



2015 ASSEMBLY BILL 323

September 1, 2015 - Introduced by Representatives WACHS, ZAMARRIPA, SARGENT, JOHNSON, BOWEN, OHNSTAD, GOYKE, MASON, KOLSTE, HEBL, MILROY, DANOU, GENRICH, POPE, SUBECK, SPREITZER, JORGENSEN, CONSIDINE, BILLINGS, C. TAYLOR, BROSTOFF, RIEMER, SINICKI, BERCEAU and HESSELBEIN, cosponsored by Senators VINEHOUT, MILLER, RISSER, RINGHAND and LASSA. Referred to Committee on Environment and Forestry.

1 **AN ACT** *to amend* 293.13 (2) (d) 4. and 295.58 (2) (b) 2.; and *to create* 295.33 (4m)
2 of the statutes; **relating to:** prohibiting certain mining and drilling activities
3 that cause the destruction or filling in of a lake bed, reservoir, or flowage or that
4 cause the withdrawal of water from a reservoir or flowage.

Analysis by the Legislative Reference Bureau

Current law generally prohibits a person engaged in nonferrous metallic mining or engaged in ferrous metallic mining (iron mining) from destroying or filling in a lake bed. This general prohibition does not apply to a person engaged in certain iron mining activities if the Department of Natural Resources (DNR) has issued a permit authorizing the person to engage in those activities and the permit is issued in accordance with various laws that regulate wetlands, surface water, or groundwater. This bill eliminates the exceptions to the general prohibition against destroying or filling in a lake bed so that the prohibition applies to a person engaged in iron mining activities regardless of whether DNR has issued other permits for those activities.

This bill also prohibits DNR from authorizing a person who is engaged in nonferrous metallic mining or iron mining from destroying or filling in a reservoir or flowage or from withdrawing water from a reservoir or flowage. Additionally, the

