



Wildlife Habitat – Wildlife Nesting Structure Exemption Checklist

Certain activities in navigable waters are exempt from needing a permit under [Chapter 30](#). Use this checklist to determine if your project qualifies for an exemption.

Your proposed project is eligible if it meets **all** the following conditions:

- **ASNRI/PRF/PNW:** The wildlife nesting structure may not be located in an area of special natural resource interest (ASNRI) or within a public right features (PRF) - [Property Lookup for Designated Waterways and Wetlands | Waterway protection | Wisconsin DNR](#)
- **Federal and State Threatened and Endangered Species:** This exemption does not address threatened and endangered species. Applicants are required to comply with Wisconsin's Endangered Species Law (s. 29.604, Wis. Stats.) and the Federal Endangered Species Act. To determine if the project is in compliance, visit the [NHI Public Portal](#), and enter the project area to generate an Endangered Resources (ER) Preliminary Assessment. Read the ER Preliminary Assessment carefully to determine follow-up steps, if needed.
- **Note:**
 - Wood duck houses and nesting platforms attached to or supported by existing trees in their natural condition do not require a permit.
 - Wildlife habitat projects authorized under [Ch. NR 353](#) relating to wetland conservation activities are not subject to these requirements.

EROSION CONTROL/STRUCTURE/SEDIMENT

- Erosion control measures shall meet or exceed the [WDNR Technical Standards](#) developed under Subch. V of ch. NR 151, Wis. Admin. Code. Any area where soil is exposed during construction shall be stabilized or revegetated immediately upon reaching final grade using sod, seed and anchored mulch, seed and erosion control mat, or rip rap to prevent erosion and limit sediment discharge to the waterway.
- The wildlife nesting structure must be in the riparian zone of interest and may be placed and maintained only by a riparian landowner and/or in lakes or flowages.
 - [Determination of riparian zones](#)
- The surface area of a wildlife nesting structure may not exceed 25 square feet.
- Wildlife nesting structures shall be designed and constructed of unpainted wood or of materials that are non-glossy earth tone colors that blend into a natural shoreline setting during leaf-on conditions.
- A deposit of sand, gravel or stone may be associated with the placement of a tree drop provided the deposit is limited to the area immediately underneath or within one foot of the structure and is less than 2 cubic yards.
 - *Dredging is **not** allowed for placement of a wildlife nesting structure.*