



***Wisconsin Wetlands Association Testimony on Senate Bill 600/Assembly Bill 5476
Presented by Erin O'Brien, December 21, 2017***

Good afternoon and thank you for the opportunity to testify on AB 547/SB 600. For those of you who don't know us, Wisconsin Wetlands Association is a non-profit, non-partisan, statewide wetland conservation organization. We were founded in 1969 and have been working across the state to promote wetland protection, restoration, research and enjoyment ever since.

We have long held that we will support efforts to streamline wetland regulations so long as the reforms do not erode protections for valuable wetland resources. In recent years, we have successfully collaborated with Republican legislators on numerous issues and bills to achieve this goal. This includes work with Senator Tiffany on regulatory reforms for fish farms, Representative Sanfelippo on discharge of dredge spoils to wetlands for ditch maintenance in drainage districts, and Representative Jacque and Senators Wanggaard and Cowles on expanding exemptions for artificial wetlands.

Though we are perceived as an "environmental" organization, regulatory issues represent a small part of our portfolio. Our broader programs focus on promoting *voluntary* wetland conservation and providing field-based training and technical support to help Wisconsin communities restore wetlands to solve problems.

Wisconsin Wetlands Association opposes AB 457 and SB 600 because eliminating protections for more than 1 million acres of wetlands would exponentially accelerate wetland loss across the state and cause irreparable harm to Wisconsin's waters, wildlife, and downstream communities.

This bill was introduced on the commonly-mistaken premises that non-federal wetlands are low quality and limited to damp spots in the middle of farm fields, and that those areas have no value. I will let others set the record straight on the value of these wetlands in order to focus on the regulatory concerns that brought us here today and what's needed to address them.

Our comments are informed by discussions with all three of the bill's authors and their staff, the builders and WMC, our colleague Paul Kent, and interviews with many wetland consultants. We learned a great deal in this process, and identified the following areas where there appears to be agreement among the parties.

1. There is strong support to clarify and expand exemptions for artificial wetlands and for the operation and maintenance of storm water ponds.
2. Developers need a way to identify and address wetland issues during project planning so they can proceed with construction without the burden or risk of triggering additional regulatory requirements.

3. There are a number of administrative areas where the 2012 wetland regulatory reforms are not yet working as intended or even adding to regulatory burdens.
4. There are many more untapped opportunities to reduce the time and expense of wetland regulatory compliance while also achieving better environmental outcomes.

The memo circulated to the committee by Ducks Unlimited, which we helped craft, presents recommendations to help the legislature immediately address items 1 & 2 and to establish a path forward to collaboratively evaluate and address other ongoing concerns.

Despite these areas of agreement, there appears to be less common ground how to address the problems. We see three fundamental problems that hinder a collaborative and effective approach to wetland regulations in Wisconsin.

1. Those who work in wetlands conservation or hunt and recreate in isolated wetlands have a very different understanding of the value of certain wetlands, and mitigation, than those who primarily interact with wetlands through regulations.
2. Those advocating for exemptions see regulations as onerous and unnecessary, while those advocating for the resource view an efficient permit *process* as an essential conservation planning tool.
3. Try as we might, legislators and lobbyists, developers and conservation groups, each have an incomplete understanding of wetland permitting policies and problems. We all have a role to play, but I'd like to make a pitch that we need the participation of wetland consultants to fill in the gaps, translate, and help broker solutions.

While many wetland consultants are members of my organization, they are a community of professionals that we share with their business sector clients. They are highly trained, understand wetlands and wetland policy, and are uniquely qualified to objectively identify problems with the administration of today's regulations and to propose effective solutions.

I'll close with this: Exempting isolated wetlands from state permit requirements, would cause great harm and won't resolve many common concerns. If we don't get things right on this bill, we will be back again next session, and the one after that, with another controversial bill that attempts, but ultimately fails, to resolve wetland regulatory problems. That would be unfortunate and is avoidable.

Wisconsin Wetlands Association remains available to lend our time and expertise to help craft a solution-oriented substitute amendment to this bill and to participate in a longer-term dialogue on how to reduce the burden and improve the environmental outcomes of wetland regulatory reviews.

Feel free to contact me or my colleague Brian Vigue at 608-250-9971 if we can be of further assistance.
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