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Shoreland Permitting – Avoid a Costly Mistake

All lakes in Wisconsin have a “buffer zone” extending landward 35 feet from the Ordinary High Water Mark (OHWM) to protect the habitat and prevent runoff into lakes. This buffer is regulated by state statutes, the Wisconsin Department of Natural Resources (WDNR) Administrative Rules, and county ordinances. The WDNR regulates waterward from the OHWM, even if there is land exposed, such as a beach. The OHWM is not often visible but it can be thought of as the transition between the gentle slope of the beach and the more steep inland slope. The simplest rule is: Before you plan any work along the shore, contact Oneida County Planning and Zoning for complete details on regulations and restrictions.

Waterward from the OHWM

Grading, filling, excavating, placement of rock, timber or permanent structures below the OHWM is regulated and requires a permit from the WDNR. Generally, the placement of rock or boulders to prevent erosion is also prohibited without a permit. However, your site may qualify for a rip rap exemption. To find out, search the WDNR website for “30.12(1g)(jm) rip rap exemption checklist” for details. If your parcel has significant erosion issues, consult Oneida County Land and Water Conservation Department. They can help you navigate the requirements and WDNR permitting necessary to stop further erosion of the land. Cost sharing grants may be available to help pay for work needed.

Landward from the OHWM

Below are some of the more common issues. For full details, consult the Oneida County Shoreland Protection Ordinance Chapter 9, and/or call Oneida County Planning and Zoning.

- Owners may create an Access and Viewing Corridor (AVC) within the buffer zone
 - AVC width may be up to 35% of the total frontage of the lot
 - For lots with frontage over 572 feet, the maximum AVC width is 200 ft
 - For lots with under 29 feet of frontage, the AVC may be 10 feet or the full width of frontage whichever is less
- Removal of vegetation in the buffer zone is regulated and may require a permit. Removal of vegetation in the AVC, within the buffer zone is also regulated. Removal of dead or diseased trees and other vegetation requires replacement within the buffer zone. Consult Zoning and Land & Water Conservation. A permit may be needed.
- Land disturbance, such as excavating, grading, or filling, in the buffer zone is prohibited, except by permit for the construction of a boathouse. Boathouses must be located within the AVC. Construction of a boathouse requires both a Zoning Permit and a Shoreyard Alteration Permit.
- Construction of paths, walkways, and stairs require a permit. These must be located within the AVC.
- Grinding stumps in the AVC is allowed, but stumps cannot be ground below grade. Pulling stumps within the AVC is not allowed.
- Patios, decks, buildings, and fire pits may not be closer than 75 feet from the OHWM.
- Restoration of native habitat within the buffer zone requires a permit.
- Cost sharing programs for restoration of shoreline are available from Oneida County through the Land and Water Conservation Dept, and from the DNR’s Healthy Lakes Initiative through the Lake District as grant sponsor.