

Certain activities in navigable waters are exempt from needing a permit under chapter 30, Wisconsin Statutes. Using this checklist, you can determine if your project qualifies for an exemption.

Your proposed **fish crib** is eligible for an exemption if your project will meet all the following conditions:

- The fish crib may not be located in an area of special natural resource interest (ASNRI) – see the Designated Waters Search on DNR’s website to determine if your waterway is an ASNRI or has another special designation.
- The fish crib may be placed and maintained only by a riparian, and shall be placed entirely within the riparian’s zone of interest.
- The fish crib must be placed solely for the purpose of improving fish habitat.
- The riparian shall report the placement of the structure to the local department fisheries biologist within 30 days after placement. The report shall contain a description of the project and its purpose, the name of the waterway and a map showing where the structure was placed.
- A deposit of sand, gravel or stone may be associated with the placement of a fish crib 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 the placement of a fish crib.
- To protect fish habitat during spawning seasons, the fish crib may not be placed during the following time periods:
  - (a) For trout streams and perennial tributaries to trout streams, September 15 through May 15.
  - (b) For all waters not identified in (a) and south of State Highway 29, March 15 through May 15.
  - (c) For all waters not identified in (a) and north of State Highway 29, April 1 through June 1.
- Fish cribs shall have a minimum of 5 feet of water over the top of the structure. The depth and clearance of the fish cribs shall be based on the normal lowest water level condition in a calendar year.
- Fish cribs shall be constructed of **biological materials**, with the exception of fastening and anchoring devices.
- The dimensions of a fish crib shall be no larger than 8 feet tall by 8 feet long by 8 feet wide.
- Fish cribs may not be placed within 100 feet of swimming beaches or swim rafts.
- Fish cribs may not be located in soft sediment or muck that is greater than 12 inches in depth.
- Fish cribs may not be placed where the bottom contour of the waterway exceeds a slope of 4-foot horizontal to one-foot vertical.
- Proper erosion control measures shall be used during installation (to prevent soils from eroding into the waterway), removed after work is complete, and any disturbed areas restored.
- Endangered Resources Review: The applicant is not required, but is encouraged to request an endangered resources (ER) review letter before applying for the permit. Information on how to obtain a review can be found by visiting the website at <http://dnr.wi.gov/topic/ERReview/Review.html>. The applicant can also visit the NHI Public Portal, <http://dnr.wi.gov/topic/ERReview/PublicPortal.html>, to determine if a full ER Review is required. Read the ‘What is an ER Preliminary Assessment and what do the results mean?’ section to determine follow-up steps.

If your project does not meet **all** of these conditions, submit a permit application to the Department. If you have any questions about whether you meet these conditions, you may request an Exemption Determination from DNR. Obtain Form 3500-107, “Chapter 30 Exemption Determination Request” from a DNR service center or visit the website <http://dnr.wi.gov/files/PDF/forms/3500/3500-107.pdf> or search for it on our website at [www.dnr.wi.gov](http://www.dnr.wi.gov) under the topic “Waterway and Wetland Permits.” Complete the form and submit it to the DNR office identified on the form or email it to [DNREDRRequests@wi.gov](mailto:DNREDRRequests@wi.gov).