

WETLAND REGULATION INFORMATION SHEET

Drainage, manipulation and alteration of wetland areas are regulated by several different federal, state and local agencies. The agencies differ in geographic areas they have jurisdiction over and in the activities they regulate within the areas they reside over. The information on this sheet is general in nature and not intended to answer all questions. The following gives a brief summary of each agency's jurisdiction and may assist you in selecting the proper agency to contact.

Eau Claire County Planning and Development

Rod Eslinger, Supervisor
Land Use Controls Division
Eau County Department on Planning and Development
721 Oxford Ave.
Eau Claire, WI 54703
(715) 839-4743
Website: www.co.eau-claire.wi.us

The Land Use Controls Division is responsible for administration and enforcement of the zoning code and related programs for the unincorporated areas of Eau Claire County.

Jurisdictional Area of the Comprehensive Zoning Code

The code is effective in the towns that adopt the Eau Claire County Zoning Code and in the shoreland and floodplain areas in unzoned towns. The code has been adopted by the following nine townships in Eau Claire County: Brunswick, Clear Creek, Drammen, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union and Washington.

While not all towns have adopted the Comprehensive Zoning Ordinance, the Eau Claire County Storm Water Management and Erosion Control, Sanitary, Shoreland Overlay, Floodplain Overlay, Subdivision, Nonmetallic Mining Reclamation and Building Ordinances are in effect in all towns. The Shoreland Overlay Ordinance applies to all properties within 1000 feet of a lake or pond, and 300 feet of a creek, stream or river.

The Eau Claire County Land Conservation Division administers the Storm Water Management and Erosion Control Ordinance and the Eau Claire City – County Health Department administers the Sanitary Code. If you're unsure whether or not your project needs a permit, please call the number above. If your questions are related to storm water management and erosion control, call (715) 839-6226. If you have question regarding your sanitary system or well, call (715) 839-4718.

Normal crop tillage and planting activities are exempt from most County zoning regulations.

Wisconsin Department of Natural Resources (DNR)

Waterway and Wetland Permitting

David Hon
Water Management Specialist
1300 West Clairemont Ave.
Eau Claire, WI 54701
(715) 839-1600
david.hon@wisconsin.gov

Shoreland Zoning

Michael Wenholz
Regional Shoreland Specialist
1300 West Clairemont Ave.
Eau Claire, WI 54701
(715) 839-3712
Michael.Wenholz@Wisconsin.gov

Refer to the DNR's Wetland and Waterway permitting website for more information and permit application materials (<http://dnr.wi.gov/topic/Waterways/>). DNR has regulatory responsibilities for activities that involve alteration of wetlands and waterways (dredging, filling, realignment, impoundments, dams, piers, docks, bridges, culverts, stream and wetland crossings, pond construction, etc.). Impacts on wetlands adjacent to streams influence permit approvals, stipulations, and denials. DNR also has regulatory authority on pond construction within 500 feet of navigable streams and within wetlands. The DNR provides advisory assistance to the U.S. Army Corps of Engineers and to the Eau Claire County Department of Planning and Development.

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U.S. Army Corps of Engineers

U.S. Army Corps of Engineers
Sam Woboril
Regulatory Branch
1314 Contractors Blvd
Plover, WI 54467

(651) 290-5878

Website: www.mvp.usace.army.mil/regulatory

The Corps of Engineers has regulatory jurisdiction over all activities that involve discharges of dredged or fill materials, or land clearing activities in “waters of the United States”, which includes most water bodies and wetland areas. The Corps should be contacted for permit requirements for any land disturbing activity that may impact wetlands or other waters. Responsibility for enforcement actions is shared with the U.S. Environmental Protection Agency. Corps staff is available free of charge to assist landowners in completing the application, answer general questions regarding the permit process, to determine whether a project would require a federal permit or to determine if wetlands are present at a project location. You can contact a Corps representative toll free by leaving a message at (800) 290-5847, Ext. 5525, or by visiting them at: www.mvp.usace.army.mil/regulatory.

USDA Natural Resources Conservation Services (NRCS)

Jennifer Roetter
USDA NRCS
1304 N. Hillcrest Parkway, Suite A
Altoona, WI 54720
(715) 839-5081 Ext 3

The USDA NRCS has no regulatory authority, but provides wetland determinations to the USDA Farm Service Agency. The Farm Service Agency may deny USDA benefits to owners or operators that engage in “swampbusting” activities. Swampbusting activities are drainage or land clearing activities in wetland areas that have the effect of making that area cropland. Maintenance of most existing drainage systems is allowable, but owners and operators should consult with the USDA NRCS to be sure the exemption applies to their situation. Exemptions may be granted for drainage activities for purposes other than crop or pastureland improvement. These exemptions or maintenance activities may be regulated or require a permit from one or more of the other named regulatory agencies. The USDA NRCS also provides wetland determinations to the Corps of Engineers for wetlands located on cropland or pastureland.

US Fish and Wildlife Service

Jonathan Olson
Refuge Wildlife Specialist
Necedah National Wildlife Refuge
N11385 Headquarters Road
Necedah, WI 54646-8289
(608) 565-4421
jonathan_olson@fws.gov

The U.S. Fish and Wildlife Service assists NRCS with minimal effect wetland requests, Wetland Reserve Program requirements, and also assists private land owners with wetland, upland, stream restoration and enhancement projects.

U.S. Fish and Wildlife Service is authorized to manage Conservation Easements on seven properties which are privately owned within Eau Claire County.

This is a partial list of regulations administered by various agencies. More specific information can be obtained by contacting each agency.