

Mitigation (Storm Water & Vegetative)

Mitigation – What is it?

Vegetative restoration is a mitigation strategy used to treat effects caused by impervious surface, storm water and runoff to protect water quality of Vilas County's surface water. A device or system, (example: stormwater pond, rain garden, bio swale, infiltration basin), used to treat effects caused by erosion, impervious surface, storm water and runoff can be used for mitigation.

Mitigation requires owners of waterfront property to provide water body protection measures in exchange for being able to construct or expand structures or uses on the shoreline property. The level of protection measures are influenced by sensitivity and existing development levels of the particular water body, and where the existing principal structure is located on the parcel.

Goals of Mitigation

Restoration of shoreland buffer zones is a primary goal of the mitigation strategies. Shoreland buffer zones are the last opportunity for detention or infiltration of pollution-laden runoff before it reaches the waterway. When shoreland vegetation is disturbed or removed by human activities, runoff can affect aquatic plants and animals by carrying elevated sediment, nutrient and toxicant loads to water bodies. Buffer zones provide critical habitat for wildlife and natural scenic beauty.

Background

Mitigation strategies are designed to:

1. Allow property owners a range of options to achieve the level of mitigation required.
2. Provide more environmental protection to more sensitive water bodies.
3. Provide higher levels of restoration to water bodies with more development.
4. Give credit to property owners who have maintained more natural environmental protective functions on their properties.
5. Promote removal of structures located within 75 feet of the ordinary high water mark.

Recent studies conducted by the Wisconsin Department of Natural Resources on Vilas County Lakes found as lakeshore development increased, the abundance of green frogs (an ecosystem indicator species) declined, bird species changed, and natural vegetation decreased, especially the shrub layer. The size and composition of shoreland buffer zones are critical factors for protecting fish and wildlife.

How Does the Point System Work?

Vilas County implemented a point system. Property owners are required to achieve a number of points corresponding to sensitivity and development level of the water body, and whether the primary structures are located within 75 feet of the OHWM of the water body. (Points found on the [Summary of Zoning Standards for Lakes Over 50 Acres and Class II Rivers and Streams](#) handout) Property owners choose strategies being worth a pre-determined number of points, to achieve a total number of points required for their properties. Once points are achieved the property owner agrees to implement and maintain the mitigation strategies into perpetuity, a zoning permit can be issued. In many cases where property owners are good stewards of the land, no additional activities are required. Should property owners change their minds or transfer the property to new owners, new mitigation plans can be filed and approved to meet those changed needs.

VILAS COUNTY (STORM WATER & VEGETATIVE) MITIGATION AGREEMENT

Property Owner _____ Comp No (Tax I.D.) _____

Site Address _____ Legal Description: Section _____, T _____ N, R _____ E Lot _____

Water Body Name _____

Construction within 300' of OHWM - Mitigation Requirements (Article XI)

Mitigation Point Requirement: _____

Less than 75' Point Requirement: _____

Total Points Required: _____

Circle the points and initial each item selected.

Owners

Pts. Initials

- 3 _____ Active 35' Buffer Zone*
- 2 _____ Secondary Active 15' Buffer Zone*
- 2 _____ Foot path only in Active Buffer Zone*
- 2 _____ Passive 35' Buffer Zone*
- 1 _____ Side Lot Buffer Area*
- 1 _____ Side Lot Buffer Area*
- 3 _____ Removal of Principal Building within 75' of OHWM
- 2 _____ Removal of Accessory Building within 35' of OHWM
- 1 _____ Removal of Accessory Building located between 35' and 75' of OHWM
- 1 _____ No non-principal accessory structures located within 75' of OHWM

ZA/ZD(Initials)

- 3 _____ Other Practices (Prior approval Zoning Administrator/ Zoning Deputy)

See Attachment/Back for further details.

TOTAL POINTS

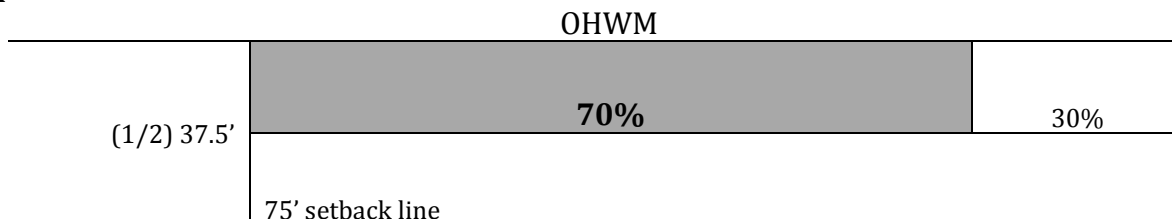
* No mowing is permitted in the buffer zone.

Accessory structures within 75' of OHWM - Mitigation Requirements (Article XII)

√ when complete

1. "Before" photographs of the proposed construction site submitted. _____
2. On-site inspection prior to permit approval conducted by Deputy Zoning Administrator. _____
3. Water frontage width _____ ft. x .7 x 37.5 = _____ sq. ft. of vegetative buffer zone required.

Example:



**VILAS COUNTY (STORM WATER & VEGETATIVE)
MITIGATION AGREEMENT pg.2**

Base Sketch shall include: (1) Boundaries of property; (2) Location of existing structures & proposed structures/additions; (3) ordinary high water mark (OHWM) of water body; (4) North arrow; (5) scale or measurements of buildings to property boundaries; (6) scale of measurements of buildings to OHWM.

Overlay Sketch shall delineate: Existing Buffer Zones, Proposed Buffer Zones, Buildings planned for Removal, and any other project pre-approved by the Zoning Administrator or Deputy Administrator

NOTE: Base Sketch and Overlay Sketch shall contrast delineate the activities to achieving mitigation points.

ProjectDetail: _____

As property owner I hereby agree to mitigate and restore vegetative buffer areas I have selected in accordance with the Vilas County Shoreland Zoning Ordinance and other pertinent ordinances. I agree to allow Vilas County Zoning and Planning staff to enter my property to verify that my Shoreland mitigation practices are in conformance with this application.

I further agree to **submit photos** to the Vilas County Zoning and Planning Office **within one year of the date shown below** as required by Ordinance. I agree that these **photos will show my Shoreland vegetative buffer areas** in which the mitigation points were achieved, and be clearly marked with name, address, telephone number, site address and computer number.

Being the owner of this property and realizing that surface water quality of Vilas County is affected by activities conducted on land adjacent to the water bodies, I agree to maintain the practices as listed above into perpetuity. Should I transfer my property in the future, I agree to notify the new owner of this agreement. Further, I understand that should the need arise, I can change the way that I have achieved Mitigation Points, **BUT only through a new Mitigation Plan approved by Vilas County.**

Signed: _____ Date: _____ Signed: _____ Date: _____