit/Trench Dewatering General Permit (WI Chapter 283, 216)	WDNR, Bureau of Watershed Management	Pending selection of a preferred supply, return flow alternative, and governors' approval
Section 401 Water Quality Certification—Joint Application with COE Outside Navigable Waters (Applications on County Basis; see Stream Crossings in Section 2)	WDNR, Bureau of Fisheries Management and Habitat Protection	Pending selection of a preferred supply, return flow alternative, and governors' approval
WDNR—Wastewater Facilities Plan Review (WI NR 110)	WDNR	Submitted with the Application
WDNR—Wisconsin Floodplain Management Program (WI NR 116)	WDNR	Pending selection of a return flow alternative and governors' approval
WDNR—Environmental Report (Statewide; WI NR 150)	WDNR, Bureau of Integrated Science Services	Spring 2010
Natural Heritage Inventory (Wisconsin Endangered Species Law—WI Stats. S. 29.415)	WDNR, Bureau of Endangered Resources	Initiated January 12, 2010
Incidental Take Permit (WI Stats. 29.604)	WDNR, Bureau of Endangered Resources	Pending selection of a preferred supply, return flow alternative, and governors' approval
WDNR—Water Quality Anti-Degradation (WI NR 207)	WDNR	Pending selection of a preferred supply, return flow alternative, and governors' approval
WDNR—WPDES Permit for Effluent Standards and Limitations (WI NR 217 and WI SS 283)	WDNR	October 16, 2008, WDNR letter provided initial information; additional review occurring with governors' approval
WDNR—Water Service Area Plan (WI NR 281)	WDNR	Submitted with the Application
Wastewater systems construction plan review	WDNR	Conducted at design completion and prior to construction
Water systems construction plan review	WDNR	Conducted at design completion and prior to construction

TABLE 4-1
Permits, Licenses, Approvals, and Certificates Required for Construction, Operation, and Maintenance

Permit/Approval (Statute/Reg.)	Administering Agency	Status
Great Lakes Compact		
The Great Lakes-St. Lawrence River Basin Water Resources Compact (Article 4, Water Management and Regulation).	The Great Lakes-St. Lawrence River Basin Water Resources Council (Compact Council)	Pending approval by WDNR and forwarding to the regional body for review.
Wisconsin Other		
Cultural Resources Review (36 CFR Part 800; WI Chapter 285)	Wisconsin State Historic Preservation Office	Pending selection of a preferred supply, return flow alternative, and governors' approval
Agricultural Impact Statement (WI Statute 32.035)	Wisconsin Department of Agriculture, Trade, and Consumer Protection	Pending selection of a preferred supply, return flow alternative, and governors' approval
Control of Particulate Emission, Specific geographic areas for additional particulate emission control (WI NR 415.035)	Wisconsin Department of Agriculture, Trade, and Consumer Protection	Pending selection of a preferred supply, return flow alternative, and governors' approval
Federal		
Endangered Species Section 7 Consultation (Endangered Species Act — 16 U.S.C.1531 et. seq.)	U.S. Fish and Wildlife Service, Green Bay ES Field Office	Initiated January 13, 2010
Section 404 Dredge and Fill Permit (Clean Water Act—33 U.S.C. 1344)	U.S. Army Corps of Engineers, St. Paul District	Pending selection of a preferred supply, return flow alternative, and governors' approval
Section 10 Navigable Waters (Rivers and Harbors Act of 1899- 33 U.S.C. 403)	U.S. Army Corps of Engineers, St. Paul District	Pending selection of a preferred supply, return flow alternative, and governors' approval
County		
Shoreland-Wetland Zoning Permit and Conditional Use Application	Varies by county	Pending selection of a preferred supply, return flow alternative, and governors' approval
Erosion and Sedimentation Control Permit	Varies by county/municipality	Pending selection of a preferred supply, return flow alternative, and governors' approval
Tribal		
Coordination with the various tribes (if applicable) will be coordinated as part of the Federal and State regulatory review for permits listed above.	Varies	Pending selection of a preferred supply, return flow alternative, and governors' approval.