



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 557

**Senate
Amendment 1**

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Senate Bill 557 requires the Department of Natural Resources (DNR) to provide three types of services relating to wetlands to persons who own or lease land: wetland map reviews, on-site wetland identifications, and wetland confirmations. The DNR may not provide a wetland identification before the date on which it enters into a memorandum of agreement with the U.S. Army Corps of Engineers. This agreement must provide that the Corps will concur with any written wetland identification prepared by the DNR.

The bill also requires each county, city, village, and town that issues a building permit or other approval for construction activity to give the applicant a written notice that contains information about construction near or on wetlands, unless the local governmental unit issues the building permit on a standard form prescribed by the Department of Commerce. This notice must include a statement that advises the applicant that the applicant is responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams.

Senate Amendment 1 to Senate Bill 557 removes the requirement that the DNR must enter into a memorandum of agreement with the U.S. Army Corps of Engineers regarding wetland identifications and substitutes that the DNR must enter into an agreement with the Corps under which the Corps will concur in the DNR's wetland confirmations. Under the amendment, the DNR may not provide a wetland confirmation before the earlier of the following:

- The date on which the DNR enters into this memorandum of agreement with the U.S. Army Corps of Engineers.
- Eighteen months after the bill is published.

The amendment also clarifies the local government notice provisions in the bill to ensure that the provisions are internally consistent and apply to the correct unit of local government.

Legislative History

Senator Kreitlow offered Senate Amendment 1 to 2009 Senate Bill 557 on March 26, 2010. On April 1, 2010, the Senate Committee on Environment recommended adoption of Senate Amendment 1 and passage of Senate Bill 557, as amended, on successive votes of Ayes, 5; Noes, 0.

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