

## Kenosha County – Environmental Planning Information, February 2011

### Remediation and Redevelopment - Hazardous Substance Releases

Soil and groundwater contamination is present in Kenosha County. The Contaminated Lands Environmental Action Network (CLEAN) provides information to assist with investigation, cleanup and re-use of contaminated properties. You may check the database, <http://dnr.wi.gov/org/aw/rr/clean.htm>, for reports of hazardous substance releases in a project area. Brownfield redevelopment grants funding is available. Contact Shanna Laube-Anderson, Hydrogeologist, (262) 884-2341, for further details.

Department approvals may be needed for development at historic fill sites and licensed landfills, *Exemption to Build on an Abandoned Landfill, NR 506.085, Wis. Adm. Code*. The Department assesses potential methane gas, toxic gas, leachate, migratory pathways, and other factors when evaluating development proposals. Contact Tom Wentland, Waste Management Engineer, (920) 892-8756 ext. 3028, for information.

A *Wisconsin Pollutant Discharge Elimination System (WPDES) waste water permit, s. 283.35 Wis. Stats*, is required for dewatering and discharge of contaminated water. Contact Pete Wood, Water Resources Engineer, (262) 884-2360, for information.

Containers and drums used during construction should be stored in secure locations to prevent vandalism and unwanted dumping. Notify the Department by calling 800-943-0003 if a hazardous substance release or an abandoned container is discovered during development activities.

### Material Management

Wastes must be characterized and managed properly. Clean soil, brick, building stone, concrete or reinforced concrete not painted with lead-based paint, broken pavement, and wood not treated or painted with preservatives or lead-based paint are exempt from general solid waste management requirements, *NR 500.08(2)(a)*. A Demolition Checklist is available at <http://dnr.wi.gov/org/aw/wm/publications/newpub/WA651.pdf>. Contact Frank Schultz, Waste Management Team Supervisor, (414) 263-8694, for information.

### Air Quality

The Department provides on-line information about air quality at <http://dnr.wi.gov/air/qa/health/>. Currently, Kenosha County does not meet the federal government's 8-hour standard for ground level ozone.

The Wisconsin air pollution control permit program permits new and existing facilities, *Chapter. 285, Wis. Stats*. Construction permits ensure that proposed projects can meet air pollution standards for new facilities before they are constructed. Operation permits set emission limits and establish monitoring, record-keeping and reporting requirements for existing facilities. These permit conditions may be revised as facilities expand, replace equipment or change operations. Registration permits allows small emitters to quickly register themselves for a permit in return for keeping emissions low. Individual permits, general permits, and waivers are available. Information is available at <http://dnr.wi.gov/air/permits/> and by contacting Dan Schramm, Air Team Supervisor, (414) 263-8620.

An *Indirect Source Air Pollution Control Construction Permit, NR 411, Wis. Adm. Code*, <http://www.legis.state.wi.us/rsb/code/nr/nr411.pdf>, is required prior to beginning construction if development will create more than 1,000 new automobile parking spaces. Contact Mike Friedlander, Program and Planning Analyst, (608) 267-0806, for information.

A *Concrete Crusher Plant Air Permit* and a *Portable Source Relocation Notice*, <http://dnr.wi.gov/air/permits.html>, *NR 440, Wis. Adm. Code*, may be needed if portable concrete crusher plants are operated in the project area. General permits are available. Contact Dan Schramm, Air Program Team Supervisor, (414) 263-8620, for more information.

Consider measures to reduce diesel exhaust emissions near schools and other sensitive receptors and to control dust and paint overspray.

## **Asbestos**

A *Notification of Demolition and/or Renovation and Application for Permit Exemption (NR 406, 410, and 447 Wis. Adm. Code)* is required ten days prior to asbestos abatement and demolition work. Contact Mark Davis, Asbestos Specialist, (414) 263-8674, for additional information and permit application materials.

## **Land - Endangered or threatened species**

State threatened and endangered species, such as state threatened Blanding's Turtle, *Emydoidea blandingii*, are present in Kenosha County, *Endangered Resources Incidental Take Authorization, s. 29.604 Wis. Stats* <http://www.legis.state.wi.us/statutes/Stat0029.pdf>. Contact Lori Steckervetz, Conservation Biologist, (608) 264-6057, to determine if field surveys, conservation plans, or Incidental Take Authorization may be needed for project planning. Protection of rare plant species is voluntary for private property owners.

Federal laws protect international migratory birds such as seagulls, swallows, and terns. The Department recommends that demolition sites be checked twice daily after March 15<sup>th</sup> and empty nests be removed. Do not disturb nests if eggs or fledgling young are present. Contact the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, [http://www.aphis.usda.gov/wildlife\\_damage/state\\_office/wisconsin\\_info.shtml](http://www.aphis.usda.gov/wildlife_damage/state_office/wisconsin_info.shtml), (608) 837-2727, to coordinate removal of protected eggs and fledgling birds that conflict with demolition and construction activities.

Emerald Ash Borer invasive insects are present in Kenosha County. The Department of Agriculture, Trade and Consumer Protection has established a quarantine of ash products to help slow the insects spread. Information is available at <https://onlineservices.datcp.wi.gov/eab/index.jsp>.

The Department's Wildlife Conservation Plan, <http://dnr.wi.gov/org/land/er/wwap/>, identifies native Wisconsin species of greatest conservation need and provides information about how to protect those species and their habitats.

## **Department Managed Lands, Public Access Boat Launches, Fishing and Hunting**

Information about Department properties in Kenosha County is available at [http://dnr.wi.gov/org/land/facilities/dnr\\_lands\\_mapping.html](http://dnr.wi.gov/org/land/facilities/dnr_lands_mapping.html). Department properties in Kenosha County include:

- Richard Bong State Recreation Area
- Chiwaukee Prairie State Natural Area
- New Munster Bog Island State Natural Area
- Peat Lake State Natural Area
- Camp Lake Fishery Area
- Hooker Lake March Fishery Area
- Karcher Marsh Wildlife Area
- REM-Paddock Lake Marsh
- Silver Lake Marsh Fishery Area

Public access boat launch sites are located at Powers, Hooker, Camp, Silver, Vern Wolf and other lakes. Information is available at <http://dnr.wi.gov/org/land/facilities/boataccess/> and by contacting Kathleen Wolski, Access Coordinator, (414) 263-8670.

Information about places to fish is available at <http://dnr.wi.gov/fish/faq/wheretofish.html> and by contacting Randy Schumacher, Regional Fisheries Supervisor, (414) 263-8672.

Information about places to hunt, trap, and observe wildlife is available at <http://dnr.wi.gov/org/land/wildlife/> and by contacting Marty Johnson, Wildlife Biologist, (262) 884-2391.

## **Grant Funded Parks and Trails**

Stewardship, Land and Water Conservation Fund Act, and other grant funded facilities in Kenosha County. Contact Jim Ritchie, Government Outreach Team Supervisor, (414) 263-8610, for information about the locations of grant funded facilities and funding agreement contracts.

## **Archeologic and Historic Structures**

Cursory screening indicates that Archeologic and Historic structures are present in Kenosha County. The Department recommends that you consider these structures during project planning. You may contact the Wisconsin Historical Society, (608) 264-6493, or a Cultural Resource Management Firm from the attached list for more information about archeological and historical resources. [http://www.wisconsinhistory.org/archaeology/preserve/pdf/arch\\_consultants.pdf](http://www.wisconsinhistory.org/archaeology/preserve/pdf/arch_consultants.pdf)

## Water Quality

Kenosha County is located in the Fox Illinois (SE) and Root-Pike River Basins. Basin reports and other information providing an overview of land and water resource quality are available at <http://dnr.wi.gov/water/basin/>.

## Drinking Water and Groundwater

About two-thirds of Wisconsin's population drinks water drawn from over 750,000 private wells. Wells are safe, dependable sources of water if sited wisely and built correctly. Contact Rhonda Volz, Drinking Water Supervisor, (414) 263-8576, for information about private well construction and maintenance and public water supply systems.

## Waterways

Wisconsin lakes and rivers are public resources, owned in common by all Wisconsin citizens under the state's Public Trust Doctrine. Activities affecting navigable waterways may require Department approvals. In certain situations, general permits are available. Other local government and agency approvals, such as US Army Corps of Engineers authorization under Section 404 of the Clean Water Act to place fill material placed below the ordinary high water mark of a stream or in wetlands, may also be needed. Contact Mike Luba, Root-Pike Water Basin Team Leader, (262) 884-2369, for information.

- Grading near a navigable waterway, Ch. 30.19 Wis. Stats. and NR 341 Wis. Adm. Code*  
<http://dnr.wi.gov/org/water/fhp/waterway/grading.shtml>
- Navigability Determination, Stormwater Ponds within 500 ft. of a Navigable Waterway, Storm Sewer Outfalls Below the Ordinary High Waterline, and Dredging, Ch. 30 Wis. Stats*  
<http://www.legis.state.wi.us/statutes/Stat0030.pdf>. Contaminated sediment may require sampling and special management.
- A bulkhead line is a legally established shoreline, adopted by a municipal ordinance and approved by the Department, *Establishment of Bulkhead Lines, s. 24.39(4), and s. 30.11, Wis. Stats.*  
<http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=code&jd=30.11>. A bulkhead line is important when installing or repairing dock wall. The board of commissioners of public lands has authority to lease rights to the beds of lakes and rights to fill in beds of lakes or navigable streams to individual riparians and municipalities.
- Legislative approval or Department permits are required for placement of material or structures on the bed of a navigable waterway, <http://dnr.wi.gov/org/water/fhp/waterway/miscellaneous.shtml>, *Placement of Material and Structures on the Bed of a Navigable Waterway, s. 30.12, Wis. Stats.* Legislative lakebed grants may be present in Kenosha County.
- There may be calendar restrictions on in-water construction work to accommodate fish stocking, spawning, and migration.
- There may be management practices to control the spread of aquatic invasive species.
- General waterway regulatory information and permit materials. <http://dnr.wi.gov/waterways/>

## Wetlands

Wetlands and wetland indicator soils are present in Kenosha County. The Department's Surface Water Data Viewer is available at <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=SurfaceWaterViewer.wetlands> and shows locations of wetlands that have been officially mapped through the Wisconsin Wetland Inventory process and wetland indicator soils.

Approvals of wetland delineations and analysis of wetland impact alternatives may be required, *Wetland Alternatives Analysis and Water Quality Certification, s. 281.22 and 281.37 Wis. Stats. and NR 103, NR 299 Wis. Adm. Code*, <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>. Water Quality Certification reviews may be affected by site complexity and growing conditions. Wetlands may re-establish over time in former agricultural areas and boundaries must be re-delineated after five years. Contact Mike Luba, Root-Pike Water Basin Team Leader, (262) 884-2369, for information.

## Flood plain and Dam Safety

Local municipalities implement local floodplain zoning ordinances, *Wisconsin's Floodplain Management Program, NR 116, Wis. Adm. Code*. The Kenosha County Housing Authority administers the Fox River Flood Mitigation Program in

Wheatland, Salem, and Silver Lake. Contact Tanya Meyer, Dam Safety and Floodplain Engineer, (414) 263-8641, for information.

The Federal Emergency Management Agency (FEMA) is implementing a map modernization initiative to upgrade the Floodplain Map development process in which maps are created and distributed in a geographic information systems (GIS) format. See FEMA's floodplain mapping website, [http://www.fema.gov/plan/prevent/fhm/mm\\_main.shtm](http://www.fema.gov/plan/prevent/fhm/mm_main.shtm) for more information. Department floodplain mapping information is available <http://dnr.wi.gov/org/water/wm/dsfm/flood/mapping.htm>

The Department's Surface Water Data Viewer shows the dams that are present in Kenosha County. Dams are regulated by *Dam Permitting, Safety, Operation and Maintenance, Ch. 31, Wis. Stats. and NR 333 and 335, Wis. Adm. Code*, <http://dnr.wi.gov/org/water/wm/dsfm/dams/regulations.html>.

### **Storm Water Management**

Soil or land disturbance of an area greater than one acre may require a Department *Construction Site Erosion Control and Storm Water Management, NR 216, Wis. Adm. Code*, permit <http://dnr.wi.gov/runoff/stormwater.htm>. General permits are available. Contact Pete Wood, Water Resources Engineer, (262) 884-2360, for information.

### **Wastewater**

Wisconsin Pollutant Discharge Elimination System (WPDES) permits for wastewater discharges may be needed, <http://dnr.wi.gov/org/water/wm/ww/gpindex/gpinfo.htm>, *Wisconsin Pollutant Discharge Elimination System (WPDES) Ch. 283, Wis. Stats.* General permits are available. Contact Pete Wood, Water Resources Engineer, (262) 884-2360, for information.

Public sanitary sewer extensions, *NR 110.05, Wis. Adm. Code*, are coordinated through the Southeastern Wisconsin Regional Planning Commission. Contact James Siegler, Southeastern Wisconsin Regional Planning Commission, (262) 547-6721, for information.

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) provides regional land use, transportation, and resource planning information for Kenosha County. Examples include:

- Information about natural areas and critical species habitat  
[http://www.sewrpc.org/publications/pr/pr-042\\_nat\\_areas\\_critical\\_species\\_habitat\\_protection\\_management\\_plan.pdf](http://www.sewrpc.org/publications/pr/pr-042_nat_areas_critical_species_habitat_protection_management_plan.pdf) .
- Regional Transportation Plan 2035 <http://www.sewrpc.org/regionalplans/>.
- A Land Use Management Plan for the Chiwaukee Prairie-Carol Beach Area of the Town of Pleasant Prairie [http://www.sewrpc.org/publications/capr/capr-088\\_lu\\_plan\\_chiwaukee\\_carol\\_beach\\_area.pdf](http://www.sewrpc.org/publications/capr/capr-088_lu_plan_chiwaukee_carol_beach_area.pdf) .
- A Comprehensive Plan for the Pike River Watershed  
[http://www.sewrpc.org/publications/amendment/1996-03\\_amendment\\_pike\\_river\\_watershed\\_plan.pdf](http://www.sewrpc.org/publications/amendment/1996-03_amendment_pike_river_watershed_plan.pdf)
- A Comprehensive Plan for the Des Plaines River Watershed  
[http://www.sewrpc.org/publications/pr/pr-044\\_part-01\\_plan\\_for\\_des\\_plaines\\_watershed.pdf](http://www.sewrpc.org/publications/pr/pr-044_part-01_plan_for_des_plaines_watershed.pdf), [http://www.sewrpc.org/publications/pr/pr-044\\_part-02\\_plan\\_for\\_des\\_plaines\\_watershed.pdf](http://www.sewrpc.org/publications/pr/pr-044_part-02_plan_for_des_plaines_watershed.pdf),  
[http://www.sewrpc.org/publications/pr/pr-044\\_part-03\\_plan\\_for\\_des\\_plaines\\_watershed.pdf](http://www.sewrpc.org/publications/pr/pr-044_part-03_plan_for_des_plaines_watershed.pdf)

