Shoreland Mitigation Requirements
An Explanation

You are starting a project that requires (by state and county laws) that you mitigate the impact your property development has to the aquatic and shoreland environment. Your plans for mitigation must be reviewed and approved by the Land & Water Conservation Department before any project permits will be issued. Mandatory items for your project mitigation shall include:

- Evaluate and upgrade, if necessary, any existing sanitary systems on the property in accordance with current County, WI Dept of Health Services and WI Dept of Safety & Professional Services regulations;
- Implement standard erosion and storm water runoff control measures;
- Accumulate at least 2 points from among a list of possible mitigation options (listed below); and
- Complete and record with the Douglas County Register of Deeds a “Shoreline Mitigation/Preservation Affidavit.” The recording of the Affidavit will ensure that future landowners are aware of and comply with the mitigation plan on file.

**Shoreland mitigation is required by law.**

*However, if you are curious about why shoreland mitigation is important to humans and the environment, there are several resources including knowledgeable people and publications that we can provide to you. Just ask.*

**Mitigation Options** – You must choose items to accumulate at least 2 points (referenced as a requirement prior to obtaining a permit for your project in the list above):

<table>
<thead>
<tr>
<th>Mitigation Option</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Maintenance of an existing shoreland buffer area extending 35 feet landward from the “ordinary high water mark” of lakes, rivers or streams</td>
<td>2.0</td>
</tr>
<tr>
<td>b) Restoration of the shoreland buffer area extending 35 feet landward from “ordinary high water mark” of lakes, rivers or streams</td>
<td>2.0</td>
</tr>
<tr>
<td>c) Restoration of native vegetation along both sideyards, minimum of 5 feet wide measured perpendicular to the lot line for the entire length of the lot</td>
<td>0.5</td>
</tr>
<tr>
<td>d) Removal of legal pre-existing accessory buildings from within the shoreland setback area (per building)</td>
<td>1.0</td>
</tr>
<tr>
<td>e) Use of exterior building materials or treatments that are inconspicuous and blend with the natural setting of the site</td>
<td>0.5</td>
</tr>
<tr>
<td>f) Removal of waterward improvements (seawalls, dockage, artificial sand beach, etc.) and/or restoration of emergent aquatic vegetation (*1 pt for each distinct removal/restoration effort)</td>
<td>1.0*</td>
</tr>
<tr>
<td>g) Any other mitigation that is deemed appropriate by the Zoning Administrator may be used to meet the mitigation requirement of Zoning Ordinance 9.4(2)(a)</td>
<td>Variable</td>
</tr>
</tbody>
</table>
You are starting a project that requires (by state and county laws) that you mitigate the impact your property development has to the aquatic and shoreland environment.

Your plans for mitigation must be reviewed and approved by the Douglas County Land & Water Conservation Department before any project permits will be issued.

You have reviewed the mitigation options available, and in order to accumulate 2 points of mitigation, have chosen to restore and maintain your shoreline buffer. This application will guide you through that process.

In order to create a shoreline buffer restoration/maintenance plan, you have three options:

1) create the plan yourself*;

2) hire a private consultant to create the plan for you*; or

3) request the Douglas County Land & Water Conservation Department prepare your plan for you for a fee.

*If you have chosen option 1 or 2 above, please note you may need to pay a fee to Douglas County for plan review and site inspection.

Also, there is a filing fee ($30) to record the “Shoreline Mitigation/Preservation Affidavit” with the Register of Deeds Office.

**PLEASE REMEMBER**

Shoreland mitigation is required by law.

However, if you are curious about why shoreland mitigation is important to humans and the environment, there are several resources including knowledgeable people and publications that we can provide to you. Just ask.
APPLICATION FORM

Shoreland Mitigation, Stormwater Management, Non-Metallic Mining Reclamation, Erosion Control and Plan Reviews

Date of application: ________________

Property Owner_________________________________________ Daytime Phone: __________________

Mailing Address________________________________________ City_________________ State______ Zip____

E-Mail Address________________________________________

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Agent Name_________________________________________ Daytime Phone: __________________

Mailing Address______________________________________ City_________________ State______ Zip____

E-Mail Address________________________________________

SITE INFORMATION:

Property Address:_______________________________________Town _______________ of ___

____________________________________________________ Legal Description: __________________

____________________________________________________ Tax Parcel No.______ Section______

____________________________________________________ T _____ R _____

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TYPE OF ASSISTANCE REQUESTED: $ Cost

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design, Inspection &amp; Review of Residential Shoreland Mitigation and/or Stormwater Mgmt. Plan</td>
<td>450</td>
</tr>
<tr>
<td>Design, Inspection &amp; Review of New Shoreland Mitigation and/or Stormwater Management Plan Required for Compliance (Failure on Previous Plan)</td>
<td>450</td>
</tr>
<tr>
<td>Inspection and Review of Residential Shoreland Mitigation and/or Stormwater Management Plan (plan designed by property owner or third party)</td>
<td>250</td>
</tr>
<tr>
<td>Recording Fee – Shoreland Mitigation / Preservation Affidavit</td>
<td>30</td>
</tr>
</tbody>
</table>

TOTAL

Services provided may include: site visits, compilation of supporting documentation, development of a certifiable plan or written review, and final report provided to the landowner and the Zoning Department.

The Douglas County Land & Water Conservation Department will try to complete plans and reviews within ten working days of receiving the completed application, fee, and/or site plan. Notice will be given to the landowner and the Zoning Department if this timeline cannot be met.

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<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Amount</th>
<th>Date Paid</th>
<th>Receipt #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Vendor #
SHORELINE BUFFER RESTORATION / MAINTENANCE PLAN

Review “Mitigation Measures” in Douglas County Ordinance (Ord 8.4, 9.41-9.46). Choose appropriate measures. Copies of shoreland restoration guides, native plant lists, local greenhouses and local contractors are available from the Zoning Office or the Land Conservation Department.

Date of application: __________________________

Property Owner_________________________________________________________ Daytime Phone: (_____ ) __________________

Mailing Address_________________________________ City________________ State________ Zip________

E-Mail Address____________________________________________________________

Property Address: __________________________________________ Town of____________________________

Legal Description: _________________________________________________________

Tax Parcel No.___________________________________________________________ Waterbody:__________________________

Type of Shoreland Buffer: Woodland Prairie Wetland

Buffer = 35 ft. landward as measured from the ordinary high water mark of waterbody

Viewing & Access Corridor = 35 ft. wide per 100 ft. of shoreline (may run contiguously) or 35% of the lot width

☐ RESTORATION This plan is being submitted as a Shoreland Restoration Plan. Ordinance Section 9.42 (below) will be used to determine minimum number of species and densities to be planted. Native species must be used.

9.42 – Table 1. Shoreland Buffer Planting Schedule

<table>
<thead>
<tr>
<th>Layer</th>
<th>WOODLAND BUFFER</th>
<th>PRAIRIE BUFFER</th>
<th>Area Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum number</td>
<td>Density per 100</td>
<td>Minimum number</td>
</tr>
<tr>
<td></td>
<td>of species</td>
<td>square feet</td>
<td>of species</td>
</tr>
<tr>
<td>Tree Canopy</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Shrub Understory</td>
<td>4</td>
<td>1.5</td>
<td>2</td>
</tr>
<tr>
<td>Groundcover Plant Plugs</td>
<td>1</td>
<td>70</td>
<td>5</td>
</tr>
<tr>
<td>Groundcover seeding</td>
<td>1</td>
<td>Varies</td>
<td>5</td>
</tr>
</tbody>
</table>

☐ MAINTENANCE This plan is being submitted as a maintenance plan of existing shoreland buffer, showing existing vegetation and “no-mow” areas.
**CHECKLIST - Buffer Sketch (page 2) Must Contain the Following Elements**

- Scale (e.g. 1 inch = 10 feet)  
- Ordinary High Water Mark (OHWM)  
- Viewing and access corridor (35’ wide per 100’)  
- Existing trees, shrubs, and native ground cover  
- Water diversions and channelized flow areas

___ North Arrow  
___ Location of all structures in the shoreland buffer zone  
___ Boundary of the shoreland buffer zone  
___ Areas to be planted with trees shrubs and groundcovers  
___ No-mow area (if applicable)

**Plant Species List:** (if planting and/or seeding)

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**Implementation Schedule:** (when will planting take place, when will mowing cease, how will new trees and shrubs be established, etc.)

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**Buffer Maintenance Schedule:** (watering, weeding, pruning, protection from deer browse of new trees and shrubs, replacement of trees and shrubs that die, etc.)

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Approved by Zoning Administrator (signature required): _________________________ Date __________

Approved by Land Conservation (signature required): _________________________ Date __________
**IMPERVIOUS SURFACE MITIGATION AFFIDAVIT**  
**USE ONLY BLACK INK ON THIS FORM**

<table>
<thead>
<tr>
<th>Agreement Date</th>
<th>Governmental Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Must be same as the notarization date)</td>
<td>DOUGLAS COUNTY</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Riparian Owner(s)</th>
<th>Permit Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>(please print)</td>
<td></td>
</tr>
</tbody>
</table>

We, Riparian owner(s) acknowledge that application is being made for construction of an installation, addition to or alteration of a structure in the shoreland area on the following property:  (Provide legal description in this space)

As an inducement to the County of Douglas to issue a zoning permit in accordance with Section X Douglas County Shoreland Ordinance 8.4 for the above described property, owner(s) agree to do the following:

1. Owner(s) agrees to conform to all applicable requirements of the General Code of Ordinances for Douglas County, 8.4 Shoreland Zoning Ordinance Section VII, sub. 7.5, relating to impervious surface mitigation. The definition of impervious surface is: an area that releases as runoff all or a majority of the precipitation that falls on it. Impervious surface excludes frozen soil but includes rooftops, sidewalks, driveways (paved or gravel), parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. (NR115.01(4g)) Public roads or sidewalks that transverse private property are not included in impervious surface area calculations.

2. The owner(s) agrees to allow authorized representatives of Douglas County to enter upon the owner's property at the above description to inspect the structure(s) authorized by permit and to determine if the impervious surface has been mitigated as indicated by the owner's plan.

3. If applicable, owner(s) agrees that Douglas County may revoke the permit and order removal of the structure(s) authorized conditionally by said permit if, upon inspection, the impervious surface mitigation, as approved in the owner's plan, has been removed, destroyed, degraded and/or reduced in size below the minimal requirement. Said impervious surface mitigation device or design shall remain and be preserved upon this described property in perpetuity.

4. This agreement shall be binding upon the owner(s), their heirs, successors and assigns. The owner(s) shall submit the agreement to the Douglas County Zoning Office and the agreement shall be recorded by the Register of Deeds in a manner which will notify any individual referencing the deed to the property as to the existence of this agreement.

**ACKNOWLEDGMENT**

STATE OF WISCONSIN  
_______________ County  

Personally came before me on ______________.,
the above-named ____________________________
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission □ Is Permanent / □ Expires ____________________________

Douglas County ISA Affidavit  
Rev 06-2017