

**AGENDA**  
**(THURSDAY) AUGUST 21, 2025 – 9:00 A.M.**  
**OCONTO COUNTY BOARD OF SUPERVISORS MEETING**  
**COUNTY BOARD ROOM #3041 – COURTHOUSE 3<sup>RD</sup> FLOOR – BLDG. A**  
**301 WASHINGTON STREET, OCONTO, WI 54153**

This is an open meeting of the Oconto County Board of Supervisors. Notice of this meeting was given to the public at least twenty-four hours prior to the meeting, by forwarding the complete agenda to the newspapers and to all news media who have requested the same as well as by posting. Copies of the complete agenda were available for inspection at the Office of the County Clerk and from the County's website calendar: [www.ocontocountywi.gov](http://www.ocontocountywi.gov)

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Invocation – Supervisor Bitters
4. Statement of County Mission and Vision
5. Presentation of Awards and Recognition
6. Presentation of Communications and Petitions
7. Consent Agenda
  - 7.1. Removal of Items from Consent Agenda
  - 7.2. Approval of Consent Agenda
    - 7.2.1. **A2025-08-01** Zoning Change – Town of Bagley (Benser & Hendricks) – L&W Resources Com. (3)
    - 7.2.2. **A2025-08-02** Zoning Change – Town of Brazeau (Dufeck) – L&W Resources Com. (5)
    - 7.2.3. **A2025-08-03** Zoning Change – Town of Brazeau (Rakowski) – L&W Resources Com. (7)
    - 7.2.4. **A2025-08-04** Zoning Change – Town of Breed (Rich) – L&W Resources Com. (9)
    - 7.2.5. **A2025-08-05** Zoning Change – Town of Chase (Szczepanski) – L&W Resources Com. (11)
    - 7.2.6. **A2025-08-06** Zoning Change – Town of Lena (Hodge) – L&W Resources Com. (13)
    - 7.2.7. **A2025-08-07** Zoning Change – Town of Little Suamico (Foster Real Estate LLC) – L&W Resources Com. (15)
    - 7.2.8. **A2025-08-08** Zoning Change – Town of Little Suamico (Kirby) – L&W Resources Com. (17)
    - 7.2.9. **A2025-08-09** Zoning Change – Town of Riverview (Thelen Land LLC) – L&W Resources Com. (19)
    - 7.2.10. **Revision to A2025-06-07** Zoning Change – Town of Stiles (Oconto County) – L&W Resources Com. (21)
    - 7.2.11. **O2025-08-01** Text Amendments to Chapter 26 Shoreland Protection Ordinance of the Oconto County Code of Ordinance – L&W Resources Com. (23)
    - 7.2.12. **R2025-08-01** Delegating the Authority to Enter into Settlement Agreements with Opioid Defendants to the Designated Oconto County Officer or Officers – Administration Com. (63)
    - 7.2.13. **R2025-08-03** Approval of the Oconto County Land and Water Resources Management Plan – L&W Resources Com. (71)
    - 7.2.14. **R2025-08-04** Approval of Access Control Doors at Tower Sites – Property and Technology Com. & Public Safety Com. (148)
  8. Regular Agenda
    - 8.1. Change in Sequence
    - 8.2. Removal of Items
    - 8.3. Approval of Regular Agenda
  9. Approval of Previous Meeting Proceedings (152)
  10. Committee and Departmental Reports (No Action to be taken)
    - 10.1. Report – Highway Facilities Update
    - 10.2. Report – Health & Human Services
    - 10.3. Report – Human Resources (154)
    - 10.4. Report – TEDCOR (Tourism & Economic Development Corporation of the Oconto Region)
    - 10.5. Report – McGrath Wage Study Results Presentation
  11. **R2025-08-05** Adoption of the 2025 McGrath Classification and Compensation Study and Approve the 2026 General Employees Wage Schedule – Administration Com. (155)
  12. **R2025-08-06** Approval of Acquisition of Forest Land – L&W Resources Com. (159)
  13. **R2025-08-07** Approval of 2026 Mar-Oco Landfill Administration and Operational Budgets – Mar-Oco Landfill Com. (160)
  14. **Closed Session:** The Board will convene in to closed session, pursuant to Wis. Stats. Sec. 19.85(1)(c) to consider performance evaluation data of a public employee over which the Board exercises responsibility.
  15. **Open Session:** The Board will return to open session, pursuant to Wis. Stats. Sec. 19.85(2) to conduct further legal business, if any.
  16. **R2025-08-02** Filling by Appointment the Office of the Treasurer for the Residue of the Unexpired Term – Executive Com. (164)
  17. Announcements/General Information (No Action to be taken)
  18. Adjournment

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the Oconto County Clerk's office at 920-834-6800 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this committee, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body. Courthouse Bldg. "A" is located at the corner of Washington Street & Arbutus Avenue Ramp Access from Washington Street Parking Lot Entrance

c. Committee (FTP); County Administrator, Finance Director, Corporation Counsel, Department Heads, external requests), Media (via email); County Website; Central File, Official Posting Location (Physical Copy)

kp/Date Posted: 08/15/2025

September Invocation by Supervisor Matravers

*To responsibly serve, support, and protect the people and places throughout our community.*

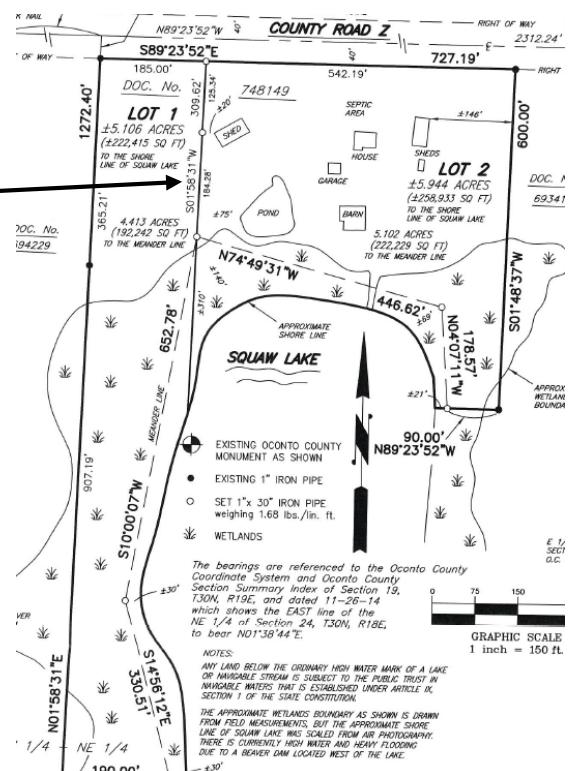
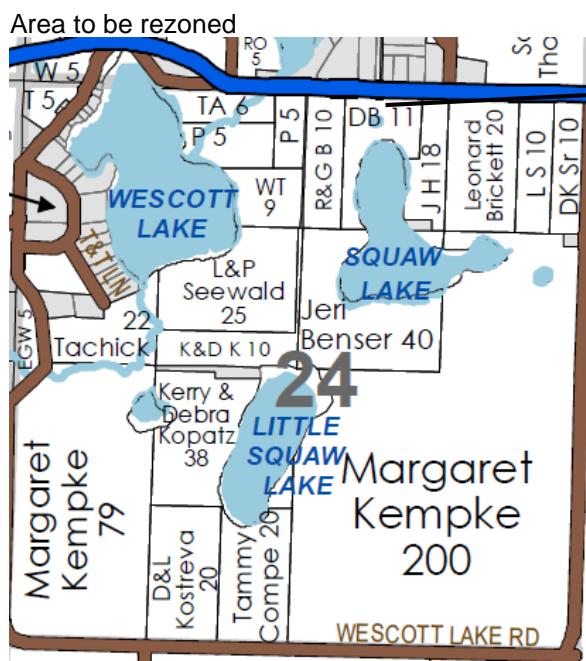
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5 **AMENDATORY ORDINANCE – A2025-08-01**

6 To: The Honorable Chair and Members of the Oconto County Board of Supervisors  
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9 WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-  
10 20250039, filed July 10, 2025, to amend the Oconto County Zoning District Map, and having given notice  
11 thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin  
12 Statutes, and having been informed of the facts pertinent to the changes as follows:  
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15 To rezone land from Forest District to Rural Residential District on property described as:  
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18 **PROPERTY INFORMATION:** Tax Parcel # 006-222400512B2  
19 Part of Section 24, T30N, R18E, Town of Bagley  
20 Existing Zoning: Forest District  
21 Proposed Zoning: Rural Residential District  
22 PROPERTY OWNER: Daniel Benser & Jill Hendricks  
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40 And being duly advised of the wishes of the people in the area affected as follows:  
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43 WHEREAS: the applicant desires to rezone 11.05 acres to Rural Residential District in order to  
44 bring the parcel into compliance to split the parcel; and  
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47 WHEREAS: the acreage is currently being utilized as wooded residential use; and  
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50 WHEREAS: the parcel is located along County Road Z and is in an area planned for low impact,  
51 low density residential development; and  
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54 WHEREAS: the Town of Bagley held a board meeting to consider the change in zoning for  
55 consistency with their Town Comprehensive Plan and voted to recommend approval; and  
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58 WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after  
59 listening to testimony for and against, and after reviewing the application staff report, the standards for  
60 rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has  
61 recommended approval.  
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NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: Petition: RZ-20250039

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 3: Rezone petition RZ-20250039 is hereby adopted amending the Oconto County Zoning District Map, by changing the zoning classification from Forest District to Rural Residential District for the above noted description.

Section 4: The ordinance shall take effect the day after passage and publication as required by law.

Submitted this 21st day of August, 2025.

By: LAND AND WATER RESOURCES COMMITTEE

Tim Cole, Chair  
Patrick J. Scanlan  
Keith Schneider  
Wayne Kaczrowski  
Mike Beyer  
Dennis Kroll, Alternate  
David Parmentier, Alternate

Electronically Reviewed by Corporation Counsel on 08.14.2025 - BLE

*Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – A2025-08-02

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250038, filed July 10, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Residential Single Family District & Agricultural District to Rural Residential District on property described as:

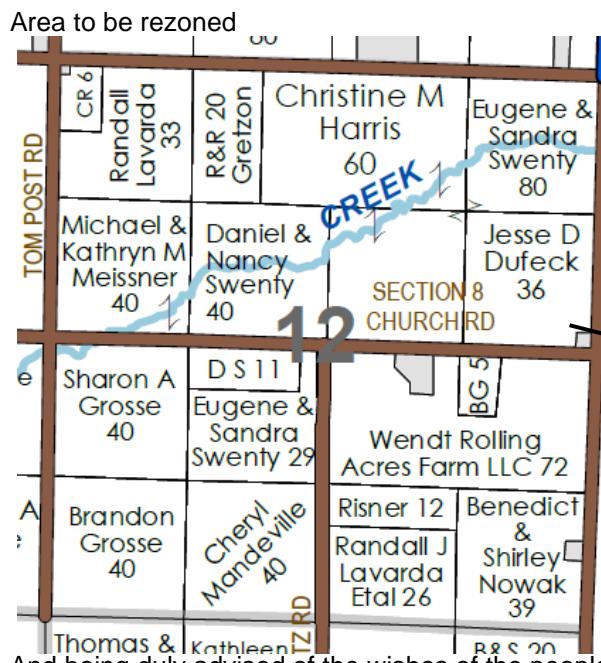
PROPERTY INFORMATION: Tax Parcel # 008-121200614B & 008-121200414

Part of Section 12, T30N, R19E, Town of Brazeau

## Existing Zoning: Residential Single Family District & Agricultural District

## Proposed Zoning: Rural Residential District

PROPERTY OWNER: Jesse Dufeck



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 2.206 acres to Rural Residential District in order to bring the parcel into compliance to adjoin improvements to existing residential parcel; and

WHEREAS: the acreage is currently being utilized as a residence with associated outbuildings; and

WHEREAS: the parcel is located along Lentz Rd and is in an area planned for low impact, low density residential development; and

WHEREAS: the Town of Brazeau held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has recommended approval.

57                   NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
58                   FOLLOWS: Petition: RZ-20250038

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60                   Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
61                   be and are hereby repealed as far as any conflict exists.

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63                   Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
64                   a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

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66                   Section 3: Rezone petition RZ-20250038 is hereby adopted amending the Oconto County Zoning District  
67                   Map, by changing the zoning classification from Residential Single Family District & Agricultural District to  
68                   Rural Residential District for the above noted description.

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70                   Section 4: The ordinance shall take effect the day after passage and publication as required by law.

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73                   Submitted this 21st day of August, 2025.

74  
75                   By: LAND AND WATER RESOURCES COMMITTEE

76                   Tim Cole, Chair  
77                   Patrick J. Scanlan  
78                   Keith Schneider  
79                   Wayne Kaczrowski  
80                   Mike Beyer  
81                   Dennis Kroll, Alternate  
82                   David Parmentier, Alternate

83  
84                   *Electronically Reviewed by Corporation Counsel on 08.13.2025 - BLE*

85  
86                   *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacan*

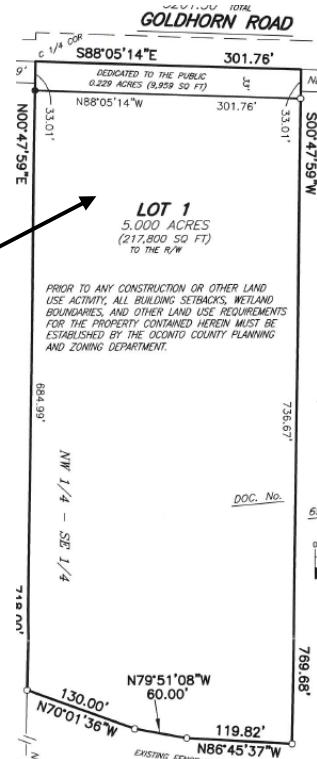
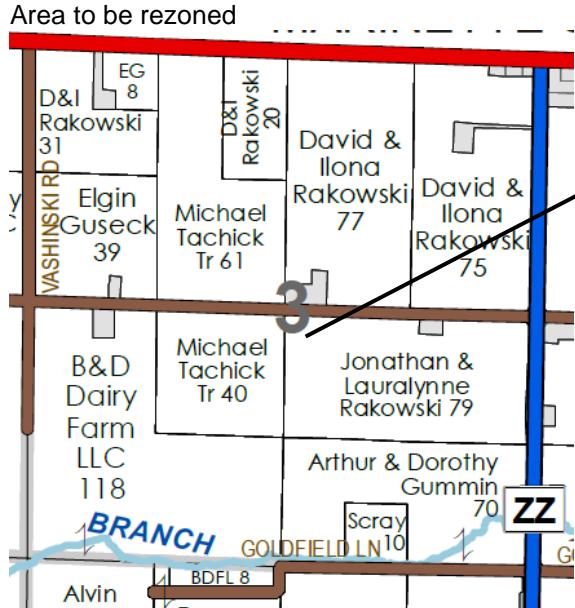
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3 AMENDATORY ORDINANCE – A2025-08-03  
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6 To: The Honorable Chair and Members of the Oconto County Board of Supervisors  
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9 WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-  
10 20250033, filed June 17, 2025, to amend the Oconto County Zoning District Map, and having given notice  
11 thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin  
12 Statutes, and having been informed of the facts pertinent to the changes as follows:  
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15 To rezone land from Agricultural District to Rural Residential District on property described as:  
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18 PROPERTY INFORMATION: Tax Parcel # 008-030302242  
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20 Part of Section 3, T30N, R19E, Town of Brazeau  
21 Existing Zoning: Agricultural District  
22 Proposed Zoning: Rural Residential District  
23 PROPERTY OWNER: Jon Rakowski  
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25 Area to be rezoned  
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38 And being duly advised of the wishes of the people in the area affected as follows:  
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41 WHEREAS: the applicant desires to rezone 5.0 acres to Rural Residential District in order to bring  
42 the parcel into compliance to create a residential lot for future development; and  
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45 WHEREAS: the acreage is currently being utilized as a vacant farmland; and  
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48 WHEREAS: the parcel is located along Goldhorn Rd and is in an area planned for low impact, low  
49 density residential development; and  
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52 WHEREAS: the Town of Brazeau held a board meeting to consider the change in zoning for  
53 consistency with their Town Comprehensive Plan and voted to recommend approval; and  
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56 WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after  
57 listening to testimony for and against, and after reviewing the application staff report, the standards for  
58 rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has  
59 recommended approval.  
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NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: Petition: RZ-20250033

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 3: Rezone petition RZ-20250033 is hereby adopted amending the Oconto County Zoning District Map, by changing the zoning classification from Agricultural District to Rural Residential District for the above noted description.

Section 4: The ordinance shall take effect the day after passage and publication as required by law.

Submitted this 21st day of August, 2025.

By: LAND AND WATER RESOURCES COMMITTEE

Tim Cole, Chair  
Patrick J. Scanlan  
Keith Schneider  
Wayne Kaczrowski  
Mike Beyer  
Dennis Kroll, Alternate  
David Parmentier, Alternate

Electronically Reviewed by Corporation Counsel on 08.14.2025 - BLE

Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant

# AMENDATORY ORDINANCE – A2025-08-04

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250040, filed July 11, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Agricultural District to Rural Residential District on property described as:

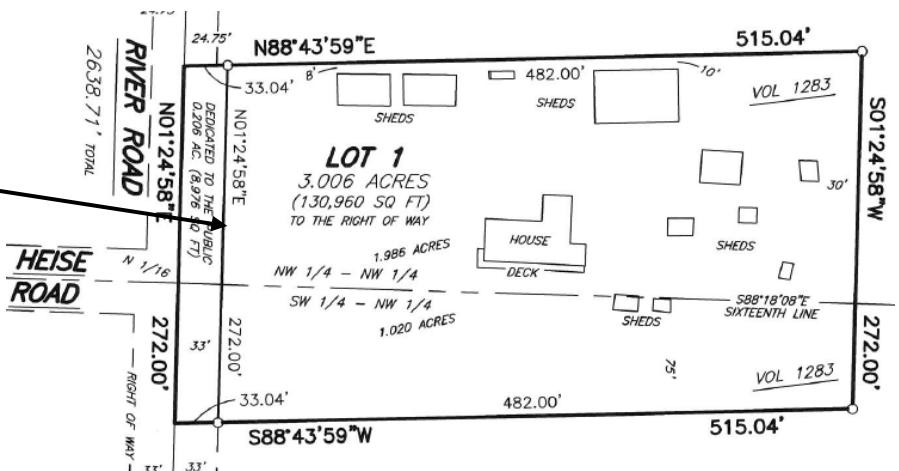
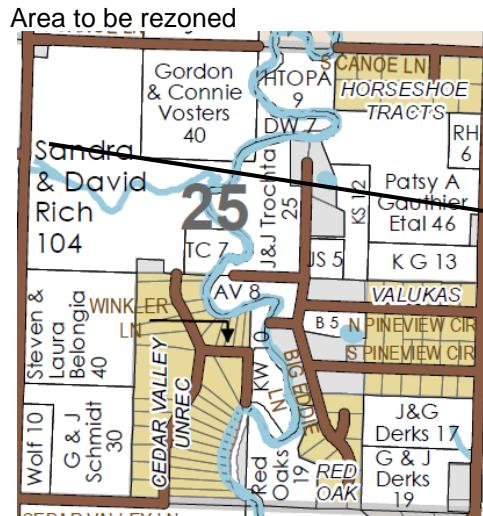
**PROPERTY INFORMATION: Tax Parcel # 010-252502622**

Part of Section 25, T30N, R17E, Town of Breed

## Existing Zoning: Agricultural District

## Proposed Zoning: Rural Residential District

PROPERTY OWNER: Sandra & David Rich



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 3.0 acres to Rural Residential District in order to bring the parcel into compliance to split the improvements off from remnant parcel; and

WHEREAS: the acreage is currently being utilized as a residence and outbuildings; and

WHEREAS: the parcel is located along River Rd and is in an area planned for low impact, low density residential development; and

WHEREAS: the Town of Breed held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has recommended approval.

NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
FOLLOWS: Petition RZ-20250040

56 Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
57 be and are hereby repealed as far as any conflict exists.

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59 Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
60 a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

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62 Section 3: Rezone petition RZ-20250040 is hereby adopted amending the Oconto County Zoning District  
63 Map, by changing the zoning classification from Agricultural District to Rural Residential District for the  
64 above noted description.

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66 Section 4: The ordinance shall take effect the day after passage and publication as required by law.

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68  
69 Submitted this 21st day of August, 2025.

70  
71 By: LAND AND WATER RESOURCES COMMITTEE

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74 Tim Cole, Chair  
75 Patrick J. Scanlan  
76 Keith Schneider  
77 Wayne Kaczrowski  
78 Mike Beyer  
79 Dennis Kroll, Alternate  
80 David Parmentier, Alternate

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82  
83 *Electronically Reviewed by Corporation Counsel on 08.14.2025 - BLE*

84  
85 *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – A2025-08-05

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250037, filed July 9, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Agricultural District to Rural Residential District on property described as:

**PROPERTY INFORMATION: Tax Parcel # 012-323201022**

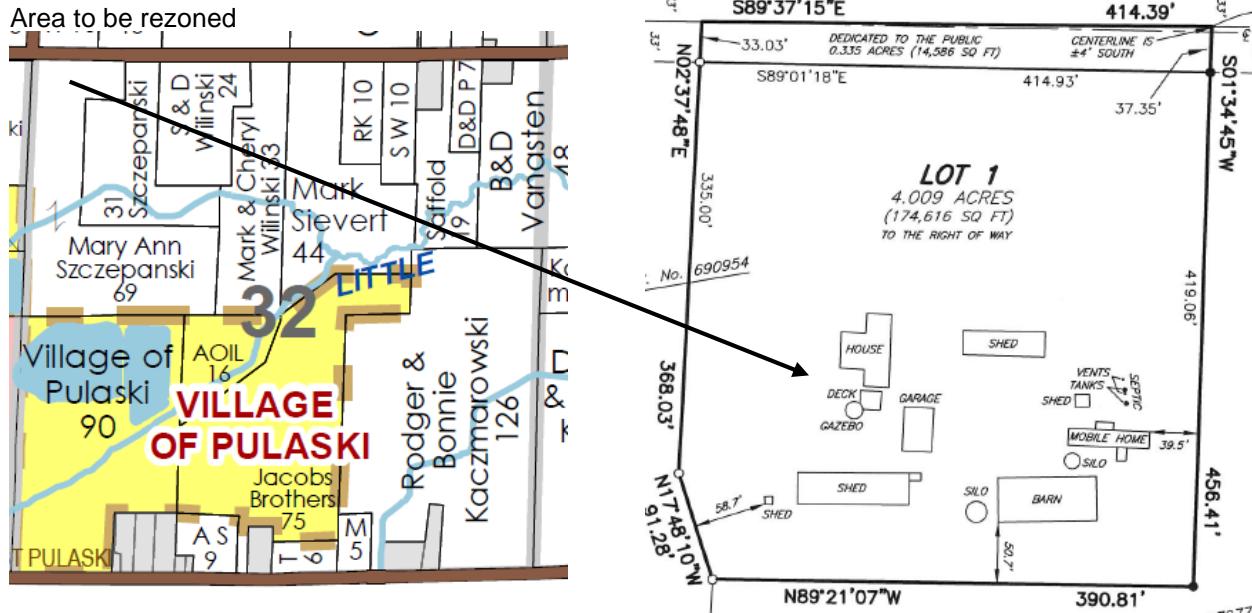
Part of Section 32, T26N, R19E, Town of Chase

### Existing Zoning: Agricultural District

## Proposed Zoning: Rural Residential District

PROPERTY OWNER: Mary Szczepanski

## Area to be rezoned



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 4.09 acres to Rural Residential District in order to bring the parcel into compliance to settle estate; and

and WHEREAS: the acreage is currently being utilized as a residence with farm related out buildings;

WHEREAS: the parcel is located along South Chase Rd and is in an area planned for low impact, low density residential development; and

WHEREAS: the Town of Chase held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has recommended approval.

57                   NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
58                   FOLLOWS: Petition: RZ-20250037

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60                   Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
61                   be and are hereby repealed as far as any conflict exists.

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63                   Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
64                   a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

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66                   Section 3: Rezone petition RZ-20250037 is hereby adopted amending the Oconto County Zoning District  
67                   Map, by changing the zoning classification from Agricultural District to Rural Residential District for the  
68                   above noted description.

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70                   Section 4: The ordinance shall take effect the day after passage and publication as required by law.

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73                   Submitted this 21st day of August, 2025.

74                   By: LAND AND WATER RESOURCES COMMITTEE  
75  
76                   Tim Cole, Chair  
77                   Patrick J. Scanlan  
78                   Keith Schneider  
79                   Wayne Kaczrowski  
80                   Mike Beyer  
81                   Dennis Kroll, Alternate  
82                   David Parmentier, Alternate  
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87                   *Electronically Reviewed by Corporation Counsel on 08.15.2025 - BLE*

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89                   *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – A2025-08-06

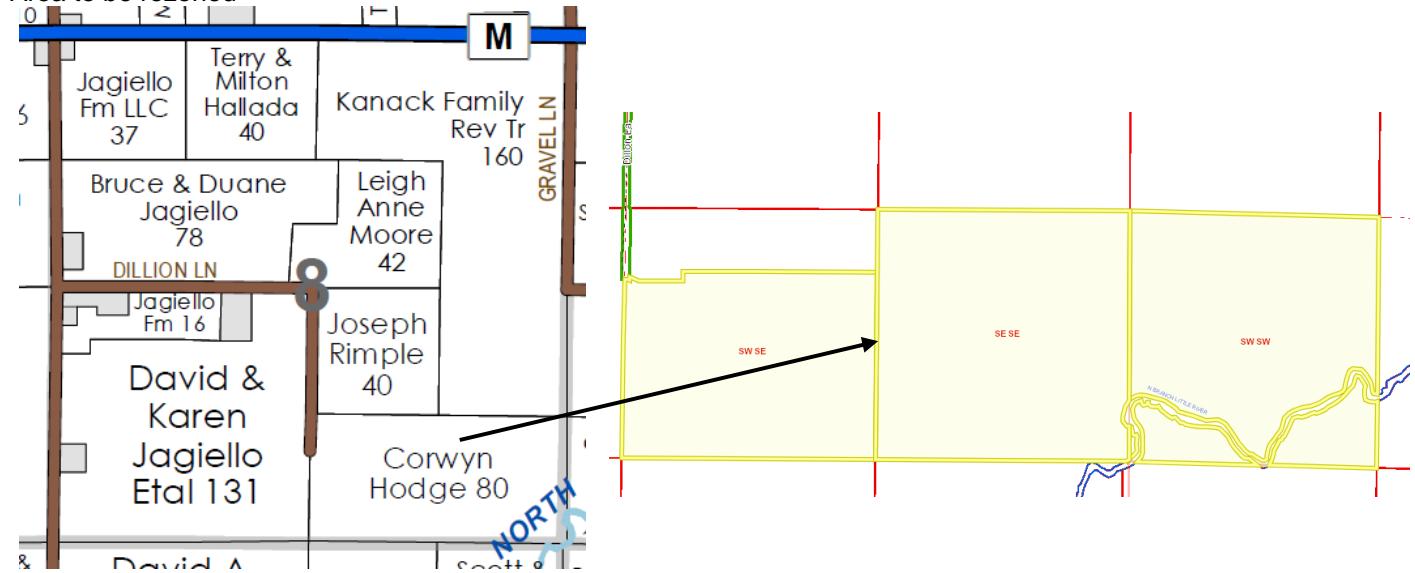
To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250034, filed July 2, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Agricultural District to Agricultural with Quarry Overlay District on property described as:

PROPERTY INFORMATION: Tax Parcel # 020-080801843, 020-080801944 & 020-090901233  
Part of Section 8, T29N, R20E, Town of Lena  
Existing Zoning: Agricultural District  
Proposed Zoning: Agricultural with Quarry Overlay District  
PROPERTY OWNER: Corwyn Hodge

## Area to be rezoned



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 109.662 acres to Agricultural with Quarry Overlay District in order to bring the parcel into compliance for expansion of an existing sand/gravel pit; and

WHEREAS: the acreage is described as wooded wetlands with a narrow ridge (esker) of sand/gravel materials proposed for excavation; and

WHEREAS: the parcel is located along Dillon Lane and is in an area planned for agricultural land use; and

WHEREAS: the Town of Lena held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for

56 rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has  
57 recommended approval.

58  
59 NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
60 FOLLOWS: Petition: RZ-20250034

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62 Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
63 be and are hereby repealed as far as any conflict exists.

64  
65 Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
66 a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

67  
68 Section 3: Rezone petition RZ-20250034 is hereby adopted amending the Oconto County Zoning District  
69 Map, by changing the zoning classification from Agricultural District to Agricultural with quarry overlay  
70 District for the above noted description.

71  
72 Section 4: The ordinance shall take effect the day after passage and publication as required by law.

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74  
75 Submitted this 21st day of August, 2025.

76  
77 By: LAND AND WATER RESOURCES COMMITTEE

78  
79  
80 Tim Cole, Chair  
81 Patrick J. Scanlan  
82 Keith Schneider  
83 Wayne Kaczrowski  
84 Mike Beyer  
85 Dennis Kroll, Alternate  
86 David Parmentier, Alternate

87  
88  
89 *Electronically Reviewed by Corporation Counsel on 08.15.2025 - BLE*

90  
91 *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – A2025-08-07

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250035, filed July 9, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Agricultural with Quarry Overlay District to Rural Residential District on property described as:

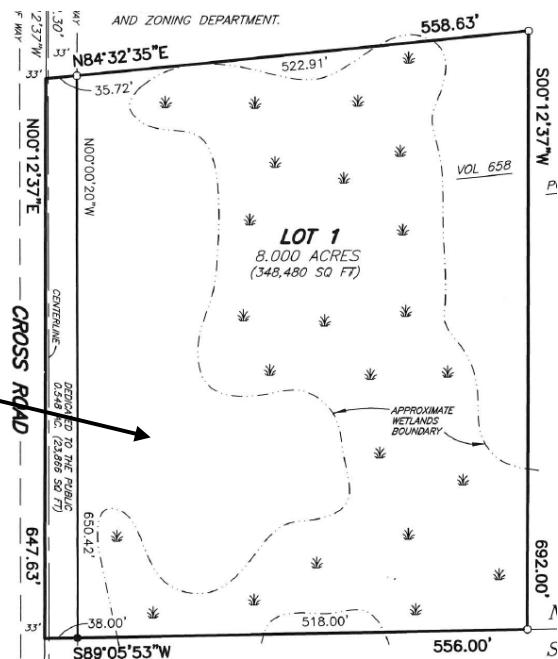
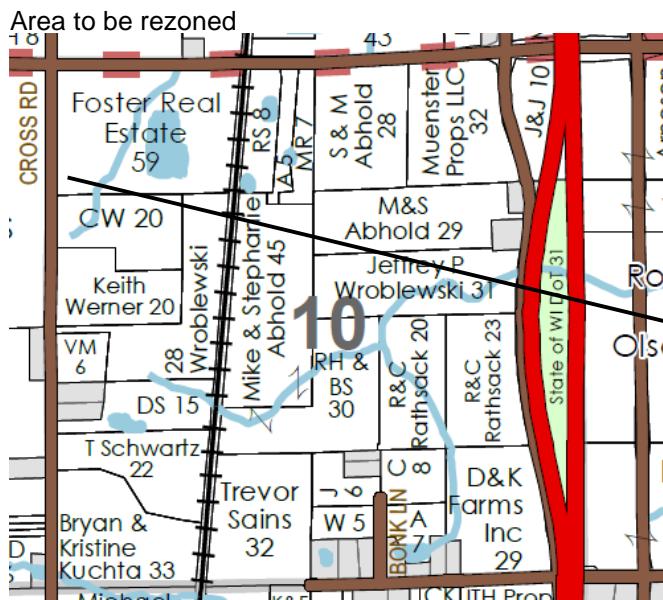
**PROPERTY INFORMATION: Tax Parcel # 024-041001222**

Part of Section 10, T26N, R20E, Town of Little Suamico

## Existing Zoning: Agricultural with Quarry Overlay District

## Proposed Zoning: Rural Residential District

PROPERTY OWNER: Foster Real Estate LLC



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 8.00 acres to Rural Residential District in order to bring the parcel into compliance for future residential development; and

WHEREAS: the acreage is currently being utilized as wooded acreage; and

WHEREAS: the parcel is located along Cross Rd and is in an area planned for low impact, low density residential development; and

WHEREAS: the Town of Little Suamico held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has recommended approval.

57                   NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
58                   FOLLOWS: Petition: RZ-20250035

59  
60                   Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
61                   be and are hereby repealed as far as any conflict exists.

62  
63                   Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
64                   a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

65  
66                   Section 3: Rezone petition RZ-20250035 is hereby adopted amending the Oconto County Zoning District  
67                   Map, by changing the zoning classification from Agricultural with quarry overlay District to Rural Residential  
68                   District for the above noted description.

69  
70                   Section 4: The ordinance shall take effect the day after passage and publication as required by law.

71  
72                   

---

  
73                   Submitted this 21st day of August, 2025.

74                   By: LAND AND WATER RESOURCES COMMITTEE  
75  
76                   Tim Cole, Chair  
77                   Patrick J. Scanlan  
78                   Keith Schneider  
79                   Wayne Kaczrowski  
80                   Mike Beyer  
81                   Dennis Kroll, Alternate  
82                   David Parmentier, Alternate  
83  
84  
85  
86

87                   *Electronically Reviewed by Corporation Counsel on 08.15.2025 - BLE*

88  
89                   *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

1  
2  
3  
4  
5 **AMENDATORY ORDINANCE – A2025-08-08**

6 To: The Honorable Chair and Members of the Oconto County Board of Supervisors

7 WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-  
8 20250026, filed May 16, 2025, to amend the Oconto County Zoning District Map, and having given notice  
9 thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin  
10 Statutes, and having been informed of the facts pertinent to the changes as follows:

11 To rezone land from Agricultural District to Rural Residential District on property described as:

12 **PROPERTY INFORMATION:** Tax Parcel # 024-010700814B1  
13 & 024-010700814B2

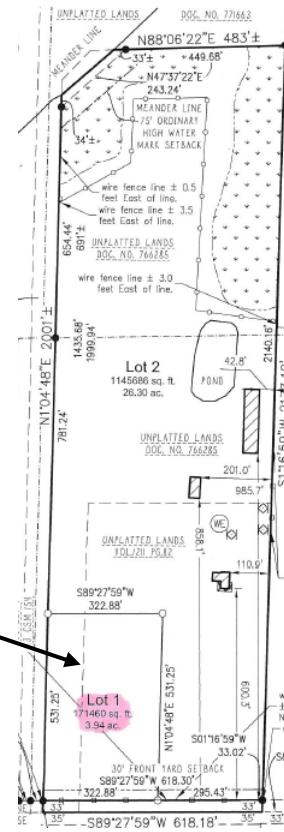
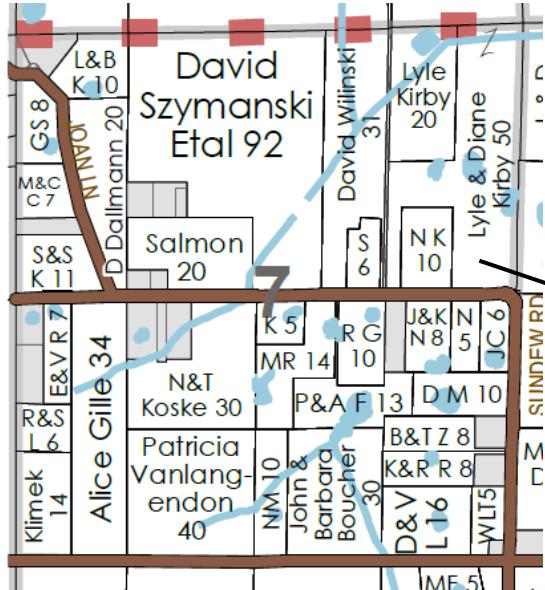
14 Part of Section 7, T26N, R20E, Town of Little Suamico

15 Existing Zoning: Agricultural District

16 Proposed Zoning: Rural Residential District

17 **PROPERTY OWNER:** Diane Kirby

18 Area to be rezoned



40 And being duly advised of the wishes of the people in the area affected as follows:

41 WHEREAS: the applicant desires to rezone 3.94 acres to Rural Residential District in order to bring  
42 the parcel into compliance to split the acreage from the remnant parcel; and

43 WHEREAS: the acreage is currently being utilized as a vacant farmland; and

44 WHEREAS: the parcel is located along Sundew Rd and is in an area planned for low impact, low  
45 density residential development; and

46 WHEREAS: the Town of Little Suamico held a board meeting to consider the change in zoning for  
47 consistency with their Town Comprehensive Plan and voted to recommend approval; and

48 WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after  
49 listening to testimony for and against, and after reviewing the application staff report, the standards for  
50 rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has  
51 recommended approval.

NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: Petition: RZ-20250026

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 3: Rezone petition RZ-20250026 is hereby adopted amending the Oconto County Zoning District Map, by changing the zoning classification from Agricultural District to Rural Residential District for the above noted description.

Section 4: The ordinance shall take effect the day after passage and publication as required by law.

Submitted this 21st day of August, 2025.

By: LAND AND WATER RESOURCES COMMITTEE

Tim Cole, Chair  
Patrick J. Scanlan  
Keith Schneider  
Wayne Kaczrowski  
Mike Beyer  
Dennis Kroll, Alternate  
David Parmentier, Alternate

Electronically Reviewed by Corporation Counsel on 08.15.2025 - BLE

*Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – A2025-08-09

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250041, filed July 14, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Rural Residential District to Residential Single Family District on property described as:

**PROPERTY INFORMATION: Tax Parcel # 036-1616006121B**

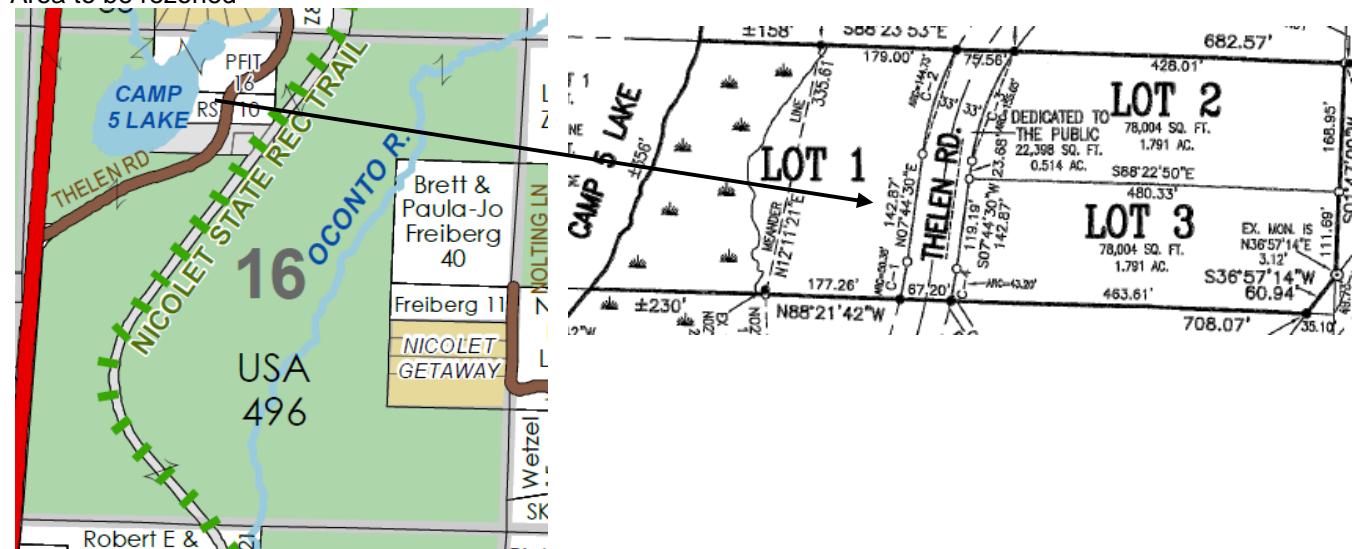
Part of Section 16, T32N, R16E, Town of Riverview

### Existing Zoning: Rural Residential District

## Proposed Zoning: Residential Single Family District

PROPERTY OWNER: Thelen Land LLC

### Area to be rezoned



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 6.22 acres to Residential Single Family District in order to bring the parcel into compliance to subdivide the lots for future development; and

WHEREAS: the acreage is currently being utilized as vacant wooded acreage; and

WHEREAS: the parcel is located along Thelen Rd and is in an area planned for residential development; and

WHEREAS: the Town of Riverview held a board meeting to consider the change in zoning for consistency with their Town Comprehensive Plan and voted to recommend approval; and

WHEREAS: the Land & Water Resources Committee held a public hearing on 8/11/2025 and after listening to testimony for and against, and after reviewing the application staff report, the standards for rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has recommended approval.

56                   NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
57   FOLLOWS: Petition: RZ-20250041

58  
59   Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
60   be and are hereby repealed as far as any conflict exists.

61  
62   Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
63   a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

64  
65   Section 3: Rezone petition RZ-20250041 is hereby adopted amending the Oconto County Zoning District  
66   Map, by changing the zoning classification from Rural Residential District to Residential Single Family  
67   District for the above noted description.

68  
69   Section 4: The ordinance shall take effect the day after passage and publication as required by law.

70  
71                   

---

  
72                   Submitted this 21st day of August, 2025.

73  
74                   By: LAND AND WATER RESOURCES COMMITTEE

75                   Tim Cole, Chair  
76                   Patrick J. Scanlan  
77                   Keith Schneider  
78                   Wayne Kaczrowski  
79                   Mike Beyer  
80                   Dennis Kroll, Alternate  
81                   David Parmentier, Alternate

82  
83                   *Electronically Reviewed by Corporation Counsel on 08.14.2025 - BLE*

84  
85                   *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## AMENDATORY ORDINANCE – REVISION TO A2025-06-07

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

WHEREAS: The Land & Water Resources Committee, having considered Rezone Petition RZ-20250018, filed April 23, 2025, to amend the Oconto County Zoning District Map, and having given notice thereof as provided by law and having held a public hearing thereon pursuant to S. 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes as follows:

To rezone land from Forest District & Agricultural District to Park & Recreation District on property described as:

PROPERTY INFORMATION: Tax Parcel # 040-2727041441 & 040-2727024412

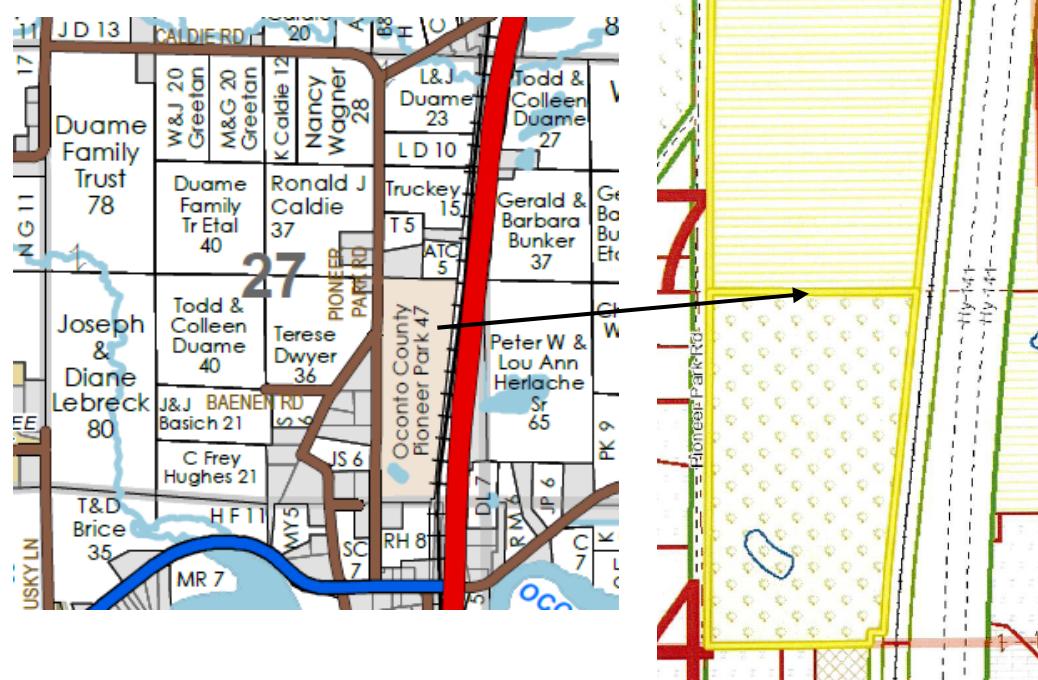
Part of Section 27, T28N, R20E, Town of Stiles

## Existing Zoning: Forest District & Agricultural District

## Proposed Zoning: Park & Recreation District

**PROPERTY OWNER: Oconto County**

## Area to be rezoned



And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS: the applicant desires to rezone 47.42 acres to Park & Recreation District in order to bring the parcel into compliance for existing use of county park lands; and

and WHEREAS: the acreage is currently being utilized as wooded acreage and primitive campsites;

WHEREAS: the parcel is located along Pioneer Park Rd and has been utilized as a low impact camping site for years; and

WHEREAS: WI Statute 59.69 (9) ZONING OF COUNTY OWNED LANDS allows the county board to zone and rezone lands owned by the county without the necessity to secure approval by the town board; and

57           WHEREAS: the Town of Stiles held a board meeting to consider the change in zoning for  
58 consistency with their Town Comprehensive Plan and voted to not recommend approval; and  
59

60           WHEREAS: the Land & Water Resources Committee held a public hearing on 6/9/2025 and after  
61 listening to testimony for and against, and after reviewing the application staff report, the standards for  
62 rezoning lands under 14.3315 and consistency with the Oconto County Comprehensive Plan has  
63 recommended approval.

64           NOW THEREFORE, THE OCONTO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS  
65 FOLLOWS: Petition: RZ-20250018

66           Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall  
67 be and are hereby repealed as far as any conflict exists.

68           Section 2: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by  
69 a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

70           Section 3: Rezone petition RZ-20250018 is hereby adopted amending the Oconto County Zoning District  
71 Map, by changing the zoning classification from Forest District & Agricultural District to Park & Recreation  
72 District for the above noted description.

73           Section 4: The ordinance shall take effect the day after passage and publication as required by law.

---

74           Submitted this 19th day of June, 2025, revised August 21, 2025.

75           By: LAND AND WATER RESOURCES COMMITTEE

76           Tim Cole, Chair  
77           Patrick J. Scanlan  
78           Keith Schneider  
79           Wayne Kaczrowski  
80           Mike Beyer  
81           Dennis Kroll, Alternate  
82           David Parmentier, Alternate

83  
84           *Electronically Reviewed by Corporation Counsel on 06.13.2025 – BLE, 08.14.2025*

85  
86           *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

ORDINANCE – O2025-08-01

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

Re: **Text Amendments to Chapter 26 Shoreland Protection Ordinance of the Oconto County Code of Ordinances**

WHEREAS, the Land and Water Resources Committee has reviewed Chapter 26 – Shoreland Protection Ordinance; and

WHEREAS, numerous amendments over the years have molded the shoreland rules to best protect Oconto County's shoreland areas with the most recent amendments being adopted September 22, 2016, that recreated the Oconto County Shoreland Protection Ordinance to comply with minimum & maximum standards that county shoreland ordinances must regulate based on 2015 WI Act 167; and

WHEREAS, Oconto County is revising its shoreland regulations to conform to WI Stat 56.692 & WI Admin Code NR 115 standards and WI DNR has provided WI Counties with an updated 2024 DNR Model Shoreland Ordinance. The Model Shoreland Ordinance contains language that satisfies the requirements of recently enacted revisions to WI Stat 59.692 (2021 WI Act 105 & 2021 WI Act 200) as noted in the summary page attached to this Ordinance; and

WHEREAS, the Oconto County Land & Water Resources Committee has reviewed the text amendments to Chapter 26 Shoreland Protection Ordinance, held a public hearing on July 14, 2025 to seek public comment and has recommended the proposed text amendments to the Oconto County Board of Supervisors for adoption.

NOW, THEREFORE, the Oconto County Board of Supervisors does ordain as follows:

SECTION 1: Chapter 26, Shoreland and Protection is amended as follows:

**26.100 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE AND TITLE**

## **26.101 STATUTORY AUTHORIZATIONS**

This Ordinance is adopted pursuant to the authorization in s. 59.692, Stats, to implement 59.692 and 281.31, Stats

## 26.102 FINDING OF FACT

Uncontrolled use of the shorelands and pollution of the navigable waters of Oconto County will adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Oconto County, Wisconsin.

## 26.103 PURPOSE AND INTENT

For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters, this ordinance has been established to: To promote and protect the public trust in navigable waters and to effect the purposes of s. 281.31, Stats., by aiding in the fulfillment of the state's role as trustee of its navigable waters; limiting the direct and cumulative impacts of shoreland development; and promoting the public health, safety, convenience and general welfare, this ordinance has been established to;

(a) Further the maintenance of safe and healthful conditions and prevent and control water pollution

56 through:

- 57 (1) Limiting structures to those areas where soil and geological conditions will provide a safe  
58 foundation.
- 59 (2) Establishing minimum lot sizes to provide adequate area for private on-site waste treatment  
60 systems.
- 61 (3) Controlling filling and grading to prevent soil erosion problems.
- 62 (4) Limiting impervious surfaces to control runoff which carries pollutants.

63 (b) Protect spawning grounds, fish and aquatic life through:

- 64 (1) Preserving wetlands and other fish and aquatic habitat.
- 65 (2) Regulating pollution sources.

66 (3) Controlling shoreline alterations, dredging and lagooning.

67 (c) Control building sites, placement of structures and land use through:

- 68 (1) Prohibiting certain uses detrimental to the shoreland-wetlands.
- 69 (2) Setting minimum lot sizes and widths.
- 70 (3) Setting minimum building setbacks from waterways.
- 71 (4) Setting the maximum height of near shore structures.

72 (d) ~~Preserve and restore shoreland vegetation and natural scenic beauty~~ [Reserve Shore Cover and Natural Beauty](#) through:

- 73 (1) Restricting the removal of natural shoreland cover.
- 74 (2) Preventing shoreline encroachment by structures.
- 75 (3) Controlling shoreland excavation and other earth moving activities.
- 76 (4) Regulating the use and placement of boathouses and other structures.

**Commented [DR1]:** Optional, to match text in Model.

**Commented [DR2]:** I revised title to match Model

**Commented [DR3]:** Revised to match the Model title for this paragraph.

**Commented [DR4]:** I revised the text to match the Model title for this paragraph.

#### 96 26.104 TITLE

97 This ordinance shall be known as the "Oconto County Shoreland Protection Ordinance" except as referred to  
98 herein, where it shall be known as "this chapter".

#### 100 26.200 GENERAL PROVISIONS

#### 101 26.201 AREAS TO BE REGULATED

102 Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the  
103 unincorporated areas of Oconto County which are:

- 104 (a) Within one thousand (1,000) feet of the ordinary high-water mark of navigable lakes, ponds or  
105 flowages. Lakes, ponds or flowages in Oconto County shall be presumed to be navigable if they are  
106 listed in the Wisconsin Department of Natural Resources publication FH-800-2009 "Wisconsin Lakes"

111 or are shown on United States Geological Survey quadrangle maps (1:24,000 scale), or other zoning  
112 base maps.

**Commented [DR5]:** This text is a remnant from older Models and that document has not been updated, so should not be relied on. Removed text.

- 113  
114 (b) Within three hundred (300) feet of the ordinary high-water mark of navigable rivers or streams, or to  
115 the landward side of the floodplain, whichever distance is greater. Rivers and streams in Oconto  
116 County shall be presumed to be navigable if they are designated as perennial waterways or intermittent  
117 waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary  
118 maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps or other  
119 existing county floodplain zoning maps shall be used to delineate floodplain areas.
- 120  
121 (c) The provisions of this chapter apply to regulation of the use and development of unincorporated  
122 shoreland areas, and to annexed or incorporated areas as provided in s. 59.692 (7), Wis. Stats. Unless  
123 specifically exempted by law, all cities, villages, towns, and counties and, when s. 13.48 (13), Wis.  
124 Stats., applies, state agencies are required to comply with, and obtain all necessary permits under,  
125 local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways  
126 and bridges carried out under the direction and supervision of the Wisconsin Department of  
127 Transportation is not subject to local shoreland zoning ordinances if s. 30.2022 (1m), Wis. Stats.,  
128 applies. Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353  
129 and s. 62.233, Stats.
- 130  
131 (d) Determinations of navigability and ordinary high-water mark location shall initially be made by the  
132 Zoning Administrator. When questions arise, the Zoning Administrator shall may contact the  
133 appropriate office of the Department for a final determination of navigability or ordinary high-water  
134 mark. The county may work with surveyors with regard to s. 59.692(1h) Determinations made by a  
135 professional land surveyor with regard to s. 59.692 (1h) shall be reviewed by the Zoning Administrator  
136 and the Department where necessary.
- 137  
138 (e) Under s. 281.31 (2m), Wis. Stats., notwithstanding any other provision of law or administrative rule  
139 promulgated there under, this shoreland zoning ordinance does not apply to:

- 140 (1) Lands adjacent to farm drainage ditches if:  
141 (A) Such lands are not adjacent to a natural navigable stream or river;  
142 (B) Those parts of such drainage ditches adjacent to such lands were not navigable  
143 streams before ditching; and  
144 (2) Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention  
145 basins that are not hydrologically connected to a natural navigable water body.

**Commented [DR6]:** I would change this last sentence and stick with the exact language in the Model, because that review may not have a legally defensible alternative to challenge an OHWM under St. 59.692(1h) at this time.

## 26.202 OFFICIAL MAPS

151 The maps designated in this section are adopted and made part of Chapter 26 Shoreland Ordinance. They  
152 are on file in the office of the Zoning Administrator for Oconto County. Due to inaccuracies inherent in the  
153 mapping process, reliance thereupon cannot be guaranteed and on a case by case basis, the Zoning  
154 Administrator may require additional investigation to allow for proper application of the shoreland regulations in  
155 determining designation.

- 156 (a) The most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural  
157 Resources Surface Water Data Viewer. The maps can be viewed at  
158 <http://dnrmmaps.wi.gov/SLViewer.html?Viewer=SWDV&runWorkflow=Wetland> (this  
159 link)  
<https://dnrmmaps.wi.gov/H5/?Viewer=SWDV>

**Commented [DR7]:** This link does not work, replace with this link from the Model  
<https://dnrmmaps.wi.gov/H5/?Viewer=SWDV>

**Field Code Changed**

- 166 (b) Oconto County Official Zoning Map.  
167  
168 (c) Any historical Wisconsin Wetland Inventory Maps.  
169  
170 (d) United States Geological Survey 7.5 Quadrangle Maps for Oconto County.  
171  
172 (e) Flood Insurance Rate Maps dated October 6, 2010 or other official maps adopted as part of the Oconto  
173 County Floodplain Zoning Ordinance.  
174  
175 (f) Oconto County Soil Survey.  
176  
177 In addition to aforementioned official maps the Oconto County Planning and Zoning Office may refer to other  
178 available data sources including but not limited to those available on the Oconto County web based parcel  
179 mapping application (S.O.L.O)  
180

181 **26.203 COMPLIANCE**  
182

183 The use of any land, the size, shape and placement of lots, the use, size, type and location of structures on  
184 lots, ~~the installation and maintenance of water supply and waste disposal facilities~~, the filling, grading,  
185 lagooning, dredging of any lands, the cutting of shoreland vegetation, the subdivision of lots, shall be in full  
186 compliance with the terms of this ordinance and other applicable local, state or federal regulations. Buildings,  
187 ~~and other structures, and land disturbances (including filling and grading, etc)~~ shall require a permit unless  
188 otherwise expressly excluded by a provision of this ordinance. Property owners, builders and contractors are  
189 responsible for compliance with the terms of this ordinance.  
190

191 **26.204 MUNICIPALITIES AND STATE AGENCIES REGULATED**  
192

193 Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this  
194 ordinance and obtain all necessary permits. ~~State agencies are required to comply when s. 13.48(13), Wis.~~  
195 ~~Stats., applies.~~ The construction, reconstruction, maintenance and repair of state highways and bridges by the  
196 Wisconsin Department of Transportation are exempt when s. 30.2022(1m), Wis. Stats., applies.  
197

198 **26.205 ABROGATION AND GREATER RESTRICTIONS**  
199

200 (s. 59.692(5) Wis. Stats.) The provisions of this ordinance supersede any provisions in a county zoning  
201 ordinance that solely relate to shorelands. In other words if a zoning standard only applies to lands that lie  
202 within the shoreland and applies because the lands are in shoreland, then this ordinance supersedes those  
203 provisions. However, where an ordinance adopted under a statute other than s. 59.692, Wis. Stats., does not  
204 solely relate to shorelands and is more restrictive than this ordinance, for example a floodplain ordinance, that  
205 ordinance shall continue in full force and effect to the extent of the greater restrictions.  
206

- 207 (a) This ordinance shall not require approval or be subject to disapproval by any town or town board.  
208  
209 (b) If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any  
210 amendments thereto, the town ordinance continues in all respects to the extent of the greater  
211 restrictions but not otherwise  
212  
213 (c) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants  
214 or easements. However, where this ordinance imposes greater restrictions, the provisions of this  
215 ordinance shall prevail.  
216  
217 (d) This ordinance shall accord and be consistent with any comprehensive zoning plan or general zoning  
218 ordinance applicable, so far as practicable.  
219  
220

221 (e) Provisions of the Oconto County Code of Ordinances are hereby incorporated by reference; these  
222 provisions shall only apply to the shoreland area where they impose greater restrictions than this  
223 ordinance otherwise imposes.

224  
225 (f)(e) This ordinance may establish standards to regulate matters that are not regulated ~~in~~by a shoreland  
226 zoning standard under NR 115.05(1), but and that further the purposes of shoreland zoning as  
227 described in s. 26.103 of this ordinance,

228  
229 (g)(f) Oconto County may not establish shoreland zoning standards in a shoreland zoning ordinance that  
230 requires any of the following:

- 231 (1) Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation  
232 requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or  
233 regulates outdoor lighting in shorelands if the lighting is designed or intended for residential  
234 use.  
235  
236 (2) Requires any inspection or upgrade of a structure before the sale or other transfer of the  
237 structure may be made.

238  
239 (h)(g) (s.59.692(7), Stats) The construction and maintenance of a facility is considered to satisfy the  
240 requirements of the Oconto County Shoreland Protection Ordinance if:

- 241 (1) The department has issued all required permits or approvals authorizing the construction or  
242 maintenance under ch. 30, 31, 281, or 283 Stats.  
243  
244 (2) No department permit or approval under subsection (1) is required for the construction or  
245 maintenance and the construction or maintenance is conducted in a manner that employs best from  
246 management practices to infiltrate or otherwise control stormwater water runoff from the facility.

247  
248 **26.206 INTERPRETATION**

249  
250 In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements  
251 and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other  
252 powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a  
253 standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be  
254 interpreted in light of the statute and ch. NR 115, Wis. Adm. Code standards in effect on the date of the adoption  
255 of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

**Commented [DR8]:** This Interpretation paragraph was removed from the Model due to Wisc. 2015 Act 391.  
Please delete it.

256  
257 **26.207-206 SEVERABILITY**

258  
259 If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the  
260 remainder of this ordinance shall not be affected.

261  
262 **26.300 SHORELAND-WETLAND DISTRICT**

263  
264 **26.301 DESIGNATION**

265  
266 This district shall include all shorelands within the jurisdiction of this ordinance which are designated as  
267 wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of  
268 Natural Resources Surface Water Data Viewer.

269  
270 LOCATING SHORELAND-WETLAND BOUNDARIES. Where an apparent discrepancy exists between the  
271 shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory maps and actual field  
272 conditions, the county shall contact the Department to determine if the map is in error. If the Department  
273 determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was

276 not shown as wetland on the map, the county shall have the authority to immediately grant or deny a shoreland  
277 zoning permit in accordance with the applicable regulations based on the Department determination as to  
278 whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official  
279 zoning map amendment must be initiated within a reasonable period of time.

280

### 281 **26.302 PURPOSE**

282 This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish  
283 spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and  
284 development in wetlands whenever possible. When development is permitted in a wetland, the development  
285 should occur in a manner that minimizes adverse impacts upon the wetland.

286

### 287 **26.303 PERMITTED USES**

288 **NR 115 currently contains absolute standards for permitted uses in shoreland wetlands which cannot be made**  
289 **more or less restrictive.** The following uses shall be allowed, subject to general shoreland zoning regulations  
290 contained in this ordinance, **the provisions of ch. 30 and 31, and 281.36 Stats., and the provisions of other**  
291 **applicable local, state and federal laws.**

292 (a) Activities and uses which do not require the issuance of a shoreland permit, but which must be carried  
293 out without any filling, flooding, draining, dredging, ditching, tiling or excavating:

- 294 (1) Hiking, fishing, trapping, hunting, swimming, and boating;  
295 (2) The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits,  
296 and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;  
297 (3) The pasturing of livestock and the construction and maintenance of fences;  
298 (4) The cultivation of agricultural crops;  
299 (5) The practice of silviculture, including the planting, thinning, and harvesting of timber; and  
300 (6) The construction or maintenance of duck blinds.

301 (b) Uses which do not require the issuance of a shoreland permit and which may include limited must be  
302 carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the  
303 extent specifically provided below:

- 304 (1) The construction or maintenance of piers, docks or walkways built on pilings.  
305 (2) The construction or maintenance of nonresidential buildings, provided that all of the following  
306 apply:

- 307 A. The building is essential for and used solely in conjunction with the raising of  
308 waterfowl, minnows or other wetland or aquatic animals; or used solely for a purpose  
309 which is compatible for wetland preservation;  
310 B. The building cannot, as a practical matter, be located outside the wetland;  
311 C. Such building is not designed for human habitation and does not exceed 500 sq. ft.  
312 in floor area; and

- 313 (3) The establishment and development of public and private parks and recreation areas, boat access  
314 sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game  
315 preserves and private wildlife habitat areas, provided:

- 316 A. no filling is done  
317 B. any private wildlife habitat area is used exclusively for that purpose  
318 C. any ditching, excavating, dredging, dike and dam construction shall be allowed in  
319 wildlife refuges, game preserves, and private wildlife habitat areas for the purpose of  
320 improving wildlife habitat or to otherwise enhance wetland values. Any of these

activities shall comply with the floodplain ordinance and secure all other required permits related to dike and dam construction.

- (1) Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
  - (2) The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries;
  - (3) The maintenance and repair of existing agricultural drainage systems including ditching, tilling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;
  - (4) The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;
  - (5) The construction or maintenance of piers, decks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
  - (6) The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.

(c) Uses which do not require the issuance of a shoreland permit under 26.1402(a) but which may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below:

- (1) The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries.
  - (2) The maintenance and repair of existing agricultural drainage systems such as ditching and tiling necessary to maintain the level of drainage required to continue the existing agricultural use.
  - (3) The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges.

(d) Uses which require the issuance of a shoreland permit and which may include filling, flooding, draining, dredging, ditching, tiling or excavating as necessary, but only to the extent specifically provided below:

- (1) The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:

  - A. The road cannot as a practical matter be located outside the wetland;
  - B. The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in section 26.305 (b);
  - C. The road is designed and constructed with the minimum cross sectional area practical to serve the intended use; and
  - D. Road construction activities are carried out in the immediate area of the roadbed only.
  - E. The construction of a road for silvicultural activities for temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected.

(2) The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members provided:

  1. Such construction or maintenance is done in a manner designed to minimize flooding and adverse impact on the natural functions of the wetland enumerated in section 26.305 (b)

(3) The construction or maintenance of railroad lines provided that:

  1. The railroad lines cannot, as a practical matter, be located outside the wetland;
  2. Such construction or maintenance is done in a manner designed to minimize flooding and

386 adverse impact upon the natural functions of the wetland enumerated in section 26.305 (b).  
387

- 388 (1) The construction and maintenance of roads which are necessary to conduct silvicultural  
389 activities or agricultural cultivation, provided that:  
390  
391 (A) The road cannot as a practical matter be located outside the wetland;  
392  
393 (B) The road is designed and constructed to minimize adverse impact upon the natural  
394 functions of the wetland enumerated in s. 26.305(b);  
395  
396 (C) The road is designed and constructed with the minimum width practical to serve the  
397 intended use;  
398  
399 (D) Road construction activities are carried out in the immediate area of the roadbed only.  
400  
401 (2) The construction or maintenance of nonresidential buildings, provided that:  
402  
403 (A) The building is essential for and used solely in conjunction with the raising of  
404 waterfowl, minnows or other wetland or aquatic animals; or some other use permitted  
405 in the shoreland-wetland district;  
406  
407 (B) The building cannot, as a practical matter, be located outside the wetland;  
408  
409 (C) Such building is not designed for human habitation and does not exceed 500 sq. ft.  
410 in floor area; and  
411  
412 (D) Only limited filling or excavating necessary to provide structural support for the  
413 building is authorized.  
414  
415 (B) The establishment of public and private parks and recreation areas, natural and outdoor  
416 education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur  
417 animal farms, fish hatcheries, and public boat launching ramps and attendant access roads,  
418 provided that:  
419  
420 (A) Any private development is used exclusively for the permitted use and the applicant  
421 has received a permit or license under ch. 29, Wis. Stats., where applicable;  
422  
423 (B) Filling or excavating necessary for the construction or maintenance of public boat  
424 launching ramps or attendant access roads is allowed only where such construction  
425 or maintenance meets the criteria in s. 26.303(e)(1) and;  
426  
427 (C) Ditching, excavating, dredging, or dike and dam construction in public and private  
428 parks and recreation areas, natural and outdoor education areas, historic and  
429 scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and  
430 fish hatcheries is allowed only for the purpose of improving wildlife habitat and to  
431 otherwise enhance wetland values.  
432  
433 (4) The construction or maintenance of electric, gas, telephone, water and sewer transmission  
434 and distribution facilities, by public utilities and cooperative associations organized for the  
435 purpose of producing or furnishing heat, light, power or water to their members and the  
436 construction or maintenance of railroad lines provided that:  
437  
438 (A) The transmission and distribution facilities and railroad lines cannot, as a practical  
439 matter, be located outside the wetland;  
440 (B) Such construction or maintenance is done in a manner designed to minimize adverse

441 impact upon the natural functions of the wetland enumerated in s. 26.305(b).

442 **26.304 PROHIBITED USES**

443 Any activity or use not listed in s. 26.303 is prohibited, unless the wetland or portion of the wetland has been  
444 rezoned by amendment of this ordinance in accordance with s. 26.305 of this ordinance and s. 59.69(5)(e),  
445 Wis. Stats.

446 **26.305 REZONING OF LANDS IN THE SHORELAND-WETLAND DISTRICT**

447 (a) For all proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the  
448 appropriate district office of the Department shall be provided with the following:

- 449 (1) A copy of every petition for a text or map amendment to the conservancy district within the  
450 shoreland zone, within 5 days of the filing of such petition with the Planning and Zoning Office.  
451 Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of  
452 this ordinance describing any proposed rezoning of a shoreland-wetland;  
453 (2) Written notice of the public hearing to be held on a proposed amendment at least 10 days  
454 prior to such hearing;  
455 (3) A copy of the county zoning agency's findings and recommendations on each proposed  
456 amendment within 10 days after the submission of those findings and recommendations to  
457 the county board; and  
458 (4) Written notice of the county board's decision on the proposed amendment within 10 days after  
459 it is issued.

460 (b) A wetland, or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed  
461 rezoning may result in a significant adverse impact upon any of the following:

- 462 (1) Storm and flood water storage capacity;  
463 (2) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the  
464 recharge of groundwater from a wetland to another area, or the flow of groundwater through  
465 a wetland;  
466 (3) Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would  
467 otherwise drain into navigable waters;  
468 (4) Shoreline protection against soil erosion;  
469 (5) Fish spawning, breeding, nursery or feeding grounds;  
470 (6) Wildlife habitat; or  
471 (7) Wetlands both within the boundary of designated areas of special natural resource  
472 recreational, scenic or scientific interest, including scarce wetland types and those wetlands  
473 which are in proximity to or have a direct hydrologic connection to such designated areas as  
474 defined in NR 103.04 which can be accessed at the following web site:  
475 <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.

476 (c) If the Department notifies the Planning & Zoning Land & Water Resources Committee that a proposed  
477 text or map amendment to the shoreland-wetland conservancy district provisions of this ordinance may  
478 have a significant adverse impact upon any of the criteria listed in s. 26.305(b) of this ordinance, that  
479 amendment, if approved by the county board, shall contain the following provision:

496 "This amendment shall not take effect until more than 30 days have elapsed after written notice of the county  
497 board's approval of this amendment is mailed to the Department of Natural Resources. During that 30-day  
498 period the Department of Natural Resources may notify the county board that it will adopt a superseding  
499 shoreland ordinance for the county under s. 59.692 (6), Wis. Stats. If the Department does so notify the county  
500 board, the effect of this amendment shall be stayed until the s. 59.692 (6), Wis. Stats adoption procedure is  
501 completed or otherwise terminated."

502 **26.400 LAND DIVISION REVIEW AND SANITARY REGULATIONS**

503 **26.401 LAND DIVISION REVIEW**

504 The county shall review, pursuant to s. 236.45, Wis. Stats. and Chapters 13 & 14 of the Oconto County Code  
505 of Ordinances; all land divisions in shoreland areas which create parcels or building sites of 10 acres or less in  
506 size. In such review, all of the following factors shall be considered:

- 507 (a) Hazards to the health, safety or welfare of future residents.  
508 (b) Proper relationship to adjoining areas.  
509 (c) Public access to navigable waters, as required by law.  
510 (d) Adequate stormwater drainage facilities.  
511 (e) Conformity to state law and administrative code provisions.  
512 (f) Conformity to Oconto County comprehensive plan adopted pursuant to s. 59.69 and 66.1001(4), Wis.  
513 Stats.

514 **26.402 PLANNED UNIT DEVELOPMENT (PUD).**

- 515 (a) PURPOSE. The Planned Unit Development is intended to permit smaller non-riparian lots where the  
516 physical layout of the lots is so arranged as to better assure the control of pollution and preservation  
517 of ground cover than would be expected if the lots were developed with the normal lot sizes and  
518 setbacks and without special conditions placed upon the Planned Unit Development at the time of its  
519 approval. A condition of all Planned Residential Unit Development is the preservation of certain open  
520 space, preferably on the shoreland, in perpetuity.  
521 (b) REQUIREMENTS FOR PLANNED UNIT DEVELOPMENT. The county board may at its discretion,  
522 upon its own motion or upon petition, approve a Planned Unit Development Overlay District upon  
523 finding, after a public hearing, that all of the following facts exist:  
524 (1) Area. The area proposed for the Planned Unit Development shall be at least 2 acres in size  
525 or have a minimum of 200 feet of frontage on a navigable water.

526 **(2) INDIVIDUAL LOTS.**

- 527 (a) Riparian lots need to meet the requirements of sections 26.502 and 26.503.  
528 (b) Non-riparian lots may be less than the required minimums found in sections 26.502 and  
529 26.503. The L&WR committee shall consider whether the proposed lot sizes and widths  
530 provide adequate building area after considerations of all setbacks and required impervious  
531 surface percentages are met as well as reviewing potential impacts to prevent pollution,  
532 erosion and impacts to natural scenic beauty.

- 533 (3) SHORELAND SETBACK. In exchange for the allowance of reduced non-riparian lots, the  
534 shoreland setback shall be greater than 75 feet from the ordinary high water mark. Recommended  
535 setbacks of 100 – 150 feet from the ordinary highwater mark shall help offset the impacts of the

reduced lots on habitat, water quality and natural scenic beauty. An increased shoreland setback shall be a condition of approval.

**(4) VEGETATIVE BUFFERS.** The vegetative buffer on a lot within a proposed planned unit development shall be greater than 35 feet landward of the ordinary high water mark. Recommended buffers of 50 - 70 feet shall help offset the impacts of the reduced lots on habitat, water quality and natural scenic beauty. An increased vegetative buffer shall be a condition of approval.

(5) IMPERVIOUS SURFACE REQUIREMENTS. All impervious surface requirements shall be met. There is no relaxation for required impervious surface ratio maximums.

## 26.403 APPLICATION AND PERMIT REQUIREMENTS.

- (1) An application for a conditional use permit shall be required.
  - (2) Information on the total area of the lot, to-scale map showing location and size of all proposed lots, any preserved open space, number and type of dwelling units, other buildings and other requested information to describe the project.
  - (3) Proposed greater shoreland setback and greater vegetative buffer that offsets the development impacts for committee consideration.
  - (4) Location of shoreland-wetlands.
  - (5) A recorded plat or certified survey map is required prior to any construction activities.
  - (6) No construction activities shall commence without the issuance of a regular zoning permit for each structure.
  - (2) Lots. Any proposed lot in the Planned Unit Development that does not meet the minimum size standards of s. 26.502 and s. 26.503 shall be a non-riparian lot.
  - (3) Lot sizes, widths, setbacks, and vegetation removal. When considering approval of a Planned Unit Development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in 26.702 shall apply except that maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

26.403-404 SANITARY REGULATIONS

The county has adopted sanitary regulations pursuant to Chapter 12 Oconto County Sanitary Ordinance, for the protection of health and the preservation and enhancement of water quality.

- (a) Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
  - (b) Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment system shall, prior to July 1, 1980, be required to comply with ch. SPS 383, Wis. Adm. Code, and after June 30, 1980 be governed by a private sewage system ordinance adopted by the county under s. 59.70(5), Wis. Stats.

## 26.500 MINIMUM LOT SIZE FOR CONFORMING LOTS

## **26.501 PURPOSE**

Minimum lot sizes for new lots in the shoreland zone shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.

606    **26.502 SEWERED LOTS: MINIMUM AREA AND WIDTH FOR EACH LOT**

- 607    (a)    The minimum lot area for creating a sewered lot shall be 10,000 sq. ft. and the minimum average lot  
609    width shall be 65 feet with at least 65 feet of frontage width at the ordinary high water mark.  
610  
611    (b)    The width shall be calculated by averaging the measurements at the following locations:  
612            (1)    The ordinary high water mark  
613            (2)    The building setback line  
614            (3)    The Right-of-Way Line

615    **26.503 UNSEWERED LOTS: MINIMUM AREA AND WIDTH FOR EACH LOT.**

- 616    (a)    The minimum lot area for creating an unsewered lot shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet with at least 100 feet of frontage at the ordinary high-water mark.  
617  
618    (b)    The width shall be calculated by averaging the measurements at the following locations:  
619            (1)    The ordinary high water mark  
620            (2)    The building setback line  
621            (3)    The Right-of-Way Line

622    **26.504 SUBSTANDARD LOTS**

- 623    A legally created lot or parcel that met minimum area and minimum average width requirements when created,  
624    but does not meet current lot size requirements, may be used as a building site if all of the following apply:  
625  
626    (a)    The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat,  
627    survey, or consolidation by the owner into one property tax parcel.  
628  
629    A lot or parcel may be exempt from this requirement where Planning & Zoning staff determines the  
630    reconfiguration of the parcels involved brings each of the parcels closer to the minimum standards of  
631    s. 26.502 or s. 26.503 or brings the parcel(s) closer to the minimum standards of s. 26.502 or s. 26.503  
632    and does not reduce the other parcel(s) below the minimum standards of s. 26.502 or s. 26.503.  
633  
634    (b)    The substandard lot or parcel has never been developed with one or more of its structures placed  
635    partly upon an adjacent lot or parcel of the same owner.  
636  
637    (c)    The substandard lot or parcel is developed to comply with all other ordinance requirements of this  
638    chapter, such as but not limited to setbacks, height, impervious surface, and use.

639    **26.505 OTHER SUBSTANDARD LOTS**

640    Except for lots which meet the requirements of s. 26.504 a shoreland permit for the improvement of a lot having  
641    lesser dimensions than those stated in s. 26.502 and s. 26.503 shall be issued only if a variance is granted by  
642    the board of adjustment.

643    **26.506 ILLEGALLY CREATED LOTS**

644    An illegally created lot is one that was created in violation of the required minimum area and minimum average  
645    width requirements of the County's shoreland zoning ordinance at the time of creation. Illegally created lots  
646    shall not be used for construction purposes without the granting of a variance.

660 **26. 600 BUILDING SETBACKS**

661  
662 ~~Building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural~~  
663 ~~beauty, reduce flood hazards and avoid water pollution.~~

664  
665 **26.601 SHORELAND SETBACKS PURPOSE** Setbacks within the shoreland area have been established to  
666 ~~conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards, protect~~  
667 ~~against water pollution, and otherwise limit the direct and cumulative impacts of shoreland development of the~~  
668 ~~adjacent water body.~~

669  
670 **26.602 SHORELAND SETBACK** Unless reduced under s. 26.603 or exempt under s. 26.605(a), a horizontal  
671 ~~A~~ setback of 75 feet ~~measured from the nearest distance~~ from the ordinary high-water mark of any navigable  
672 waters to the nearest part of a building (vertical wall or eaves/overhang) or structure shall be required for all  
673 buildings and structures.

674  
675 **26.602-603 SIDE, REAR AND ROAD SETBACKS**

676  
677 In addition to the shoreland setback standard, all structures shall comply with the general zoning setback  
678 standards of Chapter 14 Oconto County Zoning Ordinance. ~~(see attached Appendix B)~~

679  
680 **26.603-604 REDUCED SHORELAND SETBACK FOR A NEW PRINCIPLE STRUCTURE SETBACK**

681  
682 A setback less than the 75' required shoreland setback from the ordinary high water mark shall be permitted  
683 for a proposed principal structure and shall be determined as follows:

684  
685 (a) **TWO SIDED AVERAGING**. Where there are existing principal structures in both directions, the setback  
686 shall equal the average of the distances the two existing principal structures are set back from the  
687 ordinary high water mark provided all of the following are met:

- 688 (1) Both of the existing principal structures are located on ~~adjacent lots~~ immediately adjacent to  
689 the ~~lot of the~~ new principal structure.  
690 (2) Both of the existing principal structures are located within 250' of the proposed new principal  
691 structure and are the closest structure.  
692 (3) Both of the existing principal structures are located less than 75' from the ordinary high water  
693 mark.  
694 (4) The average setback shall not be reduced to less than 35' from the ordinary high water mark  
695 of any navigable water.  
696 (5) Measurements are to be taken from the nearest distance from the ordinary high water mark  
697 to the nearest portion of the principal structure (vertical wall or eave/overhang).

698 (b) **ONE SIDE AVERAGING**. Where this is an existing principal structure in only one direction, the setback  
699 shall equal the average of the distance the existing principal structure is set back from the ordinary  
700 high water mark and the required setback of 75' from the ordinary high water mark provided all of the  
701 following are met:

- 702 (1) The existing principal structure is located on ~~adjacent a lot~~ immediately adjacent to the ~~lot of~~  
703 the new principal structure.  
704 (2) The existing principal structure is located within 250' of the proposed new principal structure  
705 and is the closest structure.  
706 (3) The existing principal structure is located less than 75' from the ordinary high water mark.  
707 (4) The average setback shall not be reduced to less than 35' from the ordinary high water mark  
708 of any navigable water.  
709 (5) Measurements are to be taken from the nearest distance from the ordinary high water mark  
710 to the nearest portion of the principal structure (vertical wall or eave/overhang).

711  
712 **26.604-605 FLOODPLAIN STRUCTURES**

713 Buildings and structures to be constructed or placed in a floodplain shall be required to comply with ch. 21,

**Commented [DR9]:** Please write in those standards (side, rear, and road setbacks) in detail rather than just referencing them, because they are under a different Statutory reference than shoreland zoning.

715 Oconto County Floodplain Ordinance.

716

717 **26.6056 EXEMPT STRUCTURES IN THE SHORELAND SETBACK AREA**

718 (a) Exempt Structures –New Construction: All of the following structures are exempt from the shoreland  
719 setback standard in s. 26.~~601-602~~ and as referenced in (NR 115.05(1)(b)1m) and s. 59.692(1k)(a)(6).

- 720 (1) **DRY BOATHOUSES.** New Dry Boathouses may be constructed subject to the following  
721 standards:
- 722 (A) Located entirely above the ordinary high water mark including floor or top of footing.
- 723 (B) If located within the shoreland buffer area, the boathouse must be within the access  
724 corridor of the parcel.
- 725 (C) Shall not contain plumbing or plumbing fixtures and cannot be used for human  
726 habitation.
- 727 (D) Designed and constructed solely for the storage of boats and related equipment.
- 728 (E) One boathouse is permitted on a lot as an accessory structure.
- 729 (F) Shall be constructed in conformity with local floodplain zoning standards.
- 730 (G) Shall not exceed a dimension of 288 square feet nor may the wall height exceed 10  
731 feet.
- 732 (H) Roofs shall be constructed with a pitched roof that equals or exceeds a 4/12 rise to run  
733 but not steeper than 6/12 rise to run.

734 (I) ~~Roofs shall not be designed or used as decks, observation platforms or for other similar  
735 uses.~~

736 (J) Earth toned colors to blend in with the natural landscapes shall be required for all  
737 exterior surfaces of a boathouse. Bright or contrasting colors including white are  
738 prohibited.

739 (K) The main door shall face the water.

740 (L) Patio doors, fireplaces and other features inconsistent with the use of the structure  
741 exclusively as a boathouse are not permitted.

- 742 (2) (M) Mitigation applies only in respect to impervious surface standards.

743 **NO SIDE OR OPEN-SIDED AND SCREENED STRUCTURES.** ~~No side or open-~~ sided and  
744 screened structures such as gazebos, decks, patios and screen houses in the shoreland  
745 setback area that satisfy the requirements in s. 59.692 (1v), Wis. Stats may be constructed  
746 without an approved permit ~~subject meeting all~~ the following standards:

- 747 (A) The part of the structure that is nearest to the water is located at least 35 feet landward  
748 from the ordinary-high water mark.
- 749 (B) The total combined footprint of all the structures in the shoreland setback area will not  
750 exceed 200 square feet. Walkways and stairways and boathouses shall be excluded  
751 in calculating the combined footprint.
- 752 (C) The structure that is the subject of the request for special zoning permission has no  
753 sides or has open or screened sides.
- 754 (D) The county must approve a plan that will be implemented by the owner of the property  
755 to preserve or establish a vegetative buffer zone that covers at least 70% of the half  
756 of the shoreland setback area (37.5 feet) that is nearest to the water.
- 757 (E) The exempt structure, if free standing, may not have a screen wall height exceeding

758 **Commented [DR10]:** Remove this statement, since  
759 requiring a pitched roof already excludes roof used as  
760 a deck, and existing boathouses with flat roofs is  
761 covered by your ordinance in text below.

770 ten feet.  
771  
772 (F) An enforceable affidavit must be filed with the register of deeds prior to construction  
773 acknowledging the limitations on vegetation.  
774  
775 (G) **Mitigation applies only in respect to impervious surface standards.**  
776  
777 (3) **BROADCAST SIGNAL RECEIVERS.** Broadcast signal receivers, including satellite dishes or  
778 antennas that are one meter or less in diameter and satellite earth station antennas that are 2  
779 meters or less in diameter.  
780  
781 (4) **UTILITY STRUCTURES.** Utility transmission and distribution lines, poles, towers, water  
782 towers, pumping stations, well pumphouse covers, private on-site wastewater treatment  
783 systems that comply with ch. SPS 383, Wis. Admin. Code and other utility structures that have  
784 no feasible alternative location outside of the minimum setback and that employ best  
785 management practices to infiltrate or otherwise control storm water runoff from the structure.  
786  
787 (5) **DEVICES OR SYSTEMS USED TO TREAT RUNOFF FROM IMPERVIOUS SURFACES.**  
788 Devices or systems used to treat runoff from impervious surfaces provided the requirements  
789 of s.59.692(1k)(a)(6), Stats, and 59.692(1k)(am)1, Stats, are met.  
790  
791 (6) **WALKWAY, STAIRWAY OR RAIL SYSTEM.** Walkways, stairways or rail systems that are  
792 essential to provide pedestrian access to the shoreline and are a maximum of 60 inches in  
793 width.  
794  
795 (A) A stairway, walkway or lift is allowed in the shoreland setback area only when it is  
796 necessary to provide safe pedestrian access to the shoreline because of steep slopes  
797 or unstable soils on the parcel. The construction is subject to the following standards:  
798 (i) Shall be located within the allowable view and access corridor to the extent  
799 practicable.  
800 (ii) Only one stairway or one lift is allowed, not both, except where there is an  
801 existing stairway and the lift will be mounted to or is immediately adjacent to  
802 the existing stairway.  
803 (ii) Such structures shall be placed on the most visually inconspicuous route to  
804 the shoreline and shall avoid environmentally sensitive areas.  
805 (iii) Vegetation, which stabilizes slopes or screens structural development from  
806 view, shall not be removed.  
807 (iv) Structures shall be colored and screened by vegetation so as to be  
808 inconspicuous when viewed against the shoreline.  
809 (v) Canopies, roofs and sides are prohibited. Open railings may be provided  
810 where required for safety.  
811 (vi) A maximum width of five (5) feet (outside dimensions) is allowed for  
812 stairways, walkways and lifts.  
813 (vii) Landings are allowed when required for safety purposes and shall not  
814 exceed a cumulative total of forty (40) square feet. Attached benches, seats,  
815 tables, etc. are prohibited.  
816 (viii) Stairways, walkways and lifts shall be supported on piles or footings. Any  
817 filling, grading or excavation that is proposed shall meet the requirements of  
818 section 26.800.  
819 (ix) Lifts shall include a certified plan by a registered professional engineer or  
820 architect showing the lift components are securely anchored to prevent them  
821 from shifting and from causing accelerated erosion.  
822 (x) Mitigation applies only in respect to impervious surface standards.  
823 (B) Accommodations for disabled persons. Where strict interpretation of this section  
824 would effectively deny disabled persons equal opportunity, and where the property

825 does not meet the criteria for a variance under 26.1404 of this chapter, the Planning  
826 & Zoning Department may grant a waiver to the dimensional standards of this chapter  
827 in order to provide reasonable accommodations as required by the Federal  
828 Americans with Disabilities Act, the Federal Housing Act and the Wisconsin Fair  
829 Housing Act. The permit shall be subject to the following standards:

- 830 (i) Only the minimum relaxation of dimensional standards needed to provide  
831 reasonable accommodation shall be approved.  
832 (ii) No use, structure or other relaxation of standards shall be approved that  
833 would violate or undermine the stated purpose of this chapter.  
834 (iii) The improvement authorized by this provision shall be removed when the  
835 premises are no longer occupied or frequented by a disabled person.

836 **(7) FENCE. A fence along a roadway that meets all of the following requirements:**

- 837 a) Is not taller than 15 feet.  
838 b) Is located not less than 2 feet landward of the ordinary high water mark.  
839 c) Is located entirely outside of a highway right-of-way.  
840 d) Is located not less than 10 feet from the edge of a roadway and not more than 40 feet  
841 from the edge of a roadway or highway right-of-way, whichever is greater.  
842 e) Is generally perpendicular to the shoreline.

843 **(8) BRIDGES. A bridge for which the department has issued a permit under s. 30.123, Stats.**

844 (b) Exempt Structures – Existing: Existing exempt structures may be maintained, repaired, replaced,  
845 restored, rebuilt and/or remodeled in compliance with the following standards:

- 846 (1) Provided the activity does not expand the footprint and does not go beyond the three-  
847 dimensional building envelope of the existing structure.  
848 (2) Expansion may be permitted if it is the minimal expansion necessary to comply with applicable  
849 state or federal requirements.  
850 (3) An existing boathouse must be located entirely within the access and viewing corridor. An  
851 existing boathouse must not contain plumbing or plumbing fixtures and cannot be used for  
852 human habitation.  
853 (4) An existing boathouse may use the roof as a deck provided that:  
854 (A) The existing boathouse has a flat roof.  
855 (B) The roof of the existing boathouse has no side walls or screens.  
856 (C) The roof may have a railing system that meets Department of Safety and Professional  
857 Services standards.

858 **26.700 PRESERVATION AND REMOVAL OF SHORELAND VEGETATIVE COVER**

859 **26.701 PURPOSE.**

860 To protect natural scenic beauty, fish and wildlife habitat, and water quality, Oconto County shall regulate  
861 removal of vegetation in shoreland areas, consistent with standards that consider sound forestry and soil  
862 conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow  
863 of effluents, sediments and nutrients.

864 **26.702 ACTIVITIES ALLOWED WITHIN A SHORELAND VEGETATIVE BUFFER ZONE.**

865 To protect water quality, fish and wildlife habitat and natural scenic beauty, and to promote preservation and  
866 restoration of native vegetation, this chapter shall designate all land that extends from the ordinary high water  
867 mark to a minimum of 35 feet inland as a shoreland vegetative buffer zone and prohibit removal of vegetation  
868 in the vegetative buffer zone. A compliant shoreland vegetative buffer zone shall contain three distinct layers  
869 including a native tree canopy, shrub layer, and groundcover layer that promotes shoreland habitat.

880 The following activities are allowed within the shoreland vegetative buffer zone, subject to the following  
881 standards:

882 (a) The routine maintenance of vegetation consistent with the following standards:

883 (1) Landscaping and lawns that extend into the required shoreland vegetative buffer zone that were  
884 in place prior to the adoption of this chapter may be maintained but shall not be extended further  
885 into the required shoreland vegetative buffer zone.

886 (2) Pruning, trimming or other generally accepted horticultural practices which do not result in the  
887 loss of plant densities within the required shoreland vegetative buffer zone.

888 (3) Creation of an access and viewing corridor. The removal of trees and shrubs in the shoreland  
889 vegetative buffer zone to create access and viewing corridors per s. 59.692(1f)(b), Stats.:

890 (a) The access and viewing corridor remains a strip of vegetated land for the purpose of  
891 providing safe pedestrian access to the shore through the vegetative buffer zone.

892 (b) The access and viewing corridor may be 35% of the shoreline frontage but in no case  
893 shall the designated corridor be less than 10 feet or greater than 200 feet.

894 (c) The viewing corridor may run contiguously for the entire maximum width allowed  
895 based on the shoreline frontage owned

896 (3) The viewing and access corridor may be at least 35 feet wide for every 100 feet of shoreline  
897 frontage.

898 (4) The viewing and access corridor may run contiguously for the entire maximum width of the  
899 shoreline frontage owned for the parcel.

900 (d) The cleared area of the viewing & access corridor must be maintained with some form  
901 of native vegetation that prevents bank or overland erosion and sedimentation of the  
902 waterway. Sand, gravel, rock or other similar activities shall be prohibited as an alternative to  
903 native vegetation unless otherwise allowed by this chapter.

904 (b) The removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of  
905 forested land consistent with "generally accepted forestry management practices" as defined in s. NR  
906 1.25 (2) (b), and described in Department publication "Wisconsin Forest Management Guidelines"  
907 (publication FR-226), provided that vegetation removal be consistent with these practices.

908 (c) The removal of vegetation within the vegetative buffer zone to manage exotic or invasive species,  
909 damaged vegetation that must be removed to control disease, or vegetation creating an imminent  
910 safety hazard, provided that any vegetation removed be replaced with native vegetation or approved  
911 cultivars of native stock that is equally effective in fulfilling the purposes of the vegetative buffer zone,  
912 as soon as practicable.

913 (d) The removal of dead, diseased, dying or damaged trees or branches that present an imminent safety  
914 hazard to structures or persons, provided they are replaced with native vegetation or approved  
915 cultivars of native stock that is equally effective in fulfilling the purposes of the vegetative buffer zone,  
916 as soon as practicable.

917 (e) Cutting more than 35 feet inland. From the inland edge of the 35 foot area to the outer limits of the  
918 shoreland zone, the cutting of vegetation shall be allowed when accomplished using accepted forest  
919 management and soil conservation practices which protect water quality as outlined in the Department  
920 of Natural Resources Publication "Wisconsin's Forestry Best Management Practices for Water  
921 Quality".

933  
934 **26.703 ACTIVITIES REQUIRING A PERMIT WITHIN A SHORELAND VEGETATIVE BUFFER ZONE.**

- 935  
936 (a) Vegetation Management Activities: Activities such as prescribed burns or other vegetation  
937 management or removal activities where there is a demonstrable need for the additional management  
938 activity. Prior to issuing a permit under this Section the following information is to be provided by the  
939 permittee:  
940 (1) Detailed plans documenting the need and purpose are submitted and approved by the  
941 County.  
942 (2) Sufficient information within the plans showing that it is designed to:  
943 (A) control erosion by limiting sedimentation into the waterbody;  
944 (B) improve the plant community by replanting in the same area; and  
945 (C) maintain and monitor the newly restored area.  
946  
947 (3) The permit shall require an enforceable restriction to preserve the newly restored area.

948  
949 (b) Shoreland Mitigation Activities: Where a shoreland vegetative buffer zone is required and/or cutting  
950 limitations are a component of proposed mitigation as required by 26.1300 the following information is to  
951 be provided by the permittee:;

- 952  
953 (1) ~~the~~ The buffer shall be designed in accordance with NRCS Interim Standard No.643A and NRCS  
954 Wisconsin Biology Technical Note1: Shoreland Habitat. In cases where these standards provide  
955 options, the Planning & Zoning Department shall make the determination which option is most  
956 appropriate in the design and execution of the project.  
957

958 (2) The permit shall require an enforceable restriction to preserve the newly restored area.

959 A. ~~The following instances require an affidavit recorded in the register of deeds to serve as an~~  
960 ~~official notice of the shoreland vegetative buffer zone requirements:~~

- 961 (1) ~~Where vegetative buffer zone requirements or cutting limitations are a component of proposed~~  
962 ~~mitigation as required by 26.1300.~~

963 (c) ~~(2) Illegal Shoreland Buffer Vegetation Removal Activities: When Where~~ cutting and clearing activities  
964 take place within the vegetative buffer zone in violation of 26.702 and shoreland vegetative buffer zone  
965 restoration is a component of resolving the violation, ~~the permit shall include the information required~~  
966 ~~in 26.703 (b)~~

967 Note: Section 59.692(1f)(a). Stats. prohibits counties from requiring a property owner to establish a  
968 vegetative buffer zone on previously developed land or expand an existing vegetative buffer zone.  
969 However, as part of a county's shoreland mitigation standards or enforcement where vegetation removal  
970 is prohibited, the establishment or expansion of the vegetative buffer may remain an option.

971  
972 **26.800 SOIL DISTURBANCE ACTIVITIES FILLING, GRADING, LAGOONING, DREDGING, DITCHING  
973 AND EXCAVATING**

974  
975 26.801 PURPOSE. To protect natural scenic beauty, fish and wildlife habitat, and water quality, land  
976 disturbances may be allowed and authorized only if done in a manner designed to minimize erosion,  
977 sedimentation and impairment of fish and wildlife habitat and natural scenic beauty.

978  
979 26.802 APPLICABILITY. Filling, grading, lagooning, dredging, ditching, and excavating may be authorized by  
980 permit according to sections 26.803 to 26.805, and only if done in a manner that meets the purpose of section  
981 26.801.

- 982  
983 (a) In addition to meeting the provisions of section 26.802, filling, grading, lagooning, dredging, ditching,  
984 and excavating may also be allowed and authorized only in accordance with the requirements of ch.  
985 30, Stats, and other state and federal laws where applicable, and only if done in a manner that meets  
986 the purpose of section 26.801.

988 Soil disturbance activities such as filling, grading, lagooning, dredging, ditching and excavating may be  
989 permitted only in accordance with the provisions of s. NR 115.04, the requirements of ch. 30, Stats. and other  
990 state and federal laws, where applicable, and only if done in a manner designed to minimize erosion,  
991 sedimentation and impairment of fish and wildlife habitat and natural scenic beauty.

### **26.803 GENERAL STANDARDS REQUIREMENTS.**

In order to implement section 26.802 a permit for soil disturbing activities such as filling, grading, lagooning, dredging, ditching, excavating or other land disturbance activity may be permitted granted provided that the following standards are met:

- (a) A permit is required to be issued for filling, grading, lagooning, dredging, ditching, or excavating within 300 ft of the ordinary high water mark of navigable waters.
- (b) It is done within the vegetative buffer zone unless necessary for establishing or expanding the vegetative buffer or for the construction of an exempt structure under section 26.606.
- (a)(c) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
- (b)(d) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district meets the requirements of s. 26.303(a) and 26.303(c) of this ordinance.
- (e)(e) All applicable federal, state and local authority is obtained in addition to a permit under this chapter.
- (d)(f) Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead through a Chapter 30, Wis. Stats., permit, where applicable.

### **PERMIT REQUIRED.**

- (a) Except as provided in 26.804, A permit is required for any filling or grading of any area which is within 300 feet landward of the ordinary highwater mark of navigable water and which has surface drainage sloped toward the water and meets one of the following:
  - (1) Any filling or grading on slopes of more than 20%.
  - (2) Filling or grading of more than 1,000 sq. ft. on slopes of 12% 20%.
  - (3) Filling or grading of more than 2,000 sq. ft. on slopes less than 12%.
- (b) A permit is required for any land disturbance activity 10,000 sq ft or greater within 1000 ft landward of the ordinary high water mark of a navigable water body, which slopes toward and drains to the water body.
- (c) A conditional use permit is required for any construction or dredging commenced on an artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.
- (d) Land disturbance activity of any area, any size at or below the ordinary high water mark of a navigable body of water requires approval by the WDNR.

### **26.803-804 PERMIT CONDITIONS.**

In granting a permit under s. 26.802, 803(a) all elements of the general standards under s. 26.801 as well as the following conditions shall apply: attach any of the following conditions, as appropriate:

- (a) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (a) Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
- (b) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
- (c) Lagoons shall be constructed to avoid fish trap conditions.
- (d) Fill shall be stabilized according to accepted engineering standards.
- (e) Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
- (f) Channels or artificial watercourses shall be constructed with Construction associated with land disturbances are encouraged to incorporate side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided and stabilized.

**Commented [DR11]:** Note how we revised this text in the latest version of the Model. Our view is that a land disturbance of any size can have impacts, so we encourage you to remove sizes and slope provisions, see Model.

**Commented [DR12]:** This is for the connection to a navigable waterway and it is remnant text from an older version of the Model ordinance, which has been superseded by the 2015 Act 55 change to s. 281.31(2m), so please remove it from the ordinance since it a connection is regulated by the state, or remove the "ultimate connection" text. I used strike out to remove that text.

1043 (f)(g) Other project-related conditions may be considered.

1044

1045 **26.805 SOIL CONSERVATION, FORESTRY PRACTICES AND AGRICULTURAL DRAINAGE**

1046 **MAINTENANCE**

1047 Soil conservation, forestry or agricultural practices such as but not limited to diversions and grassed waterways  
1048 used for erosion control, harvesting of trees, landings, field drainage and plowing shall not require a permit  
1049 under 26.802-803 of this chapter under the following conditions:

- 1050 (a) Conservation practices are designed and constructed to Natural Resources Conservation Service  
1051 technical standards.
- 1052 (b) Agricultural practices are completed with prescribed practices and adhere to standards inherent in WI  
1053 Admin. Code as promulgated under Ch. 281 and 92, Wis. Stats.
- 1054 (c) Forestry activities as long as best management practices as prescribed by "Wisconsin Forestry Best  
1055 Management Practices for Water Quality Field Manual" are adhered to by the landowner and logger  
1056 or the practice is prescribed and supervised by a practicing forester.

1057 **26.900 IMPERVIOUS SURFACE STANDARDS.**

1058 **26.901 PURPOSE.**

1059 Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect  
1060 against pollution of navigable waters. County impervious surface standards shall apply to the construction,  
1061 reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and  
1062 any nonriparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any  
1063 navigable waterway.

1064 **26.902 APPLICABILITY**

1065 Impervious surface standards shall apply to the construction, reconstruction, expansion, replacement, or  
1066 relocation of any impervious surface that is or will be located within 300 feet of the ordinary high water mark of  
1067 any navigable waterway on any of the following:

1068 (a) A riparian lot or parcel.

1069 (b) A non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high water mark of  
1070 any navigable waterway.

1071 **26.903 CALCULATION OF PERCENTAGE OF IMPERVIOUS SURFACE.**

1072 Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed  
1073 impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by  
1074 the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in s. 26.905  
1075 906 and 26.909 shall be excluded from the calculation of impervious surface on the lot or parcel.

- 1076 (a) If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are  
1077 in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the  
1078 purposes of calculating the percentage of impervious surface.
- 1079 (b) For properties under alternative forms of ownership such as condominiums, cooperatives and  
1080 associations, the limits of expansion on structures and caps on impervious surfaces shall be  
1081 attributable to the total number of units within the development. Impervious surface calculations apply  
1082 to the entire property. For example: If owners within a 3 unit condominium development have 1500  
1083 square feet of expansion opportunity available to the units under the impervious surface limitations and  
1084 they want to expand their structures, then the expansion opportunity for principal or accessory  
1085 structures shall be split equally amongst the 3 units so that no more than 500 square feet of expansion  
1086 to impervious surfaces is afforded to each unit. It will be important to remember also that mitigation  
1087 applies to the property as a whole and not just to the portion of the frontage that might be in front of  
1088 the unit impacted.
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**26.903-904 GENERAL IMPERVIOUS SURFACE STANDARD.**

Except as authorized in s. 26.904-905 and s. 26.905-906 up to 15% impervious surfaces are allowed on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.

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(a) IMPERVIOUS SURFACE STANDARD FOR HIGHLY DEVELOPED SHORELINES. (NR 115.05(1)(e)2m.) The county at its discretion may adopt an ordinance for highly developed shorelines allowing up to 40% for residential land use and up to 60% for commercial, industrial or business land uses for lands that meets one of the following standards:

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- (1) The highly developed shoreline is identified as an Urbanized Area or Urban Cluster in the 2010 US Census or has a commercial, industrial, or business land use as of January 31, 2013.
- (2) After conducting a hearing and receiving approval by the department of natural resources, the county has mapped additional areas of highly developed shorelines that are at least 500 feet in length and meet the one of the following criteria:
  - (A) Located on a lake served by a sewerage system as defined in NR 110.03(30), Wis. Adm. Code.
  - (B) The majority of the lots contain less than 20,000 square feet in area.
- (3) Refer to [Appendix A](#) for all areas designated as highly developed shoreline in Oconto County pursuant to s. 26.903-904 (a) (2).

**Commented [DR13]:** Any changes to your HDS areas? If so pleased send revised or new maps.

1120

**26.904-905 MAXIMUM IMPERVIOUS SURFACE.**

A property may exceed the impervious surface standard under s. 26.903-904 or s. 26.903-904(a) provided the following standards are met:

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- (a) For properties where the general impervious surface standard applies under s. 26.903-904, a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
- (b) For properties on shorelands where the impervious surface standard for highly developed shorelines applies under 26.903-904 1., a property owner may have more than 30% impervious surface but not more than 40% impervious surface for residential land uses. For commercial, industrial or business land uses a property owner may have more than 40% impervious surface but not more than 60% impervious surface.
- (c) For properties that exceed the standard under s. 26.903-904 or s. 26.903-904 (a) but do not exceed the maximum standard under s. 26.904-905 a permit can be issued for development with a mitigation plan that meets the standards found in s. 26.1300.

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**26.905-906 TREATED IMPERVIOUS SURFACES**

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- Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under s. 26.902-903.
- (a) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
  - (b) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
  - (c) To qualify for the statutory exemption, property owners shall submit a complete permit application that is reviewed and approved by the county. The application shall include the following:
    - (1) A calculation showing how much runoff is coming from the impervious surface area.
    - (2) Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device or internally drained area.

- 1153 (3) An implementation schedule and enforceable obligation on the property owner to establish  
1154 and maintain the treatment system, treatment devices or internally drained area. The  
1155 enforceable obligations shall be evidenced by an instrument recorded in the office of the  
1156 Register of Deeds prior to the issuance of the permit.

1157 **26.906-907 EXISTING IMPERVIOUS SURFACES.**

1158 For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the  
1159 impervious surface standard in s. 26.903-904 or the maximum impervious surface standard in s. 26.904-905,  
1160 the property owner may do any of the following:

- 1161 (a) Maintain and repair the existing impervious surfaces;  
1162 (b) Replace existing impervious surfaces with similar surfaces within the existing building envelope;  
1163 (c) Relocate or modify an existing impervious surface with similar or different impervious surface, provided  
1164 that the relocation or modification does not result in an increase in the percentage of impervious  
1165 surface that existed on the effective date of the county shoreland ordinance, and the impervious  
1166 surface meets the applicable setback requirements in s. Wis. Admin. Code NR 115.05 (1) (b).

1167 **26.907-908 COMPLIANCE WITH OTHER PROVISIONS**

1168 The impervious surface standards in this ordinance shall not be construed to supersede other provisions in the  
1169 Shoreland Protection Ordinance. All of the provisions of the Shoreland Protection Ordinance still apply to new  
1170 or existing development.

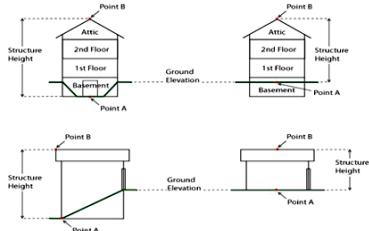
1171 **26.909 ROADWAYS & SIDEWALKS**

1172 Roadways defined in s. 340.01(54), Stats, and sidewalks defined in s. 340.01(58), Stats, shall be excluded  
1173 from the impervious surface calculation under section 26.903.

1174 **26.1000 HEIGHT**

1175 To protect and preserve wildlife habitat and natural scenic beauty, structures shall not be permitted taller than  
1176 35 feet in height, including structures located within 75 feet of the ordinary high-water mark of any navigable  
1177 waters.

- 1178 (a) Structure height is the measurement of the vertical line  
1179 segment starting at the lowest point of any exposed wall  
1180 and it's intersect with the ground (Point A in the following  
1181 diagram) to a line horizontal to the highest point of a  
1182 structure (Point B in the following diagram), unless specified  
1183 under other sections of this code or ch. 14, Oconto County  
1184 Zoning Ordinance.



1185 **26.1100 NONCONFORMING USES AND STRUCTURES**

1186 The provisions of this section are intended to regulate nonconforming uses and structures so as to protect  
1187 water quality, fish and wildlife habitat, and natural scenic beauty as provided in the purpose statement of sec  
1188 26.103 of this chapter and 281.31, WI Stats.

1189 **26.1101 DISCONTINUED NONCONFORMING USE—APPLICABILITY.** This section applies to a use of  
1190 a dwelling, building, or parcel of land that existed lawfully before the existing zoning ordinance was enacted or  
1191 amended, but that does not conform to the allowed uses in the current ordinance. (s. 59.69(10)(ab), Stats)

- 1192 a) GENERAL RULE. (s. 59.69(10), Stats)

1208 (1) The continuance of the lawful use of any building, premises, structure, or fixture for any trade or  
1209 industry for which such building, premises, structure, or fixture is used at the time that the ordinance  
1210 takes effect may not be prohibited. (s. 59.69(10)(am), Stats, NR 115.05(1)(g)1)

1211  
1212 (2) The alteration of, or addition to, or repair in excess of 50 percent of its assessed value of any existing  
1213 building, premises, structure, or fixture for the purpose of carrying on any prohibited trade or new industry  
1214 within the district where such buildings, premises, structures, or fixtures are located, may be prohibited.  
1215 (s. 59.69(10)(am), Stats)

1216  
1217 (3) The continuance of the nonconforming use of a temporary structure may be prohibited.  
1218 (115.05(1)(g)2)

1219  
1220 (4) If the nonconforming use is discontinued for a period of 12 months, any future use of the building,  
1221 premises, structure, or fixture shall conform to the ordinance. (115.05(1)(g)3)

1222  
1223 (5) A manufactured home community licensed under s.101.935, Stats, that is a nonconforming use  
1224 continues to be a nonconforming use notwithstanding the occurrence of any of the following activities  
1225 within the community: (s. 59.69(10)(at), Stats)

- 1226 (a) Repair or replacement of homes.  
1227 (b) Repair or replacement of infrastructure.

1228  
1229 NOTE: Under general zoning any change of use must meet underlying zoning provisions.

1230  
1231 If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure or  
1232 property shall conform to the ordinance.

1233  
1234 **26.1102 NONCONFORMING STRUCTURE APPLICABILITY.** This section applies to an existing principal or  
1235 accessory structure that was lawfully placed when constructed but that does not comply with the current  
1236 required ordinary high water mark setback of a navigable waterway.

1237  
1238 **26.1103 MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF NONCONFORMING  
1239 STRUCTURES.**

1240  
1241 An existing structure that was lawfully placed when constructed but that does not comply with the required  
1242 shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled, subject to the  
1243 following standards:

- 1244 (a) The activity does not expand the footprint of the nonconforming structure.  
1245 (b) An existing structure that was lawfully placed when constructed but that does not comply with the  
1246 required shoreland setback may be vertically expanded unless the vertical expansion would extend  
1247 more than 35 feet above grade level.  
1248 (c) The expansion of a structure beyond the existing footprint within the required setback is allowed only  
1249 if the expansion is necessary to comply with applicable state or federal requirements.

1250  
1251 **26.1103-1104 LATERAL EXPANSION OF NONCONFORMING PRINCIPAL STRUCTURE WITHIN THE  
1252 SETBACK.**

1253  
1254 An existing principal structure that was lawfully placed when constructed but that does not comply with the  
1255 required building setback per s. 26.601 may be expanded laterally, provided that all of the following  
1256 requirements are met:

- 1257 (a) The use of the structure has not been discontinued for a period of 12 months or more if a  
1258 nonconforming use.  
1259 (b) The existing principal structure is at least 35 feet from the ordinary high-water mark.  
1260 (c) Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion  
1261 of the expansion may be any closer to the ordinary high-water mark than the closest point of the  
1262 existing principal structure.

- 1263 (d) The county shall issue a permit that requires a mitigation plan that shall be approved by the county  
1264 and implemented by the property owner by the date specified in the permit. The mitigation plan shall  
1265 meet the standards found in s. 26.1300.  
1266 (e) All other provisions of the shoreland ordinance shall be met.

1267 **26.1104-1105 EXPANSION OF A NONCONFORMING PRINCIPAL STRUCTURE BEYOND SETBACK**

1269 An existing principal structure that was lawfully placed when constructed but that does not comply with the  
1270 required building setback under s. 26.601 may be expanded horizontally, landward or vertically provided that  
1271 the expanded area meets the building setback requirements per s. 26.601 and that all other provisions of the  
1272 shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but  
1273 may be required per s. 26.1300.

1275 **26.1105-1106 RELOCATION OF NONCONFORMING PRINCIPAL STRUCTURE**

1277 An existing principal structure that was lawfully placed when constructed but that does not comply with the  
1278 required building setback per s. 26.601 may be relocated on the property provided all of the following  
1279 requirements are met:

- 1281 (a) The use of the structure has not been discontinued for a period of 12 months or more if a  
1282 nonconforming use.  
1283 (b) The existing principal structure is at least 35 feet from the ordinary high-water mark.  
1284 (c) No portion of the relocated structure is located any closer to the ordinary high-water mark than the  
1285 closest point of the existing principal structure.  
1286 (d) The county determines that no other location is available on the property to build a principal structure  
1287 of a comparable size to the structure proposed for relocation that will result in compliance with the  
1288 shoreland setback requirement per s. 26.601.  
1289 (e) The county shall issue a permit that requires a mitigation plan that shall be approved by the county  
1290 and implemented by the property owner by the date specified in the permit. The mitigation plan shall  
1291 meet the standards found in s. 26.1300 and include enforceable obligations of the property owner to  
1292 establish or maintain measures that the county determines are adequate to offset the impacts of the  
1293 permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural  
1294 scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the  
1295 replaced or relocated structure being permitted. The obligations of the property owner under the  
1296 mitigation plan shall be evidenced by an instrument recorded in the office of the County Register of  
1297 Deeds.  
1298 (f) All other provisions of the shoreland ordinance shall be met.

1299 **26.1200 MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF STRUCTURES THAT  
1300 WERE AUTHORIZED BY VARIANCE.**

1302 A structure, of which any part has been authorized to be located within the shoreland setback area by a variance  
1303 granted before July 15, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled subject to  
1304 the following standards:

- 1306 (a) The activity does not expand the footprint of the authorized structure.  
1307 (b) The structure may be vertically expanded unless the vertical expansion would extend more than 35  
1308 feet above grade level.  
1309 (c) The expansion of a structure beyond the existing footprint within the required setback is allowed only  
1310 if the expansion is necessary to comply with applicable state or federal requirements.

1311 **26.1201 MAINTENANCE, REPAIR, OR REPLACEMENT OF A BUILDING OR STRUCTURE IN VIOLATION  
1312 OF A COUNTY SHORELAND ZONING ORDINANCE THAT MAY NOT BE ENFORCED. (s. 59.692(1t),  
1313 Stats, s. 59.692(1k)(a)2.c, Stats)**

- 1316 a) An enforcement action may not commence against a person who owns a building or structure that is  
1317 in violation of a shoreland zoning standard or this shoreland zoning ordinance if it has been in place

1318       for more than ten years.

- 1319
- 1320       b) A building or structure that is in violation of a shoreland zoning standard or this shoreland zoning  
1321       ordinance but has been in place for more than ten years may be maintained, repaired, replaced,  
1322       restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure.  
1323       However, the structure may not be vertically or laterally expanded.

1324

1325       **26.1300 MITIGATION**

1326

1327       The purpose of mitigation is to establish and maintain measures adequate to offset the impacts of development  
1328       on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty.

1329

1330       **26.1301 APPLICABILITY.** When the county issues a permit requiring mitigation under s. 26.605 1 a., s. 26.904,

1331       s. 26.1103, s. 26.1105 the property owner must submit a complete permit application that is reviewed and

1332       approved by the county. The application shall include the following:

- 1333
- 1334       (a) A site plan that describes the proposed mitigation measures.
- 1335           (1) The site plan shall be designed and implemented to restore natural functions lost through  
1336           development and human activities
- 1337           (2) The mitigation measures shall be proportional in scope to the impacts on water quality, near-  
1338           shore aquatic habitat, upland wildlife habitat and natural scenic beauty.
- 1339
- 1340       (b) An implementation schedule and enforceable obligation on the property owner to establish and  
1341           maintain the mitigation measures.
- 1342           (1) The enforceable obligations shall be evidenced by an instrument recorded in the office of the  
1343           Register of Deeds.
- 1344           (2) All shoreland mitigation activities must begin within one year of the recording date of the  
1345           mitigation affidavit or in accordance with the timeline that is written into the mitigation plan and  
1346           must be completed in accordance with said timeline or within 2 years of the recording date if  
1347           a timeline has not been established.

1348

1349       **26.1301-1302 MITIGATION POINT REQUIREMENTS**

- 1350
- 1351       (a) Mitigation points are required for developing property under the following conditions:
- 1352           (1) Impervious Surface coverage is greater than 15% but less than 20% - 2 points
- 1353           (2) Impervious Surface coverage is from 20% to 30% - 3 points
- 1354           (3) Lateral expansion of nonconforming principal structure within the shoreland setback under s.  
1355           25.1103 – 3 points
- 1356           (4) Relocation of Nonconforming principal structure within the shoreland setback under s.  
1357           25.1105 – 1 point

1358

1359       **26.1302-1303 MITIGATION OPTIONS**

- 1360
- 1361       (a) Mitigation point options include:
- 1362           (1) Active restoration (accelerated recovery) of a vegetative shoreland buffer. (3 pts)
- 1363           (2) Increasing depth of a compliant existing vegetative shoreland buffer (1 point for every 15 feet  
1364           of depth)
- 1365           (3) Passive restoration (natural recovery) of a vegetative shoreland buffer (1 pt)

- 1373 (4) Existing compliant shoreland buffer (2 points)
- 1374 (5) Install rain gutters/down spouts to divert water to a naturally vegetated area or rain garden. (1 point)
- 1375 (6) Install a rain garden in accordance with UWEX publication GWZ037 or stormwater infiltration system and direct runoff from impervious surfaces to rain garden. (up to 3 points)
- 1376 (7) Removal of a structure located within 75 ft. of the OHWM (2 pts)
- 1377 (8) Removal of a structure located within 35 ft. of the OHWM (3 pts)
- 1378 (9) Reducing the allowable viewing and access corridor (1 pt for every 15 feet of depth)
- 1379 (10) (½ - Max 3 pts) At the discretion of the Planning and Zoning Staff mitigation measures not specifically identified above which are likely to provide significant benefits in meeting the objectives of this ordinance may be approved. (Example: construction of water detention basin or implementation of other storm water management activities.)

1391 **26.1303-1304 MITIGATION PLAN REQUIREMENTS**

1394 The mitigation measures shall be maintained in perpetuity, unless the property owner receives approval of a new mitigation plan. In cases where a buffer restoration plan per s. 26.1103 is required, one plan may be prepared provided the requirements of both plans are met. Mitigation plans submitted for review and approval shall include the following:

- 1399 (a) Name of Property Owner
- 1400 (b) Property Address
- 1401 (c) Legal description of the property or Volume and Page of the instrument that shows the platted area.
- 1402 (d) Lot Boundaries
- 1403 (e) All Impervious Surfaces Shown
- 1404 (f) Total Impervious Surface Area with Dimensions
- 1405 (g) Total Lot Area (measured from Right-of-Way to OHWM)
- 1406 (h) Location of OHWM
- 1407 (i) Vegetative Buffer Zone Shown with Dimensions
- 1408 (j) Viewing Access Corridor Shown with Dimensions
- 1409 (k) Scale (e.g. 1 inch = 10 ft.)
- 1410 (l) North Arrow
- 1411 (m) List of Mitigation Options Selected and Associated Points Utilized
- 1412 (n) All Mitigation Options Utilized Shown in Detail
- 1413 (o) Erosion Control Measures Shown (if applicable)

- 1428 (p) List of all Selected Plants (if applicable)  
1429  
1430 (q) Implementation Schedule (implementation shall be completed within 12 months of the issuance of the  
1431 relate shoreland land use permit)  
1432  
1433 (r) Certificates of Approval (if applicable)  
1434  
1435 (s) An Affidavit describing the mitigation actions and maintenance required.

1437 For mitigation options where plantings are required, plant species shall be selected from the Wisconsin  
1438 Botanical Information System list <http://www.botany.wisc.edu/cgi-bin/SearchResults.cgi?County=Oconto> and  
1439 approved by Planning and Zoning staff. Substitutions to the list will be allowed in the event of lack of plant  
1440 stock or seed availability on a case-by-case basis. All plants may be transplanted from areas outside of the  
1441 buffer zone or mitigation area.

1442 **26.1400 ADMINISTRATIVE PROVISIONS.**

1443 The Oconto County Shoreland Protection Ordinance adopted by the Oconto County Board of Supervisors shall  
1444 require all of the following:

- 1445 (a) The appointment of an administrator and such additional staff as the workload may require.  
1446  
1447 (b) The creation of a zoning agency as authorized by s. 59.69, Stats. a Board of Adjustment as authorized  
1448 by s. 59.694, Stats., and a County Planning agency as defined in s. 236.02(1), Stats., and required by  
1449 s. 59.692(3), Stats.

1450 **26.1401 ZONING ADMINISTRATOR.**

1451 The zoning administrator shall have the following duties and powers:

- 1452 (a) A system of permits for establishing uses, land disturbances, all-new construction, development,  
1453 reconstruction, structural alteration or moving of buildings and structures. A copy of all applications  
1454 shall be required to be filed in the Planning & Zoning office, unless prohibited by s. 59.692 (1k), Stats.  
1455  
1456 (b) Regular inspection of permitted work in progress to insure conformity ensure compliance of the finished  
1457 structures or completed land disturbance activities with the terms of the ordinance.  
1458  
1459 (c) A variance procedure which authorizes the board of adjustment to grant such variance from the terms  
1460 of the ordinance as will not be contrary to the public interest where, owing to special conditions and  
1461 the adoption of the shoreland zoning ordinance, a literal enforcement of the provisions of the ordinance  
1462 will result in unnecessary hardship- as long as the granting of a variance does not have the effect of  
1463 granting or increasing any use of property which is prohibited in that zoning district by the shoreland  
1464 zoning ordinance.  
1465  
1466 (d) Conditional use procedure-in which a permit states that a use permitted as a conditional use may be  
1467 established, expanded, or enlarged subject to any conditions placed on the authorization and the  
1468 provisions of this ordinance. The conditions (exceptions) should not be contradictory to the purposes  
1469 of this ordinance as identified in section 26.103.  
1470  
1471 (e) The county shall keep a complete record of all proceedings before the board of adjustment, zoning  
1472 agency and planning agency.  
1473  
1474 (f) Written notice to the appropriate regional office of the department at least 10 days prior to any hearing  
1475 on a proposed variance, or conditional use permit, appeal for a map or text interpretation, map or text  
1476 amendment, and copies of all proposed land divisions submitted at least 10 days after they are  
1477 submitted to the county for review under s. 26.401.

- 1483 (g) Submission to the appropriate regional office of the department, within 10 days after grant or denial, of  
1484 copies of any permit granted under s. 26.1502, any decision on a variance, special exception or  
1485 conditional use permit, or appeal for a map or text interpretation, and any decision to amend a map or  
1486 text of an ordinance.
- 1487 (h) Maintain mapped zoning districts and the recording, on an official copy of such map, of all district  
1488 boundary amendments. Development and maintenance of an official map of all mapped zoning district  
1489 boundaries, amendments, and recordings. The official map for the shoreland-wetland zoning district  
1490 is the Wisconsin Wetland Inventory found on the department's Surface Water Data Viewer.
- 1491 (i) The establishment of appropriate penalties for violations of various provisions of the ordinance,  
1492 including forfeitures. Compliance with the ordinance shall be enforceable by the use of injunctions to  
1493 prevent or abate a violation, as provided in s. 59.69 (11), Wis. Stats.
- 1494 (j) The prosecution of violations of the Oconto County Shoreland Protection Ordinance.
- 1495 (k) Shoreland wetland rezone (map amendment) procedures according to s. NR 115.04. Every petition  
1496 for a shoreland-wetland map amendment filed with the county clerk shall be referred to the county  
1497 zoning agency and shall follow section 26.305.
- 26.1402 PERMITS**
- 1500 (a) WHEN REQUIRED. Unless prohibited by 59.692 (1k) Stats. and except where another section of this  
1501 ordinance specifically exempts certain types of development from this requirement, a zoning permit  
1502 shall be obtained from the Zoning Department or Board of Adjustment prior to any new development,  
1503 any structural repair of nonconforming structures or any change in the use of an existing building or  
1504 structure and land disturbance activity is initiated.
- 1505 (b) APPLICATION. An application for a zoning permit shall be made to the Zoning Department upon  
1506 forms furnished by Zoning Department and shall include for the purpose of proper enforcement of  
1507 these regulations, the following information:  
1508 (1) Name and address of applicant and property owner.  
1509 (2) Legal description of the property and type of proposed use.  
1510 (3) A to scale drawing of the dimensions of the lot and location of all existing and proposed  
1511 structures and impervious surfaces relative to the lot lines, center line of abutting highways  
1512 and the ordinary high-water mark of any abutting waterways.  
1513 (4) Location and description of any existing private water supply or sewage system or notification  
1514 of plans for any such installation.  
1515 (5) Plans for appropriate mitigation when required.  
1516 (6) Payment of the applicable fee.  
1517 (7) Additional information as required by Planning & Zoning Staff.
- 1518 (c) PERMITS REQUIRING MITIGATION AND/OR BUFFER RESTORATION. Where mitigation and/or  
1519 buffer restoration are required as part of the zoning permit, the owner(s) shall be allowed to construct  
1520 that for which the permit was issued while also implementing the mitigation and/or buffer restoration  
1521 plan.
- 1522 (d) EXPIRATION OF PERMIT. Zoning permits shall expire twelve (12) months from date issued if no  
1523 substantial work has commenced during the duration of the permit.

- 1538 (e) CERTIFICATES OF COMPLIANCE.  
1539 (1) No land or building shall be occupied or used until a certificate of compliance is issued by the  
1540 zoning administrator.  
1541 (A) The certificate of compliance shall certify that the building or premises or part thereof,  
1542 and the proposed use thereof, conform to the provisions of this ordinance.  
1543 (B) Application for such certificate shall be concurrent with the application for a zoning  
1544 permit.  
1545 (C) The certificate of compliance shall be issued within 10 days after notification of the  
1546 completion of the work specified in the zoning permit, if the building or premises or  
1547 proposed use thereof conforms with all the provisions of this ordinance.  
1548 (D) The owner or his/her agent is responsible for the notification.  
1549  
1550 (2) The zoning administrator may issue a temporary certificate of compliance for part of a building,  
1551 pursuant to rules and regulations established by the county board.  
1552  
1553 (3) Upon written request from the owner, the zoning administrator shall issue a certificate of  
1554 compliance for any building or premises existing at the time of the adoption of this ordinance,  
1555 certifying after inspection the extent and type of use made of the building or premises and  
1556 whether or not such use conforms to the provisions of this ordinance.  
1557
- 1558 (f) SUBSEQUENT PERMITS WHERE MITIGATION MEASURES WERE REQUIRED. If applicable,  
1559 prior to issuance of subsequent zoning permits Planning and Zoning staff shall review mitigation and/or  
1560 buffer restoration plans to confirm compliance with all aspects of plan implementation. If prior permit  
1561 conditions are determined to not be successfully implemented at the time of permit application, no  
1562 subsequent permit shall be issued until such time as the prior permit conditions are determined  
1563 compliant.
- 1564 26.1403 CONDITIONAL USE PERMITS
- 1565 (a) APPLICATION FOR A CONDITIONAL USE PERMIT. Any use listed as a conditional use in this  
1566 ordinance shall be permitted only after an application has been submitted to Planning & Zoning staff  
1567 and a conditional use permit has been granted by the Oconto County Board of Adjustment. To secure  
1568 information upon which to base its determination, the Oconto County Board of Adjustment may require  
1569 the applicant to furnish, in addition to the information required for a zoning permit, the following  
1570 information:  
1571  
1572 (1) A plan of the area showing surface contours, soil types, ordinary high-water marks, ground  
1573 water conditions, subsurface geology and vegetative cover.  
1574  
1575 (2) Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space  
1576 and landscaping.  
1577  
1578 (3) Plans of buildings, sewage disposal facilities, water supply systems and arrangement of  
1579 operations.  
1580  
1581 (4) Specifications for areas of proposed filling, grading, lagooning or dredging.  
1582  
1583 (5) Other pertinent information necessary to determine if the proposed use meets the  
1584 requirements of this ordinance.  
1585  
1586 (6) Rationale for why the proposed special exception meets all of the special exception criteria  
1587 listed in the ordinance
- 1588 (b) NOTICE, PUBLIC HEARING AND DECISION. Before deciding whether to grant or deny an  
1589 application for a conditional use permit, the board of adjustment shall hold a public hearing. Notice of  
1590 such public hearing, specifying the time, place and matters to come before the Oconto County Board  
1591

1593 of Adjustment, shall be given as a Class 2 notice under ch. 985, Wis. Stats. Such notice shall be  
1594 provided to the appropriate office of the Department at least 10 days prior to the hearing. The Oconto  
1595 County Board of Adjustment shall state in writing the grounds for granting or denying a conditional use  
1596 permit.  
1597

1598 (c) STANDARDS APPLICABLE TO ALL CONDITIONAL USE PERMITS. In deciding a conditional use  
1599 application, the Oconto County Board of Adjustment shall evaluate the effect of the proposed use  
1600 upon:  
1601

- (1) The maintenance of safe and healthful conditions.
- (2) The prevention and control of water pollution including sedimentation.
- (3) Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.
- (4) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
- (5) The location of the site with respect to existing or future access roads.
- (6) The need of the proposed use for a shoreland location.
- (7) Its compatibility with uses on adjacent land.
- (8) The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.
- (9) Location factors under which:
  - (A) Domestic uses shall be generally preferred;
  - (B) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source;
  - (C) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility. Additional standards such as parking, noise, etc...maybe refer to the applicable part of their ordinance.

1602 (d) CONDITIONS ATTACHED TO CONDITIONAL USE PERMITS. Such conditions may include  
1603 specifications for, without limitation because of specific enumeration: type of shore cover; specific  
1604 sewage disposal and water supply facilities; landscaping and planting screens; period of operation;  
1605 operational control; sureties; deed restrictions; location of piers, docks, parking and signs; and type of  
1606 construction. Upon consideration of the factors listed above, the Oconto County Board of Adjustment  
1607 shall attach such conditions, in addition to those required elsewhere in this ordinance, as are necessary  
1608 to further the purposes of this ordinance. Violations of any of these conditions shall be deemed a  
1609 violation of this ordinance. In granting a conditional use permit, the Oconto County Board of  
1610 Adjustment may not impose conditions which are more restrictive than any of the specific standards in  
1611 the ordinance. Where the ordinance is silent as to the extent of restriction, the board may impose any  
1612 reasonable permit conditions to affect the purpose of this ordinance.  
1613

1614 (e) RECORDING. When a conditional use permit is approved, an appropriate record shall be made of  
1615 the land use and structures permitted and such permit shall be applicable solely to the structures, use  
1616 and property so described. A copy of any decision on a conditional use permit shall be provided to the  
1617 appropriate office of the Department within 10 days after it is granted or denied.  
1618

1648 (f) REVOCATION. Where the conditions of a conditional use permit are violated, the conditional use  
1649 permit shall be revoked.

**26.1404 VARIANCES**

The Board of Adjustment may grant upon appeal a variance from the standards of this ordinance where an applicant convincingly demonstrates that:

- (a) literal enforcement of the provisions of the ordinance will result in unnecessary hardship on the applicant;
- (b) the hardship is due to special conditions unique to the property; and
- (c) is not contrary to the public interest.

NOTICE, HEARING AND DECISION - Before deciding on an application for a variance, the board of adjustment shall hold a public hearing. Notice of such hearing specifying the time, place and matters of concern, shall be given a Class 2 notice under ch. 985, Wis. Stats. Such notice shall be provided to the appropriate district office of the Department at least 10 days prior to the hearing. The board shall state in writing the reasons for granting or refusing a variance and shall provide a copy of such decision to the appropriate Department district office within 10 days of the decision.

**26.1405 BOARD OF ADJUSTMENT**

The Chair of the County Board shall appoint a Board of Adjustment consisting of 5 members under s. 59.694, Wis. Stats. The county board shall adopt such rules for the conduct of the business of the Board of Adjustment as required by s. 59.694(3), Wis. Stats. See Appendix 1 Chapter 14 of the Oconto County Code of Ordinances.

(a) **POWERS AND DUTIES.**

- (1) The Board of Adjustment shall adopt such additional rules as it deems necessary and may exercise all of the powers conferred on such boards by s. 59.694, Wis. Stats.
- (2) It shall hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an administrative official in the enforcement or administration of this ordinance.
- (3) It shall hear and decide applications for special exception permits pursuant to s. 26.1304.
- (4) It may grant a variance from the standards of this ordinance pursuant to s. 26.1304.
- (5) In granting a variance, the board may not impose conditions which are more restrictive than any of the specific standards in the ordinance. Where the ordinance is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this ordinance.

(b) **APPEALS TO THE BOARD** - Appeals to the Board of Adjustment may be made by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be made within 30 days, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the Board of Adjustment, a notice of appeal specifying the reasons for the appeal. The Zoning Administrator or other administrative officer whose decision is in question shall promptly transmit to the board all the papers constituting the record concerning the matter appealed.

(c) **HEARING APPEALS AND APPLICATIONS FOR VARIANCES AND CONDITIONAL USE PERMITS.**

- (1) The Board of Adjustment shall fix a reasonable time for a hearing on the appeal or application. The board shall give public notice thereof by publishing a Class 2 notice under ch. 985, Wis. Stats, specifying the date, time and place of the hearing and the matters to come before the board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate district office of the Department at least 10 days prior to hearings on proposed shoreland variances, conditional uses, and appeals for map or text interpretations.
  - (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, conditional uses and appeals for map or text interpretations shall be submitted to the appropriate district office of the Department within 10 days after they are granted or denied.
  - (3) The final disposition of an appeal or application to the Board of Adjustment shall be in the form of a written resolution or order signed by the chairman and secretary of the board. The final disposition of an appeal or application to the board of adjustment shall be in the form of a written decision document signed by the chairman and secretary of the board. The decision document shall either affirm, deny, vary or modify the appeal and list the specific reasons for the determination.
  - (4) At the public hearing, any party may appear in person or by agent or by attorney.

## 26.1406 FEES

Applicable fees shall be created by resolution of the Oconto County [Planning and Zoning Land & Water Resource](#) Committee and adopted by the Oconto County Board.

## 26.1500 CHANGES AND AMENDMENTS

The County Board may from time to time, alter, supplement or change the regulations contained in this ordinance in accordance with the requirements of s. 59.9769(5)(e), Wis. Stats. ch. NR 115, Wis. Adm. Code and this ordinance where applicable. See Appendix II Chapter 14 of the Oconto County Code of Ordinances.

## 26.1501 AMENDMENTS

Amendments to this ordinance may be made on petition of any interested party as provided in s. 59.9769(5), Wis. Stats.

## 26.1502 SHORELAND WETLAND MAP AMENDMENTS

Every petition for a shoreland-wetland map amendment filed with the county clerk shall be referred to the county planning & zoning office. A copy of each petition shall be provided to the appropriate office of the Department within 5 days of the filing of the petition with the county clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate office of the Department at least 10 days prior to the hearing.

A copy of the county board's decision on each proposed amendment shall be forwarded to the appropriate office of the Department within 10 days after the decision is issued.

## 26 1600 ENFORCEMENT AND PENALTIES

Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this ordinance in violation of the provisions of this ordinance, by any person, firm, association, corporation (including building contractors or their agents) shall be deemed a violation. The

1758 Zoning Administrator or County Zoning Agency shall refer violations to the district attorney or corporation  
1759 counsel who shall expeditiously prosecute violations. Every violation of this ordinance is a public nuisance and  
1760 the creation thereof may be enjoined and the maintenance thereof may be abated pursuant to s. 59.9769(11),  
1761 Wis. Stats.

- 1762
- 1763 (a) Violation of Permits and Penalty: Any person, firm or corporation, including those doing work for others,  
1764 who violates any of the provisions of this Ordinance, shall be subject to forfeiture in accordance with  
1765 the schedule established by §18.300(d) of the Oconto County Code of Ordinances for each violation  
1766 plus the cost of prosecution. Each day a violation exists shall constitute a distinct and separate violation  
1767 of this Ordinance and as such, forfeitures shall apply accordingly. The Zoning Administrator shall refer  
1768 violations to the Corporation Counsel who shall prosecute violations.
- 1769
- 1770 (b) Injunction: Any use or action which violates the provisions of this Ordinance shall be subject to a court  
1771 injunction prohibiting such violation.
- 1772
- 1773 (c) Responsibility for Compliance: It shall be the responsibility of the applicants as well as their agent or  
1774 other persons acting on their behalf to comply with the provisions of this Ordinance. Any person, firm  
1775 or corporation, causing a violation or refusing to comply with any provision of this Ordinance will be  
1776 notified in writing of such violation by the zoning administrator or the designated staff. Each day a  
1777 violation exists shall constitute a distinct and separate violation of this ordinance and, as such,  
1778 forfeitures shall apply accordingly. Every violation of this ordinance is a public nuisance and the  
1779 creation thereof may be enjoined and the maintenance thereof may be abated pursuant to S.  
1780 59.69(11), Wisconsin Statutes.
- 1781
- 1782 (d) Suspension of Permit: Whenever the zoning administrator or designated staff determines there are  
1783 reasonable grounds for believing there is a violation of any provision of this Ordinance, the zoning  
1784 administrator or the designated staff shall give notice to the owner of record as hereinafter provided.  
1785 Such notice shall be in writing and shall include a statement of the reason for the suspension of the  
1786 permit. It shall allow 30 days for the performance of any act it requires. If work cannot be completed in  
1787 the 30 day period, an extension may be granted if reason of hardship prevail and can be verified. Such  
1788 notice or order shall be deemed to have been properly served upon such owner or agent when a copy  
1789 thereof has been sent by registered mail to owner's last known address or when the owner has been  
1790 served by such notice by any method authorized by the laws of Wisconsin. The owner of record has  
1791 the right to appeal any decision by the zoning administrator or the designated staff or apply to the  
1792 Oconto County Board of Adjustment for a variance.
- 1793
- 1794 (e) Emergency Conditions: Whenever the zoning administrator or the designated staff find that an  
1795 emergency exists such as sudden, unexpected occurrences or combinations thereof, unforeseen  
1796 conditions or circumstances at the time beyond one's control, adverse weather conditions, meeting a  
1797 timetable which requires immediate action to protect the public health, safety and welfare, the  
1798 Administrator may, without notice or hearing, issue an order citing the existence of such emergency  
1799 and may require that such action be taken as may be deemed necessary to meet the emergency. The  
1800 zoning administrator shall notify the Chairperson of the Zoning Land & Water Resources Committee  
1801 within 24 hours of such situations. Notwithstanding any other provisions of this Ordinance such order  
1802 shall become effective immediately. Any person to whom such order is directed shall comply therewith  
1803 immediately. Appeals or challenges to emergency orders may be brought after emergency conditions  
1804 have ceased, to the Board of Adjustment.
- 1805
- 1806 (f) ~~As required by 59.692(1), Wis. Stats., where a building or structure violated the dimensional or use  
1807 standards of this chapter, and the violating building or structure has been in place for more than 10  
1808 years before an enforcement action is initiated, such building or structure shall not be pursued as a  
1809 violation or require removal from the parcel but will not be considered a nonconforming structure  
1810 according to the definition found in 26.1700. The provisions of 26.1100 of this chapter do not apply to  
1811 illegally-constructed buildings or structures.~~
- 1812

- 1813 (1) Any property owner asserting as a defense to a charge of violating this chapter that the alleged  
1814 violation has been in place for more than 10 years before enforcement action was initiated  
1815 has the burden of proving that:  
1816  
1817 (A) The building or structure that is in violation has been in place more than 10 years  
1818 before enforcement action was initiated;  
1819  
1820 (B) That the building or structure (and its use, if the use is nonconforming) has remained  
1821 unchanged for at least 10 years;  
1822  
1823 (C) That the building or structure has been active and continuous for 10 years or more.  
1824 If use was discontinued for more than 12 months, the use shall not be considered  
1825 active or continuous.

1826 **26.1700 DEFINITIONS**

1827 For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be  
1828 interpreted as follows: Words used in the present tense include the future; words in the singular number include  
1829 the plural number; and words in the plural number include the singular number. The word "shall" is mandatory,  
1830 not permissive. All distances unless otherwise specified shall be measured horizontally.

1831 **26.1701 SHORELAND ZONING DEFINITIONS**

1832 **ACCESS AND VIEWING CORRIDOR (NR 115.03(1d))** - a strip of vegetated land that allows safe pedestrian  
1833 access to the shore through the vegetative buffer zone.

1834 **ACCESSORY STRUCTURE** - see STRUCTURE, ACCESSORY.

1835 **BACKLOT(S)** - Lots which do not front on a navigable body of water, or which do not have any portion that is  
1836 within 300 feet of a navigable body of water.

1837 **BOATHOUSE (NR 115.03(1h))** - a permanent structure used for the storage of watercraft and associated  
1838 materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these  
1839 structural parts.

1840 **BUILDING ENVELOPE (NR 115.03(1p))** - The three dimensional space within which a structure is built.

1841 **CONDITIONAL USE (SPECIAL EXCEPTION)** - A use which is permitted by this ordinance provided that  
1842 certain conditions specified in the ordinance are met and that a permit is granted by the board of adjustment  
1843 or, where appropriate, the planning and zoning committee or county board.

1844 **CONSTRUCTION** - means building, erecting, or placing a structure on a parcel of land.

1845 **COUNTY ZONING AGENCY (NR 115.03(2))** - That committee or commission created or designated by the  
1846 county board under s. 59.97(2)(a), Wis. Stats, to act in all matters pertaining to county planning and zoning.

1847 **DECK** - An outdoor platform, usually above ground grade, intended to support persons and outdoor furniture  
1848 such as chairs or a picnic table. It also includes flat roofs over other legal structures if the intention is the same.

1849 **DEPARTMENT (NR 115.03(3))** - Wisconsin Department of Natural Resources.

1850 **DEVELOPMENT (NR 116.03 (9))** - Any man-made change to improved or unimproved real estate, including,  
1851 but not limited to the construction of buildings, structures or accessory structures; the construction of additions  
1852 or substantial alterations to buildings, structures or accessory structures; the placement of mobile homes;  
1853 ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations, and the deposition or

1868 extraction of earthen materials.

1869

1870 **DRAINAGE SYSTEM** - One or more artificial ditches, tile drains or similar devices which collect surface runoff

1871 or groundwater and convey it to a point of discharge.

1872

1873 **EXISTING DEVELOPMENT PATTERN (NR 115.03(3m))** - That principal structures exist within 250 feet of a

1874 proposed principal structure in both directions along the shoreline.

1875

1876 **FACILITY**- A "facility" means any property or equipment of a public utility, as defined in s. 196.01 (5), or a

1877 cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power

1878 to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.

1879

1880 **FIREPIT**- A structure used to contain an outdoor fire and constructed to have a permanent location on the

1881 landscape such as a depression surrounded by pavers, gravel or other impervious surfaces. Metal fire rings

1882 or other moveable vessels intended to contain an outdoor fire are not considered fire pits for regulatory

1883 purposes.

1884

1885 **FLOODPLAIN (NR 115.03(4))** - The land which has been or may be hereafter covered by flood water during

1886 the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in ch.

1887 NR 116, Wis. Adm. Code.

1888

1889 **FLOOR AREA** - means the total area of the structure footprint, including all area encompassed by foundations,

1890 basement walls, exterior walls, roof overhangs greater than 24 inches in width, support structures, and any

1891 attachments or appurtenances. Floor area, as calculated for the minimum living space of a dwelling unit, shall

1892 be completely enclosed, considered habitable under the building and mechanical code requirements, and be

1893 at least 7 feet in height from floor to ceiling. Such things as attached garages, open decks and floors with a wall

1894 height under 7 feet in height are not considered floor area.

1895

1896 **FOOTPRINT** – means the land area covered by a structure at ground level measured on a horizontal plane.

1897 The footprint of a residence or building includes the horizontal plane bounded by the furthest exterior wall and

1898 eave if present, projected to natural grade. For structures without walls (decks, stairways, patios, carports) – a

1899 single horizontal plane bounded by the furthest portion of the structure projected to natural grade. Note: For

1900 the purposes of replacing or reconstructing a nonconforming building with walls, the footprint shall not be

1901 expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves

1902 projected to natural grade. This constitutes a lateral expansion under NR 115 and would need to follow NR

1903 115.05 (1)(g)5..

1904

1905 **GENERALLY ACCEPTED FORESTRY MANAGEMENT PRACTICES (NR 1.25(2)(b))** - Forestry

1906 management practices that promote sound management of a forest. Generally accepted forestry management

1907 practices include those practices contained in the most recent version of the department publication known as

1908 Wisconsin Forest Management Guidelines and identified as PUB FR-226.

1909

1910 **IMPERVIOUS SURFACE (NR 115.03(4g))** - an area that releases as runoff all or a majority of the precipitation

1911 that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking

1912 lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as

1913 defined in s. 340.01(54), Wis. Adm. Code, or sidewalks as defined in s. 340.01(58), Wis. Adm. Code, are not

1914 considered impervious surfaces.

1915

1916 **KEYHOLE DEVELOPMENT** - The creation of a lot, outlot or parcel of land, by any type of recorded instrument,

1917 that provides access to a navigable water body for more than one non-riparian lot, outlot or parcel of land and

1918 where the ownership of the riparian and non-riparian lots are not the same. Keyhole development shall also

1919 include dredging of a channel for the purpose of navigational access to a water body from one or more lots,

1920 outlots or parcels of land. Keyhole development shall not include public boat ramps or marinas permitted under

1921 this ordinance or ch. 30, Wis. Stats.

1922

1923	<b>LOT</b> - A continuous parcel of land, not divided by a public right-of-way, and sufficient in size to meet the lot width and lot area provisions of this ordinance
1924	
1925	
1926	<b>LOT AREA</b> - The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.
1927	
1928	
1929	<b>LOT OF RECORD</b> - Any lot, the description of which is properly recorded with the Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.
1930	
1931	
1932	<b>MAINTENANCE AND REPAIR</b> - includes such activities as interior remodeling, painting, decorating, paneling, plumbing, insulation, and replacement (i.e. size shall not be increased) of windows, doors, wiring, siding, roof (i.e. sheeting/shingles) and other nonstructural components; and the repair of cracks in foundations, sidewalks, walkways and the application of waterproof coatings to foundations.
1933	
1934	
1935	
1936	
1937	<b>MITIGATION (NR 115.03(4r))</b> - Balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities.
1938	
1939	
1940	<b>NAVIGABLE WATERS (NR 115.03(5))</b> - Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under s. 144.26(2)(d), Wis. Stats, notwithstanding any other provision of law or administrative rule promulgated there under, shoreland ordinances required under s. 59.971, Wis. Stats, and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:
1941	
1942	
1943	
1944	
1945	
1946	
1947	(a) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
1948	
1949	
1950	(b) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body
1951	
1952	
1953	<b>ORDINARY HIGH-WATER MARK (OHWM) (NR 115.03(6))</b> - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.
1954	
1955	
1956	
1957	
1958	<b>PREVIOUSLY DEVELOPED</b> means a lot or parcel that was developed with a structure legally placed upon it.
1959	
1960	<b>RAINGARDEN</b> – Excavated area of natural vegetation to which surface water runoff is directed with the purpose of slowing and filtering runoff and allowing for runoff infiltration. Refer to "Rain Gardens: A How -To Manual for Homeowners" by University of Wisconsin <a href="#">Publication #GWQ034 [PDF 3.2MB]</a>
1961	
1962	
1963	
1964	<b>REGIONAL FLOOD (NR 115.03(7))</b> - A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.
1965	
1966	
1967	
1968	<b>REPLACEMENT CONSTRUCTION</b> - In which the principle building or portion thereof is torn down and replaced by a new structure or building or portion thereof. (Also known as Reconstruction or Rebuild)
1969	
1970	
1971	<b>RETAINING WALL</b> – A vertical structure or near vertical structure, located above the OHWM, constructed of rock, stone, wood, blocks or other similar material this is built to resist lateral pressure.
1972	
1973	
1974	<b>ROUTINE MAINTENANCE OF VEGETATION (NR 115.03(7m))</b> - Normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.
1975	
1976	
1977	<b>SHORELAND (NR 115.03(8))</b> - Lands within the following distances from the ordinary highwater mark of

1978	navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.
1979	
1980	
1981	<b>SHORELAND SETBACK</b> – Also known as the “shoreland setback area” in s. 59.692(1)(bn) Wis. Stats. means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of buildings or structures has been limited or prohibited under an ordinance enacted under s. 59.692 Wis. Stats.
1982	
1983	
1984	
1985	
1986	<b>SHORELAND-WETLAND DISTRICT (NR 115.03(9))</b> - A zoning district, created as a part of a county zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin Wetland Inventory Maps prepared by the department and made a part of this ordinance.
1987	
1988	
1989	
1990	<b>STRUCTURAL ALTERATIONS OR REPAIR</b> – To remove or replace 50% or less of the original structural elements such as foundation, support posts, floor joists, rafters, trusses, exterior walls or similar structural members. For purposes of calculation: foundation constitutes 20% of the structure, roof constitutes 20% of the structure, otherwise a percentage of the perimeter of each floor/level may be used.
1991	
1992	
1993	
1994	
1995	<b>STRUCTURE (s.59.692(1)(e), Stats.)</b> A principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or firepit.
1996	
1997	
1998	<b>STRUCTURE (for floodplain purposes) (NR 116.03 (45))</b> – Any man-made object with form, shape and utility, either permanently or temporarily attached to or placed upon the ground, river bed, stream bed or lakebed.
1999	
2000	
2001	<b>STRUCTURE, ACCESSORY</b> - A subordinate structure on the same property as the principal structure which is devoted to a use incidental to the principal use of the property. Accessory structures include but are not limited to detached garages, decks, sheds, barns, gazebos, patios, swimming pools, hot tubs, retaining walls, fences, driveways, parking lots and parking facilities, sidewalks, detached stairways and lifts, recreational courts and private emergency shelters.
2002	
2003	
2004	
2005	
2006	
2007	<b>STRUCTURE, PRINCIPAL</b> - The main structure, not including accessory structures on a lot, intended for primary use as permitted by the regulations of the district in which it is located. A lot on which more than one principal use is permitted may have more than one principal structure.
2008	
2009	
2010	
2011	<b>STRUCTURE, TEMPORARY</b> - A structure which is built of such materials and in such a way that it would commonly be expected to have a relatively short useful life, or is built for a purpose that would commonly be expected to be relatively short-term.
2012	
2013	
2014	
2015	<b>SUBSTANDARD LOT</b> - A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements for a new lot.
2016	
2017	
2018	<b>UNNECESSARY HARDSHIP (NR 115.03(11))</b> - A circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.
2019	
2020	
2021	
2022	
2023	<b>VARIANCE</b> - An authorization granted by the board of adjustment to construct, alter or use a building or structure in a manner that deviates from the dimensional standards of this ordinance.
2024	
2025	
2026	<b>VIEW AND ACCESS CORRIDOR</b> – A strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.
2027	
2028	
2029	<b>VEGETATIVE BUFFER ZONE</b> – An area of “natural” or “restored to natural” shoreland vegetation extending from the Ordinary High Water Mark (OHWM) inland 35 ft. The buffer zone is comprised of vegetation that is critical to protecting natural scenic beauty, fish & wildlife habitat, and water quality for the adjacent public waters. Contains three distinct layers including native tree canopy, shrub layer, and groundcover layer, except for
2030	
2031	
2032	

2033 closed canopy forest types such as pine or hemlock.

2034 **WETLANDS (NR 115.03(13))** - Those areas where water is at, near or above the land surface long enough to  
2035 be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

2036  
2037  
2038 **ZONING PERMIT** – May include land use permit, 59.692 permit and grade & fill permit.

2039  
2040 SECTION 2: This ordinance shall take effect after passage and publication as provided by law.

2041  
2042 Submitted this 21st day of August, 2025.

2043  
2044 By: LAND AND WATER RESOURCES COMMITTEE

2045  
2046 Tim Cole, , Chair  
2047 Patrick J. Scanlan  
2048 Keith Schneider  
2049 Wayne Kaczrowski  
2050 Mike Beyer  
2051 Dennis Kroll, Alternate  
2052 David Parmentier, Alternate

2053  
2054  
2055 *Electronically Reviewed by Corporation Counsel on 07.31.2025 - BLE*

2056  
2057 *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## **SUMMARY OF TEXT AMENDMENTS TO CHAPTER 26 OCONTO COUNTY SHORELAND PROTECTION ORDINANCE**

WI DNR has provided WI counties with an updated 2024 DNR Model Shoreland Ordinance. The Model Shoreland Ordinance contains language that satisfies the requirements of recently enacted revisions to WI Stat 59.692 (2021 WI Act 105 & 2021 WI Act 200) and are provided below:

As per s. 59.692 (1n)(d)(7) & 59.692 (1n)(d)(8), Stats which is referenced in Chapter 26.606 Exempt Structures in the Shoreland Setback Area

**(7) FENCE. A fence along a roadway that meets all of the following requirements:**

- (a) Is not taller than 15 feet.
- (b) Is located not less than 2 feet landward of the ordinary high water mark.
- (c) Is located entirely outside of a highway right-of-way.
- (d) Is located not less than 10 feet from the edge of a roadway and not more than 40 feet from the edge of a roadway or highway right-of-way, whichever is greater.
- (e) Is generally perpendicular to the shoreline.

**(8) BRIDGES. A bridge for which the department has issued a permit under s. 30.123, Stats.**

As per s. 59.692(1f)(b)1, Stats which is referenced in Chapter 26.702 (a)(3) Activities allowed within a Shoreland Vegetative Buffer Zone

**(3) Creation of an access and viewing corridor. The removal or destruction of vegetation for the creation of an access and viewing corridor provided the following requirements are met:**

- (a) The access and viewing corridor remains a strip of vegetated land for the purpose of providing safe pedestrian access to the shore through the vegetative buffer zone.
- (b) The access and viewing corridor may be 35% of the shoreline frontage but in no case shall it be less than 10 feet or greater than 200 feet.
- (c) The viewing corridor may run contiguously for the entire maximum width allowed based on the shoreline frontage owned.

As per s. 59.692(1)(ar) & s.59.692(1k)(am) 3, Stats. which is referenced in Chapter 26.909 Roadways and Sidewalks.

**Roadways defined in s. 340.01(54), Stats, and sidewalks defined in s. 340.01(58), Stats, shall be excluded from the impervious surface calculation under section 26.903.**

In addition to the Statutory amendments noted above, the 2024 DNR Model Shoreland Ordinance incorporates ch NR 115 Wis Admin. Code language drafted over the years when NR 115 was first repealed and recreated in November 1980 to include wetland protection in shoreland areas. Over the years, numerous revisions have been made to the model ordinance to reflect changes to s 59.692, Stats and/or NR115. The most recent amendments to Chapter 26 occurred in 2016 due to a revised 2016 DNR Model Ordinance that incorporated statutory changes to 59.692 with 2015 WI Acts 55, 167 & 391.

The text amendments to Chapter 26 closely mirrors the DNR Model Ordinance by adding clarifying language, placement of purpose & applicability standards to most sections, better use of notes where applicable, removal of unnecessary language since the last update in 2015, separates nonconforming uses from nonconforming structures, separates sections on maintenance, replacement, repairs section provisions, improved order of impervious surface section, etc.

WI DNR Shoreland Team has reviewed the text amendments to Chapter 26 and is in approval with the recommended text amendments for the public hearing process.

**APPENDIX B- CHAPTER 14 GENERAL ZONING SETBACKS**

DISTRICT	MINIMUM AREA (Consult with Town for more restrictive acreage minimums)	MIN. ROAD, BLDG. SITE AND WATER <sup>2</sup> FRONTAGE	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	ORDINARY HIGH WATER MARK SETBACK
R-1	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6</sup>	20 feet	75 feet
R-2	30,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6</sup>	20 feet	75 feet
R-3	6 Acres <sup>1</sup>	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	40 feet to the boundary line of the mobile home park <sup>7</sup>	40 feet to the boundary line of the mobile home park <sup>7</sup>	75 feet
CS	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6</sup>	20 feet	75 feet
P-R	5 Acres	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>		50 feet	75 feet
F	10 Acres	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6</sup>	20 feet	75 feet
RR	2 Acres	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6&amp;8</sup>	20 feet <sup>8</sup>	75 feet
A	10 Acres	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6&amp;8</sup>	20 feet <sup>8</sup>	75 feet
LA	35 Acres	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	Princ. Bldg. 10 ft Access bldg. 5-7.5ft <sup>6&amp;8</sup>	20 feet <sup>8</sup>	75 feet
RC	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	None <sup>9</sup>	10 feet where adj. prop. Is GC, LI or I – 50 ft in any other district	75 feet
GC	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	None <sup>9</sup>	10 feet where adj. prop. Is GC, LI or I – 50 ft in any other district	75 feet
LI	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	None <sup>9</sup>	10 feet where adj. prop. Is GC, LI or I – 50 ft in any other district	75 feet
I	20,000 Sq. Ft. unsewered 10,000 Sq. Ft. sewered	66-100 ft <sup>3&amp;4</sup>	30-50 ft from ROW or 63-110 ft from centerline <sup>5</sup>	50 feet	10 feet where adj. prop. Is GC, LI or I – 50 ft in any other district	75 feet

<sup>1</sup> Each mobile home stand lot must be at least 40 feet by 100 feet with a maximum of 3 mobile home stands per gross acre

<sup>2</sup> All lots must have a minimum of 100 feet of frontage at the ordinary high water mark

<sup>3</sup> 66 feet for seweried lots, 100 feet for unsewered lots

<sup>4</sup> 50 feet if on the outside radius of a curve

<sup>5</sup> Which ever distance is greater

<sup>6</sup> 5 feet for lots less than 100 feet wide, 7.5 feet for lots 100 feet or wider

<sup>7</sup> The distance from any mobile home stand to any internal street right-of-way, walkway, common parking area or any other common area shall be 10 feet

<sup>8</sup> Structures used for animal shelters, barns and shed shall be located not less than 50 feet from any lot line and may require a permit from the Land Conservation Dept.

<sup>9</sup> Except 10 feet when the parcel abuts land zoned agricultural, residential or conservancy

RESOLUTION – R2025-08-01

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

Re: **Delegating the Authority to Enter into Settlement Agreements with Opioid Defendants to the Designated Oconto County Officer or Officers**

WHEREAS, the County Board of Supervisors previously authorized the County to enter into an engagement agreement with von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLP (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the County's vast expenditure of money and resources to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants;

WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned *In re: Opioid Litigation*, MDL 2804 (the “Litigation”);

WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation;

WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and Walworth Counties) to prepare the County's case for trial and engage in extensive settlement discussions with the Opioid Defendants;

WHEREAS, 2021 Wisconsin Act 57 created Section 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature's Joint Committee on Finance is required to approve settlement agreement between the County and Opioid Defendants;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State;

WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government against the Opioid Defendants filed after June 1, 2021;

WHEREAS, several of the Opioid Defendants previously agreed to settlement terms with the Plaintiffs' Executive Committee ("PEC"), which is comprised of attorneys representative of all litigating local governments around the country, subject to individual approval of the litigating local governments including Oconto County;

WHEREAS, representatives of the Law Firms serve on the PEC and, therefore, are intimately familiar with the terms of the previous settlements and will be familiar with the terms of any settlement with any other Opioid Defendant recommended for approval by the PEC;

WHEREAS, it is anticipated that several additional settlements will be proposed by various Opioid Defendants and recommended for approval by the PEC;

WHEREAS, Oconto County's process for approving settlement with an Opioid Defendant is typically a process requiring weeks for committee review and approval as well as approval by the full Oconto County Board;

57            WHEREAS, given concerns surrounding timing for participation in future settlements combined with  
58 the number of anticipated settlements, it would be prudent to provide an opportunity for Oconto County to  
59 create a process whereby the authority to enter into settlement agreements is delegated to a responsible  
60 County officer or officers provided that any such settlement agreement is recommended by the PEC and  
61 the Law Firms; and

62            WHEREAS, the intent of this Resolution is to delegate to the specified County officer or officers the  
63 authority to enter into settlement agreements with any Opioid Defendant from the date of this Resolution  
64 forward provided (a) the settlement is recommended for approval by the PEC and the Law Firms; and (b)  
65 the Oconto County share of proceeds from any such settlement is consistent with the shares established  
66 in Exhibit A to Addendum Two, a copy of which is attached to this Resolution and which is consistent with  
67 the allocations established in previous settlements with Opioid Defendants.

68  
69            NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby makes the  
70 following resolutions:

- 71            1. The County Board hereby delegates authority to the County Administrator and/or Board  
72 Chair to enter into a settlement agreement, including without limitation the execution of any  
73 and all ancillary documents and agreements necessary to effectuate a settlement, with any  
74 Opioid Defendant provided (a) the PEC and the Law Firms shall have recommended the  
75 settlement; and (b) the Oconto County share of proceeds from any such settlement is  
76 consistent with the shares established in Exhibit A to Addendum Two, a copy of which is  
77 attached to this Resolution and which is consistent with the allocations established in  
78 previous settlements with Opioid Defendants.
- 79            2. Prior to executing any settlement agreement, or any document related thereto, the County  
80 Administrator and/or Board Chair shall provide notice to the Administration Committee of  
81 the proposed settlement and the terms related thereto.
- 82            3. The County Administrator and/or Board Chair is authorized and directed to take any and  
83 all such other and further action necessary to effectuate the intent of this Resolution.

84            BE IT FURTHER RESOLVED: all proceeds from any settlement agreement not otherwise directed  
85 to the Attorney Fees Account shall be deposited in the County's Opioid Abatement Account. The Opioid  
86 Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. §  
87 165.12(4), and the applicable settlement agreement.

88            BE IT FURTHER RESOLVED: the County hereby authorizes the establishment of an account  
89 separate and distinct from any account containing funds allocated or allocable to the County which shall be  
90 referred to by the County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to  
91 up to, but in no event exceeding, an amount equal to 20% of the County's proceeds from a settlement  
92 agreement into the Attorney Fees Account unless such other amount is established by the applicable  
93 settlement agreement. If the payments to the County are not enough to fully fund the Attorney Fees Account  
94 as provided herein because such payments are made over time, the Attorney Fees Account shall be funded  
95 by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from a settlement  
96 agreement attributable to Local Governments (as that term is defined in the MOU) into the Attorney Fees  
97 Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and  
98 disbursements owed to the Law Firms pursuant to the engagement agreement between the County and  
99 the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled  
100 under their fee contract when considering the amounts paid the Law Firms from any fee fund established  
101 in a settlement agreement and allocable to the County. The Law Firms may make application for payment  
102 from the Attorney Fees Account at any time and the County shall cooperate with the Law Firms in executing  
103 any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

104            BE IT FURTHER RESOLVED: that all actions heretofore taken by the Board of Supervisors and  
105 other appropriate public officers and agents of the County with respect to the matters contemplated under  
106 this Resolution are hereby ratified, confirmed and approved.

113                   NOW, THEREFORE, BE IT RESOLVED, that the Oconto County Board of Supervisors does  
114 hereby adopt the provisions of the foregoing resolution.

115  
116                   Submitted this 21st day of August, 2025.

117  
118                   By: ADMINISTRATION COMMITTEE

119  
120                   Alan Sleeter, Chair  
121                   Dennis Kroll  
122                   Carol Heise  
123                   John Matravers  
124                   Char Meier  
125                   Theresa Willems

126  
127  
128                   *Electronically Reviewed by Corporation Counsel on 07.31.2025 - BLE*

129  
130                   *Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant*

## **EXHIBIT A**

### **Allocation of Proceeds Among the Local Governments**

The following chart is agreed upon by and between the Local Governments identified below as representing the allocation of proceeds from the Settlement Agreements following (a) allocation to the Local Governments; and (b) allocation to the Attorney Fee Fund. The Local Governments shall cooperate with one another and the State in the negotiation and execution of an Escrow Agreement to effectuate the terms of the State-Local Government MOU, the Local Government MOU and the allocation set forth below. **The monetary value associated with the percentages below will be calculated consistent with the Settlement Agreements.**

<b>Local Government Type</b>	<b>Wisconsin Litigating Local Government</b>	<b>Allocation Percentage</b>
County	Adams County	0.327%
County	Ashland County	0.225%
County	Barron County	0.478%
County	Bayfield County	0.124%
County	Brown County	2.900%
County	Buffalo County	0.126%
County	Burnett County	0.224%
County	Calumet County	0.386%
County	Chippewa County	0.696%
County	Clark County	0.261%
County	Columbia County	1.076%
County	Crawford County	0.195%
County	Dane County	8.248%
County	Dodge County	1.302%
County	Door County	0.282%
County	Douglas County	0.554%
City	Superior	0.089%
County	Dunn County	0.442%
County	Eau Claire County	1.177%
County	Florence County	0.053%
County	Fond Du Lac County	1.196%
County	Forest County	0.127%
County	Grant County	0.498%
County	Green County	0.466%
County	Green Lake County	0.280%
County	Iowa County	0.279%

County	Iron County	0.061%
County	Jackson County	0.236%
County	Jefferson County	1.051%
County	Juneau County	0.438%
County	Kenosha County	3.712%
City	Kenosha	0.484%
City	Pleasant Prairie	0.059%
County	Kewaunee County	0.156%
County	La Crosse County	1.649%
County	Lafayette County	0.134%
County	Langlade County	0.312%
County	Lincoln County	0.350%
County	Manitowoc County	1.403%
County	Marathon County	1.259%
County	Marinette County	0.503%
City	Marinette	0.032%
County	Marquette County	0.246%
County	Menominee County	0.080%
County	Milwaukee County	25.220%
City	Cudahy	0.087%
City	Franklin	0.155%
City	Greenfield	0.163%
City	Milwaukee	7.815%
City	Oak Creek	0.166%
City	South Milwaukee	0.096%
City	Wauwatosa	0.309%
City	West Allis	0.378%
County	Monroe County	0.655%
County	Oconto County	0.336%
County	Oneida County	0.526%
County	Outagamie County	1.836%
County	Ozaukee County	1.036%
County	Pepin County	0.055%
County	Pierce County	0.387%
County	Portage County	0.729%
County	Price County	0.149%
County	Racine County	3.208%
City	Mount Pleasant	0.117%
City	Sturtevant	0.018%

City	Union Grove	0.007%
City	Yorkville Town	0.002%
County	Richland County	0.218%
County	Rock County	2.947%
County	Rusk County	0.159%
County	Sauk County	1.226%
County	Sawyer County	0.258%
County	Shawano County	0.418%
County	Sheboygan County	1.410%
County	St Croix County	0.829%
County	Taylor County	0.159%
County	Trempealeau County	0.320%
County	Vernon County	0.322%
County	Vilas County	0.468%
County	Walworth County	1.573%
County	Washburn County	0.185%
County	Washington County	1.991%
County	Waukesha County	6.035%
County	Waupaca County	0.606%
County	Waushara County	0.231%
County	Winnebago County	2.176%
County	Wood County	0.842%

National Opioids Settlements: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, Zydus  
Opioids Implementation Administrator  
[opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com)

Oconto County, WI  
Rubris Reference Number: CL-1769428

**TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:  
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT NATIONAL OPIOID  
SETTLEMENTS.**

### **SETTLEMENT OVERVIEW**

Proposed nationwide settlement agreements (“Settlements”) have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against eight opioids manufacturers, Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus (the “Manufacturers”). Local political subdivisions and special districts are referred to as “subdivisions.”

The Settlements require the settling Manufacturers to pay hundreds of millions of dollars to abate the opioid epidemic. The Settlements will provide a maximum of approximately \$720 million in cash to participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- Alvogen to immediately pay up to approximately \$19 million;
- Amneal to pay up to approximately \$74 million over 10 years, and to provide either approximately \$177 million of its generic version of the drug Narcan or up to an additional approximately \$44 million in cash;
- Apotex to immediately pay up to approximately \$65 million;
- Hikma to immediately pay up to approximately \$98 million, and to provide either approximately \$35 million of its naloxone product or up to an additional approximately \$7 million in cash;
- Indivior to pay up to approximately \$75 million over five years, a portion of which, at the election of the state, could be paid in the form of Indivior’s branded buprenorphine and/or nalmefene products with a value of up to \$140 million.;
- Mylan to pay up to approximately \$290 million over nine years;
- Sun to immediately pay up to approximately \$32 million; and
- Zydus to immediately pay up to approximately \$15 million.

The Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or distribution practices and require the Manufacturers to implement safeguards to prevent diversion of prescription opioids.

Each of the proposed settlements has two key participation steps.

**First**, each eligible state decides whether to participate in each Settlement. A list of participating states for each settlement can be found at <https://nationalopioidsettlement.com/>.

**Second**, eligible subdivisions within each participating state decide whether to participate in each Settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds. If the state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

## **WHO IS RUBRIS INC. AND WHAT IS THE IMPLEMENTATION ADMINISTRATOR?**

The Settlements provide that an Implementation Administrator will provide notice and manage the collection of participation forms. Rubris Inc. is the Implementation Administrator for these new Settlements and was also retained for the prior national opioid settlements.

## **WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?**

Your state has elected to participate in one or more of the Settlements, and your subdivision may participate in those Settlements in which your state has elected to participate. This notice is also sent directly to counsel for such subdivisions if the Implementation Administrator has their information.

*If you are represented by an attorney with respect to opioid claims, please contact them.*  
**Subdivisions can participate in the Settlements whether or not they filed a lawsuit or are represented.**

## **WHERE CAN YOU FIND MORE INFORMATION?**

Detailed information about the Settlements, including each settlement agreement, may be found at: <https://nationalopioidsettlement.com>. This website also includes information about how the Settlements are being implemented in most states and how funds will be allocated within your state.

You are encouraged to review the settlement agreement terms and discuss the terms and benefits with your counsel, your Attorney General's Office, and other contacts within your state. Information and documents regarding the Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com/>.

Your subdivision will need to decide whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process before the **October 8, 2025** deadline.

## **HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?**

The Settlements require that you take affirmative steps to “opt in” to the Settlements.

In the next few weeks, you will receive documentation and instructions from the Implementation Administrator or, in some cases, your Attorney General's Office. In order to participate in a settlement, a subdivision must sign and return the required Participation Form for that settlement.

Please add the following email addresses to your “safe” list so emails do not go to spam / junk folders: [dse\\_na3@docsign.net](mailto:dse_na3@docsign.net) and [opioidsparticipation@rubris.com](mailto:opioidsparticipation@rubris.com). Please monitor your email for the Participation Forms and instructions.

All required documentation must be signed and returned on or before **October 8, 2025**.

## RESOLUTION – R2025-08-03

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

**Re: Approval of the Oconto County Land and Water Resources Management Plan**

WHEREAS, The Oconto County Land and Water Resources Committee was given authority through Chapter 92 Wisconsin Statutes as amended in the 1997 Act 27 state budget to create a county land and water resources management plan; and

WHEREAS, in 2002 the State of Wisconsin adopted NR 151 setting new performance standards for farms to prevent runoff and protect water quality; and

WHEREAS, The Oconto County Land and Water Resources Committee determined that implementation of the new state standards and prohibitions will be best implemented by the local Land and Water Resources Committee and Land and Water Conservation Staff; and

WHEREAS, this plan was a locally led process for plan development and implementation, involving county residents from various interests and the Land and Water Resources Committee of the Oconto County Board of Supervisors; and

WHEREAS, the plan will be necessary for the Oconto County Land and Water Resources Committee to apply for funding from State, Federal, and Local sources by setting goals and objectives; and

NOW THEREFORE, BE IT RESOLVED that in order for the Oconto County Land and Water Resources Committee and Land and Water Conservation Department to provide funding to landowners in Oconto County and to protect the county land and water resources, the Oconto County Land and Water Resources Management Plan is hereby approved by the Oconto County Board of Supervisors.

Submitted this 21st of August, 2025.

By: LAND AND WATER RESOURCES COMMITTEE

Tim Cole, Chair  
Patrick J. Scanlan  
Keith Schneider  
Wayne Kaczrowski  
Mike Beyer

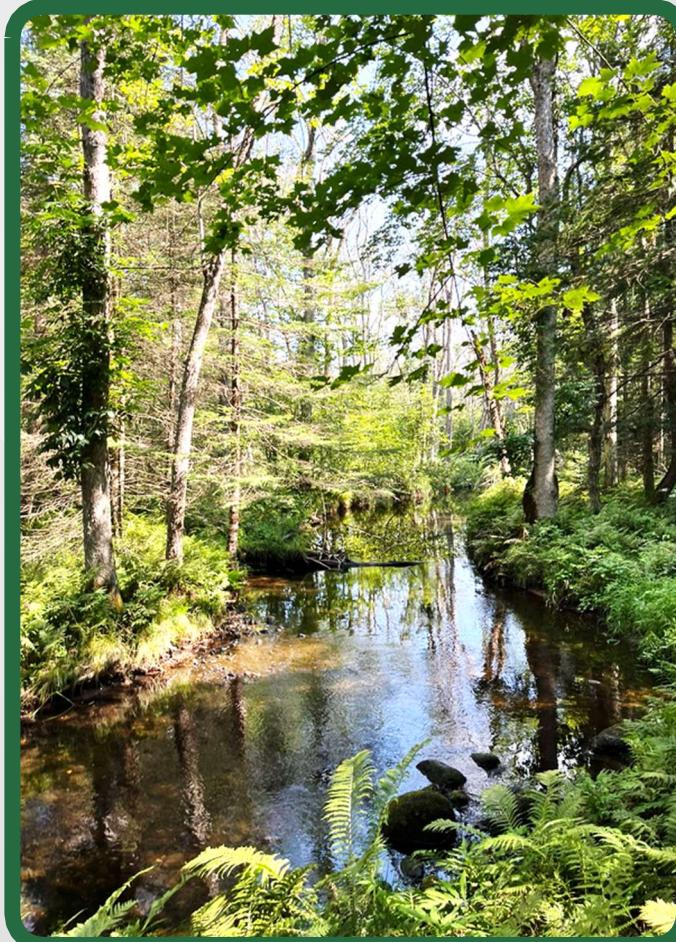
Electronically Reviewed by Corporation Counsel on 08-06-2025 - BIE

*Adopted by an electronic vote:*      *Ayes*      *Nays*      *Absent*      *Abstain*      *Vacant*



OCONTO COUNTY

# LAND & WATER RESOURCE MANAGEMENT PLAN



2026-2035

*Cover Design by Emily Schwartz  
Oconto County LWCD*

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## GLOSSARY

► Glossary terms located in this document are <b><i>bold and italicized</i></b> the first time they appear, and the abbreviations are included if necessary. After the first use most of the terms are abbreviated throughout the rest of the plan.	
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## **CREDITS FOR PLAN DEVELOPMENT**

### **Citizens Advisory Committee**

Tim Cole	<i>LWRC Chairperson</i>
Mike Rasmussen	<i>Oconto County Lakes and Waterways</i>
Carolyn Alsteen	<i>Agricultural Producer</i>
Wayne Czypinski	<i>Trout Unlimited</i>
Bobbi Holl	<i>Agronomist / CCA</i>
Michael Sievert	<i>Agricultural Producer</i>
Floyd Schmidt	<i>Chute Pond Lake District</i>
Jim Mahoney	<i>Agricultural Producer</i>

### **Land & Water Resource Committee**

Tim Cole – Chairperson	Wayne Kaczrowski
Pat Scanlan	Mike Beyer
Keith Schneider	

### **Technical Advisory Committee**

Ken Dolata	<i>County Conservationist (LWCD)</i>
Chad Trudell	<i>Conservation Technician (LWCD)</i>
Brady Stodola	<i>Conservation Technician (LWCD)</i>
Emily Schwartz	<i>Conservation Planner (LWCD)</i>
Jeff Maroszek	<i>District Conservationist (NRCS)</i>
Erin Hanson	<i>Water Resource Management Specialist (WDNR)</i>
Dale Mohr	<i>Community Development Agent (UWEX)</i>

## PLAN SUMMARY

In 2002 the **Department of Natural Resources (DNR)** passed **NR 151** setting new performance standards and prohibitions for farms to prevent runoff and protect water quality. **The Department of Agriculture, Trade and Consumer Protection (DATCP)** then passed rules in **ATCP 50** that identified the conservation practices as part of the **Soil and Water Resource Management (SWRM)** grant program that farmers must follow to meet DNR Standards. Counties have a choice to participate in the effort to carry out the state performance standards and prohibitions. The local **Land Conservation Committees (LWRC)** and staff are the designated county agents to carry this out. County LWRCs may apply for implementation grants to assist in the effort to help landowners meet the new standards. Since 2002, both NR 151 and ATCP 50 have been further revised (in 2012 and 2016) to include new or updated agricultural standards and prohibitions as well as practices to meet the standards.

What follows is a brief summary of the chapters contained within this document.

Chapter 1: Details the reason for developing County **Land and Water Resource Management plans (LWRMP)** and outlines the requirements to be included for adoption by the state. The state prohibitions and standards make up a large part of the plan and are detailed here also. The Oconto County Animal Waste Ordinance has incorporated the prohibitions for enforcement on a local level. This chapter also introduces Oconto County's setting, history and natural resources. **Environmental Protection Agency (EPA)** 303d waters are listed along with general stream and lake data which has been collected from the DNR. The numerous **Outstanding and Exceptional Resource Waters (ORW/ERW)** along with Healthy Resource Waters are chronicled. Each major **watershed** located within the county is summarized, followed by a brief discussion on surface water quality and concerns unique to the area. The discussion continues on water resources, shifting to groundwater and wetlands. The last part of the chapter includes land use figures along with population and development trends.

Chapter 2: Discusses how the plan initially came to be, through public participation and various committees as listed in the preceding credits. Questions had been raised and concerns had been heard about a wide range of pertinent topics. Previous Land and Water Resource Management Plans were the foundation for this plan. Furthermore, this chapter highlights the goals and objectives. The two goals were categorized toward the main economic aspects of Oconto County in regards to Land and Water Resources: agricultural and recreational use. Specific objectives and strategies leading to attainment of the goals are detailed as well. Information and education is the driving factor for much of this plan. Implementation by the **Land & Water Conservation Department (LWCD)** or other partner agencies through ordinance or cost sharing ultimately leads to the success of this plan.

Chapter 3: Discusses the implementation of the state performance standards and prohibitions. The DNR tool called **Erosion Vulnerability Assessment for Agricultural Lands (EVAAL)** was used to locate erosion susceptible croplands throughout the county as part of the last plan update. If additional resources are needed in the future, the results from the use of this tool could be considered as a reference to help achieve current and future goals. Changes in crop rotation, tillage practices or timing of tillage can easily be implemented to reduce soil erosion without much economic hardship. The objective of controlling animal waste runoff encompasses the state prohibitions and is implemented by the permit process through the county's animal waste ordinance or by priority farm designation. Initially, priority was set in **Water Quality Management Areas (WQMAs)** and while work continues with that list, a new list of priority farms outside WQMAs must be established. The chapter concludes with the compliance and enforcement procedures of the standards and prohibitions discussed in Chapter 1.

Situations have arisen in the past where the animal waste ordinance enforcement procedures have not progressed the way they had been envisioned. Referencing the ordinance allows clarification of such situations and allows for a more streamlined and efficient enforcement process.

Chapter 4: Details, in table format, the 5-year work plan for each goal. The objectives are laid out, along with activities, which will allow for the accomplishment of those objectives. Partners needed, estimated staff time necessary, agencies involved, cost in staff dollars, evaluation and monitoring parameters, and the specific benchmarks that were set out to be achieved are included in this chapter. Staff and funding availability can, at times, dictate priority which is evident in some of the activities and their benchmarks. This part of the plan is the working document, which allows for adaptation to changing situations within Oconto County over the next ten years. Many challenges can alter the work plan, from staff fluctuation, cost share funding availability, or changes in the public resource concerns. After 5 years, a regularly scheduled update to this work plan will be forthcoming.

Chapter 5: Discusses the information and education strategies for the goals and objectives. Public input into this section resulted in some very interesting and promising strategies to try and reach the people concerned and influenced by the goals stated in this plan. Education is a key aspect of the planning process; therefore, this is a very important part of the plan. Most strategies for information and education are a given part of some of the activities, whereas some activities are solely stated as being forms of education.

Chapter 6: Cites the partners and collaborators for the implementation of this plan. It takes many agencies and organizations, both public and private working in cooperation, to fully reach the goals established herein. Also included here are possible funding sources available to help implement this plan. Federal, state, county, and other local non-governmental sources may be available. From these sources, information has been obtained and has been included in the development of this plan and the intention is to continue collaboration during implementation.

# CHAPTER 1: BACKGROUND AND RESOURCE ASSESSMENT

## INTRODUCTION

### Land and Water Resource Management Plan Background

The need for local leadership in natural resources management is an important concept endorsed by both Federal and State government, including the ***United States Department of Agriculture's (USDA)*** Most Recent Farm Bill, ***Natural Resources Conservation Service's (NRCS)*** Conservation Programs Manual, the EPA's Water Action Plan, 1997 Wisconsin Act 27, and Comprehensive Planning. Elected officials and policy makers have reaffirmed that local leadership and grassroots decision-making that involves a diverse team of interested groups and individuals, are the keys to successfully managing and protecting natural resources. Following this principle, Wisconsin's 72 County ***Land Conservation Committees (LCC)*** continue to lead their communities in determining local conservation needs and priorities.

Locally led conservation is based on the principle that local leaders are best suited to identify and resolve local natural resource problems. It challenges local, state, and federal agency representatives and urban and rural neighbors to work together and take responsibility for addressing resource needs. Locally led conservation creates new opportunities but also poses significant challenges to County committees to take a more active role as conservation leaders in their communities.

### Plan Requirements

The 1997 Wisconsin Act 27 includes provisions for County Committees to develop County ***Land and Water Resource Management (LWRM) plans***. County LWRM plans cover a ten- year period and are envisioned to be a local action or implementation plan with emphasis on program integration. This local planning process is not to be thought of as another “program” among the many others from the state and federal level. Rather, it is a process by which counties and their public stakeholders can assess their resource conditions and needs, decide how best to meet water quality goals, implement state performance standards and other local conservation objectives, and measure progress towards meeting these goals. The planning process will provide a more efficient and effective means to address resource issues, meet state standards, and more effectively leverage local, state, and federal resources.

Every citizen benefits from the protection and sustainable use of natural resources. As standing committees to County Boards, County Committees are the primary local delivery system of natural resource programs. County Committees and Departments are the public's vital link with local landowners to promote the implementation of conservation practices and achieve greater environmental stewardship of the land.

### Performance Standards and Prohibitions

The NR151 Agricultural Performance standards and prohibitions are a vital component of County LWRM plans. Through 1997 Wisconsin Act 27, the Legislature amended the statutes to allow County LWRMs to develop and adopt standards and specifications for management practices to control erosion sedimentation and ***nonpoint source water pollution (NPS)***.

The statutes also require DNR and DATCP to develop performance standards for agriculture and non-agriculture nonpoint pollution sources. In October 2002, after long deliberation and many public hearings, new state runoff rules took effect. Since then, the NR 151 standards were updated in 2012 to include new or revised soil erosion and phosphorus reduction standards. As a whole, DNR rule NR 151 sets performance standards for runoff and to protect water quality. The ATCP 50 rule developed by DATCP and described below, defines the practices and cost sharing requirements that can be used in order to help operations meet NR 151 standards.

Performance Standards listed summarized from NR 151 Subchapter II are:

- ▶ **NR 151.02:** Sheet, Rill, and Wind Erosion – all land where crops or feed are grown, including pastures, shall be managed to achieve a soil erosion rate equal to, or less than , the “tolerable” (T) rate established for that soil.
- ▶ **NR 151.03:** Tillage setback – no tillage operations may be conducted within five feet of the top of the channel of surface waters.
- ▶ **NR 151.04:** Phosphorus index – croplands, pastures, and winter grazing areas shall average a phosphorus index of six or less over the accounting period and may not exceed a phosphorus index of 12 in any individual year within the accounting period.
- ▶ **NR 151.05:** Manure Storage Facilities – all new, substantially altered or abandoned manure storage facilities must be constructed, maintained or abandoned in accordance with accepted standards to minimize the risk of structural failure and minimize leakage in order to comply with groundwater standards.
- ▶ **NR 151.055:** Process wastewater handling – no significant discharge of process wastewater to waters of the state.
- ▶ **NR 151.06:** Clean Water Diversions – runoff must be diverted away from contacting feedlots, manure storage areas and barnyards located in a water quality management area.
- ▶ **NR 151.07:** Nutrient Management – manure, commercial fertilizer and other nutrients shall be applied in conformance with a ***nutrient management plan (NMP)***.

The Manure Management Prohibitions (NR 151.08) summarized from NR 151 Subchapter II are:

- ▶ No direct runoff from feedlots or stored manure into ***waters of the state***
- ▶ No unlimited livestock access to waters of the state where high concentrations of animals prevent the maintenance of adequate or self-sustaining sod cover
- ▶ No overflow of manure storage structures
- ▶ No manure stacking in unconfined piles within a WQMA

ATCP 50 identifies the cost-shareable conservation practices listed in the following table in order to maintain compliance with the NR 151 standards. Specifically, the ATCP 50.78 establishes the requirements that NMPs must meet to comply with the NR151.07 Nutrient Management Standard.

How these performance standards and prohibitions are to be implemented and enforced, and how violations and appeals are to be handled, will be detailed in subsequent portions of this plan.

**Table: Conservation Practices under ATCP 50**

Practice or Activity	ATCP 50 Cost Share Rate	Funding Source
Land taken out of agricultural production	70%	Structural
Riparian land taken out of agricultural production	70%	Structural
Manure storage systems	70%	Structural
Manure storage closure	70%	Structural
Access road	70%	Structural
Trails and walkways	70%	Structural
Conservation cover	70%	SEG
Conservation crop rotation	\$10/ac/yr	SEG
Contour farming	\$9/ac/yr	SEG
Cover crop – single species + termination	\$60/ac/yr	SEG
Cover crop – single species	\$35/ac/yr	SEG
Cover crop – multi species	\$75/ac/yr	SEG
Critical area stabilization	70%	Structural
Diversions	70%	Structural
Field windbreaks	70%	Structural
Filter strips	70%	Structural
Grade stabilization structures	70%	Structural
Habitat diversification	70%	SEG
Harvestable buffers (based on county soil rental rate)	Ac/yr	SEG
Hydrologic restoration	70%	Structural
Livestock fencing	70%	Structural
Livestock watering facilities	70%	Structural
Milking center waste control systems	70%	Structural
Nutrient management for cropland or pasture (4 yrs)	\$10/ac/yr	SEG
Nutrient treatment systems	70%	Structural
Pesticide management	70%	Structural
Relocating or abandoning animal feeding operations	70%	Structural
Residue management	\$18.50/ac/yr	SEG
Riparian buffers	70%	Structural
Roofs	70%	Structural
Roof runoff systems	70%	Structural
Sediment basins	70%	Structural
Sinkhole treatment	70%	Structural
Streambank and shoreline protection	70%	Structural
Stream restorations	70%	Structural
Stream crossing	70%	Structural
Strip-cropping	\$13.50/ac/yr	SEG
Subsurface drains	70%	Structural
Terrace systems	70%	Structural
Underground outlet	70%	Structural
Waste transfer systems	70%	Structural
Wastewater treatment strips	70%	Structural
Water and sediment control basins	70%	Structural
Waterway systems	70%	Structural
Well decommissioning	70%	Structural
Wetland restoration	70%	Structural

## Incorporation into County Ordinances

The county has adopted the Manure Management Prohibitions (NR 151.08) into the Oconto County Animal Waste Management ordinance enacted in March 2001 (Section 18.100 through and including 18.115) and has been updated since to include the Agricultural Performance Standards NR 151.02, NR 151.03, NR 151.04, NR 151.05, NR 151.055, NR 151.06 and NR 151.07. This ordinance regulates permitting of new and expanding animal waste storage facilities and feedlots, removal of abandoned feed piles, nutrient management planning and proper closure of vacated waste storage facilities. The ordinance is administered by the **Land & Water Conservation Department (LWCD)**, but citations are issued by the **Zoning Department**. The Zoning Department enacted an ordinance in February 2003 to regulate animal numbers according to **animal units (AU)** (Section 14.429). This ordinance limits AU to one per acre on parcels ranging from 2 to 35 acres. Properties larger than 35 acres are not limited to the total number of AU. Nutrient management planning is required to comply with AU numbers. Adopting an ordinance has established procedures allowing for a proactive approach to proposed farmstead projects because they must be submitted during the early planning phase for review by the LWCD.

## **OCONTO COUNTY HISTORY**

The following are descriptions of the physical, population and economic characteristics of Oconto County. The *Oconto County Volume II: County Resources 20-Year Comprehensive Plan* is the primary resource document for this section of the plan. In many instances detailed maps, tables and charts are referenced for further reading.

The Old Copper Culture people are early inhabitants of Wisconsin in an area that is the ancestral home of the Menominee. The name "Old Copper Culture" is derived from the fact that these people made a variety of bracelets, spear points, fishing hooks, knives, and other ornaments and tools out of copper. They worked the copper by alternating hot and cold hammering, called annealing. They are among the earliest known metal smiths in the world, and the first in North America. Copper tooling in various fashions has been known around the world for 10,000 years, but this is the first instance of its use in this country. The copper was mined in the Lake Superior region during the warmer months and transported south to a tooling or village site.

The Copper People lived in the Middle Archaic period. Carbon 14 tests conducted at the University of Chicago in 1953 placed these people here as far back as 7,510 years ago, between 5,500 and 5,600 BC, which predates the ancient Egyptian pyramids. During this period, sustenance was gained by hunting, fishing, and collecting wild foods. Pottery making, mound building and agriculture of the later Woodland period were unknown to the copper industry people in Oconto. They buried their dead here using the natural elevation of the land during a high water period.

The Menominee People (meaning rice eaters) were the first recorded nation to control Oconto County land. They were a people whose main diet centered on the fish and wild rice of the area. The Menominee had a large settlement to the north in what is now Marinette. The city derives its name from a famous Indian woman who developed a large trading post where that city now stands. The two primary forms of transportation for the Menominee people were by canoe or by foot.

The first Europeans to write about being in the area of Oconto County were the French who worked for Canadian Samuel de Champlain. Men were sent from the colony of New France (Canada), founded in

1608, to learn the languages and customs of the Native Americans and form economic, political and military ties with them. Other Frenchmen to make their presence known in the Oconto County area were Father Allouez and his contemporary, Father Andre. Both these Catholic priests spent many years and endured enormous hardship in an effort to comfort, heal, educate, and sometimes convert members of the local tribes.

France, by 1671, had claimed the Great Lakes area for its own. The region including Oconto County was later claimed by Massachusetts, Connecticut, New York and Virginia immediately after the American Revolution of 1776. Ohio won the distinction of claiming the area in 1785, then Indiana, Illinois and finally Michigan, each took a turn. The first sawmill in what became Oconto County was built at Pensaukee in 1827 on land leased from the Menominee Indians for \$15 a year and enough board lumber to make caskets. By the early 1830's, George Furwick was the first to purchase land from the government in what is now the City of Oconto. In 1848, Wisconsin achieved statehood, being the last in the Great Lakes Territory to do so. The first elections were held in what is now Oconto on November 4, 1851 to form the boundaries and name this new county separating from Brown County. Oconto City became the county seat at this time. The name "Oconto" was taken from an early Native American settlement named "Oak-a-toe". With the act of Congress that created Oconto County in 1851 from the northern part of Brown County, the white cities and villages officially came into existence, and the Indian villages they replaced vanished forever.

By 1850, the U.S. Census listed the county as having a population of 415 described as "wilderness dwellers". The first steam powered circular saw was brought into production by Samuel B. Gilkey in 1853, and the first steamboats began moving along the Oconto River the following spring. Also in 1854, Henry Tourtilotte and his Indian wife and four children came to the Gillett area being the first to build a split level log cabin on what is now First and Main Streets. He was soon followed by Henry Clark and his Indian wife and their three children.

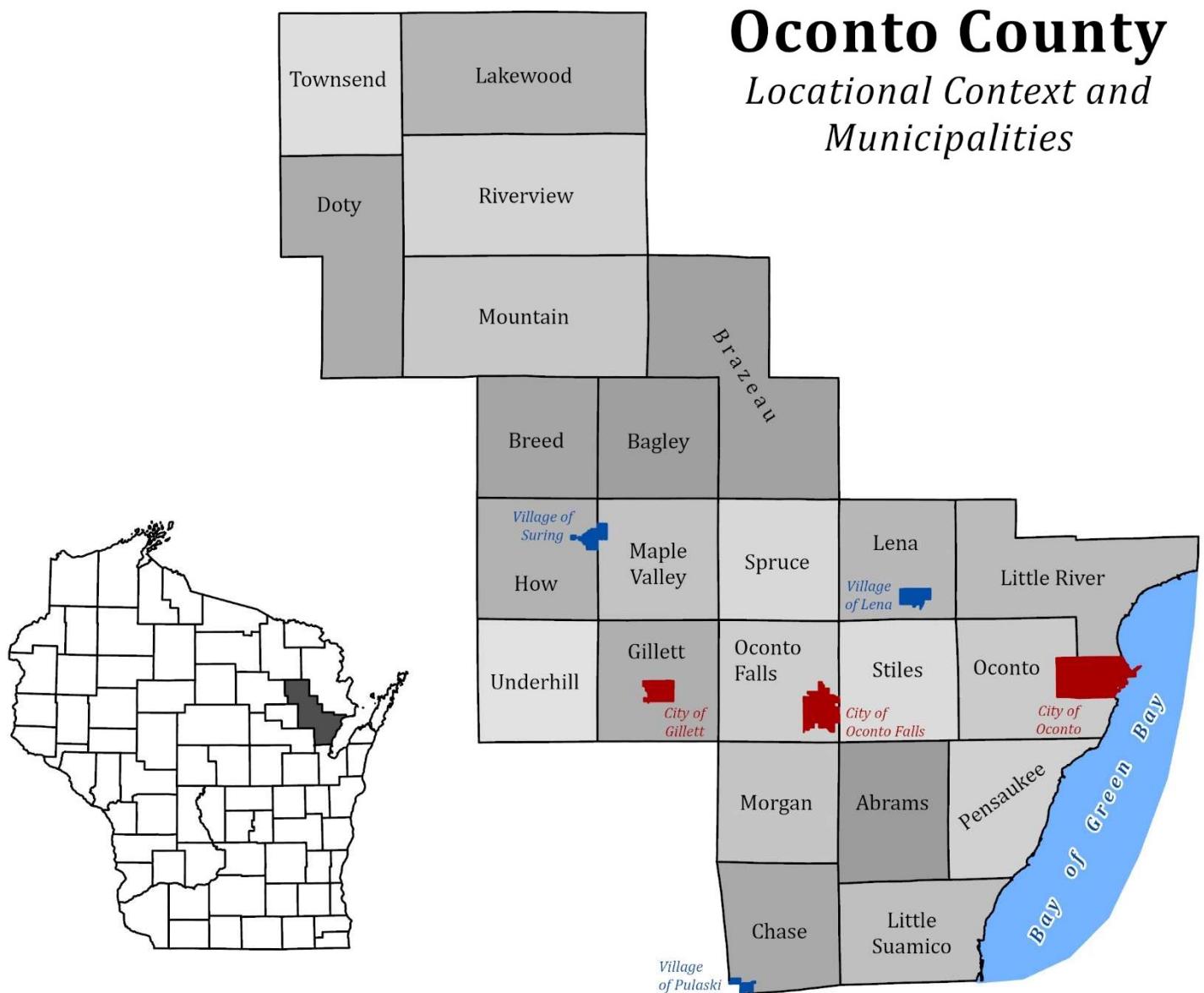
In 1855, the first road between the cities of Green Bay and Menominee began construction, northward. On March 11 of 1869 Oconto was chartered as a city by an Act of Legislature. Lumbering gave way to homestead farming, and in particular, dairying, in the latter half of the 1800's. Oconto County was an important reason why Wisconsin rose to the stature of "Dairy Capitol of the World". Tracks for the train line between Green Bay and Menominee were being laid in 1871, but faced a major setback when the huge "Peshtigo Fire" burned nearly every foot of track along the route. The first Christian Science Church was built in 1886. In 1879, the final boundaries were set for present day Oconto County with the inclusion of Town of How from Shawano County.

*Source: Adapted from Rita Neustifter, 1998; and The Copper Culture People Oconto Historical Society, 2010.*

## GEOGRAPHY AND GEOLOGY

### Locational Context

Oconto County, encompassing an area of approximately 1,017 square miles, or 651,213 acres, is located in Northeast Wisconsin. Oconto County, as of the 2020 Census, had 38,965 residents. The county has a total of 28 municipalities comprised of 23 towns and five incorporated communities: City of Oconto (4,513 residents); City of Oconto Falls (2,891 residents); City of Gillett (1,386 residents); Village of Lena (564 residents); and the Village of Suring (544 residents). Part of the Village of Pulaski is also within Oconto County with its remaining portions in Brown and Shawano Counties. Oconto County is bordered by Marinette and Forest counties to the North, Menominee and Shawano Counties to the West, Brown County to the South, and the Bay of Green Bay of Lake Michigan to the east. The map below provides locational context of Oconto County in Wisconsin and the townships and municipalities within.



## Climate

The climate in and around Oconto County is typical of Northern Wisconsin. It is classified as continental climate with harsh cold winters, heavy snowfall, and warm humid summers. The average annual rainfall is approximately thirty-one inches with the maximum occurring during June and July, and the minimum during January and February. The growing season averages approximately 150 days. The weather conditions are favorable for many outdoor recreational activities including the intense watercraft and snowmobiles, and non-motorized activities such as equestrian trails/hiking trails, ball fields and parks.

### Climate Change and Conservation

In recent years, climate change has played a role in conservation work and is expected to continue to. A noticeable change has been seen with consistent changes in the form of temperature rise and precipitation intensity. Of those two categories, the precipitation intensity is more pertinent to soil and water conservation specifically as it applies to the issue of increased erosion and the design of BMPs that are installed to reduce or prevent such erosion. BMP designs that control water flow, such as grassed waterways or grade stabilization structures have thus far and will continue to factor in greater storm intensities; particularly those rain events that produce greater than two inches of rainfall in a 24 hour timeframe and five inches of rainfall in the same timeframe. Data from the University of Wisconsin-Madison Nelson Institute, Center for Climatic Research show that those types of storm events will increase when comparing historical data from 1981 to 2010 with projections for 2041 to 2060. Additional data suggests that much of this added precipitation will also seasonally shift to occur in the winter months when the ground may be frozen and soil exposed. The use of BMPs such as reduced tillage and planting of cover crops have increased in the past decade within Oconto County and will continue to play a large part in reducing erosion in the fall through spring. Furthermore, indirect water control practices such as wetland restorations and properly designed stream crossings will also play an important part in controlling the impacts of increased rainfall. This data and how it may affect erosion, water quality, and flooding potential has played a role in the development of the goals of this plan.

## Geology

### Bedrock

Quaternary (glacial/surface) and bedrock geology characterize the terrestrial appearance and function of the county. Glacial geology refers primarily to the effects continental glaciations have had on the land over thousands of years, and to a lesser extent, the surface effects of more recent erosion and deposition activities. Bedrock geology refers to the much older, solid rock layers that lie beneath glacial sediments.

The bedrock underlying Oconto County is made up of seven distinct types from three geologic eras. As a result, the county can be split into three distinct regions based on the age of the bedrock. Bedrock in the Northern Highland Region, which lies in the northwestern portion of the county, is made up primarily of granite and mixtures of igneous and metamorphic rocks that are Precambrian (600 million years ago based upon science) in their origin. To the southeast of the Precambrian formation is the Central Plain Region. This region is characterized by the Cambrian (between 570 and 500 million years ago based upon science) group which consists of a variety of sandstones. As the bedrock continues southeast, the formations found are of the Ordovician Era (between 488 and 443 million years ago based upon science). This region is known as the Eastern Ridges and Lowlands. These formations include the Prairie du Chien group consisting of dolomite, the Saint Peter sandstone and the Platteville-Galena group consisting of dolomite and limestone. In addition to these distinct regions, along the northern

border of Oconto County is a narrow formation of quartzite, slate and iron. Bedrock has not presented any significant development problems in the past. However, bedrock may impact development when found near the surface. Bedrock near the surface may hinder excavation, therefore considerably increasing the cost of construction of recreational facilities. In addition, conventional on-site septic systems cannot function properly where bedrock is near the surface.

During the glacial period, Oconto County was completely covered by a sheet of ice known as the Green Bay Lobe of the Labrador Ice Sheet. This sheet of ice was responsible for shaping the surface features that can be seen today throughout the County. The glacial drift in Oconto County consists primarily of clayey till. Glaciofluvial sediments in the form of an outwash plain comprised of lake silt and clay are located in areas adjacent to major water features and through the central portion of the county. The soils may be less than five feet thick in some areas and up to 200 feet in depth above the bedrock. A map of the bedrock depth is included below.

### Topography

Glacial events occurring in Wisconsin, along with the type of underlying bedrock, have split Oconto County into three distinct regions.

The northern highlands region of Oconto County, which includes Mountain, Doty, Lakewood, Riverview, Townsend and parts of Brazeau, was once a mountainous area. Centuries of geological processes have resulted in rock outcrops which can be found in the Town of Mountain and the Town of Riverview near Crooked Lake. Some of the highest elevations in the state can be observed in this region as well. Thunder Mountain, located near the Oconto County-Marinette County border, rises 1,375 feet above sea level. McCaslin Mountain, located near the junction of Forest, Marinette and Oconto Counties, has been measured at 1,620 feet. Other areas of the county rise above those named points with a maximum elevation in the far northwest at 1791 feet.

The central plain region of Oconto County includes Gillett, Maple Valley, Spruce, Underhill and portions of Brazeau. This area is covered by a hilly, undulating end moraine. A series of low ridges can also be found in the northeastern part of the central region. This region averages between 700 and 900 feet.

In southeast Oconto County the end moraine of the Central Plain Region eventually merges with the eastern ridges and lowlands region of the county with a broad, undulating ground moraine that slopes to the east. The entire ground moraine encompasses a number of depressions and basins and is scattered with lakes and outwash plains. This region is very low in elevation compared to the rest of the county being as low as 552 feet above sea level. A map showing the difference in elevation from northwest to southeast follows.

### Landcover

Wetlands are the most abundant landcover type in the county with approximately 217,000 acres and 33% of all cover. Open herbaceous and forested wetlands were included in this category. There are many pocket wetlands in field depressions and wooded areas that contribute to this acreage. However, the major expanses of wetlands surround various branches of the Oconto River, Peshtigo Brook, and the shoreline of Green Bay. Wetlands located close to the Green Bay shoreline provide rich habitat for plants and animals and greatly influence the larger ecosystem processes of the Great Lakes. As transition zones between land and water, coastal wetlands are often rich in species diversity and provide critical habitat for migratory and nesting birds, spawning fish, and rare plants. The WDNR has

identified ecologically Significant Coastal Wetlands along Lake Michigan including the Oconto Marsh, County Line Swamp, Pensaukee River Wetland Complex, Charles Pond, and Mud Creek Wetland as a way to guide future planning efforts.

About 184,000 acres of land in the county was comprised of agricultural land as of the most recent survey completed in 2023 by the **United States Geological Survey (USGS)**. Agriculture is found mainly in the central and southern portions of the county. This includes cultivated land for crop production as well as dedicated pastureland. Agricultural land slightly edges out forested land as the second most abundant landcover type at 28.3% of the county's surface area.

The next most abundant landcover is forested land with about 183,000 acres which comprises 28.1% of all surface cover in the county. Woodlands maintain watershed cover, provide shade, serve as a windbreak, and help reduce soil erosion. The primary timber types are aspen, softwoods, swamp hardwoods, and northern hardwoods. Most of the forested land is situated in the northern third of the county. Publicly owned land makes up approximately half of the forested areas in Oconto County as shown in the corresponding map that follows. The Nicolet National Forest consists of 138,000 acres in the Northern third of the county while Oconto County Forest comprises another 43,345 acres located in the northern and southern portions of the county.

Other landcover types such as developed land (including roads), grasslands, and open water, cover the rest of the county. Oconto County contains approximately 25 miles of Green Bay shoreline. Shorelands are viewed as valuable environmental resources both in rural and urbanized areas. Even though development within shoreland areas is generally permitted, specific design techniques must be taken into consideration. A mapped representation of the landcover throughout the county can be seen below.

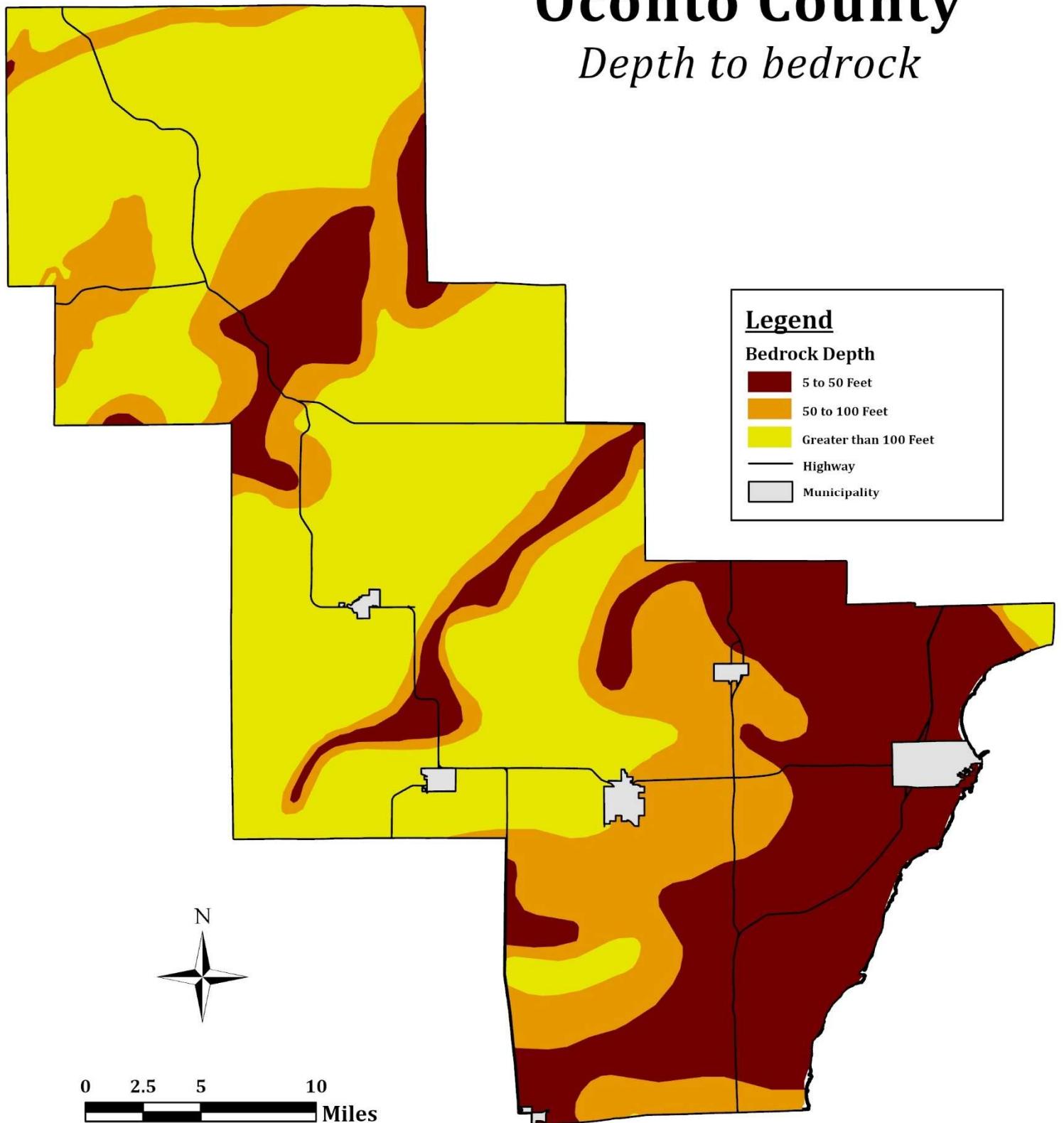
### Soils and Erosion

The Northern Highlands Region is generally comprised of Menahga-Rousseau, Padus-Pena, and Lennan-Keweenaw soils that are well drained, nearly level to very steep, and can range from sandy loams to loamy sands. Onaway-Solona-Seelyeville soils comprise the majority of the soils in the Central Plains Region. These soils are nearly level to very steep, well drained to somewhat poorly drained or very poorly drained, generally range from fine sandy loams to mucks. Solona-Onaway-Iosco is the predominate soil of the Eastern Ridges and Lowlands of eastern Oconto County. These soils are nearly level to gently sloping, well drained to somewhat poorly drained, loamy and sandy soils on uplands.

Soil erosion is a concern not only because of reduced productivity on the land, but also because of the introduction of eroded soil into the surface water bodies. Sediment reaching rivers or lakes may need to be dredged, and more importantly, the sediment reduces aquatic habitat. Nutrients and pesticides attached to the soil particles have an adverse effect on water quality. Loamy and sandy soils located along steeper slopes are identified as having soil erosion problem potential. These soil types are predominantly found in the central part of the county in the towns of Breed, Brazeau, and Oconto Falls. Soil erosion from sources other than cropland is generally a concern relating to construction sites. In Oconto County, this is mainly a concern closely tied to development on the shores of lakes, rivers, and streams throughout the county. A soils map is included below to visually depict the distribution of various soil textures.

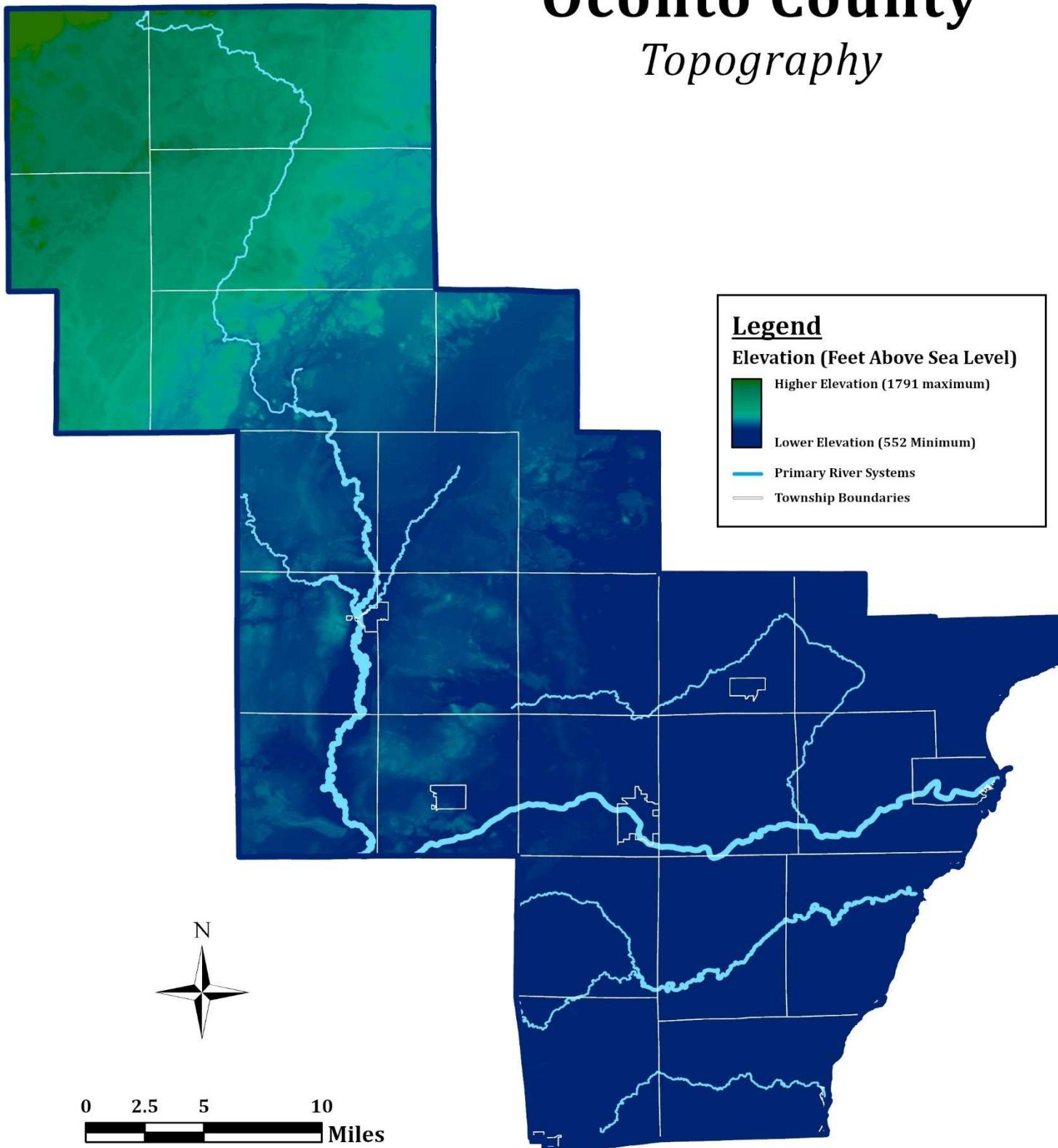
# Oconto County

## *Depth to bedrock*



# Oconto County

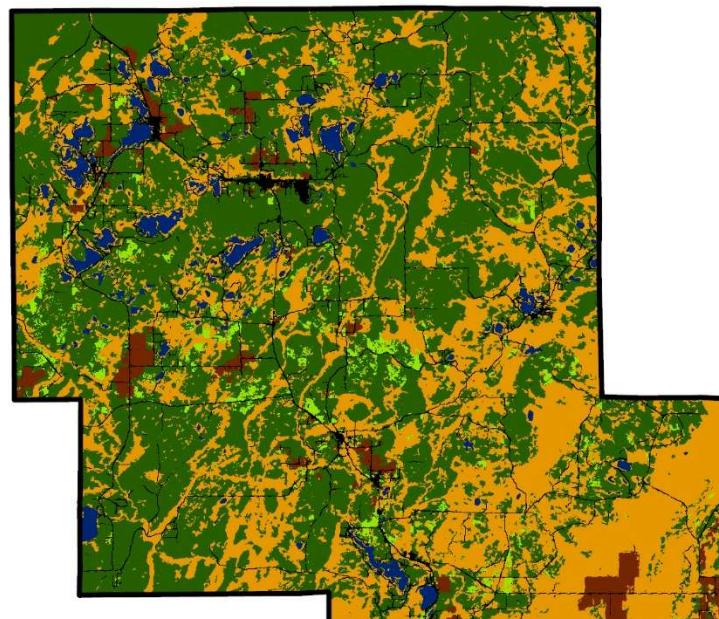
## *Topography*



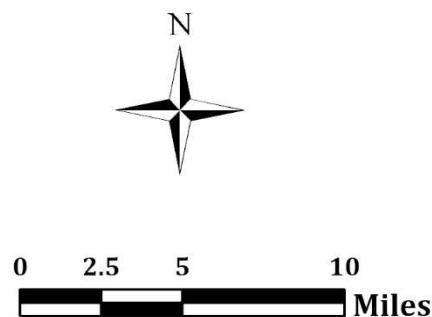
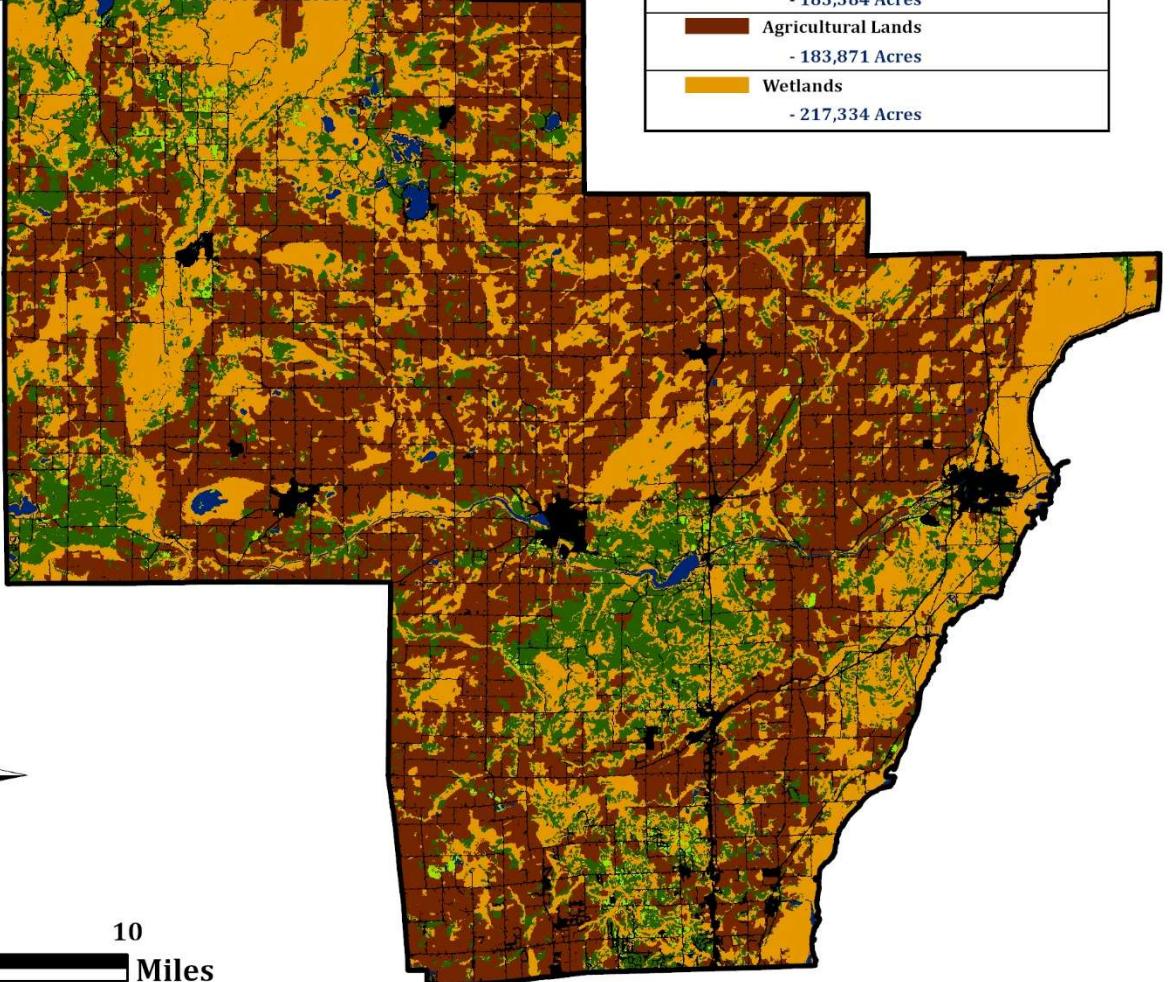
# Oconto County

## *Landcover*

### 2023



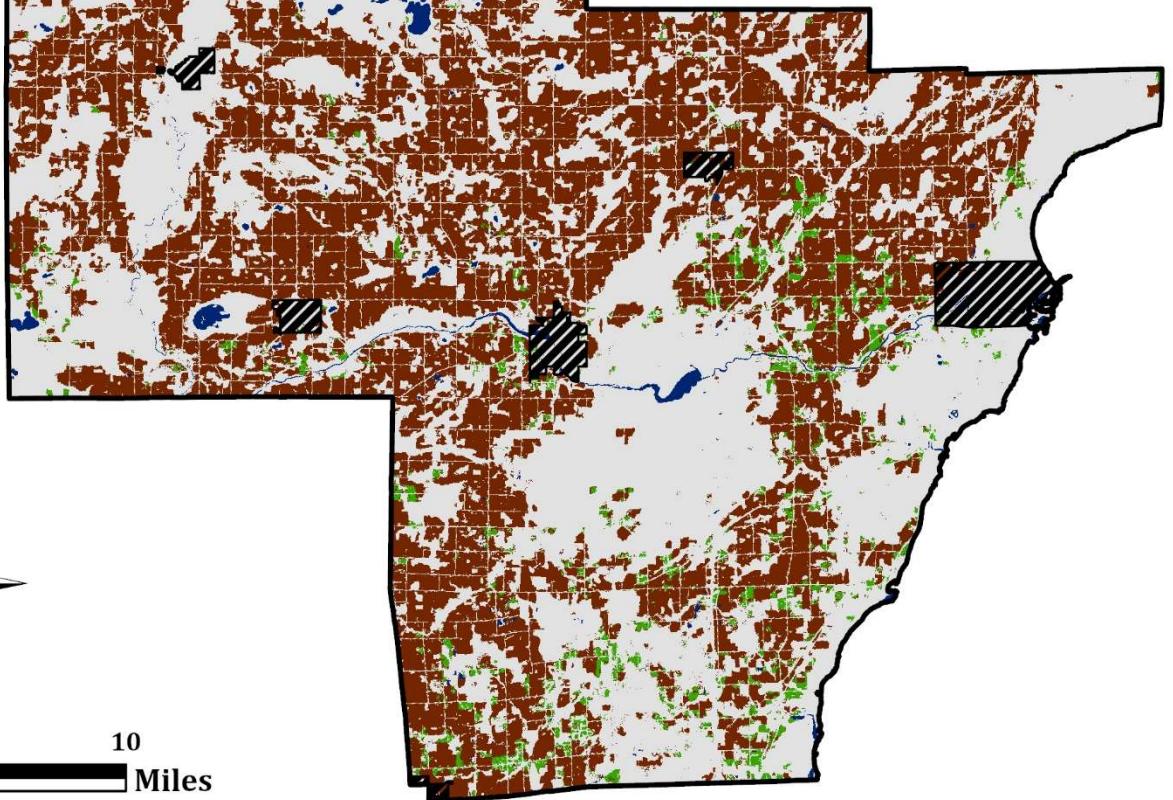
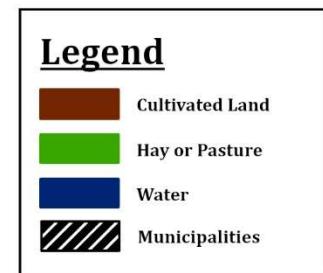
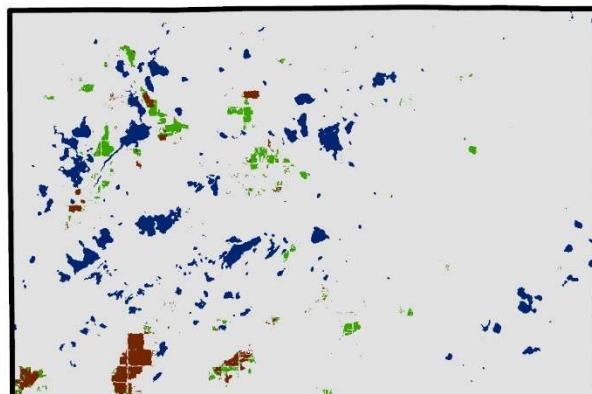
<u>Legend</u>	
Landcover Type	
Meadow or Grasslands	- 8,999 Acres
Water	- 12,377 Acres
Developed or Impervious Lands	- 45,248 Acres
Forested Lands	- 183,384 Acres
Agricultural Lands	- 183,871 Acres
Wetlands	- 217,334 Acres



# Oconto County

## *Agricultural Lands*

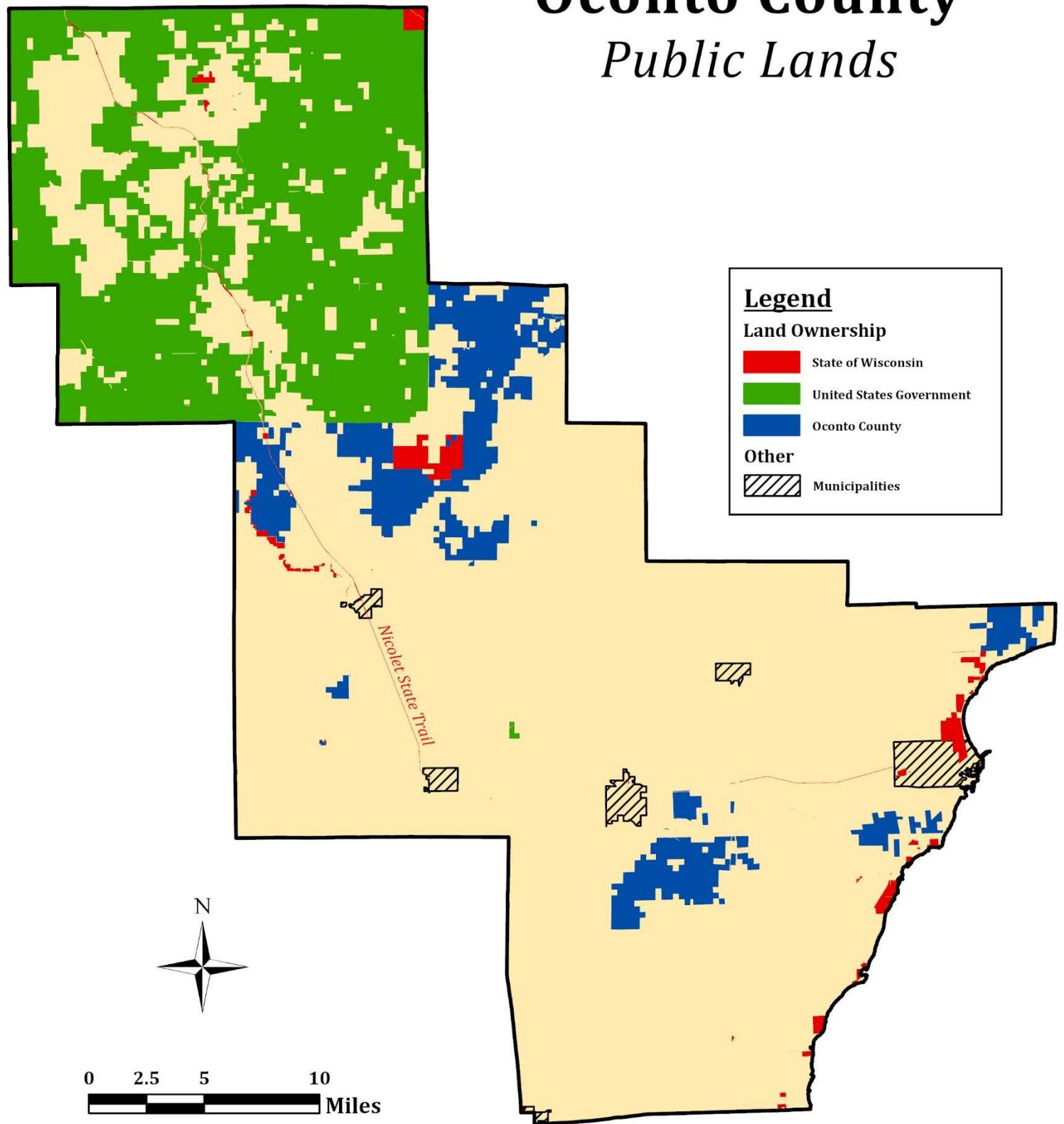
### 2023



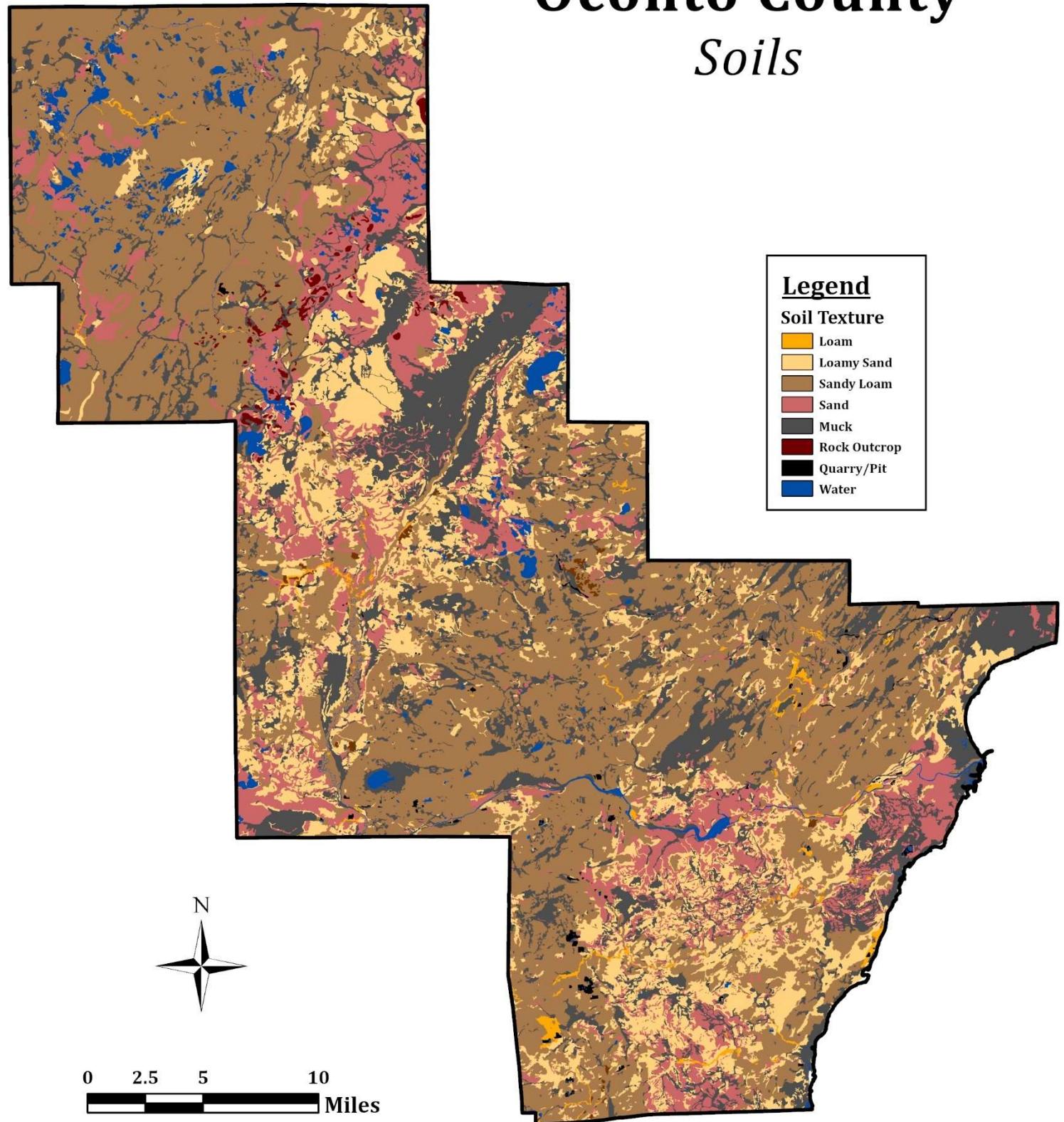
0 2.5 5 10 Miles

# Oconto County

## *Public Lands*



# Oconto County *Soils*



## NATURAL RESOURCES

### Surface Water

Approximately 4 percent of the county is covered by surface waters. The surface waters in Oconto County primarily flow southeast to the bay of Green Bay. The major river systems within the county consist of the Little Suamico, Oconto, Pensaukee and Little River. Oconto County has many lakes and streams that provide an abundant supply of surface water. Oconto County has 210 named lakes and 165 unnamed lakes totaling 12,650 surface acres. Additionally, the county contains 1,073 miles of streams which cover 12,814 surface acres. Of the following tables, the first two statistically summarize the surface waters in the county and the next two more specifically list the major surface water features in Oconto County. Major waters, in this case, include lakes and ponds greater than 100 surface acres and substantial river basins. The surface waters of the county also provide quality habitat for waterfowl and wildlife in addition to recreational opportunities. Over 450 miles of Oconto County streams are considered classified trout streams, meaning they support a sport trout fishery population through the existence of suitable habitat and water temperatures. Some of the streams may support sufficient natural reproduction and some require stocking to remain viable sport fisheries. The location and distribution of these classified trout waters can be seen on the map on page 24.

**Table: Lake Data for Oconto County**

Size (Acres)	Number of Lakes	Total Size (Acres)
Under 10	228	761
10-29	74	1,331
30-49	29	1,097
50-99	17	1,152
100 or Greater	27	8,309
<b>Total</b>	<b>375</b>	<b>12,560</b>

**Table: Stream Data for Oconto County**

Average Width (Feet)	Number of Streams	Total Length (Miles)
Under 10	142	198
10-19	21	90
20-39	23	161
40 or Greater	5	108
<b>Totals</b>	<b>191</b>	<b>557</b>

**Table: Oconto County Lakes and Ponds Greater than 100 Surface Acres**

Name	Location
Anderson Lake	T30N, R17E, Section 3
Archibald Lake	T32N, R15E, Section 2
Bass Lake	T32N, R15E, Section 4
Berry Lake	T28N, R17E, Section 19
Boot Lake	T32N, R15E, Section 9
Boulder Lake	T31N, R15E, Section 21
Caldron Falls Reservoir	T33N R18E Section 10
Christie Lake	T28N, R18E, Section 19
Chute Pond	T31N, R16E, Section 36
Crooked Lake	T32N, R17E, Section 22
Horn Lake	T33N, R15E, Section 21
Kelly Lake	T29N, R19E, Section 6
Lake John	T33N, R16E, Section 16
Leigh Flowage	T30N, R19E, Section 30
Machickanee Flowage	T28N, R20E, Section 34
Maiden Lake	T32N, R16E, Section 7
Mary Lake	T32N R14E Section 1
Montana Lake	T30N R20E Section 30
Oconto Falls Pond	T28N, R19E, Section 26
Paya Lake	T32N, R16E, Section 10
Pickerel Lake	T33N, R15E, Section 11
Reservoir Pond and Explosion Lake	T33N, R15E, Section 28
Townsend Flowage	T33N, R15E, Section 22
Waubee Lake	T33N, R16E, Section 13
Waupee Flowage	T32N R17E Section 21
Wheeler Lake	T33N, R16E, Section 22
White Potato Lake	T31N, R18E, Section 23

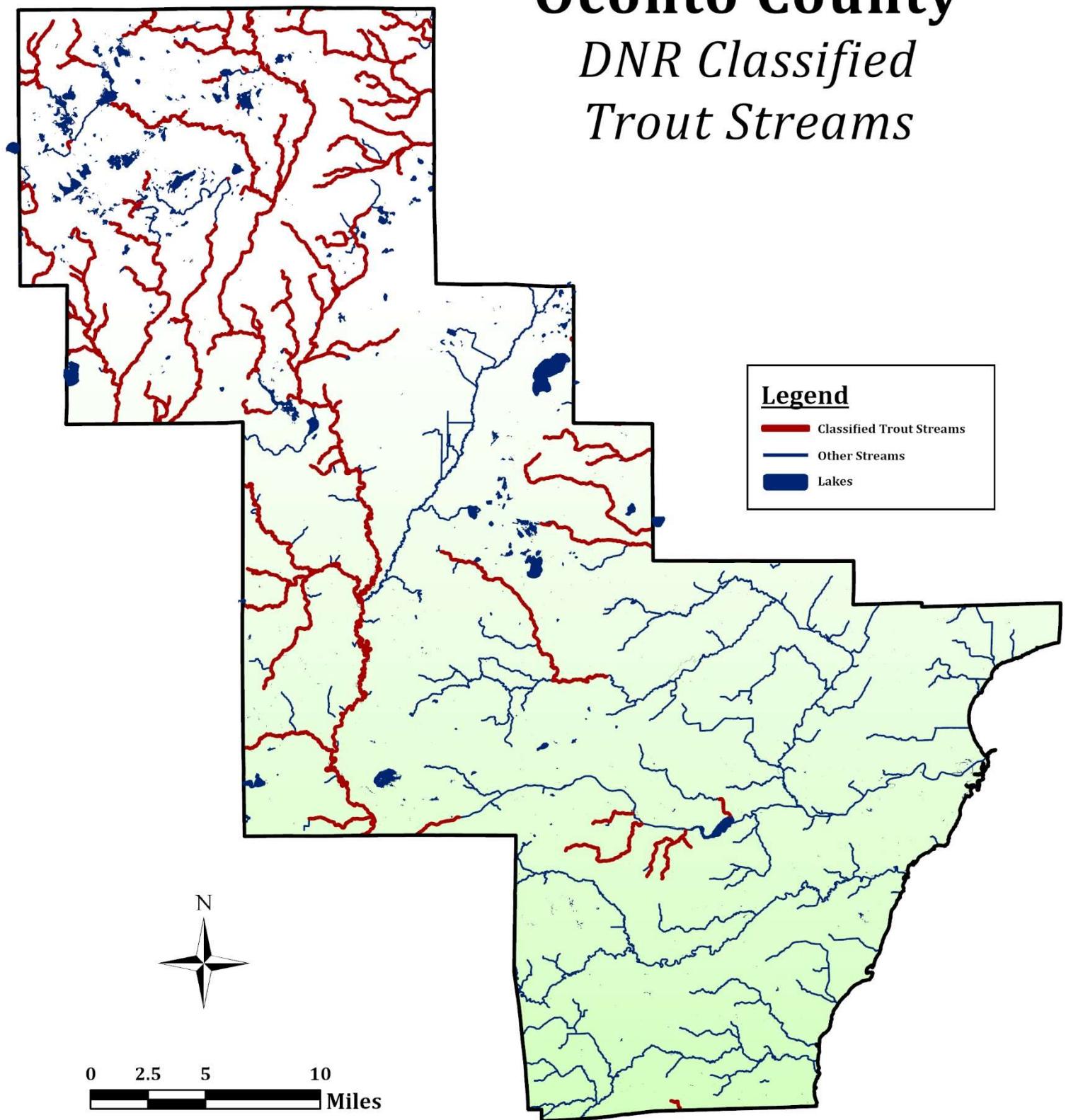
**Table: Oconto County Major Rivers**

Name	Location
First South Branch Oconto River	T31N, R16E, Section 31
Kelly Brook	T29N, R20E, Section 12
Little River	T28N, R21E, Section 30
Little Suamico River	T26N, R21E, Section 29
North Branch Little River	T28N, R21E, Section 30
North Branch Oconto River	T29N, R17E, Section 12
Oconto River	T29N, R22E, Section 16
Pensaukee River	T27N, R21E, Section 12
Peshtigo Brook	T29N, R17E, Section 12
South Branch Oconto River	T29N, R17E, Section 12

Source: Wisconsin DNR

# Oconto County

## *DNR Classified Trout Streams*



## **Watersheds**

Oconto County includes portions of twelve watersheds, ten of which are part of the larger Lake Michigan Basin. All of those ten watersheds drain indirectly into Lake Michigan through the bay of Green Bay via one of the county's major rivers. Of those, there are six watersheds in which most of the drainage area resides in the Oconto County boundary, two that are have moderate land areas within the county, and four of which have minute portions within the county. Following the brief summary on water quality testing below, there is a map of the watersheds with substantial drainage area within the county followed by a series of maps showing each watershed on its own with its respective major water resources and contextual elements. Accompanying each map is a brief description of the watershed including any unique features or resource concerns.

### Water Testing

The extent of watershed evaluation within Oconto County is minimal but does exist. Although there were some studies done on other watersheds, recent studies and water testing done by the Wisconsin DNR and Oconto County LWCD have focused on the Little River Watershed and its subwatersheds, comprised in large part by agricultural land use. The studies and data available are present day observations and impart no indications of load reduction targets. Below are the summaries of studies and testing done to date.

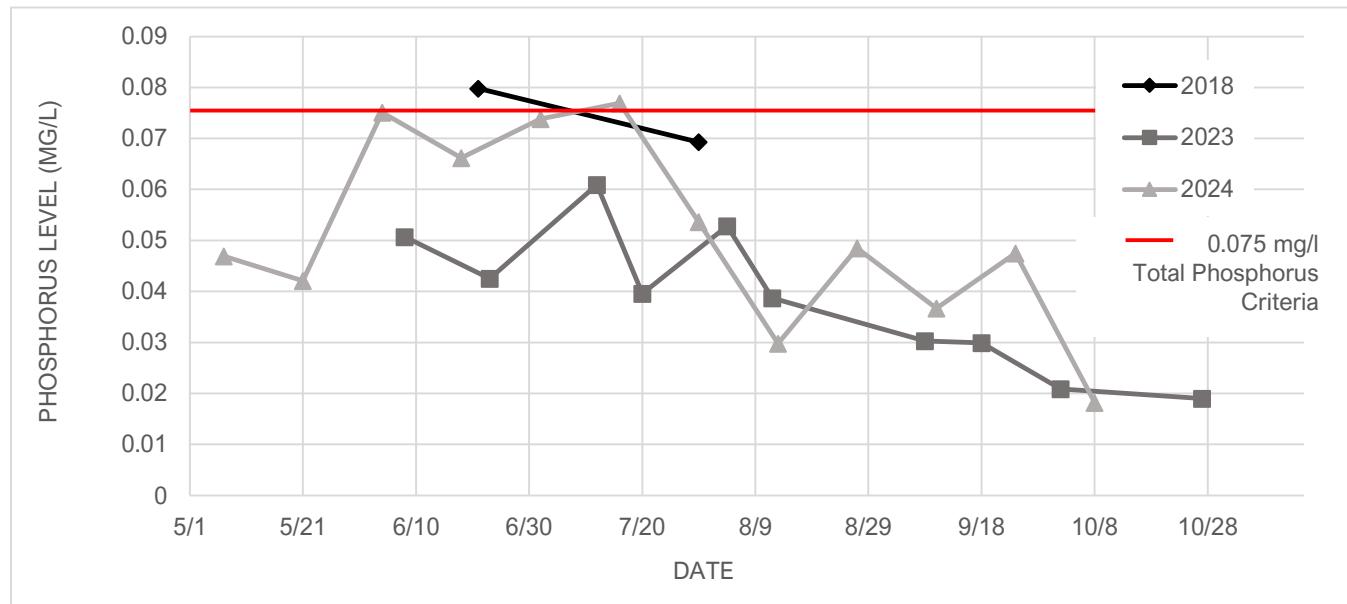
There were assessments from 2012 and 2013 of the Lower Oconto River Watershed by Andrew Hudak, a Water Quality Biologist with the DNR. These studies entailed water temperature monitoring, electroshock fish surveys, habitat surveys, and macroinvertebrate sampling in the Oconto River and select tributaries. Habitat quantity tended to be fair to good in all sampling locations. Fish surveys were "consistent with expectations," according to Hudak. In addition, macroinvertebrate survey results were variable throughout from poor to excellent. No contaminant data were available in this study; however, Hudak did find some signs of possible pollutant indicators that could spur future studies for specific pollutants at some sampling locations.

In addition, there was a DNR study of the Little Suamico River watershed with compiled data from 2005 to 2014. This study was even less thorough than the Lower Oconto, and most results were deemed as having been drawn from insufficient data.

In 2018, an ambitious water quality and impairment study was initiated by Hudak to assess the impairment contributions from different stream stretches of the Little River watershed. This study was launched in response to the lower 9 miles of the Little River watershed being listed on the **303(d) waters** list for total phosphorus. Testing showed that in Spring of 2018, the Little River mainstream was double the criteria of 0.075 mg/L total phosphorus at the highest runoff times and slightly above the criteria level even during low-flow seasons. Various sub-watersheds within the larger Little River watershed were tested over a two-year period to attempt to locate high pollutant contributing stretches impacting the waters of Little River. In 2018 the upper three sub-watersheds being North Branch, Kelly Brook and Headwaters of Kelly Brook were sampled for water chemistry, fish index of biotic integrity (IBI), macroinvertebrate IBI, quantitative habitat assessments and a diatom nutrient index. During the growing season water chemistry samples, total phosphorus, total suspended solids and direct runoff potential were collected at the sub watershed outlet locations spanning the Little River watershed. In 2019 these 12 sites were sampled during spring runoff and retested during the growing season. Some tile discharge sites were also sampled in 2019 to understand dissolved reactive phosphorus dynamic in the system during spring, summer and fall seasons.

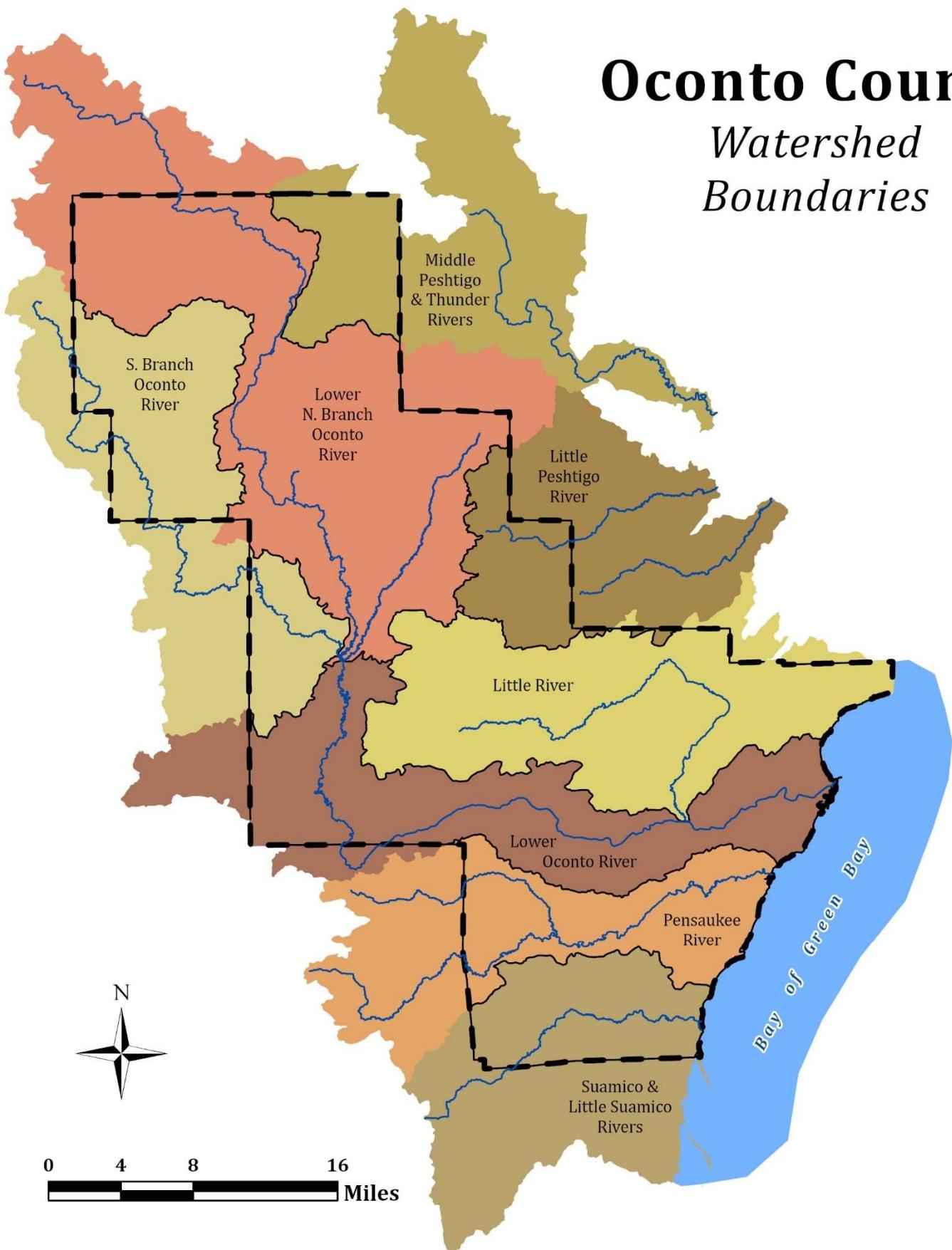
After Hudak's study was completed in 2021, the Oconto County LWCD began inventorying farmsteads, crop fields, gullies, and streambanks in the North Branch Little River watershed. Key resource concerns were identified, and collaboration began with watershed landowners and farm operators to implement BMPs aimed at improving soil health, reducing erosion, and minimizing livestock runoff, with the goal of reducing phosphorus and sediment entering the mainstream Little River system. Through the National Water Quality Initiative (NWQI), the USDA Natural Resources Conservation Service provided funding to support the installation of these practices. Following five years of implementation, the LWCD began testing water samples from the North Branch Little River for total phosphorus and sediment to evaluate water quality improvements. Monitoring efforts are expected to continue through 2026. In addition, Eric Evensen, Water Resources Management Specialist with the WDNR, plans to build on Hudak's study and continue monitoring water quality throughout the Little River watershed beginning in 2025 and beyond. Hudak's 2018 study identified the Daly Creek and Jones Creek sub-watersheds as areas of high loading for total phosphorus, making them potential priority areas as efforts continue to delist the lower section of Little River. The graph below displays data from 2018, 2023, and 2024.

**Graph: Water Sampling Phosphorus Results North Branch Little River at Belgium Road**



# Oconto County

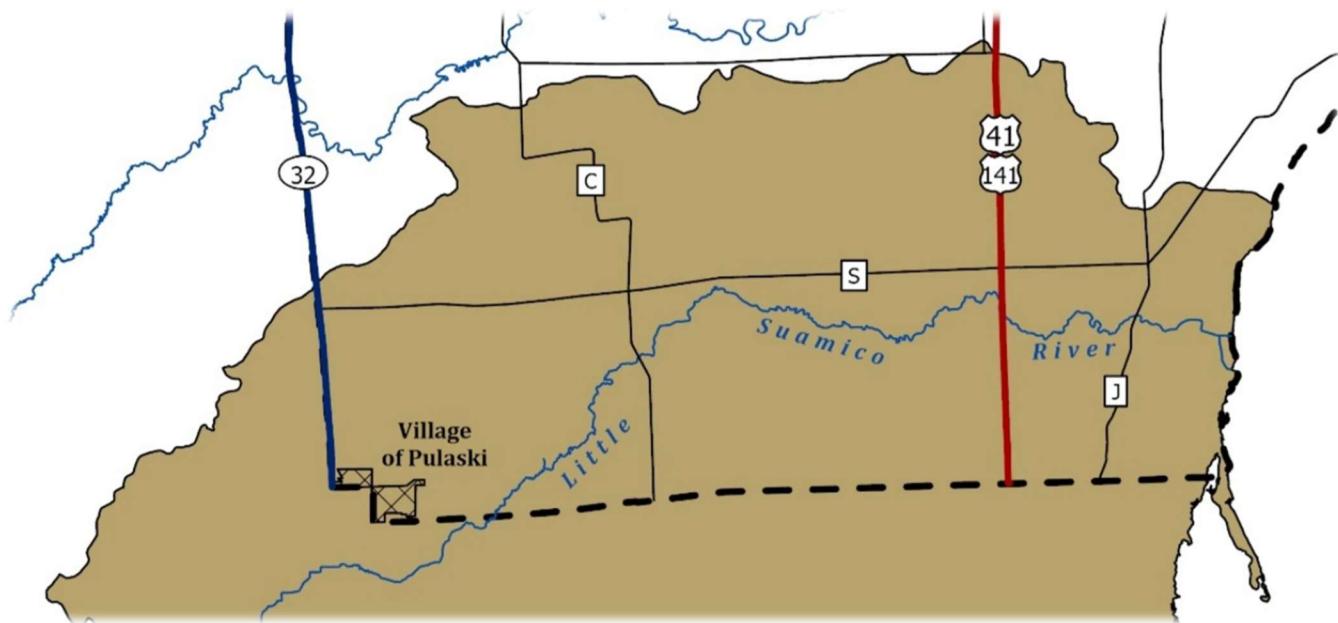
## *Watershed Boundaries*



## Individual Watershed Descriptions

### **Suamico and Little Suamico River Watershed (GB01)**

The Suamico and Little Suamico Rivers originate in eastern Shawano County and flow easterly to Green Bay. Near Green Bay and inland for several miles, wetlands are especially prominent and are valuable spawning habitat for Green Bay sport fish species. While agriculture remains a primary land use in the watershed, the number of residential homes expanding out from the Green Bay area has increased greatly in the past decade. **Nonpoint source pollution** impacts the water quality in this watershed. As of 2024 the Little Suamico River can be considered a priority as it was placed on the EPA 303(d) list with total phosphorus named as the major pollutant. A small portion of the Village of Pulaski is located within the Oconto County portion of this watershed, but the unincorporated Little Suamico community adjacent to Highway 41/141 has attained prominence in the past decade due to urban sprawl from the City of Green Bay metropolitan area.

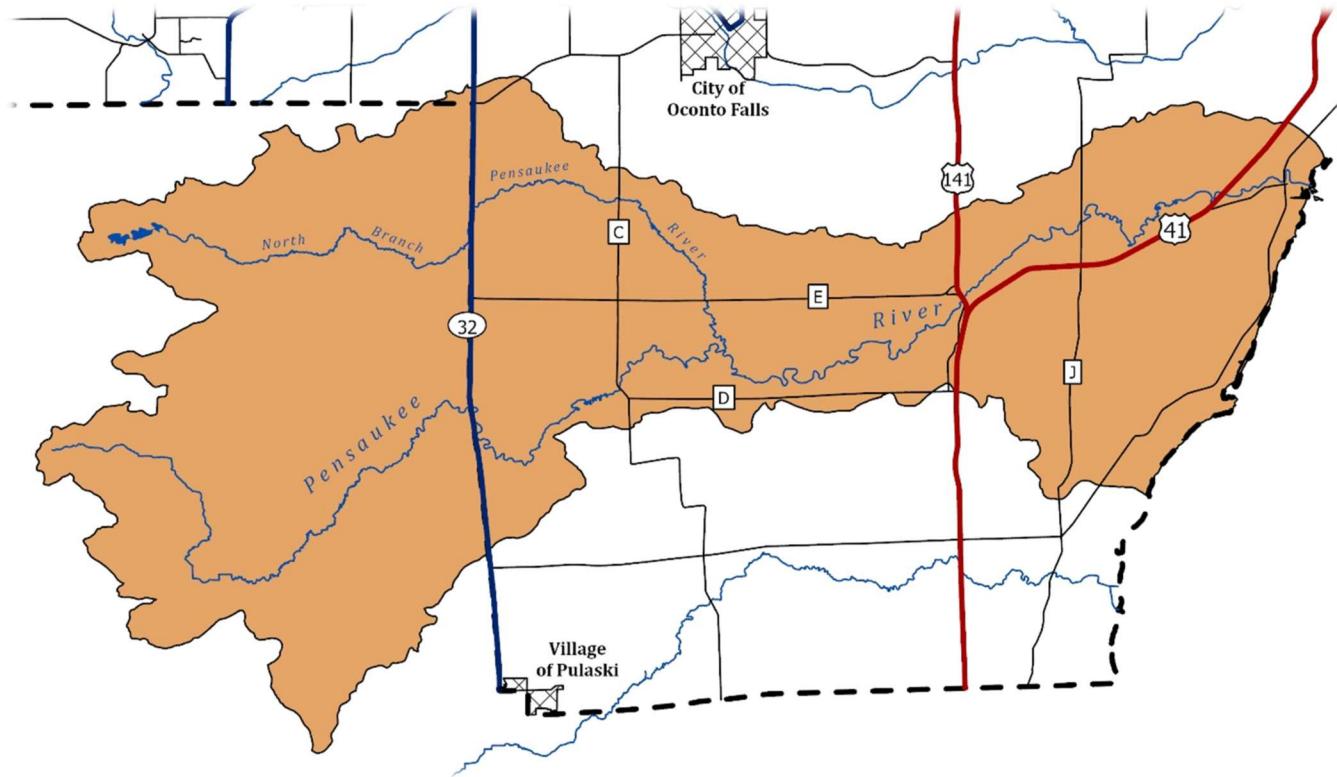


### **Pensaukee River Watershed (GB02)**

The Pensaukee River Watershed originates in eastern Shawano County and flows east through Oconto to Green Bay. The watershed had been involved in the **nonpoint source pollution abatement program** from 1996 until 2016 to deal with NPS problems. The overall water resource goals sought through this priority watershed plan effort were as follows:

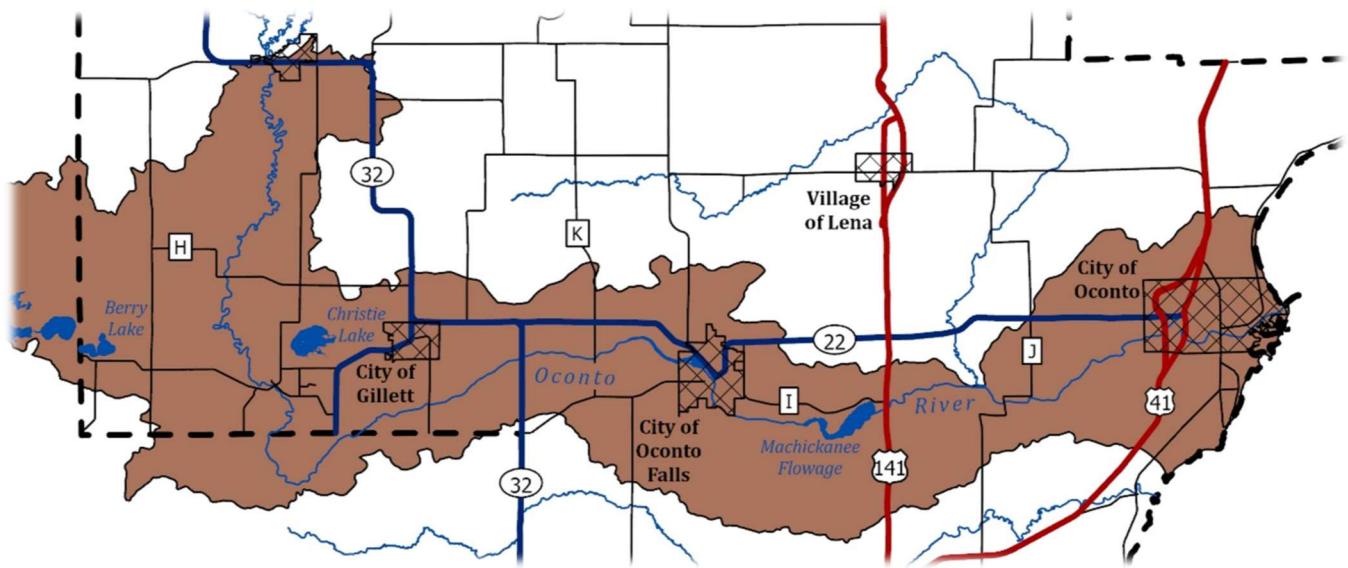
- ▶ Protect, enhance and restore water quality of the streams of the subwatershed in order to improve the water quality of all the subwatersheds and ultimately Green Bay
- ▶ Protect, enhance and restore wetlands of the subwatersheds, especially focusing on the near shore areas of Green Bay in order to enhance fish spawning habitat, as well as within the headwater areas of the Pensaukee River for enhancing base flow
- ▶ Protect and enhance the groundwater resource from NPS especially through sinkholes or other internally drained areas

Despite the improvements that resulted from the program, due to increasingly higher standards from regulatory agencies over the course of time, as of 2024 the Pensaukee River remained as designated by EPA on the 303(d) list with total phosphorus named as the major pollutant and therefore is a priority. Furthermore, the mouth of the river as it meets Green Bay is mentioned separately as having **Perfluorooctane Sulfonate (PFOS)** concerns. This watershed contains valuable spawning habitat for some Green Bay sport fish species and the primary land use in the watershed is agricultural.



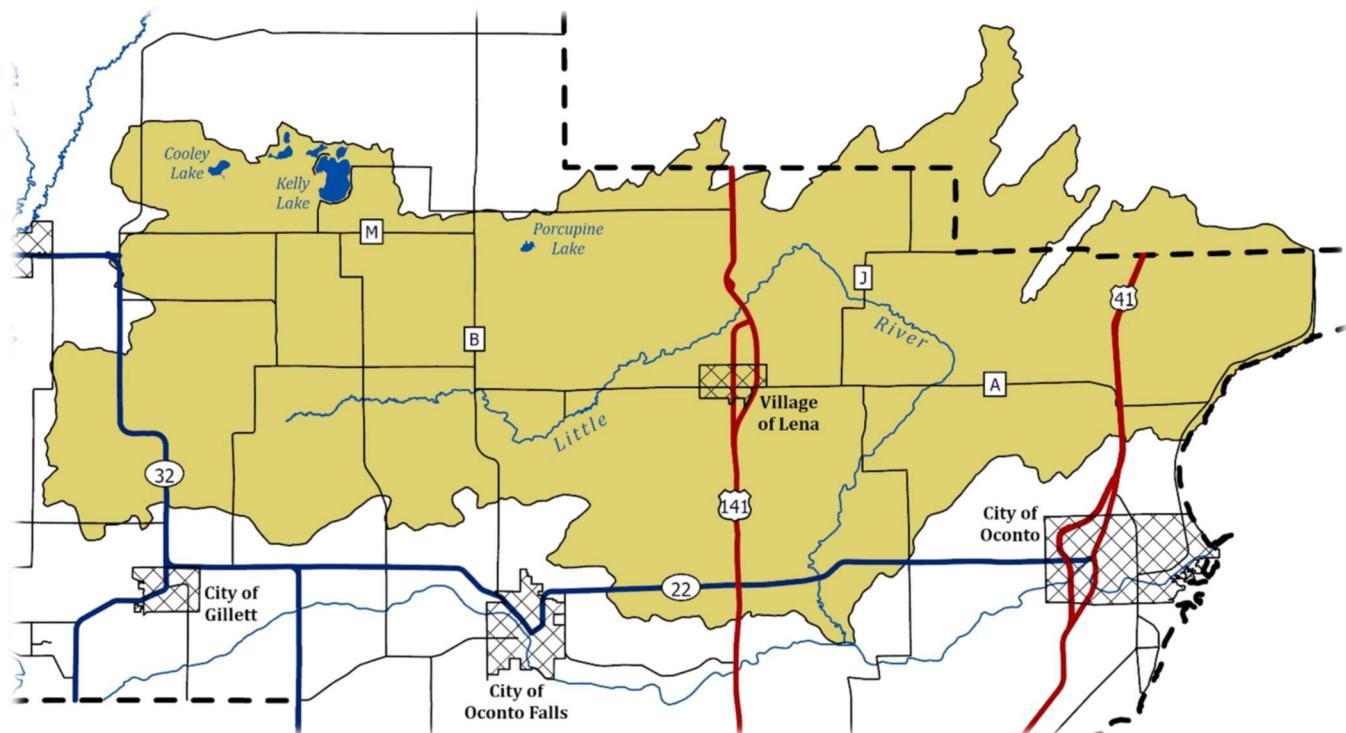
### Lower Oconto River Watershed (GB03)

The Lower Oconto River Watershed is located in central Oconto County, with small portions extending into northern Shawano and eastern Menominee counties and it drains into Green Bay. Three hydroelectric power dams operate on the Oconto River in this watershed. There is widespread agricultural activity along this stretch of the Oconto River. Due to the existence of several dams on the stretch of the Oconto River in this watershed, the 303(d) list includes different pollutants of concern for the separate sections of the river between dams. Overall, the pollutants of concern throughout various stretches includes mercury, phosphorus, PFOS, and elevated water temperatures. The cities of Oconto, Oconto Falls, and Gillett all fall within this watershed.



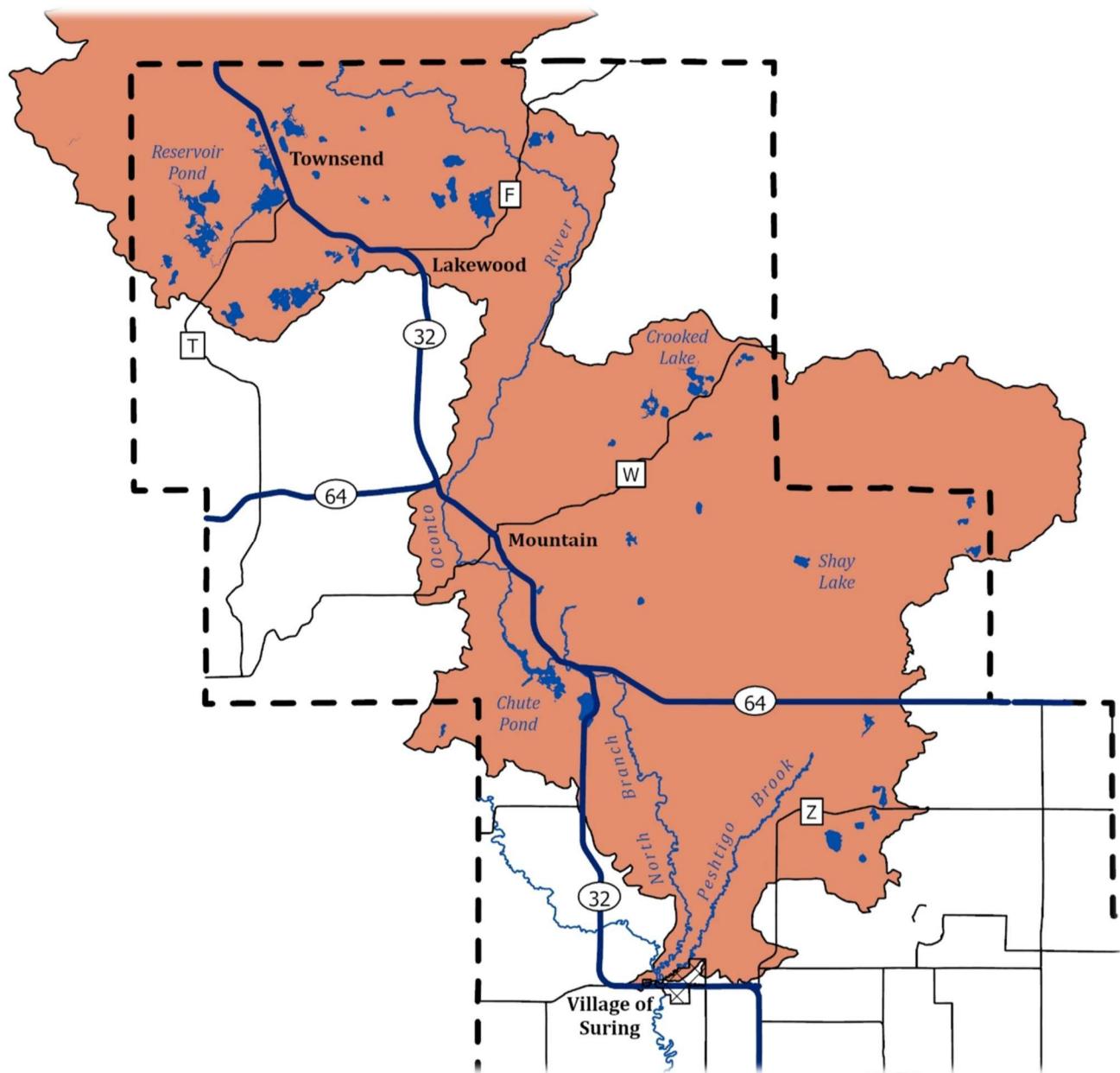
### Little River Watershed (GB04)

The Little River Watershed is located mostly in Oconto County with a small area in Marinette County. The Little River is a major tributary to the Oconto River. Agricultural activities comprise the principal land use. As a consequence, the watershed had been designated as a priority watershed project area during the late 1980's and early 90's due to NPS pollution. The plan, published in 1986 (DNR PUB WR-226-86), sought to reduce NPS from upland erosion, streambank erosion, barnyard runoff and manure spreading runoff. In 2014 the Little River was designated by EPA on the 303(d) list with total phosphorus named as the major pollutant. As of 2024, the Little River remains on the 303(d) list and thus remains a priority, but water quality conservation practices were promoted in this watershed through an NRCS NWQI watershed grant for the North Branch Little River and water testing has been ongoing since 2018 by the DNR and the LWCD to monitor progress as detailed previously.



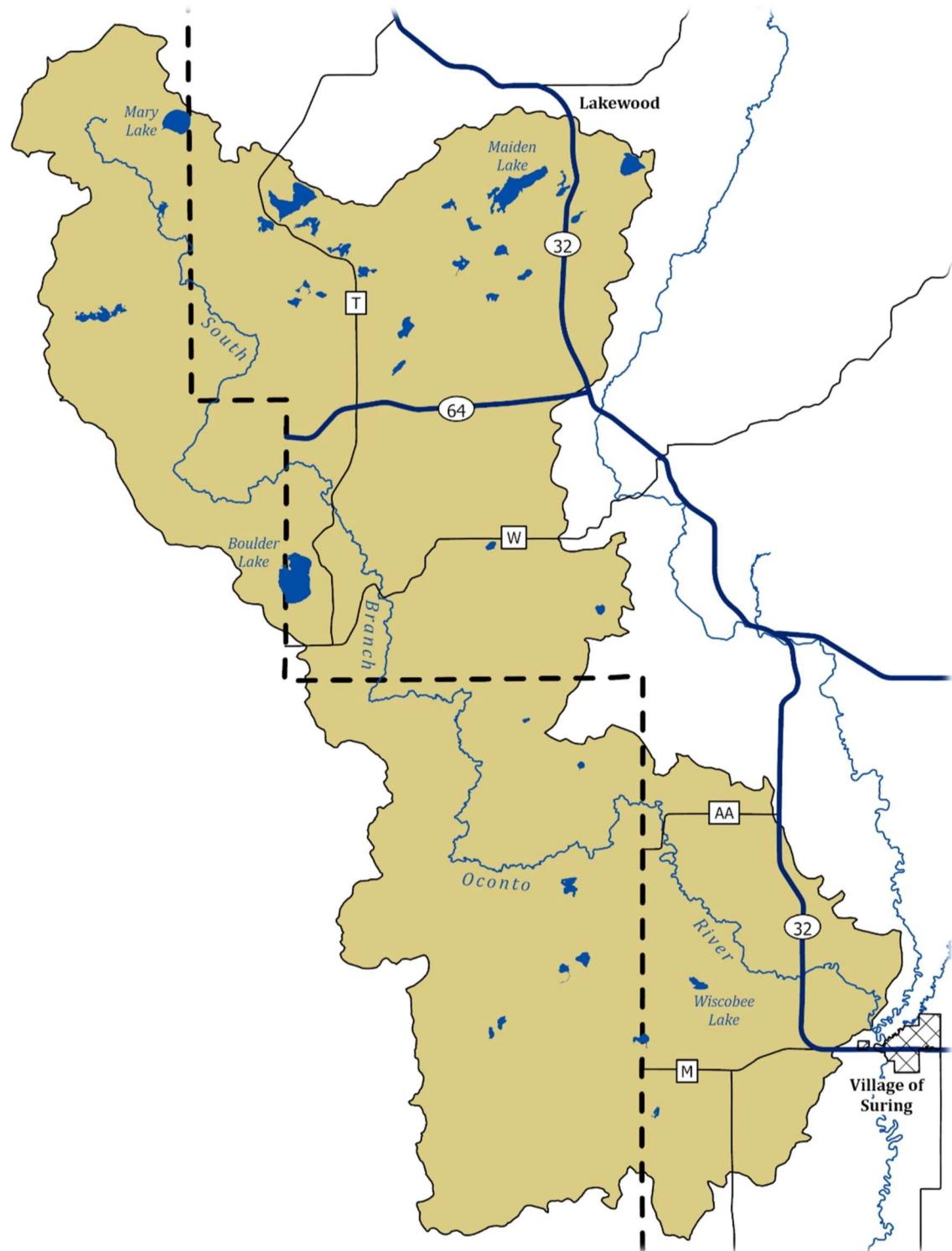
## Lower North Branch Oconto River Watershed (GB05)

The Lower North Branch Oconto River Watershed lies in central Oconto County and small portions extend into Marinette and Menominee Counties, along with overlapping into the Headwaters Basin (Forest and Langlade Counties). There are a number of inland lakes scattered throughout the basin and wetlands are abundant in the southeastern portion of the watershed. A large portion of the watershed is forested with some areas of agricultural lands found in the lower reaches of Peshtigo Brook. The southern boundary of the watershed lies at the confluence with mainstream Oconto River in the Village of Suring.



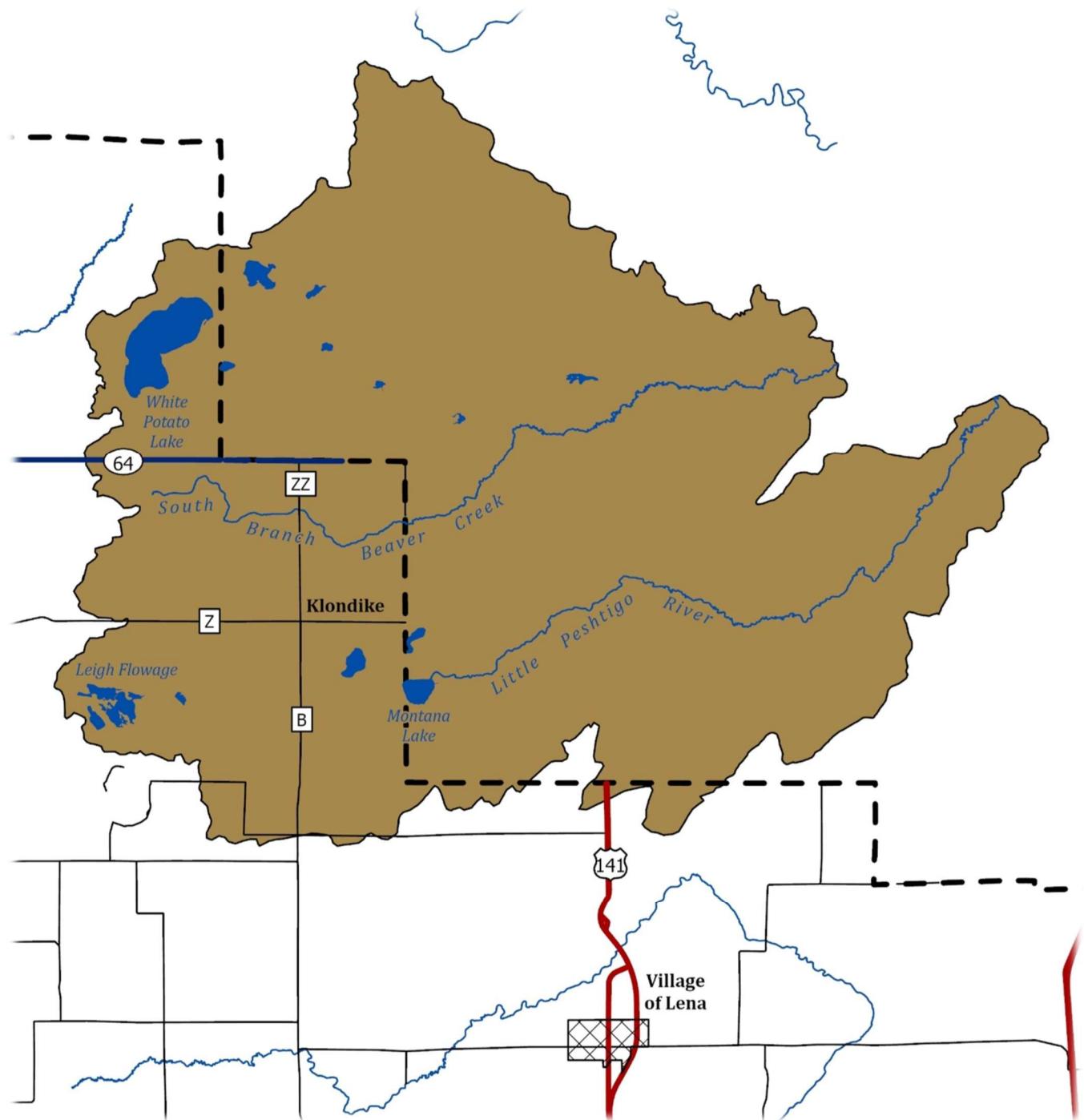
## South Branch Oconto River Watershed (GB06)

The South Branch Oconto River Watershed is situated in west-central Oconto County, extending into Menominee County and a small portion of Langlade County (Headwaters Basin). The majority of streams in this watershed are trout waters as can be referenced in the preceding Trout Stream Classification map in the surface water section. Most of the inland lakes are located in the northern half, and more scattered wetland areas are found in the southern half of the watershed.



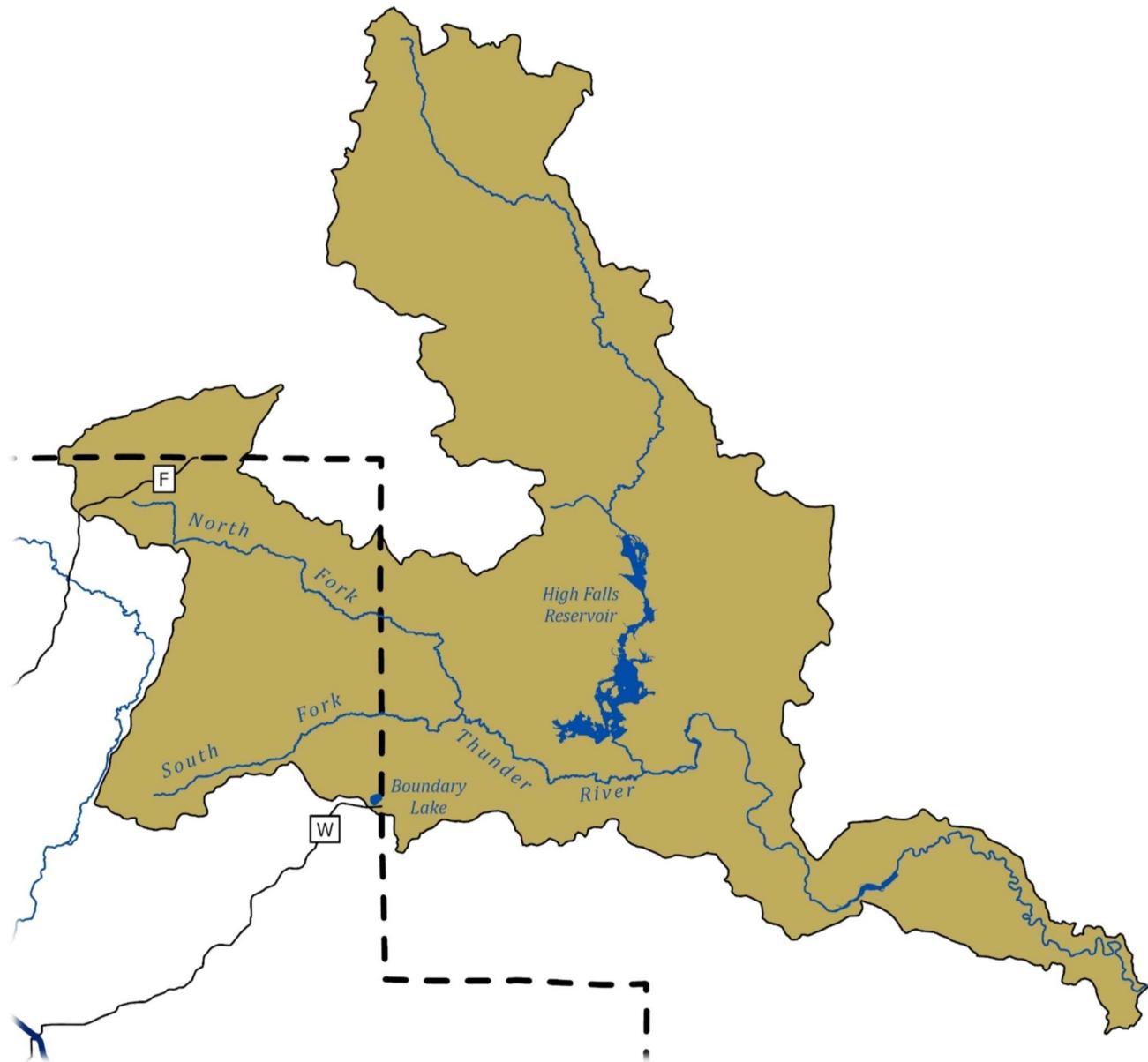
## Little Peshtigo River Watershed (GB08)

The Little Peshtigo River has about one-third of its area within Oconto County. Water resources include multiple named lakes and the upper reaches of South Branch Beaver Creek. The Little Peshtigo River itself begins at the outlet of Montana Lake which shares its area with Oconto and Marinette counties. The Little Peshtigo watershed has a mix of agriculture and forest.



## Middle Peshtigo and Thunder Rivers Watershed (GB10)

The Thunder River head waters start in Oconto County with the North and South Forks of the Thunder River. The majority of the watershed is in Marinette County. The Oconto County Portion of the Thunder River watershed is comprised of mainly forest. The Middle Peshtigo River portion of this watershed lies entirely outside of Oconto County.



## Water Quality

### Overview

Of the 12 HUC 10 sized watersheds within the county, five lie primarily within the boundaries of the Nicolet National Forest. As a result, these watersheds have lower potential for water quality problems due to a lack of agriculture and development related pressures. The remaining seven watersheds which include the southern portions of the South Branch Oconto, Lower Oconto, Little River, Little Peshtigo, Lower Peshtigo, Little Suamico and Pensaukee all have a higher potential for contamination. This is a result of increased development and agriculture. The Little River, Little Suamico and the Pensaukee River Watersheds remain designated on the EPA 303(d) list with total phosphorus identified as the major pollutant. If staff and funding is available, Oconto County intends coordinate with the DNR and other agencies to develop 9 Key Element plans within these watersheds in the future to help restore phosphorus impaired waters.

Nonpoint water pollution issues that have been identified as concerns in the county are:

- ▶ Cropland Soil Erosion - most prevalent in the middle and southern watersheds
- ▶ Construction Site Soil Erosion - most critical along shorelines
- ▶ Streambank Erosion - occurs along streams in agricultural areas
- ▶ Animal Waste Management - particularly among medium-sized and expanding dairies
- ▶ Stormwater Runoff - rural subdivisions in the northern and southern part of the county
- ▶ Pesticide and Fertilizer Runoff - agriculture and residential
- ▶ Improper Well Abandonment - isolated throughout the county
- ▶ Recreational Use Pressure - northern lakes area, county and federal forest.

The lower two-thirds of the county from roughly HWY 64 south is the concentrated agricultural and budding urban sprawl from Brown County. The northern one third of the county from roughly HWY 64 north is forested land with small agricultural impacts. The size of the county, and somewhat marked change in resource concerns from south to north, requires two different avenues of response in combating surface water impacts.

### Impaired Waters (EPA 303(d) List)

Under the requirements of the Environmental Protection Agency, a listing of waters under the Clean Water Act (s.303d) must occur every two years. This list, which identifies waters not meeting water quality standards, has been characterized as an impaired waters list. Oconto County waters on the **303d impaired waters** list may be listed as a result of airborne or waterborne contamination. Mercury and PFOs contamination account for the main reasons for **Fish Consumption Advisories (FCA)** and are on Lower Oconto River and nearshore Green Bay. The Little Suamico River, Little River and Pensaukee River are all listed for total phosphorus and lakes that are listed for total phosphorus are Cooley, Klaus, Newton, Porcupine, and Spice. These waters are organized into a table format below and shown in mapped format following that. Other reasons for listing include elevated water temperatures which can result in algae growth and degraded biological communities which can be detrimental to ecosystemic functions. This plan describes practices and programs available for administration by the LWCD to help restore waters to current water quality standards.

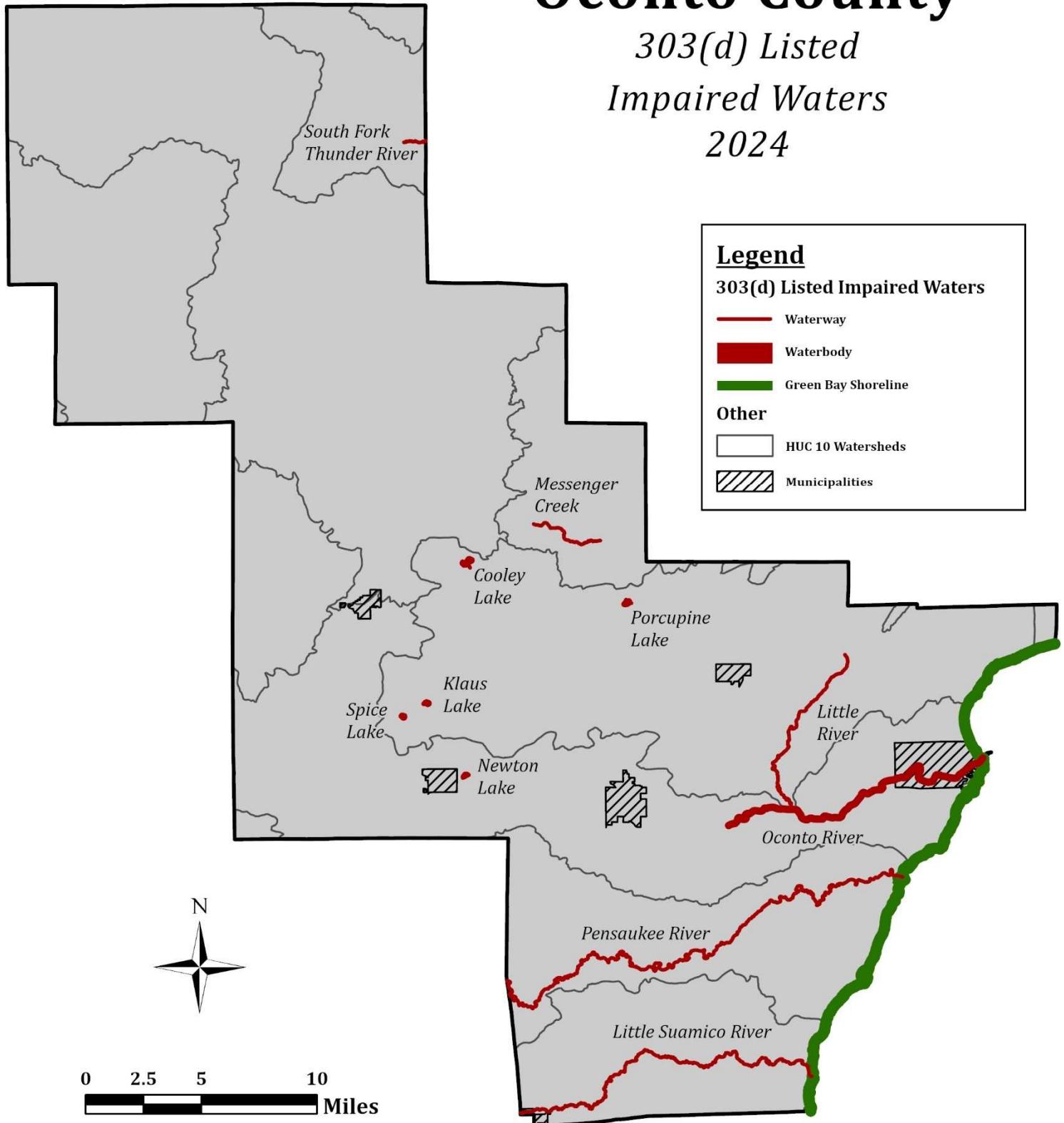
**Table: Impaired Waters - EPA 303(d) List** (Source: WDNR via EPA, 2024)

Water Resource Name	Lake Acres or Waterway Miles	Year Listed	Pollutant	Impairment Indicator
Cooley Lake	62.04	2022	PHOSPHORUS, TOTAL	Impairment Unknown, Excess Algal Growth
Green Bay Shoreline	N/A	2024	PFOS**	PFOS Contaminated Fish Tissue
Klaus Lake	21.81	2022	PHOSPHORUS, TOTAL	Eutrophication, Excess Algal Growth
Little River	9.95	2014	PHOSPHORUS, TOTAL	Impairment Unknown
Little Suamico River	23.8*	2014	PHOSPHORUS, TOTAL	Degraded Biological Community
Messenger Creek	3.77	2018	CAUSE UNKNOWN	Elevated Water Temperature
Newton Lake	19.35	2016	PHOSPHORUS, TOTAL	Excess Algal Growth
Oconto River	14.16*	1998	MERCURY, PFOS	Mercury and/or PFOS Contaminated Fish Tissue
Pensaukee River	49.4*	2014	PHOSPHORUS, TOTAL	Impairment Unknown
Porcupine Lake	32.2	2022	PHOSPHORUS, TOTAL	Impairment Unknown, Excess Algal Growth
South Fork Thunder River	4.36*	2018	CHLORIDE	Chronic Aquatic Toxicity
Spice Lake	20.17	2020	PHOSPHORUS, TOTAL	Impairment Unknown

\* May include reaches in adjacent counties. \*\*Perfluorooctane Sulfonate

# Oconto County

## 303(d) Listed Impaired Waters 2024



## Water Quality Protection

Outstanding and exceptional resource waters are those waterbodies and waterways identified by the state of Wisconsin, as a derivative of the EPA Clean Water Act, as having qualities that warrant additional protections from pollutants. Those qualities include recreational opportunities, valuable fisheries or habitat, and good water quality. Another key to having an ORW or ERW designation is the lack of human impacts on water quality. ORWs are ranked slightly above ERWs in that they do not have any identified pollutants discharging into them, whereas ERWs may have insignificant pollutant discharges that were present at the time of designation with water qualities standards still being met. ORWs and ERWs are written into state statutes (NR102) and therefore fall under legal regulatory authority and permitting. Within Oconto County, 10 named bodies of water are classified as Outstanding Resource Waters and an additional 32 that are classified as Exceptional Resource Waters. Oconto County contains 64 unnamed creek segments that are also classified as Exceptional Resource Waters.

Building on the idea of protecting high quality waters, the DNR initiated a plan in 2022 known as “The Healthy Watersheds, High-Quality Waters Action Plan” in order to create a better balance between protecting waters that are already of high quality and restoring those that may be degraded. High-quality waters in the plan possess at least two of three characteristics: unique or rare resources, attains state water quality standards, or good-to-excellent biotic integrity. Healthy Watersheds were modeled at the HUC12 watershed scale using 26 unique indicators that considered landscape condition, hydrology, geomorphology, habitat, water quality and biology. The 30% healthiest watersheds in the state and within each major drainage basin are the geographic protection priorities for this statewide plan. The portion of that plan of interest to the LWCD is the identification of areas and surface water features of Oconto County that meet parameters to warrant an approach of preserving the existing conditions.

The majority of Oconto County’s designated or identified high-quality surface waters tend to be in the forested northern region with the exception of the South Branch Oconto River which flows through the northern part of the agricultural region of the county. Following is a table of the ORW and ERW designations on named surface waters in Oconto County. A map also succeeds the table depicting the location of the ORWs and ERWs, high-quality waters as described above, and watersheds in Oconto County that fall within the top 30 percent of the Healthiest Watersheds statewide. When referencing the map, there is noticeable overlap of ORWs, ERWs, and high-quality waters but it is also evident that each category holds its own distinctiveness resulting in several waters without overlapping. This plan cites several sources the LWCD can use to protect existing high quality waters.

## Groundwater

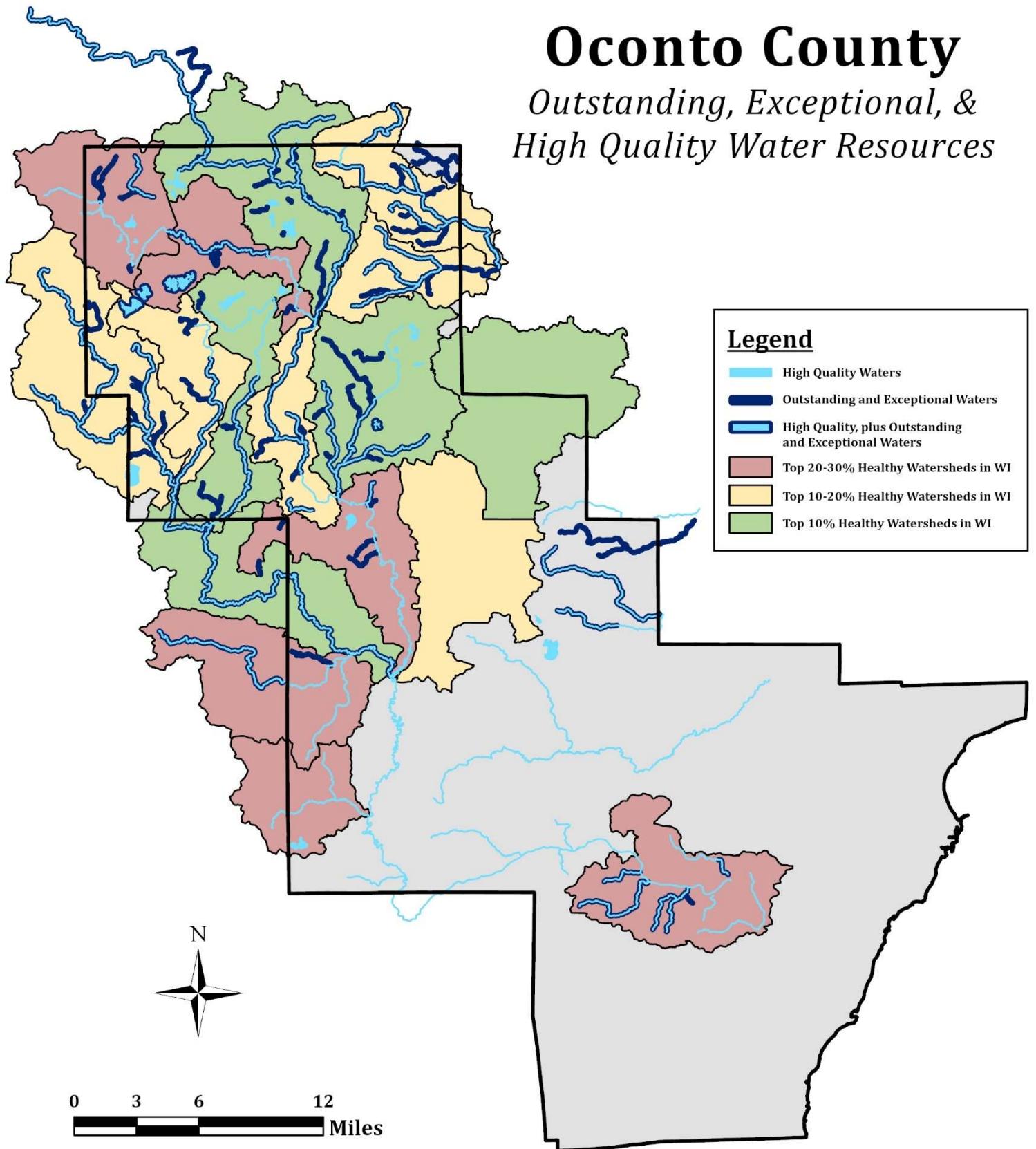
In the southern half of the county, groundwater resides in the sedimentary rocks of the Cambrian and Ordovician. These sedimentary rocks thicken in a southeasterly direction. Wells near Lena and Oconto Falls are approximately 450 feet deep and may yield up to 500 gallons per minute. Shallow wells in the area draw water from overlying glacial drift, which yields lower volumes of water. The northwestern half of the county is underlain by crystalline rock. Water availability is hard to predict and must come from glacial drift aquifers situated above the bedrock. Yields from these glacial deposits can be expected to be approximately 200-500 gallons per minute. The overall quality of groundwater in Oconto County is very good. There are some northern areas that could be susceptible to groundwater contamination due to shallow soils over bedrock or sandy soils as shown on the Groundwater Contamination Susceptibility map on page 41, sourced from the DNR. Fortunately, much of the contamination sources associated with agricultural practices do not take place in those areas. Past testing has resulted in minimal occurrences of wells exceeding standards for nitrate contamination. No significant contamination linked to nitrates has been documented in public or private wells according to UW-Stevens Point and Madison.

**Table: Outstanding and Exceptional Resource Waters, Named Waterbodies Only**

Name of Waterbody	Portion of Waterbody
<b>Outstanding Resource Waters</b>	
Archibald Lake	All
Bass Lake (T32N R15E S9)	All
Bear Paw Lake	All
Boot Lake	All
Chain Lake	All
First S Branch Oconto River	Below Hwy 32
Hills Pond Creek	All
North Fork Thunder River	All
S Branch Oconto River	Hwy 32 to Menominee Reservation
S Branch Oconto River	Above Menominee Reservation
Second S Branch Oconto River	Below junction with Deadman Creek
<b>Exceptional Resource Waters</b>	
Archibald Creek	All
Baldwin Creek	All
Battle Creek	All
Bonita Creek	All
Brehmer Creek	All
Coopman Creek	All
Dump Creek	All
Fenske Creek	Below S8 T33N R16E
Forbes Creek	All
Hay Creek	All
Hines Creek	All
Jones Creek	All
Knowles Creek	All
Little Waupee Creek	All
McCaslin Brook	Above Hwy F to Townsend Flowage
Macauley Creek	All
McDonald Creek	All
McPearson Creek	All
Messenger Creek	Above Hwy B
Mosquito Creek	All
Mountain Creek	All
N Branch Oconto River	Above Chute Pond
Pat Creek	All
S Branch Beaver Creek	All
S Branch Oconto River	Hwy 32 to mouth
S Fork Thunder River	All
Shadow Creek	All
Snow Falls Creek	All
Splinter Creek	Below S28 T28N R20E
Waupee Creek	McCauley Creek to old Hwy 64
W Thunder Creek	All
Wiscobee Creek	All

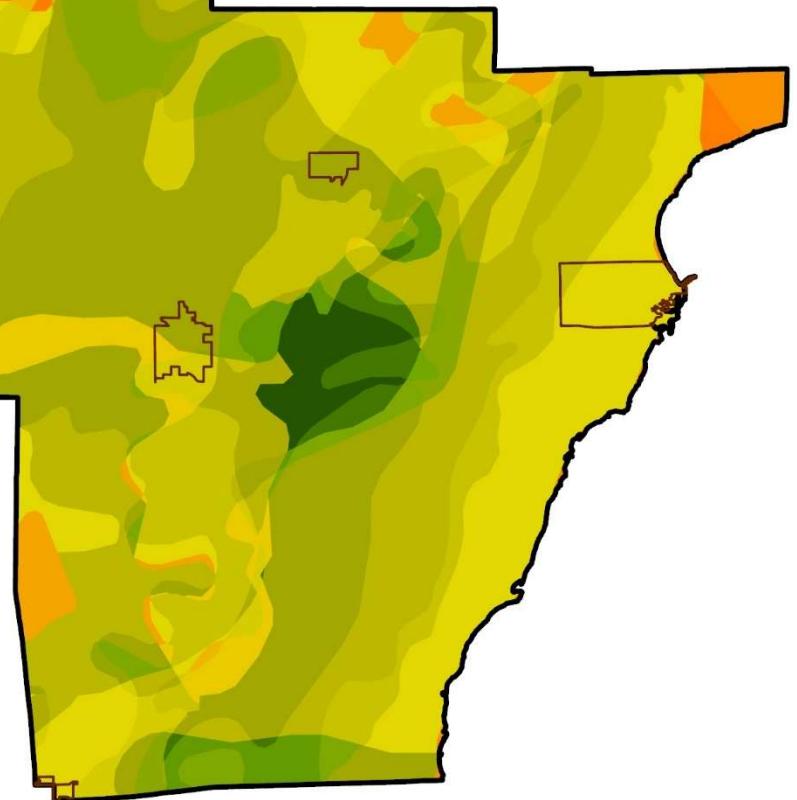
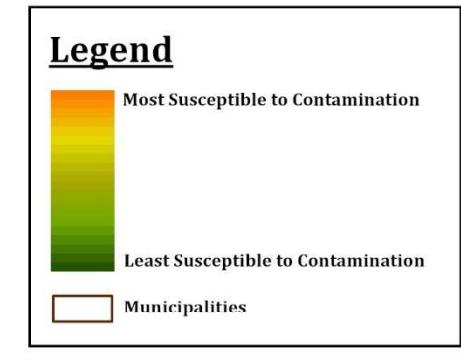
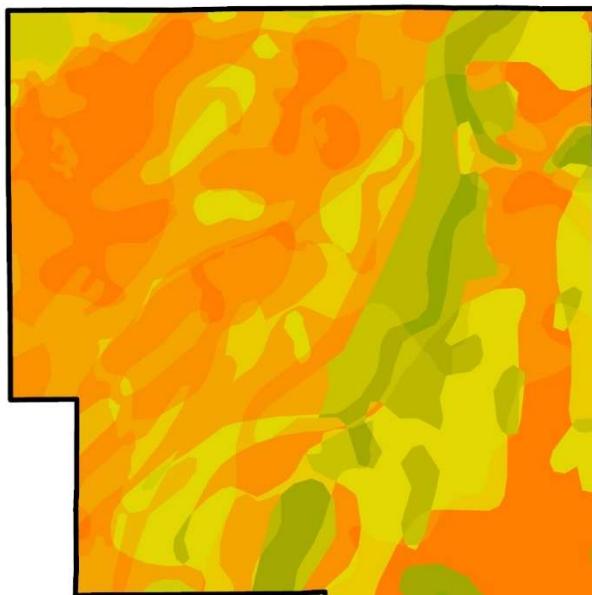
# Oconto County

*Outstanding, Exceptional, & High Quality Water Resources*



# Oconto County

## *Groundwater Contamination Susceptibility*



0 2.5 5 10 Miles

## **Wildlife and Natural Areas**

### Habitat

Wildlife habitat can be defined as areas that provide the arrangement of food, water, cover and space required to meet the biological needs of an animal. Different wildlife species have different requirements and these requirements vary over the course of a year. Also, different plants provide fruit and food in different seasons. Maintaining a variety of habitats generally benefits a much desired diverse wildlife. Woodlands, wetlands, floodplains and the water features within the county provide habitat for many species of wildlife. White-tailed deer, raccoon, opossum, turkey, grouse, pheasant, gray/red/fox squirrel, black bear, wolf, coyote, fox, muskrat, snowshoe and cottontail rabbit, mink, otter and chipmunks are some of the more well-known species found in Oconto County. The inland surface waters and those of the bay of Green Bay provide habitat for fish such as walleye, bass, catfish, pan fish, sturgeon, trout, sucker, musky, northern, carp, as well as migratory fowl that frequent the area.

### Rare, Threatened, and Endangered Species

Oconto County has 75 rare species occurring within the county, including 10 federally listed species. Oconto County also has 27 state endangered or threatened species and 48 species of special concern. The following table lists all of the endangered and threatened species.

### Significant Natural Areas

A number of sites located within the county may be considered significant natural features. These areas may be designated as WDNR State Natural Areas, State Wildlife and Fishery Areas, Significant Coastal Wetlands, Land Legacy Places; or be included in the “Natural Areas Inventory,” conducted by the Scientific Areas Preservation Council of the WDNR. Definitions of these designations are in *Volume II: 20 Year Comprehensive Land Use Plan 2014*. Below is a table summarizing these designations within their respective Natural Areas.

### Natural Areas Inventory

The “Natural Areas Inventory” (NAI) was conducted in 1976 and updated in 1980 under the direction of the Scientific Areas Preservation Council (SAPC) of the WDNR to identify natural areas along Wisconsin’s Lake Michigan and Lake Superior coasts. The SAPC defined the NAI sites as “tract[s] of land or water so little modified by man’s activity or sufficiently recovered that they contain intact native plant and animal communities believed to be representative of the pre-settlement landscape”. The SAPC identified NAI sites independently of the State Natural Areas program; as a result, some sites fall under both programs.

**Table: Rare, Threatened, and Endangered Species** (Source: WDNR, 2020)

Species Classification	Common Name	State Listing	Federal Listing
Bird	Caspian Tern	Endangered	
Bird	Common Tern	Endangered	Species of Concern
Bird	Loggerhead Shrike	Endangered	Species of Concern
Bird	Black Tern	Endangered	Species of Concern
Bird	Red-necked Grebe	Endangered	
Bird	Forster's Tern	Endangered	
Bird	Yellow Rail	Threatened	
Bird	Red-shouldered Hawk	Threatened	
Bird	Cerulean Warbler	Threatened	Species of Concern
Butterfly	Northern Blue Butterfly	Endangered	
Butterfly	Swamp Metalmark	Endangered	Species of Concern
Butterfly	Karner Blue Butterfly	Species of Concern	Endangered
Fish	Longear Sunfish	Threatened	
Fish	Redfin Shiner	Threatened	
Invertebrate	Slippershell Mussel	Threatened	
Plant	Dwarf Bilberry	Endangered	
Plant	Little Goblin Moonwort	Endangered	
Plant	Heartleaf Foamflower	Endangered	
Plant	Lesser Wintergreen	Endangered	
Plant	Pale Green Orchid	Threatened	
Plant	Ram's-head Lady's-slipper	Threatened	
Plant	Calypso Orchid	Threatened	
Plant	Braun's Holly-fern	Threatened	
Plant	Dwarf Milkweed	Threatened	
Plant	Round-leaved Orchid	Threatened	
Plant	Sweet Colt's-foot	Threatened	
Plant	Marsh Valerian	Threatened	
Turtle	Wood Turtle	Threatened	Species of Concern

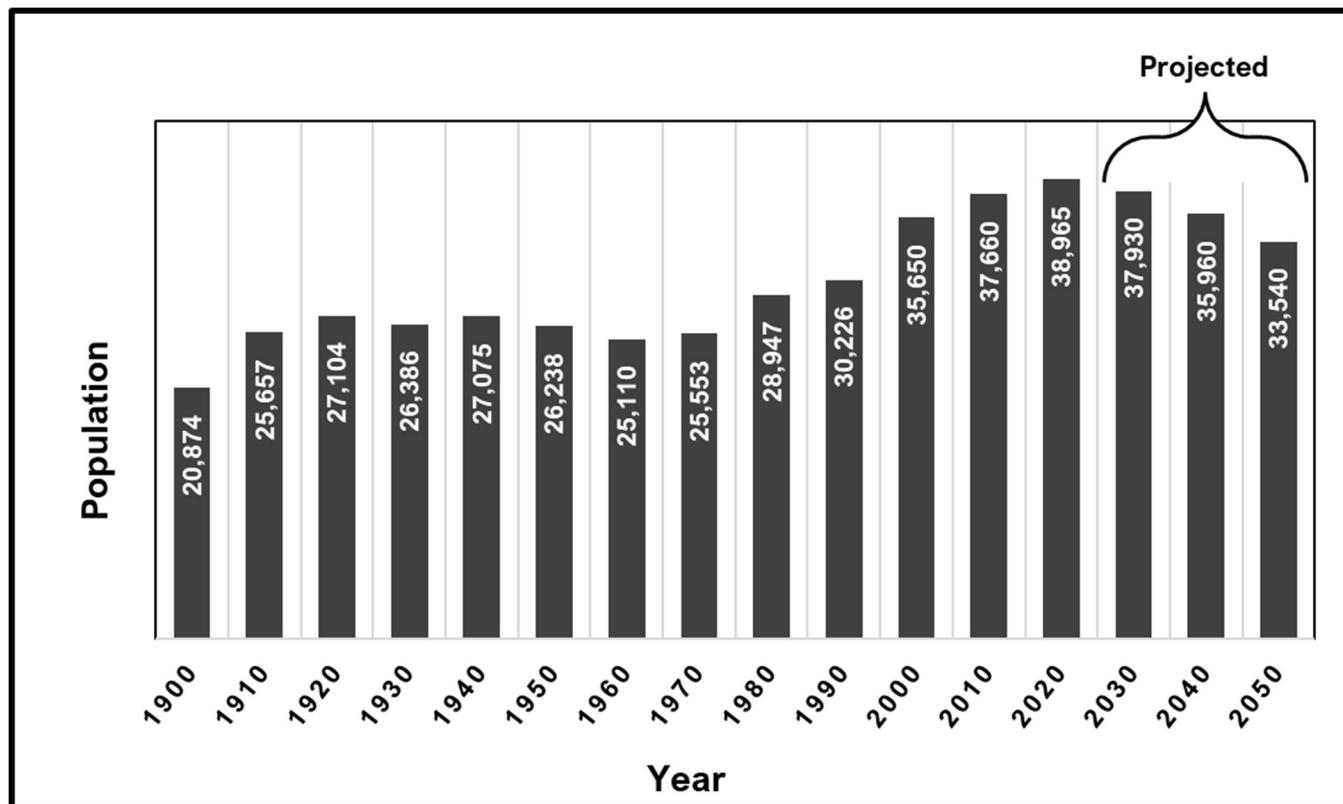
**Table: Natural Area Designations** (Source: WDNR, 2006)

Natural Area	Designation				
	State Natural Area	State Wildlife and Fishery Area	Significant Coastal Wetland	Land Legacy Place	Natural Area Inventory
Barney Creek	X				
Battle Creek Hemlocks	X				
Bonita Country	X				
Brazeau Swamp				X	
Camp Five Lake	X				
Cathedral Pines	X				
Charles Pond	X		X		
Charles Pond Unit - Green Bay West Shores		X			X
Chequamegon-Nicolet National Forests				X	
Copper Culture Cemetery					X
County Line Swamp			X		X
Diamond Roof	X				
Forbes Springs	X				
Glocke Lake	X				
Hagar Mountain	X				
LaFave Swamp	X				
Mud Creek Wetland			X		
Nelligan Lake	X				
North Branch Bottoms	X				
Oconto County Forest					X
Oconto Marsh			X	X	
Oconto Marsh Unit - Green Bay West Shores		X			X
Oconto River				X	
Oconto River (South-Branch) Fishery Area		X			
Pecor Point Unit - Green Bay West Shores		X			X
Pensaukee Lacustrine Forest					X
Pensaukee River Wetland Complex			X		
Pensaukee Unit - Green Bay West Shores		X			X
Peshtigo Brook Wildlife Area		X			
Peshtigo Harbor Unit - Green Bay West Shores		X			X
Priest Rock	X				
Rush Point Unit - Green Bay West Shores		X			X
Snow Falls Creek	X				
South Branch Beech Grove	X				
Suamico, Little Suamico and Pensaukee Rivers				X	
Sunrise Lake	X				
Tar Dam Pines	X				
Thunder Mountain	X				
Thunder River Swamp	X				
Tibbett Suamico Unit - Green Bay West Shores		X			X
Waupee Lake Swamp	X				
West Shore Green Bay Wetlands				X	

## Demographics

Oconto County reached its highest population level of 38,965 in 2020 according to the 2020 census. This has been an 87 percent or 18,091 person population growth since 1900. The largest periods of population growth in the county occurred between 1900 and 1910 and between 1990 and 2000 with increases of 23 and 18 percent, respectively. In contrast, the county experienced sizable losses in population leading up to the 1930, 1950, and 1960 census counts when the local farming industry was struggling, and more people elected to relocate to metropolitan areas like the City of Green Bay to live and work. Over the past twenty years the towns of Little Suamico and Chase located in the southern part of Oconto County and bordering Brown County have seen the most population growth. The 2020 census reported a population of 5,536 for the town of Little Suamico which is the largest population of the municipalities in Oconto County. The fastest growth rates are mostly in the towns. Together they accounted for 90 percent of the population gain over the decade. Little Suamico town is now the largest municipality in the county. According to Wisconsin Department of Administration population projections, Oconto County will begin to see declines in population. The projected population for Oconto County in 2030 is 37,930, in 2040 is 35,960 and in 2050 is 33,540. WDOA projections show a similar trend of declining population among many northern counties in the state. Oconto County also has a seasonal population increase with many of these individuals maintaining seasonal cottages and homes in the northern part of the county. As of 2020 the county had an estimated 14,859 additional people considered seasonal residents. The graph below depicts these population changes.

**Graph: Oconto County Historical Population and Projections 1900-2050** (Source: US Census, WI DOA)



## Economy

As mentioned in an earlier section of this plan, Oconto County farmers own and manage the resources on 184,000 acres of land, or about 28 percent of all land in the county. The production, sales and processing of Oconto County's farm products generate employment, economic activity, income and tax revenue. The first two tables that follow show the value of agricultural products sold and how those sales rank within Wisconsin and nationally and then the economic and labor impact of agriculture.

A third table below shows estimated employment by major industry group per the U.S. Bureau of Census and the American Community Survey for Oconto County in 2020 and 2023. Over this time the county's labor force increased by an estimated 491 workers. The number of unemployed county residents was estimated at 465 in 2020 and 407 in 2023. As of 2023 an estimated 2,254 or 23.3 percent of the county workforce was employed in the manufacturing industry and 3,807 or 19.6 percent of the county workforce was employed in the educational, health and social services industry. These two industry groups have historically been the two largest in the county and this trend will likely continue. The agricultural, forestry, fishing and hunting, and mining industry has seen a decrease in employment from an estimated 773 in 2020 to 636 in 2023.

**Table: Market Value of Agricultural Products Sold in 2022** (Source: USDA, 2022)

	Sales	Rank in State	Counties Producing Item	Rank in U.S.	Counties Producing Item
<b>Total</b>	<b>\$220,802,000</b>	<b>33</b>	<b>72</b>	<b>747</b>	<b>3,078</b>
<b>Crops</b>	<b>\$62,588,000</b>	<b>44</b>	<b>72</b>	<b>1,152</b>	<b>3,074</b>
Grains, Oilseed, Dry Beans, Dry Peas	\$51,704,000	36	72	907	2,917
Tobacco	-	-	5	-	267
Cotton and Cottonseed	-	-	-	-	647
Vegetables, Melons	\$1,641,000	41	72	702	2,831
Fruits, Tree Nuts, Berries	\$353,000	49	71	1,032	2,711
Nursery, Greenhouse, Floriculture, Sod	\$1,022,000	46	71	942	6,660
Cultivated Christmas Trees, Short Rotation Woody Crops	\$150,000	24	67	258	1,274
Other Crops, Hay	\$7,719,000	24	71	449	3,035
<b>Livestock, Poultry, and Products</b>	<b>\$158,214,000</b>	<b>26</b>	<b>72</b>	<b>435</b>	<b>3,076</b>
Poultry and Eggs	\$937,000	33	71	801	3,027
Cattle	\$13,587,000	44	71	1,086	3,047
Milk from Cows	\$141,859,000	18	66	89	1,770
Hogs and Pigs	\$69,000	45	68	991	2,814
Sheep, Goats, Wool, Mohair, Milk	\$421,000	30	68	474	2,967
Horses, Ponies, Mules, Burros, Donkeys	\$235,000	28	65	1,025	2,907
Aquaculture	\$6,000	36	53	309	1,190
Other Animals and Byproducts	\$1,100	11	71	228	2,909

**Table: Economic and Labor Impact of Agriculture 1997-2022** (Source: USDA, 2022)

Measure	Date					
	1997	2002	2007	2012	2017	2022
Total Sales	\$66,618,000	\$73,988,000	\$115,830,000	\$165,909,000	\$145,892,000	\$220,802,000
Total Sales per Farm	\$70,870	\$65,360	\$93,111	\$178,589	\$174,931	\$289,766
Total Farm Production Expenses	\$51,328,000	\$55,883,000	\$83,215,000	\$125,912,000	\$121,976,000	\$180,438,000
Total Expenses per Farm	\$54,662	\$49,149	\$66,893	\$135,535	\$146,254	\$236,795
Number of Hiring Farms	388	225	251	283	212	197
Number of Hired Farm Workers	1,250	1,258	1,018	1,107	953	953
Wages Paid to Farm Workers	\$4,602,000	\$6,192,000	\$9,787,000	\$12,466,000	\$15,153,000	\$20,017,000
Total Government Payments	\$1,863,000	\$3,331,000	\$2,388,000	\$2,856,000	\$1,669,000	\$2,261,000
Total Farms receiving Payments	575	551	622	507	386	152
Government Payments per Farm	\$3,239	\$6,046	\$3,839	\$5,633	\$4,325	\$14,877

**Table: Employed Population by Industry Group 2020 and 2023** (Source: U.S. Census, 2020 & 2023)

Industry	Oconto County Employed Population 16 Years and Older			
	2020 Estimate	Percentage	2023 Estimate	Percentage
Agricultural, Forestry, Fishing and Hunting, and Mining	773	4.1	636	3.3
Construction	1,850	9.8	2,254	11.6
Manufacturing	4,503	23.8	4,536	23.3
Wholesale Trade	315	1.7	323	1.7
Retail Trade	1,765	9.3	1,702	8.8
Transportation and Warehousing, and Utilities	1,059	5.6	1,155	5.9
Information	190	1.0	129	0.7
Finance, Insurance, Real Estate, and Rental and Leasing	1,021	5.4	1,121	5.8
Professional, Scientific, Administrative, and Waste Management	1,092	5.8	1,230	6.3
Educational, Health, and Social Services	3,820	20.2	3,807	19.6
Arts, Entertainment, Recreation, Accommodation, and Food Service	1,263	6.7	1,212	6.2
Other Services (except Public Administration)	692	3.7	660	3.4
Public Administration	607	3.2	676	3.5
<b>Totals</b>	<b>18,950</b>	<b>100</b>	<b>19,441</b>	<b>100</b>

## CHAPTER 2: PLANNING PROCESS AND GOAL DEVELOPMENT

### THE PLANNING PROCESS, PUBLIC PARTICIPATION AND IDENTIFICATION OF CONCERNS

#### Participants in Plan Development

The development of this plan was led by the Oconto County LWCD who gathered input and assistance from the Land & Water Resource Committee and a ***citizens advisory committee (CAC)*** representing a variety of locals and interests. In addition, a ***technical advisory committee (TAC)*** was formed for professional input to accompany the CACs decision making.

The CAC was comprised of eight members who brought with them a wide range of views from agriculture, business, riparian property ownership, local government, lake associations, and outdoor recreation. A list of CAC members is located on the credits page of this plan. Much appreciation must go out to the dedicated members who attended numerous meetings while energizing the contents of this plan.

The Technical Advisory Team, also listed in the credits, was made up of individuals representing the Land & Water Conservation Department, Oconto County UW-Extension, DNR and NRCS.

#### Planning for the Plan

The initial phase included orienting the technical team as to the elements, procedures and timeline of the planning process, as well as the overall purposes, key stakeholders and roles of state agencies in the plan approval process.

A review of the 2015 LWRM plan, its goals and the success of reaching those goals was the first step in developing a direction with which to go with the new plan. Discussions on past soil and water resource ***conservation plans***, county-wide land use, population changes, agricultural trends, available water quality data and impairments, conservation programs and recreational uses spurred early formations of possible goals to include in the new plan.

## GOALS AND OBJECTIVES

### Development of Goals and Objectives

The quality of Oconto County's land and water resources is determined by a complex, interrelated set of factors including how ecosystems function, human activity, natural changes, land use, economic realities and programming resources. The challenge is to develop an effective, yet reasonably simple plan to protect natural resources while respecting those complexities and forging strategies that will win the support of the general public, as well as the technical/professional communities involved in implementation. Goals, objectives and activities were developed to ensure:

- ▶ Relation to the resource concerns expressed by the public through the CAC process and the public hearings
- ▶ Adherence to the prohibitions and standards required in the plan by enabling legislation, DATCP, DNR and other laws and statutes governing natural resource protection

- ▶ There was aim at lofty, yet achievable, results
- ▶ Goals and objectives were fashioned with regards to the LWCD mission statement:

“To serve landowners of Oconto County to manage, protect, and improve land and water resources through cooperation with Federal, State, and private agencies, and secure funding to provide technical and monetary assistance to achieve sound environmental practices to permanently benefit our land and water resources.”

### **Planning Timeline and Approval**

The system of gathering the public’s view of the state of Oconto County’s resources, whether it involved areas of concern for restoration or areas of exceptional resources and high quality waters for protection, incorporated the ideas of a citizen advisory committee. This committee was made up of 8 members of the public covering a range of backgrounds as mentioned earlier in the plan. The names and titles can be seen on Page 4. Through the Oconto County UW Extension agent, a series of meetings were held starting with the “who, what and why” at the first meeting on January 22, 2025. At the second meeting on February 6, issues identified by the members were gathered and were then discussed as a group. Each concern was discussed thoroughly and prioritized.

As this data was collected, the technical advisory committee was to meet and lay out the concerns by priority as determined by the CAC. At the first TAC meeting the task was to begin working out goals, objectives and activities. Once the initial goals, objectives, and activities were drafted, the CAC had the opportunity to review the final set of goals and objectives with discussion on where all the priorities were placed in the tables. Final adjustments were made with a series of brief follow up TAC meetings throughout Spring and Summer.

In June 2025, the draft plan was provided to DATCP and DNR for review to confirm all requirements are met and any other recommendations. Any changes that were recommended by those agencies are referred back to the technical committee for follow-up. Once the final draft was approved it was presented to the Land & Water Resource Committee for approval and then followed the state designated process for final approval.

The goals and objectives in the finalized plan represent priorities, reasonable yet far-reaching, upon which county-wide efforts should be focused. The public identification of these resource concerns and subsequent analysis of the public input by TAC led to their development. Attaining the goals will be the result of continuous effort by an array of departments, agencies, professionals, concerned citizens and civic organizations. Concerns discussed were based on current issues, with most objectives outlined in the workplan being implemented over a ten-year span from 2026 through 2035. Possible revisions may take place after the first five years if necessary.

The final developed goals and objectives are listed under the following heading and expanded on throughout the plan.

## Finalized Goals and Objectives

Goal 1: Sustainably manage agricultural practices while controlling impacts to natural resources.

### Objectives:

1. Reduce soil erosion
2. Control animal waste and nutrient runoff
3. Nutrient and pest management
4. Protect groundwater quality and quantity
5. Maintain prime farmland

Goal 2: Protect and enhance land and water resources to preserve and restore quality, ecological functions, and recreational and aesthetic value.

### Objectives:

1. Manage terrestrial and ***aquatic invasive species (AIS)***
2. Protect and enhance lake and stream water quality
3. Improve wildlife and fish habitat
4. Protect and restore wetlands
5. Strengthen the capacity of Lakes and Waterways groups
6. Promote quality recreation opportunities on all lakes and streams

The work plan and its tables, further in the plan, will detail the many activities that will be pursued in order to accomplish each objective and ultimately each of the two encompassing goals.

## CHAPTER 3: STATE PERFORMANCE STANDARDS AND PROHIBITIONS

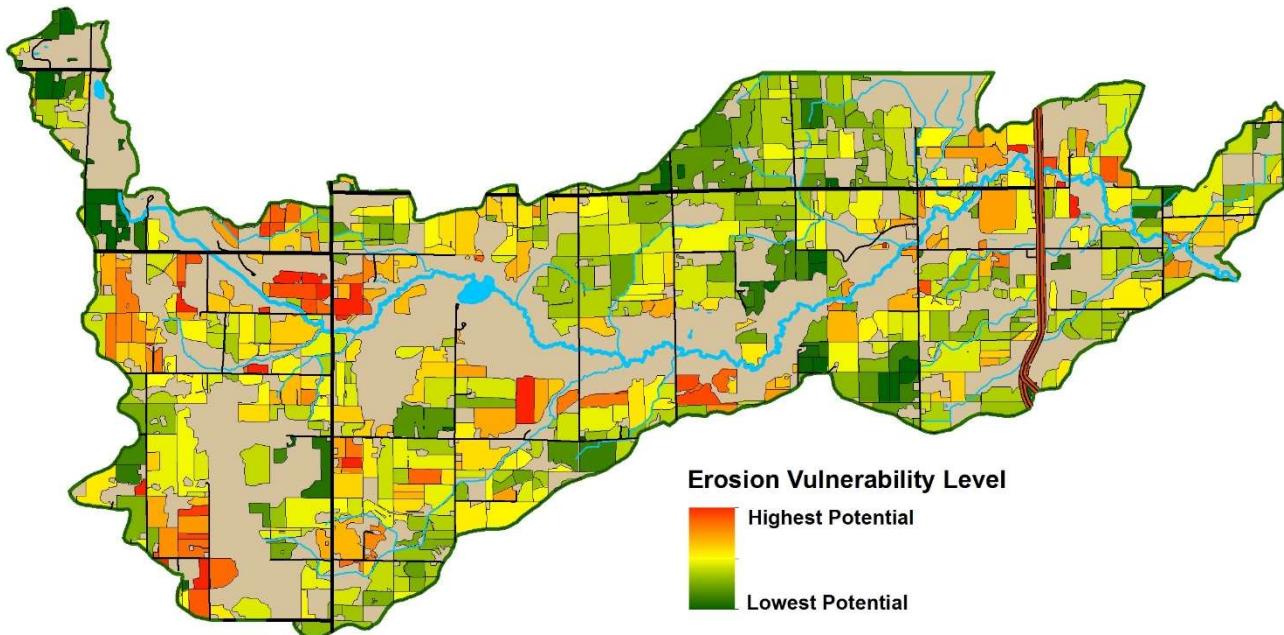
### IMPLEMENTING STATE PERFORMANCE STANDARDS AND PROHIBITIONS

The goals and objectives detailed in Chapter four are the heart of this plan and will drive soil and water resource management and conservation in Oconto County for the ten-year life of this plan.

Implementing the state NR 151 performance standards and prohibitions through these goals and objectives then becomes the engine that drives this plan forward. The goals deal with these standards and prohibitions and detail how they are intended to be carried out through this plan. The standards that are primarily referenced in regular workload are stated below, however all performance standards included in the Oconto County Animal Waste Ordinance are enforced as needed. The phosphorus index standard is not enforced at this time as it is not included in the Animal Waste Ordinance.

NR 151.02 states “All land where crops or feed are grown shall be cropped to achieve a soil erosion rate equal to, or less than, the “tolerable” (T) rate established for that soil” and NR 151.07 states “Manure, commercial fertilizer and other nutrients shall be applied in conformance with a nutrient management plan”. The following strategy will be employed to meet this directive.

Erosion rates and phosphorus management will be monitored through animal waste ordinance required nutrient management plans submitted yearly for review. Federally funded nutrient management plans are also reviewed and may unveil problem fields or areas. Visual inspections are routinely conducted during daily county travel and can reveal active gullies or sediment deposition in cropland. Areas or fields detected with soil erosion will need to be verified with RUSLE2 program and/or SNAP+ to determine compliance with NR 151.02.



DNR's Erosion Vulnerability Assessment for Agricultural Lands (EVAAL) has been run in whole or part for much of the county to date which makes it available to reference if necessary to target efforts to the most vulnerable areas of the cropland in the county. This is a very intricate **Geographic Information Systems (GIS)** based tool that incorporates aspects such as crop rotation, soil type, management

practices, slopes and rainfall among others into its processes to spatially determine areas with low, medium, or high erosion vulnerability. With this, the LWCD has begun to identify the focus areas within the county in which erosion reduction may be needed with intentions to build upon the EVAAL inventory as time and resources allow. Above is an example of a resulting map highlighting fields vulnerable to erosion using EVAAL data outputs for the North Branch Little River watershed.

## **Erosion Reduction**

Once high erosion areas are identified and verified, they can be addressed in a number of ways. Voluntary adoption of rotational changes (e.g. reduction in row crop years), residue management and cover crop **best management practices (BMP)** and grassed waterways for **ephemeral erosion** is the initial option. Cost sharing can be offered for the BMPs and the grassed waterways. The second option is to require a practice be installed where cost sharing must be made available. Compliance and enforcement with required erosion and nutrient management standards will follow guidelines set in NR 151.09. These identified areas will be provided with data and analyses through the following methods:

- ▶ Identify priority farms with potentially high erosion rates through field verification, referencing GIS data and tools as needed
- ▶ Verify erosion rates with **RUSLE II** or other available planning resources, inventory by tract and expand search to surrounding tracts with same soils, slopes and operators to locate more possible priority sites
- ▶ Collaborate with landowners and operators to implement conservation practices to achieve compliance with NR 151 soil erosion requirements.

## **Manure Management**

In addition to the previous guidelines, NR 151.08 titled *Manure Management Prohibitions* requires that all livestock producers comply with the following addressing soil and water contamination issues rather than erosion:

- ▶ No overflow of manure storage facilities
- ▶ No unconfined manure piles in a WQMA
- ▶ No direct runoff from a feedlot or manure storage into waters of the state
- ▶ No unlimited access by livestock to waters of the state where high animal concentrations prevent the maintenance of adequate sod or self-sustaining vegetative cover

## **Nutrient Management**

Between NRCS and county programs there are currently 75 farmers that have adopted nutrient management plans covering 95,000 of the 184,000 total cropland acres in the county (51%).

## **Oconto County Animal Waste Management Ordinance**

In 2008 the county saw a revised ordinance go into effect to regulate any construction, reconstruction, enlargement, abandonment or substantial altering of any feedlot or manure storage facility. A permit must be secured to proceed with any of the above, and the county must review and approve site plans before such a permit is issued. Any permitted projects must meet NRCS technical standards for

construction. The Oconto County Animal Waste Management Ordinance last updated in 2018 contains all state prohibitions and standards with the exception of the phosphorus index standard (NR 151.04).

## Water Quality Management Areas

Permitting livestock operations through the ordinance is achieved through walk-in applications or cost-shared practice implementation. There is a need to monitor existing farms to see if they continue to meet NR 151 state performance standards. Frequently updated aerial photography can be used to detect possible issues developing over time. From there, on-site investigations must be completed to determine compliance status. Cross referencing with past and existing priority watershed projects must be done to determine if some operations have already or are in the process of reaching compliance. The **Barnyard Runoff model (BARNY)** will be used to rate feedlots and concentrated animal yards to determine phosphorus runoff amounts. These livestock operations will be rated on a high, medium or low rating with respect to phosphorus runoff. Priority areas will be delineated by watersheds that contain the most livestock operations with feedlot phosphorus runoff exceeding 20 pounds or a high rating. High priority watersheds will be offered cost sharing first on a volunteer basis.

## Public Complaints

The last option for inventorying livestock operations will be by public notification of an operation that is possibly in violation of one or more of the state prohibitions. These operations will need to be investigated on site, and compliance procedures and enforcement follows NR 151.095. This will be discussed in the next chapter.

## NR 151 Implementation Recap

- ▶ Permit livestock operations through Oconto County Animal Waste Management Ordinance that requires design and construction specifications meet NRCS standards before a permit is issued. These are on a walk-in or project implementation basis.
- ▶ Priority farms will be located using the Oconto County GIS system – farms that fall within WQMA will be targeted for compliance first, followed by those located outside.
- ▶ Public cooperation in alerting the LWCD to problem farms will be the final way to seek compliance.

## Walk-ins or Program Practice Implementation

As reflected in Goal 1 Objective 2, it is a priority to assist all voluntary walk-in clients to encourage continual implementation of the relevant conservation practices. A 100% assistance rate will keep clients aware of the availability of financial and technical assistance.

# COMPLIANCE AND ENFORCEMENT OF STANDARDS AND PROHIBITIONS

## Compliance or Noncompliance Notification Process

The following is a generalized description of the compliance notification process Oconto County will follow which mirrors the more detailed process contained in NR 151. Complete, detailed processes of the sections below are described in NR 151.09 and NR 151.095.

After the various inventories are completed with each goal to identify compliance or noncompliance, the notification procedure will be as follows:

- ▶ Written notification shall be made to landowner or operator indicating determination of compliance
- ▶ Notice shall be sent certified mail, return receipt requested, or via personal delivery
- ▶ Notice shall include:
  - performance standard(s) or prohibition(s) complied or not complied with
  - cropland or livestock facility status of existing or new operation
  - determination which best management practices or other corrective measures are needed to comply with performance standard(s) or prohibition(s) and whether or not they are eligible for cost sharing
- ▶ If cost sharing is available for eligible costs:
  - there shall be a written offer of cost sharing
  - offer to provide or coordinate the provision of technical assistance
  - a compliance period to meet the performance standard(s) or prohibition(s)
  - an explanation of possible consequences if the landowner or operator fails to comply with the provisions of the notice, including enforcement or loss of cost sharing or both
  - an explanation of appeals procedures
- ▶ If no eligible costs are involved:
  - a compliance period to meet the performance standard(s) or prohibition(s)
  - an explanation of consequences if the landowner or operator fails to comply with the provisions of the notice
  - an explanation of appeals procedures
- ▶ If landowner or operator is determined to be in compliance with the performance standard(s) or prohibition(s), compliance must be maintained by the existing landowner or operator and heirs or subsequent owners

#### Compliance Tracking and Monitoring

- ▶ Compliance is currently tracked by landowners according to corresponding operators in a Microsoft Excel spreadsheet
- ▶ In the future, with available staff expertise, time and funds. a geospatial tracking system may be implemented
- ▶ Operations in compliance with performance standards and/or within the operations and maintenance period of conservation practices will be periodically inspected for continued compliance

## **Enforcement Process Under Animal Waste Management Ordinance**

NR 151.09 (7) and NR 151.095 (8) detail enforcement of cropland standards and livestock standards respectively.

- ▶ Oconto County has the first opportunity to work with a landowner/operator addressing noncompliance
- ▶ DNR will contact the county before contacting a landowner/operator regarding their compliance status
- ▶ If no action is taken by the landowner or operator to come into compliance after a noncompliance notification has been issued by the county, the county will contact the DNR to discuss options for escalating enforcement
- ▶ Enforcement by DNR may include a Notice of Noncompliance, Notice of Discharge, Notice of Violation, or enforcement actions pursuant to s. 281.98 Stats. or other appropriate actions

Any person who violates, neglects, or refuses to comply with or resists enforcement of any provision of the ordinance shall be subject to a forfeiture of not less than \$501 per violation. An unlawful violation includes failure to comply with any standard of the ordinance or with any condition or qualification attached to the permit. Each day that a violation exists shall be a separate offense. Failure to obtain a proper permit is considered a violation. Oconto County Land & Water Conservation Department shall refer all enforcement to the Oconto County Corporation Council and the Zoning Division enforcement technician for initiation of the enforcement action.

## **Appeals Process Under Animal Waste Management Ordinance**

LWCD determinations can be appealed in regard to compliance status with state standards. If the LWCD findings are verified, the appeal would proceed to the LWRC for review and decision. If the matter remains unresolved, enforcement could proceed as described above.

Under authority of Chapter 68 Wisconsin Statutes, the Oconto County Land & Water Conservation Sub-committee, created under Sections 59.878 Wisconsin Statutes and by the Oconto County Board of Supervisors, acting as an appeal authority under Section 68.09 (2) Wisconsin Statutes is authorized to hear and decide all appeals where it is alleged that there is error in any order, requirement, decision or determination by the county Land & Water Conservation Department in administering the ordinance. The rules, procedures, duties and powers of Land & Water Conservation Sub-committee and Chapter 68 Wisconsin Statutes shall apply to this ordinance. Appeals may be taken by any person having a substantial interest which is adversely affected by this order, requirement, decision or determination made by the county Land & Water Conservation Department.

## CHAPTER 4: INFORMATION AND EDUCATION

### INFORMATION AND EDUCATION STRATEGY OVERVIEW

Educational efforts go hand-in-hand with the other action steps set out in this plan. Education is important to the long-term success of this plan for two reasons:

- 1) Education is a cost-effective strategy. Many effective educational strategies can be based on cooperation among government agencies, involvement by community organizations, volunteerism, and using all media outlets to relay information and positively affect behavior. These resources have some costs associated with them that must be met, but costs are minimal and a large investment is not normally necessary; and
- 2) Public understanding of the issues, problems and solutions is absolutely vital for other strategies to succeed. Regulations, public projects and cost-sharing programs cannot succeed on their own if individuals and the general public do not appreciate the importance of the county's natural resource base, what the threats to it are and what efforts can make a difference to protect those resources. Protecting groundwater, lakes, rivers and streams requires broad public understanding, support and cooperation.

Educational efforts for each goal & plan objectives are described below and highlighted with target audiences, messages and potential resources and partners.

### INFORMATION AND EDUCATION STRATEGY FOR GOAL 1

**Goal: Sustainably manage agricultural practices while controlling impacts to natural resources.**

#### **Objectives:**

##### **1.) Reduce soil erosion.**

► **Educational Objectives:**

- Increase farmer awareness about the impacts of soil erosion and state erosion standards
- Educate farmers about reducing erosion with conservation best management practices
- Educate farmers about the benefits of soil health

► **Target Audiences:**

- Farmers – identify by sub-watersheds and down to parcels
- Rural landowners – identify by sub-watersheds and down to parcels
- Agronomists

► **Messages:**

- High erodibility of some county soil types
- Nutrient transport through soil erosion
- Loss of agricultural productivity as topsoil is eroded
- Simple and cost efficient options are available to reduce soil erosion problems

► **Activities:**

- Media releases detailing problems and need for soil erosion reduction
- Work one-on-one with farmers to adapt soil conservation practices to their specific situations
- Publications about cost-sharing opportunities for volunteers to adopt practices
- Write conservation plans that when followed will reduce erosion potential
- In-field demonstrations and annual educational meetings

► Resources:

- UWEX and NRCS publications
- RUSLE II
- EVAAL
- Demonstration Farm Network

**2.) Control animal waste and nutrient runoff.**

► Educational Objectives:

- Continue to educate farmers and landowners of Oconto County about the Animal Waste Management ordinance and the state standards and prohibitions contained
- Educate farmers/landowners within WQMAAs as to the need for heightened protection from animal waste runoff in these zones
- Promote implementation of nutrient management plans
- Encourage development of emergency spill response plans
- Educate absentee landowners about state and county agricultural regulations

► Target Audiences:

- Farmers/landowners building new or expanding existing animal waste storages or animal feedlots
- Farmers/landowners within WQMAAs first, then remaining farmers/landowners
- Commercial manure haulers
- Town officials

► Messages:

- Permits are required for animal waste storage and animal feedlot construction
- Design services can be provided
- Cost-sharing may be available
- Manure spreading must be located and timed properly to avoid environmental impacts
- Emergency spill response plans can minimize environmental impacts of accidental manure spills and facility or equipment failure
- Absentee landowners must be made aware of state and local agricultural regulations without jeopardizing the landowner/operator relationship

► Activities:

- Issue permits for projects through Animal Waste Management ordinance
- Continue to cooperate with operations within WQMAAs
- Identify all animal operations outside WQMAAs
- Hold informational meetings

► Resources:

- Oconto County Zoning
- NRCS
- UWEX
- DATCP
- DNR

**3.) Nutrient and pest management.**

► Educational Objectives:

- Continue to educate farmers/landowners about the benefits of nutrient and pest management planning
- Educate nonagricultural property owners about the impacts of improper application of nutrients and pesticides

► Target Audiences:

- Farmers/landowners who apply organic nutrients or synthetic fertilizers for the purpose of greater crop production
- Nonagricultural property owners – application to lawns and gardens
- Agronomists, custom haulers, custom sprayers, and other agricultural businesses

► Messages:

- Nutrient and pest management planning reduces over-applications and cost of farming operations
- Reduction in over-applications of nutrients limits runoff and ultimately curbs potential explosion in aquatic vegetation growth
- Future fertilizer purchases should be determined by nutrient balance shown on land
- Phosphorous free fertilizer should be used in areas that can easily runoff to surface water

► Activities:

- Require nutrient management plans as companion practices with manure storage facilities in Animal Waste Management ordinance permit operations
- Offer cost-sharing
- Target new cost sharing opportunities as they may become available
- Develop a residential nutrient planning model
- Speak at city/town and lake association/district meetings to detail nutrient runoff
- Speak at events to detail nutrient and pesticide management

► Resources:

- UWEX publications
- NRCS Standard 590- Nutrient Management
- Private Agricultural Agents and Agronomists
- DATCP
- DNR

#### **4.) Protect groundwater quality and quantity.**

► Educational Objectives:

- Educate public on the importance of clean groundwater and wellhead protection
- Educate public on the importance and need of proper well abandonment

► Target Audiences:

- General Public
- Well drillers

► Messages:

- Wellhead protection areas promote clean water infiltration for well recharge
- Proper well abandonment reduces the direct conduits from the ground surface to the aquifers, which are paths for contaminants

► Activities:

- Plan, identify and develop groundwater protection areas
- Provide cost share funding for well abandonment
- Identify and publish high bedrock and other high hazard area maps

► Resources:

- UWEX
- DNR

## 5.) Maintain prime farmland.

► Educational Objectives:

- Inform property owners as to why there is a need to protect the prime farmland in Oconto County
- Promote and inform property owners of the county's Farmland Preservation Program

► Target Audiences:

- Property owners

► Messages:

- Make landowners aware of the value of farmland within the county

► Activities:

- Incorporate Farmland Preservation information into Planning and Zoning informational publications, websites and other media outlets

► Resources:

- NRCS
- Planning and Zoning
- UWEX
- DATCP

## INFORMATION AND EDUCATION STRATEGY FOR GOAL 2

**Goal: Protect and enhance land and water resources to preserve and restore quality, ecological function, and recreational and aesthetic value.**

### **Objectives**

#### 1.) Manage terrestrial and aquatic invasive species.

► Educational Objectives:

- Introduce best management practices to lake associations, districts, and individuals
- Educate landowners and tourists about the need for invasive species recognition, control, and elimination.
- Educate the general public of the impacts of invasive species.
- Make the public aware of the ***Timberland Invasives Partnership (TIP)*** and the resources available.

► Target Audiences:

- General Public
- Landowners
- Lake groups
- Realtors

► Messages:

- Invasive species infestations can have dramatic ecological and economic impacts
- Invasive species displace and degrade naturally occurring species and ecosystems. Therefore, sensitive areas should be identified and protected
- Users of public land and water are unknowingly one of the main transporters of invasive species. Education can help slow the spread and transportation of invasive species
- Volunteer groups such as ***Clean Boats, Clean Waters (CBCW)*** can make a difference

► Activities:

- Work with property owners and groups to promote best management practices
- Work with individuals to design and install demonstration projects
- Utilize media outlets to help educate the public

► Resources:

- DNR
- UWEX
- TIP
- OCLAWA

**2.) Protect and enhance lake and stream water quality.**

► Educational Objectives:

- Educate riparian owners of the benefits of restoring and maintaining natural shorelines
- Educate on the benefits of using best management practices such as buffers, rain gardens and diversions to reduce contaminated runoff that could contain soil, fertilizers, pesticides, herbicides, salt, and petroleum products
- Encourage soil testing to determine the necessity for lawn fertilizer applications
- Encourage the use of phosphorus free fertilizers when needed

► Target Audiences:

- General Public
- Riparian property owners
- Lake Associations and Districts
- Realtors
- Municipalities, Townships, and County Board

► Messages:

- Runoff can deposit unwanted materials such as pesticides, herbicides and soil into water bodies
- Phosphorus can cause algae blooms, excessive weed growth and even hypoxic areas which may degrade the recreational value of lake or stream and have negative ecological effects on the system
- Show riparian owners that they can install best management practices on the shoreline without restricting their view or usage of the water body
- Preserving or planting native plants can help stabilize bank material of lakes and streams and provide additional wildlife habitat
- Inform riparian owners that the LWCD will help design, fund, and install best management practices on their shorelines

► Activities:

- Design, fund and install best management practices on shoreline properties
- Media releases stating the importance of the use of phosphorus free fertilizer and installation of best management practices
- Give informational presentations at lake association/district meetings and other events
- Organize tours or visits to established projects to demonstrate and illustrate on-the-ground successful practices and projects

► Resources:

- DNR
- Healthy Lakes & Rivers Program
- UWEX
- OCLAWA

### 3.) Improve wildlife and fish habitat.

► Educational Objectives:

- Educate the public about the benefits of improving habitat for wildlife and fish
- Educate the public about striving to maintain or restore stream flows and natural ecological functions and biotic conditions

► Target Audiences:

- General Public
- Property owners
- Realtors
- Organizations

► Messages:

- Natural shorelines offer wildlife value and reduce human impacts associated with development
- Shoreline buffers increase aesthetics while reducing storm water runoff impacts
- Shoreline restoration can be an inexpensive way to stop shoreline erosion, restore fish spawning habitat, attract wildlife and improve aesthetics
- Altered stream morphology can dramatically change the biotic makeup of the stream

► Activities:

- Work with property owners, groups and organizations to educate and demonstrate best management practices that will allow use of shoreline while still providing wildlife and fish habitat
- Provide information through local media outlets on informational materials

► Resources:

- DNR
- UWEX
- USFWS
- Local Conservation Groups
- NRCS

### 4.) Protect and restore wetlands.

► Educational Objectives:

- Educate the public on the benefits of restoring and maintaining wetlands
- Inform the public of available programs to fund wetland restoration and enhancement projects

► Target Audiences:

- General Public
- Property owners
- Realtors

► Messages:

- Inform people that wetlands are specialized ecosystems that assist in absorbing runoff which reduces flooding, settling out nutrients and contaminations, while providing wildlife habitat and important fish spawning habitat
- The west shore of Green Bay contains 50 percent of the remaining wetlands on Lake Michigan with the majority within Oconto County. These wetlands are vital to many fish species, amphibians and reptiles, and are a major bird breeding ground and migration route rest area

► Activities:

- Notify the public of the programs available through publications, websites and other media outlets
- Conduct demonstration projects for the public
- Incorporate wetland information at public events

► Resources:

- DNR
- UWEX
- NRCS
- USFWS

**5.) Strengthen the capacity of Lakes and Waterways groups.**

► Educational Objectives:

- Establish a comprehensive working relationship with local associations, districts and other groups to create a network of people and organizations

► Target Audiences:

- General Public
- Lake Associations and Districts
- Local Sportsman Clubs
- Other local organizations
- OCLAWA

► Messages:

- With decreases in budgets and staff at all levels of government over the last several years, there is a need to organize local work groups to work with government units to accomplish tasks such as monitoring, plan writing, applying for grants and special projects

► Activities:

- Work with the established citizen's advisory committee comprised of representatives from various organizations and government representatives to continue planning necessary activities to protect and improve the water resources of Oconto County

► Resources:

- UWEX
- DNR
- NRCS

**6.) Promote quality recreation opportunities on all lakes and streams.**

► Educational Objectives:

- Promote the vast amount of public land, lakes, and streams available, and educate on the proper use of those public resources so as not to cause degradation

► Target Audiences:

- General Public

► Messages:

- Make the public aware of the valuable resources available to them within the county while also educating them on how to be responsible with these resources

► Activities:

- Incorporate informational items into existing brochures, websites and other media outlets

► Resources:

- Oconto County Forest and Parks
- UWEX
- NRCS
- US Forest Service
- DNR
- TEDCOR

## CHAPTER 5: WORK PLAN WITH EVALUATION AND MONITORING AND TARGETED BENCHMARKS

The following monitoring and evaluation explanation and goals tables are meant to illustrate a five-year work plan. The goals and objectives will likely take more than five years to be implemented; this is indicated by the year range in the target benchmarks column. Each year, progress toward reaching plan goals will be evaluated and priorities will be graded and possibly reestablished.

### Monitoring And Evaluation for Goal 1 by Objective:

#### 1) Reduce soil erosion

Past EVAAL computations beginning in 2016 have identified areas of the county with greater potential for erosion, but recent trends in agricultural rotational changes and increased rainfall intensity and frequency led to a more widespread issue. Most erosion monitoring can now be done in the office with greater detailed and more frequent aerial photography. Once problem areas are identified, it will require yearly educational events or publications to get the word out which will hopefully lead to voluntary installed BMPs and rehabilitated gully erosion sites. Severe sites will require NR 151 compliance letters to both the landowner and operator detailing the issue and offering technical support to fix the issue. DNR staff may be contacted for assistance if necessary. Success will be dependent on consistent funding for BMP installation and landowner cooperation. There is a major nationwide push to educate farmers and landowners about soil health issues and conservation practices associated with healthy soils. Soil health related events and publications will be increased by 2 per year to get the word out.

#### 2) Control animal waste and nutrient runoff

By continuing to enforce the Animal Waste Management Ordinance, walk-in and project related standards and prohibitions compliance will be achieved to address priority farms, especially those in priority watersheds. Completion of the county-wide farm inventory on GIS based tracking will allow more efficient identification and tracking of compliance achieved versus farms where work needs to be done. An effort will be made to achieve a complete inventory within 10 years. Currently, approximately 25 percent of farms in the county have been inventoried. The pace will be re-evaluated at the end of the five-year work plan as most priority farms have been identified. Yearly enforcement of NR151 to address at least one operation is a reasonable goal on top of the walk-in compliance. As more operations come into compliance through expansion and permit issuance, then a more aggressive enforcement schedule may be necessary to reach the remaining operations. This enforcement may likely be necessary through involvement with the DNR and their cost share options. DNR receives complaints that may lead to Notice of Intent/Notice of Discharge or ultimately CAFO permitting, which requires LWCD's involvement through the ordinance to design practices or review designs and/or secure cost share from DNR to fund correction of issues identified.

Continuing to discuss the link between agricultural practices and nutrient transport to water resources by gathering existing information to pass on to farmers will be a focus for the county. On-farm, field edge trials and review of available data would be the target achievement of this activity. Another activity of this objective is to continue to formulate 9 Key Element plans for impaired waters within HUC 12 watersheds over the next five years. These plans consist of detailed watershed information collection and comprehensive specific goals for each watershed which take significant time to generate leading to the expanded time frame for completion. Developing such plans creates access to additional federal

and state funds. Success of many activities falling under this objective are completely dependent on staff and funding levels remaining constant or increasing through the 10-year plan period.

### 3) Nutrient and pest management

There is a continued need to educate the public about the value of farm nutrients as they are hauled past neighboring houses on the way to be spread on a field. Oconto County intends to stress the value of nutrient management through yearly educational events and/or publications as well as with priority farms. Recent local nutrient management planning and spreading issues are leading to increased plan reviews, map verification and finally increased field inspections. The Oconto County waste management ordinance requires nutrient management as a companion practice with all waste storage facility practices installed. State standards also require farms that apply nutrients in accordance with a nutrient management plan. Currently, 45 NMPs must be submitted by April 1<sup>st</sup> and are reviewed yearly. Among federal, state and county programs there are currently 75 farmers that have adopted nutrient management plans covering 51 percent of the cropland acres in the county. As previously stated, the cropland acres are mainly located in the middle to southern regions of the county. The remaining farmers, if not willing to voluntarily signup for nutrient management, must be offered the current state flat-rate cost share to ensure compliance. This will require adequate funding throughout the span of this plan and until all agricultural acres in Oconto County are under nutrient management. Crop consultants and farmers who write their own plans are kept up to date on nutrient management planning changes through one meeting a year. This plan intends to expand nutrient management education to include the effects of chemical applications.

### 4) Protect groundwater quality and quantity

Quality drinking water is becoming a more limited resource as it is being pumped at a greater quantity by expanding suburban areas and growing high-capacity use by many types of business. Well water testing may be able to help focus efforts. Improper land spreading of nutrients, herbicides and pesticides can lead to contamination when near direct conduits to groundwater. Oconto County intends to try to educate the public and agricultural producers of these issues through yearly events, publications, and individual contacts. Developing and following NMPs can help minimize or eliminate groundwater contamination, but well abandonments continue to be the best option to limit surface to groundwater contamination issues in the county and 2 abandonments per year will continue to close off these direct conduits for contaminants. Abandonments have been funded with a county cost share program which will need to be maintained to continue to close these wells.

### 5) Maintain prime farmland

Farmland preservation has a limited presence in the county. Efforts to educate farmers of the benefit of the program through yearly event and/or publications will continue. Their best avenue for adoption of the program is through AEAs. The LWCD will attempt to contact farmers to gauge interest on a yearly basis. Finally, the one existing contract will be monitored through field visits until the expiration of the contract.

## **Monitoring And Evaluation for Goal 2 by Objective:**

### **1) Manage terrestrial and aquatic invasive species**

Inventory of new species and control of existing stands will be done in conjunction with the county strategic action plan, most likely with help from TIP. Website updates might be tied to the link to TIP increasing the effectiveness of the county website. The county has made a commitment to early detection monitoring of specified lakes for invasives (five lakes per year with retesting of lakes once all have been cycled through for the initial survey). The success of this objective is entirely dependent on increased invasive species funding for staff and projects. The county is currently pursuing additional staff for water resource work.

### **2) Protect and enhance lake and stream water quality and quantity**

Installation of shoreline buffers continues to be the most cost effective and easiest way to influence lake and stream water quality with 5 practices installed per year. Diversion of upslope water from reaching the lake or stream is another easily incorporated BMP as part of a larger restoration plan. These shoreline plans can be as simple or complex as the landowner wishes and 10 contacts per year should maximize cost share usage. The plans need to be designed and implemented by the county with cost share funding coming from county or state sources. The county also aids shoreland owners with the permitting process which could be streamlined for easy, expedited permits. Finally, education about the sources of runoff and subsequent remedies is a cost-effective way to address the issue. Yearly events and information distributed, likely at lake association meetings, will aid in meeting the target of 3 events per year.

### **3) Improve wildlife and fish habitat**

Changing stream morphology has become an issue as waters widen and slow which warms them and changes the biotic ecosystem. All intentions are to try and return streams to their more natural state by completing one stream project per year. A new DNR general permit for such work has been created which will hopefully make the permitting process easy and streamlined. Lakes are also rapidly changing; another activity would be to encourage lakes groups to find volunteer citizen monitors to detect these changes in early stages. With a one lake increase in monitors per year, negative effects could be mitigated in many instances. A simple cost-effective way to improve waterway habitat is to contact landowners to discuss leaving fallen beneficial woody debris in place. Some wildlife habitats inland are severely impacted by woodlot and wetland grazing. The county will attempt to monitor this issue and make a couple of contacts per year.

### **4) Protect and restore wetlands**

Protection of wetlands greatly impacts the runoff associated with increasingly stronger rainfall events. Restoration of degraded or converted wetlands is to be a focus with creation of 1 acre per year as a benchmark. Landowner education is needed to reveal the value of wetlands as something other than "waste land" by hosting yearly events or making contacts where available. Maintaining funding is essential to wetland restoration projects, along with a simple streamlined permitting process.

5) Strengthen the capacity of lakes and waterways groups

The LWCD would like to assist the ***Oconto County Lakes and Waterways Association (OCLAWA)*** in writing a comprehensive lake and stream management plan by 2030. There is a continued plan to assist DNR and lake groups with lake level monitoring, five lakes per year until finished, then continuous monitoring.

6) Promote quality recreational opportunities on all lakes and streams

Working with local organizations and governmental units to open public lands to handicapped individuals could greatly increase recreational opportunities by increasing access points, five over 10 years. The need to create a general awareness of the value of the expanse of recreational resources of the county needs to be conveyed in as many ways as possible to interested users through a minimum one event or publication per year.

In the Goal Tables that follow, priority activities are in **bold** and the lead agency for each activity is listed first. Cost-share dollars are dependent of number of clients, variation of assistance, and/or occurrences. It is important to note that this could increase cost-share dollars by significant amounts due to the Oconto County LWCD benchmark to assist walk-ins.

**Goal 1: Sustainably manage agricultural practices while controlling impacts to natural resources.**

Objective	Activities	Agencies	Staff Hours	Staff Dollars	Cost-Share Dollars	Evaluation and Monitoring Parameters	Target Benchmarks
1. Reduce soil erosion.	<p>a. Promote cropping activities that improve soil health.</p> <p>b. Educate the public on conservation practices.</p> <p><b>c. Promote BMPs that reduce erosion.</b></p> <p>d. Inventory and correct areas of gully erosion.</p>	LWCD, NRCS LWCD, NRCS, UWEX LWCD, NRCS LWCD, NRCS	40/yr 40/yr 40/yr 250/yr	\$1,800 \$1,800 \$1,800 \$11,250	\$5000/yr \$5000/yr \$5,000/yr \$10,000/yr	Number of events and publications Number of events and publications Number of BMPs installed Lin.Ft. of gully repaired	2 per year 2 per year <b>Avg. 2 per year and 25 over 10 years</b> 500 Lin.Ft. and 5,000 Lin.Ft. over 10 years
	<b>Yearly Totals</b>		<b>370/yr</b>	<b>\$16,650</b>	<b>\$25,000/yr</b>		
2. Control animal waste and nutrient runoff.	<p>a. Educate agricultural producers on the link between farm practices and nutrient transport.</p> <p>b. Promote the use of innovative technologies.</p> <p><b>c. Enforce animal waste ordinance.</b></p> <p><b>d. Address priority farms.</b></p> <p>e. Develop 9 key-element plans for impaired waters.</p> <p><b>f. Work with DNR on Notice of Discharge, Notice of Intent, and Confined Animal Feeding Operations.</b></p> <p>g. Promote nutrient management practices.</p> <p>h. County wide farm inventory.</p> <p><b>i. Assist walk-in clients.</b></p>	UWEX, LWCD, NRCS, WDNR UWEX, LWCD, NRCS LWCD, WDNR LWCD, WDNR LWCD LWCD, WDNR NRCS, LWCD, UWEX LWCD LWCD, NRCS	60/yr 20/yr 450/yr 1,200/yr 700 total 500/yr 200/yr 430/yr 5310/yr	\$2,700 \$900 \$20,250 \$54,000 \$3,150 \$22,500 \$9,000 \$19,350	\$2,000/yr \$1000/yr NA \$500,000/yr NA NA \$8000/yr NA \$210,600	Number of producers reached Number of events and publications Number of permits issued Compliance spotchecks Number of farms brought into NR151 compliance Number of plans approved Number of producers worked with Number of NM planned acres Number of farms inventoried Dependent on number of clients Number of clients assisted	50 per year and 500 over 10 years 1 per year <b>10 per year, long term as needed 10% of permits per yr</b> <b>1 per year</b> 1 plan approved in 10 years <b>As identified in cooperation with the DNR</b> 200 acres per year and 20,000 acres over 10 years 10 farms per year / completed by 2036 or as needed <b>Assist 100% of clients</b>
	<b>Yearly Totals</b>		<b>5310/yr</b>	<b>\$210,600</b>	<b>\$511,000/yr</b>		

Objective	Activities	Agencies	Staff Hours	Staff Dollars	Cost-Share Dollars	Evaluation and Monitoring Parameters	Target Benchmarks
3. Nutrient and pest management.	<b>a. Educate the public about nutrient value.</b> b. Increase field visits. c. Perform reviews of mandatory Animal Waste Management Ordinance plans. <b>d. Keep agronomists up to date on local NRCS 590 submittal requirements.</b> e. Educate on the effects of chemical applications.	<b>UWEX, LWCD, NRCS</b> LWCD LWCD <b>LWCD, UWEX</b> NRCS, LWCD, UWEX	<b>60/yr</b> 300/yr 240/yr <b>20/yr</b> 20/yr	<b>\$2,700</b> \$13,500 \$10,800 <b>\$900</b> \$900	<b>\$750/yr</b> NA NA <b>NA</b> NA	<b>Number of events and publications</b> Number of field visits Number of plans reviewed	<b>1-2 per year</b> 25 visits per year and 250 visits over 10 years 45 plans per year / increase as needed
		<b>Yearly Totals</b>	<b>640/yr</b>	<b>\$28,800</b>	<b>\$750/yr</b>		
4. Protect groundwater quality and quantity.	a. Cost-share eligible well abandonments. b. Educate the public on groundwater quality and quantity.	LWCD <b>UWEX, LWCD, NRCS</b>	40/yr 45/yr	\$1,800 \$2,025	\$20000/yr \$500/yr	Number of wells closed Number of events and publications	2 per year / as needed 3 events per year
		<b>Yearly Totals</b>	<b>85/yr</b>	<b>\$3,825</b>	<b>\$2,500/yr</b>		

<b>5. Maintain prime farmland.</b>	a. Educate and inform farmers on farmland preservation program. b. Encourage Agricultural Enterprise Areas in Prime farmland areas. <b>c. Maintain FPP compliance with current contracts through field visits.</b>	LWCD LWCD <b>LWCD</b>	20/yr 20/yr <b>5/yr</b>	\$900 \$900 <b>\$225</b>	NA NA <b>NA</b>	Number of events and publications Number of contacts Number of certifications	1 per year 5 per year <b>100% Compliance</b>
		<b>Yearly Totals</b>	<b>45/yr</b>	<b>\$2,025</b>	<b>\$0</b>		

Total Yearly Hours, Costs, and Funding Needed to Accomplish Goal 1		
Staffing Hours	Staffing Dollars	Cost-Share Dollars
6,450	\$261,900	\$539,250

**Goal 2: Protect and enhance land and water resources to preserve and restore quality, ecological function, and recreational and aesthetic value.**

Objective	Activities	Agencies	Staff Hours	Staff Dollars	Cost-Share Dollars	Evaluation and Monitoring Parameters	Target Benchmark
1. Manage terrestrial and aquatic invasive species.	a. Pursue funding for invasive species oriented programs.	LWCD, NRCS	200/yr	\$9,000	NA	Number of programs	1 program every 5 years
	<b>b. Pursue funding for Lake Monitoring and Protection staff.</b>	<b>LWCD</b>	<b>80/yr</b>	<b>\$3,600</b>	<b>\$18,700/yr</b>	<b>Number of staff hired</b>	<b>1 full time position</b>
	c. Educate the public on invasive species control and management.	LWCD, TIP	500/yr	\$22,500	\$1,000/yr	Number of events held and information distributed	1 event per year and / or 1 information source distributed
	d. Inventory new populations and control existing stands.	LWCD, TIP, WDNR	345/yr	\$15,525	\$3,000/yr	Number of plots inventoried and controlled	Minimum of 3 plots inventoried per year and control as needed
	<b>e. Update and implement county invasives Strategic Action Plan.</b>	<b>LWCD</b>	<b>600/yr</b>	<b>\$27,000</b>	<b>NA</b>	<b>Plan updated and implementation</b>	<b>Update plan by 2027 and implementation as needed</b>
	<b>f. Collaborate with TIP to monitor populations.</b>	<b>LWCD</b>	<b>100/yr</b>	<b>\$4,500</b>	<b>\$1,000/yr</b>	<b>Number of projects worked on</b>	<b>1 project per year</b>
	g. Continue to update Oconto County website information pertaining to invasive species.	LWCD	10/yr	\$450	NA	Website content up to date	Continually update website as needed
	h. Continue Oconto County early detection monitoring program.	LWCD	40/yr	\$1,800	NA	Number of boat landings monitored	5 boat landings per year and a continuous long term cycle
	i. Promote an increase in Clean Boats, Clean Waters monitoring hours.	LWCD	40/yr	\$1,800	NA	Number of hours monitored	200 additional hours by 2030
	<b>Yearly Totals</b>	<b>1,915/yr</b>	<b>\$86,175</b>	<b>\$23,700/yr</b>			

a. Design and implement shoreline conservation practices.	LWCD, WDNR	1,750/yr	\$78,750	\$40,000/yr	Number of practices	5 practices installed per year
b. Promote county cost-share fund use for shoreline restoration.	LWCD	120/yr	\$5,400	NA	Number of contacts	10 contacts per year and 1 social media release
<b>c. Educate riparian landowners on the impacts of property management.</b>	<b>LWCD, UWEX, WDNR</b>	<b>200/yr</b>	<b>\$9,000</b>	<b>NA</b>	<b>Number of events and individual contacts</b>	<b>1 event per year and 5 contacts per year</b>
d. Educate the public on water quality and quantity.	LWCD, UWEX, WDNR	40/yr	\$1,800	NA	Number of events	3 events per year
	<b>Yearly Totals</b>	<b>2,110/yr</b>	<b>\$94,950</b>	<b>\$40,000/yr</b>		

Objective	Activities	Agencies	Staff Hours	Cost-Share Dollars	Evaluation and Monitoring Parameters	Target Benchmark
<b>3. Improve wildlife and fish habitat.</b>	<b>a. Restore stream morphology.</b> b. Encourage lakes to participate in the Citizen Lake Monitoring Network to assure quality wildlife waters. c. Promote the removal of livestock grazing from woodlots. <b>d. Promote tree drops and “fish sticks” on lake shores.</b> <b>e. Enhance fish passage.</b>	<b>LWCD</b>	<b>80/yr</b>	<b>\$3,600</b>	<b>\$25,000/yr</b>	<b>Number of projects</b>
		LWCD	40/yr	\$1,800	NA	Number new of lakes monitored
		LWCD, NRCS, UWEX	20/yr	\$900	NA	Number of contacts
		<b>LWCD</b>	<b>40/yr</b>	<b>\$1,800</b>	<b>\$2,000/yr</b>	<b>Number of contacts</b>
		LWCD	500/yr	\$22,500	\$80,000/yr	<b>Impediments removed</b>
		<b>Yearly Totals</b>	<b>680/yr</b>	<b>\$30,600</b>	<b>\$107,000/yr</b>	
<b>4. Protect and restore wetlands.</b>	<b>a. Restore degraded wetlands.</b> b. Educate landowners on the benefits of wetlands.	LWCD, NRCS, WDNR	240/yr	\$10,800	\$25,000/yr	Acres
		<b>Yearly Totals</b>	<b>260/yr</b>	<b>\$900</b>	<b>NA</b>	Number of contacts
						1 acre per year restored
						10 contacts per year
<b>5. Strengthen the capacity of Lakes and Waterways groups.</b>	<b>a. Assist Oconto County Lakes and Waterways Association in the development of a Lake and Stream Management Plan.</b> <b>b. Partner with volunteer groups and DNR to monitor lake levels.</b>	OCLAWA, LWCD	240/yr	\$10,800	NA	Plan progress
		<b>LWCD, DNR</b>	<b>80/yr</b>	<b>\$3,600</b>	<b>\$250/yr</b>	<b>Number of lakes</b>
		<b>Yearly Totals</b>	<b>320/yr</b>	<b>\$14,400</b>	<b>\$250/yr</b>	<b>5 lakes per year</b>
<b>6. Promote quality recreation opportunities on all lakes and streams.</b>	<b>a. Work with local organizations and government units to make public lands and waters handicap accessible.</b> <b>b. Create awareness of the value of Oconto County recreational resources.</b>	LWCD, DNR, Sportsmen's Clubs	80/yr	\$3,600	\$5,000/yr	Number of access points improved
		LWCD, UWEX	40/yr	\$1,800	\$500/yr	Number of events and media publications
		<b>Yearly Totals</b>	<b>120/yr</b>	<b>\$5,400</b>	<b>\$5,500/yr</b>	
<b>Total Yearly Hours, Costs, and Funding Needed to Accomplish Goal 2</b>						
<b>Staffing Hours</b>		<b>Staffing Dollars</b>			<b>Cost-Share Dollars</b>	
5,405		\$243,225			\$201,450	

## CHAPTER 6: PARTNERS AND FUNDING

### PARTNERS AND COLLABORATORS FOR PLAN IMPLEMENTATION

Many agencies and organizations are involved in protecting land and water resources in Oconto County. Each agency has its own particular mission and leadership but has a common goal to preserve and protect the environment for future generations. Cooperation is imperative to guarantee successful plan implementation. Many of the agencies below are included in the work plan and will be relied upon for technical support, funding, cooperation and guidance.

#### Partner Agencies

The agencies listed below are entrusted with protecting and managing natural resources. All agencies and private groups are invited to participate in annual reviews and revisions of this plan.

- Oconto County Land & Water Resource Committee
- Natural Resources Conservation Service
- ***University of Wisconsin-Extension (UWEX)***
- Department of Agriculture, Trade and Consumer Protection
- Department of Natural Resources
- U. S. Fish and Wildlife Service
  - ***Natural Resource Damage Assessment (NRDA)*** program

#### Private Voluntary Organizations

- Oconto County Lakes and Waterways Association (county-wide group)
- Individual Lake Associations and Districts
- Trout Unlimited
- Oconto County Sportsmen's Clubs
- Land and Water Resource Management Plan Citizen's Advisory Committee

### FUNDING PLAN IMPLEMENTATION

The Oconto County Land and Water Resource Management Plan is a document that can be utilized by all partners in natural resources. A combination of private, local, state and federal sources of funding will be sought to implement the priorities of the plan. As funding opportunities surface, the plan goals and objectives will be referenced to develop project applications. The dollar amounts required in order to accomplish this plan's goals were formulated with the assumption of fully funded budgets. Potential funding sources are outlined below.

## **Local Government Funding Sources**

- Oconto County Land and Water Resource Budget (LWCD, Zoning, Forest & Parks)
- Oconto County Cost Share Program
  - \$20,000 per year was allocated by the Oconto County Board of Supervisors for first use in the 2002 calendar year. The program cost-shares agricultural and shoreline restoration projects. The funding is capped at \$2,500 maximum per project.
- Oconto County Healthy Waters Cost Share Program
  - \$35,000 per year to work with county lake associations and organizations on water quality BMPs. The funding is capped at \$7,000 maximum per project.

## **Other Local Funding Sources**

- Individual Contributions
- Volunteer Hours
- County Lake Associations
- Trout Unlimited
- Oconto County Sportsmen's Alliance
- Ducks Unlimited
- Whitetails Unlimited
- OCLAWA

## **State Government Funding Sources**

- Department of Natural Resources
  - Targeted Resource Management Grants
  - Notice of Discharge Grants
  - Stewardship Funds
  - Surface Water Grants
- Department of Agriculture, Trade and Consumer Protection
  - Land and Water Resource Management Plan Implementation Funds
  - Soil and Water Resource Management Grants

## **Federal Government Funding Sources**

- U. S. Department of Agriculture- Natural Resources Conservation Service
  - ***Environmental Quality Incentives Program (EQIP)***
  - ***Regional Conservation Partnership Program (RCPP)***
  - ***Agricultural Conservation Easement Program (ACEP)***
  - Conservation Stewardship Program (CSP)
- U. S. Department of Interior- Fish and Wildlife Service
  - Natural Resource Damage Assessment (NRDA)
- U. S. Department of Agriculture- ***Farm Service Agency (FSA)***
  - ***Conservation Reserve Program (CRP)***
  - ***Grassland Reserve Program (GRP)***

## GLOSSARY

**303(d) Waters:** This list identifies waters which are not meeting water quality standards, including both water quality criteria for specific substances or the designated uses. It is used as the basis for development of Total Maximum Daily Loads (TMDLs) under the provisions of section 303(d) (1) (C) of the Clean Water Act, U.S. Environmental Protection Agency (EPA) EPA requires that the DNR update its list every two years. Also called List of Impaired Waters.

**Agricultural Conservation Easement Program (ACEP):** A voluntary program that protects conservation value by placing Agricultural Land Easements or Wetlands Reserve Easements on eligible cropland and grasslands.

**Animal Unit (AU):** Single animal types or combination of animal types, which are fed, confined, maintained or stabled in an animal feeding operation. 1000 pounds of livestock live weight is equivalent to one AU.

**Aquatic Invasive Species (AIS):** Water dwelling, non-native or introduced species which negatively impact the natural aquatic ecosystem.

**ATCP 50:** The chapter of Wisconsin's Administrative Code that implements the Land and Water Resource Management Program as described in Chapter 92 of the State Statutes. It identifies those conservation practices that may be used to meet performance standards.

**Barnyard Runoff Model (BARNY):** Excel spreadsheet which computes phosphorus runoff from barnyards in pounds of phosphorus.

**Best Management Practices (BMPs):** The most effective practice or combination of practices for reducing nonpoint source pollution to acceptable levels.

**Clean Boats, Clean Waters (CBCW):** Volunteers that perform boat and trailer checks for invasive species, distribute informational brochures, and collect and report any AIS presence in waterbodies.

**Conservation Plan:** A record of decisions and intentions made by land users regarding the conservation of the soil, water and related natural resources of a particular unit of land.

**Conservation Reserve Program (CRP):** A provision of the federal Farm Bill that takes eligible cropland out of production and puts it into grass or tree cover for 10-15 years.

**Department of Agriculture, Trade and Consumer Protection (DATCP):** The state agency responsible for establishing statewide soil and water conservation policies and administering the state's soil and water conservation programs. The DATCP administers state cost-sharing funds for a variety of LWRC operations, including support for staff, materials and conservation practices.

**Department of Natural Resources (DNR):** The state agency responsible for managing state owned lands and protecting public waters. DNR also administers programs to regulate, guide and assist LWRCs, LWCDs and individual land users in managing land, water, fish and wildlife. The DNR administers state cost-sharing funds for priority watershed project, Targeted Runoff Management (TRM) grants, and Urban Nonpoint Source Construction and Planning grants.

**Environmental Protection Agency (EPA):** The agency of the federal government responsible for carrying out the nation's pollution control laws. It provides technical and financial assistance to reduce and control air, water and land pollution.

**Environmental Quality Incentives Program (EQIP):** Federal program to provide technical and cost-sharing assistance to landowners for conservation practices that provide water quality protection.

**Ephemeral erosion:** Channelized, concentrated erosion that results in gullies.

**Erosion Vulnerability Assessment for Agricultural Lands (EVAAL):** a GIS-based tool that uses readily available topographic, soils, and land use information to assess vulnerability of agricultural lands to erosion and nutrient export.

**Farm Service Agency (FSA):** USDA agency that administers agricultural assistance programs including price support, production controls and conservation cost-sharing.

**Fish Consumption Advisory (FCA):** Food and Drug Administration imposed limit or restriction on fish consumption based on elevated toxicity levels- generally mercury or PCBs.

**FLOW:** Forest, Langlade, & Oconto Waterways AIS Program; A cooperative agreement between the namesake counties to manage and educate on aquatic invasive species.

**Geographic Information Systems (GIS):** A computerized system of maps and layers of data about land including soils, land cover, topography, field boundaries, roads and streams. Such geographically based data layers improve the ability to analyze complex data for decision making.

**Grassland Reserve Program (GRP):** Voluntary program that helps landowners and operators restore and protect grassland including rangeland, and pastureland and certain other lands, while maintaining the areas as grazing lands.

**Land and Water Resource Management Plan (LWRM):** A locally developed and implemented multi-year strategic plan with an emphasis on partnerships and program integration. The plan includes a resource assessment, identifies the applicable performance standards and related control of pollution from nonpoint sources, identifies a multiyear description of planned activities, establishes a progress tracking system, and describes an approach for coordinating information and implementation programs with other local, state and federal agencies, communities and organization (ATCP 50.12).

**Land & Water Conservation Department (LWCD):** The department of county government responsible for administering the conservation programs and policies of the Land Conservation Committee.

**LWRC:** Land & Water Resources Committee; The portion of county government empowered, by Chapter 92 of the Wisconsin Statutes, to conserve and protect the county's soil, water and related natural resources.

**Natural Resource Damage Assessment (NRDA):** Funding to restore habitat and water quality in the area of concern of the bay of Green Bay

**Natural Resources Conservation Service (NRCS):** Part of USDA, NRCS provides **soil survey**, conservation planning and technical assistance to local land users.

**Nonpoint Source Pollution (NPS):** Pollution from many small or diffuse urban and rural sources. Livestock waste finding its way into a stream and causing water pollution is an example of nonpoint source pollution.

**NR 151:** DNR's administrative code that establishes runoff pollution performance standards for non-agricultural facilities and transportation facilities and performance standards and prohibitions for agricultural facilities and practices designed to meet water quality standards.

**Nutrient Management Plan:** The Nutrient Management Plan means any of the following:

- (a) A plan required under s. ATCP 50.04 (3) or 50.62 (5) (f).
- (b) A farm nutrient plan prepared or approved by a qualified nutrient management planner.

**Oconto County Lakes and Waterways Association (OCLAWA):** An organization with the mission to promote the conservation and preservation of all lakes, rivers, streams, and reservoirs in Oconto County, the shorelines surrounding them, and the ecologically sound and environmentally safe development on or near these waters

**Outstanding or Exceptional Resource Waters (ORW/ERW):** DNR classifies streams as Outstanding Resource Waters (ORW) and Exceptional Resource Waters (ERW) as listed in NR 102.10 and NR102.11. ORW waters have excellent water quality and high-quality fisheries and do not receive wastewater discharges. ERW waters have excellent water quality and valued fisheries but may already receive wastewater discharges.

**Perfluorooctane Sulfonic Acid (PFOS):** A persistent, man-made chemical used in various products and known for its stain, grease, and water resistance properties. It has been linked to potential health effects and is regulated due to its persistence in the environment.

**Regional Conservation Partnership Program (RCPP):** A partner-driven conservation program administered by the USDA's Natural Resources Conservation Service aiming to protect, restore, and sustainably use natural resources on agricultural and forest lands.

**RUSLE II:** Revised universal soil loss equation- equates various factors to determine erosion rates on cropland.

**Soil and Water Resource Management Program (SWRM):** DATCP program that provides counties with funds to hire and support Land Conservation Department staff and to assist land users in implementing DATCP conservation programs (ATCP 50).

**Soil Survey:** NRCS conducts the National Cooperative Soil Survey and publishes soil survey reports. Soils data is designed to evaluate the potential of the soil and management needed for maximum food and fiber production.

**Terrestrial Invasive Species (TIS):** Land dwelling, non-native or introduced species which negatively impact the terrestrial ecosystem.

**Timberland Invasives Partnership (TIP):** a partnership between Federal, Tribal, State and local government organizations that symbolizes a commitment to work together across jurisdictional boundaries to eliminate invasive species.

**TEDCOR:** Tourism & Economic Development Corporation Oconto Region; Promotes tourism and economic development.

**United States Department of Agriculture (USDA):** Branch of federal government with responsibilities in the areas of food production, inspection and storage. Agencies with resource conservation programs and responsibilities, such as FSA, NRCS, Forest Service and others are agencies of the USDA.

**University of Wisconsin-Extension (UWEX):** The outreach of the University of Wisconsin system responsible for formal and informal educational programs throughout the state.

**Waters of the State:** Those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person.

**Water Quality Management Area (WQMA):** Areas within 300 feet of any stream found on U.S. Geological Survey Quad maps and within 1000 feet of a lake ordinary high water mark.

**Watershed:** The geographic area from which a particular river, stream or water body receives its water supply.

**Zoning Department:** Department of Oconto County involved in setting ordinances and issuing permits for buildings, setbacks, private sewage systems, excavations and other development related activities.

RESOLUTION – R2025-08-04

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

Re: **Approval of Access Control Doors at Tower Sites**

WHEREAS, Oconto County has an enhanced emergency communications network that includes seven tower sites located at the following addresses:

Brazeau, 110055 N. Popple Ln, Pound, WI 54161  
Chase, 6869 CTH S Sobieski, WI, WI 54171  
Gillett, 6185 Yarwood Road, Gillett, WI 54124  
Morgan, 3625 County Road C, Oconto Falls, WI 54154  
Mountain, 14068 Old Highway 32 Road, Mountain, WI 54149  
Pensaukee, 4413 Mocco Lane, Oconto, WI 54153  
Suring, 12830 Highway 32, Suring, WI 54174

WHEREAS, discussion was held on the need to have a higher level of security at these locations that allows county staff to monitor all vendors entering and working on equipment within the shelters; and

WHEREAS, the Property & Technology and Public Safety Committees proposed installing keyless FOB access to both the generator and equipment doors at six of the shelters and only on the shelter door at the Morgan location to control entry and enable remote access for vendors servicing these locations; and

WHEREAS, Faith Technologies is Oconto County's vendor for the keyless FOB access locks, and the tower sites will be integrated into the county's existing electronic access system that is maintained and monitored by county staff; and

WHEREAS, a quote was received from Faith Technologies in the amount of \$40,260.00 for the material and labor costs to install the keyless FOB access system at these seven locations; and

WHEREAS, the installation of keyless FOB access locks will be utilized and monitored with the intent of eliminating the need to install cameras at these locations; and

WHEREAS the fiscal impact will be \$40,260.00 from account # 100-42-57290-58211 - Radio Tower Updates, which is budgeted for in 2025.

NOW, THEREFORE BE IT RESOLVED, that the Oconto County Board of Supervisors hereby approves the Faith Technologies quote in the amount of \$40,260.00 to install keyless FOB access to these seven tower sites; and

BE IT FURTHER RESOLVED, that the bidding requirements of Sec. 1.8(5) and Sec. 2.0(5) of the Oconto County Financial Management Policy be and are hereby waived for this project.

Submitted this 21st day of August, 2025.

By: PROPERTY AND TECHNOLOGY COMMITTEE      By: PUBLIC SAFETY COMMITTEE

Guy Gooding, Chair  
Brandon Dhuey  
Richard Pillsbury  
John Wittkopf  
Wesley Kobylarczyk

Dennis Kroll, Chair  
David Parmentier  
Don Bartels, Jr.  
Tracy S. Ondik  
Al Schreiber

Electronically Reviewed by Corporation Counsel on 08.05.2025 - BLE

Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant



A DIVISION OF FTL

August 4, 2025

**Scott Krueger**  
Oconto County

**RE: RL25221A Oconto County Access Control Additions**

Scott:

We would like to thank you for the opportunity to propose a solution for your technology needs. We are pleased to offer the following NTE price to provide material and labor to install the following system at your facility.

**Chase:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors
  - Card reader
  - Door strike

**Suring:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors
  - Card reader
  - Door strike

**Gillett:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors
  - Card reader
  - Door strike

**Pensaukee:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors



A DIVISION OF FTL

- Card reader
- Door strike

**Morgan:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (1) Access control doors
  - Card reader
  - Door strike

**Brazeau:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors
  - Card reader
  - Door strike

**Mountain:**

Provide material and labor to install

- (1) S2 Micronodes
- (1) Patch cord
- (1) Altronix 3-amp power supply
- (2) Access control doors
  - Card reader
  - Door strike

Project Cost NTE: \$40,260.00

**General Notes:**

- Change of scope or design may be billable
- Price assumes open portals on existing S2 license
- Price includes j-hook raceway with EMT stubs as needed

We appreciate the opportunity to submit our proposal and hope to work with you on this project! If you have any questions, concerns, or would like additional information regarding this proposal, please do not hesitate to contact me at 920-225-6699.

Sincerely,

Rich Lembcke  
Assistant Project Manager

Chris Schwanke  
Project Manager



A DIVISION OF FTI

**General Conditions:**

- This quote is based on current commodity material pricing and availability.
- All labor hours estimated as first shift and regular time.
- Applicable sales/use taxes are not included in the above prices. If you are tax exempt, please return a copy of your exemption certificate with your signed proposal/PO/contract.
- Any changes to the scope of work or materials altered at customer request may be billable.
- By way of submission of this proposal, Faith Technologies reserves its right to negotiate mutually agreeable contract terms as well as review any applicable Prime contract upon award of the project.
- Faith Technologies, as a reseller of any intellectual property that may be contained in this proposal, assumes no liability for any use of the intellectual property which results in an infringement of existing intellectual property and hereby disclaims any claims for liability, damages or attorneys' fees resulting therefrom.
- If applicable to the scope of work, it is the Customers responsibility to accurately mark and provide to Faith Technologies a detailed diagram of any privately owned underground service lines or facilities. Customer is responsible for any damage occurring to unmarked or inaccurately marked privately owned service lines.
- Payments made by credit card will be subject to associated processing fees incurred by transaction.
- The pricing in this quotation is based on current rates for material, equipment, and transportation. Due to the ongoing supply chain challenges and global impacts, including inflationary pressure, tariff assessments and potential shortages and/or interruptions in globally integrated supply chains, the pricing for this project may be affected. Therefore, we reserve the right to revise our pricing throughout the duration of the Project, with final reconciliation at Project completion.
- Additionally, notwithstanding any contrary provisions in our contract agreement, both parties agree any project delays caused by extended lead times, shortages or lack of availability, which are not due to the fault or negligence of FTI, will be compensable.
- FTI will make reasonable efforts to mitigate extra costs, with the expectation we will be compensated for any costs and/or delays outside of our control.

**Warranty:** Faith Technologies will provide warranty support for our installation and craftsmanship for a period of one year. Any work performed outside of the previously defined scope options will be performed on a time and materials basis.

Initial acceptance of desired options below, sign and return.

---

Access Control Additions:

NTE      \$40,260.00

(Initial here) \_\_\_\_\_

*ACCEPTANCE OF PROPOSAL the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorizing Faith Technologies, Inc. to do the work as specified. Payment terms are net 30 days after date of invoice.*

PO#: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date of Acceptance: \_\_\_\_\_

*Please email signed contracts to Rich Lembcke at [rich.lembcke@faithtechinc.com](mailto:rich.lembcke@faithtechinc.com)  
Confidential, do not distribute without the prior written consent of Faith Technologies, Inc.*

**1. Call to Order and Roll Call**

County Board Chair, Al Sleeter, called the meeting to order at 9:00 a.m. the County Board Room #3041, located at the Oconto County Courthouse, 301 Washington St., Oconto, WI by stating “This is an open meeting of the Oconto County Board of Supervisors. Notice of this meeting was given to the public at least 24 hours prior to the meeting by forwarding the complete agenda to the newspapers and to all news media who have requested the same, as well as by posting. Copies of the complete agenda were available for inspection at the office of the County Clerk.” County Clerk, Kim Pytleski, recorded the attendance, with 23 members present: Supervisors Bartels, Behrend, Bitters, Christianson, Cole, Dhuey, Gooding, Kaczrowski, Kobylarczyk, Kroll, Lavarda, Matravers, Meier, Ondik, Parmentier, Pillsbury, Ragen, Schindel, Sleeter, Winkler, Wittkopf, Wolf, Van Zeeland; 8 absent: Barkhaus, Beyer, Heise, Holman, Scanlan, Schreiber, Schneider and Willems.

**2. Pledge of Allegiance**

**3. Invocation** was given by Supervisor Lavarda

**4. Statement of Oconto County Mission and Vision**

Richard Heath, County Administrator, recited the Oconto County Mission and Vision statement.

**5. Presentation of Awards and Recognition – None.**

**6. Presentation of Communications and Petition**

There were 2 communications:

- A thank you from the family of Supervisor Ragen for the expression of sympathies at the passing of his wife, Bev Ragen; treated as information to the board.
- A letter dated July 15, 2025, addressed to Al Sleeter, Chair; Kim Pytleski, County Clerk; Todd Skarban, Sheriff; and Richard Heath, County Administrator, from Tanya M. Peterson, County Treasurer, notifying of her resignation effect August 8, 2025; treated as information to the board.

**7. Consent Agenda**

**7.1. Removal of Items from Consent Agenda – None.**

**7.2. Approval of Consent Agenda**

7.2.1. **A2025-07-01** Zoning Change – Town of Brazeau (Schwenke) – L&W Resources Com.

7.2.2. **A2025-07-02** Zoning Change – Town of Chase (Beaudoin Properties LLC) – L&W Resources Com.

7.2.3. **A2025-07-03** Zoning Change – Town of Morgan (Bergh) – L&W Resources Com.

7.2.4. **A2025-07-04** Zoning Change – Town of Morgan (Jones) – L&W Resources Com.

7.2.5. **A2025-07-05** Zoning Change – Town of Morgan (Whitman) – L&W Resources Com.

7.2.6. **A2025-07-06** Zoning Change – Town of Stiles (Bowline Holdings LLC) – L&W Resources Com.

7.2.7. **A2025-07-07** Zoning Change – Town of Underhill (St. Nicks Pines V LLC) – L&W Resources Com.

7.2.8. **R2025-07-01** Approval of Employee Handbook Revision – Administration Com.

7.2.9. **R2025-07-02** Approval of Purchase of Firearm Equipment Replacement – Public Safety Com

Motion by Lavarda/Wolf to approve the consent agenda as presented. The motion to approve carried by an electronic vote 22 Ayes, 0 Nays, 8 Absent, 1 Abstain (Ondik).

**8. Regular Agenda**

**8.1. Change in Sequence – None.**

**8.2. Removal of Items – None.**

**8.3. Approval of Regular Agenda**

Motion by Kobylarczyk/Cole to approve agenda. The motion was voted on and carried.

**9. Approval of Previous Meeting Proceedings**

Motion by Matravers/Meier to approve the proceedings from the 06/19/2025 meeting. The motion was voted on and carried.

**10. Committee and Departmental Reports**

**10.1. Report – Highway Facility Update**

Richard Heath, County Administrator, presented the Highway Facility Update report.

**10.2. Report – Health & Human Services**

Scott Shackelford, Health & Human Services Director, presented the Health & Human Services report.

**10.3. Report – Human Resources**

Richard Heath, County Administrator, presented the Human Resources report.

**10.4. Report – TEDCOR (Tourism & Economic Development Corporation of the Oconto Region)**

Jayme Sellen, TEDCOR Director, presented the TEDCOR report.

**11. R2025-07-03 Approve 2026 Budget Guidance – Administration Com.**

Motion by Van Zeeland/Meier to adopt R2025-07-03 Approve 2026 Budget Guidance. Following an explanation by Richard Heath, County Administrator, and discussion, motion by Gooding/Behrend to amend the Budget Guidance letter to send the 2026 Personnel and Operating Budget section back to the Administration Committee for consideration of obtaining a second opinion on conducting a second wage study. Following discussion, the motion to

amend failed on an electronic vote 5 yes (Gooding, Behrend, Wittkopf, Lavarda, Ondik), 18 nays. Following further discussion, the motion to adopt R2025-07-03 as presented carried by an electronic vote 22 ayes, 1 nay (Gooding).

**12. Announcements/General Information (No Action to be taken)**

- Dirt City races will be held July 26-27, 2025, in the Village of Lena.
- Oconto County Youth Fair is coming up. August 16, 2025, is the Horse, Cat, Dog and small animal/caged bird show, the Opening Ceremony is August 21, 2025, with events running through August 24, 2025.
- WCA Annual Conference will be held September 21-23, 2025. Reminder that registrations/reservations are all online.
- The County Board Industry Tour will be held Friday, October 3, 2025. Please reserve the date in your calendars.
- Heath provided an update from Jon Spice, Emergency Management Director, regarding the storms that occurred last evening, July 23, 2025. Cooling shelters are available for those without power.
- The Oconto Falls Fire Department will be celebrating their 125<sup>th</sup> anniversary on September 6, 2025!

**13. Adjournment**

Chair Sleeter declared the meeting adjourned at 10:23 a.m.

The next meeting of the Oconto County Board of Supervisors will be on August 21, 2025.

Proceedings of County Board meeting may be viewed in its entirety at [www.ocontocountywi.gov](http://www.ocontocountywi.gov)

Kim Pytleski, Oconto County Clerk

*kp/Date Posted: 07/24/2025*

# Employee Update

**July 2025**

## **Retirements/Resignations/Terminations**

<b>Employee</b>	<b>Dept.</b>	<b>Position</b>	<b>Date</b>	<b>Wage</b>	<b>Comment/Yrs.</b>
Maddy School	HHS	Case Manager	07/11	\$29.15	1 Year
Renee Kremsreiter	Courts	Traffic Clerk	07/11	\$23.17	5 months
Steve Kessler	Sheriff	Deputy	07/3	\$32.48	3 Years
Amy Brehmer	Child Supp	Admin I	07/14	\$24.11	7 Years
Dan Lade	Sheriff	Transport-Jail	07/29	\$24.11	6 Years

## **Promotions/Transfers/Re-Hired**

Justin Gandy	Sheriff	C.O.	07/14	\$23.64	
Rachel Race	DA	Legal Asst	07/14	\$29.15	Moved within office
Alex Reinhold	Sheriff	Deputy	07/28	\$29.23	C.O. to Deputy

## **New Hires**

<b>Employee</b>	<b>Dept.</b>	<b>Position</b>	<b>Date</b>	<b>Wage</b>	<b>Comment</b>
Amoreena Petersen	DA	Victim Witness	07/14	\$28.01	
Mara Weis	HHS	Case Mgr	07/28	\$28.01	
Savannah Wichman	Sheriff	Dispatch	07/14	\$23.17	

## **Current External Recruitments**

<b>Dept.</b>	<b>Position</b>	<b>Date Apps Due</b>	<b>Advertised Wage</b>	<b>Comment</b>
Sheriff Office	Dispatch	Ongoing	\$23.17	Need 1/2
HHS	CLTS Supervisor	08/22	\$32.83	
HWY	Operator III	Ongoing	\$28.01	Finish Grader
HWY	Operator I or II	Ongoing	\$23.17/\$25.58	Need 1
Sheriff Office	Deputy	Ongoing	\$29.23	Interviews scheduled
Treasurer	Admin I	08/04	\$20.77	Interviewing

## RESOLUTION – R2025-08-05

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

**Re: Adoption of the 2025 McGrath Classification and Compensation Study and Approve the 2026 General Employees Wage Schedule**

WHEREAS, the County Board approved Resolution R2024-07-01 to commission a Compensation and Classification Study with McGrath Human Resources Group, Inc. (McGrath), an independent organization that specialized in public sector consulting, at the cost of \$62,000.00; and

WHEREAS, the McGrath Human Resources Group Inc., gathered information on each County position and reviewed all job descriptions; and

WHEREAS, McGrath completed an extensive position analysis and compared the information to the external market data from comparable public organizations to better align job titles with responsibilities; and

WHEREAS, in order for Oconto County to maintain a competitive edge with recruitment and retention in the current region, it is recommended by McGrath that the County establish its compensation philosophy to the market average; and

WHEREAS, McGrath is recommending an expanded step model compensation system for consistent administration throughout the organization, which allows annual step progression within the established market ranges; and

WHEREAS, the implementation of the 2025 Classification and Compensation wage schedule will be September 21, 2025, at which time general employees would be placed in their respective pay grade and step; and

WHEREAS, the fiscal impact of the initial implementation of the McGrath Classification and Compensation study will be approximately \$250,000.00 which was included with the 2025 budget; and

WHEREAS, the Administration Committee is recommending a 2% increase in our 2026 general employee pay rates, with a fiscal impact of \$302,600.00, with an estimated cost to implement the study's recommendations of \$800,000.00 as stated in the approved 2026 Budget Guidance Letter.

NOW, THEREFORE, BE IT RESOLVED, that the Oconto County Board of Supervisors does hereby adopts the 2025 Classification and Compensation Wage Schedule and the 2026 General Employee Compensation Plan (attached) as recommended by the Administration Committee.

Submitted this 21st day of August, 2025.

By: ADMINISTRATION COMMITTEE

Alan Sleeter, Chair  
Dennis Kroll  
Carol Heise  
John Matravers  
Char Meier  
Theresa Willems

Electronically Reviewed by Corporation Counsel on 08.07.2025 - BLE

Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant







RESOLUTION – 2025-08-06

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

**Re: Approval of Acquisition of Forest Land**

WHEREAS, parcel owners Steve R. Birr et al., and Robert J. Birr have approached Oconto County to sell their 40-acre parcel of land in the Town of Morgan to Oconto County since it is located adjacent to existing county-owned land; and

WHEREAS, the land is known as: Parcel Tax Key – 028-010102443 - Located in Section 1 T27N R19E Town of Morgan, Oconto County, Wisconsin; and

WHEREAS, the recent appraisal value of the above parcel, as determined by Steiro Appraisal, is \$160,000; and

WHEREAS, the Land and Water Resources Committee has directed staff to submit an Offer to Purchase to the parcel owners in the amount of \$160,000 for the above-described land; and

WHEREAS, there are also related transaction costs such as appraisal, survey, title evidence, recording, legal fees, taxes, and other associated closing costs. The value of the related transaction costs is not yet determined; and

WHEREAS, the Land and Water Resources Committee approved staff to submit an application to the Wisconsin Department of Natural Resources for funding through the Knowles-Nelson Stewardship Grant to pay for part of the acquisition cost; and

WHEREAS, Oconto County sold a donated parcel of land for revenue proceeds in the amount of \$32,066 that was credited to Forestry Sale of Land Account and is available to apply to this purchase; and

WHEREAS, Oconto County may utilize the Interest Free County Forest Project Loan to fund up to \$127,934 of this land acquisition, if the Stewardship grant is not approved; and

WHEREAS, with the approval of the Stewardship grant, the projected fiscal impact will be \$47,934 until the loan is repaid through timber sales; and

NOW, THEREFORE, BE IT RESOLVED, that Oconto County Board of Supervisors hereby approves the acquisition of Parcel No. 028-010102443 located in the Town of Morgan from Steven and Robert Birr; and

BE IT FURTHER RESOLVED, that the Oconto County Board of Supervisors approve staff to submit an application to the Wisconsin Department of Natural Resources for funding through the Knowles-Nelson Stewardship Grant to pay for part of the acquisition cost; and

BE IT FURTHER RESOLVED, that the Oconto County Board of Supervisors does hereby authorize Oconto County Forest, Parks and Recreation Administrator to submit a County Forest Project Loan Application to finance the portion of this purchase not covered by grants; and

BE IT FURTHER RESOLVED, that Oconto County Board of Supervisors, does hereby authorize Oconto County Forest, Parks, and Recreation Administrator to submit a County Forest Law Entry Application for this property.

Submitted this 21st day of August 2025

By: LAND AND WATER RESOURCES COMMITTEE

Tim Cole, Chair  
Patrick J. Scanlan  
Keith Schneider  
Wayne Kaczrowski  
Mike Beyer

Electronically Reviewed by Corporation Counsel on 08.14.2025 - B1 E

*Adopted by an electronic vote:*      *Ayes*      *Nays*      *Absent*      *Abstain*      *Vacant*

RESOLUTION – R2025-08-07

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

**Re: Approval of 2026 Mar-Oco Landfill Administration and Operational Budgets**

WHEREAS, the Mar-Oco Landfill budgets do not require either County to appropriate tax levy funds in 2026; and

WHEREAS, the Mar-Oco Landfill's continued operation is vital to maintaining a competitive solid waste market in Oconto and Marinette Counties; and

WHEREAS, the Mar-Oco Landfill Committee provided public notice of a public hearing on the proposed Mar-Oco Landfill budgets in the Peshtigo Times on July 23 & 30, 2025 and the Oconto Reporter on July 23 & 30, 2025; and

WHEREAS, the Mar-Oco Landfill Committee held a public hearing on the proposed budgets on August 8<sup>th</sup>, 2025, to solicit public input and received none; and

WHEREAS, the Mar-Oco Landfill Committee has reviewed and approved the attached 2026 budgets,

NOW, THEREFORE, BE IT RESOLVED by the Oconto County Board that the 2026 Administrative and Operational budgets for the Mar-Oco Landfill be approved as submitted and attached hereto.

Submitted this 21st day of August, 2025.

By: OCONTO COUNTY MEMBERS OF THE MAR-OCO LANDFILL COMMITTEE

Al Schreiber  
Bart Schindel  
Joel Lavarda

Electronically Reviewed by Corporation Counsel on 07.14.2025 - BLE

Adopted by an electronic vote: \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays, \_\_\_\_\_ Absent, \_\_\_\_\_ Abstain, \_\_\_\_\_ Vacant

**PUBLIC HEARING  
2026 MAR-OCO LANDFILL BUDGET**

Notice is hereby given to all persons in Marinette and Oconto Counties that the Mar-Oco Landfill Committee will hold a public hearing on the proposed 2026 Mar-Oco Landfill Operation and Administration Budgets. The hearing is scheduled for 9:00 a.m., August 8<sup>th</sup>, 2025, in multi-purpose room R121 of the Marinette County Resource Center, 1925 Ella Court, Entrance B, Marinette, WI 54143 Marinette County, Wisconsin.

The purpose of the public hearing is to answer any questions regarding the proposed budgets and to obtain comments from interested persons regarding the proposed budgets.

A copy of the proposed budgets can be obtained from the Marinette County Land Information Department, 1925 Ella Court, Marinette, WI 54143 prior to the hearing. Also, copies of the proposed budgets will be available at the public hearing.

Mar-Oco Landfill Committee

Publish Oconto County Reporter: July 23 & 30, 2025

Publish Peshtigo Times: July 23 & 30, 2025

## NEXT YEAR / CURRENT YEAR BUDGET ANALYSIS

PROJECTION: 20261 2026 Operating Budget							FOR PERIOD 99	
ACCOUNTS FOR:		2024 ACTUAL	2025 ORIG BUD	2025 REVISED BUD	2025 ACTUAL	2025 PROJECTION	2026 Dept	PCT CHANGE
MAR-OCO LANDFILL								
<b>53630000 MAROCO ADMINISTRATION</b>								
53630000 48113	INT FMV	-8,035.15	.00	.00	-5,170.85	.00	.00	.0%
53630000 48190	INT OTHER	-122,671.62	-25,000.00	-25,000.00	-45,309.86	-55,000.00	-60,000.00	140.0%
53630000 48313	NO FA	.00	.00	.00	.00	.00	.00	.0%
53630000 50111	SALARIES	39,369.08	75,870.00	75,870.00	25,811.08	75,870.00	79,710.00	5.1%
53630000 50112	SALW/ORET	.00	.00	.00	.00	.00	.00	.0%
53630000 50115	ADD'L PAY	.00	.00	.00	.00	.00	.00	.0%
53630000 50116	BONUS PAY	.00	.00	.00	.00	.00	.00	.0%
53630000 50199	POSSAV	.00	-51,033.00	-51,033.00	.00	-51,033.00	-53,290.00	4.4%
53630000 51133	LONGEVITY	204.29	210.00	210.00	132.08	211.00	218.00	3.8%
53630000 51151	COSHRSOC	2,916.18	5,579.00	5,579.00	1,909.70	3,048.00	5,874.00	5.3%
53630000 51152	COSHRWRS	2,731.09	5,285.00	5,285.00	1,803.00	2,877.00	5,750.00	8.8%
53630000 51153	RETIREOPEB	.00	.00	.00	.00	.00	.00	.0%
53630000 51154	H&D INS	9,390.89	19,024.00	19,024.00	5,488.34	8,733.00	19,020.00	.0%
53630000 51155	LIFEINSEXP	62.20	60.00	60.00	41.07	65.00	64.00	6.7%
53630000 51159	WC	793.10	1,520.00	1,520.00	519.96	830.00	1,595.00	4.9%
53630000 52211	DEVICE MNG	44.55	60.00	60.00	36.82	37.00	60.00	.0%
53630000 52213	ACCOUNTING	6,550.00	6,300.00	6,300.00	5,150.00	5,150.00	4,900.00	-22.2%
53630000 52214	DATA PROCE	4,237.00	8,088.00	8,088.00	8,088.00	8,088.00	5,844.00	-27.7%
53630000 52216	MICRO365	.00	352.00	352.00	462.58	463.00	352.00	.0%
53630000 52225	PHONE	237.37	500.00	500.00	138.07	260.00	500.00	.0%
53630000 52410	OFF SUPPLY	.00	100.00	100.00	21.07	100.00	100.00	.0%
53630000 52411	POSTAGE	592.68	1,200.00	1,200.00	160.58	1,200.00	1,200.00	.0%
53630000 52413	CTHS PRINT	87.96	175.00	175.00	.00	175.00	175.00	.0%
53630000 52424	DUESREGTUI	410.00	2,000.00	2,000.00	710.00	710.00	2,000.00	.0%
53630000 52426	ADVVBIDNOT	149.85	600.00	600.00	.00	600.00	600.00	.0%
53630000 52435	MEAL&LODGE	392.00	500.00	500.00	265.00	445.00	500.00	.0%
53630000 52436	W2 MEALS	.00	.00	.00	.00	.00	.00	.0%
53630000 52439	OTH TRAVEL	3,208.69	3,203.00	3,203.00	2,088.10	3,200.00	3,550.00	10.8%
53630000 52494	PHOTO EXP	.00	.00	.00	.00	.00	.00	.0%
53630000 52495	SOFTWARE	4,770.00	4,900.00	4,900.00	.00	4,900.00	5,970.00	21.8%
53630000 52511	INSURANCE	5,399.00	6,171.00	6,171.00	.00	6,171.00	5,836.00	-5.4%
53630000 52848	PROV ADMIN	2,500.00	2,400.00	2,400.00	1,400.00	2,400.00	2,400.00	.0%
53630000 52983	COMP REPL	308.00	.00	.00	.00	.00	.00	.0%
53630000 59999	APPLYFB	.00	.00	.00	.00	.00	.00	.0%
TOTAL MAROCO ADMINISTRATION		-46,352.84	68,064.00	68,064.00	3,744.74	19,500.00	32,928.00	-51.6%
TOTAL MAR-OCO LANDFILL		-46,352.84	68,064.00	68,064.00	3,744.74	19,500.00	32,928.00	-51.6%
TOTAL REVENUE		-130,706.77	-25,000.00	-25,000.00	-50,480.71	-55,000.00	-60,000.00	140.0%
TOTAL EXPENSE		84,353.93	93,064.00	93,064.00	54,225.45	74,500.00	92,928.00	-.1%
GRAND TOTAL		-46,352.84	68,064.00	68,064.00	3,744.74	19,500.00	32,928.00	-51.6%

\*\* END OF REPORT - Generated by Paul Klose \*\*

## NEXT YEAR / CURRENT YEAR BUDGET ANALYSIS

PROJECTION: 20261 2026 Operating Budget							FOR PERIOD 99	
ACCOUNTS FOR:		2024	2025	2025	2025	2025	2026	PCT
MAR-OCO LANDFILL		ACTUAL	ORIG BUD	REVISED BUD	ACTUAL	PROJECTION	Dept	CHANGE
53631000 MAROCO OPERATIONS								
53631000 46431	L/FUSERFEE	-1,270,816.35	-973,224.00	-973,224.00	-671,556.00	-973,224.00	-1,360,960.00	39.8%
53631000 47341	L/FINTRGOV	-237,150.10	-286,776.00	-286,776.00	-116,217.86	-286,776.00	-254,039.00	-11.4%
53631000 48110	OVER/SHORT	.00	.00	.00	.00	.00	.00	.0%
53631000 48340	SALESALVAG	-230.00	-500.00	-500.00	-246.00	-500.00	-500.00	.0%
53631000 48401	INS RECOV	-793.80	.00	.00	.00	.00	.00	.0%
53631000 49900	G/LTRADE	.00	.00	.00	.00	.00	.00	.0%
53631000 50111	SALARIES	92,362.57	103,679.00	103,679.00	61,832.92	99,754.00	108,472.00	4.6%
53631000 50112	SALW/ORET	13,098.25	9,927.00	9,927.00	5,958.40	8,642.00	13,565.00	36.6%
53631000 50114	SAL OT	4,416.14	6,500.00	6,500.00	5,251.12	8,771.00	7,900.00	21.5%
53631000 50115	ADD'L PAY	1.13	.00	.00	3.50	7.00	.00	.0%
53631000 51132	VACATION	1,758.42	.00	.00	.00	.00	.00	.0%
53631000 51133	LONGEVITY	.00	8.00	8.00	.00	.00	.00	-100.0%
53631000 51151	COSHRSOC	8,184.16	8,939.00	8,939.00	5,442.82	8,732.00	9,695.00	8.5%
53631000 51152	COSHRWRS	4,765.98	7,658.00	7,658.00	4,662.56	7,543.00	8,380.00	9.4%
53631000 51153	RETIREOPEB	50.00	.00	.00	.00	.00	.00	.0%
53631000 51154	H&D INS	24,913.06	23,081.00	23,081.00	13,579.53	21,848.00	22,923.00	-.7%
53631000 51155	LIFEINSEXP	79.24	81.00	81.00	46.62	74.00	82.00	1.2%
53631000 51159	WC	2,197.55	2,404.00	2,404.00	1,460.93	2,343.00	2,600.00	8.2%
53631000 52225	PHONE	1,700.68	2,000.00	2,000.00	1,116.89	1,850.00	2,000.00	.0%
53631000 52229	UTILITIES	4,888.58	5,000.00	5,000.00	2,660.17	5,000.00	5,200.00	4.0%
53631000 52291	PRCHS SVC	609,515.16	520,000.00	520,000.00	252,018.40	520,000.00	520,000.00	.0%
53631000 52410	OFF SUPPLY	1,740.31	2,200.00	2,200.00	1,571.26	2,200.00	2,200.00	.0%
53631000 52424	DUESREGTUI	.00	300.00	300.00	400.00	300.00	300.00	.0%
53631000 52446	CLOTHING	.00	400.00	400.00	109.99	400.00	400.00	.0%
53631000 52458	GASOILFLDS	53,639.42	45,000.00	45,000.00	30,893.22	52,000.00	54,000.00	20.0%
53631000 52467	BLDF MNTC	63.81	2,000.00	2,000.00	796.72	2,000.00	2,000.00	.0%
53631000 52468	EQUIP MNTC	101,886.89	45,000.00	45,000.00	17,584.56	45,000.00	45,000.00	.0%
53631000 52469	GRND MNTC	31,587.81	40,000.00	40,000.00	12,226.52	40,000.00	40,000.00	.0%
53631000 52499	OTH EXP	8,668.86	8,400.00	8,400.00	8,782.65	8,400.00	8,400.00	.0%
53631000 52531	LAND LEASE	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	.0%
53631000 52541	DPR	279,085.99	208,131.00	208,131.00	.00	208,131.00	279,086.00	34.1%
53631000 52542	CLOSURE	1,249.00	298,121.00	298,121.00	.00	298,121.00	200,674.00	-32.7%
53631000 52980	EQP&MATACQ	375.36	15,000.00	15,000.00	810.62	811.00	18,000.00	20.0%
53631000 53890	OUTLAY	.00	900,000.00	1,021,185.00	379,305.05	350,000.00	450,000.00	-55.9%
TOTAL MAROCO OPERATIONS		-259,761.88	996,329.00	1,117,514.00	21,494.59	434,427.00	188,378.00	-83.1%
TOTAL MAR-OCO LANDFILL		-259,761.88	996,329.00	1,117,514.00	21,494.59	434,427.00	188,378.00	-83.1%
TOTAL REVENUE		-1,508,990.25	-1,260,500.00	-1,260,500.00	-788,019.86	-1,260,500.00	-1,615,499.00	28.2%
TOTAL EXPENSE		1,249,228.37	2,256,829.00	2,378,014.00	809,514.45	1,694,927.00	1,803,877.00	-24.1%
GRAND TOTAL		-259,761.88	996,329.00	1,117,514.00	21,494.59	434,427.00	188,378.00	-83.1%

\*\* END OF REPORT - Generated by Paul Klose \*\*

**RESOLUTION – R2025-08-02**

To: The Honorable Chair and Members of the Oconto County Board of Supervisors

**Re: Filling by Appointment the Office of the Treasurer for the Residue of the Unexpired Term**

WHEREAS, the elected Treasurer of Oconto County, Tanya Peterson has retired prior to the end of her elected term of office, creating a vacancy effective, August 8, 2025; and

WHEREAS, per Wis. Stats. Sec. 17.21(3), a vacancy in the office of treasurer shall be filed by appointment by the county board for the residue of the unexpired term, unless a special election is ordered by the County Board; and

WHEREAS, The Executive Committee recommends a search and screen be conducted, with the assistance of the Human Resources Department, to fill by appointment the office of the Treasurer for the remainder of the unexpired term.

WHEREAS, there is no fiscal impact.

NOW, THEREFORE, BE IT RESOLVED, that the Oconto County Board of Supervisors does hereby approve the filling by appointment of the unexpired term of the County Treasurer.

Submitted this 21st day of August, 2025.

By: EXECUTIVE COMMITTEE

Alan Sleeter, Chair

## Thomas Bitters

David Christianson

Tim Cole

Guy Gooding

Dennis Kroll

Electronically Reviewed by Corporation Counsel on 08.04.2025 - BLE

*Adopted by an electronic vote:*      *Ayes.*      *Nays.*      *Absent.*      *Abstain.*      *Vacant*