Pier and Wharf Exemption Requirements

A pier or wharf does not need a DNR waterway permit if the project meets all the requirements below, including best management practices to protect water quality. Statute and code references for this activity are chs. 30.12 or 30.13, Wis. Stats., and s. NR 320.04(3) and (8), Wis. Adm. Code.

If your project meets the requirements below, you do not need to contact DNR and you may proceed with your project in accordance with all other necessary federal, state, and local permits or approvals.

☐ The wharf or pier does not interfere with rights of other riparian proprietors.

☐ The wharf or pier does not interfere with public rights in navigable waters.

☐ The wharf or pier does not enclose any portion of a navigable waterway.

☐ The wharf or pier does not extend beyond any pierhead line which is established under s. 30.13(3), Wis. Stats.

☐ The wharf or pier does not violate any ordinances enacted under s. 30.13(2), Wis. Stats.

☐ The structure is placed and maintained only by a riparian (or their authorized agent) and shall be entirely within the riparian's zone of interest as determined by one of the methods outlined in s. NR 320.09, Wis. Adm. Code.

☐ The wharf or pier is constructed to allow the free movement of water underneath and in a manner which will not cause the formation of land upon the bed of the waterway.

☐ A one-time deposit of sand, gravel, or stone under s. 30.12(1g)(a), Wis. Stats., may be associated with the placement of the structure provided the deposit is limited to the area immediately underneath or adjacent to the structure and is less than 2 cubic yards.

☐ Dredging is limited to the amount necessary to place a structure under s. 30.20(1g)(b)1., Wis. Stats.

☐ Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters and wetlands. All erosion control measures shall meet or

exceed technical standards under subch. III of ch. NR 151, Wis. Adm. Code. Any area where topsoil is exposed during the project shall be immediately seeded and mulched to stabilize disturbed areas and prevent soil from being eroded and washed into the waterway. **Note:** Land disturbance and vegetation removal should be kept to the minimum area necessary to implement the project. Such disturbance may be regulated through local shoreland zoning regulations or under s. 30.19, Wis. Stats.

☐ Any grading, excavation, and land disturbance shall be confined to the minimum area necessary for construction.

☐ 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 to comply with ch. NR 40, Wis. Adm. Code. **Note:** Current protocols can be found on the department website at https://dnr.wisconsin.gov, keyword "invasives disinfection."

☐ The pier or wharf may be placed in an area of special natural resource interest, as described in s. 30.01 (1am), Stats., or in a public rights feature under s. NR 1.06, if placed in accordance with s. 30.13 (1), Stats.

☐ The pier or wharf may have the number of boat slips as described under s. 30.12(1g)(f)1.c, Wis. Stats. **Note:** The initial 2-slip allotment is based on any frontage up to 50 feet. Each successive slip is allocated at a rate dependent on additional frontage in full 50' increments.