

AMENDMENT TO THE

**REGIONAL NATURAL AREAS
AND CRITICAL SPECIES
HABITAT PROTECTION AND
MANAGEMENT PLAN**

**CITY OF CEDARBURG
AND ENVIRONS**

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

MARCH 1998

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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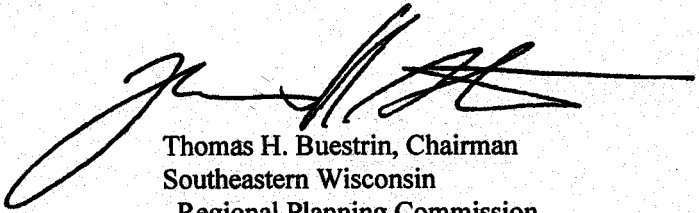
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SUBJECT: Certification of Amendment to the Adopted Regional Natural Areas and Critical Species Habitat Protection and Management Plan (Cedarburg Woods-West Site)

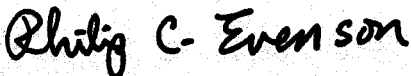
TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Ozaukee, the City of Cedarburg, and the Town of Cedarburg

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Wisconsin Department of Transportation Traffic Operations Center Conference Room, Milwaukee, Wisconsin, on the 4th day of March 1998, the Commission did by unanimous vote by all Commissioners present, being 14 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional natural areas and critical species habitat protection and management plan, which plan was originally adopted by the Commission on the 10th day of September 1997, as part of the master plan for the physical development of the Region. Said amendment to the regional natural areas and critical species habitat protection and management plan pertains to the Cedarburg Woods-West critical species habitat site in the Town of Cedarburg and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Waukesha, Wisconsin, this 5th day of March 1998.


Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:



Philip C. Evenson, Deputy Secretary

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RESOLUTION NO. 98-2

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING
COMMISSION AMENDING THE ADOPTED REGIONAL NATURAL AREAS
AND CRITICAL SPECIES HABITAT PROTECTION AND MANAGEMENT PLAN,
THAT PLAN BEING PART OF THE MASTER PLAN FOR THE PHYSICAL
DEVELOPMENT OF THE REGION COMPRISED OF THE COUNTIES OF KENOSHA,
MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA
IN THE STATE OF WISCONSIN
(CEDARBURG WOODS-WEST SITE)

WHEREAS, pursuant to Section 66.945(10) of the Wisconsin Statutes, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 10th day of September, 1997, duly adopted a natural areas and critical species habitat protection and management plan as documented in SEWRPC Planning Report No. 42, *A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin*; and

WHEREAS, by letter dated December 12, 1997, the City of Cedarburg, requested that the Commission amend the natural areas and critical species habitat plan as it pertains to a site identified in the plan as Cedarburg Woods-West, thereby recommending the acquisition of that site by the City of Cedarburg; and

WHEREAS, the proposed amendment to the natural areas and critical species habitat plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of Cedarburg to Amend the Regional Natural Areas and Critical Species Habitat Protection and Management Plan," attached hereto and made a part thereof, which memorandum concludes that the plan amendment requested by the City of Cedarburg is sound and in the public interest; and

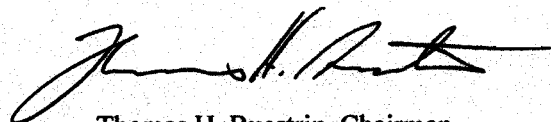
WHEREAS, Section 66.945(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional natural areas and critical species habitat protection and management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 42, which was adopted by the Commission as part of the master plan on the 10th day of September 1997, be and the same hereby is amended in the manner identified on revised Map 72 as reproduced in the aforementioned SEWRPC staff memorandum.

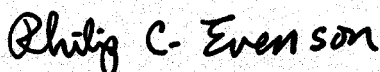
SECOND: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 4th day of March 1998, the vote being: Ayes 14; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

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SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE CITY OF CEDARBURG TO AMEND THE REGIONAL NATURAL AREAS AND CRITICAL SPECIES HABITAT PROTECTION AND MANAGEMENT PLAN

INTRODUCTION

By letter dated December 12, 1997, the City of Cedarburg requested that the Commission amend the regional natural areas and critical species habitat protection and management plan as it pertains to a site identified in the plan as Cedarburg Woods-West, located in the Town of Cedarburg. The adopted plan recommends that this site be preserved through zoning and other regulatory measures, without protective public ownership. The City has requested that the plan be amended to call for preservation of this site through public ownership, with the City being designated as the responsible acquisition agency. The City indicated that it likely would seek a Department of Natural Resources grant in support of such acquisition. The plan is set forth in SEWRPC Planning Report No. 42, A Natural Areas and Critical Species Habitat and Protection and Management Plan for Southeastern Wisconsin.

BACKGROUND ON THE CEDARBURG WOODS-WEST SITE

The Cedarburg Woods-West site is an approximately four-acre site located in the southwest one-quarter of Section 22, U. S. Public Land Survey Township 10 North, 21 East, in the Town of Cedarburg. The site abuts the City of Cedarburg on the south and west, and is located within the City of Cedarburg planned urban service area for the year 2010, as identified in the City land use plan (SEWRPC Community Assistance Planning Report No. 144). The site is not located within a primary environmental corridor. The site is currently in private ownership.

The Cedarburg Woods-West site is identified in the regional natural areas plan as a critical species habitat site. Under the plan, critical species habitat sites are defined as areas which are located outside designated natural area sites but which, nevertheless, support one or more endangered, threatened, or rare plant or animal species.

The natural areas plan recommends the public interest acquisition of those critical species habitat sites which 1) are located in primary environmental corridors or 2) are already at least partially in public or private protective ownership. The plan recommends that the remaining critical species habitat sites be retained in private ownership and be preserved to the extent possible through regulatory measures. Because the Cedarburg Woods-West site did not meet the aforereferenced acquisition criteria, the plan recommended the protection of that site through regulatory approaches, rather than through public acquisition.

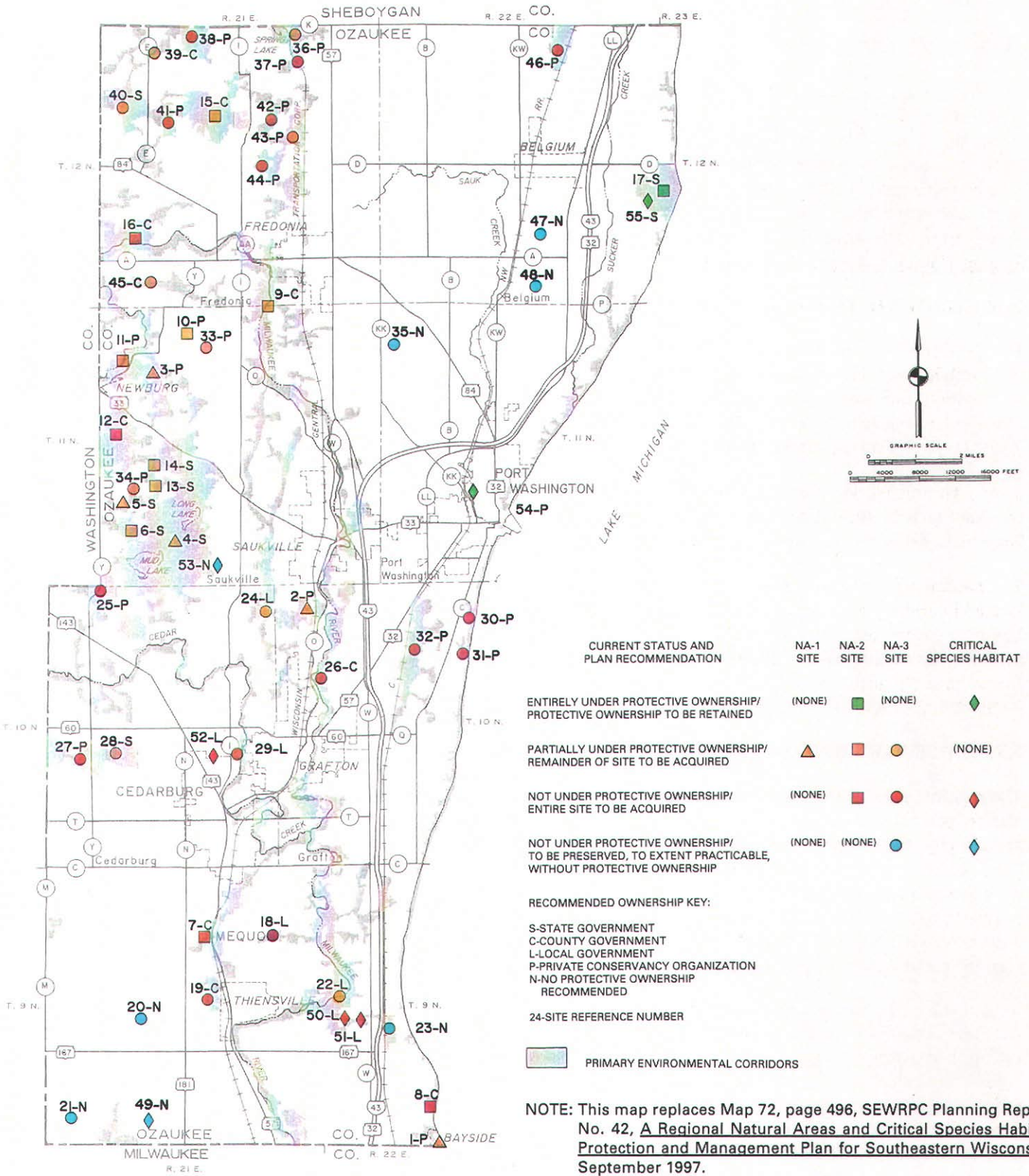
RESPONSE TO THE REQUESTED PLAN AMENDMENT

The regional natural areas plan was not intended to preclude the public interest acquisition of sites designated in the plan for preservation through regulatory approaches. Public acquisition provides the greatest assurance of the permanent preservation of environmentally sensitive lands, particularly those lands which are located in urbanizing areas and, therefore, most subject to destruction through urban encroachment. Plan recommendations for the protection of certain sites through regulatory measures rather than through acquisition simply recognizes that funding available for land acquisition is limited. In detailed planning and programming efforts to implement the plan, State, county, and local units of government and private conservancy organizations may determine to acquire certain sites designated in the plan for preservation through regulatory approaches.

In the case of the Cedarburg Woods-West site, given the site's location within a planned urban service area and the attendant potential for urban encroachment, public acquisition would provide greater assurance of permanent preservation than a strictly regulatory approach. Accordingly, the Commission staff recommends that the regional natural areas and critical species habitat protection and management plan be amended to include a recommendation for acquisition of the Cedarburg Woods-West site by the City of Cedarburg, in place of the recommendation for continued private ownership and reliance on regulatory approaches to preserve the site. Map 1 presents a graphic summary of the natural areas and critical species habitat protection and management plan as it pertains to Ozaukee County, revised to reflect the plan amendment for the Cedarburg Woods-West sites (Site No. 52 on Map 1).

Map 1

PLAN RECOMMENDATIONS FOR NATURAL AREAS AND CRITICAL SPECIES HABITATS IN OZAUKEE COUNTY



Source: SEWRPC.