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State of Misconsin 1995 - 1996 LEGISLATURE

LRBa3437/2 MGG:skg&mkd:kat

SENATE AMENDMENT 1, TO 1995 ASSEMBLY BILL 590

March 7, 1996 - Offered by Committee on Environment and Energy.

At the locations indicated, amend the bill as follows:

2	1. Page 1, line 8: after "homes," insert: "erosion prevention and control,".
3	2. Page 3, line 3: after that line insert:
4	"Section 1y. 30.40 (7m) of the statutes is created to read:
5	30.40 (7m) "Nonmetallic mining" has the meaning given in s. 144.9407 (1) (a).".
6	3. Page 4, line 7: delete lines 7 to 9.
7	4. Page 4, line 12: after that line insert:
8	"Section 8m. 30.435 (2m) of the statutes is created to read:
9	30.435 (2m) Promulgate rules and otherwise act under s. 30.443.".
10	5. Page 5, line 1: delete lines 1 to 5 and substitute:
11	"Section 12g. 30.44 (1) (c) 4. of the statutes is amended to read:
12	30.44 (1) (c) 4. The natural slope of the land shall be $\frac{12\%}{20\%}$ or less.
13	Section 12r. 30.44 (1) (c) 4m. of the statutes is created to read:
14	30.44 (1) (c) 4m. The person being issued the permit will comply with any

applicable standards that the board imposes under s. 30.443 (2).".

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- 1 **6.** Page 5, line 18: delete lines 18 to 22 and substitute:
- "30.44 (3e) NONMETALLIC MINING. (a) A person shall apply for and receive a permit before beginning or expanding nonmetallic mining on land in the riverway that is not visible from the river when the leaves are on the deciduous trees.".
 - 7. Page 6, line 1: before "mining" insert "nonmetallic".
 - **8.** Page 6, line 2: delete "or quarrying".
- 7 **9.** Page 6, line 4: substitute "nonmetallic mining" for "mining or quarrying".
- 8 **10.** Page 7, line 5: after that line insert:
- 9 "Section 23m. 30.443 of the statutes is created to read:
 - **30.443 Erosion prevention and control. (1)** For activities under s. 30.44 (1) (b), the board may do any of the following:
 - (a) Promulgate rules establishing standards for erosion prevention or control at sites in the riverway that are not subject to the standards established under s. 101.1205 (1) or 101.653 (2) and that have a natural slope of 20% or less.
 - (b) Promulgate rules establishing standards for erosion prevention or control that are in addition to standards established under ss. 101.1205 (1) and 101.653 (2) for sites in the riverway that are subject to those standards and that have a natural slope of 12% or more but 20% or less.
 - (2) The board may impose any of the applicable standards established under sub. (1) (a) or (b) or ss. 101.1205 (1) and 101.653 (2) as a condition for receiving a permit under s. 30.44 (1), and the board may promulgate rules to enforce these standards in the riverway.".
 - **11.** Page 7, line 12: delete lines 12 to 15 and substitute:
 - **"Section 26m.** 30.45 (5) of the statutes is amended to read:

with page 9, line 2.

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1	30.45 (5) No person may begin a mining or quarrying activity or expand a
2	mining or quarrying activity, except as provided in sub. (5m) or s. 30.44 (3e).
3	Section 26p. 30.45 (5m) of the statutes is created to read:
4	30.45 (5m) No person may begin or expand a nonmetallic mining activity on
5	land that is visible from the river when the leaves are on the deciduous trees.".
6	12. Page 7, line 20: after that line insert:
7	"Section 27m. 30.455 (1) of the statutes is amended to read:
8	30.455 (1) Construction, reconstruction, design, maintenance, modification or
9	repair activities, or <u>nonmetallic</u> mining or quarrying activities in the riverway, that
10	are carried out under the direction and supervision of the department of
11	transportation are not subject to ss. 30.44 to 30.45. At the earliest practical time
12	before the commencement of these activities, the department of transportation shall
13	notify and consult with the department and the board on the location, nature and
14	extent of the proposed work.".
15	13. Page 8, line 12: delete the material beginning with that line and ending

(END)