

# Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40



December 29, 2011

Dennis Simon, Section Chief  
Wildlife Management Section  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, Minnesota, 55155

RE: General Permit No. 2011-0616, Wildlife Management Activities

Dear Dennis:

Attached is a copy of General Permit No. 2011-0616 and its project notification and verification form (Attachment A). This permit authorizes the MN DNR Wildlife Management Section to conduct certain wildlife management related activities in public waters on designated wildlife management lakes or in waters controlled by the Wildlife Management Section through ownership or easement. This permit authorizes temporary drawdowns, fill placement, restoration, excavation, erosion control, and the construction or repair of structures, water level controls, bridges and culverts, and the appropriation of water as necessary to manage the basin or unit; all as described and allowed in the conditions of this permit. A copy of this permit, project notification and verification form and Area Hydrologist contacts can also be viewed at: <http://www.dnr.state.mn.us/permits/water/index.html>.

Please note the following:

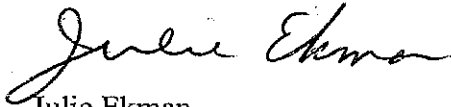
- 1) Specific project notification to and verification by the authorized DNR Ecological and Water Resources staff prior to commencing work is required as part of this permit. Typically the authorized staff will be the Area Hydrologist.
- 2) Permit Condition No. 12 requires additional written approval from the Area Fisheries Manager for projects involving change of flows in watercourses. These projects typically include pool drawdowns and pool refills.
- 3) Permit Condition No. 18 deals with State and Federal listed species. This permit is not applicable in extreme situations or where there are unresolved issues. It is anticipated that the Wildlife Management Section will use due diligence when planning a project, including a thorough check of the State Rare Features Database, early coordination with other disciplines, and resolving concerns through the Regional Environmental Assessment Teams (REATs).
- 4) The permit expires on December 31, 2016.



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Please contact Public Waters Hydrologist Tom Hovey at [tom.hovey@state.mn.us](mailto:tom.hovey@state.mn.us) or 651.259.5654 if you have any questions regarding this permit.

Sincerely,  
DNR Ecological and Water Resources



Julie Ekman  
Water Permits Programs Supervisor

Enclosures

c: SWCDs  
USCOE  
DNR Fisheries, Dirk Peterson  
DNR Fish and Wildlife, Ed Boggess  
DNR Enforcement, Jim Konrad  
Commissioner's Office, Dave Schad  
DNR Wildlife, Ray Norgaard  
Area Hydrologists  
Area Wildlife Managers  
Public Waters Hydrologist, Tom Hovey



# PUBLIC WATERS WORK GENERAL PERMIT

**GENERAL  
Permit Number  
2011-0616**

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

<b>Public Water</b> All waters designated for wildlife management under MS 97A.101 or completely within state Wildlife Management Areas	<b>County</b> Statewide
<b>Name of Permittee</b> Wildlife Management Section, MN DNR	<b>Telephone Number (Include Area Code)</b> 651 259-5204
<b>Address (No. &amp; Street, RFD, Box No., City, State, Zip Code)</b> 500 Lafayette Rd. St. Paul, MN 55155	
<b>Authorized Work:</b> Upon notice to and approval by authorized DNR Ecological and Water Resources staff, activities for wildlife management purposes in public waters in Wildlife Management Areas (WMAs), waters controlled by Wildlife Management Section through ownership or easement, and designated wildlife management lakes under Minnesota Statute, section 97A.101, including: temporary drawdowns, fill placement, restoration, excavation, erosion control, and the construction or repair of structures, water level controls, bridges and culverts, and the appropriation of water as necessary to manage the basin or unit; all as described and allowed in the conditions of this permit.	
<b>Purpose of Permit:</b> Habitat improvement and wildlife management	<b>Expiration Date of Permit</b> December 31, 2016
<b>Property Described As:</b> Statewide: Wildlife Management Areas, waters controlled by the Wildlife Management Section through ownership or easement, and public waters designated under Minn. Statute 97A.101	

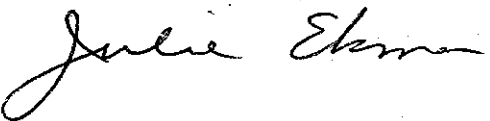
This permit is granted **subject to** the following **CONDITIONS**:

1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning. This permit does not release the **permittee** of any permit requirement of the U.S. Army Corps of Engineers, Regulatory Branch, St. Paul District.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws of this permit, unless otherwise provided in the conditions.
7. Construction work authorized under this permit shall be completed on or before the date specified above. The **permittee** may request an extension of the time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.

- 8. In all cases where the **permittee** by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the **permittee**, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.
- 9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the **permittee** or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the **permittee**, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the **permittee**, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.
- 10. Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.
- 11. **Contractor Responsibility.** The permittee shall ensure the contractor has received and thoroughly understands all provisions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: <http://www.bwsr.state.mn.us/wetlands/wca/index.html#general> .

**ADDITIONAL CONDITIONS – SEE ATTACHED SHEETS**

- c: SWCDs
- USCOE
- DNR Fisheries, Dirk Peterson
- DNR Fish and Wildlife, Ed Boggess
- DNR Enforcement, Jim Konrad
- Commissioner's Office, Dave Schad
- DNR Wildlife, Ray Norgaard
- Area Hydrologists.
- Area Wildlife Managers
- Public Waters Hydrologist, Tom Hovey

Authorized Signature	Title	Date
Julie Ekman 	Water Permit Programs Supervisor	12-30-11

12. **Flow Regulation.** The permittee shall obtain written approval from the Area Fisheries Manager for projects involving change of flows in watercourses. These projects typically include pool drawdowns, pool refills, and should consider maximum flows, minimum flows, the rate at which flows are reduced or increased, and the oxygen levels in the water discharged.
13. **Applicable Projects.** This permit applies only to those projects specified in the "Authorized Work" section of this permit provided the work would have minimal impact upon public waters. No project may be authorized by this general permit which would seek approval for unauthorized construction already started or completed, channelize or realign a stream, create a structure that would require a Dam Safety Permit, work in or impact a designated trout stream, enlarge drainage ditches, block, divert, or appropriate stream water, alter a water level control, convert a bridge crossing to a culvert crossing, or excavate fill from public waters without consultation and approval of DNR Division of Ecological and Water Resources. Projects not qualifying for this general permit must be submitted as a separate, individual permit application.
14. **Erosion and Sediment Control.** In all cases, methods that have been determined to be the most effective and practical means of preventing or reducing sediment from leaving the worksite shall be installed in areas that slope to the water and on worksite areas that have the potential for direct discharge due to pumping or draining of areas from within the worksite (EG coffer dams, temporary ponds, stormwater inlets). These methods, such as mulches, erosion control blankets, temporary coverings, silt fence, silt curtains or barriers, vegetation preservation, redundant methods, isolation of flow, or other engineering practices, shall be installed concurrently or within 24 hours after the start of the project, and will be maintained for the duration of the project in order to prevent sediment from leaving the worksite. When other agencies or units of government have different requirements, specifications, or measures for erosion and sediment control, the permittee is responsible for resolving any conflict to each agency's satisfaction. DNR requirements may be waived in writing by the authorized DNR personnel, based on site conditions, expected weather conditions, or project completion timelines.
15. **Demolition and Construction Methods.** Temporary work below the OHW such as channel diversions, placement of fill for temporary work pads, bypass roads, or coffer dams to aid in demolition or construction of any authorized structure shall be reviewed and approved in writing by authorized DNR personnel prior to beginning work. Where permitted, temporary fill shall be washed, inorganic material free of pollutants or nutrients and all such material shall be removed prior to project completion.
16. **Invasive Species.** All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants *prior* to being transported into or within the state and placed into state waters. All equipment used in infested waters, shall be inspected by the contractors and adequately decontaminated *prior* to being transported. The DNR is available to train site inspectors and/or assist in these inspections. A list of designated infested waters can be found at [http://files.dnr.state.mn.us/eco/invasives/infested\\_waters.pdf](http://files.dnr.state.mn.us/eco/invasives/infested_waters.pdf). A list of prohibited invasive species is available at <http://www.dnr.state.mn.us/eco/invasives/laws.html#prohibited>.

Follow these decontamination measures to prevent the spread of aquatic invasive species:

- A. Before transporting equipment from a work site:
  - a. Drain all water from equipment where water may be trapped, such as tanks, pumps, hoses, silt curtains, and water-retaining components of boats/barges.
  - b. Inspect all equipment that had been in contact with the water and remove all visible aquatic remnants (plants, seeds, sediment, and animals such as zebra mussels and snails).
- B. Perform one or more of the following:
  - a. To kill invasive organisms, flush or rinse surfaces that were in contact with the water with hot water (140F\*) for at least 10 seconds.
  - b. To remove organisms, scrape or power wash with high pressure water (3000psi).
  - c. Allow equipment that has been in contact with infested waters to air dry for a minimum of fourteen (14) days before reuse.

In the event the methods above are not practical, contact the DNR Regional Invasive Species Specialist to determine alternative treatments. A list of specialists is available at <http://www.dnr.state.mn.us/invasives/contacts.html>.

17. **Flowline and gradient.** No change in the existing flowline or gradient of any watercourse or channel will occur unless specifically authorized by the DNR Division of Ecological and Waters Resources prior to construction.
18. **State & Federal Listed Species Prohibition.** If there are unresolved concerns regarding impacts to federally or state listed species (endangered, threatened, or special concern), the general permit is not applicable, and the project must be submitted as a separate permit application. Compliance with DNR and federal guidelines established for a listed species (e.g. Topeka Shiner conditions) would constitute a resolved concern.
19. **Environmental Review.** If the work is part of a project for which an environmental assessment worksheet (EAW) is required or for which a petition for an EAW is under review, this permit is not valid until the environmental review is complete, consistent with Minnesota Rules, part 4410.3100. The outcome of the environmental review may affect work authorized by this permit.
20. **Written DNR authorization** for each proposal must be obtained prior to construction using the form entitled "General Permit Notification and Verification Form". A signed copy of this form must be available at the project site at all times during the authorized construction. Failure to have the form available shall be considered a violation of this permit.
21. **Dewatering.** Temporary dewatering up to 50 million gallons is authorized by this permit when the following additional conditions are met: When flows of stream are diverted for construction purposes, the diverted water must be kept separate from worksite dewatering. All worksite discharge water must be treated for sediment reduction prior to return to the waterbody (see condition #14). Stream diversion water shall be immediately returned to the original channel downstream. Water from designated infested waters shall not be diverted to other waters, transported on a public road, or transported or appropriated off property riparian to infested waters without a DNR permit specifically for this use. All equipment in contact with infested waters must be decontaminated as per Condition No.16 upon leaving the site. Water use must be reported upon project completion, using form found on page 5 of the document found at <http://files.dnr.state.mn.us/waters/forms/tempprojectsgp.pdf>.



# DEPARTMENT OF NATURAL RESOURCES

## General Permit Notification and Verification Form

General Permit No. 2011-0616; Habitat Improvement and Wildlife Management

### Notification – To be completed by Applicant

General Permit 2011-0616 requires that the DNR be notified at least 5 days in advance of any work being done under the terms of this General Permit. Please provide all information requested below and email, fax or mail this form to the appropriate DNR official. Note: Work may NOT commence until this form is signed by the appropriate DNR staff person, and the signed form must be available on site to be presented to any DNR Official while the authorized work is being done. Failure to have a verified copy of this form on site will be considered a violation of Minnesota Law, subject to specified penalties for doing work without a permit.

Applicant Name (property owner):	Contact Person or Agent:
Address:	
Email address:	Telephone Number:
Purpose of Proposed Work:	
Description of Proposed Work: (include project dimensions, and attach maps and diagrams as needed)	
Name of Waterbody (if applicable):	
Location of Project: _____ ¼; _____ ¼; Section _____, Township _____; Range _____; County: _____	
PIN number from Property Tax statement: _____	
Address of Project site, if different than above: _____	
UTM Location : N _____; E _____	
(Please include a map or airphoto showing the location of the project)	
Signature of Applicant (By signing, I certify that the information submitted is true and correct, to the best of my knowledge)	Date:

### Verification – to be completed by the DNR Staff, as required in the General Permit

Authorization #

The DNR Official listed below has reviewed the above proposed work and has determined that it meets the conditions set forth in the General Permit and is authorized under that permit, subject to the conditions listed below:

Extra Conditions and/or comments (if any):	
Verification Signature: I hereby verify that the above described project qualifies under the General Permit	Date:
Title of Authorized DNR Signatory: (must be as required on attached General Permit)	

**Email, Fax, or mail this form to the appropriate DNR staff person, so that it is received by them at least 5 days prior to when the work is scheduled to start. NOT VALID UNTIL SIGNED BY THE DNR.**

Enclosure: Copy of General Permit

ec: DNR Ecological and Water Resources, Regional Office  
Area Conservation Officer