



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 281
[2017 Assembly Bill 926]

**Shoreline Maintenance in
Outlying Waters**

Wisconsin law generally requires a person to obtain a permit before removing material from or depositing material on the bed of a navigable water. Wisconsin law also generally requires a person to obtain a permit for engaging in certain activities relating to aquatic plant management, including the manual removal of aquatic plants. [ss. 23.24 (3) (a), 30.12 (1), and 30.20 (1), Stats.]

2017 Wisconsin Act 281 creates exemptions from those permit requirements for certain activities along the shorelines of outlying (i.e., Great Lakes) waters.¹ Specifically, the exemptions apply to the following activities, if the owner of the riparian land that abuts the shoreline area² approves the activity and certain other conditions, described below, are satisfied:

- The leveling of sand or grooming of soil in areas of unconsolidated material predominately composed of sand, rock, and pebble.
- The removal of debris or mowing of vegetation.
- A deposit of sand, gravel, or stone that is necessary to perform one of the above activities.
- The introduction of nonnative aquatic plants, the manual removal of aquatic plants, the control of aquatic plants by the use of chemicals, or the control of aquatic plants by the introduction of biological agents, if done in the course of performing one of the activities listed in the first two bulletpoints, above.

¹ The Act defines “outlying water” to mean Lake Superior, Lake Michigan, Green Bay, Sturgeon Bay, Sawyer’s Harbor, and the Fox River from its mouth up to the dam at De Pere.

² The Act defines “shoreline area” to mean the area that is located between the ordinary high-water mark and the water’s edge.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

To qualify for the exemptions under the Act, the activity must satisfy the following conditions:

- No material may be brought in from offsite sources to conduct the activity.
- No material removed from the riparian zone adjacent to the shoreline area may be used to conduct the activity.
- No removal of material may be conducted in an area known to contain any state-listed endangered or threatened species or any floating bogs or wild rice.
- The removal of material may not interfere with the rights of other riparian owners.
- The removal of invasive species must be conducted in a manner that prevents the spread of invasive species into the waters of this state and onto adjacent land.
- The activity may not involve the filling of a coastal wetland or the alteration of a coastal dune.

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