

2013 DRAFTING REQUEST

Senate Substitute Ammendment (SSA-SB1)

Received: 2/8/2013 Received By: rkite
Wanted: As time permits Same as LRB:
For: Thomas Tiffany (608) 266-2509 By/Representing: Jen Esser
May Contact: Drafter: btradewe
Subject: Environment - mining Addl. Drafters: jkreye
Nat. Res. - nav. waters mglass
Nat. Res. - wet/shore/flood rkite
Tax, Other - miscellaneous

Extra Copies:

Submit via email: YES
Requester's email: Sen.Tiffany@legis.wi.gov
Carbon copy (CC) to: Anna.henning@legis.wisconsin.gov
larry.konopacki@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Iron mining with senate amendments adopted in committee

Instructions:

Incorporate into a substitute amendment all of the amendments adopted in the senate committee

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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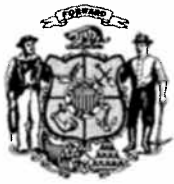
2013 Senate Bill 1 (LRB -0762)

An Act to repeal 107.001 (2) and 293.01 (8); to renumber and amend 30.123 (8) (c) and 87.30 (2); to amend 20.370 (2) (gh), 20.455 (1) (gh), 20.566 (7) (e), 20.566 (7) (v), 25.46 (7), 29.604 (4) (intro.), 29.604 (4) (c) (intro.), 30.025 (1e) (a), 30.025 (1m) (intro.), 30.025 (1m) (c), 30.025 (1s) (a), 30.025 (2), 30.025 (2g) (b) (intro.), 30.025 (4), 30.12 (3m) (c) (intro.), 30.133 (2), 30.19 (4) (c) (intro.), 30.195 (2) (c) (intro.), 32.02 (12), 70.375 (1) (as), 70.375 (1) (bm), 70.375 (4) (h), 70.38 (2), 70.395 (1e), 70.395 (2) (dc) 1., 70.395 (2) (dc) 2., 70.395 (2) (dc) 3., 70.395 (2) (dc) 4., 70.395 (2) (fm), 70.395 (2) (h) 1., 70.395 (2) (hg), 70.395 (2) (hr), 70.395 (2) (hw), 107.001 (1), 107.01 (intro.), 107.01 (2), 107.02, 107.03, 107.04, 107.11, 107.12, 107.20 (1), 107.20 (2), 107.30 (8), 107.30 (15), 107.30 (16), 160.19 (12), 196.491 (3) (a) 3. b., 196.491 (4) (b) 2., 281.36 (3g) (h) 2., 281.65 (2) (a), 281.75 (17) (b), 283.84 (3m), 287.13 (5) (e), 289.35, 289.62 (2) (g) 2. and 6., 292.01 (1m), chapter 293 (title), 293.01 (5), 293.01 (7), 293.01 (9), 293.01 (12), 293.01 (18), 293.01 (25), 293.21 (1) (a), 293.25 (2) (a), 293.25 (4), 293.37 (4) (b), 293.47 (1) (b), 293.50 (1) (b), 293.50 (2) (intro.), 293.50 (2) (a), 293.50 (2) (b), 293.51 (1), 293.65 (3) (a), 293.65 (3) (b), 293.86, chapter 295 (title), 295.16 (4) (f), 299.85 (7) (a) 2. and 4., 299.95, 323.60 (5) (d) 3., 706.01 (9) and 710.02 (2) (d); and to create 20.370 (2) (gi), 23.321 (2g), 25.49 (2m), 29.604 (7m), 30.025 (1e) (c), 30.025 (4m), 31.23 (3) (e), 87.30 (2) (b), 196.491 (3) (a) 3. c., 227.483 (3) (c), 238.14, 293.01 (12m), subchapter III of chapter 295 [precedes 295.40] and 323.60 (1) (gm) of the statutes; relating to: regulation of ferrous metallic mining and related activities, procedures for obtaining approvals from the Department of Natural Resources for the construction of utility facilities, making an appropriation, and providing penalties. (FE)

2013

- 01-22. S. Introduced by Senators **Tiffany, Gudex, Darling, Farrow, Kedzie, Lasee, Lazich, Leibham and Vukmir**; cosponsored by Representatives **Suder, Honadel, Williams, August, Ballweg, Bernier, Bies, Born, Craig, Czaja, Endsley, Hutton, Jacque, Jagler, Kapenga, Kaufert, Kerkman, Kestell, Kleefisch, Klenke, Knodl, Knudson, Kooyenga, Kramer, Kuglitsch, T. Larson, LeMahieu, Loudeneck, Murphy, Murtha, Nass, Nygren, A. Ott, J. Ott, Petersen, Petryk, Pridemore, Ripp, Sanfelippo, Schraa, Severson, Spiros, Steineke, Stone, Strachota, Stroebel, Swearingen, Tauchen, Thiesfeldt, Tittl, Vos, Weatherston and Weininger.**
- 01-22. S. Read and referred to Committee on Workforce Development, Forestry, Mining, and Revenue
- 01-23. S. Public hearing held
- 01-28. S. Fiscal estimate received
- 01-28. S. Fiscal estimate received
- 01-28. S. Fiscal estimate received
- 01-28. S. Fiscal estimate received
- 01-31. S. Fiscal estimate received
- 02-04. S. Fiscal estimate received
- 02-05. S. Senate Amendment 1 offered by Senator Tiffany (**LRB a0042**)
- 02-05. S. Senate Amendment 2 offered by Senator Tiffany (**LRB a0043**)
- 02-05. S. Senate Amendment 3 offered by Senator Tiffany (**LRB a0044**)
- 02-05. S. Senate Amendment 4 offered by Senator Tiffany (**LRB a0053**)
- 02-05. S. Senate Amendment 5 offered by Senator Tiffany (**LRB a0067**)
- 02-05. S. Senate Amendment 6 offered by Senator Tiffany (**LRB a0072**)
- 02-05. S. Senate Amendment 7 offered by Senator Tiffany (**LRB a0073**)
- 02-05. S. Senate Amendment 8 offered by Senator Tiffany (**LRB a0076**)
- 02-05. S. Senate Amendment 9 offered by Senator Tiffany (**LRB a0077**)
- 02-05. S. Senate Amendment 10 offered by Senator Tiffany (**LRB a0085**)
- 02-05. S. Senate Amendment 11 offered by Senator Tiffany (**LRB a0093**)
- 02-05. S. Senate Substitute Amendment 1 offered by Senators Jauch and Lehman (**LRB s0003**)
- 02-05. S. Senate Amendment 12 offered by Senators Jauch and Lehman (**LRB a0075**)
- 02-05. S. Senate Amendment 13 offered by Senators Jauch and Lehman (**LRB a0061**)
- 02-05. S. Senate Amendment 14 offered by Senators Jauch and Lehman (**LRB a0058**)
- 02-05. S. Senate Amendment 15 offered by Senators Jauch and Lehman (**LRB a0100**)
- 02-05. S. **LRB correction** (Senate Amendment 10)
- 02-05. S. Senate Amendment 16 offered by Senators Jauch and Lehman (**LRB a0101**)
- 02-06. S. Fiscal estimate received
- 02-06. S. Executive action taken
- 02-07. S. Report adoption of Senate Amendment 1 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 5, Noes 0
- 02-07. S. Report adoption of Senate Amendment 2 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report adoption of Senate Amendment 3 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report adoption of Senate Amendment 4 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2

- 02-07. S. Report adoption of Senate Amendment 5 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 5, Noes 0
- 02-07. S. Report adoption of Senate Amendment 6 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report adoption of Senate Amendment 7 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 5, Noes 0
- 02-07. S. Report adoption of Senate Amendment 8 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 4, Noes 1
- 02-07. S. Report adoption of Senate Amendment 9 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report adoption of Senate Amendment 10 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report adoption of Senate Amendment 11 recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Report passage as amended recommended by Committee on Workforce Development, Forestry, Mining, and Revenue, Ayes 3, Noes 2
- 02-07. S. Available for scheduling



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 1

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

2 ✓ / **1.** Page 28, line 23: delete lines 23 and 24.

3 ✓ / **2.** Page 30, line 1: delete the material beginning with that line and ending with
4 page 32, line 20.

5 ✓ / **3.** Page 34, line 8: after that line insert:

6 “**SECTION 27g.** 70.375 (1) (ar) of the statutes is repealed and recreated to read:
7 70.375 (1) (ar) “Internal Revenue Code” means the federal Internal Revenue
8 Code, as amended, and applicable federal regulations adopted by the federal
9 department of the treasury.”.

10 ✓ / **4.** Page 34, line 24: after that line insert:

11 “**SECTION 30d.** 70.375 (4m) of the statutes is created to read:

1 70.375 (4m) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. Except as otherwise
2 provided under this section, a person subject to the tax imposed under sub. (2), shall
3 use generally accepted accounting principles to determine the person's net proceeds
4 occupation tax liability under this section." ✓

5 ✓ / **5.** Page 35, line 10: after "that" insert ", after the payments are made under
6 sub. (2) (d) 1., 2., and 2m.,".

7 ✓ / **6.** Page 35, line 13: delete "economic development" and substitute "general".

8 ✓ / **7.** Page 36, line 19: after that line insert:

9 "SECTION 37d. 70.395 (2) (g) (intro.) of the statutes is amended to read:

10 70.395 (2) (g) (intro.) The board may distribute the revenues received under
11 sub. (1e) or proceeds thereof in accordance with par. (h) for the following purposes,
12 with a preference to private sector economic development projects under subd. 3., as
13 the board determines necessary:

14 SECTION 37e. 70.395 (2) (g) 3. of the statutes is amended to read:

15 70.395 (2) (g) 3. Studies and projects for local private sector economic
16 development.".

17 ✓ / **8.** Page 37, line 18: after that line insert:

18 "SECTION 41m. 77.105 of the statutes is created to read:

19 **77.105 Ferrous mining.** (1) The department may not issue an order of
20 withdrawal under s. 77.10 (1) based on the cutting of timber or other forest crops or
21 other activities on forest cropland if all of the following requirements are met:

22 (a) The cutting or activity is necessary to engage in bulk sampling, as defined
23 in s. 295.41 (7).

1 (b) The area that will be affected by the cutting or the activity does not exceed
2 5 acres.

3 (c) A bulk sampling plan has been filed with the department under s. 295.45
4 and all approvals that are required for bulk sampling have been issued by the
5 department.

6 (d) The revegetation plan that is part of the bulk sampling plan described under
7 par. (c) includes forestry practices that will ensure that the timber, forest crops, and
8 other vegetation that will be cut or otherwise affected will be restored to the greatest
9 extent possible.

10 (2) The requirement under sub. (1) (d) does not apply to forest cropland that
11 is within a mining site described in a preapplication notification under s. 295.465 or
12 in an application for a ferrous mining permit under s. 295.58.

13 **SECTION 41q.** 77.883 of the statutes is created to read:

14 **77.883 Ferrous mining.** (1) The department may not issue an order of
15 withdrawal under s. 77.88 (1) based on the cutting of timber or other activities on
16 managed forest land if all of the following requirements are met:

17 (a) The cutting or activity is necessary to engage in bulk sampling, as defined
18 in s. 295.41 (7).

19 (b) The area that will be affected by the cutting or the activity does not exceed
20 5 acres.

21 (c) A bulk sampling plan has been filed with the department under s. 295.45
22 and all approvals that are required for bulk sampling have been issued by the
23 department.

24 (d) The revegetation plan that is part of the bulk sampling plan described under
25 par. (c) includes forestry practices that will ensure that the merchantable timber and

1 other vegetation that will be cut or otherwise affected will be restored to the greatest
2 extent possible.

3 (2) The requirement under sub. (1) (d) does not apply to managed forest land
4 that is within a mining site described in a preapplication notification under s.
5 295.465 or in an application for a mining permit under s. 295.58.

6 (3) Section 77.86 (1) (c) and (d) do not apply to cutting of timber or another
7 activity on managed forest land if all of the requirements in sub. (1) (a) to (d) are
8 met.”.

9 ✓ **9.** Page 45, line 14: delete lines 14 to 19.

10 ✓ **10.** Page 47, line 4: delete “, or leased by the generator” and substitute “or
11 leased by the generator or on which the generator holds an easement”.

12 ✓ **11.** Page 56, line 9: delete ““Approval” means” and substitute “(a) “Approval”
13 means, except as provided in par. (b),”.

14 ✓ **12.** Page 56, line 14: delete “(a)” and substitute “1.”.

15 ✓ **13.** Page 56, line 17: delete “(b)” and substitute “2.”.

16 ✓ **14.** Page 56, line 18: delete “(c)” and substitute “3.”.

17 ✓ **15.** Page 56, line 20: after that line insert:

18 “(b) “Approval” does not include a permit, license, certification, contract, or
19 other authorization related to the construction of any new plant, equipment,
20 property, or facility for the production, transmission, delivery, or furnishing of
21 power.”.

22 ✓ **16.** Page 91, line 4: after that line insert:

1 “(5) After receiving notice under sub. (1), the department shall seek to enter
2 into a memorandum of understanding with any federal regulatory agency with
3 responsibilities related to the potential mining operation covering timelines,
4 sampling metrology, and any other issue of mutual concern related to processing an
5 application for a mining permit.”.

6 ✓✓ **17.** Page 91, line 19: after that line insert:

7 “(am) For the purposes of s. 295.57 (7) (a), as part of the application for a mining
8 permit, an applicant may specify a deadline for the department to act on the mining
9 permit that is more than 420 days after the day on which the application is
10 administratively complete under s. 295.57 (2).”.

11 ✓✓ **18.** Page 104, line 8: delete the material beginning with “the method” and
12 ending with “600/2-78-054” on line 9 and substitute “static testing, kinetic testing,
13 and microscopic testing for mineralization characterization”.

14 ✓✓ **19.** Page 111, line 9: delete “100” and substitute “250”.

15 ✓✓ **20.** Page 119, line 1: delete “no less than 20”.

16 ✓✓ **21.** Page 119, line 2: delete “percent and”.

17 ✓✓ **22.** Page 123, line 16: after that line insert:

18 “7. Archaeological sites.”.

19 ✓✓ **23.** Page 126, line 15: delete “one” and substitute “both”.

20 ✓✓ **24.** Page 126, line 16: delete “applies” and substitute “apply”.

21 ✓✓ **25.** Page 126, line 17: after “impacts” insert “on the mining site or, if the
22 exemption will result in significant adverse environmental impacts on the mining
23 site, the applicant will offset those impacts through a mitigation program, as

1 provided in s. 295.60 (8), through the measures provided in s. 295.605, or through the
2 conservation measures provided in s. 295.61”.

3 ✓ **26.** Page 126, line 18: delete lines 18 to 21 and substitute:

4 “2. The exemption will not result in significant adverse environmental impacts
5 off of the mining site.”.

6 ✓ **27.** Page 131, line 25: after “approval.” insert “The department shall publish
7 the notice on its Internet site not more than 10 days after the application is
8 considered to be complete under sub. (8) (b) 1.”.

9 ✓ **28.** Page 132, line 19: after “No” insert “later than the deadline specified by
10 the applicant under s. 295.47 (1) (am) or, if the applicant does not specify a deadline
11 under s. 295.47 (1) (am), no”.

12 ✓ **29.** Page 133, line 9: substitute “, (d), and (e)” for “and (d)”.

13 ✓ **30.** Page 133, line 20: after “sub. (2)” insert “or more than 60 days after that
14 day but in time to allow the application to be considered at the public informational
15 hearing for the mining permit under sub. (5)”.

16 ✓ **31.** Page 133, line 23: delete the material beginning with that line and ending
17 with page 134, line 4, and substitute:

18 “(b) 1. If an applicant files an application for an approval other than a mining
19 permit too late to allow the application to be considered at the public informational
20 hearing for the mining permit under sub. (5) but before the department issues the
21 decision to grant or deny the application for the mining permit, the application for
22 the approval is considered to be complete on the 30th day after the department
23 receives the application, unless, before that day, the department provides the
24 applicant with written notification that the application is not complete, stating the

1 reason for the determination and describing the specific information necessary to
2 make the application complete. If the department provides such a notice, the
3 applicant shall supplement the application by providing the specified information.
4 The application is considered to be complete when the applicant provides the
5 information.

6 2. Except as provided in subd. 3., the department shall approve the application
7 for an approval described in subd. 1., and issue the approval, or deny the application
8 after the separate public informational hearing for the approval required under sub.
9 (5) and no later than 75 days after the application for the approval is considered to
10 be complete under subd. 1.

11 3. Except as provided in par. (c), the department shall approve or deny the
12 application for an approval described in subd. 1. that is an individual permit for
13 which federal law requires the opportunity for public comment or the ability to
14 request a public hearing prior to issuance of the approval after the separate public
15 informational hearing required for the approval under sub. (5) and no later than 180
16 days after the application is considered to be complete under subd. 1.”.

17 ✓ **32.** Page 134, line 18: after “PROCEDURE.” insert “(a)”.

18 ✓ **33.** Page 134, line 21: after “any approval” insert “for which the application
19 is filed before the department issues the decision to grant or deny the application for
20 the mining permit”.

21 ✓ **34.** Page 135, line 2: after that line insert:

22 “(b) The provisions of ss. 295.58 (5) and (6) and 295.77 concerning review of
23 department decisions and the duration of department decisions apply to any
24 approval for which the application is filed after the department issues the mining

1 permit, notwithstanding any provisions related to those matters in s. 44.40 or
2 169.25, subch. I or VI of ch. 77, ch. 23, 29, 30, 31, 169, 281, 283, 285, 289, or 291, or
3 rules promulgated under those provisions, except as provided in s. 281.343 (7r).”.

4 ✓/ ✓ **35.** Page 135, line 13: delete “regulations that”.

5 ✓/ ✓ **36.** Page 135, line 14: delete lines 14 to 16 and substitute “requirements of any
6 municipal floodplain zoning ordinance applicable to the proposed mining under s.
7 295.607 (3) to the extent that the ordinance has not been made inapplicable to the
8 proposed mining by a local agreement under s. 295.443 (1m).”.

9 ✓/ ✓ **37.** Page 135, line 17: delete “is not likely” and substitute “is reasonably
10 certain not”.

11 ✓/ ✓ **38.** Page 143, line 17: after that line insert:

12 “(1m) APPLICABILITY. Subsections (2) to (11) do not apply to a wetland individual
13 permit or other approval that requires a wetland impact evaluation if the operator
14 files the application for the wetland individual permit or other approval after the
15 department issues the mining permit for the mining operation.”.

16 ✓/ ✓ **39.** Page 144, line 19: after “general permit” insert “for a mining activity other
17 than bulk sampling”.

18 ✓/ ✓ **40.** Page 150, line 6: after “wetland” insert “or for any other approval for which
19 a wetland impact evaluation for a federal wetland is required”.

20 ✓/ ✓ **41.** Page 150, line 15: after “permit” insert “or other approval”.

21 ✓/ ✓ **42.** Page 150, line 16: after “permit” insert “or other approval”.

22 ✓/ ✓ **43.** Page 150, line 25: substitute “than the number” for “that the number”.

23 ✓/ ✓ **44.** Page 151, line 7: delete that line and substitute:

1 “(8) MITIGATION PROGRAM. (a) *Definition.* Notwithstanding s. 295.60 (1) (i), in
2 this section “water basin” means the Lake Michigan basin, the Lake Superior basin,
3 or the Mississippi River basin.

4 (am) *Contents.* A mitigation program to compensate”.

5 ✓/ **45.** Page 151, line 14: substitute “(am)” for “(a)”.

6 ✓/ **46.** Page 151, line 16: substitute “(dm)” for “(d)”.

7 ✓/ **47.** Page 151, line 23: delete the material beginning with that line and ending
8 with page 152, line 3, and substitute:

9 “(d) *Sequence of mitigation.* If it is not practicable or ecologically preferable to
10 conduct mitigation at an on–site location or if there is no on–site location that will
11 provide sufficient wetland acreage, the department shall require that the applicant
12 conduct mitigation within the same watershed in which the wetland to be affected
13 is located, unless mitigation in the same watershed is not practicable or ecologically
14 preferable. If mitigation within the same watershed is not practicable or ecologically
15 preferable, the department shall require that the applicant conduct mitigation
16 within the same water basin in which the wetland to be affected is located. If
17 mitigation in the same water basin is not practicable or ecologically preferable, the
18 applicant may conduct mitigation at a site elsewhere in the state.

19 (dm) *Types of mitigation.* Mitigation under a program under par. (am) may be
20 accomplished through any of the following types:”.

21 ✓/ **48.** Page 152, line 19: after “territory.” insert “If the department determines
22 under par. (d) that mitigation will occur within a certain watershed or water basin
23 and if the watershed or water basin is not located totally in the ceded territory, the

1 mitigation shall occur within that part of the watershed or water basin that is located
2 in the ceded territory.”.

3 ✓/ ✓ **49.** Page 155, line 8: after that line insert:

4 “(1m) LIMITATION. This section does not apply to any navigable water activity
5 associated with a mining operation if the application for the approval for the
6 navigable water activity is filed after the department issues a mining permit for the
7 mining operation.”.

8 ✓/ ✓ **50.** Page 156, line 13: after “acres” insert “, but not less than one acre,”.

9 ✓/ ✓ **51.** Page 156, line 19: after that line insert:

10 “(bg) *Measures excluded from consideration.* In determining if a navigable
11 water activity meets the requirements under par. (a) with regard to a navigable
12 water, the department may not consider any proposed measure under par. (b) if the
13 navigable water is any of the following:

14 1. A perennial stream, if the drainage area of the portion of the stream
15 upstream from the farthest downstream point of the navigable water activity is more
16 than 2 square miles. In this subdivision, “perennial stream” means a stream that
17 has a continuous flow every day of every year in which there is average precipitation.

18 2. A navigable water, other than a stream, that is more than 2 acres in area
19 every day of every year in which there is average precipitation and that is not a
20 freeze-out pond, as defined in s. 29.001 (29).

21 3. A class I, class II, or class III trout stream.”.

22 ✓/ ✓ **52.** Page 183, line 5: delete lines 5 to 17 and substitute:

23 “(b) When issuing or modifying a mining permit or issuing or reissuing any
24 other approval, the department may reduce the design management zone by a

1 horizontal distance of not more than 600 feet. The department may not reduce the
 2 design management zone unless the department determines that preventive action
 3 limits and enforcement standards or alternative concentration limits will be met at
 4 the boundary of the reduced design management zone. The department shall
 5 consider the following factors in determining whether to reduce the design
 6 management zone:

- 7 1. Nature, thickness, and permeability of unconsolidated materials, including
- 8 topography.
- 9 2. Nature and permeability of bedrock.
- 10 3. Groundwater depth, flow direction, and velocity.
- 11 4. Waste volume, type, and characteristics.
- 12 5. Contaminant mobility.
- 13 6. Distances to the property boundary and surface waters.
- 14 7. Engineering design of the facility.
- 15 8. Life span of the facility.
- 16 9. Present and anticipated uses of land and groundwater.
- 17 10. Potential abatement options if an enforcement standard is exceeded.”.

18 ✓/ ✓ **53.** Page 183, line 22: after that line insert:

19 “(d) An operator shall monitor groundwater quality at locations approved by
 20 the department along the boundary of the design management zone and within the
 21 design management zone.”.

22 ✓/ ✓ **54.** Page 196, line 21: after that line insert:

1 “(e) In addition to the fees under par. (a), the department may assess an
2 applicant a fee equal to the department’s costs in providing wetland determinations
3 and wetland boundary delineations under s. 295.60 (2).”.

4 ✓/ **55.** Page 197, line 8: after “(9)” insert “(a)”.

5 ✓/ **56.** Page 198, line 25: delete the material beginning with “, in the” and ending
6 with “located,” on page 199, line 1.

7 ✓/ **57.** Page 199, line 10: after that line insert:

8 “(4) Notwithstanding s. 227.53 (1) (a) 3., any person seeking judicial review of
9 the decision on a contested case under sub. (2) or (3) or of any decision of the
10 department under this subchapter shall bring the action in the circuit court for the
11 county in which the majority of the bulk sampling site or mining site is located or in
12 which the majority of the exploration will occur.”.

13

(END)