Fiscal Estimate - 2017 Session

☑ Original ☐ Updated	☐ Corrected ☐ Supplen	nental			
LRB Number 17-2076/1	Introduction Number SB-332	2			
Description listing frac sand mining as a conditional or proh	ibited use in certain types of zoning ordinances				
Fiscal Effect					
Appropriations Reve	ease Existing enues rease Existing enues Decrease Costs - May I Increase Costs - May I to absorb within agence Yes Decrease Costs				
Permissive Mandatory Perm	rease Revenue Counties Other	s S			
Fund Sources Affected Affected Ch. 20 Appropriations					
GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature	Date			
DATCP/ Alison Volk (608) 224-4634	Jason Gherke (608) 224-4748	7/17/2017			

Fiscal Estimate Narratives DATCP 7/17/2017

LRB Number 17-2076/1	Introduction Number	SB-332	Estimate Type	Original		
Description						
listing frac sand mining as a conditional or prohibited use in certain types of zoning ordinances						

Assumptions Used in Arriving at Fiscal Estimate

The proposed bill requires frac sand mining to be listed as a conditional use in a zoning ordinance that relates to an agricultural use. Chapter 91 provides that local zoning authorities may include, but are not required to include, non-metallic mineral extraction in the farmland preservation zoning district. Frac sand mining operations have been considered a non-metallic mining use under the farmland preservation law.

Currently, should a zoning authority choose to allow a frac sand mining operation in a farmland preservation zoning district, the authority must issue a conditional use permit. Before issuing the permit, the zoning authority must determine that all of the following apply: (1) the operation complies with subch. I of ch. 295, Wis Stats., applicable provisions of the local ordinance under s. 295.13 or 295.14, and any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites; (2) the operation and its location in the district are consistent with the purposes of the district; (3) the operation and its location in the district are reasonable and appropriate, considering alternative locations outside the district, or are specifically approved under state or federal law; (4) the operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use; (5) the operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use; and (6) the zoning ordinance requires the owner to restore the land to agricultural use, consistent with any required locally approved reclamation plan, when extraction is complete.

Long-Range Fiscal Implications