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State of Misconsin 2013 - 2014 LEGISLATURE



SENATE AMENDMENT 8, TO SENATE BILL 1

February 5, 2013 - Offered by Senator Tiffany.

1	At the locations indicated, amend the bill as follows:
2	1. Page 151, line 7: delete that line and substitute:
3	"(8) MITIGATION PROGRAM. (a) Definition. Notwithstanding s. 295.60 (1) (i), in
4	this section "water basin" means the Lake Michigan basin, the Lake Superior basin,
5	or the Mississippi River basin.
6	(am) Contents. A mitigation program to compensate".
7	2. Page 151, line 14: substitute "(am)" for "(a)".
8	3. Page 151, line 16: substitute "(dm)" for "(d)".
9	$oldsymbol{4.}$ Page 151, line 23: delete the material beginning with that line and ending
10	with page 152, line 3, and substitute:
11	"(d) Sequence of mitigation. If it is not practicable or ecologically preferable to

conduct mitigation at an on-site location or if there is no on-site location that will

provide sufficient wetland acreage, the department shall require that the applicant

conduct mitigation within the same watershed in which the wetland to be affected is located, unless mitigation in the same watershed is not practicable or ecologically preferable. If mitigation within the same watershed is not practicable or ecologically preferable, the department shall require that the applicant conduct mitigation within the same water basin in which the wetland to be affected is located. If mitigation in the same water basin is not practicable or ecologically preferable, the applicant may conduct mitigation at a site elsewhere in the state.

- (dm) *Types of mitigation*. Mitigation under a program under par. (am) may be accomplished through any of the following types:".
- **5.** Page 152, line 19: after "territory." insert "If the department determines under par. (d) that mitigation will occur within a certain watershed or water basin and if the watershed or water basin is not located totally in the ceded territory, the mitigation shall occur within that part of the watershed or water basin that is located in the ceded territory.".

(END)