Seasonal Boat Shelters - Exemption Requirements

A seasonal boat shelter is exempt from needing a DNR waterway permit if the project meets all of the requirements below. Many of these requirements follow best management practices to protect water quality. Statute and code references for this activity are chs. 30.12 or 30.13, Wis. Stats., and ch. NR 320.04(3) and (9), Wis. Adm. Code.

If your project meets the requirements below, you do not need to contact DNR and you may proceed with your project.

- ☐ 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 allowable up 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 seasonal boat shelter may not extend beyond the line of navigation or an approved pierhead line unless additional water depth is necessary for mooring a boat or using a boat hoist or boat lift.
- ☐ The seasonal boat shelter may not interfere with public rights and may not have a significant adverse effect on aquatic habitat.
- ☐ The seasonal boat shelter shall allow the free movement of water underneath the shelter and may not cause the formation of land on the bed of the waterway.
- ☐ The seasonal boat shelter shall be designed and used exclusively for the berthing of a single watercraft.
- ☐ The seasonal boat shelter may not be more than 30 feet in length, unless its placement conforms with allowances under s. 30.01(1c)(b), Wis. Stats.
- ☐ The seasonal boat shelter may not exceed an outside width of 14 feet.
- ☐ The seasonal boat shelter shall be connected to adjacent land by a pier placed in conformity with s. 30.12 or 30.13, Wis. Stats.
- ☐ The seasonal boat shelter may include a roof but may not include walls, sides, or equivalent construction unless placement of the shelter conforms with allowances under s. 30.01(1c)(b), Wis. Stats.
- ☐ Seasonal boat shelter roofs shall be pitched not less than 1 foot nor more than 2.5 feet from the roof peak to the bottom of the eaves. Only the size and number of vertical components required to support the watercraft, and any roof are permitted.
- ☐ Storage facilities may only be included above the eaves of the seasonal boat shelter.
- ☐ The seasonal boat shelter may include a single sign necessary to identify the property and lighting essential for safety and mooring.
- ☐ The number of boat shelters placed adjacent to a property is limited to one permanent and one seasonal shelter or 2 seasonal shelters for the first 100 feet or lesser amount of shoreline frontage. One additional seasonal shelter may be placed for each additional 50 feet of shoreline frontage in common ownership. In lieu of placing additional seasonal boat shelters beyond the initial allowance for the first 100 feet of shoreline frontage, a riparian may apply to the department for an individual permit to allow one additional permanent boat shelter for every additional 100 feet of shoreline frontage in common ownership. This paragraph shall apply to all permanent shelters and seasonal shelters originally placed after September 1, 1991.

☐ Permanent and seasonal boat shelters shall be placed as close together as practicable at a single location adjacent to the riparian's property unless otherwise determined by the department through a voluntary exemption determination request under s. NR 300.04(4), Wis. Adm. Code. To submit a voluntary exemption review request, submit the information listed below to the DNR Waterways General Question inbox. The DNR will make a determination within 15 days of receiving a complete request.

- A statement that describes the proposed activity.
- The site location.
- The construction timing and methods that will be used.
- The project scope and design.
- A demonstration that the proposed activity will not cause a material injury to the riparian rights of any riparian owners.

NOTE: A person is responsible for requesting and obtaining all necessary federal, state, and local permits or approvals for their structure.