

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2251/P1dn
EHS:sac:rs

June 26, 2013

Rob and John:

This draft allows the placement of net pens in navigable waters for noncommercial purposes. Note that permission under a general permit authorizes only a riparian owner to place a structure in navigable waters and is limited to the navigable water adjacent to the riparian owner's property. A general permit is valid for a period of five years or until the activity is completed, whichever occurs first, under s. 30.206 (1) (b).

Note that a person who places a net pen as allowed under a general permit would still need any relevant permit under subch. X of ch. 29 to propagate or stock fish in the net pen or to release fish from the net pen. Also, it is possible that the use of a net pen for hatching or rearing fish might qualify as a "fish farm" under ch. 29 or s. 95.60, and therefore may be subject to other provisions that apply to fish farms.

Let me know if you have any questions or if you would like any changes to the draft.

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