



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703
phone (608) 267-2380; (800) 991-5502
fax: (608) 267-0645
league@lwm-info.org; www.lwm-info.org

To: Assembly Committee on Environment and Forestry
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: January 5, 2016
Re: AB 600, Regulation of Navigable Waters, Wetlands, and Artificial Streams

The League of Wisconsin Municipalities supports AB 600. The bill provides municipalities with additional flexibility for complying with stormwater regulations. The cost of complying with such regulations is expensive. By creating more flexible ways to reduce pollutants in stormwater the bill helps municipalities save tax dollars.

Stormwater detention ponds are designed to help municipalities meet state stormwater standards. AB 600 contains several provisions to allow for more efficient construction and maintenance of such ponds.

- a. To be effective such ponds must be maintained and accumulated sediment removed. Currently, the removal of sediment and the reshaping of these ponds can trigger wetland and dredging permit requirements. These requirements are unnecessary for such artificial ponds and can result in significant costs and delays. In some cases they can impede the maintenance activities. This bill clarifies that wetland and dredging permits are not required for stormwater ponds.
- b. In addition, in many cases, storm sewers that daylight into open areas have eroded channels to natural streams or lakes. DNR has taken the position that stormwater ponds may not be placed in navigable waters even where the water is artificially created. The proposed bill would allow for in line ponds in “navigable or nonnavigable artificial waterways.” Also, current law prohibits DNR from giving credit to a municipality for a best management practice that is located in a navigable water. AB 600 provides that DNR must give credit for any pollutant reduction achieved by an in-line pond within an artificial waterway when determining compliance with performance standards specified in a stormwater discharge permit.

We urge the committee to recommend passage of AB 600. Thanks for considering our comments.