

Mitigation

Mitigation – What is it?

Mitigation is a restoration strategy for protecting water quality of Vilas County's surface water resources. Mitigation requires owners of waterfront properties 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 the 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 also provide critical habitat for wildlife and provide for natural scenic beauty.

Background.

Mitigation strategies are designed to:

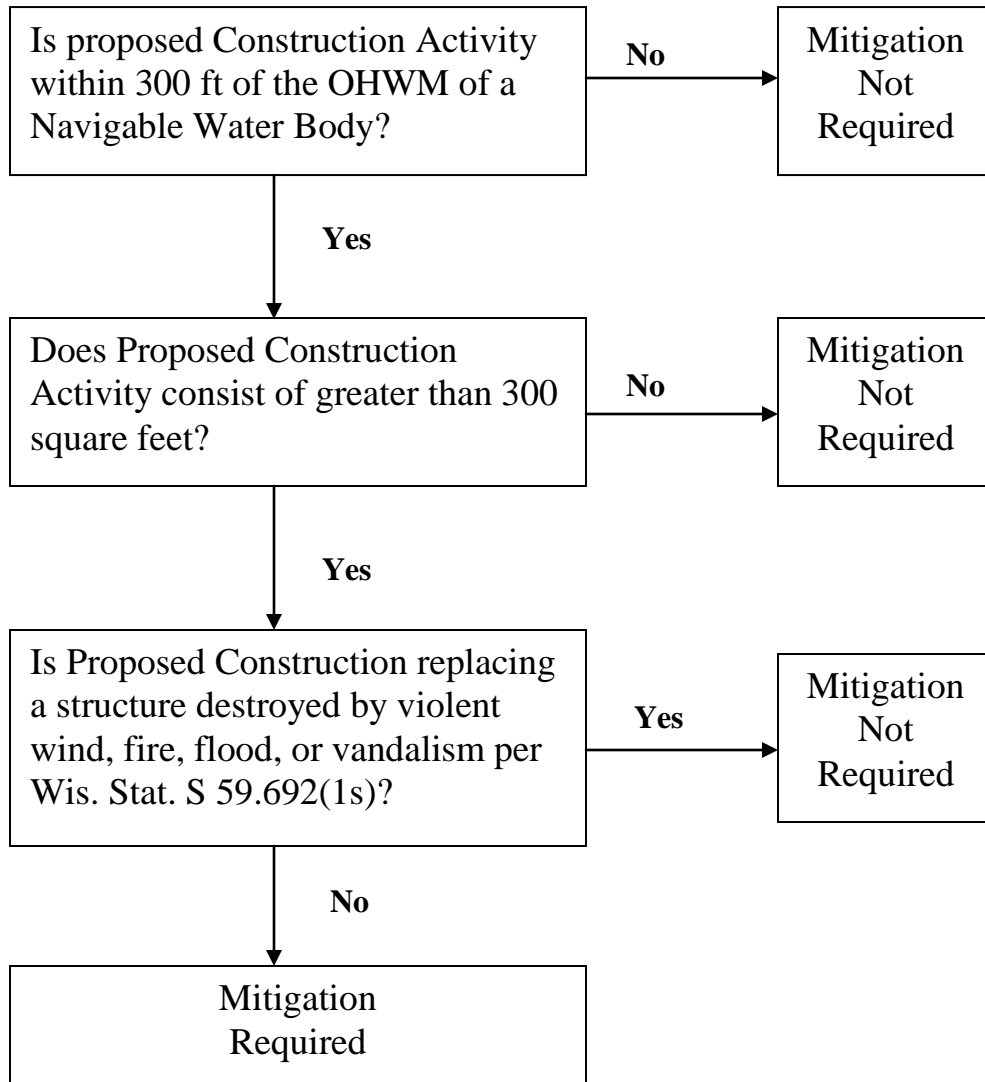
1. Allow property owners a range of options to achieve the level of mitigation required.
2. Provide more environmental protection to more sensitive water bodies.
3. Provide higher levels of restoration to water bodies with more development.
4. Give credit to property owners who have maintained more natural 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 that 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?

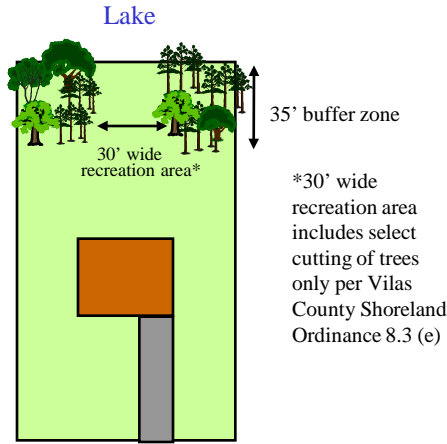
Vilas County implemented a point system where the property owners are required to achieve a certain number of points corresponding to the sensitivity and development level of the particular water body and whether primary structures are located within 75 feet of the OHWM of the water body. Property owners then choose strategies, with each strategy being worth a pre-determined number of points, to achieve the total number of points required for their properties. Once the points are achieved and 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 have been good stewards of the land, no additional activities may be 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.

Mitigation – When does it apply?

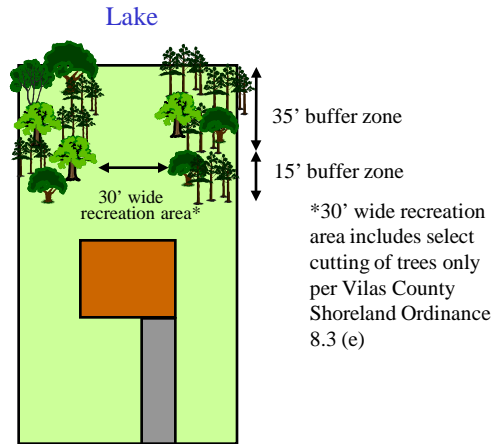


Vilas County Zoning – April 26, 1999

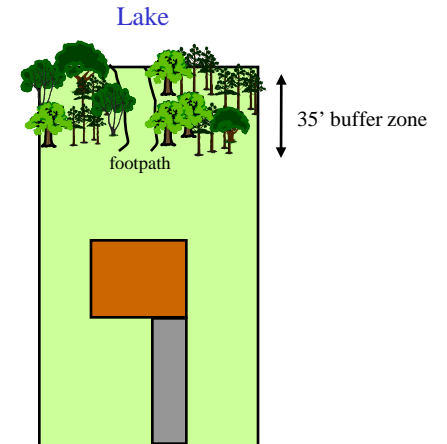
Active Buffer Zone



3 Mitigation Points

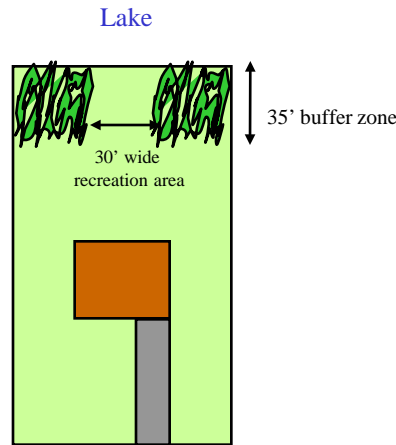


2 Additional Mitigation Points for additional 15' buffer zone

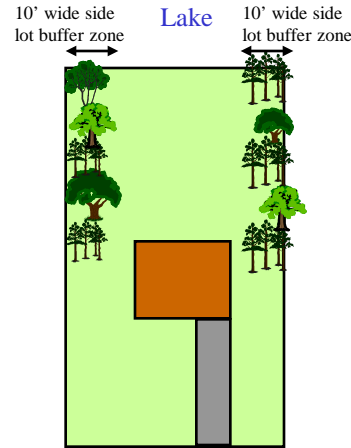


2 Additional Mitigation Points for leaving only a footpath in buffer area

Passive Buffer Zone



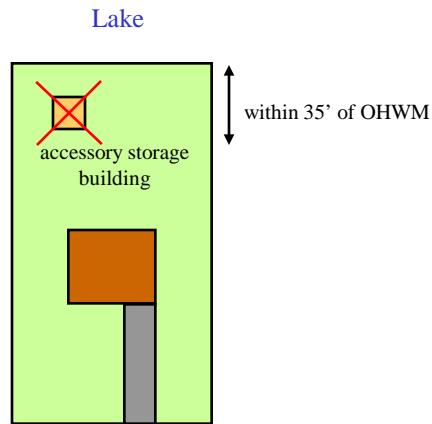
2 Mitigation Points for returning mowed grass lawn to unmowed grassy area



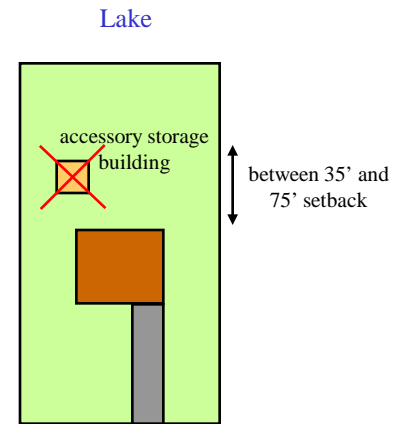
1 Mitigation Point per sidelot for existence of 10' sidelot buffer zone for depth of 100'

Sidelot Buffer Zone

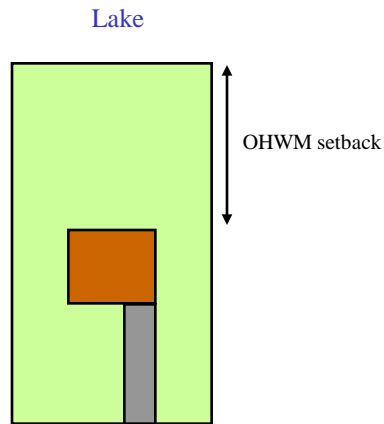
Restoration of Setbacks-Structures



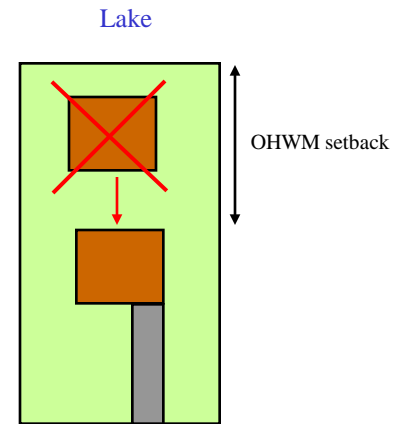
2 Mitigation Points
for **removal** of all accessory storage
buildings within 35' of OHWM



1 Mitigation Point
for **removal** of all accessory storage
buildings between 35' and 75' setback



1 Mitigation Point
for no accessory structures
within the OHWM setback
(not additive to removal)



3 Mitigation Points
for relocation of a principle structure
behind OHWM setback

VILAS COUNTY MITIGATION AGREEMENT

Property Owner _____	Comp No (Tax I.D.) _____
Street Address _____	Town of _____
City, State, Zip _____	Site Address _____
Phone # (1) _____	City, State, Zip _____
Phone # (2) _____	Phone Number _____

Legal Description _____ 1/4, _____ 1/4, or Gov't Lot _____, in Section _____, T _____ N, R _____ E

Water Body Name: _____

Mitigation Point Requirement: _____

Less than 75' Additional Point Requirements: _____

Total Points Required: _____

As required by Article XI, of the Vilas County Shoreland Zoning Ordinance, effective May 1, 1999, waterfront lot owners wishing to construct (or modify) a structure of greater than 300 feet of the OHWM are required to perform mitigation activities. Waterfront lot owners are required to choose options to achieve the cumulative point requirement for the water body where the lot is located.

Circle the points and initial each item selected.

Pts.	Owner's Initials	
3	_____	Active 35' Buffer Zone*
2	_____	Secondary Active 15' Buffer Zone located between 35 and 50 ft. from OHWM*
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
3	_____	Other Practices (Needs prior approval by Assistant Zoning Administrator or Zoning Administrator)
	_____	TOTAL POINTS

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: _____

VILAS COUNTY MITIGATION AGREEMENT pg.2

Name: _____

Address: _____

Legal Description: _____

Computer No. _____ Site Address: _____

Base Sketch shall include: (1) Boundaries of the property; (2) Location of existing structures & proposed new structures/additions; (3) the ordinary high water mark (OHWM) of the 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 that was pre-approved by the administrator.

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

Project Detail: _____
