

1.1 ..... moves to amend H.F. No. 906, the first engrossment, as follows:

1.2 Page 1, line 13, delete "or shafting" and insert "by shaft"

1.3 Page 1, line 16, delete everything after "means" and insert "well-rounded, sand-sized  
1.4 grains of quartz (silicon dioxide), with very little impurities in terms of other minerals.

1.5 Specifically, the silica sand for the purposes of this section is commercially valuable for  
1.6 use in the hydraulic fracturing of shale to obtain oil and natural gas."

1.7 Page 1, line 17, delete everything before "Silica"

1.8 Page 1, line 20, after "mining" insert "and processing"

1.9 Page 1, line 21, after "filtering," insert "drying," and delete "processing,"

1.10 Page 2, delete lines 11 to 22 and insert:

1.11 "The standards and criteria must include:

1.12 (1) recommendations for setbacks or buffers for mining operation and processing,  
1.13 including:

1.14 (i) any residence or residential zoning district boundary;

1.15 (ii) any property line or right-of-way line of any existing or proposed street or  
1.16 highway;

1.17 (iii) ordinary high water levels of public waters;

1.18 (iv) bluffs;

1.19 (v) designated trout streams, Class 2A water as designated in the rules of the  
1.20 Pollution Control Agency, or any perennially flowing tributary of a designated trout  
1.21 stream or Class 2A water;

1.22 (vi) calcareous fens;

1.23 (vii) wellhead protection areas as defined in section 103I.005;

1.24 (viii) critical natural habitat acquired by the commissioner of natural resources  
1.25 under section 84.944; and

1.26 (ix) a natural resource easement paid wholly or in part by public funds;"

2.1       Page 3, line 4, delete "and" and insert "(13) road and bridge impacts and  
2.2       requirements; and"

2.3       Page 3, line 5, delete "(13)" and insert "(14)"

2.4       Page 3, line 6, delete "Pollution Control Agency" and insert "commissioner of  
2.5       natural resources"

2.6       Page 3, delete section 2 and insert:

2.7       **"Sec. 2. RULES.**

2.8       (a) The commissioner of the Pollution Control Agency shall adopt rules pertaining  
2.9       to the control of particulate emissions from silica sand mines. The commissioner  
2.10       shall consider and incorporate as appropriate to the conditions of this state, Wisconsin  
2.11       Administrative Code NR 415, in effect as of January 1, 2012, pertaining to industrial  
2.12       sand mines.

2.13       (b) The commissioner of natural resources shall adopt rules pertaining to the  
2.14       reclamation of silica sand mines. The commissioner shall consider and incorporate as  
2.15       appropriate to the conditions of this state, Wisconsin Administrative Code NR 135, in  
2.16       effect as of January 1, 2012, pertaining to reclamation of industrial sand mines.

2.17       (c) By January 1, 2014, the Department of Health shall adopt an air quality health  
2.18       advisory for silica sand."

2.19       Page 3, after line 28, insert:

2.20       **"Sec. 2. [116C.991] TECHNICAL ASSISTANCE, ORDINANCE, AND PERMIT**  
2.21       **LIBRARY.**

2.22       By October 1, 2013, the environmental quality board, in consultation with local units  
2.23       of government, shall create and maintain a library on local government ordinances and  
2.24       local government permits that have been approved for regulation of silica sand projects for  
2.25       reference by local governments."

2.26       Page 4, line 3, before "\$....." insert "(a)"

2.27       Page 4, after line 5, insert:

2.28       "(b) \$..... in fiscal year 2014 is appropriated from the general fund to the Pollution  
2.29       Control Agency for the development of rules under section 2, paragraph (a)."

2.30       "(c) \$..... in fiscal year 2014 is appropriated from the general fund to the commissioner  
2.31       of natural resources for the development of rules under section 2, paragraph (b)."

2.32       Renumber the sections in sequence and correct the internal references

2.33       Amend the title accordingly