



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 411

**Assembly
Amendment 1**

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Assembly Bill 411

Current law provides for regulation of non-metallic mining site reclamation, in a program based on uniform statewide standards promulgated by rule by the Department of Natural Resources (DNR) and administered by the counties. The non-metallic mining reclamation statutes contain a list of activities that are exempt from regulation. Assembly Bill 411 creates an additional exemption for the removal of soils for the purpose of creating a pond or wetland, if the pond or wetland has an area of three acres or less.

Assembly Amendment 1

Assembly Amendment 1 retains the exemption in the bill, but adds three conditions in order for the exemption to apply. First, the person intending to create the pond or wetland must notify the county land conservation staff of the person's intent to create a pond or wetland pursuant to the exemption. Second, the person must complete creation of the pond or wetland within 18 months after providing notice. Third, the person may stockpile materials removed in the creation of the pond or wetland on site for no more than 12 months, except that the person may request approval from the county land conservation staff to continue stockpiling the materials for up to two additional 12-month periods, pursuant to any additional requirements imposed by county land conservation staff regarding this stockpiled material, in order to limit runoff into surface waters.

Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Natural Resources on October 15, 2003. The Assembly Committee on Natural Resources adopted Assembly Amendment 1 on a vote of Ayes, 8; Noes, 2, and recommended passage as amended on a vote of Ayes, 7; Noes, 3.

On February 25, 2004, the Assembly adopted Assembly Amendment 1 on a voice vote. The Assembly passed Assembly Bill 411 on March 2, 2004, on a vote of Ayes, 61; Noes, 35.

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