

B. *Executive Summary*

1. Problem

Shorelands, or the areas closest to navigable waters, provide critical functions related to the water quality, ecology, biodiversity and environmental health of Dane County's waters. Properly managed shoreland buffers can provide significant water quality, fish and wildlife habitat, erosion and aesthetic benefits. On the other hand, poorly designed urban and suburban development in shoreland areas can have disproportionate environmental impacts, resulting from increased impervious surfaces, erosion and removal of natural vegetation. Although many of these impacts can be effectively mitigated with relatively inexpensive design, landscaping and engineering practices, such practices are not common in current single-lot residential development, even in shoreland areas.

Recent science suggests that individual waters respond to development impacts in different ways, depending on their natural characteristics (such as lake depth or size) and existing human changes in the surrounding landscape (such as current level of urban development). Dane County's current shoreland management program, however, is based on an antiquated statewide model ordinance that applies the same rigid zoning standards to all unincorporated shorelands in the county, making no distinction between environmentally sensitive and more resilient waters. Current county regulations also do not allow for innovative practices that may better meet the goals of protecting water quality, fish and wildlife habitat and natural scenic beauty.

In incorporated cities and villages, shoreland management practices vary widely from community to community. Some communities rely entirely on general development guidelines, and apply no standards specific to shoreland areas. Many such general standards, particularly with respect to construction site erosion control, are less rigorous than similar county standards that apply in unincorporated areas. This results in uneven and inconsistent shoreland management, along the same body of water.

2. Response

The Shoreland and Riparian Management Report attempts to create a flexible, yet rigorous, set of policy options to better protect Dane County's surface waters from near-shore impacts. The policy options are based on the principle that any management strategy must take into account the diverse characteristics, constraints and opportunities of the equally diverse waters in Dane County. One size does not fit all. The Shoreland and Riparian Management Report builds on the sound science and research of the Phase I Waterbody Classification Report, which classifies Dane County Waters into Urban, Developing and Rural categories, based on their physical characteristics and planned level of development. The Shoreland and Riparian Management Report is not a panacea. Instead it is designed to complement other ongoing county and regional programs operating on the site and watershed scales, such as agricultural nutrient, erosion control, urban stormwater and wastewater management programs. The Shoreland and Riparian Management Report fills in a critical gap by specifically addressing impacts to critical areas immediately adjacent to county surface waters. The Shoreland and Riparian Management Report is intended to bring Dane County's shoreland management program up to the same standard as current county urban erosion control, stormwater and agricultural soil and water conservation programs.

3. Purposes

- Protect, enhance and restore water quality, habitat, and natural scenic beauty.
- Treat different types of waterbodies differently.
- Treat similar types of waterbodies similarly.
- Provide consistency across government boundaries.
- Allow flexibility for landowner & municipalities.
- Complement other water-related efforts.
- Focus limited resources where they will do the most good.

4. Approach

The Shoreland and Riparian Management Report takes a multi-pronged approach to addressing impacts to Dane County's waters resulting from shoreland development. The report applies to shoreland areas within unincorporated and incorporated communities of Dane County. Under state law, "shorelands" are defined as areas within 1,000 feet of the ordinary highwater mark of navigable lakes or ponds and within 300 feet of navigable streams and rivers. Non-navigable waters, such as artificial dry stormwater basins with no natural waterway history, or active agricultural drainages exempted by state law, would not be affected.

5. Policies

The report suggests using a variety of strategies and implementation tools to achieve goals and objectives for each class of navigable water. Specific policy options include:

- Shoreland Zoning Regulations:** For each class of Urban, Developing and Rural lakes, ponds, rivers and streams, the report suggests two sets of regulatory policies: traditional zoning standards, based on setbacks and designated buffer areas, and performance-based standards, based on designs that meet objective, measurable engineering criteria. The two sets of standards are designed to be functionally equivalent in terms of their ability to protect water quality, habitat and natural scenic beauty.
- Public Lands:** The Dane County Waterbody Classification System should be considered during future updates to the *Parks and Open Space Plan*, the *Land and Water Conservation Plan*, and other priority-setting documents for county land acquisition. Dane County should also set a very high standard for environmental stewardship and management of all publicly-owned shoreland properties.
- Public Infrastructure:** County, municipal, regional and state facilities should be managed to minimize their negative impact on the condition of Dane County surface water resources. Priorities, opportunities and types of public investment vary between Urban, Developing and Rural Waters, with differing policy options for each class.
- Incentives and Technical Assistance:** Existing cost-share and other incentive programs should use the Dane County Waterbody Classification System to better target funding to those waters that can most benefit from particular programs. Dane County should also develop new incentive and cost-share programs for riparian landowners who volunteer to restore shoreland habitat on their property.
- Education and Outreach:** Dane County and its partners conduct a variety of outreach and educational programs focused on protecting, restoring or enhancing Dane County's surface waters, and to assist local governments, landowners and others with natural resource protection, invasive species control, habitat protection and native landscaping. Educational programs should be targeted to the specific needs of each waterbody class.