

**ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 926**

March 5, 2004 – Offered by COMMITTEE ON NATURAL RESOURCES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 5, line 12: after “(d)” insert “and (9) (d)”.

3 **2.** Page 5, line 18: delete the material beginning with “under” and ending with
4 “well” on line 19 and substitute “for a high capacity well described in s. 281.34 (4) (a)
5 1. to 3”.

6 **3.** Page 6, line 5: delete that line and substitute “3. A class I, class II, or class
7 III trout stream, other than a class I, class II, or class III trout stream”.

8 **4.** Page 6, line 22: delete the material beginning with “current” and ending
9 with “minimum of” on line 23, and substitute “flow of at least”.

10 **5.** Page 7, line 8: after that line insert:

11 “**(2m)** TEMPORARY DEWATERING WELLS. The department shall issue a single
12 approval under sub. (2) for all high capacity wells constructed for one project, as
13 determined by the department, for temporary dewatering of a construction site,

1 including a construction site for a building, road, or utility. The department shall
2 provide for amendments to a project under this subsection. A person applying for
3 approval of high capacity wells for a project under this subsection is only required
4 to pay one \$500 fee.”.

5 **6.** Page 7, line 13: after “REVIEW.” insert “(a)”.

6 **7.** Page 7, line 15: delete the material beginning with “to an action” and ending
7 with “resources or” on line 17.

8 **8.** Page 7, line 21: substitute “1.” for “(a)”.

9 **9.** Page 7, line 22: substitute “2.” for “(b)”.

10 **10.** Page 7, line 22: before “95 percent” insert “more than”.

11 **11.** Page 7, line 24: substitute “3.” for “(c)”.

12 **12.** Page 7, line 25: after that line insert:

13 “(b) If, under sub. (5) (b), (c), or (d), the department requests an environmental
14 impact report under s. 23.11 (5) for a proposed high capacity well, the department
15 may only request information in that report that relates to the decisions that the
16 department makes under this section related to the proposed high capacity well.”.

17 **13.** Page 8, line 4: after “unless it” insert “is able to include and”.

18 **14.** Page 8, line 12: after “unless it” insert “is able to include and”.

19 **15.** Page 8, line 19: after “well and” insert “is able to include and”.

20 **16.** Page 9, line 3: after “unless it” insert “is able to include and”.

21 **17.** Page 9, line 10: after “unless it” insert “is able to include and”.

22 **18.** Page 9, line 17: after “well and” insert “is able to include and”.

- 1 **19.** Page 10, line 11: delete “department may modify or rescind the”.
- 2 **20.** Page 10, line 12: delete “if” and substitute “remains in effect unless the
3 department modifies or rescinds the approval because”.
- 4 **21.** Page 10, line 16: delete “and class II” and substitute “, class II, and class
5 III”.
- 6 **22.** Page 10, line 22: after “fishery.” insert “The department shall identify as
7 a class III trout stream a stream or portion of a stream that has marginal trout
8 habitat with no natural reproduction of trout occurring, requiring annual stocking
9 of trout to provide trout fishing, and generally without carryover of trout from one
10 year to the next.”.
- 11 **23.** Page 10, line 23: delete “or class II” and substitute “, class II, or class III”.
- 12 **24.** Page 11, line 9: delete that line and substitute “of wells and replacement
13 of wells, if necessary, and management strategies.”.
- 14 **25.** Page 12, line 3: substitute “advisory” for “quantity”.
- 15 **26.** Page 12, line 7: after that line insert:
16 “(d) If the department promulgates rules under par. (c) and the rules require
17 mitigation in the same or a similar manner as under sub. (8) (d), the department may
18 not require mitigation for a well under the rules unless the department provides
19 funding for the full cost of the mitigation, except that full funding is not required if
20 the department is authorized under ch. 280 to require the well to be abandoned
21 because of issues regarding public health.”.
- 22 **27.** Page 14, line 6: substitute “ADVISORY” for “QUANTITY”.
- 23 **28.** Page 14, line 18: substitute “advisory” for “quantity”.

1 **29.** Page 14, line 20: substitute “Three” for “Four”.

2 **30.** Page 14, line 22: after that line insert:

3 “3g. One member appointed by the minority leader of the assembly.

4 3r. One member appointed by the minority leader of the senate.”.

5 **31.** Page 14, line 24: delete “1. to” and substitute “2. and”.

6 **32.** Page 15, line 4: after that line insert:

7 “(cm) The governor shall appoint one member of the groundwater advisory
8 committee representing well drillers. The governor, the minority leader of the
9 assembly, and the minority leader of the senate shall consult regarding the other 4
10 appointees under paragraph (b) 1., 3g., and 3r. to ensure that one represents each of
11 the interests under paragraph (c) 1. to 4.”.

12 **33.** Page 15, line 6: substitute “advisory” for “quantity”.

13 **34.** Page 15, line 7: substitute “advisory” for “quantity”.

14 **35.** Page 15, line 20: substitute “advisory” for “quantity”.

15 **36.** Page 15, line 23: after “agencies.” insert “The committee shall also
16 recommend under this paragraph whether areas described in paragraph (e) 2.
17 should be designated as groundwater management areas and, once designated, how
18 and when to remove the designation of an area as a groundwater management area.”.

19 **37.** Page 16, line 1: substitute “advisory” for “quantity”.

20 **38.** Page 16, line 3: substitute “advisory” for “quantity”.

21 **39.** Page 16, line 8: after “spring” insert “, and recommendations regarding
22 the definition of spring in section 281.34 (1) (f) of the statutes, as created by this act”.

1 **40.** Page 16, line 12: after “change.” insert “The committee shall include in the
2 report recommendations regarding the potential for the use of general permits for
3 high capacity wells and recommendations regarding the factors to be considered by
4 the department of natural resources in determining whether a high capacity well
5 causes significant environmental impact for the purposes of section 281.34 of the
6 statutes, as created by this act.”.

7 **41.** Page 16, line 14: substitute “advisory” for “quantity”.

8 **42.** Page 16, line 15: substitute “advisory” for “quantity”.

9 **43.** Page 16, line 20: delete “class I and” and substitute “class I,”.

10 **44.** Page 16, line 21: delete that line and substitute “II, or class III trout
11 streams, other than class I, class II, or class III trout streams that are farm
12 drainage”.

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(END)