



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa1952/1  
EHS:kjf&wlj

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,  
TO ASSEMBLY BILL 600**

February 9, 2016 - Offered by Representative JARCHOW.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 8, line 4: delete the material beginning with that line and ending with  
3 page 9, line 6, and substitute:

4 **“SECTION 1m.** 30.01 (1am) (a), (b) and (bm) of the statutes are amended to read:

5 30.01 (**1am**) (a) A state natural area designated or dedicated under ss. 23.27  
6 to 23.29 and shown on a map published on the department’s Internet site.

7 (b) A surface water identified as a trout stream by the department and shown  
8 on a map published on the department’s Internet site.

9 (bm) A surface water identified as an outstanding or exceptional resource  
10 water under s. 281.15 and shown on a map published on the department’s Internet  
11 site.

12 **SECTION 2m.** 30.01 (1am) (c) of the statutes is repealed.

1           **SECTION 3m.** 30.01 (1am) (d), (e), (f), (g) and (h) of the statutes are created to  
2 read:

3           30.01 **(1am)** (d) A body of water designated as a wild rice water under a written  
4 agreement between the department and the Great Lakes Indian Fish and Wildlife  
5 Commission and shown on a map published on the department's Internet site.

6           (e) A body of water in a wetland along Lake Michigan or Lake Superior that the  
7 department has identified as an ecologically significant coastal wetland and shown  
8 on a map published on the department's Internet site.

9           (f) A river that is included in the national wild and scenic rivers system or  
10 designated as a wild river under s. 30.26 and shown on a map published on the  
11 department's Internet site.

12           (g) Subject to s. 30.106, the portion of a body of water that contains a public  
13 rights feature or a sensitive area and shown on a map published on the department's  
14 Internet site.

15           (h) A unique and significant wetland specified by the department in a special  
16 wetland inventory study or a special area management plan and shown on a map  
17 published on the department's Internet site.”.

18           **2.** Page 9, line 18: delete lines 18 to 21 and substitute:

19           “30.01 **(5p)** “Public rights feature” means a specific site in a body of water  
20 identified by the department that is necessary for fish spawning and fish egg  
21 incubation.”.

22           **3.** Page 9, line 23: delete the material beginning with that line and ending with  
23 page 10, line 2, and substitute:

1           “30.01 (5r) “Riparian zone,” when used with respect to a lake, means the area  
2 that extends from riparian land waterward as determined by a method that  
3 establishes riparian zone lines between adjacent riparian owners in a manner that  
4 equitably apportions access to the lake.”.

5           **4.** Page 10, line 21: delete the material beginning with that line and ending  
6 with page 11, line 2, and substitute:

7           **“30.106 Approval of certain areas of special natural resource interest.**  
8 The department may not identify as an area of special natural resource interest an  
9 area described under s. 30.01 (1am) (g) that is not shown on a map published on the  
10 department’s Internet site on the day after publication of 2015 Wisconsin Act .... (this  
11 act), unless it first notifies the joint committee for review of administrative rules in  
12 writing of the proposal and obtains the approval of the committee.”.

13           **5.** Page 11, line 4: delete lines 4 to 20 and substitute:

14           **“30.115 Ownership of certain filled navigable waters. (1)** If a person  
15 placed fill on the bed of an outlying water that is a navigable water before January  
16 1, 1975, the department may not require the riparian owner to remove the fill,  
17 whether above or below the ordinary high-water mark, from that area.

18           **(2)** If the filled area described under sub. (1) is in a lake, the lake bed is owned  
19 or held in trust by the state, and the filled area has continuously remained above the  
20 ordinary high-water mark since January 1, 1975, then, subject to any public  
21 easement under sub. (3), the filled area above the ordinary high-water mark is  
22 owned by the riparian owner in whose riparian zone the fill is located on the effective  
23 date of this subsection .... [LRB inserts date].

1           **(3)** If the filled area described under sub. (1) is in a lake, if the lake bed is owned  
2 or held in trust by the state, and if by January 1, 2016, there has been public use of  
3 the filled area that is visible, open, and notorious and of which a reasonable riparian  
4 owner would be aware, then the riparian owner's ownership of the filled area  
5 described under sub. (1) is subject to a public easement for that public use.

6           **(4)** Upon request, the department shall furnish a quitclaim deed to the riparian  
7 owner described under sub. (2).

8           **(5)** This section does not apply to a lake bed area conveyed by the legislature  
9 as provided under s. 13.097 or a lake bed area covered by a lake bed lease under s.  
10 24.39.”.

11           **6.** Page 18, line 8: delete lines 8 to 13 and substitute “water. This subsection  
12 does not prohibit an owner of riparian land that abuts a navigable water who owns  
13 a boat docking facility that is lawfully placed on that water from entering into an  
14 agreement with the owner of adjacent riparian land that abuts the same navigable  
15 water to use a shared boat docking facility in lieu of separate piers on the adjacent  
16 parcels, provided that the agreement does not result in more boat slips than are  
17 authorized under s. 30.12.”.

18           **7.** Page 20, line 4: delete “30 cubic yards” and substitute “25 cubic yards”.

19           **8.** Page 20, line 17: after that line insert:

20           “f. That the riparian owner shall use erosion control practices to minimize  
21 erosion and the movement of suspended solids.

22           g. That the removed material may not be discharged into a wetland.

23           h. That the removal may not occur in an area of special natural resource  
24 interest.

1 i. That the time during which the removal may occur is limited in order to  
2 minimize adverse impacts on fish movement, fish spawning, and fish egg  
3 incubation.”.

4 **9.** Page 21, line 10: delete lines 10 to 16 and substitute:

5 “**SECTION 43g.** 30.29 (3) (d) of the statutes is renumbered 30.29 (3) (d) (intro.)  
6 and amended to read:

7 30.29 (3) (d) *Activities for which a permit is issued* Authorized activities. (intro.)

8 A person or agent of a person who is engaged in activities any of the following:

9 1. Activities as authorized under a general or individual permit issued under  
10 this subchapter or as authorized under a contract entered into under this  
11 subchapter.

12 **SECTION 43r.** 30.29 (3) (d) 2. and 3. of the statutes are created to read:

13 30.29 (3) (d) 2. Activities that occur landward of a lawfully established  
14 bulkhead line.

15 3. Activities that are exempt from a permit requirement under this  
16 subchapter.”.

17 **10.** Page 22, line 11: delete the material beginning with that line and ending  
18 with page 23, line 12.

19 **11.** Page 26, line 1: delete lines 1 to 5 and substitute:

20 “281.36 (3n) (am) *Exception to review limit.* A lot created as part of a  
21 subdivision, land division, or other development that is initiated after July 1, 2012,  
22 is not eligible for the limited review under par. (a) 2. unless the wetland boundaries  
23 on the lot as shown in an onsite delineation have changed significantly, as  
24 determined by the department, since commencement of the development.”.

