

## Wetlands (AB 547/SB 600, as amended by ASA1 and SSA1)

---

**Background** -- Wetlands play a critical role in our environment, serving as waterfowl habitat, providing flood control, and filtering stormwater runoff before entering our groundwater. Regulations are necessary to protect these important natural resources.

---

Wisconsin's wetlands regulations, however, go too far. Under Wisconsin's law, all wetlands are treated the same regardless of their functional values, whether they are natural or artificial, or their impact on economic development. Moreover, the regulations contain subjective determinations like "practicable alternatives" and "area of special natural resource interest" that have been interpreted so broadly that they can be used to stop any project from moving forward. Finally, our wetland mitigation program is inflexible and has been slow to be developed, with a shortage of mitigation banks and credits, limited on-site mitigation options, and a fee-in-lieu program that has yet to be fully implemented.

Wetlands regulations have been identified to be among the top barriers to economic development in Wisconsin. As our state tries to compete both nationally and globally for economic development opportunities, we need to revamp our wetland regulations to focus on preserving high-quality wetlands, and providing more flexibility for mitigating disturbances to lower quality wetlands to accommodate new economic development opportunities.

- **All wetlands are NOT created the same** – Wisconsin's wetlands regulations do not differentiate between different types of wetlands. Whether they are damp spots in the middle of a farm field, puddles formed in the depressions left by heavy construction equipment, or pristine wetlands that serve as valuable waterfowl habitat, Wisconsin's wetlands regulations treat them all the same and provide limited options for disturbing any wetlands even if they are in the direct path of economic development.
- **Allow modifications, enhancements and maintenance to artificial or "man-made" wetlands without a permit.** Currently, these artificial wetlands (often found in retention ponds) are subject to onerous DNR permitting requirements that prevent expansions or routine maintenance activities such as the removal of muck and debris without a permit. Creating a permit exemption for disturbances to artificial wetlands will resolve many of the frustrations associated with Wisconsin's wetland regulations.

These changes would help promote economic development, while still maintaining one of the strongest regulatory frameworks for nonfederal wetlands in the country

We respectfully request that you support AB 587/SB 600, as amended by ASA1 and SSA1.