



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

WW-19-0043-C

DOCUMENT TITLE

RIPRAP EXEMPTION CHECKLIST

PROGRAM/BUREAU

WATERWAYS PROGRAM

STATUTORY AUTHORITY OR LEGAL CITATION

CH. 30.12 (1G)(JM), WIS. STATS.

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

11/25/19

DATE FINALIZED

12/23/19

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

12/16/19

Signature

Date

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 **rip rap placement, rip rap replacement or rip rap repair project** is eligible for an exemption under Wis. Stat. 30.12(1g)(jm) 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.
- 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).
- Rip rap, rip rap replacement, or rip rap repair may not exceed 200 linear feet of shoreline on an inland lake, flowage stream or river. Rip rap, rip rap replacement or rip rap repair may not exceed 300 linear feet in a Great Lakes waterbody.
- Rip rap is clean field stone or quarry stone with a diameter of no less than 6 inches and no greater than 48 inches.
- The toe of the rip rap does not extend more than eight feet waterward of the ordinary high-water mark.
- The rip rap slope is not steeper than one foot horizontal to 1.25 feet vertical.
- Rip rap does not reach an elevation higher than 36 inches above the ordinary high-water mark or above the storm-wave height, as calculated using the Department's [erosion calculator](#).
- No material or soil may be placed in a wetland.
- No fill material or soil may be placed below the ordinary high water mark of any navigable waterway.
- The rip rap must follow the natural contour of the shoreline.
- Filter fabric or clean-washed gravel must be used as a filter layer under the rip rap.
- 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. Check with your county zoning department for before commencing land disturbing or vegetation removal activities.
- 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 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.