Erosion Control and Stormwater Permit Decision Tree

If a project disturbs ground or creates impervious surfaces that don't allow water to infiltrate it may need a permit. Use this decision tree to help you understand permitting requirements, but please note that

NO

RESOURCES

DEPARTMENT

Revised Jan. 2023

▶▶▶ START HERE ◁◁◁

all permit determinations must be made in writing by our staff.

Will the land disturbing activity occur:

- Within 300 feet of the ordinary high water mark (OHWM) of a navigable water?
- 2. In the 100 year flood plain?
- 3. Within 75 feet of the shoreland or inland wetland district?
- 4. Within 1000 feet of a lake or pond?

STOP!

CONTACT DANE COUNTY ZONING FOR SHORELAND ZONING DETERMINATION

If Dane County Zoning DOES require shoreland erosion control:

- Will there be adverse stormwater or erosion impacts to adjacent properties?
- 2. Will soil be exposed for more than 30 days?
- 3. Will soil on slopes steeper than 6% be disturbed for more than 15 days?
- 4. Will there be soil disturbance within 15 feet of the ordinary high water mark?
- 5. Will the soil disturbance exceed 1000 square feet?
- 6. Will the new impervious surfaces exceed 500 square feet?

NO to all least one

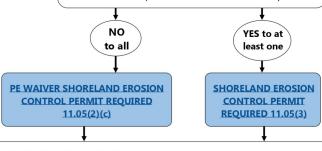
SIMPLIFIED SHORELAND EROSION CONTROL

PERMIT

REOUIRED

11.05(2)(b)

- 1. Will the soil disturbance exceed 60 days?
- 2. Will soil disturbance on slopes steeper than 12% exceed 30 days?
- 3. Will soil disturbance within 15 feet of the ordinary high water mark exceed 200 square feet?
- 4. Will soil disturbance exceed 2000 square feet?
- 5. Will new impervious surfaces exceed 1000 square feet?
- 6. Will the soil disturbance exceed 1000 square feet?
- 7. Will the new impervious surfaces exceed 500 square feet?



Does the land development activity:

- Result in the cumulative addition of 20,000 square feet or more of new impervious surface area?
- 2. Involve redevelopment and/or an alteration of existing development greater than 4000 square feet on sites where uses are predominantly commercial, industrial or multi-family?
- 3. Require a subdivision plat?
- 4. Require a certified survey map (for property intended for commercial or industrial use)?
- Significantly increase downstream runoff volumes, flooding, soil erosion, water pollution or property damage, or significantly impact a sensitive area?

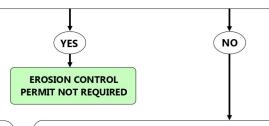


Is the land disturbing activity directly related to the planting, growing and harvesting of agricultural crops?

YES NO NO ORDINANCE

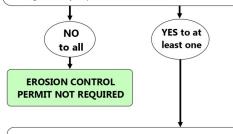
Is the proposed development:

- 1. A one or two family dwelling unit regulated by Wisconsin's Uniform Dwelling Code with an existing driveway and limited to less than 4000 square feet of land disturbance activity outside the footprint of the house?
- 2. A state building project subject to s. 13.48(13) Wis. Stats. or a state highway project subject to Trans 401?



Will the land disturbing activity:

- 1. Disturb an area in excess or 4000 square feet?
- Involve the excavation or filling, or a combination of excavation and filling, in excess of 400 cubic yards of material?
- 3. Disturb more than 100 lineal feet of road ditch, grass waterway or other land area where surface drainage flows in a defined open channel
- Create a new public or private road longer than 125 feet?
- 5. Require a subdivision plat?
- 6. Have a high risk of eroding soil or polluting water or significantly impact a sensitive area?



- 1. Will the site exceed 20,000 square feet?
- 2. Will soil on slopes steeper than 6% be exposed for more than 15 days?
- 3. Will the disturbance exceed 6 months?

