

Walworth County Pond Construction Design Regulations & County Permit Requirements

All pond construction proposals require a county approved *Land Disturbance Permit* and County approved *Zoning permit*. Pond construction proposals located in the 100-year floodplain require a County approved *Conditional Use Permit*. Land Disturbance Permit applications are reviewed by the Walworth County Land Conservation Department. The Walworth County Land management Department reviews Zoning permits and Conditional Use permit applications.

The applicant must obtain all approvals and permits from the Wisconsin Department of Natural Resources, U.S. Army Corp of Engineers and local units of government, if required, prior to commencing any pond construction within Walworth County.

The following pond design criteria must be met for all pond construction projects:

Ponds planned in Walworth County regulated **wetlands** must meet the following design criteria for wildlife pond construction.

- ❖ Wildlife ponds have a maximum depth of 4 feet and slopes no steeper than 4' to 1'.
- ❖ Planned open water surface area cannot exceed 20% of the existing wetlands surface area.
- ❖ Wildlife ponds cannot be constructed across a wetland boundary, with a deeper portion of the pond, greater than 4', outside the wetland area.
- ❖ Wildlife ponds can not have a significant adverse impact on the natural hydrology of the existing wetland and must be a wetland enhancement.
- ❖ Spoil generated from the pond construction project site can not be placed in any wetland.

Ponds planned in a **floodplain** area must have zoning and conditional use approval and meet the following design criteria:

- ❖ The applicant must demonstrate that the proposed pond restores or improves the functional values of the floodplain, including increasing flood and stormwater storage, maintaining groundwater discharge and recharge, enhancing fisheries and wildlife habitat, improving filtration or the collection and treatment of stormwater runoff, protecting streambank or lakeshore against erosion.
- ❖ Spoil generated from the pond construction site can **not** be placed, spread or disposed of in any floodplain area without an approved engineering study showing that the fill will not violate state standards. The applicant must obtain a County approved Conditional Use Permit to construct pond and/or place spoil in the floodplain.
- ❖ Spoil generated from the project site can **not** be hauled off site or sold without obtaining County Zoning permits and County Conditional Use approvals.
- ❖ Proposed pond sites must meet all required County property line setback requirements and shoreyard setback, (75' from the ordinary high water mark (OHWM) of waterway, if present).