

White Paper Brief: Wisconsin Communities and Wetlands

The following information summarizes what counties or local governments are doing above and beyond typical wetland regulations, specifically NR 115, which pertains to shoreland zoning.

Helpful Term

- Wisconsin Wetland Inventory Maps are maps made by the DNR from aerial photos, soil, and topographic data.

Dodge, Door, Dunn, Eau Claire, Kenosha, Outagamie, Walworth, and Waukesha counties all contain language that outlines wetland protection as a distinct goal in their purpose and intent section of their zoning ordinance. The only county to also include restoration of wetlands is Walworth County.

Barron, Kenosha, Marinette, Oneida, Sauk, Ozaukee, and Waukesha Counties in some way regulate wetlands based on field conditions, not solely on wetland mapping.

Examples include:

- The use of Wisconsin Wetland Inventory and additional data i.e. all soils designated peat or muck.
- Creation of conservatory district to protect unmapped wetlands.
- Language that allows the use of “best available data” when making maps. Note: Creation of a resolution process needed to solve disputes between maps and field conditions.
- Language stating that all subsequent wetlands not noted in Wisconsin Wetland

Inventory Maps are subject to regulation.

Barron, Brown, and Langlade Counties require permits for most land disturbing activities. It is typically for structures that are 500 square feet in area within a wetland zone. The permits can be for fill or grading. Some go further and use the same stipulations for wetlands and include any disturbances within 100ft of a shoreland zone. Langlade County supplements a fill and grade permit by also requiring mitigation. This applies for mining or reclamation activities and they usually mitigate at a ratio of 1:1. The Board of Adjustment can make it greater.

Dane, Dodge, Outagamie, and Waukesha Counties require a structural setback of 75ft from the edge of wetlands. This is the largest setback requirement.

Notes

Going Above and Beyond NR115 for Wetlands Select Examples from Wisconsin Wetland Association, Wisconsin Wetland Association.

Kennedy, Heidi, Wisconsin Department of Natural Resources, Shoreland Policy Coordinator,

Land Use and Wetlands: Zoning Opportunities to Improve Wetland Protection, Wisconsin Wetlands Association, February 2013.