

State of Wisconsin



2017 Assembly Bill 926

Date of enactment: **April 16, 2018**
Date of publication*: **April 17, 2018**

2017 WISCONSIN ACT 281

AN ACT to create 23.24 (4) (b) 4., 30.12 (1g) (am), 30.125 and 30.20 (1g) (b) 3. of the statutes; **relating to:** shoreline maintenance in outlying waters.

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

SECTION 1. 23.24 (4) (b) 4. of the statutes is created to read:

23.24 (4) (b) 4. A person who engages in an activity listed under sub. (3) (a) in the course of performing shoreline maintenance as authorized under s. 30.125.

SECTION 2. 30.12 (1g) (am) of the statutes is created to read:

30.12 (1g) (am) A deposit of sand, gravel, or stone that is necessary to perform an activity authorized under s. 30.125 (2) (a).

SECTION 3. 30.125 of the statutes is created to read:
30.125 Shoreline maintenance in outlying waters.

(1) In this section:

(a) "Outlying waters" has the meaning given in s. 29.001 (63).

(b) "Shoreline area" means the area that is located between the ordinary high-water mark and water's edge.

(2) If the conditions under sub. (3) are met, the permitting requirements under ss. 23.24 (3) and 30.12 and the contract and permitting requirements under s. 30.20 do not apply to any of the following maintenance activities conducted in a shoreline area of an outlying water:

(a) The leveling of sand or the grooming of soil if the leveling or grooming will occur in an area of unconsoli-

dated material predominately composed of sand, rock, and pebble that is authorized by the owner of the riparian land that abuts the shoreline area.

(b) The removal of debris or the mowing of vegetation that is authorized by the owner of the riparian land that abuts the shoreline area.

(3) All of the following conditions apply to the activities described under sub. (2):

(a) No material may be brought in from offsite sources to conduct the activity.

(b) No material removed from the riparian zone adjacent to the shoreline area may be used to conduct the activity.

(c) No removal of material may be conducted in an area known to contain any species listed as endangered or threatened under s. 29.604 (3) or any floating bogs or wild rice.

(d) The removal of material may not interfere with the rights of other riparian owners.

(e) The removal of invasive species shall be conducted in a manner that prevents the spread of invasive species into the waters of this state and onto adjacent land.

(f) The activity may not involve the filling of a coastal wetland or the alteration of a coastal dune.

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

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

30.20 (1g) (b) 3. The removal is necessary to perform
an activity authorized under s. 30.125 (2).
