

# LINCOLN COUNTY

## SOIL DISTURBANCE PERMIT APPLICATION

\*\*Application must be filled out completely and returned with payment in order for staff to review\*\*

LINCOLN COUNTY ZONING  
801 N. SALES ST, STE 103  
MERRILL, WI 54452  
(715) 539-1087

PERMIT: \_\_\_\_\_

### THIS PERMIT IS REQUIRED WHEN ANY OF THE FOLLOWING APPLY:

- Soil disturbing activities are conducted within 300 feet of a navigable waterway and on which there is either:
  - Filling or grading on slopes of more than 20% -or-
  - Filling or grading of more than 1,000 square feet on slopes of 12-20% -or-
  - An area of one acre or greater will be disturbed by excavation, grading, filling or other earthmoving activities
  - When constructing a new boathouse
  - When constructing stairways, walkways, or lifts within the shoreland setback
  - When constructing a new retaining wall meeting setbacks or re-constructing an existing retaining wall
- Within 300 feet of a navigable body of water, when construction or dredging is commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar feature or where the purpose is the ultimate connection to a navigable body of water.
- Areas beyond 300 feet from a navigable body of water when land disturbing activity is greater than 5,000 square feet on slopes greater than 15 percent. *Number 3 does not apply to unzoned towns. Check with the zoning office for more information.*

### PROPERTY OWNER INFORMATION

Owner(s)			
Mailing Address			
City, State, ZIP			
Telephone	Cell:	Home:	
E-Mail (optional)			

### EXCAVATOR/CONTRACTOR/BUILDER INFORMATION

☐ UNKNOWN ☐ SELF

Name			
Address			
City, State, ZIP			
Telephone			

### BUILDING SITE LOCATION

Parcel ID: \_\_\_\_\_

Site Address: \_\_\_\_\_ If you do not have one, you are required to apply Application Date: \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_ North Range: \_\_\_\_\_ East Acres: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Government Lot \_\_\_\_\_ OR \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Additional Info: \_\_\_\_\_  
(Lot, Block, Subdiv, CSM, etc)

Property has water frontage: ☐ No ☐ Yes Waterbody Name: \_\_\_\_\_

Natural Features (check all that apply): ☐ Wetlands ☐ Floodplain ☐ Shoreland

### TYPE OF WORK (check all that apply)

<input type="checkbox"/>	Grading	<input type="checkbox"/>	Boathouse
<input type="checkbox"/>	Filling	<input type="checkbox"/>	Retaining Wall
<input type="checkbox"/>	Excavating	<input type="checkbox"/>	Stairs/Walkway/Lift
<input type="checkbox"/>	Dredging	<input type="checkbox"/>	Road/Driveway Construction
<input type="checkbox"/>	Pond Construction	<input type="checkbox"/>	Other: _____

Total Area  
Disturbed: \_\_\_\_\_ Sq. ft.

Steepest Grade on  
Project (Before Work): \_\_\_\_\_ %

Boathouse Roof  
Pitch (if applicable):  
(Minimum pitch 4/12 rise to run)

PLEASE COMPLETE THE OTHER SIDE

O:\Forms\Permit Forms\Soil Disturbance 1/19/23

Town

Tax Parcel #

First Name

Last Name

Owner

**PROJECT DETAILS:** Provide a brief description of the proposed soil disturbance project. Include a list of materials that will be used for sediment and erosion control during construction and describe how the site will be permanently stabilized post-construction. The attached plot plan must include detailed locations of all erosion control materials.


### **SITE PLAN DRAWING**

**Please attached a separate 8 ½" x 11" piece of paper**

Our office recommends, but does not require, drawing your plot plan directly onto an aerial printout of your property. You can print them at no charge through our GIS mapping available online or you can request one from our office at no charge.

**A detailed drawing of the proposed grading project showing all erosion control practices to be used is required. Clearly indicate the following:**

1. Location and name of roads and waterbodies
2. Location of property lines
3. Location of wetlands, floodplains, or other natural features
4. New retaining walls, Retaining walls to be replaced
5. Areas of soil disturbance including filling, grading, and excavation
6. Location and type of erosion controls to be used
7. Approximate slope/ grade of project areas

### **PLEASE READ AND SIGN**

To the Zoning Administrator: The undersigned hereby makes application for a Land Use Permit for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Lincoln County Shoreland Ordinance and with all other applicable County Ordinances and the laws and regulations of the State of Wisconsin. I declare that the information that I am supplying is true and accurate to the best of my knowledge and I acknowledge that this information will be relied upon for the issuance of this permit. By signing this application I am also granting permission to the Land Services Department staff to enter my property at any reasonable time for the purpose of inspection to assure compliance with the laws relative to the issuance of this permit.

I acknowledge that I am responsible for complying with State and Federal laws concerning construction near or in wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. I understand that failure to comply with applicable laws may result in removal or modification of construction that violates the law or other penalties or costs. For more information, contact the Department of Natural Resources (DNR) and Army Corps of Engineers (ACOE).

I acknowledge the following:

- No work on a structure or facility requiring a Land Use permit shall begin until a Land Use Permit has been issued.
- All Land Use Permits expire two (2) years from the date issued.
- No fill material may be placed in a wetland without State and Federal approvals.
- No fill material May be placed in a floodplain without approval.

Property Owner Signature:

Date:

#### **THIS BOX FOR OFFICE USE ONLY**

Fee: \$ 150

Receipt:

Inspected By:

Date Inspected:

Density (if applicable):

Permit Application: ☐ Approved ☐ Denied

Staff Signature:

Date:

Conditions of Permit:

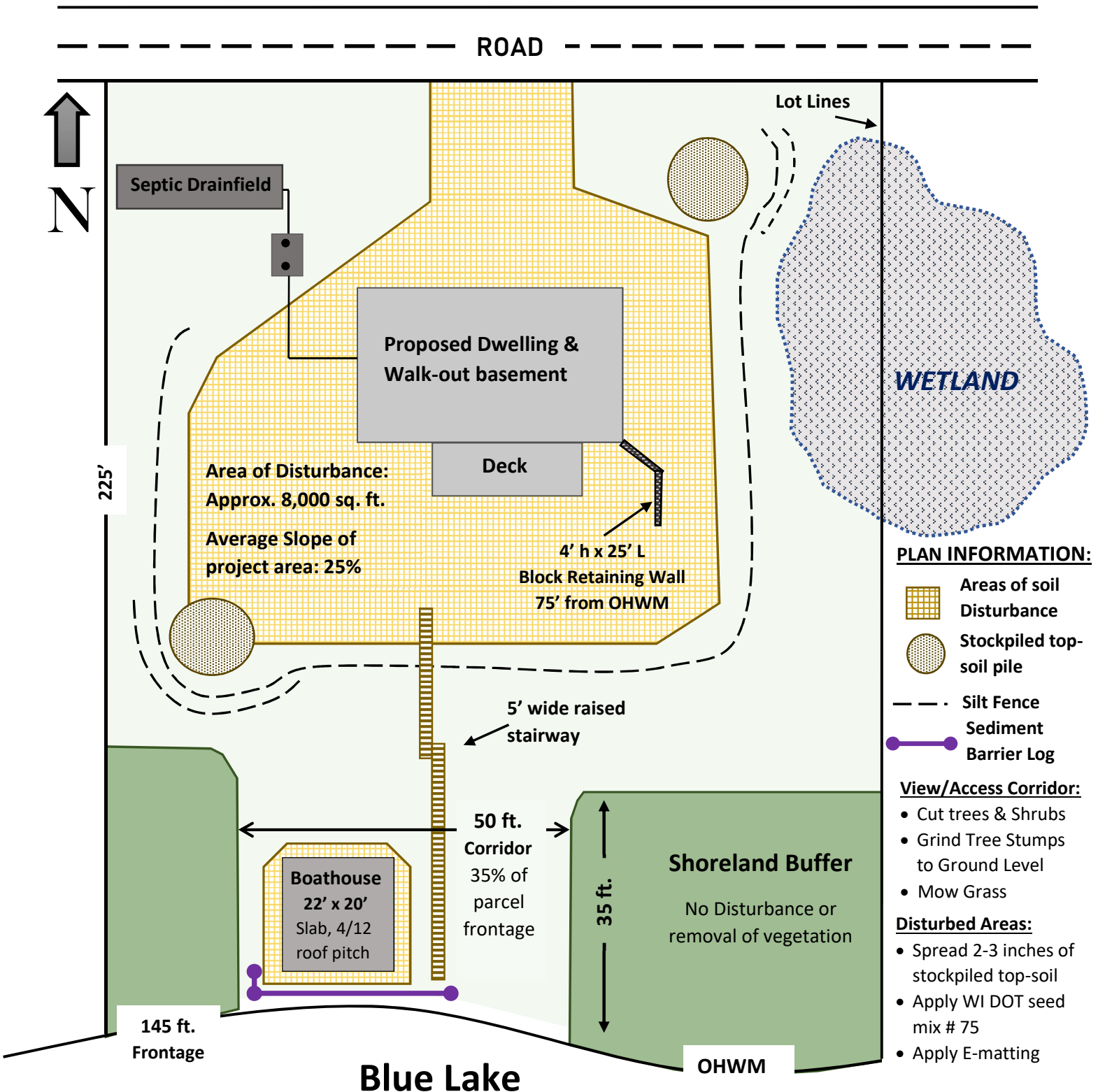
☐ See Attached Permit Card

**PLEASE COMPLETE THE OTHER SIDE**

## EXAMPLE SOIL DISTURBANCE & EROSION CONTROL PLAN

Provide a detailed plot plan drawing showing areas of proposed soil disturbance and construction site erosion controls to be used. Outline how disturbed/bare ground is to be stabilized. Clearly indicate the following:

1. Location and name of roads and waterbodies
2. Location of property lines
3. Location of wetlands, floodplains, natural features
4. New Retaining walls, Replacement Retaining Walls
5. Areas of soil disturbance including filling, grading, and excavation
6. Location and type of erosion controls to be used
7. Approximate slope/ grade of project areas



## LINCOLN COUNTY LAND SERVICES DEPARTMENT

801 N. Sales St. Merrill, WI 54452

Ph. 715-539-1087



### SOIL DISTURBING ACTIVITIES – INFORMATION & FAQ's

#### **A SOIL DISTURBANCE PERMIT IS REQUIRED FOR A PROJECT WHEN ANY OF THE FOLLOWING APPLY:**

- When Soil disturbance is conducted within 300 ft. of a navigable waterway and which there is either:
  - Filling or grading on slopes of more than 20% -or-
  - Filling or grading of more than 1,000 square ft. on slopes of 12-20% -or-
  - An area of one acre or more will be disturbed by excavation, grading, filling, earthmoving activities
  - When constructing a new boathouse
  - When constructing stairways, walkways, or lifts within the shoreland setback
  - When constructing a new retaining wall or re-constructing an existing retaining wall
- Within 300 ft. of a navigable body of water, when construction or dredging is commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar feature or where the purpose is the ultimate connection to a navigable body of water.
- In Areas beyond 300 ft. from a navigable body of water when land disturbing activity is greater than 5,000 square ft. on slopes greater than 15 percent. Does not apply to unzoned towns.

#### **RETAINING WALLS ON WATERFRONT LOTS:**

A *Retaining wall* is defined as a vertical structure or near vertical structure, located above the ordinary high water mark (OHWM), constructed of rock, stone, wood, block, or other similar material that is built to resist lateral pressure. It is a structure necessary to hold the slope in place. A retaining wall is a regulated structure per the shoreland ordinance. New retaining walls may be constructed at a minimum of 75 ft. from the OHWM of a waterway. Existing nonconforming retaining walls, located within 75 ft. of the OHWM, may be replaced in the exact same footprint with a soil disturbance permit.

#### **Example Pictures-Retaining wall structures:**

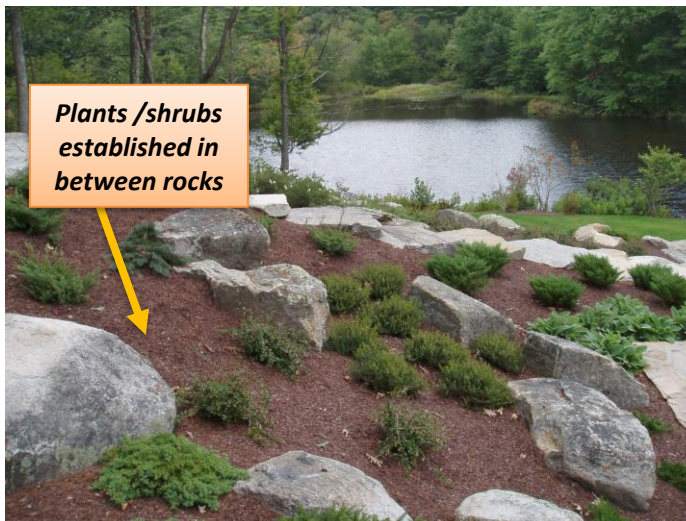




### **LANDSCAPING WITHIN THE SHORELAND SETBACK USING ROCKS/BOULDERS:**

Landscaping features not meeting the definition of a retaining wall structure, using boulders and rock, can be installed as close as 35 ft. from the OHWM of a waterway. These practices are typically used for stabilizing ground on a waterfront property, where a retaining wall cannot be permitted due to shoreland setback limitations. The final grades should not exceed 20%, boulders and rocks should not be stacked vertically or be touching. Established plants and vegetation between the boulders must be the primary source of stabilizing ground to prevent erosion. The boulders and rocks used in these designs are not necessary for long term erosion control of the ground. The features below do not constitute a retaining wall, by definition, and are permissible as close as 35 ft. from the OHWM of a waterway. A soil disturbance permit may be required.

#### **Example Pictures- Landscaping features within the shoreland setback (not a structure):**



### **SOIL DISTURBANCE LIMITATIONS WITHIN 35 FT. OF A WATERWAY:**

- Soil disturbing activities including filling, grading, and excavation are generally prohibited within 35 ft. of the ordinary high water mark (OHWM) of waterway. *Filling* is defined in code as adding a material greater than 3 inches in height from natural grade to artificially change the grade or elevation of real property and level topography.
- Soil disturbing activities are allowed within this setback only in association with a permitted structure, like a Boathouse or stairway, and only to the minimum extent necessary to accomplish the permitted project.
- Within the allowable view/access corridor, tree stumps are to be flush cut or ground to grade level. Excavation of tree stumps is prohibited within 35 ft. of the OHWM. Groundcover vegetation, at a minimum grass, is required within the view/access corridor for long-term erosion control of the ground. Sand is not allowed as an alternative to groundcover vegetation within 35 ft. of the OHWM.
- Topdressing activities using 3 inches or less of a soil amendment material, like top-soil or compost, on natural grade is allowed for the purpose of adequately establishing ground cover vegetation within 35 ft. of the OHWM. Top-dressing bare ground with up to 3 inches of soil amendment material in order to seed the ground and establishing groundcover vegetation is exempt from permitting and allowed within this setback.

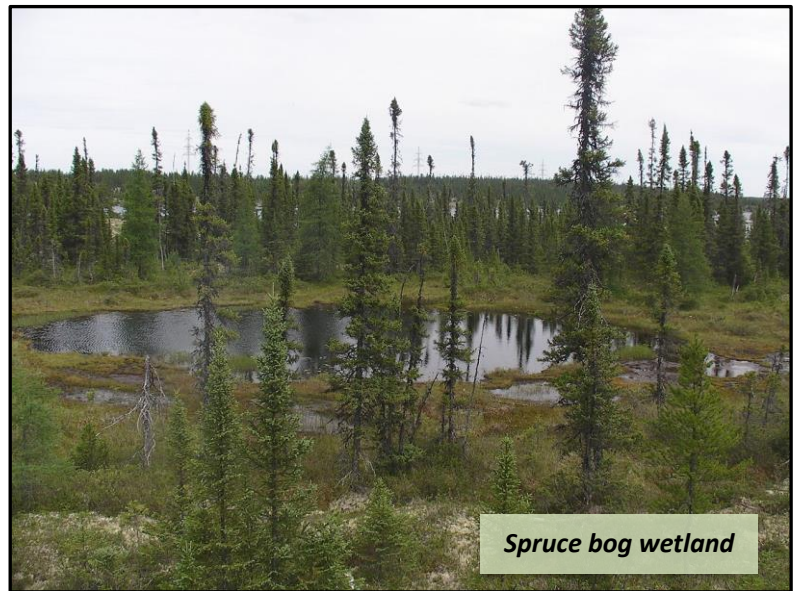
### **WISCONSIN VALLEY IMPROVEMENT COMPANY (WVIC) SHORELINE:**

Wisconsin Valley Improvement Company, WVIC, owns land within 30 ft. of the ordinary high water mark (OHWM) of Bridge, Nokomis, and Deer Lake. Different soil disturbance rules may apply or further limitations on clearing vegetation on WVIC owned land. All permits submitted to the Lincoln County zoning office affecting WVIC owned land require approval from WVIC staff. Contact WVIC staff for projects taking place on WVIC owned land. Contact Information: Ben Niffenegger. 715-848-2976 x304 ben@wvic.com

## WETLANDS:

*Wetlands* are landscapes where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions. Wetlands are protected landscapes, where soil disturbing activities are either prohibited or restricted. The Wisconsin DNR should be contacted for any land disturbing activities taking place in wetlands, as permits may be required.

The Shoreland-Wetland District includes all wetlands located within county shoreland zoning boundaries. Lincoln County code, Chapter 21.11, outlines permitted uses within the shoreland-wetland district. Please contact the Lincoln County zoning office for more information related to Land disturbing activities proposed within the shoreland-wetland district. Permits may be required.



## CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL:

- Erosion control measures, such as silt fence, must be installed *before* soil disturbance occurs for a project and are only effective when installed correctly. The Wisconsin DNR construction site technical standards outline the proper installation of erosion control measures and are available by contacting the Lincoln County Land Services Department or at the following website:  
[https://dnr.wisconsin.gov/topic/Stormwater/standards/const\\_standards.html](https://dnr.wisconsin.gov/topic/Stormwater/standards/const_standards.html)
- Erosion control measures must be inspected within 24 hours of a rain event and adequately maintained until the project is complete and bare/disturbed ground is stabilized. Areas where bare ground is exposed during construction should be seeded and mulched with straw or covered with erosion control matting (e-mat) as soon as possible after project completion. This is done in order to establish permanent groundcover vegetation like grass. Stabilization of bare/disturbed ground should be completed prior to removing temporary construction site erosion controls, like silt fence.
- Soil and sediment washing into our waterways during construction negatively impacts the health of the waterway. Sedimentation of our waterways leads to water quality issues, lower property values, nuisance growth of weeds and algae, impaired fishing conditions and less desirable fish species, etc. It is important to contain a project area using erosion control measures, in order to effectively control ground erosion and prevent sediment from washing beyond the project area.

Example Pictures- Commonly Used Construction Site Erosion Controls.

