

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 **riprap repair** is eligible for an exemption if your project will meet all the following conditions:

- The riprap 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.
- Riprap repair may not exceed 300 linear feet of shoreline, and must be located on an inland lake or flowage.
- If the riprap was previously permitted, the riprap repair shall meet the conditions of the original permit.
- Where riprap was not previously permitted, the riprap repair shall meet the following additional conditions:
  - Riprap repair shall be outside of sensitive areas identified in ch. NR 107.
  - Riprap repair shall be located along moderate or high energy shorelines.
  - Riprap may not be placed at an elevation higher than the ordinary high water mark plus the storm- wave height. For certain flowages greater than 2500 acres, specified in NR 328-subchapter II, riprap may not be placed at an elevation higher than the ordinary high water mark plus 1.5 times the storm-wave height (see the rule or contact DNR for a list of applicable waters.)

**Note: If you submit an Exemption Determination Request for any shoreline erosion control project, you must calculate the energy category and storm-wave height for your shoreline using the following website: <http://dnr.wi.gov/topic/waterways/shoreline/erosioncalculator.html>, and you must include with your request the energy calculation result page and the lake map used for the calculation. If you don't have Internet access, contact your county Land Conservation Department or a contractor for assistance.**

- The toe of the riprap may not extend more than 6 feet waterward of the ordinary high water mark.
- Riprap shall be clean fieldstone or quarry stone 6 to 24 inches in diameter.
- The final riprap may not exceed (be steeper than) 2 foot horizontal: 1 foot vertical.
- Filter cloth or clean-washed gravel shall be used as a filter layer under the riprap to extend the life of the structure, improve effectiveness and prevent soil erosion behind the riprap.
- Riprap or other vegetated armoring along moderate energy sites shall be re-vegetated above the ordinary high water mark by using native plantings which may include native non-woody plants, native shrub plantings, native live stakes or native jointed plantings.
- The riprap may be placed and maintained only by a riparian (an authorized agent or contractor may do the work on behalf of the riparian).
- The project shall not result in removal of greater than 20% of the aerial coverage of natural bank, vegetation, emergent vegetation or floating vegetation, not including the area covered by the footprint of the riprap, or any access corridors necessary for the placement of the riprap.
- Any grading, excavation and land disturbance shall be confined to the minimum area necessary for the construction and may not exceed 10,000 square feet.
- Erosion control measures shall meet or exceed the technical standards for erosion control approved by the department under subch. V of ch. [NR 151](#). Any area where topsoil is exposed during construction shall be immediately sodded, seeded and mulched, covered with an erosion mat or riprapped to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.

**Note:** These standards can be found at the following website: [WDNR Technical Standards](#).

- Unless part of a permanent stormwater management plan, all temporary erosion and sediment control practices shall be removed upon final site stabilization. Areas disturbed during construction or installation shall be restored.
- All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.
- No waterward extension of the property is permitted other than what is reasonably necessary to conduct the project and protect the existing bank. No soil or similar fill material may be placed in a wetland or below the ordinary high water mark of any navigable waterway.
- Dredging is not allowed for the placement or maintenance of any shore erosion control structure.
- 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).