

Wisconsin's Green Fire: Voices for Conservation

Date: February 11, 2018

For Immediate Release

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Amended Wetland Bill Does Not Protect Wisconsin's Water and Wildlife

Wisconsin's Green Fire (WGF), an organization of natural resources professionals, evaluated recent amendments to SB600 and AB547, the legislative proposals to reduce state regulatory oversight of wetlands that are not protected under the federal Clean Water Act. The organization has prepared an issue paper identifying problems with the legislation and offering alternatives, available at

<https://wigreenfire.files.wordpress.com/2018/02/wgf-wetland-amend-analysis-2018-02-11.pdf>

SB600 and AB547 as amended, propose to remove protections for many wetlands not directly connected to lakes, rivers and streams, referred to as "isolated wetlands." Isolated wetlands account for about one fifth of Wisconsin's remaining wetlands. They include high quality habitats for wildlife. They filter pollutants and recharge ground waters that serve communities. They feed cold, clean water to headwater streams and they protect against flooding. These wetlands support outdoor recreation and tourism in Wisconsin, a \$20 billion dollar industry for the state.

The bills would allow wetlands to be filled without a permit in urban and suburban areas, small towns, many lake communities, and other rural areas within sewerage districts – a large area of the state. The legislation would contribute to flooding risks and degraded water quality in these areas while contributing to declines in wildlife habitat and rural character.

Proponents of the bills suggest requirements to manage storm water runoff will take care of the flooding risk. Storm water controls, such as detention basins in large developments, are not designed to reduce flood risk so much as they are designed to settle out dirt and pollutants before water is released. Natural wetlands slow runoff and absorb rainwater, helping protect communities from flooding.

The legislation opens the door for large wetland fills, up to 3 acres, for agricultural buildings, roads, and driveways. Three acres is more than the area of two football fields. Because no permit is required, those wetlands could be filled without considering alternatives or ways to

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minimize the fill. Exempt urban and agricultural wetlands could be filled without regard for flooding neighboring properties, and with no advance review to identify those

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problems ahead of construction. Communities that wish to protect wetlands as a cost effective way to minimize flooding and protect water quality would be prohibited from enacting stricter standards.

The bills set up a regulatory system that is unlikely to succeed. They limit Wisconsin DNR's ability to provide meaningful review of a project's eligibility for the permitting exemptions and compliance with the law. The legislation allows just 15 days for the DNR to determine whether the wetland was mapped correctly and does not require an evaluation of local flooding. After 15 days, exemption requests are automatically approved. The bills make no allowance for DNR staff shortages. They call for the creation of two grant programs to fund wetland mitigation on state lands, but provide no funding for program development or administration.

Proponents of the bills argue Wisconsin's wetland regulatory program is inflexible and burdensome for developers. Permit applications require developers to evaluate alternatives and minimize impacts to wetlands. The state grants permits to fill wetlands when there is no practical alternative for a project. Currently, more than 85 percent of applications result in a permit from the DNR.

Wisconsin's Green Fire recognizes that there is room for greater regulatory flexibility in areas where wetland vegetation develops following land disturbance. WGF has offered to work with the Legislature by offering science-based review of proposals to streamline permit processes. WGF offers suggestions with the hope of helping communities balance development with the preservation of important wetland functions like flood control, and protection of water quality and habitat.

SB600 and AB547 will soon be scheduled for consideration by the full State Senate and Assembly.

Wisconsin's Green Fire is a nonpartisan and independent organization formed in 2017. Members have extensive experience in natural resource management, environmental law and policy, scientific research, and education. Members have backgrounds in government, non-governmental organizations, universities and colleges and the private sector. WGF formed to help government officials, nonprofit organizations, media, decision makers and citizens get the scientific information they need to address local and regional conservation issues. For more information visit wigreenfire.org or contact us at info@wigreenfire.org.

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Wisconsin's Green Fire: Voices for Conservation is an independent nonpartisan organization. We support the conservation legacy of Wisconsin - promoting science-based management of natural resources.