

# Waterways & Wetlands Program Basic Overview



# Navigable Waters Regulation

“...the river Mississippi and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways, and forever free....without any tax, impost, or duty therefor.”



Northwest Ordinance of 1787  
Wisconsin Constitution, Article IX, Section 1

# Public Rights in Navigable Waters

include:

- Fishing
- Hunting
- Fish and wildlife habitat
- Commercial navigation
- Water recreation & boating
- Natural scenic beauty
- Water quality/quantity



# Waterway Regulations

- Regulations in Chapter 30, Stats.
  - Exemptions
  - General Permits (GPs)
  - Individual Permits (IPs)
- Regulations in Ch. 31, Stats.
  - Dams



# Waterway Regulations

Physical alterations to navigable waters including:



- Bridges
- Culverts
- Dams
- Dredging
- Grading
- Ponds
- Irrigation
- Boathouses
- Pier, wharf
- Shoreline erosion control
- Boat ramp
- Boat shelter
- “Wet” boathouse
- Habitat structures
- Water withdrawal
- Stream Relocation

# What does this have to do with monitoring?

- Symbiotic relationship between the programs
  - When WMSs issue IPs – must obtain input from resource managers
    - water resources staff = invaluable info re: water quality, fish and wildlife habitat, etc...
    - Input utilized to make permit decisions
  - Permit decisions may influence or impact monitoring program.
    - Examples – recent dredging, changes in water level orders for dams
      - Greatly influence what is found along a river/stream. Knowing about these permits could help reveal why you are seeing changes/shifts in habitat, water quality etc...

# Wetland Regulations



- Wetland regulation = discharge of fill
- Regulations attempt to
  - Protect wetland functional values:
    - Stormwater and flood water storage & retention
    - Groundwater discharge/recharge
    - Filtration or storage of sediments, nutrients, etc.
    - Shoreline protection against erosion
    - Habitat for aquatic organisms
    - Habitat for resident/transient wildlife species
    - Recreational, cultural, educational, scientific and natural scenic beauty values and uses.
  - Avoid and Minimize Impacts
    - Permitting process requires analysis of alternatives

# Wetlands - Regulations

- Regulations in s. 281.36, Stats.
  - Exemptions
  - General Permits (GPs)
  - Individual Permits (IPs)
    - Mitigation required
      - Permittee-responsible
      - Mitigation banking
      - In-lieu fee program



# What does this have to do with monitoring?



- When WMSs issue IPs – must obtain input from resource managers
  - Water resources staff = invaluable info re: water quality, fish and wildlife habitat, etc...
  - Input on how wetland impacts could impact the stream or monitoring of wetland habitat could be utilized in making permit decision
- Permit decisions may influence or impact monitoring program.
  - Examples – recent development may influence water quality or quality in a wetland, or adjacent river/stream. Knowing about these permits could help reveal why you are seeing changes/shifts in habitat, water quality etc...

# Shoreland zoning



- DNR creates minimum standards
- Counties develop ordinances to implement standards
  - Can be more restrictive in most cases
- Development in shoreland zoning has direct impact on monitoring
- Monitoring information could be utilized by counties to provide further protection (lake/river classification) for sensitive resources.
- Monitoring information could be utilized to support the need for shoreland zoning.