

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
WATERWAY AND WETLAND GENERAL PERMIT  
STREAMBANK EROSION CONTROL STRUCTURES**



**Permittee:** The General Public in Wisconsin

**Permit #:** WDNR-GP27-2026

**Issuing Office:** Waterways Program  
Wisconsin Department of Natural Resources (Department)

**Issuance Date:** April 28, 2026

**Expiration Date:** April 27, 2031

**GENERAL PERMIT AUTHORIZATIONS**

In compliance with the provision(s) of ss. 30.12(1) and (2m), Wis. Stats., no person may place any structure upon the bed of any navigable water unless an individual or a general permit has been issued under this section or authorization has been granted by the legislature through an exemption.

The Department has authority to issue general permits under s. 30.12(3)(a)(3c) and 30.206(1)(am), Wis. Stats., that authorize any person in the State of Wisconsin to perform work in accordance with the terms and conditions of the general permit specified below after satisfying all applicable permit terms and conditions. Please refer to the following sections of this permit for the specific eligibility standards, application requirements, certification requirements and responsibilities, conditions, findings of fact, conclusions of law, and definitions required by WDNR-GP27-2026.

**Note:** Coverage under this permit authorizes the permittee to undertake specified activity/activities in compliance with the above statutes and the terms of this permit but does not authorize a permittee to undertake any activity prohibited by other applicable federal, state, or local law.

**Note:** WDNR-GP27-2026 does not apply to tribal activities located within the exterior boundary of a reservation.

**Note:** Section 30.12(1g), Wis. Stats., and ch. NR 320, Wis. Adm. Code exempt certain structures from permitting requirements that are placed for specific purposes in waters that are **not** designated as *Areas of Special Natural Resource*

*Interest (ASNRI).*

**Note:** Section 30.12(2m), Wis. Stats., allows the Department to require that an individual permit or general permit be obtained in lieu of an exemption for activities at certain sites. Work performed in ASNRI designated waters or at a site where the Department requires a permit under s. 30.12(2m), Wis. Stats., may be authorized by this general permit.

## **OTHER AUTHORIZATIONS NECESSARY**

WDNR-GP27-2026 authorizations are subject to all applicable terms and conditions specified in this permit. However, WDNR-GP27-2026 authorizations do not supersede any other local, state, tribal or federal authority so additional permits may be required before any work may proceed. U.S. Army Corps of Engineers Clean Water Act Section 404 permits are required for discharges of dredged or fill material to Waters of the United States, including discharges to federal wetlands. Rivers and Harbors Act Section 10 permits are required for work including the placement of structures and dredging in navigable waters of the United States. Floodplain permits (ch. NR 116, Wis. Adm. Code) or other local zoning permits may be required. Please contact your local zoning authority to determine whether any local approvals are required; county zoning administrator contact information is available at <https://www.wccadm.com/wcca-contacts>.

Additional waterway, dam, and wetland permitting may also be necessary depending on the project size, scope, purpose and need. Please visit <https://dnr.wisconsin.gov/>, keyword “water permitting” for more information.

This permit does not supersede any applicable easement(s) within the project boundary or the property rights of any landowner. It is the responsibility of the applicant to ensure that the proposed project does not conflict with existing land use or development restrictions, including easements, applicable to the property. This permit also does not authorize flooding or impeding drainage of the adjacent properties or upstream properties. It is the responsibility of the applicant to secure any necessary easements or other permissions from affected landowner(s).

## **PROJECT DESCRIPTION AND LOCATION**

WDNR-GP27-2026 applies to certain waterway activities undertaken as part of the construction and placement of streambank stabilization structures. The following activities are eligible for coverage under WDNR-GP27-2026:

- The project may be located in an area designated as an *Area of Special Natural Resource Interest (ASNRI)* identified and defined in s. 30.01(1)(am), Wis. Stats., or s. NR 1.06(5), Wis. Adm. Code.
- Placement or the construction of streambank stabilization structures for erosion control purposes along rivers and streams in the State of Wisconsin except for structures

proposed on tribal properties located on Federal Indian Trust lands. The placement of structures and deposits on the beds of navigable waterbodies is regulated under s. Ch 30.12, Wis. Stats., and ch. NR 320, Wis. Adm. Code.

- WDNR-GP27-2026 authorization will include streambank stabilization practices (erosion control structures) placement for the following activities:
  - Biological erosion control structure (biostabilization)
  - Integrated Bank Treatment structure
  - Replacement of structure with biological structure (biostabilization)
  - Replacement of structure with Integrated Bank Treatment structure

### GENERAL PERMIT COVERAGE

Unless notified by the Department to the contrary, the effective date of coverage under this general permit is 30 calendar days after a complete application package has been received by the Department at the office designated in the permit application materials provided by the Department. **WDNR-GP27-2026 permit coverage is valid for 5 years after the date the coverage is granted by the Department.** If the project is not completed within 5 years after the date of coverage another application must be submitted. If the project scope changes within the valid period of the permit coverage, you must obtain prior written approval from the Department before modifying the project and coverage exists under this general permit only if the project continues to meet all eligibility criteria. The 5-year timeline is based on the date coverage is granted by the Department, not the expiration date of **WDNR-GP27-2026**.

State of Wisconsin Department of Natural Resources  
For the Secretary



April 28, 2026

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Benjamin Callan – Director  
Waterways Program

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Date

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## WDNR-GP27-2026 TERMS AND CONDITIONS

The following sections describe the general permit authorization procedures implemented by the Department in WDNR-GP27-2026. Projects must meet all the terms and conditions of this permit to be eligible for coverage under WDNR-GP27-2026.

**Note:** The term "you" and its derivatives, as used in this general permit, means the permittee, which is the landowner. The term "the Department" means the Wisconsin Department of Natural Resources, and "this office" refers to the Department Service Center, Region Office or Central Office headquarters and/or the appropriate official of that office evaluating a proposed project, acting under the authority of the Secretary of the Department.

The project must meet all the following standards to be eligible for coverage and authorization under this general permit.

**Note:** Projects that do not meet all standards below are not eligible for this general permit and are therefore excluded from coverage under WDNR-GP27-2026. In these cases, persons may apply for an Individual Permit as outlined in ss. 30.12(3m) and 30.208, Wis. Stats. The Department also has authority under s. 30.206(3r), Wis. Stats., to require an individual permit in lieu of a general permit if the Department has visited the site and determined that conditions specific to the site require additional restrictions on the activity in order to prevent significant adverse impacts to the public rights and interest, environmental pollution as defined in s. 299.01(4), Wis. Stats., or material injury to the riparian rights of any riparian owner.

**Note:** Projects that may impact tribal lands or a legally recognized treaty right may need additional coordination.

## SECTION 1. ELIGIBILITY CRITERIA

### A. GENERAL CRITERIA

1. All grading, excavation, and land-disturbance activities in the plans and specifications documents will be confined to the minimum area necessary for the placement, repair, or removal of the structure and will not exceed 10,000 square feet.

**Note:** If the project includes any grading, excavation, or land-disturbance activity in excess of 10,000 square feet you may need to receive approval under a Grading permit in addition to this permit.

2. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters and wetlands. All erosion and sediment control measures shall meet or exceed the applicable performance standards listed under subchapter III of ch. NR 151, Wis. Adm. Code. Technical standards to implement the performance standards can be viewed at <https://dnr.wisconsin.gov/>, keyword "stormwater technical standard".
3. The project site is not located on federally or state designated wild or scenic river (under ss. 30.26 and 30.27, Wis. Stats.).

**Note:** The project may be located in an area designated as an *Area of Special Natural Resource Interest* (ASNRI) identified as defined in s. 30.01(1am), Wis. Stats., or s. NR 1.06(5), Wis. Adm. Code.

4. Structural stabilization practices shall be sloped to 1.5 horizontal to 1 foot vertical or flatter. Banks treated only with vegetation shall be sloped to 2 feet horizontal to 1 foot vertical or flatter.
5. The stabilization method shall follow the natural contour of the shoreline. No waterward extension of the property is permitted other than what is reasonably necessary to conduct the project and protect the existing bank.
6. No dredging will occur except as required for appropriate toe installation of the erosion control structure.
7. The bank erosion control structure may not be placed in a wetland.
8. Erosion control structures shall begin and end at a stabilized or controlled point.
9. Vegetation, such as seeding, plant plugs, and dormant plantings shall be plant species native to the area of Wisconsin where the project is located. Non-invasive cool season species such as Virginia wild rye, Timothy, alfalfa, alsike clover, orchard grass, Smooth brome grass and red top, may be incorporated into native seed mixes for the purpose of rapid stabilization of critical sites adjacent to agricultural fields. Revegetation shall follow Wisconsin NRCS *Field Office Technical Guide* (FOTG), Section IV, Practice Standard 643A Shoreland Habitat, found at:

<http://dnr.wi.gov/topic/ShorelandZoning/documents/NRCSShorehabstandard.pdf>.

10. The project avoids impacts to listed endangered or threatened species in accordance with s. 29.604, Wis. Stats., or the project has received an incidental take authorization under s. 29.604, Wis. Stats. No activity is authorized which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act and/or State law or which is likely to destroy or adversely modify the critical habitat of a species as identified under the Federal Endangered Species Act.
11. The activity will not result in adverse impacts to historical or cultural resources and will comply with s. 44.40, Wis. Stats., as determined by the Department.
12. The project will not occur in a mapped floodplain (official Federal Emergency Management Agency (FEMA) or local zoning map), or if the project is located in a regulated floodplain, the applicant has certified that they are working to or have obtained applicable floodplain permits or approvals from the local zoning authority.
13. The applicant or co-applicant is the riparian owner.
14. The project does not cause significant adverse impacts to a cold-water community, as described in s. NR 102.04, Wis. Adm. Code.
15. Any excavated material may not be temporarily or permanently placed in a wetland, floodplain, or below the *ordinary high-water mark* (OHWM) of a navigable waterway without regulatory approvals. All excavated materials shall be disposed of in an upland location.
16. The project may not cause significant adverse impacts to wetland water quality standards, as defined in s. NR 103.03, Wis. Adm. Code, including (but not limited to) the flow of groundwater through a wetland and water level elevations within wetlands.
17. The activity shall not result in significant adverse impacts to fishery spawning habitat, including obstruction of fish passage, or adversely affect bird breeding areas or substantially disrupts the movement of species that normally migrate from open water to upland or vice versa (i.e., amphibians, reptiles, and mammals).
18. All temporary erosion and sediment control practices will be removed upon final site stabilization. All areas disturbed during removal of temporary erosion and sediment control practices will be restored.
19. To minimize adverse impacts on fish movement, fish spawning, and egg incubation periods, in-water work may not occur during any of the following time periods unless timing restrictions have been waived by the department:
  - a. September 15<sup>th</sup> through May 15<sup>th</sup> for all trout streams identified on DNR published maps. **Note:** To determine if a waterway is a trout stream, you may use the department trout stream maps at <https://dnr.wisconsin.gov>, keyword "trout stream maps."
  - b. September 15<sup>th</sup> through June 15<sup>th</sup> on all Great Lakes tributaries upstream to the first dam or barrier.

- c. November 1<sup>st</sup> through June 15<sup>th</sup> for Lake Michigan waters surrounding Door County, including Green Bay and all harbors and bays.
- d. September 15<sup>th</sup> through July 1<sup>st</sup> for Lake Superior waters surrounding Douglas County, including St. Louis River and all harbors and bays.
- e. March 1<sup>st</sup> through June 15<sup>th</sup> for all other waters.

**Note:** The local Department Fisheries Biologist may waive or modify timing restrictions in writing. To request waiver or modification of fish spawning timing restrictions for your project, please include a request in the narrative portion of your permit application.

20. All equipment used for the project shall be designed and properly sized to minimize the amount of sediment that can escape into the water.

21. No unauthorized impacts to wetlands.

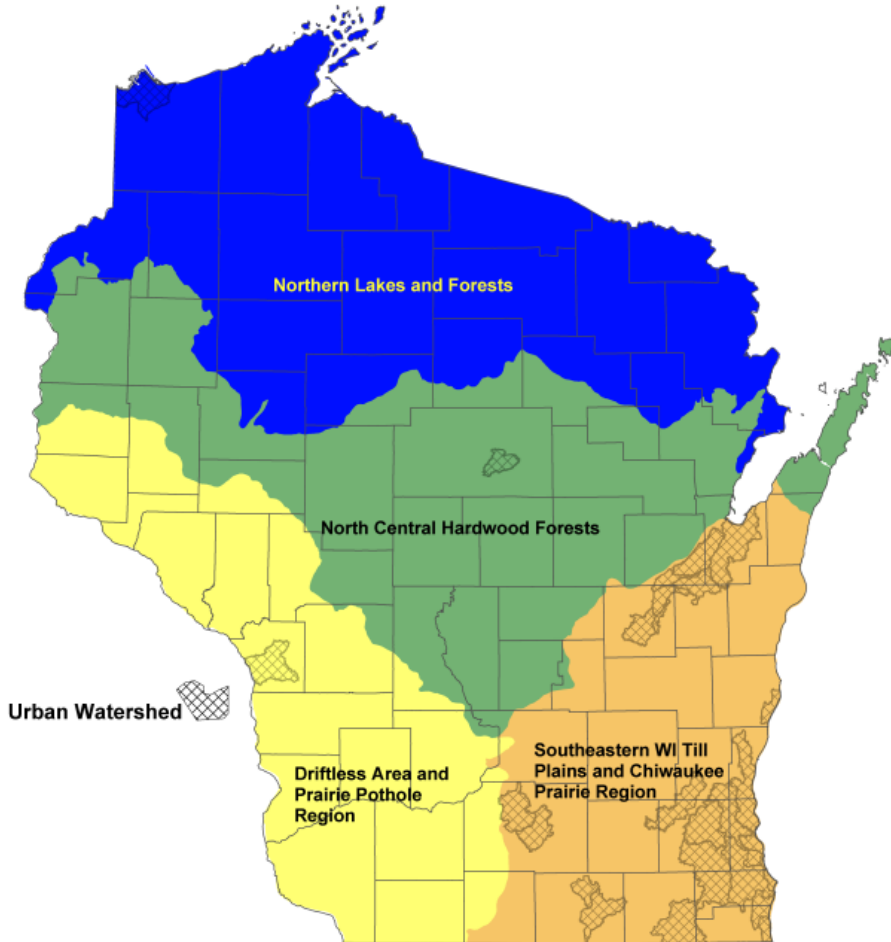
**Note:** This permit does not authorize any impacts to wetlands; however, wetland impacts may occur if authorized under a wetland exemption or a wetland permit is obtained. Wetland regulatory information is available [dnr.wisconsin.gov](http://dnr.wisconsin.gov) keyword "wetland permit".

## **B. BIOLOGICAL CONTROL STRUCTURE (BIOSTABILIZATION) CRITERIA**

1. Biostabilization projects include but are not limited to the use of biologs, vegetated soil lifts, vegetated compost or topsoil filled bags, and other designs and materials that include biological materials.
2. The project site is located in one of the following: (1) the Driftless Area and Prairie Pothole Region, (2) the Southeastern Wisconsin Till Plains and Chikaukee Prairie Region, (3) an urban watershed (as identified below), or (4) is located within village or city limits.
  - a. Village or city boundaries are identified according to Tiger 2000 Census.
  - b. Ecoregions and urban areas (depicted in the map below) are based on scientific literature characterizing the ecology of Wisconsin streams (Lyons et al. 1996; Wang et al. 1997; Lyons et al. 2001; Wang et al. 2003; and Weigel et al. 2006), Omernik 1987, and Omernik et al. 2000. The Department shall provide applicants with maps and internet-based location tools for the purpose of determining ecoregion and urban watersheds.

## Bank Erosion Control GP Permit Map

Based on Level III and IV Ecoregions of Wisconsin and urban watersheds.



**Note:** Lyons, J., L. Wang, and T. Simonson. 1996. Development and Validation of an index of biotic integrity for coldwater streams in Wisconsin. *North American Journal of Fisheries Management* 16: 241-265.

**Note:** Lyons, J., R.R. Piette, and K.W. Niermeyer. 2001. Development, validation, and application of a fish-based index of biotic integrity for Wisconsin's large warmwater rivers. *Transactions of the American Fisheries Society* 130:1077-1094.

**Note:** Omernik, J.M., 1987, Ecoregions of the conterminous United States (map supplement): *Annals of the Association*

of American Geographers, v. 77, no. 1, p.

**Note:** Omernik, J. M., Chapman, S. S., Lillie, R. A., Dumke, R. T. (2000) "Ecoregions of Wisconsin" *Transactions of the Wisconsin Academy of Sciences, Arts, and Letters* 88: 77-103

**Note:** Wang, L., J. Lyons, P. Kanehl, and R. Gatti. 1997. Influences of watershed land use on habitat quality and biotic integrity in Wisconsin streams. *Fisheries* 22(6):6-12.

**Note:** Wang, L., J. Lyons, P. Rasmussen, P. Seelbach, T. Simon, M. Wiley, P. Kanehl, E. Baker, S. Niemela, and P.M. Stewart. 2003. Watershed, reach, and riparian influences on stream fish assemblages in the Northern Lakes and Forest Ecoregion, U.S.A. *Canadian Journal of Fisheries and Aquatic Sciences* 60: 491-505.

**Note:** Weigel, B.M, J. Lyons, and P. Rasmussen. 2006. Relative influence of environmental variables at multiple spatial scales on fishes in Wisconsin's

warmwater non-wadeable rivers. American Fisheries Society Symposium 48:493-511.

3. Except for placement of biostabilization materials, no soil or similar fill material may be placed in a wetland or below the OHWM of any navigable waterway.
4. The erosion control structure design and placement may not result in a net decrease in the density or size-structure of treefalls or logs in the water or on the bed and banks of the stream.
5. Except for the Driftless Area and Prairie Pothole Region, all trees greater than 4" *diameter at breast height* (DBH) removed as part of the erosion control project within 35 feet of the OHWM shall be incorporated into the waterward portion of the erosion control design.
6. Structural treatments are limited to biological materials and may not include *inert* materials.

### C. INTEGRATED BANK TREATMENT CRITERIA

1. The project site is located in one of the following: (1) the Driftless Area and Prairie Pothole Region, (2) the Southeastern Wisconsin Till Plains and Chikwaukee Prairie Region, (3) an urban watershed (as identified below), or (4) is located within village or city limits.
  - a. Village or city boundaries are identified according to Tiger 2000 Census.
2. For projects located within village or city boundaries in urban watersheds, the project site must equal or exceed a *Bank Erosion Potential Index* (BEPI) score of 20, or the bank edge recession must equal or exceed 0.5 feet per year. For all other project locations, the project site must equal or exceed a BEPI score of 20.
  - a. The time between separate measurements shall equal or exceed 3 months during the open-water season.
  - b. The applicant will satisfy the "equal to or greater than 0.5 feet per year" requirement by demonstrating that the bank edge recession is equal to or greater than 1.5 inches per 3 months during the open-water season.
3. The total project length may not exceed 500 linear feet of stream bank per ¼ mile of stream reach.
4. Stone toe protection associated with this project shall be clean field stone or quarry stone appropriately sized according to the USDA, NRCS Wisconsin Supplement to the Engineering Field Handbook Chapter 16 – Streambank and Shoreline Protection.

**Note:** These standards can be found online at the following website:

[https://efotg.sc.egov.usda.gov/references/public/WI/EFH-16-Streambank\\_Shoreline\\_Protection.pdf](https://efotg.sc.egov.usda.gov/references/public/WI/EFH-16-Streambank_Shoreline_Protection.pdf).

5. Toe protection materials may not be placed above the OHWM elevation plus one (1) vertical foot in the Wisconsin Till Plains and Chiwaukee Prairie Region. Toe protection materials may not be placed above the OHWM elevation plus two (2) vertical feet in the Driftless Area and Prairie Pothole Region or when the project is located in an urban watershed. [Reference Criteria B.1. above for map identifying the ecoregions and urban watersheds for eligibility with this criterion.]
6. All stone above the OHWM shall be top-dressed (covered) with a minimum of 6 inches of topsoil.
7. Integrated Bank Treatment practices shall be sloped to 1.5 horizontal to one (1) foot vertical or flatter. Banks treated only with vegetation shall be sloped to two (2) feet horizontal to one (1) foot vertical or flatter.
8. Except for placement of biostabilization materials, no soil or similar fill material may be placed in a wetland or below the OHWM of any navigable waterway.
9. The Integrated Bank Treatment design and placement may not result in a net decrease in the density or size-structure of treefalls or logs in the water or on the bed and banks of the stream.
10. Except for the Driftless Area and Prairie Pothole Region, all trees greater than 4" *diameter at breast height* (DBH) proposed to be removed within 35 feet of the OHWM as part of the Integrated Bank Treatment project shall be incorporated into the waterward portion of the Integrated Bank Treatment design. [Reference Criteria B.1. above for map identifying the ecoregions and urban watersheds for eligibility with this criterion.]

#### **D. REPLACEMENT OF STREAMBANK STRUCTURE WITH BIOSTABILIZATION CRITERIA**

1. The applicant shall provide historic photographs demonstrating that the existing structure (such as a seawall or riprap structure) was placed prior to August 1, 2007.
2. The biostabilization treatment **may not** exceed either the length of the existing structure or 300 linear feet of streambank, whichever is the shorter (lesser) length.
3. The new biostabilization practice shall be sloped to 1.5 horizontal to one (1) foot vertical or flatter. Banks treated only with vegetation shall be sloped to two (2) feet horizontal to one (1) foot vertical or flatter.
4. Biostabilization treatments **may not** include inert materials and are limited to biological materials.

5. The placement of soil below the OHWM is allowed only for the establishment of biological materials.
6. The project **may not** result in a net decrease in the density or size–structure of treefalls or logs in the water or on the bed and banks of the stream.
7. Except for the Driftless Area and Prairie Pothole Region, all trees greater than 4” *diameter at breast height* (DBH) proposed to be removed within 35 feet of the OHWM as part of the Integrated Bank Treatment project shall be incorporated into the waterward portion of the Integrated Bank Treatment design. [Reference Criteria B.1. above for map identifying the ecoregions and urban watersheds for eligibility with this criterion.]

#### **E. REPLACEMENT OF STREAMBANK STRUCTURE WITH INTEGRATED BANK TREATMENT CRITERIA**

1. The applicant shall provide historic photographs demonstrating that the existing structure (such as a seawall or riprap structure) was placed prior to August 1, 2007.
2. The Integrated Bank Treatment **may not** exceed either the length of the existing structure or 300 linear feet of streambank, whichever is the shorter (lesser) length.
3. Stone associated with riverbank protection shall be clean field stone or quarry stone appropriately sized according to the USDA, NRCS Wisconsin Supplement to the Engineering Field Handbook Chapter 16 – Streambank and Shoreline Protection. **Note:** These standards can be found at the following website: <http://www.wi.nrcs.usda.gov/>.
4. Toe protection materials may not be placed above the OHWM elevation plus one (1) vertical foot in the Wisconsin Till Plains and Chikaukee Prairie Region. Toe protection materials may not be placed above the OHWM elevation plus two (2) vertical feet in the Driftless Area and Prairie Pothole Region or when the project is located in an urban watershed. [Reference Criteria B.1. above for map identifying the ecoregions and urban watersheds for eligibility with this criterion.]
5. The new Integrated Bank Treatment practice shall be sloped to 1.5 horizontal to one (1) foot vertical or flatter. Banks treated only with vegetation shall be sloped to two (2) feet horizontal to one (1) foot vertical or flatter.
6. All stone above the OHWM shall be top-dressed (covered) with a minimum of 6 inches of topsoil.
7. The Integrated Bank Treatment practice **may not** result in a net decrease in the density or size–structure of treefalls or logs in the water or on the bed and banks of the stream.

8. Except for the Driftless Area and Prairie Pothole Region, all trees greater than 4” *diameter at breast height* (DBH) proposed to be removed within 35 feet of the OHWM as part of the Integrated Bank Treatment project shall be incorporated into the waterward portion of the Integrated Bank Treatment design. [Reference Criteria B.1. above for map identifying the ecoregions and urban watersheds for eligibility with this criterion.]

## **SECTION 2. APPLICATION REQUIREMENTS**

1. After you have carefully confirmed the proposed activity meets all the terms and conditions of this permit you must submit a complete application package to the Department as outlined in item 5 below. Pursuant to s. 30.206(3), Wis. Stats., and s. NR 300.06(3), Wis. Adm. Code, the complete application package should be received a minimum of 30 calendar days before the desired project start date. Permit application materials can be found and submitted online at <https://dnr.wisconsin.gov/>, keyword “water permit”.
2. Unless notified by the Department to the contrary, the effective date of coverage under this permit is 30 calendar days after the Department receives a complete application package.
3. The Department has one opportunity to request that you provide additional information necessary to verify compliance with the terms and conditions of this permit. If additional information is needed, the Department will notify you within 30 calendar days after receiving your application package. If the Department makes a request for additional information, the 30-day period is paused on the date the person applying for authorization receives the request for additional information. The clock remains paused until the date that the Department receives the information at the designated Department office, at which point the clock resumes from the point it was initially stopped.
4. As provided under s. 30.206(3r), Wis. Stats., and s. NR 300.06(4)(i), Wis. Adm. Code, the Department may determine the project is not eligible for this general permit and require the project to be modified to meet eligibility criteria under this general permit or be reviewed through the individual permit process outlined in ss. 30.12 and 30.208, Wis. Stats. If the Department determines your project is not eligible for this permit, you will be notified within 30 calendar days after your complete application package is received by Department.
5. A complete application package must include all of the following information:
  - a. Complete and Signed Application Form (“Water Resources Application for Project Permits”, or WRAPP) certifying project meets the terms and conditions of WDNR-GP27-2026. This form can be found at <https://dnr.wisconsin.gov/>, keyword “water permit”.
  - b. Application fees as shown on the fee sheet available online at [https://dnr.wisconsin.gov](https://dnr.wisconsin.gov/), keyword “Waterway Application Fee” except as follows: Waterway projects authorized under s. 30, Wis. Stats., funded in whole or in part by a state or federal agency are exempt from permit fees under s. 30.28(3), Wis. Stats.
  - c. A copy of the deed or similar proof of ownership of the riparian property adjacent to the site where the activity will occur.
  - d. A signed permit checklist that confirms the applicant understands the eligibility standards specified in Section 1.

- e. Project plans that include final project design and construction including a project diagram that shows all of the following:
- Narrative Description of your proposed project. Please include project need and purpose, the means and methods to carry out the work, a description of materials to be used (type, composition, and quality of materials), construction schedule and sequence of work, the location and type of temporary and permanent sediment/erosion control practices, area of impact (such as linear feet), a disposal site location for excess materials (if applicable), and equipment that will be used to carry out the project.
  - Plans and specification drawings that show what you intend to construct. Drawings need to be clear and to scale – be sure to draw as accurately as possible. Drawings need to include a top, side, and cross section view with appropriate measurements for the proposed project.
  - Where required by the eligibility criteria, applications are to include an energy score for the project site using the **Bank Erosion Potential Index (BEPI) Score worksheet**. Refer to the eligibility criteria table for the minimum score necessary to be eligible for this general permit. The BEPI Worksheet can be completed within the ePermitting System.
  - Maps of the project site with information that includes most recent Soil Survey map, WI Wetland Inventory map, topographic map, floodplain information, and aerial photographs. All maps must show basic map elements (e.g., scale) and clear identification of the project site with project and property boundaries clearly labeled. The aerial photo shall also show the locations of all proposed wetland fill or discharge clearly labeled, if applicable. The department offers a web mapping tool to assist in creating these maps at <http://dnr.wi.gov/topic/surfacewater/swdv/>.
  - Current color photographs that represent existing site conditions where the project will occur. Photos must show a clear and unobstructed view of the waterway and/or wetlands within the project area (i.e., not covered in snow/ice/thick vegetation, etc.).
  - Vegetation plan - Native vegetation must be established above the ordinary high-water mark (OHWM). The following non-native cool season species can be planted: Virginia Wild Rye, Timothy, alfalfa, alsike clover, orchard grass, Smooth brome grass, and red top. Please refer to the Shoreland Habitat: Wisconsin Biology Technical Note 1 (<https://dnr.wisconsin.gov/sites/default/files/topic/ShorelandZoning/NRCSBioTechNote.pdf>) or the NRCS Conservation Practice Standard 643A: Shoreland Habitat (<https://dnr.wisconsin.gov/sites/default/files/topic/ShorelandZoning/NRCSshorehabstandard.pdf>) to see the recommended practice standards establishing native vegetation.
- f. Documentation verifying the project will not result in an adverse impact to federal or state cultural/historical resources.

- g. Documentation verifying the project will not result in an adverse impact to federal or state threatened/endangered resources. Documentation options include:
  - i. An ER Review Verification Form that shows the project is covered by the Broad Incidental Take Permit for no/low impact activities and therefore does not require a review.
  - ii. An ER Preliminary Assessment from the NHI Public Portal stating that no further actions are necessary or that further actions are recommended. The NHI Public Portal is located at <https://dnr.wisconsin.gov/>, keyword “NHI public portal”.
  - iii. If the ER Preliminary Assessment from the NHI Public Portal shows that "further actions are required" then submit a Department or Certified ER Review letter. The request form for an ER Review letter and a list of Certified Reviewers is located at <https://dnr.wisconsin.gov/>, keywords “ER review request”.

**Note:** A review of state threatened/endangered resources is completed by the Department for all applications submitted in the ePermitting system.

### **SECTION 3. CERTIFICATION & RESPONSIBILITIES**

You certify and agree that upon submitting a complete application package to Department, the streambank project will be conducted in compliance with all the terms and conditions of WDNR-GP27-2026.

### **SECTION 4. GENERAL PERMIT CONDITIONS**

The applicant agrees to comply with the following conditions:

1. Application. You shall submit a complete application package to the Department as outlined in the application materials and application requirements section of this permit. If requested within 30 calendar days after the Department received the application, you shall furnish the Department any information it needs to verify compliance with the terms and conditions of this permit.
2. Certification. Acceptance of coverage under general permit WDNR-GP27-2026 and efforts to begin work on the activities authorized by this general permit signifies that you have certified the project meets all eligibility standards outlined above and that you have read, understood, and agreed to follow all terms and conditions of this general permit.
3. Reliance on Applicant's Data. The determination by this office that a confirmation of authorization is not contrary to waterway or wetland water quality standards will be based upon the information provided by the applicant and any other information required by the Department.
4. Project Plans. This permit does not authorize any work other than what is specifically described in the notification package and plans submitted to the Department and is certified by you to comply with the terms and conditions of WDNR-GP27-2026.

5. Expiration. The time limit for completing an activity authorized by the provisions of WDNR-GP27-2026 ends 5 years after the date on which the activity is considered to be authorized under WDNR-GP27-2026 or until the activity is completed, whichever occurs first, regardless of whether WDNR-GP27-2026 expires before the activity is completed. The Department's use of general permit WDNR-GP27-2026 established under s. 30.206(1)(am), Wis. Stats., expires on April 27, 2031.
6. Written authorization for modification of scope. Any modification to the waterway impacts authorized under this general permit must be approved by the Department in writing to ensure that the project continues to meet the general permit eligibility criteria in Section 1. Separate permitting is necessary if the modified project scope no longer meets general permit eligibility.
7. Authorization Distribution. You must supply a copy of the permit coverage authorization to every contractor working on the project.
8. Project Start. You shall notify the Department using the information provided on the confirmation of coverage letter you receive before starting any activity and again not more than 5 days after each activity is completed.
9. Permit Posting. You must post a copy of this permit coverage letter at a conspicuous location on the project site at least 5 days before beginning the permitted activity. The copy of the permit coverage letter must remain posted at that location until at least five days after the area where the activity took place is stabilized. You must also keep a copy of the permit coverage letter and the approved plan available at the project site at all times until the project is complete.
10. Permit Compliance. The Department may revoke coverage of this permit for good cause if it is not constructed in compliance with the terms and conditions of this permit. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action.
11. Construction Timing. Once waterway work below the OHWM begins, all construction activities in those waterways must be continuous until the work is completed, and the site is stabilized. During periods of inactivity in wetlands, the site must be stabilized until the work is resumed and completed.
12. Construction. No other area of the wetland or waterway may be disturbed beyond the area designated in the submitted plans.
13. Project Completion. Within one week after completing the regulated activity, you shall submit to the Department a statement certifying the project complies with all the terms and conditions of this permit, and photographs of the activities authorized by this permit. This statement must reference the Department-issued docket number and be submitted to the Department staff member that authorized coverage.
14. Proper Maintenance. You must maintain the activity authorized by WDNR-GP27-2026 in good condition and in conformance with the terms and conditions of this permit using best management practices. Any structure or fill authorized shall be properly maintained to ensure no additional impacts to the remaining wetlands and waterways.
15. Site Access. Upon reasonable notice, you shall allow access to the site to any

Department employee, representative, or contractor who is inspecting the project's construction, operation, maintenance or permit compliance with the terms and conditions of WDNR-GP27-2026 and applicable laws.

16. Erosion and Siltation Controls. The project site shall implement erosion and sediment control measures that adequately control or prevent erosion and prevent damage to wetlands as outlined in subch. III of ch. NR 151, Wis. Adm. Code. The technical standards to implement these performance standards can be found at <https://dnr.wisconsin.gov/>, keyword "stormwater technical standards". Any area where topsoil is exposed during the project should be immediately seeded and mulched to stabilize disturbed areas and prevent soils from being eroded and washed into the waterway.
17. Equipment Use. The equipment used in waterways and wetlands must be low ground weight equipment as specified by the manufacturer specifications.
18. Wetland Protection. You shall not store any vegetation, material, or equipment in wetlands unless authorized to do so through an approved project design. The project will be constructed in a manner that will maintain wetland hydrology in the remaining wetland complex, if applicable.
19. Invasive Species. All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by following the most recent Department approved washing and disinfection protocols and Department approved best management practices to avoid the spread of invasive species as outlined in ch. NR 40, Wis. Adm. Code. These protocols and practices along with a factsheet for equipment operators can be found at <https://dnr.wisconsin.gov/>, keyword "invasive species BMPs".
20. Federal and State Threatened and Endangered Species. WDNR-GP27-2026 does not affect the Department's responsibility to ensure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats., and other applicable federal and state laws regarding threatened and endangered species. No activities are authorized under this permit that do not to comply with these acts/laws. No activity is authorized which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act and/or state law or which is likely to destroy or adversely modify the critical habitat of a species as identified under the Federal Endangered Species Act.
21. Special Concern Species. If the Wisconsin National Heritage Inventory lists a known special concern species to be present in the project area you will take reasonable action to prevent significant adverse impacts or to enhance the habitat for the species of concern.
22. Historic Properties and Cultural Resources. WDNR-GP27-2026 does not affect the Department's responsibility to ensure that all authorizations comply with Section 106 of the National Historic Preservation Act and s. 44.40, Wis. Stats. No activities are authorized that do not to comply with these acts/laws. Information on the location and existence of historic resources can be obtained from the State Historic Preservation

Office and the National Register of Historic Places. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately, and the State Historic Preservation Officer must be contacted for further instruction.

23. Preventive Measures. Measures must be adopted to prevent potential pollutants from entering a wetland or waterbody. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a manner that would allow them to enter a wetland or waterbody as a result of spillage, natural runoff, or flooding. **If a spill of any potential pollutant should occur, it is the responsibility of the permittee to remove such material, to minimize any contamination resulting from this spill, and to immediately notify the State Duty Officer at 1-800-943-0003.**
24. Suitable Fill Material. All fill authorized under this permit must consist of soil, as defined by ch. NR 500.03(214), Wis. Adm. Code, that is clean and suitable, free from hazardous substances as defined by s. 289.01(11), Wis. Stats., and free from solid waste as defined by s. 289.01(33), Wis. Stats.
25. Transfers. Coverage under this permit is transferable to any person only upon prior written approval of the transfer by the Department.
26. Reevaluation of Decision. The Department may suspend or revoke authorization of any previously authorized activity and may take enforcement action if the following occur:
  - a. The applicant fails to comply with the terms and conditions of WDNR-GP27-2026.
  - b. The information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate.

## SECTION 5. FINDINGS OF FACT

1. The Department and the applicant have completed all procedural requirements, and projects that meet the eligibility criteria and conditions and are granted coverage under this general permit will comply with all applicable requirements of WDNR-GP27-2026, ss. 30.12 and 30.206, Wis. Stats, and chs. NR 102, 103, 299, and 300, Wis. Adm. Code.
2. The Department has determined that the issuance of this general permit, with conditions, will not injure public rights or interests, cause environmental pollution as defined in s. 299.01(4), Wis. Stats., or result in material injury to the rights of any riparian owner.
3. The Department has determined that activities subject to this permit, with conditions, will cause only minimal adverse environmental impacts, will not materially interfere with navigation, and will not have an adverse impact on the riparian property rights of adjacent riparian owners.
4. The Department has determined pursuant to water quality standards under ch. NR 102, Wis. Adm. Code, that projects that meet the eligibility criteria and conditions and are granted coverage under this general permit individually and cumulatively will only result in minimal adverse environmental effects.

5. Pursuant to s. NR 299.04(1), Wis. Adm. Code, the Department has reasonable assurance that projects that meet the eligibility criteria and conditions and are granted coverage under this general permit will meet all applicable water quality standards.
6. If the project is designed and constructed in compliance with all eligibility criteria, the Department has determined that the activity will cause only minimal adverse environmental effects.

## **SECTION 6. CONCLUSIONS OF LAW**

1. The Department has authority under ss. 30.12 and 30.206, Wis. Stats., to issue this general permit.
2. The Department has determined that issuance of this general permit is a prior compliance action under s. NR 150.20(3)(b), Wis. Adm. Code, based on the Environmental Analysis and Environmental Impact Statements prepared previously for statewide general permits. The Department has determined that it has complied with s. 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code.

## **SECTION 7. DEFINITION OF TERMS**

For the purposes of this general permit, you accept the following definitions:

1. "Area of special natural resource interest" means only the areas listed in s. 30.01(1am), Wis. Stats., and identified by the Department in s. NR 1.05, Wis. Adm. Code.

**Note:** "Area of special natural resource interest" means any of the following:

- a. A State Natural Area designated or dedicated under ss. 23.27 to 23.29, Wis. Stats., and shown on a map published on the Department's Internet site.
- b. A surface water identified as a trout stream by the Department in s. NR 1.02(7), Wis. Adm. Code, and shown on a map published on the Department's Internet site.
- c. A surface water identified as an outstanding or exceptional resource water under s. 281.15, Wis. Stats., and shown on a map published on the Department's Internet site.
- d. A body of water designated as a wild rice water under a written agreement between the Department and the Great Lakes Indian Fish and Wildlife Commission and shown on a map published on the Department's Internet site.
- e. A body of water in a wetland along Lake Michigan or Lake Superior that the Department has identified as an ecologically significant coastal wetland and shown on a map published on the Department's Internet site.
- f. A river that is included in the national wild and scenic rivers system or designated as a wild river under s. 30.26, Wis. Stats., and shown on a map

published on the Department's Internet site.

- g. The portion of a body of water that contains a sensitive area and shown on a map published on the Department's Internet site.
  - h. A unique and significant wetland specified by the Department in a special wetland inventory study or a special area management plan and shown on a map published on the Department's website.
  - i. An area that possesses significant scientific value as identified by the Department in s. NR 1.05, Wis. Adm. Code.
2. "Bank" means a soil slope rising less than 10 feet above the bed of a waterway as measured from the bank toe.
  3. "Biological materials" means living or organic materials that are biodegradable such as native grasses, sedges, forbs, shrubs, and trees; live stakes and posts; non-treated wood; jute netting; fiber rolls and mats; logs; and branches.
  4. "Biological shore erosion control structure" means a shore erosion control structure that relies solely on biological materials.
  5. "Bluff" means the edge and face of land closest to a body of water, generally higher than 10 feet as measured from the bank toe, and high enough to contain multiple layers of soil and/or groundwater seepage."
  6. "Channel" means a natural or artificial water course with defined bed and banks to confine and conduct the normal flow of water.
  7. "Complete application package" means a completed and signed application, the information specified in Section 2 of this permit, and any other information which can reasonably be required from an applicant for the purpose of making a decision, including the information specified in s. NR 300.06(3), Wis. Adm. Code.
  8. "Contaminated sediments" has the meaning specified in the Wisconsin Pollutant Discharge Elimination System general permit to discharge carriage and/or interstitial water from dredging operations. (WPDES Permit No. WI-0046558-06-0).
  9. "Dam" means any artificial barrier in or across a watercourse which has the primary purpose of impounding or diverting water. A dam includes all appurtenant works, such as a dike, canal or powerhouse.
  10. "Department" means the Department of Natural Resources.
  11. "De minimis" activity means the dredging of less than 2 cubic yards in a calendar year from a specific waterbody or disturbance of bottom material during the manual removal of aquatic plants that meet the requirements of s. NR 109.06(2), Wis. Adm. Code.
  12. "Dredged material" means any material removed from the bed of a navigable

waterway by dredging. The bed of a navigable waterway extends landward to the OHWM.

13. "Dredging" means any part of the process of the removal or disturbance of material from the bed of a navigable waterway, transport of the material to a disposal, rehandling or treatment facility; treatment of the material; discharge of carriage or interstitial water; and disposal of the material. For the purposes of s. 30, Wis. Stats., dredging does not include "de minimis" activities.
14. "Floodplain" has the meaning in s. NR 116.03(16), Wis. Adm. Code, which means the land which has been or may be hereafter covered by flood water during the regional flood.

**Note:** Information for floodplain regulations and ordinances is available online at <https://dnr.wisconsin.gov/>, keywords "floodplain regulations".

15. "Hazardous substance" has the meaning specified in s. 289.01(11), Wis. Stats.
16. "High energy site" means a site where the storm-wave height calculated under s. NR 320.11(1) is greater than or equal to 2.3 feet or where the erosion intensity score calculated under s. NR 320.11(2) is greater than 67.
17. "Inert materials" means those materials that slowly degrade, such as chemically treated wood, stone, stainless and galvanized steel, plastics, and synthetic polymers.
18. "Invasive plants" are non-native or native plant species that invade natural plant communities and wild areas replacing desirable native vegetation. For a listing of common invasive plants found in Wisconsin visit <https://dnr.wisconsin.gov/>, keyword "invasive plants".
19. "Low energy site" means a site where the storm-wave height calculated under s. NR 320.11(1), Wis. Adm. Code, is less than 1.0 foot or where the erosion intensity score calculated under s. NR 320.11(2), Wis. Adm. Code, is 47 or less.
20. "Moderate energy site" means a site where the storm-wave height calculated under s. NR 320.11(1), Wis. Adm. Code, is greater than or equal to 1.0 foot but less than 2.3 feet, or where the erosion intensity score calculated under s. NR 320.11(2), Wis. Adm. Code, is 48 to 67.
21. "Navigable waterway" means any body of water with a defined bed and banks that is navigable under Wisconsin law. In Wisconsin a body of water is navigable if it is capable of floating on a regularly recurring basis the lightest boat or skiff used for recreation or any other purpose. This incorporates the definition in s. 30.01(4m), Wis. Stats., and current case law, which requires a watercourse to have a bed and banks, *Hoyt v. City of Hudson*, 27 Wis. 656 (1871), and requires a navigable waterway to float on a regularly recurring basis the lightest boat or skiff, *DeGayner & Co., Inc. v. DNR*, 70 Wis. 2d 936 (1975); *Village of Menomonee Falls v. DNR*,

140 Wis. 2d 579 (Ct. App. 1987).

22. "Ordinary high-water mark" (OHWM) means the point on the banks or shore up to which the presence and action of water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation or other easily recognizable characteristic.

23. "Public rights feature" has the meaning in s. NR 1.06(5), Wis. Adm. Code.

**Note:** "Public Rights Feature" means any of the following:

- a. Fish and wildlife habitat, including specific sites necessary for breeding, nesting, nursery and feeding. Physical features constituting fish and wildlife habitat include stands of aquatic plants; riffles and pools in streams; undercut banks with overhanging vegetation or that are vegetated *above*; areas of lake or streambed where fish nests are visible; large woody cover.
- b. Physical features of lakes and streams that ensure protection of water quality. Physical features that protect water quality include stands of aquatic plants (that protect against erosion and so minimize sedimentation), natural streambed features such as riffles or boulders (that cause turbulent stream flow and so provide aeration).
- c. Reaches of bank, shore or bed that is predominantly natural in appearance (not man-made or artificial) or that screen man-made or artificial features. Reaches include those with stands of vegetation that include intermixed trees, shrubs, and grasses; stands of mature pines or other conifer species; bog fringe; bluffs rising from the water's edge; beds of emergent plants such as wild rice, wild celery, reeds, arrowhead.
- d. Navigation thoroughfares or areas traditionally used for navigation during recreational boating, angling, hunting or enjoyment of natural scenic beauty. Physical features indicative of navigation thoroughfares includes shallow water areas typically used by wading anglers or areas frequently occupied by regularly repeated public uses such as water shows.

24. "Replacement" means a degree of structural changes to a structure by which some or all of the structure is being removed and recreated.

- For seawalls, "replacement" includes removal and recreation of a portion of the seawall down to or at the footing of the structure.
- For riprap, "replacement" includes removal and replacement of filter fabric or the base substrate.

25. "Riparian" means an owner of land abutting a navigable waterway.

26. "Riparian Zone" has the meaning given in s. 30.01(5r), Wis. Stats.

27. "Seawall" means an upright structure that is steeper than 1 foot horizontal to 1.5 foot vertical (1H:1.5V) and is installed parallel to the shore to prevent sliding or slumping of the land and to protect the adjacent upland from wave action.

**Note:** Seawalls are commonly constructed of timber, rock (including gabions), concrete, steel or aluminum sheet piling, and may incorporate biological components.

28. "Shore erosion control structure" means a structure with defined shape, size, form, and utility constructed and maintained for the purpose of protecting a shoreline from erosion. "Shore erosion control structure" includes vegetated armoring and hard armoring.
29. "Stabilize" means the process of making a site steadfast or firm, minimizing soil movement using practices such as mulching and seeding, sodding, landscaping, paving, graveling or other appropriate measures.
30. "Stream" generally means a waterway feature characterized by a discernable flow within the confines of a bed and banks.
31. "Toe" means the most waterward edge of a structure.
32. "Unconsolidated sediment" is defined as loose materials ranging in size from clay and silt to sand and muck. Unconsolidated sediment does not include bedrock, cobble, rock or gravel.
33. "Watercourse" means a running stream of water; a natural stream fed from permanent or natural sources, including rivers, creeks, runs and rivulets. There must be a stream, usually flowing in a particular direction, though it need not flow continuously. It may sometimes be dry. It must flow in a definite channel, having a bed or banks, and usually discharges itself into some other stream or body of water. It must be something more than a mere surface drainage over the entire face of the tract of land, occasioned by unusual freshets or other extraordinary causes.
34. "Wave height" means the vertical distance between the wave crest and wave trough.