



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 553

Senate Amendment 1

Memo published: March 12, 2008

Contact: John Stolzenberg, Chief of Research Services (266-2988)

Senate Bill 553 relates to requiring the Department of Natural Resources (DNR) to provide evaluations and statements about whether certain lands contain wetlands and other notices and informational brochures about wetland laws.

Senate Amendment 1 makes the following changes to Senate Bill 553:

- In the provision on DNR's service of identifying a wetland based upon an on-site inspection of the land, specifies that DNR may not provide this identification before the date on which the department enters into a memorandum of agreement with the U.S. Army Corps of Engineers, as described below.
- In the provision on DNR's service to confirm the existence of a wetland delineated by a third person based upon an on-site inspection of the land, requires that the delineation prepared by the third person must include the exact location and boundaries of the wetland. If DNR concurs with the third person's delineation, the department's statement under this provision must also include the exact location and boundaries of the wetland.
- Directs DNR to negotiate with the U.S. Army Corps of Engineers a memorandum of agreement that provides that the Corps will concur with any written evaluation by DNR of whether a parcel of land contains a wetland under the on-site wetland identification service the department must offer under the bill.
- Adds to the exemption for DNR not providing an on-site wetland identification or confirmation report within 30 days after a person files the request for the identification or confirmation based upon adverse weather conditions that the reporting delay may be based on other conditions on the site that prevent DNR from conducting an accurate on-site inspection in sufficient time to comply with this deadline.

- Specifies that an on-site wetland identification or confirmation provided by DNR remains in effect for five years from the date provided by the department.
- Directs DNR, if it determines under its on-site wetland identification or confirmation services that a parcel of land is likely to or does contain a wetland or concurs with the boundaries of a wetland as delineated by a third person, to include this information on the wetland inventory maps the department is required to prepare under current law.

Legislative History

On March 10, 2008, Senator Miller offered Senate Amendment 1 to Senate Bill 553. On March 11, 2008, the Senate Committee on Environment and Natural Resources recommended adoption of Senate Amendment 1 and passage of Senate Bill 553, as amended, by votes of Ayes, 5; Noes, 0.

JES:wu:jb;wu