AN ORDINANCE AMENDING ASHLAND COUNTY'S FLOODPLAIN ZONING ORDINANCE AND ADOPTING DAY LAKE FLOODWATER FLOW PROFILE, FLOOD CREST SUMMARY DATA TABLE AND HYDRAULIC SHADOW MAP FOR 100 YEAR FLOOD (NO DAM)

WHEREAS, §87.30, Wisconsin Statutes, requires a county to adopt a reasonable and effective floodplain zoning ordinance after hydraulic and engineering data adequate to formulate the ordinance becomes available and provides that the Wisconsin Department of Natural Resources is responsible for ensuring that the hydraulic and engineering studies are reasonable and accurate, and

WHEREAS, the Park Falls office of the Chequamegon National Forest, U. S. Forest Service, United States Department of Agriculture, has completed a study and dam failure analysis of the dam on Day Lake on the west fork of the Chippewa River in Ashland County, Wisconsin, and

WHEREAS, the Chequamegon National Forest prepared and submitted a Day Lake floodwater flow profile, floodcrest summary data table and hydraulic shadow map for a 100 year flood for a no dam profile and for a dam break profile, to the Wisconsin Department of Natural Resources, which approved the study, and

WHEREAS, the dam failure analysis shows that the area downstream of the Day Lake dam contains habitable structures and that the dam is classified as a high-hazard dam, as per Chapter NR 333 of the Wisconsin Administrative Code, and

WHEREAS, while the Day Lake dam meets the safe dam criteria set forth in Chapter NR 116 of the Wisconsin Administrative Code, the study was a basis for development of an emergency action plan for the area downstream of the Day Lake dam, and

WHEREAS, Ashland County's Zoning Administrator received an April 8, 1997, letter from Daniel Baumann, Dam Safety/Floodplain Engineer with the Bureau of Watershed Management of the State of Wisconsin Department of Natural Resources, reporting the approval of the study by the DNR and pointing out that Ashland County is required to adopt either the no dam or the dam failure hydraulic profile, summary data table and shadow map, and

WHEREAS, the Zoning Committee of the Ashland County Board of Supervisors considered this to be a petition by the Zoning Administrator for amendment of Ashland County's floodplain zoning ordinance and scheduled a public hearing on such matter to be held at 9:30 a.m. on June 16, 1998, and

WHEREAS, proper public notice of the time and place of the public hearing on such proposed amendments was given as per Wisconsin Statutes, with such notice including publication in The Daily Press newspaper as a Class 2 notice under Chapter 985, notice to the Wisconsin Department of Natural Resources, written notice to all land owners in Ashland County downstream from the Day Lake Dam, and notice by registered mail to the town clerk of each town in the County affected by the proposed amendment at least ten (10) days prior to the date of such public hearing, and

WHEREAS, the Zoning Committee of the Ashland County Board of Supervisors held a public hearing on the proposed amendments to the Ashland County Floodplain Zoning Ordinance at the Ashland County Courthouse at 9:30 a.m. on June 16, 1998, and

WHEREAS, the Zoning Committee, at its June 16, 1998, meeting following the public hearing, recommended that the Ashland County Board of Supervisors request the Wisconsin Department of Transportation to replace the existing double concrete box culvert under Highway 77 over the west fork of the Chippewa River with a bridge to help lower the flood elevation in the event of a

flood involving Day Lake, and

WHEREAS, on December 3, 1998, the Zoning Committee of the Ashland County Board of Supervisors formally approved the proposed changes to Ashland County's floodplain zoning ordinance and adopted the Day Lake floodwater profile, floodcrest summary data table, and hydraulic shadow map for 100 year flood (no dam), prepared by the Chequamegon National Forest and approved by the State of Wisconsin Department of Natural Resources, and directed Ashland County's Corporation Counsel to draft such an ordinance for consideration by the Ashland County Board of Supervisors at its next meeting,

NOW, THEREFORE,

The Ashland County Board of Supervisors does ordain as follows:

The Ashland County Floodplain Zoning Ordinance is hereby amended to provide as follows:

1. Section 1.5(2), as it currently provides, is deleted and is replaced with the following Section 1.5(2) of such ordinance:

(2) OFFICIAL MAPS & REVISIONS

The boundaries of the floodplain districts, including the floodway, floodfringe and other floodplain districts, are those areas designated as floodplains or A-zones on the maps listed below and by other DNR-approved technical studies listed in the Ashland County Floodplain Study Appendix at the end of this ordinance. These official maps and studies are on file in the office of the Zoning Administrator for Ashland County. If more than one map or study is referenced for a parcel of land, the most current DNR approved information shall apply.

OFFICIAL MAPS, MAP REVISIONS, PROFILES AND REGIONAL FLOOD ELEVATIONS

A. Flood Insurance Rate Maps (FIRMs) with corresponding profiles that are based on the Flood Insurance Study (FIS) dated February 15, 1978.

Approved by: The Federal Emergency Management Agency (FEMA) and The Department of Natural Resources (DNR).

B. Letter of Map Revisions (LOMR's)

Approved by: The Federal Emergency Management Agency (FEMA) and The Department of Natural Resources (DNR).

C. Floodplain Study Appendix

All DNR approved Floodplain maps, Flood profiles, Floodway data tables and Regional Flood Elevations located in the Floodplain Study Appendix on page 23 of this Floodplain Zoning Ordinance.

When Ashland County receives future DNR approved Floodplain studies, the County Zoning Administrator is hereby authorized to list them in and add them to the Ashland County Floodplain Study Appendix of this ordinance, and they then become a part of this ordinance without the necessity of revising the map reference language of this ordinance or conducting a formal hearing and adoption procedure.

Section 11.0 ASHLAND COUNTY FLOODPLAIN STUDY APPENDIX

This is the Ashland County floodplain study appendix referenced in 1.5 (2) C. of the Ashland County Floodplain Zoning ordinance.

(1) Day Lake Hydraulic Shadow for 100 Year Flood Map (Dam non-existent), profile and floodway data table. Prepared by Art Johnson, P.E., and Aaron Dufrane, E.I.T., U.S.D.A. Forest Service dated 11/18/96. Which has been approved by the Wisconsin Department of Natural Resources.

(2) All other DNR approved Floodplain Maps, flood profiles, floodway data tables and Regional Flood Elevations (RFE).

(3) The Table of Contents of Ashland County's Floodplain Zoning Ordinance is amended to reflect adoption of these amendments and this appendix which are now a part of Ashland County's Code of Ordinances. This Ashland County Floodplain Study Appendix will be Section 11.0 of the Ashland County Floodplain Zoning Ordinance.

(4) This ordinance shall be published in the County's official newspaper in the manner required by law, and a certified copy of this ordinance shall be promptly forwarded to the Wisconsin Department of Natural Resources so that it can approve this ordinance.

Adopted this 12th day of January, 1999.

Gary LaPean, Chairperson
Ashland County Board of Supervisors

Patricia Somppi, County Clerk
Ashland County, Wisconsin