DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB–4298/P1dn
MGG:kmg:pg

December 3, 2001

Attention: Ron Sklansky

Please review this bill and the analysis carefully. This area of the law is very complicated so you may also want Mark Patronsky or John Stolzenberg to review this. In your review, please consider the following:

1. I drafted the "ratio" requirements to be minimum requirements and not exact ones. I don't think it would be possible in each situation to restore, enhance, or create a wetland that was exactly a certain size.

2. I had to incorporate the size requirement into the current restrictions found in s. 281.37 (2m). See s. 281.37 (3j).

3. Note that under s. 281.37 (3g) the permitted activity may not affect the areas listed. Therefore, the wetland that will be adversely affected and the mitigating wetland may not be these types of areas. Also note that it does not matter whether the "impact" is a beneficial one or an adverse one. OK?

4. In the analysis, I was purposely vague about what the objected rule was because I do not see how it would work. How would there be a "loss" of more than 20 acres if the ratio is 1 to 1? Are they talking about the adversely affected wetland? If you want more detail in this regard, please call me to discuss this.

5. Finally, please check the dates given for the committee action.

Mary Gibson–Glass
Senior Legislative Attorney
Phone: (608) 267–3215