

# Wetland Resources for Wisconsin Local Governments

## Resources available from Wisconsin Wetlands Association

### Basic Wetland Education Information:

*Land Use and Wetlands: A Local Decision Makers' Guide to Wetland Conservation*

An 8-page primer on how wetlands benefit Wisconsin's communities, state and federal wetland laws, and practical steps to identify, protect, and restore local wetlands. Available upon request or for free download at:

[www.wisconsinwetlands.org/localgovs.htm#ldmg](http://www.wisconsinwetlands.org/localgovs.htm#ldmg)

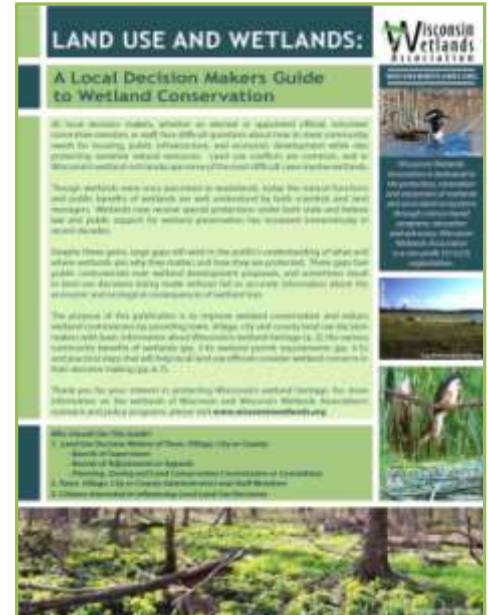
*Overview of Wisconsin Wetland Community Types*

Describes the 12 types of wetlands found in Wisconsin. Available upon request or for free download at:

[www.wisconsinwetlands.org/Gems/WetlandTypes.pdf](http://www.wisconsinwetlands.org/Gems/WetlandTypes.pdf)

*Wisconsin's Wetland Gems™ Fact Sheets and Book*

In 2009, Wisconsin Wetlands Association designated 100 Wisconsin wetlands as *Wetland Gems™*. The *Gems* represent 93 high quality examples of the diverse wetlands that historically made up nearly a quarter of Wisconsin's landscape, and 7 examples of "workhorse wetlands" representing the important services such as flood attenuation and water quality protection that wetlands provide. Fact sheets for *Wetland Gems™* sites and info on our *Wetland Gems™* book can be found at: [www.wisconsinwetlands.org/gemsbook.htm](http://www.wisconsinwetlands.org/gemsbook.htm)



### Resources for Local Wetland Policy Development:

*Land Use and Wetlands: An Inventory of Wisconsin Coastal Counties' Zoning and Land Division Ordinances*

This publication documents and summarizes how Wisconsin's 15 Great Lakes coastal counties' protect wetlands through their zoning and land division ordinances.

[www.wisconsinwetlands.org/localgovs.htm#inventory](http://www.wisconsinwetlands.org/localgovs.htm#inventory)

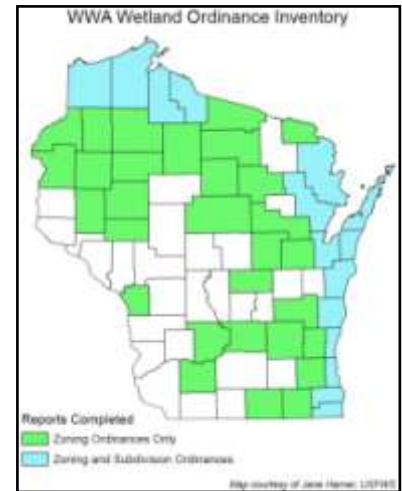
*Land Use and Wetlands: Zoning Opportunities to Improve Wetland Protections*

This publication presents recommendations for how Wisconsin local governments can use zoning and other land use controls to strengthen wetland protection and improve wetland practices. Each recommendation includes cited examples of Wisconsin counties that have already adopted the recommendation in some form. Available upon request or for free download at:

[www.wisconsinwetlands.org/localgovs.htm#recommendations](http://www.wisconsinwetlands.org/localgovs.htm#recommendations)



**Coming Soon!** Results from WWA's research on the wetland zoning policies enacted in 45 different wetland counties (see image) will be posted at: [www.wisconsinwetlands.org/localgovs](http://www.wisconsinwetlands.org/localgovs) soon. Local officials can use this publication to see how county ordinances compare to others.



**Wetland Technical Support and Training:**

*Panel Presentation on Federal and State Wetland Statutes & Case Law, and a Legal overview of Local Wetland Protection Authorities.* To be facilitated by Wisconsin Wetlands Association at the October 2012 meeting of the Wisconsin County Code Administrators with assistance from WDNR, USACOE, a land use attorney, and staff from Door and Waukesha Counties. Proceedings available upon request.

*Basic Wetland Identification and Assessment Workshop*

Wisconsin Wetlands Association tested this workshop in Summer 2012 in Ashland and Manitowoc Counties with attendance from zoning and planning staff from more than a dozen counties. We expect to train additional zoning and planning staff in 2013 and to eventually modify the workshop into a training field day for other audiences (e.g., local elected officials).



**Coming soon!** Wisconsin Wetlands Association is working with the UW-Extension Center for Land Use Education to incorporate wetland development scenarios into the training materials for Boards of Adjustments and Planning Commissions (expected completion by December 2012)

To receive the latest information on wetland issues, tools, trainings, and events, for free, subscribe to receive WWA's Wetland News and Alerts at: [wisconsinwetlands.org/alerts.htm](http://wisconsinwetlands.org/alerts.htm)

*For more information about these educational resources or to discuss your county's wetland education and training needs, contact Policy Specialist, Kyle Magyera, at: 608-250-9971 / [kyle.magyera@wisconsinwetlands.org](mailto:kyle.magyera@wisconsinwetlands.org)*



*Wisconsin Wetlands Association is dedicated to the protection, restoration and enjoyment of wetlands and associated ecosystems through science-based programs, education and advocacy. WWA is a non-profit 501(c)(3) organization.*

**Acknowledgments**

*This work was funded by the Wisconsin Coastal Management Program and the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management under the Coastal Zone Management Act, Grant #NA11NOS4190097) with additional support from the Wisconsin Department of Natural Resources Lakes Program.*



## *Additional Wetland Resources for Wisconsin Local Governments*

### **Wisconsin Department of Natural Resources (WDNR) Wetland Identification and Outreach Tools**

#### *Wetland Indicator Map*

This interactive, online mapping tool illustrates wetlands that have been identified through the WDNR's wetland mapping program, areas that are not mapped as wetlands but may be wetlands based on the presence of wetland (hydric) soils, and areas that contain former or degraded wetlands that could be restored. The Wetland Indicator Map is available on the WDNR's Surface Water Data Viewer: [dnr.wi.gov/topic/wetlands/mapping.html](http://dnr.wi.gov/topic/wetlands/mapping.html)

#### *Locating Wetlands Webpages*

WDNR offers a series of online informational tools to help Wisconsin property owners learn whether and where they have wetlands on their property. The webpages include the Wetland Indicator Map along with other tools such as the "Waking up to Wetlands" brochure and videos and Wetland Physical Clues Checklist that can be a helpful guide when walking a property to see if wetlands are present. The webpages can be accessed at: [dnr.wi.gov/topic/Wetlands/locating.html](http://dnr.wi.gov/topic/Wetlands/locating.html)

#### *Wetland Media Kit*

WDNR prepared a clearing-house of "fast facts" that can be used when talking to landowners and the general public about why it is important to protect, restore, and manage wetlands. Find the media kit at: [dnr.wi.gov/news/mediakits/mk\\_wetlands.asp](http://dnr.wi.gov/news/mediakits/mk_wetlands.asp)

### **Federal Agency Wetland Identification and Outreach Tools**

*National Wetlands Inventory* administered by the US Fish and Wildlife Service is an interactive, online mapping tool that shows the location of wetlands identified through the USFWS' wetland mapping program. The inventory is illustrated by a seamless digital layer stored in an ArcSDE geodatabase format. The mapping tool is available at: <http://www.fws.gov/wetlands/Data/Mapper.html>

*Web Soil Survey* administered by the USDA Natural Resource Conservation Service (NRCS) is an interactive, online mapping tool that shows the location of different types of soils. The tool can be used to identify soils that are wet or hydric – a strong indicator that wetlands are likely present. The mapping tool is available at: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

*Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils* is an informative resource, prepared by NRCS, that provides guidance on characteristics to look for when identifying wetland (hydric) soils in the field. Download the guide for free at: [ftp://ftp-fc.sc.egov.usda.gov/NSSC/Hydric\\_Soils/FieldIndicators\\_v7.pdf](ftp://ftp-fc.sc.egov.usda.gov/NSSC/Hydric_Soils/FieldIndicators_v7.pdf)

*Slides from Farm Service Agency (FSA)* can be used to look for wetland signatures or wetland hydrology on a particular site. Contact your local FSA field office to request the appropriate slides.

## **Information on Wetland Assessment**

### *WDNR Wetland Assessment Tools and Resources*

WDNR developed a suite of tools and resources that can be used to monitor and assess the quality and quantity of wetlands and their functions. The tools are intended to help planners and other decision-makers think about and analyze wetlands in context of watersheds and landscapes. Additionally, they can help improve understanding of how specific wetland functions benefit our local communities. These tools and resources are available at:

<http://dnr.wi.gov/topic/wetlands/assessment.html>

*Minnesota Routine Assessment Methodology for Evaluating Wetland Functions* is a wetland assessment tool used by the US Army Corps of Engineers for regulatory purposes. It is available at: <http://www.bwsr.state.mn.us/wetlands/mnram/index.html>.

*NWIPlus* developed by the US Fish and Wildlife Service is a wetland assessment tool based on the National Wetlands Inventory that helps users predict the functions of wetlands, including but not limited to: surface water detention, streamflow maintenance, shoreline stabilization, and conservation of biodiversity. Users of the NWIPlus can generate reports containing wetland types and functions and maps showing wetlands of significance for each of the 11 functions that NWIPlus evaluates.

*The Duck-Pensaukee Watershed Approach: Mapping Wetland Services, Meeting Watershed Needs* prepared by The Nature Conservancy is an online mapping tool and report that shows how wetlands and wetland services can be mapped as part of a watershed planning process. The watershed-based mapping tool is a model that can be duplicated elsewhere to help communities identify wetland conservation priorities and opportunities, assess wetland functions in a watershed context, and where to direct limited conservation dollars. View the mapping tool and report at:

<http://www.conservationgateway.org/news/duck-pensaukee-watershed-approach-mapping-wetland-services-meeting-watershed-needs>

## **Information on Wetland Restoration Funding and Partners**

*Farm Bill Biologist Program* administered by Pheasants Forever has placed regional staff throughout the state to serve as “go-to” specialized conservation program and habitat planning consultants. These Farm Bill Biologists can be contacted to assist landowners with designing, developing, and funding habitat improvements on private lands. They can also direct landowners to the appropriate staff who administer wetland restoration programs such as USFWS’ Partners for Fish and Wildlife and NRCS’ Wetland Reserve Program. Find your regional Farm Bill Biologist at:

<http://www.pheasantsforever.org/page/1/fieldstaff.jsp#farmbill>

*Wetland Restoration Handbook for Wisconsin Landowners* is a publication prepared by the Wisconsin Wetlands Association and WDNR that provides guidance on how to plan and implement a responsible and effective wetland restoration project. Information on restoration funding, programs, and partners is all available in the handbook. Download the handbook for free at:

<http://dnr.wi.gov/topic/Wetlands/handbook.html>

# Going Above and Beyond NR 115 for Wetlands

## *Select Examples from Wisconsin Counties*

Prepared by the Wisconsin Wetlands Association

Additional examples and ordinance citations can be found in WWA's publication *Zoning Opportunities to Improve Wetland Protection*.



### **1) Counties that include wetland protection as a distinct goal in the Purpose and Intent section of their zoning ordinance.\***

- *Dodge, Door, Dunn, Eau Claire, Kenosha, Outagamie, Kenosha, Walworth, and Waukesha County.* In addition, *Walworth County's* purpose statement also includes a goal “to encourage the restoration of previously drained wetlands.”

### **2) Counties that regulate shoreland (or inland) wetlands based on field conditions and not solely wetland mapping.<sup>1</sup>**

- *Barron County* allows the use of additional data (e.g. all lands designated as “peat and muck” on the County detailed soil survey maps), in addition to the Wisconsin Wetland Inventory, when determining which areas are to be located in the Wetland Conservancy (C-1) District.
- *Kenosha County* allows the use of “best available data” when developing its districts maps (i.e. C-1 Lowland Resource Conservancy District), and also outlines a dispute resolution process for reconciling discrepancies between district maps and actual field conditions.
- *Marinette County* created a Conservancy District to protect shoreland wetlands that are two acres or smaller (i.e. unmapped wetlands).
- *Oneida* and *Sauk County* allow for shoreland areas that are determined to be wetlands, as defined by state law, to be protected by their shoreland-wetland districts. Oneida County also requires a permit for land disturbing activities proposed within unmapped shoreland-wetlands that are less than 2 acres located in whole or in part within 200 feet of a navigable waterway.
- *Ozaukee County* requires that “all wetlands located in whole or in part within the shoreland area” be protected by the ordinance’s shoreland-wetland district. The County requires use of the most recent version of the Wisconsin Wetland Inventory, air photo interpretations, and field inspections to identify shoreland wetlands.
- *Waukesha County* states that “all other wetlands subsequently identified . . . but not noted on the Wisconsin Wetland Inventory Maps, are subject to regulations contained in the C-1 Conservancy District.”
- *Waukesha County* also allows use of the “best available information” so that the C-1 Conservancy District best represents the edge of wetlands. “Best available information” includes field inspections in each specific situation.

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<sup>1</sup> Endorsed by WCCA as a policy option in the NR 115 Guidebook. <http://www.newrpc.org/NR115/>

### 3) Counties that require approval of projects with wetland impacts.

- *Barron County* requires a grading permit for most land disturbing activities of greater than 500 square feet in any wetland zoned in the Wetland Conservancy District. Grading permits may only be issued if there are no adverse wetland impacts.
- *Brown County* requires a permit for land disturbing activities of more than 500 square feet within 100 feet of any shoreland wetland.
- *Langlade County* requires a grade and fill permit before any fill can be placed in any wetland. Wetlands affected by metallic mining or reclamation activities must be mitigated within the borders of the County at a minimum of 1:1 ratio. The Board of Adjustment can increase the mitigation ratio and to determine preferred locations for the mitigated wetlands.
- *Oconto County* requires a grading permit for specified projects that involve excavating, filling, recontouring, and construction of ponds. Their ordinance also states: “*all activity under these provisions shall be subject to Ch. NR 102 Water Quality Standards for Wisconsin Surface Waters and Ch. NR 103 Water Quality Standards for Wetlands.*”<sup>2</sup>
- *Oneida County* prohibits any grading or other land disturbing activities, except the placement of elevated walkways, closer than 5 feet from the edge of any shoreland wetland.
- *Washington County* requires a conditional use permit (CUP) for a “*public purpose facility*” within wetlands. The CUP can only be granted if the applicant has avoided and minimized wetland impacts to the greatest extent practicable and develops and presents a wetland mitigation plan that compensates for wetland impacts on-site (preference) or within the same sub-watershed of the proposed wetland impact. Mitigation must be completed at a rate of no less than 1.5 acres for every wetland acre that is altered.

### 4) Counties that requires structural setbacks from the edge of wetlands.

- *Dane, Dodge, Outagamie, and Waukesha County* require a **75 foot** structural setback.
- *Waushara County* requires a **50 foot** structural setback.
- *Sawyer County* requires at least a **40 foot** structural setback.
- *Door County* requires a **35 foot** structural setback.
- *Bayfield, Langlade, Polk, and Waupaca County* require at least a **25 foot** structural setback.

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<sup>2</sup> All federal and state wetland fill permits must comply with Ch. NR 103.

For more information on these policy options and county examples contact Policy Specialist, Kyle Magyera, at: 608-250-9971 / [kyle.magyera@wisconsinwetlands.org](mailto:kyle.magyera@wisconsinwetlands.org) or visit: <http://wisconsinwetlands.org/localgovs.htm>.

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