



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Bill 661**

**Senate  
Amendment 1**

*Memo published:* April 19, 2009

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*Senate Bill 661* authorizes the Department of Natural Resources (DNR) to issue a general permit for wetland restoration activities sponsored by a federal agency in lieu of issuing a specified state individual permit, approval, or water quality certification under ch. 30, 31, or 281, Stats., that would otherwise be required for those activities.

The bill prescribes procedures for the DNR to issue the general permit and for a person to have the general permit apply to a specific activity. The latter procedure requires the person to apply to the DNR, with written notification of the person's wish to proceed with the activity, not less than 15 days before commencing the activity. The DNR may request additional information on the activity one time during the 15-day period.

The bill also specifies that, if within 30 days after the submittal of this notification DNR does not require any additional information about the activity and does not inform the person or the federal agency sponsoring the activity that an individual permit will be required, the activity will be considered to be authorized under the general permit. The person may then proceed with the activity without further notice, hearing, permit, or approval if the activity is carried out in compliance with all of the conditions of the general permit.

*Senate Amendment 1* changes this 30-day period for the DNR's passive review to 15 days.

### *Legislative History*

On April 7, 2010 Senator Wirch offered Senate Amendment 1 to Senate Bill 661. On April 14, 2010, the Senate Committee on Environment recommended adoption of Senate Amendment 1 and passage of Senate Bill 661, as amended, on separate votes of Ayes, 5; Noes, 0.

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