

FORESTRY FACTS



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Wisconsin's Forestry Best Management Practices for Water Quality Do I Need A Permit?

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In addition to following the appropriate Wisconsin forestry BMPs (outlined in the Forestry Facts series) you should be aware of existing regulations relating to forest management and water quality. In this Forestry Fact we briefly describe four of these regulations.

For more details you should refer to Chapter 2 and Appendix B in DNR Publication FR-093 95, *Wisconsin's Forestry Best Management Practices For Water Quality*. For additional information, contact your county zoning office or your Wisconsin DNR water management specialist.

Your 90-Day "Window"

If you are planning an activity near a water body or a wetland, you should investigate the need for a permit at least 90 days in advance of the activity.

Stream Crossings

A stream crossing permit is required to construct a ford or install a culvert or bridge across a navigable perennial or intermittent stream. The time to apply for such a permit is early in the process, when you are *planning* to install a stream crossing structure. To do so, contact your Wisconsin DNR water management specialist.

BMPs for stream crossings are included in Forestry Fact No. 6, *Forest Roads*.

What is a navigable stream?

The legal definition of a navigable stream and other related terms can be found in Forestry Fact No. 5, *Riparian Management Zones*.

Grading

A grading permit is required if you will be grading and/or disturbing soil on the bank of any lake or navigable stream, where the area exposed will exceed 10,000 square feet. Contact a Wisconsin DNR water management specialist to apply for a permit. Also check with your county zoning office - county regulations may be more restrictive.

Wetlands and Floodplains

Activities in wetlands and floodplains are often subject to local, state and federal regulations and permit requirements. When you suspect your project may involve a wetland or floodplain, contact the following in the order listed:

1. Your county zoning office.
2. A Wisconsin DNR water management specialist.
3. The US Army Corps of Engineers.

Maps from the Wisconsin Wetland Inventory can guide you. Such maps can be reviewed at DNR offices or at local zoning offices. For more information on wetlands, see Forestry Facts No. 11, *Wetlands*.

Harvests Near Water

All timber harvesting near lakes and navigable streams (i.e. generally within 100 feet) must be consistent with local county shoreland zoning ordinances. A special exception permit or conditional use permit may be required. Contact your county zoning office for more information before harvesting near shoreland. Also, BMPs for harvesting near lakes and streams are listed in Forestry Facts No. 5, *Riparian Management Zones ... RMZs*.

Other Permits

Before harvesting timber on private land, a **cutting notice** must be filed with the County Clerk in the county in which the harvesting will occur. In addition, if your land is entered under

the Forest Crop or Managed Forest Laws, you must file a notice of intent to cut with the Wisconsin DNR prior to harvesting.

If you plan to conduct any open burning (i.e., slash, bark, debris, etc.), contact the Wisconsin DNR or local municipal fire authorities to determine (1) if a **burning permit** is required, and (2) to apply for a permit, if necessary.

What Else May Apply?

Section 404 of the federal Clean Water Act requires permits for the alteration of wetlands and for the discharge of material into water bodies. Normal forestry practices are usually exempt when federal wetland BMPs are followed. See Chapter 11, *Wetlands* in the BMP field manual for the 15 federally required BMPs.

A variety of Wisconsin Statutes may impact your project. State Laws regulate: protection of forest lands, navigable waterways, fish and game, pesticide handling and use, solid waste disposal, load limits on roadways, endangered and threatened species, Lower Wisconsin State Riverway, water quality for wetlands, shorelands and floodplains, Wisconsin's Wild Rivers

Do They Apply To You? Check with your local county zoning or DNR office for more details.

Forestry Facts on BMPs are for information only. For details on specific BMPs and their implementation, see the BMP field manual, *Wisconsin's Forestry Best Management Practices for Water Quality*, DNR Pub. FR-093 95. For a copy, ask your DNR forester or call (608) 267-7494