



City of Madison Engineering Division

EROSION CONTROL PERMIT

Permit Number: ENG100-2024-04539

City Engineering: (608) 266-4751

Location of Work: N Lake ST

Parcel:

Permittee: Sarah Lerner


Telephone: (608) 261-4281

Email:

Owner: CITY OF MADISON ENGINEER

Telephone:

slerner@cityofmadison.com

FEE SCHEDULE		APPROVALS		 <p>Call 811 or (800) 242-8511 (262) 432-7910 (877) 500-9592 (emergency only)</p>
Simplified Plan Base Fee	100.00	Plan Review:	MAE	
Total Fee Amount	100.00	Issuance:	MAE	
Total Invoiced Amount	100.00			
Paid	100.00			
Balance Due	0.00			

PROPOSED WORK: N Lake St Boat Launch Repair

Project Description: N Lake Street ROW at Lake Mendota

Permit Type: Simplified Checklist

Construction Start Date: 3/1/2025

Permit Expiration Date: 10/1/2025

Seed Sod Restore Date: 5/1/2025

USLE Rate: .8

Total Disturbed Area: 0

EC Checklist Attached

EC Plan Attached

Pumping Plan Attached

FOR CITY OF MADISON USE ONLY: APPROVED

Megan Eberhardt

09/19/2024

- Erosion Control Permit Reviewer

Date

Simplified Checklist

See page two of this permit for Permit Conditions and Requirements.



## City of Madison Engineering Division

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### Permit Conditions and Requirements:

Failure to abide by any of the following permit conditions will be considered a violation of the City's Erosion Control Ordinance (MGO Ch. 37) and can result in the issuance to the permittee and/or the property owner of Official Notices, citations, and/or referral to the City Attorney for resolution of non-compliance.

Erosion & Sediment Control Measures are to be installed prior to any land disturbance activities.

Within ten (10) days of the completion of the project or site stabilization the applicant shall submit an Erosion Control Notice of Termination (ECNOT). The ECNOT should be sent to the administrative authority that initially approved your permit.

The Erosion Control Permit applicant shall conduct a pre-construction meeting attended by a Professional Engineer responsible for initial implementation certification of the erosion control plan. The Professional Engineer shall document and submit minutes of this meeting to City Engineering.

A Professional Engineer currently licensed in the State of Wisconsin shall certify the initial installation and implementation of the measures shown on the approved erosion control plan. Documentation on the City's Installation Certification form shall be submitted to the administrative authority within one (1) week of the installation. The certification form can be found on the City's webpage at <http://www.cityofmadison.com/engineering/permits>

As part of the Erosion Control Permit requirements this construction project requires erosion control inspections and reporting by the permittee (or by their authorized inspector). Inspections shall be conducted a minimum of once per week and also after every 24-hour rain event of 0.5" or more precipitation. The results of these inspections shall be entered on the City's permit and inspection tracking system.

Dust Control, if applicable shall be provided, per WDNR Conservation Practice Standard 1068.

Trench Dewatering, if applicable shall be provided, per WDNR Conservation Practice Standard 1061.

All BMP's installed for erosion control shall be in accordance with the applicable WDNR Conservation Practice Standards found at: [http://dnr.wi.gov/topic/stormwater/standards/const\\_standards.html](http://dnr.wi.gov/topic/stormwater/standards/const_standards.html)

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
473 Griffith Ave.  
Wisconsin Rapids, WI, 54494

Tony Evers, Governor  
Adam N. Payne, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



June 02, 2023

GP-SC-2023-13-01528

City of Madison Engineering Division  
Jim Wolfe  
210 Martin Luther King Jr. Blvd, Room 115  
Madison, WI 53703  
*[sent electronically]*

Dear Mr. Wolfe:

The Department of Natural Resources has completed its review of your application for a permit to repair and authorize an existing public boat ramp on the banks of Lake Mendota and located in the SE 1/4, SW 1/4, Section 14, Township 07N, Range 09E, City of Madison, Dane County. You will be pleased to know your project qualified for a General Permit.

Please take this time to re-read the permit eligibility standards and conditions. The eligibility standards can be found on your application checklist (found at <https://dnr.wi.gov/files/PDF/forms/3500/3500-172.pdf>). For project details, maps, and plans related to this decision, please see application number, GP-SC-2023-13-01528, on the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>. The permit conditions are attached to this letter which lists the conditions which must be followed.

A copy of this letter and the attached permit conditions must be posted for reference at the project site. Please read your permit conditions carefully so that you are fully aware of what is expected of you. You are responsible for meeting all general permit eligibility standards and permit conditions.

Please note you are required to submit photographs of the completed project within 7 days after you've finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Be sure to contact your local zoning office and U.S. Army Corps of Engineers for any local or federal permits that may be required for your project. Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please contact me at (715) 421-7800 or by email at [Scott.Custer@wisconsin.gov](mailto:Scott.Custer@wisconsin.gov).

Sincerely,



Scott Custer  
Water Management Specialist

Email CC: USACE Project Manager  
City of Madison Zoning Administrator  
City of Madison Engineering Division – Sarah Lerner

The City of Madison Engineering Division c/o Jim Wolfe is hereby granted under Section 30.12(1), Wisconsin Statutes, and NR 329, Wis. Adm. Code, a permit to repair and authorize an existing public boat ramp in the City of Madison, Dane County is subject to the following conditions:

**PERMIT**

1. You must notify Scott Custer at phone (715) 421-7800 or email [Scott.Custer@wisconsin.gov](mailto:Scott.Custer@wisconsin.gov) before starting construction and again not more than 5 days after the project is complete.
2. You must complete the project as described **on or before 06/02/2026**. If you will not complete the project by this date, there is no opportunity for an extension, and you must apply for a new permit.
3. This permit does not authorize any work other than what you specifically describe in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
4. Before you start your project, you must first obtain any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers. You are responsible for contacting these local and federal authorities to determine if they require permits or approvals for your project. These local and federal authorities are responsible for determining if your project complies with their requirements.
5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance, or permit compliance.
6. The Department may modify or revoke this permit for good cause, including if the project is not completed according to the terms of the permit or if the Department determines the activity is detrimental to the public interest.
7. **You must post a copy of this permit at a conspicuous location on the project site**, visible from the waterway, for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.
8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood, and agreed to follow all conditions of this permit.
9. The permittee shall maintain the project in good condition and in compliance with the terms and conditions of this permit, NR 329 Wis. Admin. Code, and ss. Ch 30.12(1), Wis. Stats.
10. This project shall comply with all conditions identified in Wisconsin Administrative Code and identified in the Instructions for the General Permit application.
11. The department may modify or revoke the permit if the project is not completed according to the terms of the permit or if the department subsequently determines the activity is detrimental to the public interest.
12. **You must submit a series of photographs to the Department, within one week of completing work on the site.** The photographs must be taken from different vantage points and depict all work authorized by this permit.
13. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section Ch 30.292, Wis. Stats., for any violations of Chapter 30, Wis. Stats., or this permit.
14. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Admin. Code. The technical standards are found at:  
[http://dnr.wi.gov/topic/stormwater/standards/const\\_standards.html](http://dnr.wi.gov/topic/stormwater/standards/const_standards.html).

15. Unless part of a permanent storm water management system, all temporary erosion and sediment control practices shall be removed upon final site stabilization. Areas disturbed during construction or installation shall be restored.
16. All equipment used for the project, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile, and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use. The following steps must be taken **every time** you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.
  - a. **Inspect and remove** aquatic plants, animals, and mud from your equipment.
  - b. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, silt or turbidity curtain, hoses, sheet pile and pumps.
  - c. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals, or water from one waterbody to another.
  - d. **Wash your equipment** with hot (>104° F) and/or high-pressure water, - OR - Allow your equipment to **dry thoroughly for 5 days**.
17. To protect fish habitat during spawning seasons, no general permit activity shall take place during the time period specified:
  - a. For trout streams identified under s. NR 1.02 (7) and perennial tributaries to those trout streams, September 15 through May 15.
  - b. For all waters not identified under subd. 3. a. and located south of state highway 29, March 15 through May 15.
  - c. For all waters not identified under subd. 3. a. and located north of state highway 29, April 1 through June 1.
  - d. The applicant may request that the requirements in a., b. or c. be waived by the department on a case-by-case basis, by submitting a written statement signed by the local department fisheries biologist, documenting consultation about the proposed project, and that the local department fisheries biologist has determined that the requirements of this paragraph are not necessary to protect fish spawning for the proposed project.
18. A boat landing shall be open to the general public.
19. A boat landing may not be located in an area of special natural resource interest, except for boat landings constructed and maintained by a local, state or federal agency. However, no boat landing may be placed within a public rights feature as described in s. NR 1.06, Wis. Adm. Code.
20. A boat landing may be placed and maintained only by a riparian.
21. A boat landing shall be placed entirely within the riparian's zone of interest, as determined by one of the methods outlined in ch. NR 329, Wis. Adm. Code.
22. A boat landing shall be designed and constructed to prevent structural failure caused by wave, wind or ice action and shall be maintained in good condition at all times.
23. Material removed or excavated to construct the boat landing may not be placed in a wetland, floodway or below the ordinary high water mark of any navigable waterway.
24. A boat landing shall consist of a 6- to 24-inch layer of crushed rock, a 6- to 18-inch layer of crushed rock capped with a 4-inch minimum thickness pre-cast reinforced concrete planks or a cast-in-place reinforced concrete slab, each with a 6- to 18-inch crushed rock base. Pre-cast planks shall be connected to prevent displacement.
25. A boat landing shall have a slope no steeper than 7 foot horizontal to one foot vertical (7H) and may not exceed 50 feet in length or beyond the line of navigation, whichever is less.
26. A boat landing may not be located in or across a wetland.

27. A boat landing shall have rock riprap toe protection at the lakeward end of the landing which may not extend above the natural level of the bottom of the waterway.
28. The side slopes of the excavated banks on either side of the boat landing may not exceed 2 feet horizontal to one foot vertical (2 to 1 slope).
29. Cofferdams used for site de-watering shall consist only of clean recoverable materials such as sandbags or plywood sheeting, and all materials shall be removed immediately following project completion.
30. Any grading, excavation and land disturbance shall be confined to the minimum area necessary for the construction and may not exceed 10,000 square feet.
31. All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.
32. Construction of the boat landing shall minimize the removal of trees, shrubs and other shoreline vegetation above the ordinary high water mark. Note: Local zoning ordinances may place restrictions on cutting trees in the shoreland zone. The riparian is responsible for ensuring that their project is in compliance with any local zoning requirements.

#### **FINDINGS OF FACT**

1. The City of Madison Engineering Division c/o Jim Wolfe has filed an application for a permit to repair and authorize an existing public boat ramp in the SE 1/4, SW 1/4, Section 14, Township 07N, Range 09E, City of Madison, Dane County.
2. Specifically, the project consists of the repair and authorization of an existing public boat ramp located within City of Madison ROW property. The existing boat launch has a large section of missing concrete on the bottom section of the ramp. This project will repair this section by replacing the entire bottom 9'x26' wide concrete section either by pre-cast or pour in place. This project will also include installation of a heavy riprap toe as required to meet General Permit eligibility requirements. The work will be completed by installing "Big Bags" sandbags along the lakeward project limits to dewater the existing site and protect from erosion. The project is anticipated to occur after 11/15/2023 and shall be completed prior to 1/1/2024.
3. The Department has determined that the project site and project plans meet the standards in s. Ch 30.12(1), Wis. Stats., as well as NR 329, Wis. Adm. Code, to qualify for this General Permit.
4. The Department has determined that general permit condition #28 does not apply to the project as the permit is for a pre-existing historical public boat ramp, the banks have already been excavated and are well established and stabilized, as well as no additional disturbance will occur above the ordinary high water mark for the repair and authorization.
5. The Lake Mendota is a navigable water (and no bulkhead exists at the project site).
6. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in s. 283.01(6m), Wis. Stats.
7. The proposed project, if constructed in accordance with this permit will not adversely affect wetlands.
8. The proposed project will not injure public rights or interests, cause environmental pollution as defined in s. 299.01(4), Wis. Stats., or result in material injury to the rights of any riparian owner, if constructed in accordance with this permit.
9. The Department of Natural Resources and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of Section Ch 30.12(1), Wis. Stats. and Chapters NR 102, 103, 150, 299, 310, and 329, Wis. Adm. Code.

10. The structure will not be detrimental to the public interest because the proposed construction methods have been designed to (along with conditions of this permit) minimize impacts to fish and wildlife habitat, water quality, navigation, recreation, and natural scenic beauty.
11. The structure will not materially obstruct navigation.
12. The structure will not materially reduce the flood flow capacity of Lake Mendota.

#### **CONCLUSIONS OF LAW**

1. The Department has authority under ch. 30, Wis. Stats., and ch. NR 329, Wis. Adm. Code, to issue a permit for the construction and maintenance of this project.
2. The Department has complied with s. 1.11, Wis. Stats.

Dated at the Wisconsin Rapids Service Center, Wisconsin Rapids, Wisconsin on 06/02/2023.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

BY:

A handwritten signature in black ink that reads "Scott Custer". The signature is written in a cursive, flowing style.

Scott Custer  
Water Management Specialist

**From:** [Custer, Scott R - DNR](#)  
**To:** [Simonson, Timothy D - DNR](#); [Lerner, Sarah](#)  
**Subject:** RE: Update to GP-SC-2023-13-01528  
**Date:** Friday, September 13, 2024 7:58:26 AM  
**Attachments:** [image008.png](#)

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Thanks Tim!

Sarah, I'll add a note in our permit database to indicate condition 17 of GP# 01528 has been waived by myself and Tim. Please save this e-mail for your records and let me know if you have any questions.

Have a great day!

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Scott Custer**

Water Management Specialist  
Wisconsin Department of Natural Resources  
Phone Number: (608) 445-4507  
Wisconsin Rapids Service Center  
[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)



---

**From:** Simonson, Timothy D - DNR <[Timothy.Simonson@wisconsin.gov](mailto:Timothy.Simonson@wisconsin.gov)>  
**Sent:** Thursday, September 12, 2024 6:03 PM  
**To:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>; Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Subject:** Re: Update to GP-SC-2023-13-01528

I'm okay with this waiver. Tim

---

**From:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>  
**Sent:** Thursday, September 12, 2024 3:28 PM  
**To:** Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Cc:** Simonson, Timothy D - DNR <[Timothy.Simonson@wisconsin.gov](mailto:Timothy.Simonson@wisconsin.gov)>  
**Subject:** RE: Update to GP-SC-2023-13-01528

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Thanks Scott!



Sarah Lerner, PLA, LEED AP, ENV SP  
Landscape Architect  
(she/her/hers)  
Engineering Division  
City-County Building, Room 115  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53703  
☎ Phone: 608-261-8592  
✉ [slerner@cityofmadison.com](mailto:slerner@cityofmadison.com)



---

**From:** Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Sent:** Thursday, September 12, 2024 3:26 PM  
**To:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>  
**Cc:** Simonson, Timothy D - DNR <[Timothy.Simonson@wisconsin.gov](mailto:Timothy.Simonson@wisconsin.gov)>  
**Subject:** RE: Update to GP-SC-2023-13-01528

Yep, and I am in support of waiving it. Looks like we just need input from fisheries. Thanks for clarifying that last part.

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Scott Custer**

Water Management Specialist  
Wisconsin Department of Natural Resources  
Phone Number: (608) 445-4507  
Wisconsin Rapids Service Center  
[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)



---

**From:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>  
**Sent:** Thursday, September 12, 2024 3:09 PM  
**To:** Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Cc:** Simonson, Timothy D - DNR <[Timothy.Simonson@wisconsin.gov](mailto:Timothy.Simonson@wisconsin.gov)>  
**Subject:** RE: Update to GP-SC-2023-13-01528

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Thanks Scott –

The conditions of the permit issuance state that a variance can be provided on the timing on a case-by-case basis. I am hoping since that's given with the conditions of the permit it can be done after the fact and we can get this emergency access restored earlier.

17. To protect fish habitat during spawning seasons, no general permit activity shall take place during the time period specified:
- For trout streams identified under s. NR 1.02 (7) and perennial tributaries to those trout streams, September 15 through May 15.
  - For all waters not identified under subd. 3. a. and located south of state highway 29, March 15 through May 15.
  - For all waters not identified under subd. 3. a. and located north of state highway 29, April 1 through June 1.
  - The applicant may request that the requirements in a., b. or c. be waived by the department on a case-by-case basis, by submitting a written statement signed by the local department fisheries biologist, documenting consultation about the proposed project, and that the local department fisheries biologist has determined that the requirements of this paragraph are not necessary to protect fish spawning for the proposed project.



Sarah Lerner, PLA, LEED AP, ENV SP  
Landscape Architect  
(she/her/hers)  
Engineering Division  
City-County Building, Room 115  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53703  
Phone: 608-261-8592  
✉ [slerner@cityofmadison.com](mailto:slerner@cityofmadison.com)

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**From:** Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Sent:** Wednesday, September 11, 2024 12:52 PM  
**To:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>  
**Cc:** Simonson, Timothy D - DNR <[Timothy.Simonson@wisconsin.gov](mailto:Timothy.Simonson@wisconsin.gov)>  
**Subject:** RE: Update to GP-SC-2023-13-01528

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Hi Sarah,

Thank you for reaching out. The updated plans are not a problem, and I will add those to the permit set. Typically, if all the conditions can't be met as listed under the GP, then it kicks the permit into an IP. However, if that is the ONLY condition that can't be met that would trigger an IP, I would be willing to still honor this GP being done inside those block out dates, only if the fish biologist gives their approval. I have not heard of many exceptions being made for this personally. Since this boat launch is used by the Madison Fire Department and there are potential safety and emergency response implications if this launch is not useable, I am open to the idea.

I am copying in the regional fish supervisor, Tim Simonson in this e-mail to see if this is even possible. Otherwise, the technical procedure for this would be to have you re-apply for an IP and then I would reach out to fisheries for their input anyway as part of that process.

If they have concerns, this will need to go to an IP if you wish to work inside those block out dates. The current permit is good until June 2, 2026, and your other option is to try and get it completed by then, but outside the block out dates.

Tim, please see the attached regarding the boat launch repair permit on Lake Mendota in the City of Madison, specifically condition 17. Also, please let me know if you are not the appropriate contact as there is currently no fish biologist listed as POC in Dane County and I received your contact from another WMS who also covers Dane County.

Stay tuned,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Scott Custer**

Water Management Specialist  
Wisconsin Department of Natural Resources  
Phone Number: (608) 445-4507  
Wisconsin Rapids Service Center  
[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)



---

**From:** Lerner, Sarah <[SLerner@cityofmadison.com](mailto:SLerner@cityofmadison.com)>  
**Sent:** Tuesday, September 10, 2024 8:58 AM  
**To:** Custer, Scott R - DNR <[scott.custer@wisconsin.gov](mailto:scott.custer@wisconsin.gov)>  
**Subject:** Update to GP-SC-2023-13-01528

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Hi Scott –

The project under GP-SC-2023-13-01528 has not yet been completed due to high lake levels and our staff not able to complete this work in house based on the lake levels.. We are hoping to get this work done early spring next year through our contracted bidding process.

Because of the delay, the City is request waiver of the timeline requirements set forth under the item 17. This boat launch is also an access point for the Madison Fire Department (MFD) for emergency rescues and we are hoping to get this fixed as soon as possible.

Additionally, the original design submitted with the permit replaced the existing 9' of concrete pavement at the launch. Based on discussions with MFD, we would like to extend this an additional 11' of concrete. The turbidity barrier will be adjusted accordingly. I have attached a sketch of this plan.

Please let me know if you have any questions or comments, and if we can have our permit updated to reflect the change in timing and design.

Thank you,



Sarah Lerner, PLA, LEED AP, ENV SP  
Landscape Architect  
(she/her/hers)  
Engineering Division  
City-County Building, Room 115  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53703  
☎ Phone: 608-261-8592  
✉ [slerner@cityofmadison.com](mailto:slerner@cityofmadison.com)