



Planning and Development Department

Planning * Shoreland * Zoning * Sanitation

311 N Main Street, Shawano, WI 54166 PH: (715) 526-6766 www.co.shawano.wi.us

SHAWANO COUNTY *FILL REQUIREMENTS*

This handout summarizes the zoning requirements that apply to the placement of fill and to filling/grading activities. It is intended to help property owners understand when a county land use permit may be required. Contact the Shawano County Planning & Development Department before importing, moving, or placing fill on a site.

What is regulated?

“Filling and grading” means the filling, grading, lagooning, or dredging of material. This category does not include *non-metallic mineral extraction* or *ponds* which are defined and regulated separately.

****While not all fill projects may require a permit from Shawano County, they still must meet the performance standards below. It is the responsibility of the property owner to verify with the county if a county permit is required and/or the state if a state permit is required. FILL placed on a property resulting in drainage issues and property damage to neighboring properties is a civil issue and may result in legal action. ****

Key environmental and location performance standards (apply to all projects):

- No filling, grading, lagooning, or dredging may be conducted if it would cause substantial detriment to navigable waters due to erosion or sedimentation, impair fish/aquatic life, obstruct flood flows, or increase flood stages.
- If a state permit is required under Wisconsin statutes or other state regulations, it must be obtained prior to starting the activity. Any ground disturbance activity over 1 acre requires a Notice of Intent filed with the Wisconsin Department of Natural Resources (DNR).
- Filling or grading within 300 feet of the ordinary high-water mark of a navigable water body may require a County Shoreland Ground Disturbance Permit under Article X (Shoreland-Wetland Zoning) of the Shawano County Code of Ordinances.
- Filling or grading may not occur in a wetland without Wisconsin DNR approval.
- Wetlands can be difficult to identify; a wetland ID/delineation by a third party may be needed to verify the wetland boundary before work occurs near suspected wetlands. Wetland IDs are performed by the WI DNR. Delineations are performed by private companies. If interested a list of Wetland Delineators can be provided by staff or found on the county website.

When is a county land use permit required for FILL placement?

A County land use ground disturbance permit is required for any filling or grading of any area which is within 300 feet landward of the ordinary high-water mark of a navigable body of water; and which has surface drainage toward the water; and on which there is any of the following:

- Any filling or grading on slopes of more than 20 percent.
- Filling or grading of more than 1,000 square feet on slopes of 12 to 20 percent.
- Filling or grading of more than 2,000 square feet on slopes less than 12 percent.

How to get started

1. Estimate the amount of fill (cubic yards) and identify where it will be placed on the property.
2. Check for wetlands, floodplain, and proximity to navigable bodies of water (ordinary high-water mark).
3. Contact the Planning & Development Department early at 715-526-6766—additional County permits (e.g., shoreland ground disturbance) or state approvals may be needed depending on site conditions.

Disclaimer: This handout is for general informational purposes and does not replace the Shawano County Code of Ordinances or applicable state and federal regulations.