



2005 ASSEMBLY BILL 734

October 6, 2005 – Introduced by Representatives ALBERS, LOTHIAN, F. LASEE, MUSSER, GUNDERSON, PETROWSKI, HAHN, HINES, BOYLE, LEMAHIEU and M. WILLIAMS. Referred to Committee on Property Rights and Land Management.

1 **AN ACT** *to create* 23.21 of the statutes; **relating to:** limiting rules regarding the
2 placement of riprap.

Analysis by the Legislative Reference Bureau

Under current law, riparian owners may add riprap to lakes that are not areas of special natural resource interest without a permit from the Department of Natural Resources (DNR) to repair existing riprap of specified lengths, depending on the type of repair. In other situations, DNR issues general permits to authorize riparian owners to place riprap in state waters to replace or repair existing riprap, or on the bed or bank adjacent to the owner's property in limited amounts depending on the size of the lake involved.

This bill prohibits agencies, except DNR in the circumstances mentioned above, from promulgating or enforcing a rule regarding the use of riprap that is used to prevent a landowner's property from erosion if that erosion is verified by a licensed professional engineer.

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

3 **SECTION 1.** 23.21 of the statutes is created to read:
4 **23.21 Limits on rules related to riprap.** Except as provided in s. 30.12 (3)
5 (a), no state agency, as defined in s. 1.12 (1) (b), may promulgate or enforce a rule that

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SECTION 1

1 regulates or prohibits the use of riprap by a landowner if the riprap is used to prevent
2 the landowner's property from erosion and if that erosion is verified by a professional
3 engineer licensed under ch. 443.

4 (END)