

Land Use and Wetlands

Local Decision-Making and Opportunities for Improved Wetland Protection



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Wisconsin Lakes Convention Workshop
April 12, 2011

Agenda

Part I: Tools and information to improve public understanding about wetlands.

Part II: Opportunities and tools to improve local wetland protection.

Mission Statement

Wisconsin Wetlands Association is a non-profit organization dedicated to the protection, restoration and enjoyment of wetlands and their associated ecosystems through science-based programs, education and advocacy.



Brian Hansen

no matter who you are
or where you live,

wetlands

affect your life.



Questions we
strive to
answer and
want to help
YOU answer
too.

What are wetlands?
What do they look like?
Where are they on the
landscape?
Why do they matter?

How are they
protected?
How can we improve
protections?

no matter who you are
or where you live,
wetlands
affect your life.



What are Wetlands?

Where land and water meet,
characterized by:

1. Wetland hydrology
2. Wetland (hydric) soils
3. Wetland (hydrophytic) vegetation



What are Wetlands?

“Marsh”

“Swamp”

“Bog”

“Shorelands”

“Lake fringes”

“Shallows”

“Sloughs”

“Floodplain forests”

Kangaroo Lake



Grandma Lake



Lulu Lake



Toy Lake

Communicating About Wetlands

We need to recognize that many of our treasured aquatic resources are wetlands or are dependent upon wetlands.

We can develop commonly used messages that make the connection between lakes, rivers, streams and wetlands for the good of all of these interconnected water resources.

What do wetlands look like?



Marsh

**Wetlands
are not
just this**



Marsh



Fen



Sedge Meadow



Low Prairie



Alder thicket



Open Bog



Ephemeral Pond



Shrub Carr



Coniferous Bog



Coniferous Swamp



Floodplain Forest



Lowland Hardwood Swamp

** Based on Eggers & Reed / 1997*

Coniferous Bog



Open Bog



Coniferous Swamp



Lowland Hardwood Swamp



Floodplain Forest



Alder Thicket



Shrub Carr



Fen



Sedge Meadow



Low Prairie



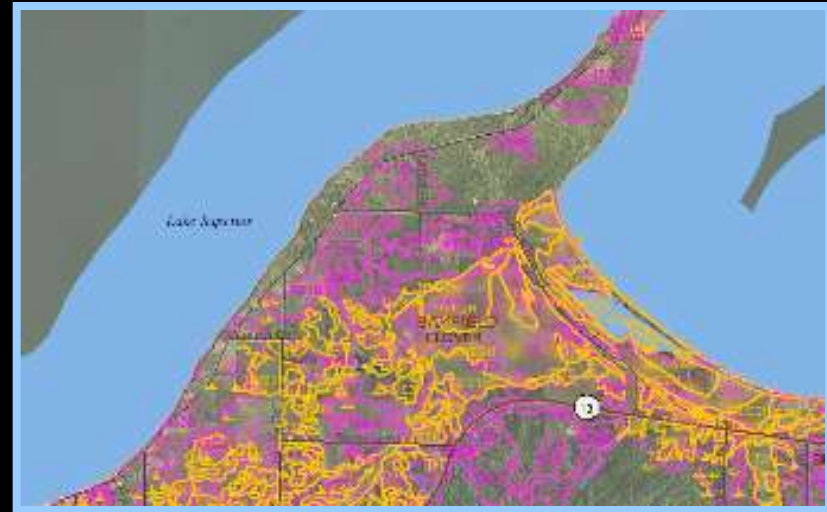
Ephemeral Pond

Spring



Where are wetlands on the landscape?

- ~ 15% of Wisconsin's land cover
- 80% adjacent to lakes, rivers and streams
- 20% "isolated"
- 75% are privately owned
- Many, **but definitely not all**, appear on Wisconsin Wetland Inventory maps



Identifying wetlands

Step 1: Review Maps

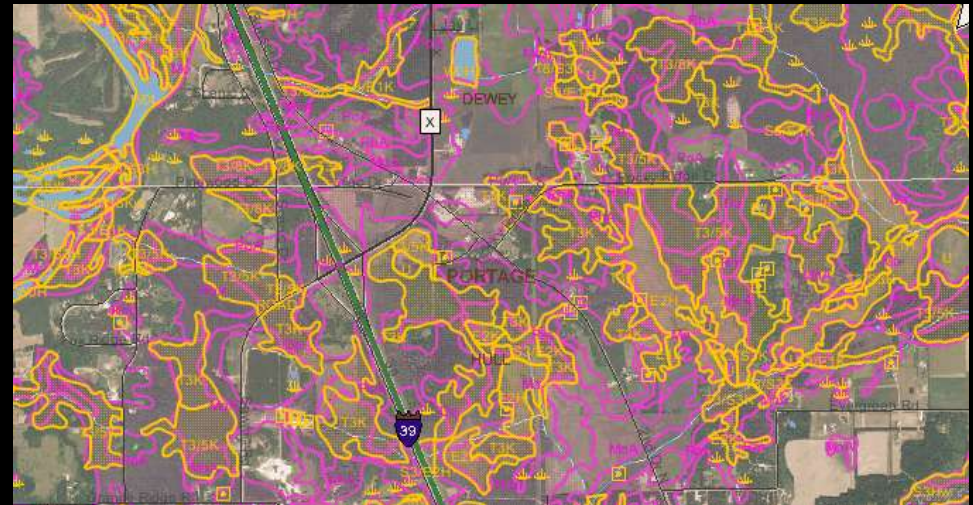
- WDNR Wetland Indicator maps
- Maps provided by County planning and zoning department web-sites



Mapped
Wetlands



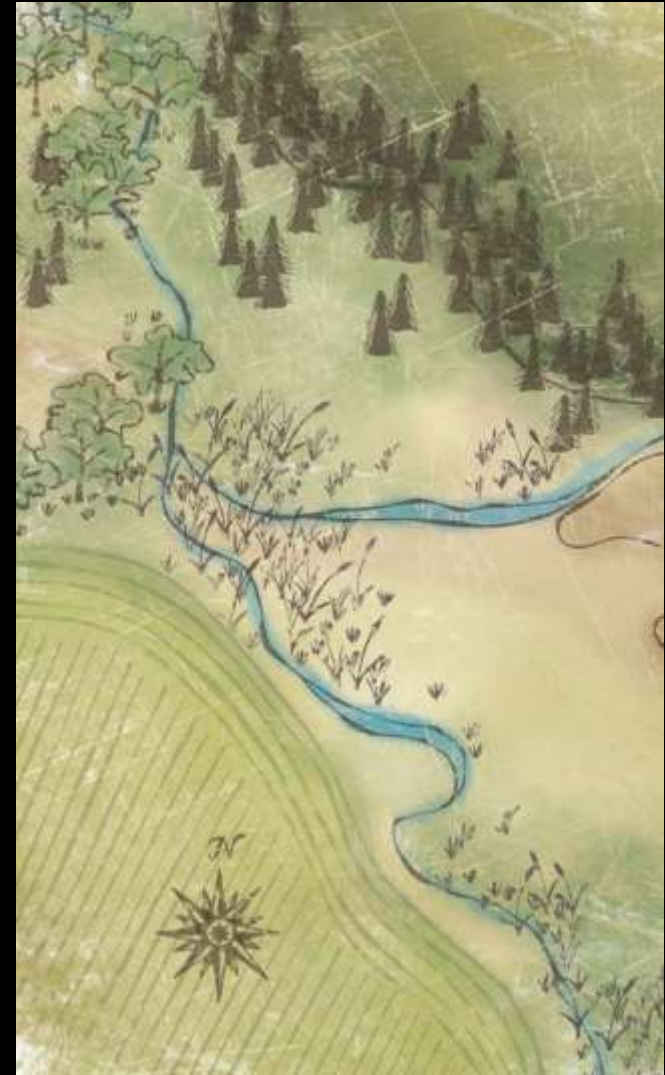
Potential
Wetlands



Identifying wetlands

Step 2: Look for Physical Clues Using WDNR's "Wetland Clues Checklist"

Step 3: Consult a Professional



Why do Wetlands Matter?

Wetlands perform many important “functions” on the landscape and for our communities.



75% of Wisconsin's wildlife species use wetlands during some stage of their lifecycle





Ecotourism is the largest growing sector of our nation's tourism industry . . . \$3.8 billion dollars in annual retail sales and 72,000 jobs are associated with WI's hunting, fishing, and other outdoor recreation economy.





Wetlands remove pollution, trap sediments, remove nutrients and break down toxins, helping to maintain clean and healthy waters for streams, rivers and lakes.





Wetlands reduce flooding by soaking up runoff like sponges and storing and slowly releasing floodwaters after storms

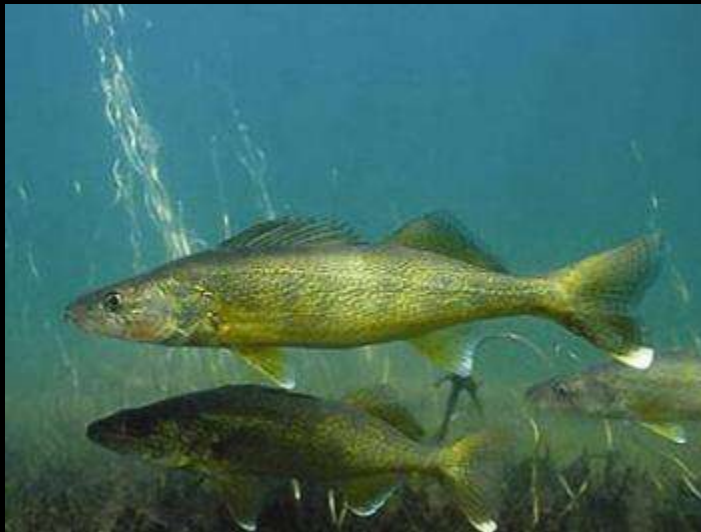


Shoreline Protection



Jeff Kraemer

Groundwater connections



Walleye – Eric Engbretson

Fisheries habitat

Why do Wetlands Matter?

Wetland Functions = Public Benefits

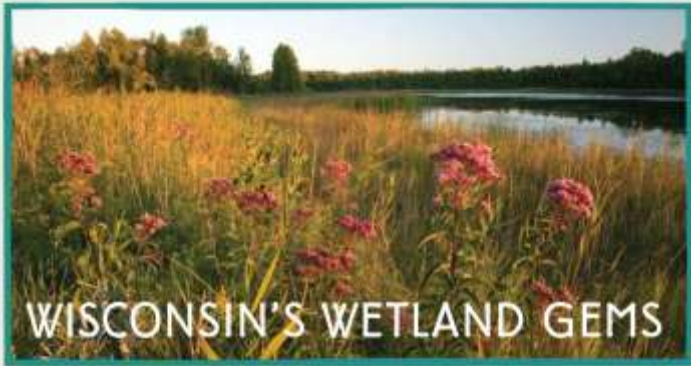
(...but these benefits are still poorly understood)

Wetlands Educational Tools

- Increase public awareness of wetland values
- Motivate citizens to explore and enjoy wetlands
- Generate community pride in local wetland treasures
- Catalyze community involvement in stewardship and protection of local wetland treasures



Wetland Gems Program



WISCONSIN'S WETLAND GEMS



WHAT ARE WETLAND GEMS?

Wetland Gems are high quality habitats that represent the wetland riches—marshes, swamps, bogs, bays and sloughs—that historically made up nearly a quarter of Wisconsin's landscape. Critically important to Wisconsin's biodiversity, these natural resources also provide our communities with valuable functions and services as well recreational and educational opportunities. They are landscapes that both preserve the past and inspire for the future.

Wisconsin Wetlands Association's list of 100 Wetland Gems includes 33 sites selected for their ecological value. These sites are distributed throughout the state and include examples of all of Wisconsin's wetland community types. We have selected an additional seven Wisconsin Wetland Gems, sites that illustrate how wetlands deliver practical services such as flood attenuation, water quality protection, and fish and wildlife habitat. Look inside for more on the purpose of this project, how sites were selected, ideas for citizen and community involvement, a wetland guide, and a list and map of the Wetland Gems sites.

Visit our website for more information on this project: www.wisconsinwetlands.org/gems



Green Damselfly Nymph—Kim Tapp



Goat Epping—Loren Hays

100 WISCONSIN WETLAND GEMS

Southwest Central Region

- SC-1 Chishwaukee Prairie
- SC-8 Des Plaines River Floodplain & Marshes
- SC-9 Germantown Swamp
- SC-4 Kank-Polok Woods
- SC-3 Root River Riverine Forest
- SC-6 Warrimont Bluff Fans

Southwest Region

- SE-1 Bauleh Bog
- SE-2 Cedarburg Bog
- SE-3 Charokey Marsh
- SE-4 Horton Marsh
- SE-5 Kuisia Lake
- SE-6 Lulu Lake
- SE-7 Milwaukee River Floodplain Forest
- SE-8 Nichols Creek
- SE-9 Rush Lake
- SE-10 Scuppernoning River Area
- SE-11 Spruce Lake Bog
- SE-12 Sugar River Floodplain Forest
- SE-3 Wauzesa Wetlands
- SE-14 White River Marsh

Central Region

- C-1 Bass Lake Fan & Lunch Creek Sedge Meadow
- C-2 Bear Bluff Bog
- C-3 Black River
- C-4 Blue Swamp
- C-5 Comstock-Germania Marsh
- C-6 Cowsey Marsh
- C-7 Jay Creek
- C-8 Paga Creek Marsh
- C-9 Quincy Bluff & Solberg Lake
- C-10 Sul-Camey Wetlands
- C-11 Sumnerston Bog

West Region

- W-1 Big Swamp
- W-2 Fort McCoy
- W-3 Kickapoo Valley Reserve
- W-4 Lower Chippewa River Delta
- W-5 Lower St. Croix River Corridor
- W-6 Lower Wisconsin River & Wyalusing State Park
- W-7 Oak Ridge Lake
- W-8 Snow Bottoms
- W-9 Tompaseau River Sedge Meadow
- W-10 Upper Mississippi & Tompaseau River National Wildlife Refuges
- W-11 Van Loon Bottoms
- W-12 Whitman Bottoms

Northeast Region

- NE-1 Black Ash Swamp
- NE-2 Braxasau Swamp
- NE-3 Hortonville Bog
- NE-4 Kangaroo Lake
- NE-5 Kohler Andrus Dunes
- NE-6 Mink River Estuary
- NE-7 Miscauno Cedar Swamp
- NE-8 Moonlight Bay & Connected Wetlands
- NE-9 North Bay

NE-10 Pochigo River Delta

- NE-11 Point Beach & Dunes
- NE-12 Rushes Lake
- NE-13 Shivering Sands & Connected Wetlands
- NE-14 West Shore Green Bay Wetlands
- NE-15 Wolf River Bottoms

North Central Region

- NC-1 Atkins Lake & Hiles Swamp
- NC-2 Bear Lake Sedge Meadow
- NC-3 Bogus Swamp
- NC-4 Flambeau River State Forest
- NC-5 Grandma Lake
- NC-6 Hunking River Alders
- NC-7 Jump-Mondeaux River Floodplain
- NC-8 Kussick Alkaline Bog
- NC-9 Rice Creek
- NC-10 Savage-Pebago Lakes
- NC-11 Spider Lake
- NC-12 Toy Lake Swamp
- NC-13 Turtle-Flambeau-Maritowish Pastlands

Northwest Region

- NW-1 Bolden Swamp
- NW-2 Black Lake Bog
- NW-3 Blomberg Lake
- NW-4 Blueberry Swamp
- NW-5 Brule Glacial Spillway
- NW-6 Crax Meadows & Rice Lake
- NW-7 Empire Swamp
- NW-8 Erickson Creek Pastlands
- NW-9 Fish Lake Meadow
- NW-10 St. Croix & Namolegon River Corridor

Superior Region

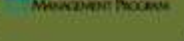
- SH-1 Bark Bay & Lost Creek Bog
- SH-2 Bibson Swamp
- SH-3 Big Bay
- SH-4 Kakagon-Bad River Sloughs
- SH-5 Nemaqui Floodplain Forest
- SH-6 Outer Island Sandspit & Lagoon
- SH-7 Pologama-Carnegie Wetlands
- SH-8 Red Cliff Raspberry Bay
- SH-9 Sand Bay
- SH-10 St. Louis River Marshes
- SH-11 Stockton Island Tombo
- SH-12 Sultz Swamp

Wetland Sites

- WH-1 Turtle Valley Wildlife Area: Wildlife Habitat
- WH-2 Spooner's Marsh: Fishery Habitat
- WH-3 MMSD Greenspace Program Flood Attenuation
- WH-4 Wolfcreek Marsh: Water Quality Protection
- WH-5 Oconto Marsh: Shoreline Protection
- WH-6 Pheasant Branch: Groundwater Connections
- WH-7 Mead Wildlife Area: Recreation & Education



Funding for this project provided by The PNCraft Foundation, which seeks to improve the quality of life for present and future generations through generating, building and managing of strategic policy efforts, and the Wisconsin Coastal Management Program and National Wetlands & Marshes Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act, Grant # NA57W0041W0044.



Wetlands Educational Tools

WETLANDS OF WISCONSIN

As the last ice age ended in Wisconsin 12,000 years ago, rising glaciers left poorly drained basins throughout the landscape where wetlands then formed. Due to its unique geographic position and climate, Wisconsin is blessed with tremendous diversity and an abundance of marsh, swamp, bog, fen, and other wetland habitats.

Wetlands vary based on three factors: soil type, hydrology (the timing, frequency, and level of flooding or soil saturation each year), and vegetation. Ecologists have developed wetland classification systems, or groupings of habitats based on similarities in these factors. A key concept for understanding Wisconsin's wetland diversity and classification is the vegetation transition zone. Wisconsin's vegetation is divided into the northern forest-kennel province, roughly the northeastern half of the state, and the prairie-forest-kennel province, the southwestern half. Between these two areas lies the vegetation transition zone, a transitional band that corresponds to a number of climate factors and has a mixture of species from both provinces.

While some classification systems are quite detailed and divide the state's wetlands into more than 30 types, Wisconsin Wetlands Association uses a more general system of just 12 wetland types with varying plant communities as described in this guide. That wetland area is actually a complex of several of these types. More detailed descriptions of these types and how this classification system compares with other systems are available on the Wisconsin Wetlands Association website at www.wisconsinwetlands.org/wetlands.htm.



OPEN BOG

Open bogs, the wetland bogs, are found in scattered, cool peat soils that are low in nutrients. They support a unique and diverse assemblage of moss, low shrubs and herbaceous plants (e.g., sedges) and several growing seasons of sphagnum moss. Open bog bogs also support the plants growing through the sphagnum moss including heaths and the low shrubs of the heath. Heaths such as marshy bog, narrow-leafed and whiteheath. Carex species and sedge species are characteristic of open bog bogs. A number of sedge species are common in bog bogs and are common in peat bogs. The open character of these bogs is probably due to soil conditions, nutrient levels, extreme flows, and/or lack of a tree seed source. In Wisconsin, open bogs are found in the north and south of the vegetation transition zone.



CONIFEROUS BOG

Coniferous bogs are similar to open bogs in plant community composition, notably the ground layer use of sphagnum moss, except that mature trees of black spruce and/or tamarack are the dominant species. The wetland is characterized by plants that can tolerate shaded conditions including sedges, orchids, grasses and shrubs of the heath family. Black spruce and the heath family shrubs grow only in cool peat soils such as those associated with the sphagnum moss zone of coniferous bogs. Tamarack, however, can also grow in alkaline peat soils, such as those of sedge bogs under transitional conditions.



FEN







Fens are the same wetland type in Wisconsin, and probably one of the most in North America. Fens are low-growing plant communities that occur where groundwater that is rich in minerals, especially calcium and magnesium compounds, seeps out from the ground. The minerals precipitate out as the water, creating levels, shallow and conditions. Only a select group of calcium-requiring plants (including one genus) can grow in these conditions. Characteristic species include shrubby cordgrass, water sedge, wild rambles, heath sedges, Ohio goldenrod, common cottonwood and lesser braked grasses. The plant communities in general have a disproportionate number of tall, branched and woody plant species compared to other plant communities in the Great Lakes Region. Antler springs and tree stands of white pine are frequently associated with fens.

“Wetlands of Wisconsin”

Wetland Gems Program

- Home
- Who We Are
- Our Programs
- Issues and News
- Join / Give
- Calendar
- Wetland Directory
- Protecting Wetlands
- Wetlands of Wisconsin
- Restoring Wetlands
- Resources and Links
- Search Our Site


Wisconsin's Wetland Gems

 INTRODUCTION TO WETLAND GEMS	 STATEWIDE WETLAND GEMS LIST	 WORKHORSE WETLAND GEMS LIST
 WETLAND GEMS EVENTS	 REGIONAL WETLAND GEMS LISTS	 OTHER WETLAND TREASURES


INTRODUCTION TO WETLAND GEMS

In May 2009, in celebration of American Wetlands Month, WWA launched our new *Wetland Gems* program. This program aims to increase public awareness of and appreciation for all of the state's wetlands and to generate community pride in and commitment to stewardship of local wetland treasures that have statewide, national, and even international importance.

What are *Wetland Gems*? *Wetland Gems* are high quality habitats that represent the wetland riches - marshes, swamps, bogs, fens and more - that historically made up nearly a quarter of Wisconsin's landscape. Critically important to Wisconsin's biodiversity, these natural treasures also provide our communities with valuable functions and services as well as recreational and educational opportunities. They are landscapes that both preserve the past and inspire for the future.



Bull Frog



WETLAND GEMS

Frog "Slide" Photos © A.B. Shaldon
"Songs" © Randy Korb.
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www.wisconsinwetlands.org/gems.htm

Local Outreach Program

Goals

- Improve wetland protections
- Educate local leaders on the public benefits of protecting and restoring wetlands
- Reduce regulatory conflicts and inadvertent wetland fill
- Improve consistency in decision making across local, state and federal jurisdictions
- Improve integration between wetland protection and related programs (e.g. flood risk management)

Local Wetland Protection Challenges

- Limited authority
(real *and* perceived)
- Expertise
- Capacity
- Inaccurate maps
- *And many more....*

This is where the zoning map was supposed to go!



Local Decision Makers' Guide

LAND USE AND WETLANDS:

A Local Decision Makers Guide to Wetland Conservation

All local decision makers, whether an elected or appointed official, volunteer committee member, or staff, face difficult questions about how to meet community needs for housing, public infrastructure, and economic development while also protecting sensitive natural resources. Land-use conflicts are common, and in Wisconsin's wetland-rich landscape some of the most difficult cases involve wetlands.

Though wetlands were once perceived as wastelands, today the natural functions and public benefits of wetlands are well understood by both scientists and land managers. Wetlands now receive special protections under both state and federal law and public support for wetland preservation has increased tremendously in recent decades.







Despite these gains, large gaps still exist in the public's understanding of what and where wetlands are; why they matter; and how they are protected. These gaps fuel public controversies over wetland development proposals, and sometimes result in land use decisions being made without full or accurate information about the economic and ecological consequences of wetland loss.

The purpose of this publication is to improve wetland conservation and reduce wetland controversies by providing town, village, city and county land use decision makers with basic information about Wisconsin's wetland heritage (p. 2); the various community benefits of wetlands (pp. 3-4); wetland permit requirements (pp. 4-5); and practical steps that will help local land use officials consider wetland concerns in their decision making (pp. 6-7).

Thank you for your interest in protecting Wisconsin's wetland heritage. For more information on the wetlands of Wisconsin and Wisconsin Wetlands Association's outreach and policy programs, please visit www.wisconsinwetlands.org.

Who Should Use This Guide?

1. **Local Use Decision Makers at Town, Village, City or County:**
 - Boards of Supervisors
 - Boards of Adjustments or Appeals
 - Planning, Zoning and Land Conservation Commissions or Committees
2. **Town, Village, City or County Administrators and Staff Members**
3. **Citizens Interested in Influencing Local Land Use Decisions**



- Released in 2009
- 8-page brochure provides basic wetland information
 - Wetland types
 - Common questions about wetland permits
 - Practical steps for improving protection and restoration
 - Tools for wetland ID

Local Decision Makers' Guide

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Wisconsin Wetlands Association
WISCONSINWETLANDS.ORG



- **Audiences:**
 - Town, village, city or county –
 - Boards of Supervisors
 - Boards of Adjustments or Appeals
 - Planning, Zoning, & Land Conservation Commissions or Committees
 - Citizens & other organizations
- Free download online
- Print copies available upon request (no charge)



Up Next: Opportunities & Tools for Improved Local Wetland and Land Use Decision-Making

Questions?

BREAK UNTIL 10:45am

Up Next:
Opportunities & Tools for Improved Local
Wetland and Land Use Decision-Making

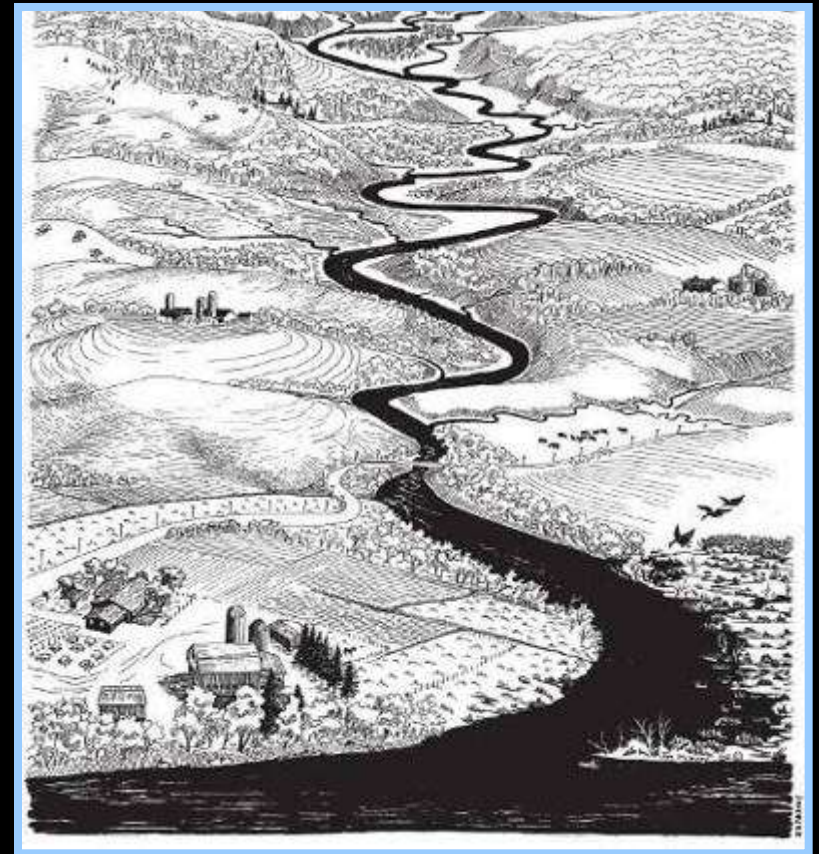
Local Outreach Program

Goals

- Improve wetland protections
- Educate local leaders on the public benefits of protecting and restoring wetlands
- Reduce regulatory conflicts and inadvertent wetland fill
- Improve consistency in decision making across local, state and federal jurisdictions
- Improve integration between wetland protection and related programs (e.g. flood risk management)

Is Local Protection Necessary?

- Communities are connected by water
- Wetlands perform key water-related services
 - Workhorse wetlands
 - Expensive to replace and can strain budgets
- But what about from a regulatory standpoint?



Principles of Regulatory Protections

1) Discharge of Dredged & Fill Material



2) Wetland Delineation

3) No Significant Adverse Impacts

Principles of Regulatory Protections

- 4) Alternatives Analysis
- 5) Sequencing

Always required:

Avoid → Minimize

In certain situations:

Avoid → Minimize → Mitigate

Principles of Regulatory Protections

6) Compensatory Mitigation

- Does not alleviate an applicant's obligation to FIRST avoid and THEN minimize impacts



7) Public Participation

8) Jurisdiction . . .

Federal Wetland Protection

- Jurisdiction (Section 404 of Clean Water Act) limited to wetlands with *evident* connection to surface waters (e.g. lakes, rivers, streams)
 - SWANCC decision
- Protection against direct impacts
- Unregulated activities
 - Agriculture, forestry
 - Excavation
 - Vegetation removal



State Wetland Protection

- Jurisdiction allows protection of all wetlands regardless of location (and size or type)
- DNR reviews projects for compliance with state wetland water quality standards (“NR 103”)
- Same federal regulatory gaps exist at state level



Limits on Federal/State Protection

- Complex jurisdiction depending on federal or state involvement
- Federal / state wetland program always vulnerable to further dismantling
- Several regulatory gaps
- Minimal land use authority
- Case-by-case permitting
 - Limited ability to consider wetland loss and degradation at a watershed or landscape scale

Shoreland Zoning

- February 2012
- What standards stayed the same?
 - Lot sizes
 - Structural setbacks (75 ft.)
 - Vegetated buffers (35 ft.)
- What standards changed?
 - Shoreline buffers
 - Impervious surface limits
 - More flexibility for nonconforming principal structures
 - Shoreland mitigation requirements
- Attend Heidi Kennedy's (DNR Shoreland Policy Coordinator) presentation Wednesday, 2:35-3:15pm for more detail



Shoreland-Wetland Zoning

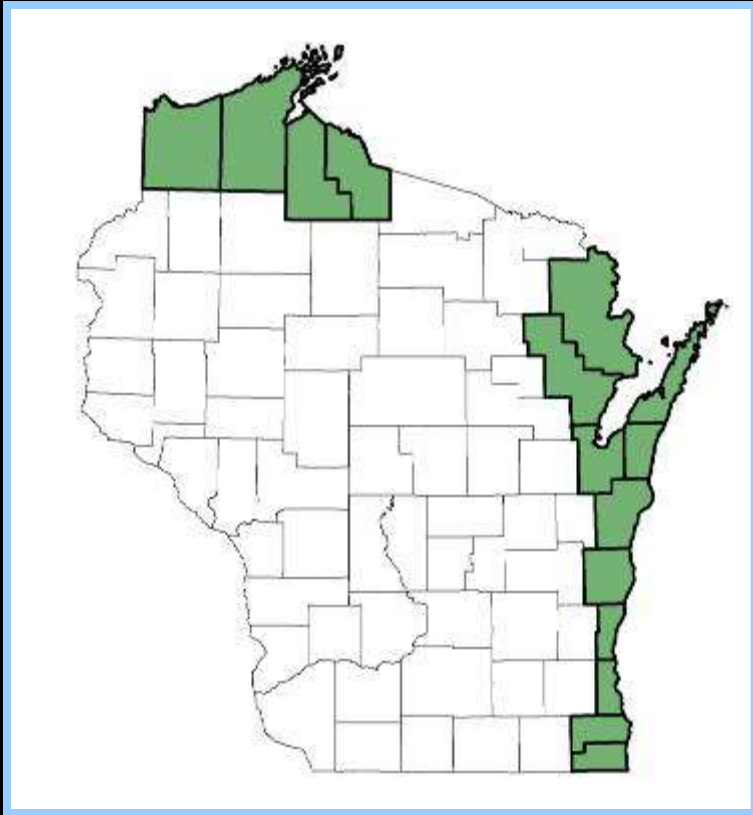
- Basic shoreland-wetland zoning (NR 115) requirements
 - Mapped wetlands, per WI Wetland Inventory, must be zoned in shoreland-wetland district
 - Permitted uses consistent with federal and state wetland regulatory exemptions
 - Other uses considered prohibited
 - No significant adverse impacts



Is Local Protection Necessary?

- YES!
 - No longer can rely exclusively on federal and state wetland protection
 - Local governments have clear authority and are better positioned to control activities in and adjacent to wetlands
 - Need/opportunity to address long-standing challenges

What are Counties Doing?



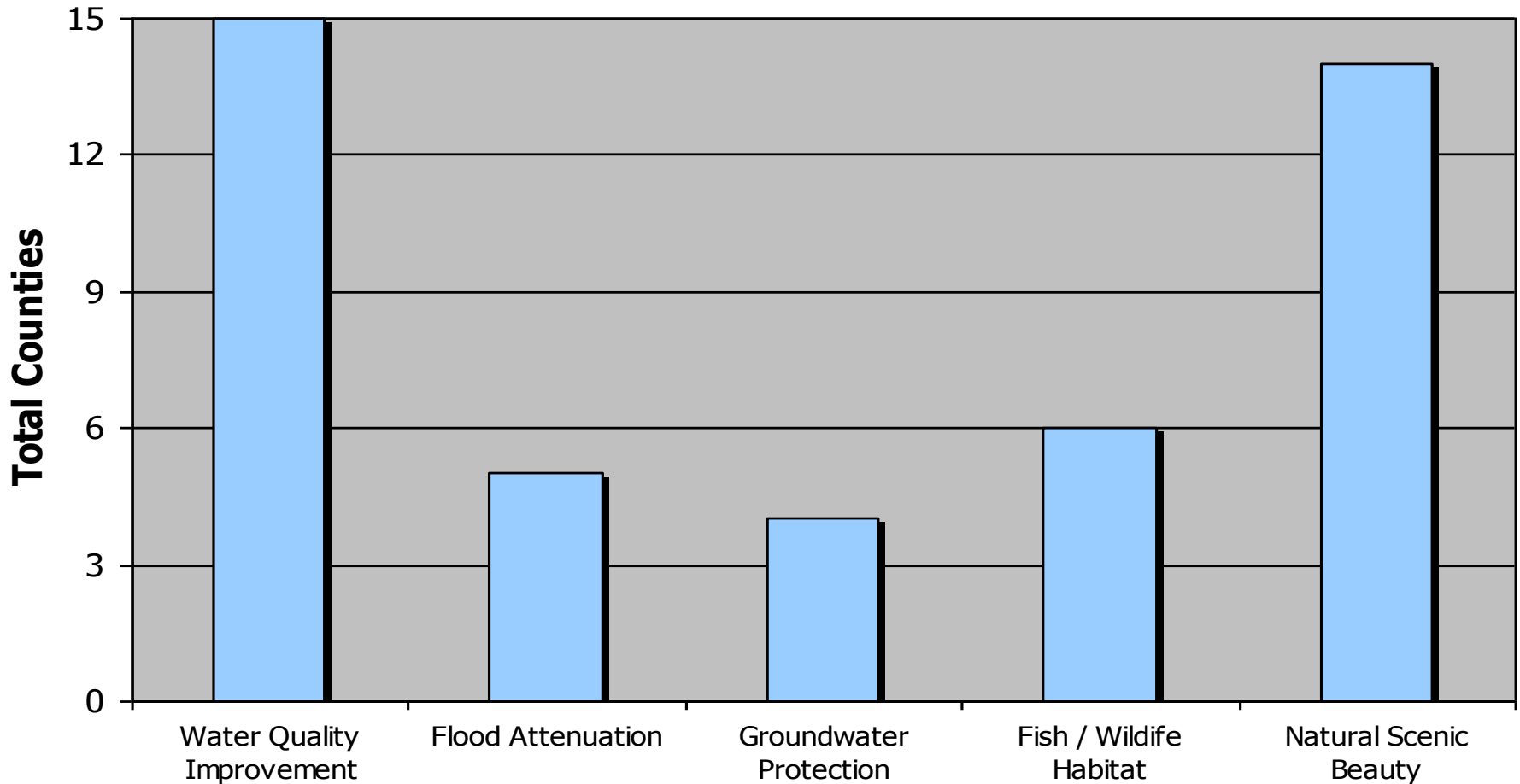
Coastal County Inventory

- Grant support from WI Coastal Management Program
- Learn how counties already protect wetlands
- Use findings to evaluate the extent to which land use decisions protect or fail to protect wetlands
- See handout for Q&A template

Does the Stated Purpose of Ordinance Explicitly Include Protecting and/or Restoring Wetlands?

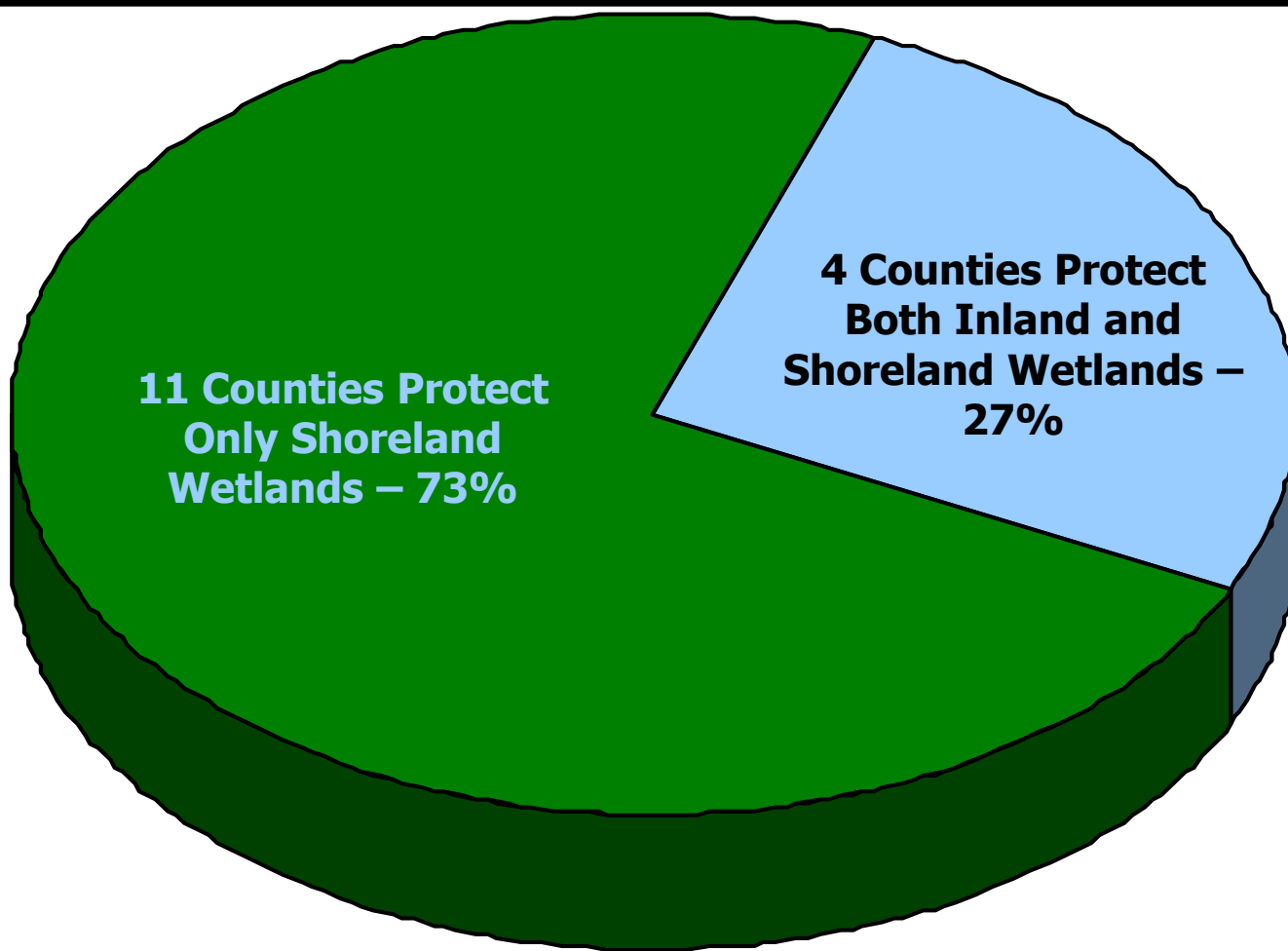
County	Explicitly Mentioned	Identified as Means to Realize a Stated Goal	Not Identified
Ashland		X	
Bayfield			x
Brown		X	
Door	x		
Douglas		X	
Iron		X	
Kenosha	x		
Kewaunee		x	
Manitowoc			x
Marinette		x	
Milwaukee			x
Oconto			x
Ozaukee		x	
Racine	x		
Sheboygan			x
Total	3	7	5

Coastal Counties Identifying Goals that can be Supported by Wetland Conservation

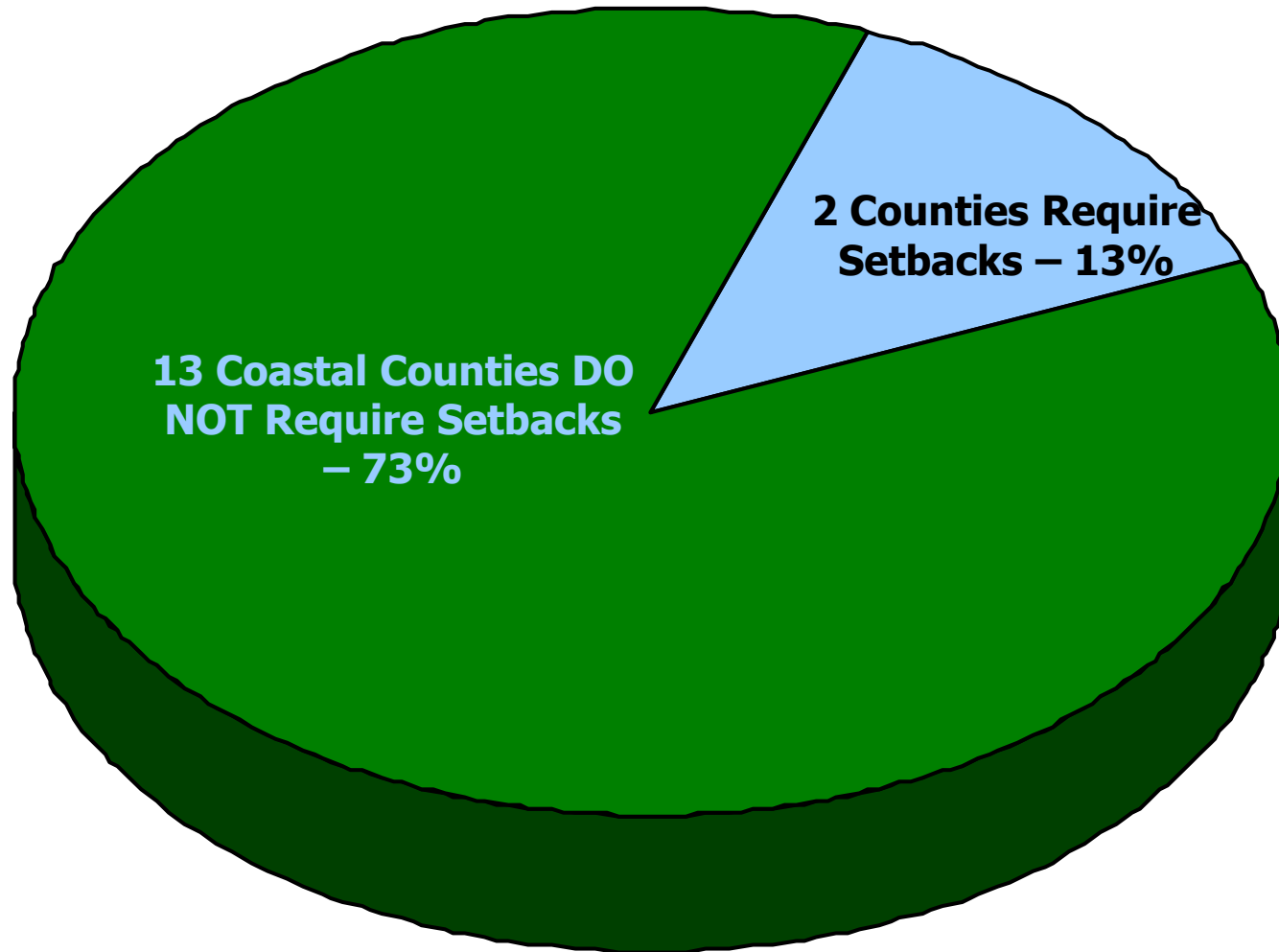


Goals that can be Supported by Wetland Functions

Does the Coastal County Protect Both Shoreland and Inland Wetlands?



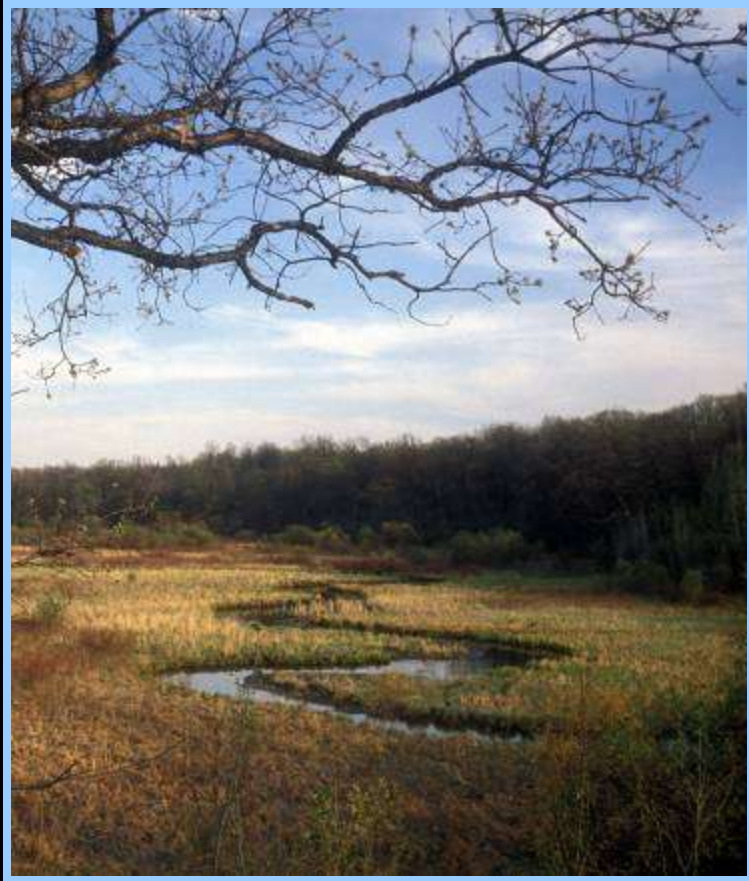
Are Wetland Setbacks Required?



Other Key Findings

- All strictly rely on WWI maps
 - All zoning staff cited this as the single largest barrier to more effective wetland protection
- Bayfield and Oconto Co. have strong programs to deter wetland fill
- Subdivision Ordinances:
 - 4 counties identify wetlands as areas unsuitable for development (or land division)
 - 1 county requires submission of a wetland delineation

Zoning Recommendations



- Based primarily on Coastal County Inventory
 - Trends among 15 coastal counties offered transferable lessons
- Reviewed by
 - WI County Code Administrators
 - WDNR Shoreland Policy Coordinator
 - UWEX Center for Land Use Education

Project Approach

- Window of opportunity with NR 115 revisions
- Deliberate focus on regulatory side
 - Many non-regulatory (e.g. planning) actions can be taken
- A suite of recommendations are provided as solutions to problems, relevant to local concerns
 - Various options included to allow local government to choose at their discretion
 - Use examples of policies already enacted across WI

Modify Purpose and Intent Section

Option: Identify wetland protection as a distinct goal

▪ Examples:

- Door County – “to preserve wetlands”
- Kenosha and Racine County – “to obtain the wise use, conservation, development and protection of...wetlands...”

Option: Recognize how wetland protection and restoration advances other zoning objectives



Protect All Shoreland Wetlands

Option: Clearly indicate that all wetlands in the intended jurisdiction are protected

i.e. Move away from strict reliance on WI Wetland Inventory maps

Option: Allow the use of best available data to delineate shoreland-wetland (or wetland) districts

- Kenosha County – . . . “shall develop district maps reflecting the best data available,” and “the district delineation process shall make use of the most recent version of the Wisconsin Wetland Inventory Maps; and other maps . . .”

Notify about Wetland Laws and Condition Approval on Receipt of Wetland Permits

- **Option:** Comply w/ Notification Law (2009 WI Act 373)
 - Codify notice in ordinance and attach to permit applications: *"You are responsible for complying with state and federal laws concerning construction near or on wetlands . . .*
 - Walworth County – superimposed notice and landowner signature line onto WDNR's *Waking up to Wetlands* brochure



Condition Approval on Receipt of Wetland Permits or Require Local Wetland Permit

- **Option:** Condition local approvals upon receipt of wetland permits.
- **Option:** Require local wetland permit
 - Bayfield County – Class B special use permit for filling of any wetland. Cannot be approved until federal / state wetland permit issued.
 - Brown County – Requires permit for land disturbance > 500 sq. feet within 100 feet of any shoreland wetland.
 - Oconto County – Grading permits subject to NR 103, wetland water quality standards



Designate Wetlands as Unsuitable for Development

- **Option:** Include a definition of buildable areas, developable building site
 - Ashland & Marinette County
- **Option:** Incorporate buildable area standards into minimum lot size requirements
 - Oneida County
- **Option:** Include a statement in shoreland-wetland district that the district is seldom suitable for building sites.

Use Wetland Conservation as a Shoreland Mitigation Option

- **Option:** Establishing wetland structural setbacks or vegetated buffers
- **Option:** Restoring or enhancing the functions of a former or degraded wetland
- **Option:** Recording a conservation easement



Protect Inland Wetlands

Option: Create a wetland district

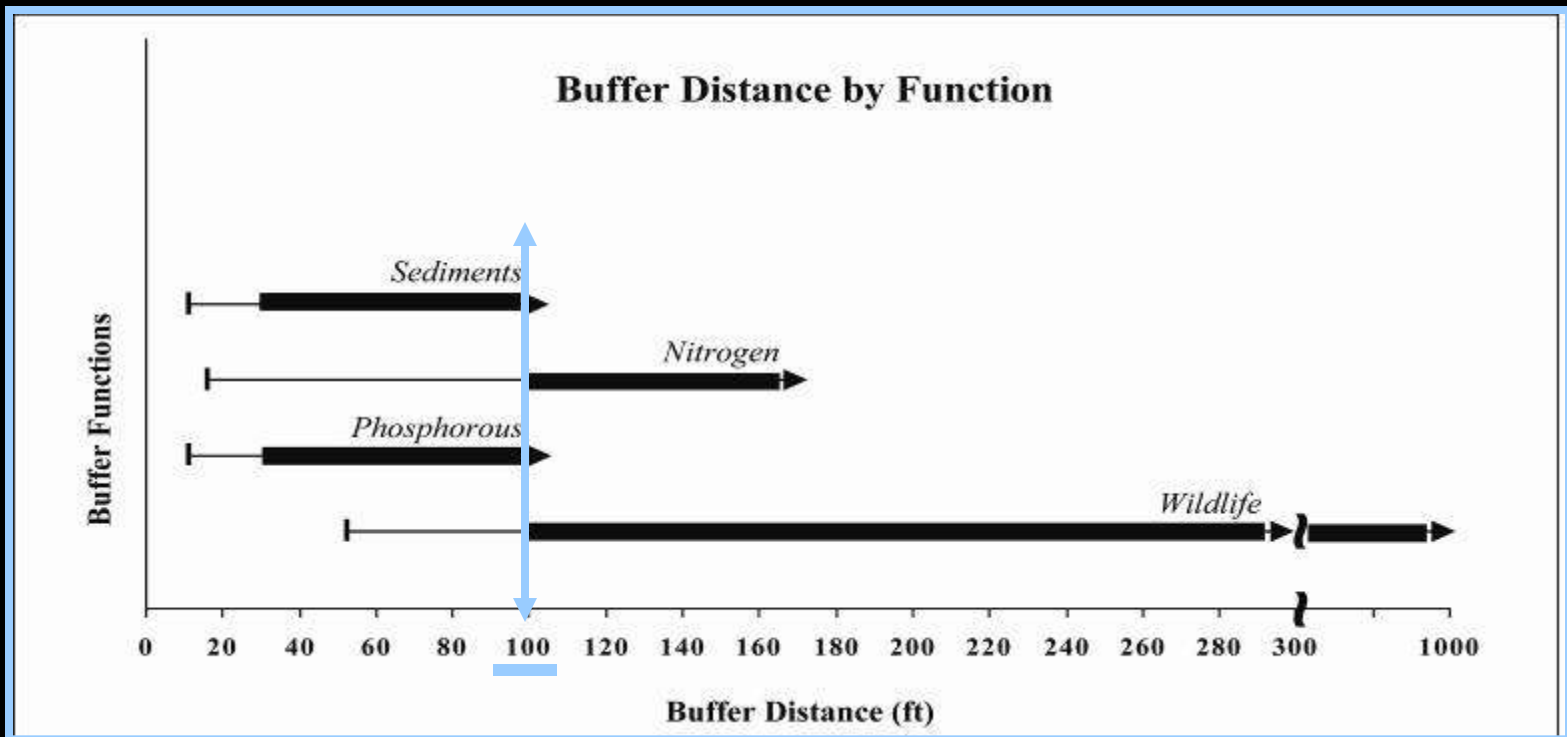
- Door – Wetland (W)
- Kenosha – Lowland Resource Conservancy (C-1)
- Oconto – Conservancy (C)
- Bayfield – Setback requirements for all wetlands

Option: Selectively protect inland wetlands w/ conservancy or other districts

- Use criteria in NR 103 - Area of Special Natural Resource Interest (ASNRI) wetlands

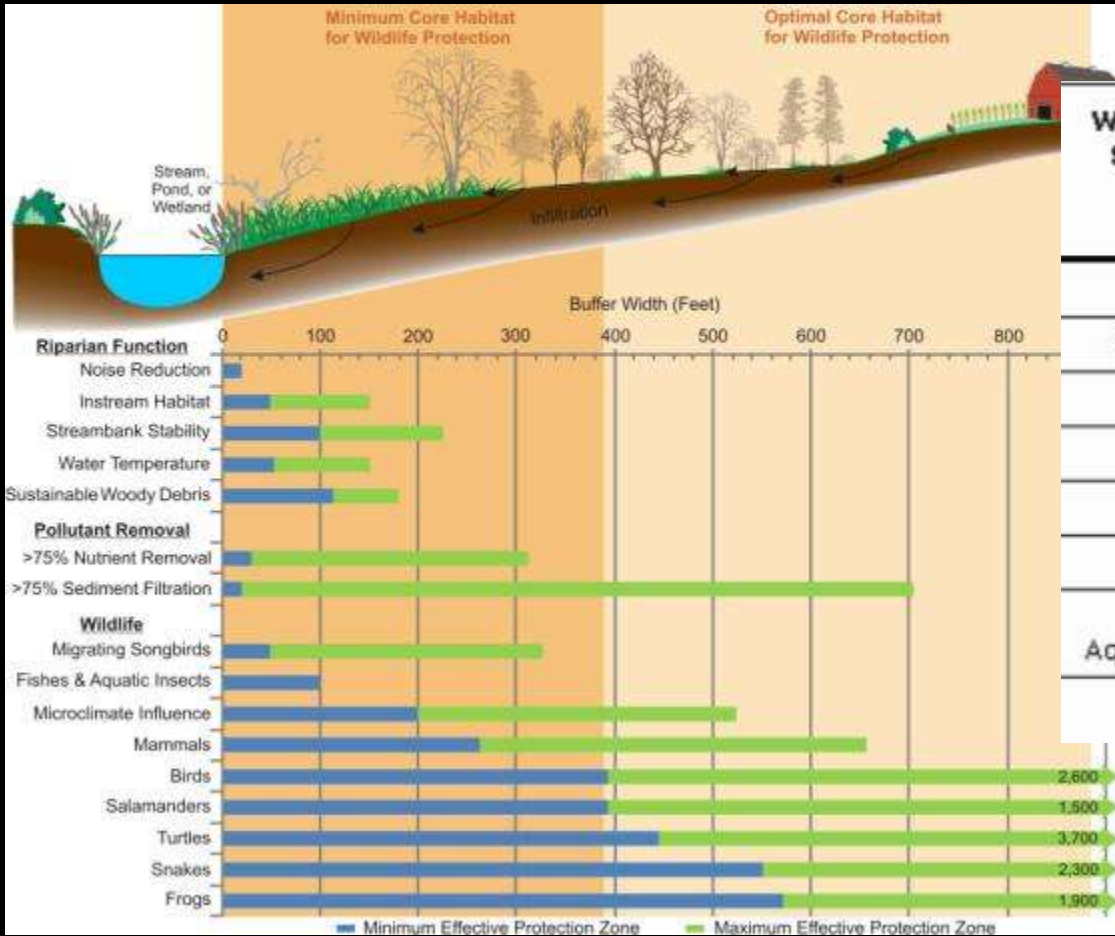
Adopt Setback or Buffer Requirements

Option: Science-based-buffer (or “core-habitat”) with natural vegetation preserved and/or restored



From Environmental Law Institute (2008) – Planner’s Guide to Wetland Buffers

Adopt Setback or Buffer Requirements



Wisconsin Species	Minimum Core Habitat (feet)	Optimum Core Habitat (feet)	Number of Studies
Frogs	571	1,043	9
Salamanders	394	705	14
Snakes	551	997	5
Turtles	446	889	27
Birds	394	787	45
Mammals	263	No data	11
Fishes and Aquatic Insects	100	No data	11
Mean	388	885	

From Southeastern Wisconsin Regional Planning Commission (2010) Managing the Water's Edge

Adopt Setback or Buffer Requirements

- **Option:** Structural setback consistent with other state rules
 - NR 115 requires 75 foot setback for lakes, rivers, and streams
 - NR 151 requires protective area distances up to 75 feet depending on wetland type (e.g. fen).
- **Option:** Structural setback that is politically feasible
 - Examples:
 - Bayfield – 25 feet from any mapped wetland 2 acres or larger.
 - Dane – 75 feet from any mapped shoreland or inland wetland
 - Door – 35 feet, except reduced to 10 feet in some res. districts.
 - Kenosha – 35 feet just in Rural Cluster Development district and NR 151 distances whenever stormwater permit required.
 - Polk – 25 feet from mapped shoreland wetlands
 - Waupaca – 25 feet from mapped shoreland wetlands

Other Recommendations

- Adopt “avoid and minimize” standards for indirect wetland impacts
 - Stormwater runoff
 - Hydrologic alterations (grading)
 - Excavation
 - Vegetation removal
- Adopt planned unit development and/or conservation subdivision provisions
- Allow flexibility in provisions that function at cross-purposes to wetland protection
- Adopt provisions that encourage wetland restoration and expedite permit approvals

Going Above & Beyond NR 115

- Wisconsin County Code Administrators (WCCA) NR 115 Guidebook
 - Identifies ways counties can exceed state minimum standards
 - Chapter 6 devoted to wetland protection



Our Next Steps

- Partnerships (e.g. WCCA, Center for Land Use Education, WI Lakes)
 - Promotion of zoning recommendations (e.g. newsletters)
- Looking for interested counties that would consider adopting and implementing recommendations
 - Local or regional presentations / workshops for staff, boards, committees, or organizations
 - WI Coastal Management Program may help fund workshops and ordinance development for coastal counties
 - We *may* be able to secure funding for similar steps in non-coastal counties
- Further research (e.g. inventory of stormwater ordinances) and outreach (e.g. land division / stormwater recommendations)
- *How can we help you?*

How Lake Organizations and Citizens can get Involved

- Share recommendations with city, town, village, or county staff and board / committee members
- Build support for adoption of recommendations
 - Use aforementioned tools in your efforts
 - Invite WWA to attend meetings / hearings pertaining to adoption of local wetland policies
- Provide additional examples of wetland-friendly policies from your counties (see handout)



Land Use and Wetlands Webpages

Land Use and Wetlands



*How Wetlands Benefit
Your Community*



*Understanding the
Wetland Permit Process*



*Understanding and
Identifying Wetlands*



*What Can Local Governments do
to Protect and Restore Wetlands?*

www.wisconsinwetlands.org/localgovs.htm

Acknowledgments

Funding largely provided by the Wisconsin Coastal Management Program and NOAA Office of Ocean and Coastal Resource Management



WISCONSIN COASTAL
MANAGEMENT PROGRAM



Thank You

Questions?

Zoning Recommendations, Coastal County Inventory,
and Local Decision Makers' Guide available at:

www.wisconsinwetlands.org/localgovs.htm

Contact Information:

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Discussion Questions

- What wetland-related challenges and barriers exist at the local level?
 - Opportunities?
- What information would be useful to help you or your community identify, protect, and restore wetlands?
- What opportunities do you see for Wisconsin Wetlands Association to help and/or partner with lake organizations or other groups?

WDNR Wetland Toolkit

- Wetland Indicator maps
- *Waking up to Wetlands brochure*
- Wetland clues checklist



www.dnr.wi.gov/wetlands/locating.html