



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0364/2
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 935**

February 20, 2018 - Offered by Representative WICHGERS.

1 **AN ACT** *to amend* 30.206 (1) (a); and *to create* 30.20 (3) of the statutes; **relating**
2 **to:** creating a general permit for certain riparian owners to remove material
3 from the bed of a navigable water and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 30.20 (3) of the statutes is created to read:

5 **30.20 (3) GENERAL PERMITS; REMOVAL OF MATERIAL FROM BEDS OF NAVIGABLE**
6 **WATERS; RIPARIAN OWNERS.** (a) In this subsection:

7 1. "Inland waters" has the meaning given in s. 29.001 (45).

8 2. "Line of navigation" means the depth of a navigable water required to
9 operate a boat on the navigable water.

10 3. "Riparian zone" means the area that extends from riparian land waterward
11 to the line of navigation as determined by a method that establishes riparian zone

1 lines between adjacent riparian owners in a manner that equitably apportions access
2 to the line of navigation.

3 (b) The department shall issue a statewide general permit under s. 30.206 on
4 or before the first day of the 6th month beginning after the effective date of this
5 paragraph [LRB inserts date], that authorizes a riparian owner to remove
6 material from an inland water that is an impoundment or associated feature, as
7 defined in rules promulgated by the department, without obtaining a permit under
8 s. 23.24 (3) if all of the following apply:

9 1. The removal occurs within the riparian owner's riparian zone.

10 2. The riparian owner's riparian zone abuts a navigable water that is affected
11 by a man-made impoundment, and the material removed is unconsolidated
12 sediment that was deposited after the navigable water was affected by the
13 impoundment.

14 3. The removal does not occur in a navigable water that is identified as an
15 outstanding or exceptional resource water under s. 281.15.

16 4. The total amount of material removed does not exceed 50 cubic yards per
17 year.

18 5. The material is removed to allow the riparian owner to navigate from the
19 shoreline of his or her riparian property to the line of navigation.

20 6. The riparian owner uses best management practices, established by the
21 department and published on its Internet site, for the removal and disposal of the
22 material.

23 **SECTION 2.** 30.206 (1) (a) of the statutes is amended to read:

