

2015 DRAFTING REQUEST

Bill

Received: 1/26/2016 Received By: eshea
For: Mary Lazich (608) 266-5400 Same as LRB: -3704
May Contact: By/Representing: Trish
Subject: Nat. Res. - nav. waters Drafter: eshea
Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Lazich@legis.wisconsin.gov
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Permit exemption for certain dredging activities

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	eshea 1/26/2016	kmochal 1/26/2016	_____	sbasford 1/26/2016	lparisi 1/26/2016	

FE Sent For:

none

<END>



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3704/1 4588/1
RNK/klm
AHS

2015 BILL

companion RM rule

In 1/26

Due today

NO CHANGES

1 AN ACT to create 30.2005 of the statutes; relating to: an exemption from permit
2 requirements for certain riparian owners who remove material from the bed of
3 a navigable water.

Analysis by the Legislative Reference Bureau

This bill allows a person who owns waterfront property (riparian owner) to remove certain material from the bed of an inland navigable water without obtaining a permit from the Department of Natural Resources. No permit is required if the removal meets certain requirements, including that the removal occurs within the riparian owner's riparian zone, which is a specified area extending waterward of the shoreline; the removal is limited to a specified amount of material; the removal occurs in a navigable water that is affected by a man-made impoundment; the material removed is unconsolidated sediment that was deposited after the navigable water was affected by the impoundment; and the removal is undertaken in order to navigate from the shoreline of the riparian property to a specified water depth.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 30.2005 of the statutes is created to read:
5 **30.2005 Permit exemption; removal of material from beds of navigable**
6 **waters; riparian owners. (1) In this section:**

BILL**SECTION 1**

1 (a) “Inland waters” has the meaning given in s. 29.001 (45).

2 (b) “Line of navigation” means the depth of a navigable water required to
3 operate a boat on the navigable water.

4 (c) “Riparian zone” means the area that extends from riparian land waterward
5 to the line of navigation as determined by a method that establishes riparian zone
6 lines between adjacent riparian owners in a manner that equitably apportions access
7 to the line of navigation.

8 (2) A riparian owner may remove material from the bed of a navigable water
9 that is an inland water without obtaining a permit under s. 23.24 (3) or under s. 30.20
10 if all of the following apply:

11 (a) The removal occurs within the riparian owner’s riparian zone.

12 (b) The riparian owner’s riparian zone abuts a navigable water that is affected
13 by a man-made impoundment, and the material removed is unconsolidated
14 sediment that was deposited after the navigable water was affected by the
15 impoundment.

16 (c) The removal does not occur in a navigable water that is identified as an
17 outstanding or exceptional resource water under s. 281.15.

18 (d) The total amount of material removed does not exceed 50 cubic yards per
19 year.

20 (e) The material is removed to allow the riparian owner to navigate from the
21 shoreline of his or her riparian property to the line of navigation.

22 (f) The riparian owner uses best management practices, established by the
23 department and published on its Internet site, for the removal and disposal of the
24 material.

25

(END)

Parisi, Lori

From: Sen.Lazich
Sent: Tuesday, January 26, 2016 1:11 PM
To: LRB.Legal
Subject: Draft Review: LRB -4588/1

Please Jacket LRB -4588/1 for the SENATE.