

# **Minutes**

## **2014 WI Presidents Council Annual Meeting**

Friday, October 17<sup>th</sup>, 2014  
Chula Vista Conference Center, Wisconsin Dells, WI

### **Attendance**

WI County Surveyors Association (Bryan Meyer)  
WI Geographic Information Coordination Council (Jon Schwichtenberg, David Flack)  
WI Department of Administration – Division of Intergovernmental Relations (Mike Friis)  
WI Department of Transportation – Surveying and Mapping (Rodney Key)  
WI Land Information Association (Justin Conner)  
WI Land Information Officers Network (Al Brokmeier)  
WI Land Title Association (Kris Pelot)  
WI Real Property Listers Association (Brian Braithwaite, Jeremy Erickson, Michelle Schultz)  
WI Register of Deeds Association (Julie Pagel, Carey Petersilka)  
WI Society of Land Surveyors (Jeff DuMuth)  
WI State Agency Geospatial Information Committee (Tony Van Der Wielen)  
WI State Cartographer's office (Howard Veregin, Jim Lacy)

### **Call to order**

Meeting called to order by Jim Lacy at 9:00 a.m.

### **Brief Follow-up on October 2013 Meeting**

Last year we discussed the creation of a statewide parcel map, and a desire to see more tangible progress on the effort led by DOA. Since our last meeting, DOA has contracted with the State Cartographer's Office for a "Version 1" statewide parcel database. In addition, the Real Property Listers led a discussion last year on the Chapter 5 Wisconsin Property Assessment Manual rewrite by the Department of Revenue. One major item of discussion last year was a DOR proposal to create a 35-digit standardized parcel ID across the state, and concerns organizations had about that proposed standard.

### **Efforts to Develop a Statewide Geospatial Strategy**

Jon described the efforts of an *ad hoc* Geospatial Strategy Working Group that is gathering information on the state of land information/GIS in Wisconsin. This effort was briefly discussed at our meeting last year. Volunteers have been researching statutes related to land information. (See handouts) The working group has also been discussing data flow models, how various entities in the state are related to one another, and funding models.

Their short-term goal is to inventory the status quo, and then make recommendations for improving the current situation. Ultimate goal is to make Wisconsin more effective as a state, and ensure we are doing the best job possible at disseminating geospatial data. The effort is not about re-inventing or re-organizing WIGICC, but that could be part of the overall conclusions. Need to get the whole community to buy-in to the vision of where we are headed.

Jon feels some sort of permanent entity or authority needs to step up to coordinate activities in the state. What about WIGICC? Due to their voluntary nature that may not work in its present format according to Jon.

Audience? The community as a whole, including DOA, SCO, DNR, possibly the governor's office.

Timeline? They expect to have a draft document available prior to the WLIA annual conference in February.

**ACTION: each association should send Jon feedback on the documents distributed at the meeting. Did the working group miss any land information-related statutes?**

### **Next Generation 911**

Jim noted that "NextGen" 911 is gaining steam as an important issue at the national level. As Jim understands it, NG911 is a major paradigm shift in how Public Safety Answering Points accept information from citizens. This includes, for example, social media, text messages and video. GIS and spatial data are critical components of NG911, but some would argue geospatial data sharing has not matured sufficiently in some jurisdictions to support the needs of NG911. This may not be well understood by 911 administrators.

Question: to what extent have attendees present today interacted with their 911 center on NG911 issues? A: Some have, but not a great deal. (Varies by jurisdiction)

Ongoing funding of the 911 system continues to be a big deal for that community. Justin noted that in Wood County, major updates were made to the dispatch center in 2007-2008. But funding has not allowed for many updates since then. A state 911 bill was introduced last legislative session, but it didn't make it very far in the process.

Justin indicated he would like to see WLIA reach out more to groups like NENA and assist them on their NG911 efforts. He expects this will be a major initiative for WLIA in the upcoming year.

### **Organization Reports**

#### State Cartographer's Office (SCO)

- Howard gave the group a detailed update on the recently-completed LinkWISCONSIN EBM Parcel Mapping project. This effort resulted in a statewide address database and statewide parcel database that will be used by the Public Service Commission on their Broadband Mapping initiatives. For more information go to <http://www.sco.wisc.edu/projects/ebm-project.html>.
- SCO is working with the DOA Division of Intergovernmental Relations on a "Version 1" statewide parcel database that builds upon the lessons learned in the LinkWISCONSIN project. The V1 project is different in that it will result in a publicly-available statewide parcel database that satisfies statutes defined by Act 20. <http://www.sco.wisc.edu/projects/v1-parcels.html>
- SCO is also engaged in a project with Wisconsin DNR to update the statewide land cover map. The project started in May 2014, and runs through June 2016. <http://www.sco.wisc.edu/projects/landcover.html>

- Other details on SCO's activities can be found in their annual report.  
[http://www.sco.wisc.edu/images/stories/publications/2014/sco\\_annual\\_report\\_2013-2014\\_web\\_final.pdf](http://www.sco.wisc.edu/images/stories/publications/2014/sco_annual_report_2013-2014_web_final.pdf)

#### Wisconsin DOA Division of Intergovernmental Relations (DIR)

- Mike provided some background information on the WLIP, and his role in that program.
- Many of their efforts over the past year have been focused on Act 20 and work leading up to the statewide parcel mapping work described by Howard in his report.
- They are working toward a 2017 deadline of having a statewide, searchable parcel database online.
- Question: What would the searchable database look like? Not sure yet, exploring options.
- Coastal Management Group of DIR has been working with a variety of stakeholders on a grant application for LiDAR elevation data in several coastal counties. This is part of the USGS 3DEP program.
- Digital Coast Partnership bill – introduced by Sen. Baldwin. If passed, will provide much needed support for Digital Coast initiatives.
- GIO position is vacant. Position will likely be moved from the Division of Enterprise Technology to DIR. Hope to have the position filled around the first of the year, but hard to predict because the state hiring process is always slow. They will be sending out a draft position description to the doa-landinfo email list soon. Comments welcome.

#### Wisconsin Register of Deeds Association (WRDA)

- RODs are required by statute to charge for access to their records. Provides important funding that allows them to be stewards of the information they maintain.
- Volume of recordings has gone down significantly over the last several years.
- With Act 20, an additional \$5 per deed transaction is being sent to DOA. They hope smaller counties will be able to tap into that new source of funding.
- Most counties have their records online, but a few don't due to lack of funding.
- They don't have any major legislative initiatives pending at this time, but they do have some "cleanup" legislation in mind. They are meeting next week to discuss.
- **ACTION: WRDA will share more information on their proposed legislative updates after they are vetted within the Association.**

#### Wisconsin Real Property Listers Association (WRPLA)

- Last year DOR was proposing a 35-digit standardized parcel ID be implemented when local governments update their software systems. This didn't sit well with many folks.
- Now DOR is backing away from that stance, and are instead focused on the standard only when a county/municipality makes changes to their parcel ID scheme.
- They have been working with DOR on an xml file transfer scheme. A large number of counties have not yet attempted to use the transfer standard. Jeremy noted that in his county, they encountered a large number of errors when attempting to use the system.
- WRPL is watching legislation related to personal property taxes. The impact would vary considerably between jurisdictions, but it could have a significant impact in some places.

#### Wisconsin Land Title Association (WLTA)

- Trailer bill to the Mortgage Satisfaction Law - to clarify and correct a few issues: this bill allows a title agent and/or underwriter to satisfy a mortgage if the lender is uncooperative in issuing the release, provided there is adequate proof and notice that the mortgage has been paid in full.
- Rental Weatherization Program – evaluation of the benefits of this program may result in new legislation to amend or not require the Register of Deeds to confirm the weatherization prior to recording a new deed.
- Good Funds Law enhancement – current law required “good funds” to be presented at the closing table. Cashier’s checks, once considered “good funds” now are often held 1-2 days by lenders and can be compromised in the meantime. As technology progresses, title agents are requesting wire transfers with increasing frequency to ensure immediate availability and assurance of funds: and exploring ways to require this at the closing table.
- Easements/Statute of Limitations – the statute of limitations for express easements was recently tested. Title companies typically conduct 60 year searches to identify all recorded matters affecting property, including easements. The test was to try to enforce an easement that had not been recorded within the statute of limitations. The court refused to enforce it – which is good news for title companies as this could make title work more burdensome.  
<http://www.wicourts.gov/ca/opinion/DisplayDocument.html?content=html&seqNo=114760>
- Closing Protection Letters – there is consideration to amend state statutes to allow title insurance companies to charge a fee to issue CPL’s to lenders to protect funds. This happens in a number of states (i.e. IL) and is intended to buffer some of the risk for the underwriter (and potentially the title agent, as is the current issue/concern) if funds are compromised in the mortgage closing process.

#### Land Information Officers Network (LION)

- LION representatives have been deeply involved in the DOA geoportal project.
- Most people would agree Wisconsin needs a centralized place to find geospatial data.
- The geoportal working group pared down the scope of the project to focus on making a software recommendation. They recommend a package called CKAN.
- An implementation plan is next, followed by the actual implementation.
- Governance is also an important component that will need to be figured out.
- AI hopes LION will continue to be a major player in the Geoportal project as it continues to move forward.
- Counties are required to report on expenditures related to the WLIP; LION would also like DOA to report on expenditures.

#### Wisconsin Land Information Association (WLIA)

- Justin reported that WLIA has been very focused on improving communications with members over the past year.
- WLIA Annual conference is coming up in February in Green Bay. Theme is “Data Forward.” They will be having some presentations on lean government, which should appeal to a wide audience. They are also setting aside sessions at the conference for special interest groups to meet. Contact him if you are interested.

- WLIA does not yet have a particular legislative agenda for the upcoming year. They will be watching for a re-introduction of the 911 bill.
- As noted earlier, Justin would like to work more with NENA and APCO. He is speaking at the NENA conference on October 27<sup>th</sup>.

#### Wisconsin Geographic Information Coordination Council (WIGICC)

- WIGICC has a number of active working groups including elevation data, economic development, and government-to-government data sharing.
- WIGICC supported the implementation of a statewide Esri license for K-12 schools.

#### Wisconsin Society of Land Surveyors (WSLS)

- WSLS recently formed a “geospatial committee” that is focused on providing feedback related to the statewide parcel initiative. Jeff is the Chair. They are working closely with WCSA on this issue.
- Last year, after much work, the land surveying modernization bill passed.
- In the upcoming year, WSLS will be working on minimum standards for property surveys in Wisconsin.

#### Wisconsin County Surveyors Association (WCSA)

- WCSA is getting set to make a proposal for updating county boundaries in Wisconsin through improved PLSS corners.
- Proposal would correct external county boundaries by providing funding for remonumentation of PLSS along county borders. If successful, proposal would result in monuments in the ground, along with GPS coordinates.
- They have reached out to all 72 counties to inventory gaps and overlaps in county boundaries.
- This meshes well with the statewide parcel mapping initiative. Specifically, it would address concerns about how parcel lines meet (or not) at county boundaries.
- 63 counties now have a county surveyor (either full-time, part-time, or contract)

#### Wisconsin State Agency Geospatial Information Committee (SAGIC)

- SAGIC recently heard a presentation on the Wisconsin Regional Orthophotography Consortium, and is considering how state agencies can be encouraged to contribute financially to that effort.
- SAGIC has representation on the DOA Division of Enterprise Technology Geoportal project described in LION’s report.
- SAGIC has a parcel working group that is focused on identifying state agency needs for a future statewide parcel map.
- Tony briefly described some of the Legislative Technology Services Bureau’s efforts to update administrative boundaries in the state. Watch the video of a recent LTSB presentation: [https://www.youtube.com/watch?v=G8GCZr\\_Vn9U](https://www.youtube.com/watch?v=G8GCZr_Vn9U)

#### Wisconsin Department of Transportation (DOT)

- On Aug 1st, 2014, Wisconsin Act 358 or the Survey Redefinition Bill was passed.
  - Removed exemption for Gov’t surveyors
  - Now need to work under PLS.
  - TPPs done by DOT now need to be sealed and signed by PLS.

- PLS's within the Department promotes professionalism and there are now licensed professionals "in responsible charge" of surveying activities performed by the Department.
- TPPs
  - Nearly 5000 have been recorded in 70 counties since 1998.
  - Florence and Kewaunee Counties are the two counties which have not recorded a TPP.
  - TPPs are based on the PLSS system, are tied to the County Coordinate System and are "survey accurate".
  - 1250 TPPs have been amended.
  - 26% of the total TPPs recorded. Original estimate was 30% so this is a positive.
- E-Recorded TPPs
  - 560 have been recorded in 9 Counties since Oct, 2010.
  - Counties E-Recording are: Brown, Dane, Outagamie, Portage, Winnebago, Sheboygan, Washington, ST. Croix, Wood and Waupaca,
  - 10 other Counties are on waiting list.
  - Rock would like to e-record but we are having issues with Fidar Idoc vs. Fidar Avid.
- WisCORS (Wisconsin Continuing Operating Reference Stations)
  - 81 Stations are in the ground (Handout).
  - 75 are currently operating.
  - Remaining 6 will be up and running in the Spring of 2015.
  - Currently changing the software that runs the network from VRSNet to PIVOT.
  - This will increase the capacity for the number of stations to the network and also the number of users to the network.
  - Currently there about 2000 registered users for the network with 220 being able to use the network at one time. PIVOT will allow about 440 users at one time.
  - CORS stations, in bordering states, will be incorporated into network in Spring of 2015.
  - Maintenance of the system is an ongoing issue; somebody needs to pay to keep the system running. There has been talk in the past about charging for access to the system, but no decisions have been made.
- Wisconsin Geodetic Survey Control Network (Height Modernization Program)
  - 8000 Passive Monuments Statewide...All in the ground.
  - Phase 8D (Handout) – Currently these monuments are being leveled through. GPS'd in the Spring of 2015. NGS Bluebooked in the Fall, 2015
  - Phase 8E – Leveled in Spring, 2015, GPS'd in Fall 2015, Bluebooked in Spring, 2016.
  - 93 monuments have been currently destroyed because of highway projects.
  - Mark Maintenance will begin in earnest in Spring 2016.
- HAMS – Highway Access Management System
  - Database which keeps track of access, new r/w parcels, wetland mitigation sites, driveway permits, etc.
  - Chuck Failing and Mitch Moline – GIS Development Section.
  - Funding was recently approved to upgrade the HAMS System to include geo-referencing capabilities.
  - HAMS uses Arc GIS to import DWGs (C3D) or DGNs (Microstation) & also incorporates Oracle Database.

- Ultimate goal is to work with DOA and SCO to tie all of this info into the statewide parcel mapping project.

**Summary of Action Items**

1. Each association should send Jon Schwichtenberg feedback on the geospatial strategy documents distributed at the meeting.
2. WRDA will share more information on their proposed legislative updates after they are vetted within the Association.

**Next Meeting**

Next meeting will be in October 2015, specific date and place to be determined. Send any location preferences to Jim L.

**Adjourn**

Meeting adjourned at 12:10 p.m.

# WISCONSIN STATE STATUTES RELATING TO GEOSPATIAL ACTIVITIES OF THE STATE

## 1. Department of Administration GIS/Land Records – Chapter 16.966 and .967

**16.966 Geographic information systems.** The department may develop and maintain geographic information systems relating to land in this state for the use of governmental and nongovernmental units.

**History:** 1997 a. 27 ss. 133am to 133d, 9456 (3m); 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2005 a. 25 ss. 91, 2493.

### **16.967 Land information program.**

**(1) DEFINITIONS.** In this section:

**(a)** "Agency" has the meaning given in s. 16.70 (1e).

**(b)** "Land information" means any physical, legal, economic, or environmental information or characteristics concerning land, water, groundwater, subsurface resources, or air in this state. "Land information" includes information relating to topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife, associated natural resources, land ownership, land use, land use controls and restrictions, jurisdictional boundaries, tax assessment, land value, land survey records and references, geodetic control networks, aerial photographs, maps, planimetric data, remote sensing data, historic and prehistoric sites, and economic projections.

**(c)** "Land information system" means an orderly method of organizing and managing land information and land records.

**(d)** "Land records" means maps, documents, computer files, and any other information storage medium in which land information is recorded.

**(e)** "Systems integration" means land information that is housed in one jurisdiction or jurisdictional subunit and is available to other jurisdictions, jurisdictional subunits, public utilities, and other private sector interests.

**(3) DUTIES OF DEPARTMENT.** The department shall direct and supervise the land information program and serve as the state clearinghouse for access to land information. In addition, the department shall:

**(a)** Provide technical assistance and advice to state agencies and local governmental units with land information responsibilities.

**(b)** Maintain and distribute an inventory of land information available for this state, land records available for this state, and land information systems.

**(c)** Prepare guidelines to coordinate the modernization of land records and land information systems.

**(cm)** Provide standards for the preparation of countywide plans for land records modernization under s. 59.72 (3) (b), including a list of minimum elements to be addressed in the plan.

**(d)** Review project applications received under sub. (7) and determine which projects are approved.

**(e)** Review for approval a countywide plan for land records modernization prepared under s. 59.72 (3) (b).

**(f)** Review reports received under s. 59.72 (2) (b) and determine whether county expenditures of funds received under sub. (7) and s. 59.72 (5) (b) have been made for authorized purposes.



(g) Post reports received under s. 59.72 (2) (b) on the Internet.

(h) Establish an implementation plan for a statewide digital parcel map.

(4) FUNDING REPORT. The department shall identify and study possible program revenue sources or other revenue sources for the purpose of funding the operations of the land information program, including grants to counties under sub. (7).

**(6) REPORTS.**

(a) By March 31 of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of safety and professional services, the department of health services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission, and the board of curators of the historical society shall each submit to the department a plan to integrate land information to enable such information to be readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility. Upon receipt of this information, the department shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

(b) No later than January 1, 2017, the department shall submit to the members of the joint committee on finance a report on the progress in developing a statewide digital parcel map.

**(7) AID TO COUNTIES.**

(a) A county board that has established a county land information office under s. 59.72 (3) may apply to the department on behalf of any local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially within the county for a grant for any of the following projects, except that a county shall complete the project under subd. 1. and make public records in the land information system accessible on the Internet before the county may expend any grant moneys under this paragraph for any other purpose:

1. The design, development, and implementation of a land information system that contains and integrates, at a minimum, property and ownership records with boundary information, including a parcel identifier referenced to the U.S. public land survey; tax and assessment information; soil surveys, if available; wetlands identified by the department of natural resources; a modern geodetic reference system; current zoning restrictions; and restrictive covenants.

2. The preparation of parcel property maps that refer boundaries to the public land survey system and are suitable for use by local governmental units for accurate land title boundary line or land survey line information.

2m. In coordination with the department, the creation, maintenance, or updating of a digital parcel map.

3. The preparation of maps that include a statement documenting accuracy if the maps do not refer boundaries to the public land survey system and that are suitable for use by local governmental units for planning purposes.

4. Systems integration projects.

5. To support technological developments and improvements for the purpose of providing Internet-accessible housing assessment and sales data.

**(am)**

1. Subject to subds. 2. and 3., the department shall award land information system base budget grants for eligible projects under par. (a) to enable a county land information office to develop, maintain, and operate a basic land information system.

2. The minimum amount of a grant under this paragraph is determined by subtracting the amount of fees that the county retained under s. 59.72 (5) (b) in the preceding fiscal year from

\$100,000. The department is not required to award a grant to a county that retained at least \$100,000 in fees under s. 59.72 (5) (b) in the preceding fiscal year.

3. If the moneys available for grants under this paragraph in a fiscal year are insufficient to pay all amounts determined under subd. 2., the department shall establish a system to prorate the grants.

(b) In addition to any other grant received under this subsection, the department may award a grant to any county in an amount not less than \$1,000 per year to be used for the training and education of county employees for the design, development, and implementation of a land information system.

**(7m) SUSPENSION OF AID.**

(a) If the department determines that grants under sub. (7) or retained fees under s. 59.72 (5) (b) have been used for unauthorized purposes, the department shall notify the county or local governmental unit of the determination. The notice shall include a listing of unauthorized expenditures. The county or local governmental unit shall have not less than 30 days to contest the determination or resolve the unauthorized expenditures. If the unauthorized expenditures are not resolved in a manner acceptable to the department, the department may suspend the eligibility of the county or local governmental unit that made unauthorized expenditures to receive further grants or to retain further fee revenues.

(b) If the department determines that a county has violated s. 59.72, the department shall suspend the eligibility of the county to receive grants under sub. (7) and, after June 30, 2017, the county shall be eligible to retain only \$6 of the portion of each fee submitted to the department under s. 59.72 (5) (a). After not less than one year, if the department determines that the county has resolved the violation, the department may reinstate the eligibility of the county for grants under sub. (7) and for retaining \$8 of the portion of each fee submitted to the department under s. 59.72 (5) (a).

(8) ADVICE; COOPERATION. In carrying out its duties under this section, the department may seek advice and assistance from the board of regents of the University of Wisconsin System and other agencies, local governmental units, and other experts involved in collecting and managing land information. Agencies shall cooperate with the department in the coordination of land information collection.

(9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The department shall charge and collect fees sufficient to recover the costs of activities authorized under this subsection.

**History:** 1989 a. 31, 339; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 403, 9116 (5), 9126 (19); 1995 a. 201; 1997 a. 27 ss. 141am to 141an, 9456 (3m); 1999 a. 9 ss. 114m, 114n, 9401 (2zu); 2001 a. 16; 2003 a. 33 ss. 2811, 2813; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2005 a. 25 ss. 92, 2493, 2495; 2007 a. 20 s. 9121 (6) (a); 2009 a. 314; 2011 a. 32; 2013 a. 20.  
**Cross-reference:** See also ch. Adm 47, Wis. adm. code.

## 2. Department of Administration – Land Information Fund – Chapter 25.55

There is created a separate non lapsible trust fund designated as the land information fund, consisting of moneys received under s. 59.72 (5) (a).

## 3. State Cartographer Duties – Chapter 36.25 (12m)

(12m) State cartographer. The state cartographer shall:

36.25(12m)(a)(a) Establish and maintain a union catalog of current and historical reference and thematic maps of all scales available in municipal, county, state and federal agencies relating to this state.

36.25(12m)(b)(b) Promote liaison among the municipal, county, state and federal mapping agencies and surveyors to facilitate coordination and to exchange information on mapping and cartographic activities.

36.25(12m)(c)(c) Keep abreast of the progress made by mapping agencies and their mapping developments.

36.25(12m)(d)(d) Collect, maintain and disseminate information regarding innovation in cartographic techniques and mapping procedures, map and air photo indexes and control data, map accuracy standards, legal aspects of map publication and such other matters as will facilitate an effective cartographic program for the state.

36.25(12m)(e)(e) Publish and distribute such special maps and map information as will promote the mapping of the state and preparation and use of maps by individuals, only to the extent, however, that such publication and distribution is not appropriately within the activities of any other state or commercial agency.

36.25(12m)(f)(f) Assist the department of natural resources in its work as the state representative of the U.S. geographic board and its other functions under s. 23.25.

#### **4. Appropriations and Budget Management – Environmental Resources – Department of Natural Resources – Administration and Technology - Chapter 20.370 (08)**

(ni) *Geographic information systems, general program operations — other funds.* From the general fund, all moneys received by the department from entities other than the department or other state agencies for providing facilities, support services and materials related to geographic information systems, to provide those facilities, services or materials to entities other than the department and other state agencies.

(nk) *Geographic information systems, general program operations — service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for providing facilities, support services and materials related to geographic information systems, to provide those facilities, services or materials to the department or to those agencies.

#### **5. Appropriations and Budget Management – Department of Natural Resources - Conservation – Chapter 23.09 (22)**

23.09(22) INFORMATION TO BE INCLUDED IN GEOGRAPHIC INFORMATION SYSTEMS. The department shall include physical and chemical information about groundwater and soil in its geographic information systems.

## 6. Appropriations and Budget Management – Department of Natural Resources - Conservation – Wetlands Mapping – Chapter 23.32

### 23.32 Wetlands mapping.

(1) In this section "wetland" means an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

(2)

(a) For the purpose of advancing the conservation of wetland resources the department shall prepare or cause to be prepared maps that, at a minimum, identify as accurately as is practicable the individual wetlands in the state which have an area of 5 acres or more.

(b) Mapping priorities, technical methods and standards to be used in delineating wetlands and a long-term schedule which will result in completion of the mapping effort at the earliest possible date shall be developed by the department in cooperation with those other state agencies having mapping, aerial photography and comprehensive planning responsibilities.

(c) Wetland maps shall be prepared utilizing the best methods practicable with the funds available for that purpose and shall be based upon data such as soil surveys, aerial photographs and existing wetland surveys and may be supplemented by on-site surveys and other studies.

(d) The department shall cooperate with the department of administration under s. 16.967 in conducting wetland mapping activities or any related land information collection activities.

(3)

(a) The department may sell, and may enter into contracts to sell, wetland maps. The fees for the maps shall be as follows:

1. For each paper map, \$5.
2. For each aerial photograph, \$10.
3. For each copy of a digital wetland database covering one township, \$15.

(b) The department, by rule, may increase any fee specified in par. (a). Any increased fee must at least equal the amount necessary to cover the costs of preparing, producing and selling the wetland maps.

**History:** 1977 c. 374; 1979 c. 221; 1983 a. 27; 1985 a. 29; 1989 a. 31; 1995 a. 27; 1997 a. 27 ss. 774am, 775am, 9456 (3m); 1999 a. 147, 185; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2005 a. 25 ss. 497, 2493.

**Cross-reference:** See also s. NR 1.95, Wis. adm. code.

## 7. Cities – City Planning – Official Map – Chapter 62.23 (6)

### **(6) OFFICIAL MAP.**

62.23(6)(a)**(a)** As used in this subsection, "waterways" includes rivers, streams, creeks, ditches, drainage channels, watercourses, lakes, bays, ponds, impoundment reservoirs, retention and detention basins, marshes and other surface water areas, regardless of whether the areas are natural or artificial.

### 62.23(6)(am)**(am)**

62.23(6)(am)1.1. In this paragraph:

62.23(6)(am)1.a.a. "Airport" means an airport as defined under s. 114.002 (7) which is owned or operated by a county, city, village or town either singly or jointly with one or more counties, cities, villages or towns.

62.23(6)(am)1.b.b. "Airport affected area" means the area established by an agreement under s. 66.1009. If a county, city, village or town has not established such an agreement, "airport affected area" in that county, city, village or town means the area located within 3 miles of the boundaries of an airport.

62.23(6)(am)2.2. If the council of any city which is not located in whole or in part in a county with a population of 500,000 or more has established an official map under par. (b), the map shall show the location of any part of an airport located within the area subject to zoning by the city and any part of an airport affected area located within the area subject to zoning by the city.

62.23(6)(b)**(b)** The council of any city may by ordinance or resolution establish an official map of the city or any part thereof showing the streets, highways, historic districts, parkways, parks and playgrounds laid out, adopted and established by law. The city may also include the location of railroad rights-of-way, waterways and public transit facilities on its map. A city may include a waterway on its map only if the waterway is included in a comprehensive surface water drainage plan. The map is conclusive with respect to the location and width of streets, highways, waterways and parkways, and the location and extent of railroad rights-of-way, public transit facilities, parks and playgrounds shown on the map. The official map is declared to be established to conserve and promote the public health, safety, convenience or general welfare. The ordinance or resolution shall require the city clerk at once to record with the register of deeds of the county or counties in which the city is situated a certificate showing that the city has established an official map. An ordinance or resolution establishing any part of an official map enacted prior to June 16, 1965, which would be valid under this paragraph is hereby validated.

62.23(6)(c)**(c)** The city council may amend the official map of the city so as to establish the exterior lines of planned new streets, highways, historic districts, parkways, railroad rights-of-way, public transit facilities, waterways, parks or playgrounds, or to widen, narrow, extend or close existing streets, highways, historic districts, parkways, railroad rights-of-way, public transit facilities, waterways, parks or playgrounds. No such change may become effective until after a public hearing concerning the proposed change before the city council or a committee appointed by the city council from its members, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the public hearing shall be published as a class 2



notice under ch. 985. Before amending the map, the council shall refer the matter to the city plan commission for report, but if the city plan commission does not make its report within 60 days of reference, it forfeits the right to further suspend action. When adopted, amendments become a part of the official map of the city, and are conclusive with respect to the location and width of the streets, highways, historic districts, waterways and parkways and the location and extent of railroad rights-of-way, public transit facilities, parks and playgrounds shown on the map. The placing of any street, highway, waterway, parkway, railroad right-of-way, public transit facility, park or playground line or lines upon the official map does not constitute the opening or establishment of any street, parkway, railroad right-of-way, public transit facility, park or playground or alteration of any waterway, or the taking or acceptance of any land for these purposes.

**62.23(6)(d)(d)** The locating, widening or closing, or the approval of the locating, widening or closing of streets, highways, waterways, parkways, railroad rights-of-way, public transit facilities, parks or playgrounds by the city under provisions of law other than this section shall be deemed to amend the official map, and are subject to this section, except that changes or additions made by a subdivision plat approved by the city under ch. 236 do not require the public hearing specified in par. (c) if the changes or additions do not affect any land outside the platted area.

**62.23(6)(e)(e)** No permit may be issued to construct or enlarge any building within the limits of any street, highway, waterway, railroad right-of-way, public transit facility or parkway, shown or laid out on the map except as provided in this section. The street, highway, waterway, railroad right-of-way, public transit facility or parkway system shown on the official map may be shown on the official map as extending beyond the boundaries of a city or village a distance equal to that within which the approval of land subdivision plats by the city council or village board is required as provided by s. 236.10 (1) (b) 2. Any person desiring to construct or enlarge a building within the limits of a street, highway, railroad right-of-way, public transit facility or parkway so shown as extended may apply to the authorized official of the city or village for a building permit. Any person desiring to construct or enlarge a building within the limits of a street, highway, waterway, railroad right-of-way, public transit facility or parkway shown on the official map within the incorporated limits of the municipality shall apply to the authorized official of the city or village for a building permit. Unless an application is made, and the building permit granted or not denied within 30 days, the person is not entitled to compensation for damage to the building in the course of construction of the street, highway, railroad right-of-way, public transit facility or parkway shown on the official map. Unless an application is made, and the building permit granted or not denied within 30 days, the person is not entitled to compensation for damage to the building in the course of construction or alteration of the waterway shown on the official map within the incorporated limits of the municipality. If the land within the mapped street, highway, waterway, railroad right-of-way, public transit facility or parkway is not yielding a fair return, the board of appeals in any municipality which has established such a board having power to make variances or exceptions in zoning regulations may, by the vote of a majority of its members, grant a permit for a building or addition in the path of the street, highway, waterway, railroad right-of-way, public transit facility or parkway, which will as little as practicable increase the cost of opening the street, highway, waterway, railroad right-of-way, public transit facility or parkway or tend to cause a change of the official map. The board may impose reasonable requirements as a condition of granting the permit to promote the health, convenience, safety or general welfare of the community. The board shall refuse a permit where the applicant will not be substantially affected by not constructing the

addition or by placing the building outside the mapped street, highway, waterway, railroad right-of-way, public transit facility or parkway.

62.23(6)(f)**(f)** In any city in which there is no such board of appeals, the city council shall have the same powers and shall be subject to the same restrictions. For this purpose such council is authorized to act as a discretionary administrative or quasi-judicial body. When so acting it shall not sit as a legislative body but in a separate meeting and with separate minutes kept.

62.23(6)(g)**(g)** Before taking any action authorized in this subsection, the board of appeals or city council shall hold a hearing at which parties in interest and others shall have an opportunity to be heard. At least 15 days before the hearing notice of the time and place of the hearing shall be published as a class 1 notice, under ch. 985. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of a board of appeals upon zoning regulations.

62.23(6)(h)**(h)** In any city which has established an official map as herein authorized no public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway until such street, highway or parkway is duly placed on the official map. No permit for the erection of any building shall be issued unless a street, highway or parkway giving access to such proposed structure has been duly placed on the official map. Where the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and where the circumstances of the case do not require the structure to be related to existing or proposed streets, highways or parkways, the applicant for such a permit may appeal from the decision of the administrative officer having charge of the issue of permits to the board of appeals in any city which has established a board having power to make variances or exceptions in zoning regulations, and the same provisions are applied to such appeals and to such boards as are provided in cases of appeals on zoning regulations. The board may in passing on such appeal make any reasonable exception, and issue the permit subject to conditions that will protect any future street, highway or parkway layout. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant to the same provisions as in appeals from the decision of such board upon zoning regulations. In any city in which there is no such board of appeals the city council shall have the same powers and be subject to the same restrictions, and the same method of court review shall be available. For such purpose such council is authorized to act as a discretionary administrative or quasi-judicial body. When so acting it shall not sit as a legislative body, but in a separate meeting and with separate minutes kept.

62.23(6)(i)**(i)** In those counties where the county maintains and operates parks, parkways, playgrounds, bathing beaches and other recreational facilities within the limits of any city, such city shall not include said facilities in the master plan without the approval of the county board of supervisors.

## 8. Real Property Lister Duties – Chapter 70.09

Similarly, under sec. 70.09, Wis. Stats., see (*REF 2.6 Duties of the RPL*) below, the duties of the Real Property Lister (RPL), of which each county has established this function. The RPL has the duty to prepare and maintain accurate ownership descriptions for all parcels. The statute does not reference or otherwise imply similar parcel authority of the assessor under sec. 70.23, Wis. Stats.

Section 70.09 (2) (c), Wis. Stats, clearly defines the RPL's role to serve as coordinator between the county and the taxation districts for assessment and taxation purposes. See (*REF 2.4*) below. It is the obligation of the RPL NOT the LIO to format the assessment roll in a report order that facilitates effective assessment; however, the LIO is obligated to coordinate this activity per sec. 59.72, Wis. Stats.

**(2) DUTIES OF LISTER.** The county board may delegate any of the following duties to the lister:

**(a)** To prepare and maintain accurate ownership and description information for all parcels of real property in the county. That information may include the following:

1. Parcel numbers.
2. The owner's name and an accurate legal description as shown on the latest records of the office of the register of deeds.
3. The owner's mailing address.
4. The number of acres in the parcel if it contains more than one acre.
5. School district and special purpose district codes.

**(b)** To provide information on parcels of real property in the county for the use of taxation district assessors, city, village and town clerks and treasurers and county offices and any other persons requiring that information.

**(c)** To serve as the coordinator between the county and the taxation districts in the county for assessment and taxation purposes.

**(d)** To provide computer services related to assessment and taxation for the assessors, clerks and treasurers of the taxation districts in the county, including but not limited to data entry for the assessment roll, notice of assessments, summary reports, tax roll and tax bills.

Keep accurate listings of all real estate parcels in the county. Make changes to parcel records for all property transfers recorded with Register of Deeds office, as well as parcel and description changes due to recorded plats and certified survey maps.

## 9. Municipalities Duties – Chapter 70.86

Section 70.86, Wis. Stats., provides that, “The common council or other governing body of

any city in this state may at its option adopt a simplified system of describing real property

in either the assessment roll or the tax roll or in both the assessment roll and tax roll of such city, and may likewise from time to time amend or change such simplified system.” In

1932, 21 Opinion of Attorney General 92 interpreted this to authorize a simplified system of describing real estate in assessment or tax rolls if the descriptions indicate



the real estate intended with ordinary and reasonable certainty. Before any simplified system of describing real property is established, it is recommended that the municipality coordinate its system with the county real property lister and the county treasurer.

**70.28 Assessment as one parcel.** No assessment of real property which has been or shall be made shall be held invalid or irregular for the reason that several lots, tracts or parcels of land have been assessed and valued together as one parcel and not separately, where the same are contiguous and owned by the same person at the time of such assessment.

## **10. County Land Information Office Duties – Chapter 59.72**

**59.43 Register of deeds; duties, fees, deputies (1)** The register of deeds shall record and file or cause to be recorded and filed all plats and certified survey maps that are authorized to be accepted for recording and filing in his or her office

- 1) Record all documents authorized by law by endorsing upon each document the time and day of reception.
- 2) Collect recording and transfer fees and submit appropriate monies to various state and county offices.
- 3) Prepare documents for indexing and imaging, safely store backup copies and make and deliver certified and non-certified copies to any person on demand.
- 4) Register, index and file all marriages, deaths and births occurring within the county.

## **11. Duties of Assessors – Chapter 70.23**

### **70.23 Duties of assessors; entry of parcels on assessment roll.**

**(1)** The assessor shall enter upon the assessment roll opposite to the name of the person to whom assessed, if any, as before provided in regular order as to lots and blocks, sections and parts of sections, a correct and pertinent description of each parcel of real property in the assessment district and the number of acres in each tract containing more than one acre.

**(2)** When 2 or more lots or tracts owned by the same person are considered by the assessor to be so improved or occupied with buildings as to be practically incapable of separate valuation, the lots or tracts may be entered as one parcel. Whenever any tract, parcel or lot of land has been surveyed and platted and a plat of the platted ground filed or recorded according to law, the assessor shall designate the several lots and subdivisions of the platted ground as the lots and subdivisions are fixed and designated by the plat.

**History:** 1971 c. 215; 1983 a. 532; 1993 a. 491; 1997 a. 35, 253; 1999 a. 96.

## 12. Department of Revenue – Chapter 73

**73.03 Powers and duties defined.** It shall be the duty of the department of revenue, and it shall have power and authority:

(5) To collect annually from town, city, village, county, and other public officers information regarding the assessment of property, and any other information that may be necessary in the work of the department, in the form and upon forms that the department shall prescribe. All public officers shall properly complete and promptly return to the department all forms received from the department under this subsection.

### 70.09

(3) BASIC TAX FORMS.

(a) The department of revenue shall prescribe basic uniform forms of assessment rolls, tax rolls, tax bills, tax receipts, tax roll settlement sheets and all other forms required for the assessment and collection of general property taxes throughout the state, and shall furnish each county designee a sample of the uniform forms.

**73.03 Powers and duties defined.** It shall be the duty of the department of revenue, and it shall have power and authority:

(1) To have and exercise general supervision over the administration of the assessment and tax laws of the state, over assessors, boards of review, supervisors of equalization, and assessors of incomes, and over the county boards in the performance of their duties in making the taxation district assessment, to the end that all assessments of property be made relatively just and equal at full value and that all assessments of income may be legally and accurately made in substantial compliance with law.

(2) To confer with, advise and direct assessors, boards of review and county boards of assessment as to their duties under the statutes.

73.06 (2) (2) The department of revenue, through its supervisors of equalization shall have access to all public records, books, papers and offices throughout each district and shall make a full and complete examination of them and investigate all other matters and subjects relative to the assessment and taxation of general property therein.

## 13. Subdivision Platting – Chapter 236

**A subdivision plat** is required any time a landowner or landowner's agent divides a lot, parcel, or tract of land for the purpose of sale or building development, where: The division creates five or more parcels or building sites (i.e. lots or outlots) of 1-1/2 acres each or less,

*Local ordinances may be more restrictive, and may require a subdivision plat when creating larger or fewer parcels or building sites than defined by statute. Always check local subdivision requirements.*

### Department of Transportation (WisDOT)

WisDOT reviews subdivision plats for compliance with ch. Trans 233, Wis. Admin. Code. when lands

being platted about a state trunk or interstate highway, or when the subdivider has an interest in land between the subdivision and a state trunk or interstate highway,

#### **County Planning Agencies (CPA)**

Currently, the 18 CPA's listed below have objecting authority for subdivision plats located within cities and villages within the county. The CPA reviews the plat to determine conflicts with parks, parkways, expressways, major highways, airports, drainage channels, schools, or other planned public improvements.

Brown County Planning Commission (objecting in cities only, approving in villages)

Calumet County Planning and Zoning Committee

Dane County Zoning & Natural Resources Committee

Dodge County Planning & Development Department

Door County Planning Department

Fond du Lac County Planning Agency

Jefferson County Planning and Zoning Department

Juneau County Zoning Administrator (except city of Mauston)

Manitowoc County Planning & Park Commission

Milwaukee County Department of Public Works

Oconto County Planning & Zoning Committee

Racine County Planning & Development

Rock County Planning & Development Agency

St. Croix County Zoning Office

Sheboygan Co. Planning & Resources Dept (except City of Sheboygan)

Washington County Planning & Parks Commission

Waukesha County Parks & Land Use Department

Winnebago County Planning & Zoning Committee

*Developments located within the City of Milwaukee are exempt from review by objecting authorities.*

#### **14. Right of Way Platting - Chapter 32.05**

32.05(1)(a) Relocation Order

- 32.05(1)(b) No Relocation Order necessary - \$1000 Aggregate Valuation
- 32.05(2)(a) Negotiations
- 32.05(2)(b) Appraisals

See Chp 8 R/W Plat

<http://roadwaystandards.dot.wi.gov/standards/util/chapter08.pdf>

#### **15. State Superintendent – General Classifications and Definitions – Children with Disabilities – State Superintendent of Public Instruction – General Duties – Wisconsin Geographic Education Program– Chapter 115.28 (42)**

**(42) WISCONSIN GEOGRAPHIC EDUCATION PROGRAM.** Enter into an agreement with the National Geographic Society Education Foundation to establish a geographical education program in this state. The agreement shall require each of the following:

**(a)** That the National Geographic Society Education Foundation shall establish and manage a trust fund consisting of any grant made under [2001 Wisconsin Act 16](#), section 9101 (10) (b), and \$500,000 in matching funds provided by the Foundation.

**(b)** That, from the trust fund established under par. (a) and any income thereon, the National Geographic Society Education Foundation shall award grants and support programs for improving geographical education in this state, with an emphasis on improving student use of geographic information systems technology.

**(c)** That the National Geographic Society Education Foundation annually submit to the department an audited financial statement of the trust fund established under par. (a) that is prepared by an independent auditor and a report listing the names of grant recipients and the amounts and purposes of awards and other expenditures made from the trust fund.

**(d)** That, if the trust fund established under par. (a) is dissolved, the National Geographic Society Education Foundation shall return to the department the grant made under [2001 Wisconsin Act 16](#), section 9101 (10) (b), and unexpended income thereon.

**(e)** That the agreement is not effective unless the secretary of administration determines that the transfer between the appropriation accounts described under [2001 Wisconsin Act 16](#), section 9101 (10) (b), has occurred and that the National Geographic Society Education Foundation has provided the matching funds described in par. (a).

## **16. Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, And Professional Land Surveyors – Exceptions and Exemptions – Chapter 443.134 and .14**

**443.134 Exception for photogrammetry and construction surveying.** Nothing in this chapter may be construed to prohibit a person who has not been granted a license to engage in the practice of professional land surveying under this chapter from utilizing photogrammetry or remote sensing techniques or performing topographic surveying, construction surveying, or geodetic surveying for purposes other than a boundary establishment or reestablishment specified in s. [443.01 \(6s\)](#).

**History:** 1979 c. 167; 1981 c. 334 s. 25 (1); 2011 a. 146; 2013 a. 358.

**443.14 Exempt persons.** The following persons, while practicing within the scope of their respective exemptions, shall be exempt from this chapter:

**(1)**

**(a)** An employee of a person holding a certificate of registration in architecture under s. [443.10](#) who is engaged in the practice of architecture and an employee of a person temporarily exempted from registration in architecture under this section, if the practice of the employee does not include responsible charge of architecture practice.

**(b)** An employee of a person holding a certificate of registration in professional engineering under s. [443.10](#) who is engaged in the practice of professional engineering and an employee of a person temporarily exempted from registration in professional engineering under this section, if the practice of the employee does not include responsible charge of professional engineering practice.

**(2)** Officers and employees of the federal government while engaged within this state in the practice of architecture, landscape architecture or professional engineering for the federal government.

**(3)** A public service company and its regular employees acting in its behalf where the professional engineering services rendered are in connection with its facilities which are subject to regulation, supervision and control by a commission of this state or of the federal government.

**(4)**

**(a)** Any person who practices architecture, exclusively as a regular employee of a private company or corporation, by rendering to the company or corporation architectural services in connection with its operations, so long as the person is thus actually and exclusively employed and no longer, if the company or corporation has at least one architect who is registered under this chapter in responsible charge of the company's or corporation's architectural work in this state.

**(b)** Any person who practices professional engineering, exclusively as a regular employee of a private company or corporation, by rendering to the company or corporation professional engineering services in connection with its operations, so long as the person is thus actually and exclusively employed and no longer, if the company or corporation has at least one professional engineer who is registered under this chapter in responsible charge of the company's or corporation's professional engineering work in this state.

**(5)** A person engaged in the manufacture of a product or unit, including laboratory research affiliates of the person, where the services performed are the design, assembly, manufacture, sale or installation of that product or unit. "Product or unit" does not include any building.

**(6)** Notwithstanding any other provision of this chapter, contractors, subcontractors or construction material or equipment suppliers are not required to register under this chapter to perform or undertake those activities which historically and customarily have been performed by them in their respective trades and specialties, including, but not limited to, the preparation and use of drawings, specifications or layouts within a construction firm or in construction operations, superintending of construction, installation and alteration of equipment, cost estimating, consultation with architects, professional engineers or owners concerning materials, equipment, methods and techniques, and investigations or consultation with respect to construction sites, provided all such activities are performed solely with respect to the performance of their work on buildings or with respect to supplies or materials furnished by them for buildings or structures or their appurtenances which are, or which are to be, erected, enlarged or materially altered in accordance with plans and specifications prepared by architects or professional engineers, or by persons exempt under subs. (1) to (5) while practicing within the scope of their exemption.

**(7)** This chapter does not require manufacturers or their material or equipment suppliers to register under this chapter in order to enable them to perform engineering in the design, assembly, manufacture, sale or installation of their respective products.

**(8)** An employee of a professional land surveyor, while doing surveying work under the supervision of the employer, if the employee is not in responsible charge of the practice of professional land surveying.

**(8m)**

**(a)** Subject to par. (b), an employee or contractor of any of the following while engaged in land surveying is exempt from the provisions of this chapter:

1. The provider of a broadcast service, as defined in s. 196.01 (1m).
2. The provider of a cable service, as defined in s. 196.01 (1p).
3. A commercial mobile radio service provider, as defined in s. 196.01 (2g).
4. A public utility, as defined in s. 196.01 (5).
5. A telecommunications provider, as defined in s. 196.01 (8p).
6. A video service provider, as defined in s. 196.01 (12r).
7. A cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power, or water to its members only.



(b) The exemption under par. (a) applies only if the employee or contractor is engaged in services described in s. 443.01 (6s) (a) 3., (c), (d), or (f) for or on behalf of the provider or cooperative.

(9) A license shall not be required for an owner to survey his or her own land for purposes other than for sale.

(10) Any person employed by a county or this state who is engaged in the planning, design, installation or regulation of land and water conservation activities under ch. 92 or s. 281.65 and who is certified under s. 92.18.

(11) Any professional land surveyor licensed under s. 443.06 who is engaged in the planning, design, installation, or regulation of land and water conservation activities under ch. 92 or s. 281.65.

(12m) A well driller who is licensed under s. 280.15 (2m), or an employee of a well drilling business that is registered under s. 280.15 (1), who is engaged in well drilling, as defined in s. 280.01 (8).

NOTE: Sub. (12m) is amended eff. 4-1-15 by 2011 Wis. Act 150 to read:

(12m) A driller who is licensed under s. 280.15 (2m), or an employee of a drilling business that is registered under s. 280.15 (1), who is engaged in well drilling, as defined in s. 280.01 (8), or heat exchange drilling, as defined in s. 280.01 (2c).

(13) A professional engineer who, while engaged in the practice of professional engineering in accordance with this chapter, collects, investigates, interprets or evaluates data relating to soil, rock, groundwater, surface water, gases or other earth conditions, or uses that data for analysis, consultation, planning, design or construction.

(14) A person who, while engaged in the practice of professional geology, hydrology or soil science as defined in s. 470.01 (2), (3) or (4), practices professional engineering, if the acts that involve the practice of professional engineering are also part of the practice of professional geology, hydrology or soil science.

(15) A person employed by the federal government who is engaged in this state in the practice of landscape architecture for the federal government.

(16) A person who performs services related to natural resources management if any map that is prepared as a part of those services contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts." In this subsection, "natural resources management" includes all of the following:

(a) The management of state lands under ss. 23.09, 23.11, 27.01, and 28.04.

(b) The control of invasive species, as defined in s. 23.22 (1) (c).

(c) The cultivation or harvesting of raw forest products, as defined in s. 26.05 (1).

(d) The management of county forests under s. 28.11.

(e) The practice of forestry, as defined in s. 77.81 (2), including sustainable forestry, as defined in s. 28.04 (1) (e); any services provided in connection with an order, or the preparation of an application for an order, under subch. I or VI of ch. 77; and any forestry operation, as defined in s. 823.075 (1) (c).

(17) A person who prepares a map that depicts temporary trails, easements, or other uses of lands if the map contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts."

(18) An employee or agent of the department of natural resources, department of agriculture, trade and consumer protection, department of transportation, public service commission, board of commissioners of public lands, or department of military affairs who creates a geographic information systems map if done within the scope of his or her employment or agency.

**History:** 1979 c. 167 ss. 5, 21, 40, 48; 1979 c. 355; 1983 a. 189 s. 329 (18); 1991 a. 309; 1993 a. 463, 465, 491; 1995 a. 227; 1997 a. 27, 300; 2005 a. 360; 2009 a. 123; 2011 a. 146, 150; 2013 a. 358.

## 17. County Surveyor Duties – Chapter 59.45

### 59.45 County surveyor; duties, deputies, fees.

#### (1) SURVEYOR; DUTIES.

##### (a) The county surveyor shall do all of the following:

1. Execute, personally or by a deputy, all surveys that are required by the county or by a court. Surveys for individuals or corporations may be executed at the county surveyor's discretion.

2. Make, personally or by a deputy, a record, in books or on drawings and plats that are kept for that purpose, of all corners that are set and the manner of fixing the corners, of each survey made personally, by deputies or by other professional land surveyors and arrange or index the record so it is an easy-to-use reference and file and preserve in the office the original field notes and calculation thereof. Within 60 days after completing any survey, the county surveyor shall make a true and correct copy of the foregoing record, in record books or on reproducible papers to be furnished by the county and kept in files in the office of the county surveyor to be provided by the county. In a county with a population of 500,000 or more where there is no county surveyor, a copy of the record shall also be filed in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

3. Furnish a copy of any record, plat or paper in the office to any person on demand and upon payment to the county of the required fees.

4. Administer to every survey assistant engaged in any survey, before commencing their duties, an oath or affirmation to faithfully and impartially discharge the duties of survey assistant, and the deputies are empowered to administer the same.

5. Perform all other duties that are required by law.

(b) Surveys for individuals or corporations may be performed by any professional land surveyor who is employed by the parties requiring the services, providing that within 60 days after completing any survey the professional land surveyor files a true and correct copy of the survey in the office of the county surveyor. In counties with a population of 500,000 or more the copy shall be filed in the office of the register of deeds and in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

(2) SURVEYOR; DEPUTIES. The county surveyor may appoint and remove deputies at will on filing a certificate thereof with the clerk.

(3) SURVEYOR; FEES. In addition to the regular fees of professional land surveyors that are received from the parties employing the county surveyor, the county surveyor may receive a salary from the county.

**History:** 1995 a. 201 ss. 328, 389, 391, 399; 1997 a. 35; 2013 a. 358.

Compensation and duties of an elected county surveyor and possible conflicts of interest in public contracts are discussed. 60 Atty. Gen. 134.

Duties of county and other land surveyors and minimum standards for property surveys are discussed. 69 Atty. Gen. 160.

## WISCONSIN ADMINISTRATIVE CODE RELATING TO GEOSPATIAL ACTIVITIES OF THE STATE

### 1. Wisconsin Administrative Code – Chapter AG 166 (and ACTP 50 and SPS 382) – Soil and Water Resource Management Program

(2) DATA MANAGEMENT SYSTEMS. The department shall create a data management committee whose primary objective is to develop an integrated data management system for effective soil and water resource management at the county, state and federal levels. The department shall request the DNR, soil conservation service, land conservation committees, the university of Wisconsin-extension and other interested parties to participate in the committee. The department shall staff, in cooperation with DNR, the data management committee. To the extent feasible, the department shall adopt and implement policies developed by the committee on issues such as consolidating data management systems, data consistency, computer equipment procurement and maintenance, identifying data management responsibilities, data management training and integrating a geographic information system into the automated aspects of the soil and water resource management program.

### 2. Wisconsin Administrative Code – Chapter ADM 47 – Wisconsin Land Information Program Grants-In-Aid to Local Government

**Note:** Chapter Adm 47 was created as an emergency rule effective November 22, 1991. Chapter Adm 47, as it existed on May 31, 2000, was repealed and a new chapter Adm 47 was created, [Register](#), May, 2000, No. 533, effective June 1, 2000.

**Adm 47.01 Purpose and authority.** This chapter is promulgated under the authority of ss. [16.004 \(1\)](#) and [227.11](#), Stats., to implement s. [16.967 \(7\)](#), Stats.

**History:** Cr. [Register](#), May, 2000, No. 533, eff. 6-1-00.

**Adm 47.02 Definitions.** In this chapter:

- (1) "Applicant" means a local governmental unit as defined in s. [59.72 \(1\) \(c\)](#), Stats., applying for a grant under this chapter.
- (2) "County-wide plan for land records modernization" means the plan under s. [59.72 \(3\) \(b\)](#), Stats., approved by the department under s. [16.967 \(3\) \(e\)](#), Stats.
- (3) "Department" means the department of administration.
- (4) "Eligible applicant" means a local governmental unit as defined in s. [59.72 \(1\) \(c\)](#), Stats., located wholly or partially within a county that has established a land information office under s. [59.72 \(3\)](#), Stats., and has in effect a county-wide plan for land records modernization.
- (5) "Fiscal year" has the meaning given in s. [20.902](#), Stats.
- (6) "Land information" has the meaning given in s. [16.967 \(1\) \(b\)](#), Stats.
- (7) "Land information system" has the meaning given in s. [16.967 \(1\) \(c\)](#), Stats.
- (8) "Land records" has the meaning given in s. [16.967 \(1\) \(d\)](#), Stats.



(9) "Land records modernization" means the process by which land information can ultimately be shared through the implementation of automated land information systems.

(10) "Systems integration" has the meaning given in s. 16.967 (1) (e), Stats.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: r. (2), renum. (3) to (11) to be (2) to (10) and am. (2), Register December 2006 No. 612, eff. 1-1-07.**

**Adm 47.03 Eligible projects and activities.** A county may apply to the department for a grant for any of the following projects:

(1) The design, development and implementation of a land information system as provided by s. 16.967 (7) (a) 1., Stats.

(2) The preparation of parcel property maps as provided by s. 16.967 (7) (a) 2., Stats.

(3) The preparation of maps that are suitable for use by local governmental units for planning purposes as provided by s. 16.967 (7) (a) 3., Stats.

(4) The design, development and implementation of systems integration projects as provided by s. 16.967 (7) (a) 4., Stats.

(5) The training and education of eligible applicants as defined in s. 59.72 (1) (c), Stats., involved in the design, development and implementation of land information systems and systems modifications.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: am. (intro.) Register December 2006 No. 612, eff. 1-1-07.**

**Adm 47.04 Grants.** Subject to availability of funds, the department shall determine annual grant amounts for eligible projects under s. **Adm 47.03**, by October 15, of each year. A grant may not exceed \$100,000. The department may award more than one grant to a county board. Any funds not granted in any given year shall remain available for general distribution to eligible local units of government, at the discretion of the department in future grant cycles. In carrying out its duties under this section, including setting priorities for grant funding, the department may seek advice and assistance from state agencies, local governmental units, and other experts involved in collecting and managing land information. The department may provide the following grant categories:

(1) Training and education grants as provided in s. **Adm 47.03 (5)**, shall be available to provide the county land information officer or the officer's designee with training for the design, development and implementation of a land information system. A county may receive up to \$300 to participate in workshops and courses provided by institutions of higher education, professional land information organizations or land information system vendors.

(2) Land information system base budget grants for eligible projects and activities provided in s. **Adm 47.03 (1) through (5)**, shall be available to provide a minimum funding level to enable a county land information office to develop, maintain and operate a basic land information system. To be eligible for this category, the fees that a county retained under the provisions of s. 59.72 (5) (b), Stats., shall be less than \$50,000 for the preceding fiscal year.

(3) Local government contribution based grants shall be available to fund eligible projects and activities as provided in s. **Adm 47.03 (1) through (5)**, that are consistent with the countywide plan for land records modernization. A county may receive an amount equal to the available funds divided proportionately according to the rate of county fee submittals under s. 59.72 (5) (a), Stats., for the preceding fiscal year.

(4) Strategic initiative grants for eligible projects and activities as provided in s. **Adm 47.03 (1) through (5)**, for expediting and fostering statewide and regional strategic initiatives consistent with specific statutory requirements and standards adopted by the department.

**Note:** The Wisconsin Land Information program statutes and the standards adopted by the Department may be obtained from the Department's Land Information Program at P.O. Box 8944, Madison, Wisconsin or at the following website: <http://www.doa.state.wi.us/dir/index.asp>.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: am. (intro.), (2) and (4), Register December 2006 No. 612, eff. 1-1-07.**

**Adm 47.05 Grant application.** All applications shall be submitted on the authority of the county board on behalf of an eligible applicant. Application authority shall be obtained by specific action of the county board. The department may request evidence of such authority. County boards may delegate their authority to apply for grants to the entity responsible for administration of the county land information office established under s. 59.72 (3), Stats. Any such delegation shall be explicit. All applications shall be fully completed and submitted on forms provided by the department before the deadline established by the department. Applications shall be executed under the authority of both the county or delegated authority and the eligible applicant. The department shall give notice of application periods to county land information offices at least 90 days prior to the deadline for submission of applications.

**Note:** Grant Applications can be obtained by calling or writing the Wisconsin Land Information Program, Department of Administration, P. O. Box 8944, Madison, WI 53708-8944 (telephone 608/267-3369). The application may also be viewed and printed at the following website: <http://www.doa.state.wi.us/dir/index.asp>.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: am. Register December 2006 No. 612, eff. 1-1-07.**

**Adm 47.06 Evaluation criteria.** Grant requests shall be reviewed and evaluated by department staff for department approval. All grant applications shall be evaluated on the applicant's responsiveness to the following requirements:

- (1) Applicants shall evidence specific plans for cooperation and partnership with local units of government, located fully or partially within the geographic borders of the county making application, to collect, maintain, integrate and share land information, data and associated metadata.
- (2) Projects shall meet or exceed all relevant statutory requirements and standards established by the department under s. 16.967 (3) (c) and (e), Stats.
- (3) Projects shall be consistent with the countywide plan for land records modernization.
- (4) Applicants shall complete and submit an annual land information program survey.
- (5) Applicants shall subscribe to and participate in the Wisconsin land information program's internet land information officers technical assistance email list serve.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: am. (intro.) and (2), Register December 2006 No. 612, eff. 1-1-07.**

**Adm 47.07 Grant agreements.** Grants are contingent upon the execution of a grant agreement. Failure of a grantee to execute a grant agreement shall result in withdrawal of the offer. The department and the grantee may negotiate the specific budget items, project goals, and other terms and conditions prior to the department approving the grant. Terms of a grant award shall be administered through the grant agreement.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; **CR 06-084: am. Register December 2006 No. 612, eff. 1-1-07.**

### 3. Wisconsin Administrative Code – Chapter Adm 48 – Comprehensive Planning and Transportation Planning Grants Program

and computerized information used within the plan or plan update as follows: 1. Digital mapping and data development activities funded under this grant such as *geographic information* system development shall be consistent with applicable county land records modernization plans developed under s. 59.72 (3) (b), Stats. 2. Digital mapping and data development activities funded under this grant may not duplicate efforts funded through the Wisconsin land information program under s. 16.966, Stats. Note: Approved

#### 4. Wisconsin Administrative Code – Chapter NR 47 – Forestry Grant and State Aid Administration – County Forests – County Forest Project Loans – Selection Criteria

3 b. Geographic Information systems including computer hardware, software and digitizing of forest management information;

#### 5. Wisconsin Administrative Code – Chapter NR 811 – Requirements for the Operation and Design of Community Water Systems

**Note:** The department's database of contaminated properties, established in accordance with ss. 292.12 (3), 292.31 (1), and 292.57, Stats., can be found on the department's Bureau for Remediation and Redevelopment internet web site. The Bureau for Remediation and Redevelopment Tracking System (BRRTS) is an on-line database that provides information on areas of known contaminated soil or groundwater and tracks the status of the cleanup actions. RR Sites Map is the program's geographic information system that provides a map-based system of contaminated properties in Wisconsin. Information that appears on the RR program's database and GIS applications can also be obtained by contacting the regional drinking water staff person responsible for the water system. The department can be contacted to obtain a copy of A Guide For Conducting Potential Contaminant Source Inventories For Wellhead Protection. The department of safety and professional services Storage Tank Database Information can be found on the department of safety and professional services internet web site.

#### 6. Wisconsin Administrative Code – Chapter NR 812 – Well Construction and Pump Installation

(b) *Well construction.* The well construction shall be in compliance with the construction requirements in effect at the time the well was constructed, except if the well was constructed prior to April 10, 1953, in which case the well construction shall be in compliance with the standards adopted on that date. A well constructed to meet the requirements in effect at the time of construction, but not meeting the construction requirements of ss. NR 812.11 to 812.15 may only be reconstructed with approval. Special well construction methods required by the department shall be followed when constructing or reconstructing wells located on properties listed on the department's geographic information system registry of closed remediation sites. **Note:** The Department of Natural Resource's GIS Registry of Closed Remediation Sites can be found at <http://www.dnr.state.wi.us/org/aw/rr> on the DNR's internet site. Information that appears on the GIS Registry of Closed Remediation Sites can also be accessed by calling the nearest regional DNR office.

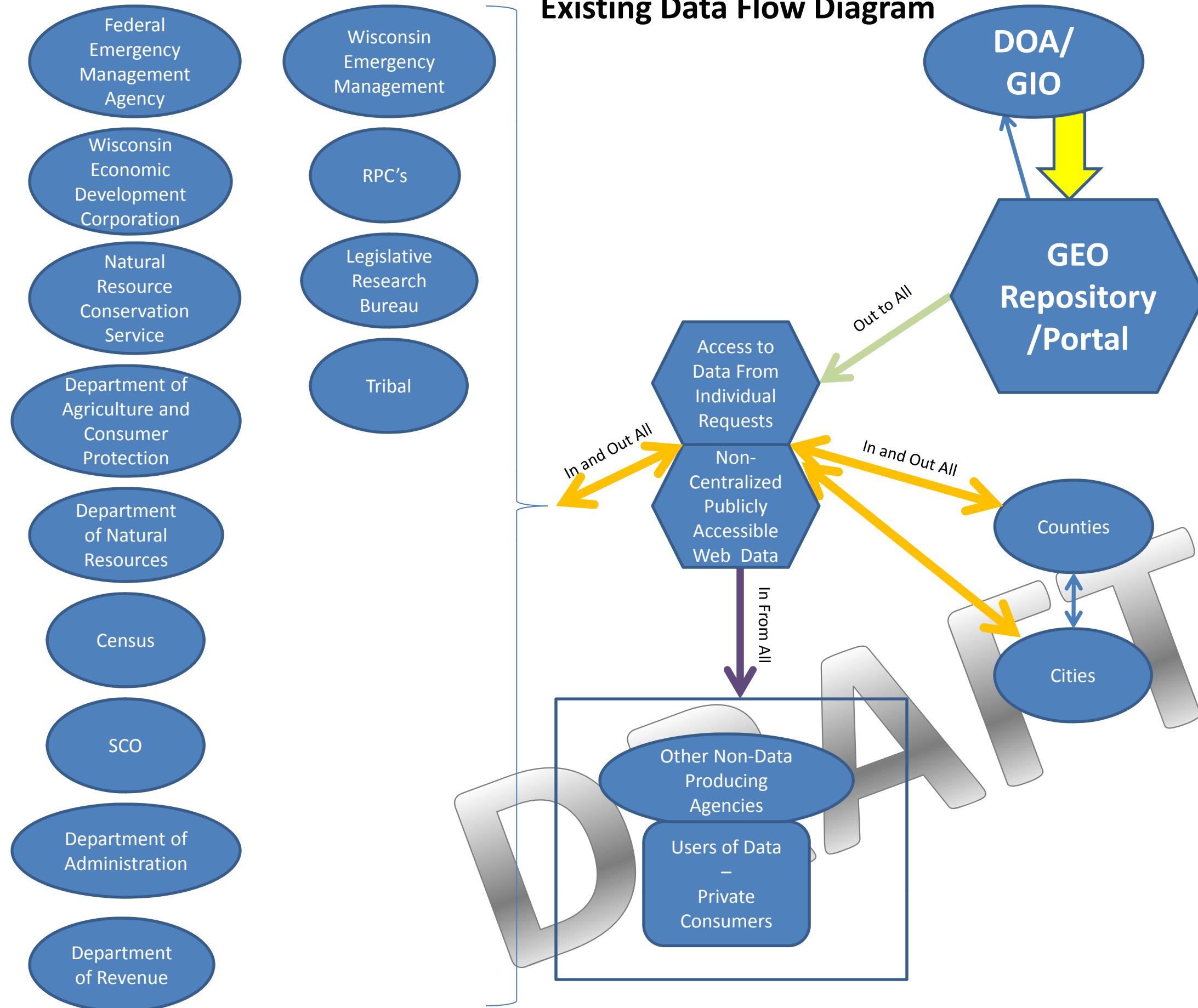
#### 7. Wisconsin Administrative Code – Chapter NR 700 – General Requirements

**(11m)** "Department database" means the publicly accessible database available on the internet as required by ss. 292.12, 292.31, and 292.57, Stats.

**Note:** The Remediation and Redevelopment Program maintains a database called the “Bureau for Remediation and Redevelopment Tracking System” or “BRRTS”. The program also maintains an internet accessible version of this database, called “BRRTS on the Web”, or “BOTW”. “BOTW” includes information on properties where a hazardous substance discharge has or may have taken place. The program also maintains a web-based mapping system called “Remediation and Redevelopment Sites Map” or “RRSM”, that allows users to view information from the BRRTS database using a geographic information system (GIS) application. Both these applications may be found at <http://dnr.wi.gov/topic/Brownfields/clean.html>.

## 8. Wisconsin Administrative Code – Chapter NR 726 Appendix A – Case Closure

, all properties within the site boundaries where groundwater contamination exceeds chapter NR 140 groundwater enforcement standards will be listed on the Department of Natural Resources' *geographic information* system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where groundwater contamination above chapter NR 140 enforcement standards was found at the time that the case was closed.

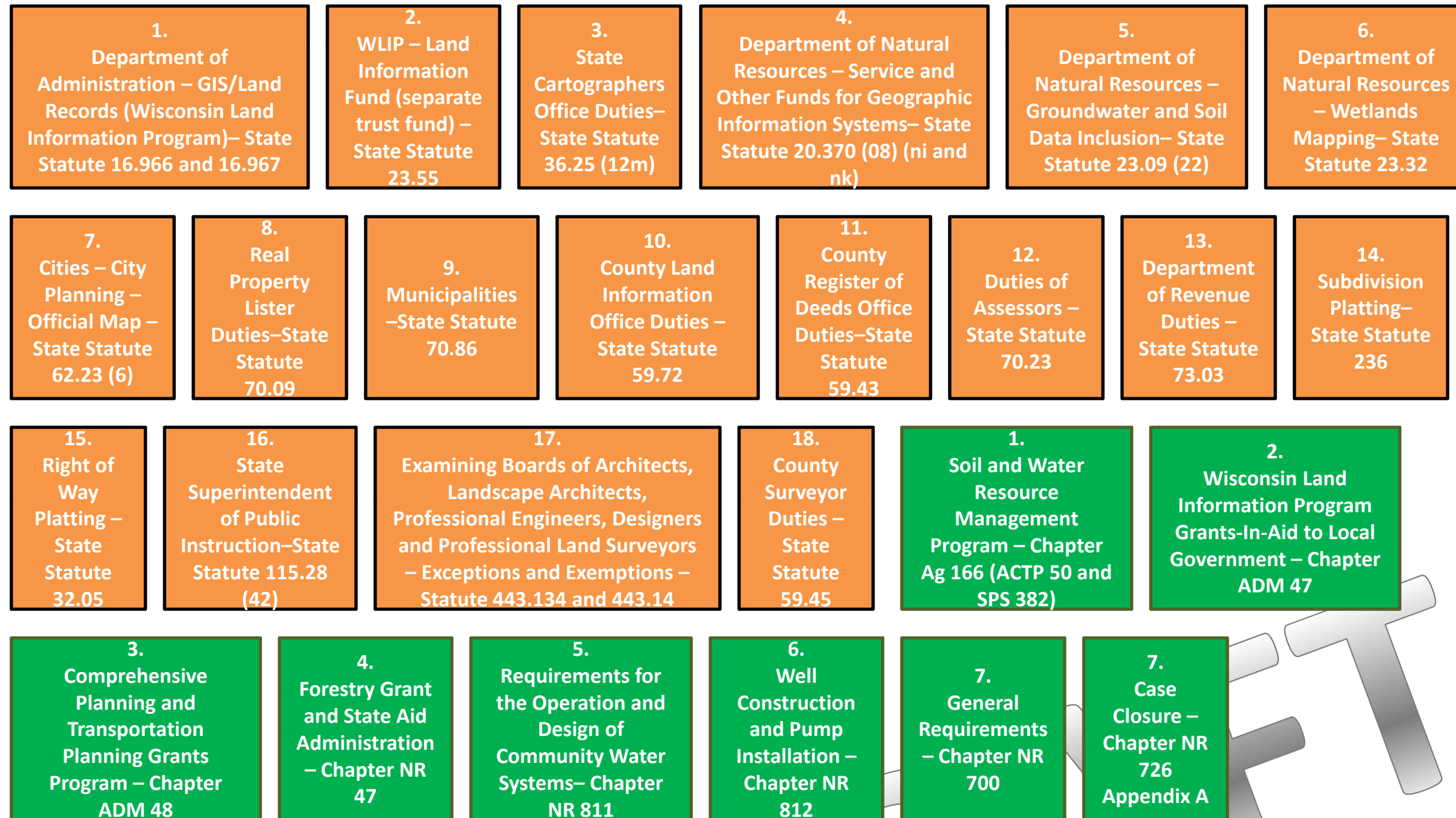


# Existing Monetary/Funding Sources Diagram

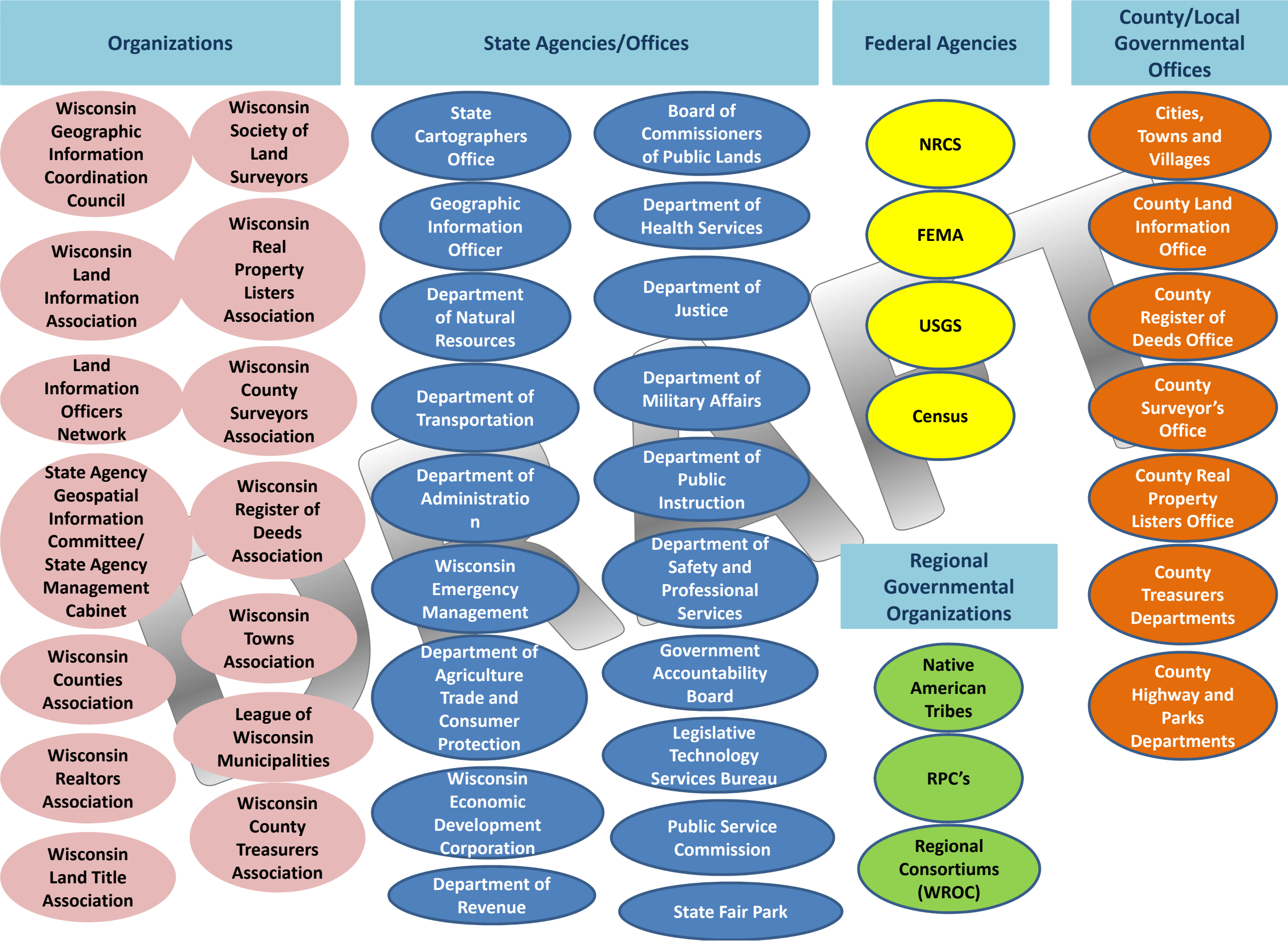




## Existing **State Statutes** and **Administrative Rules** Diagram (also see attached detail of items)

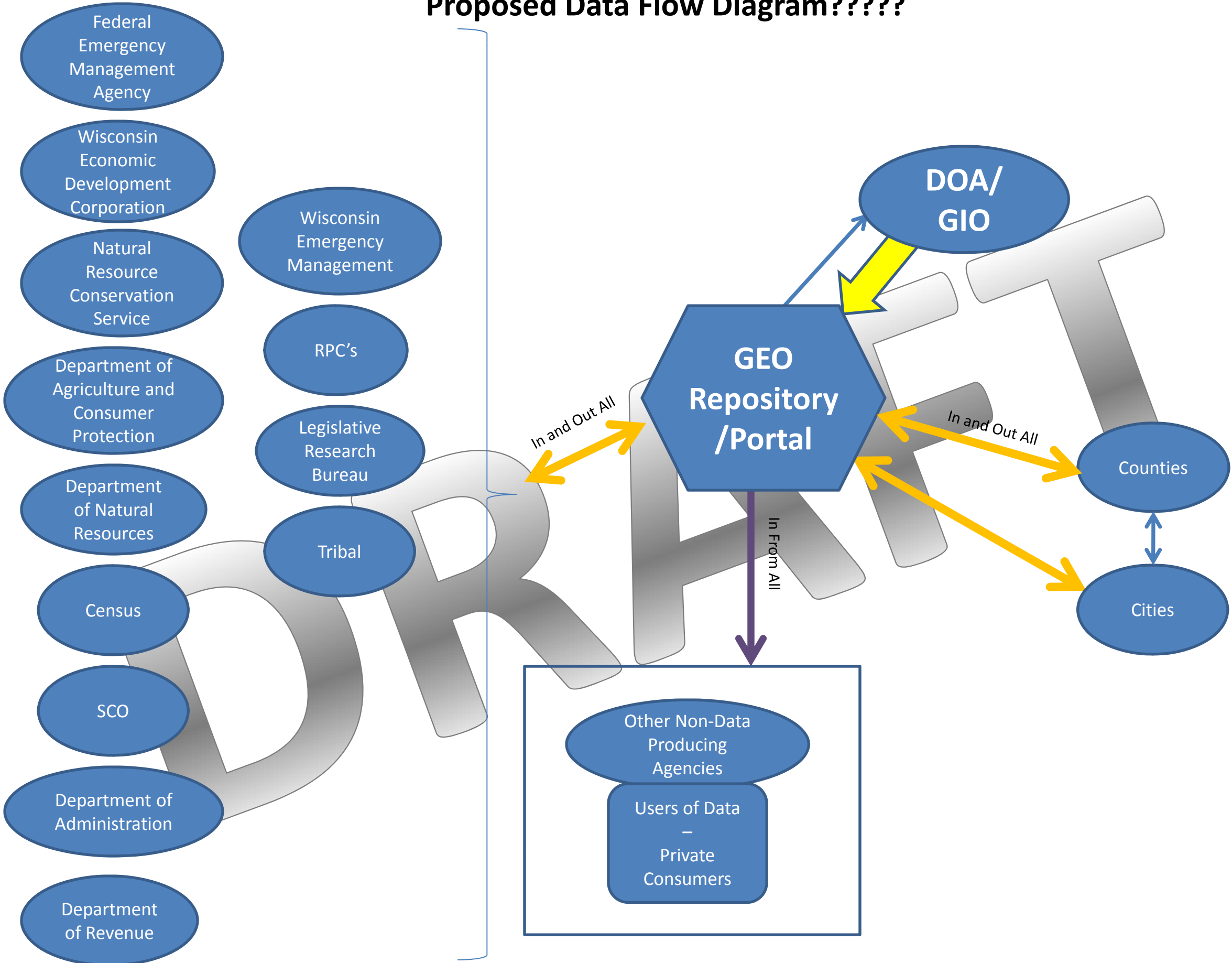


Existing Entity/Organization Diagram

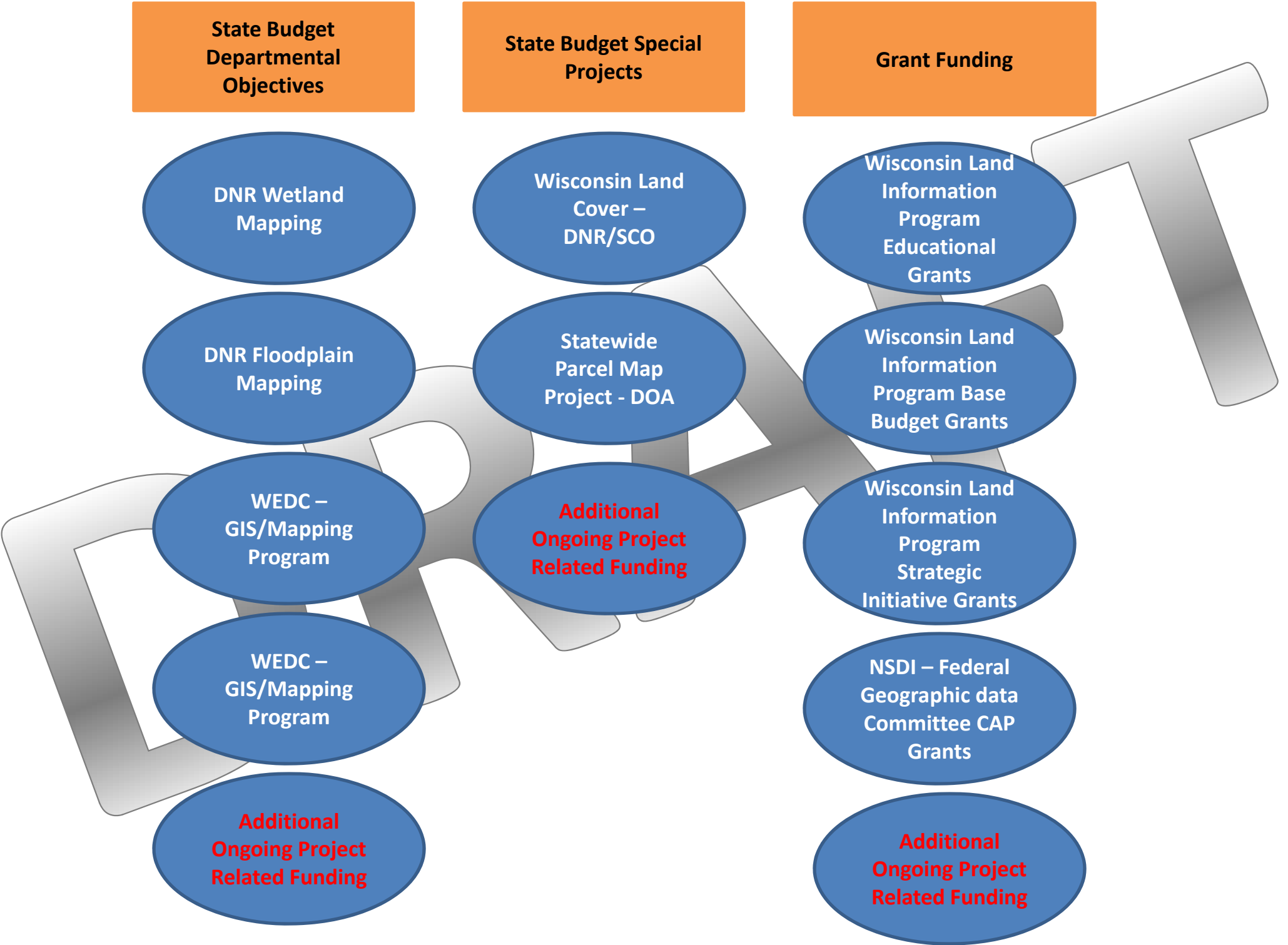




Proposed Data Flow Diagram?????



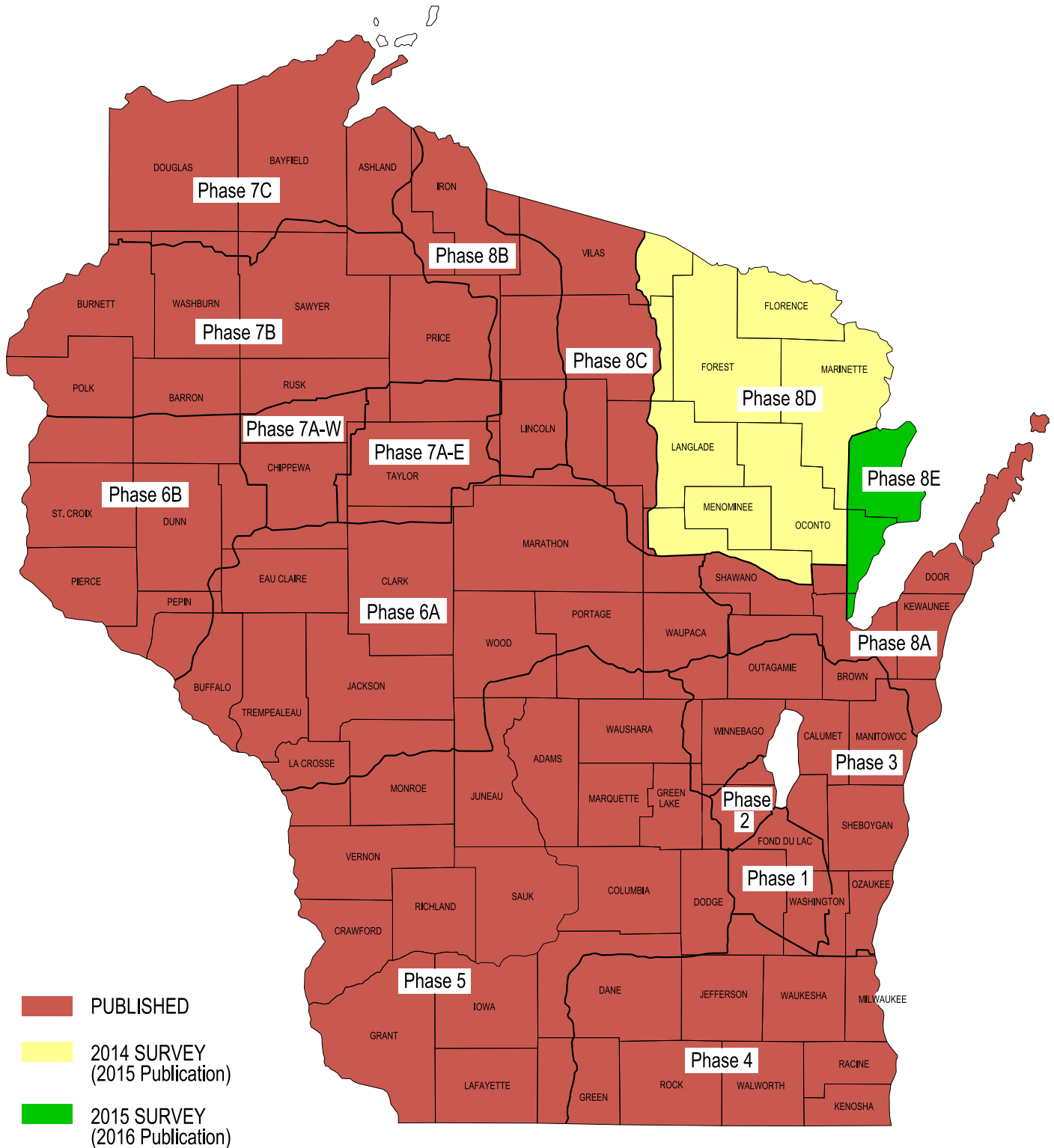
Proposed Monetary/Funding Sources Diagram????



## Proposed Entity/Organization Diagram?????



# WISCONSIN GEODETIC SURVEY CONTROL NETWORK



Status as of May 2014

# WISCORS NETWORK STATUS

**STATIONS**

- ▲ CURRENTLY IN WISCORS NETWORK
- TO BE ADDED TO NETWORK IN 2014
- + BUILT BY OTHER AGENCIES, NOT CURRENTLY IN WISCORS NETWORK

Status as of January 2014

Status as of January 2014