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Civil Engineering

Dear John,

Message from the President:

The 2013 WI Act 80 has been passed and requires municipalities to update their shoreland zoning regulations by June 1, 2014. The changes are supported by both the Wisconsin Home Builders and the Wisconsin Realtors Association. The new rules strike a balance between environmental protection and economic development. For example, there are impervious area restrictions for waterfront properties, but there is an exemption for undeveloped lots where runoff is engineered to not flow directly to the water body. There are also new rules affecting nonconforming use and nonconforming structures that allow for more flexibility over the old rules.

Regulations are continuously changing and we work hard to stay up to date. Our staff routinely attends training and seminars to be current. The articles that follow summarize the recent trends. If you ever have questions about how these rules may affect your project or property, you may call on me at any time for a free consultation.

If you have a suggestion on subjects you'd like to know more about, contact us, and we'd be glad to cover it here.

John R. Davel, P.E.
President

Storm Water Regulation Trends

By Tim Wittmann, P.E.

More and more communities are seeking ways to reduce the impact from urbanization. For more than a decade, our State and local authorities have focused on three areas of storm water being peak flow control, pollutant (or sediment) removal, and infiltration. This meant for most of us in the Fox Valley the use of storm water retention ponds, as we are subject to heavy clay soils, while others in sandy soils have used bio-swales or other infiltration devices. Our sandy soil friends benefit from utilizing our soils to "clean" our storm water and reduce surface runoff volumes.

Now our communities build on clay and are directing additional focus on storm water volume reduction. One such community, the Town of Greenville, is implementing volume reduction requirements for their Bear Creek watershed and potentially the entire Township. While a numerical standard for volume reduction is not implemented at this time, the Township is requiring some effort of volume reduction via infiltration practices.

As we progress into the future of storm water management, more emphasis will be placed on volume reduction techniques. Rain gardens, constructed wetlands, soil amendments, and rain water re-use are just some of the practices we are anticipating.

Wetland Mitigation Banks, a relatively new development

By Travis Stuck, B.S. Resource Mgt., PWS

A common misconception is if a landowner or developer has a plan that includes impacting less than 10,000 square feet of wetlands, the project is presumed eligible for the WDNR's General Permit for wetland fill. It is NOT that simple. Specific criteria must be met to meet General Permit requirements. A proposed project must "minimize impact to wetlands to the greatest extent practicable" and meet all other criteria. For impacts to wetlands greater than 10,000 square feet an individual permit is required. The individual permit will require that mitigation be performed to compensate for the lost wetland. The preferred way to meet the mitigation requirements is for the developer to purchase wetland credits from a wetland bank.

Mitigation banking involves a formal administrative framework in which wetlands are restored, enhanced, or created, expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources. Banking is characterized by transfer of the legal and financial responsibility for executing compensatory mitigation from the permittee to a third party- the bank sponsor. Established wetland compensation bank site acres are quantified as "credits" which are available for use by the bank sponsor or by other parties to compensate for adverse wetland impacts from permitted activities (i.e. "debits"). Requirements for compensatory mitigation may be satisfied through the use of mitigation banks only when on-site compensation is not practicable or when use of a mitigation bank is environmentally preferable. The land use is restricted into perpetuity.



Wetland mitigation banking is a growing tool for providing compensation for wetland impacts. There are wetland bank projects happening all over the Midwest.

I hope this important news update is relevant to your business. If you'd like to learn more information about our firm or services, please give me a call at 920-560-6563, or visit our website at www.davel.pro.

Sincerely,

John Davel
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