



To: Members of the Senate Committee on Natural Resources and Energy

From: Ron Grasshoff, Wisconsin's Green Fire

RE: Follow-up to Testimony on Senate Bill 169-Related to Wetland Mitigation Banks

May 17, 2019

Thank you again for allowing me to comment on SB 169 at the hearing on April 30, 2019. I would like to add an additional comment as a follow-up to my testimony.

Both DNR and the U.S Army Corps of Engineers (USACE) are involved in wetland mitigation banking. Wetland compensatory mitigation requirements are specified by USACE-St. Paul District. Permits and approvals are issued under authority of Section 404 of the Clean Water Act, Section 10 of the River and Harbors Act, and for WDNR Wetland Individual Permits pursuant to Chapter 281.36, Wis. Stats.

At the hearing, Ms. Rebecca Graser USACE and Ms. Amanda Minks WDNR both provided testimony. Ms. Graser emphasized the importance of a uniform set of requirements to satisfy both the Corps and DNR program requirements. As Ms. Graser stated, release and sale of credits, and implementation of other aspects of the program by both agencies under different regulations result in unnecessary complexity and confusion for the public including permittees and firms involved with bank site development and monitoring.

We (Wisconsin Green Fire) recommend that the committee encourage USACE and DNR staff, to work together and assist the committee with revisions to assure that the bill is consistent with Federal and State policy and regulations. If I recall, Senator Cowles asked Ms. Minks if DNR would be willing to work with the committee and revisions to the bill.

For your information, I am attaching a link to Guidelines for Wetland Compensatory Mitigation in Wisconsin.

<https://dnr.wi.gov/.../Wetlands/.../mitigation/WetlandCompensatoryMitigationGuidelines.pdf>

The USACE and WDNR drafted the document to update the 2002 Guidelines for Wetland Compensatory Mitigation in Wisconsin. The United States Environmental Protection Agency



(USEPA) Region V and the United States Fish and Wildlife Service (USFWS) Region 3 are also participating agencies in the preparation of these updated guidelines. The document establishes guidelines for providing required compensatory mitigation for permitted wetland impacts in Wisconsin. These guidelines are intended for agency personnel, mitigation bank sponsors, permit applicants, and other interested parties. The document is not used for Wisconsin Department of Transportation (DOT) wetland mitigation activities as a separate set of guidelines apply to wetland banking related to transportation projects.

Thank you again for allowing me to testify at the hearing and you can reach me at 608-963-5621 (rgrass66@yahoo.com) if I can be of further assistance.

Sources

Comments distributed to Senate Committee... Bill 169, USACE St. Paul District, April 30, 2019

<https://dnr.wi.gov/topic/wetlands/wwct/program.html>, Annual Report 2018

Wisconsin's Green Fire: Voices for Conservation (WGF) is an independent nonpartisan organization formed in 2017. WGF supports the conservation legacy of Wisconsin by promoting science-based management of its natural resources. Members represent 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. More information about WGF can be found at www.wigreenfire.org.