

Legislative Update

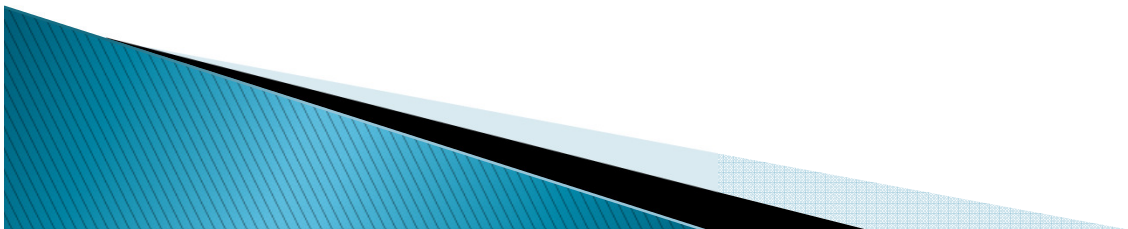
Wisconsin Lakes Partnership Convention
April 25, 2014
Stevens Point, WI

John Keckhaver – Wisconsin Lakes Lobbyist



Agenda

- ▶ 2013–2014 Legislative Session Status
- ▶ Wisconsin Lakes Legislative Agenda
- ▶ Session Review
 - What passed
 - What didn't
- ▶ What's next for policymaking in Wisconsin?
 - State budget
 - Legislative elections
 - Next legislative session



2013–2014 Legislative Session Status

- ▶ Session has ended
- ▶ Administrative rulemaking process is ongoing (including NR 115)



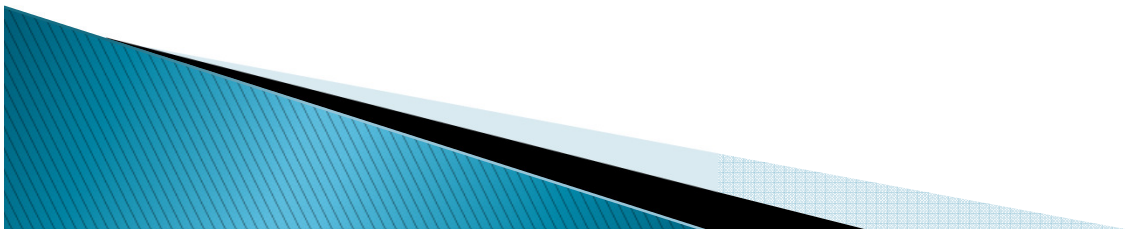
WI Lakes Legislative Agenda

▶ Available at our website:

www.wisconsinlakes.org

Areas of primary focus:

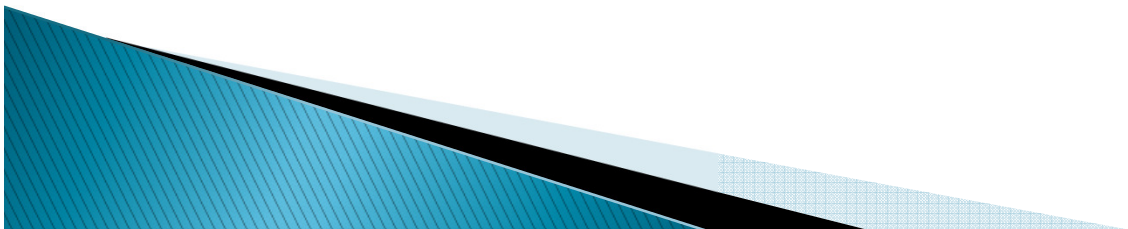
- Aquatic Invasive Species
- Groundwater Management
- Phosphorous and Polluted Runoff
- Shoreland Management
- Building a Watershed Approach to Public Policy
- Educating Citizen Advocates
- Other areas of concern: Mining, Lake Level Management



Session Review – What Passed

Legislative Session – Budgetary

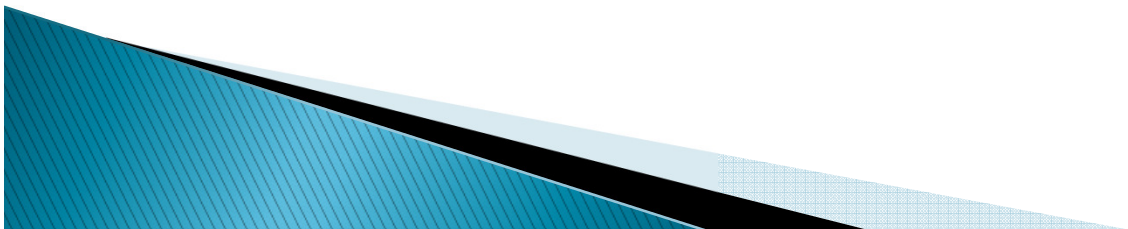
- ▶ Overall DNR budget:
 - 2.5% increase in funding
 - –34.4 FTEs (Gov. budget had increase of about 12 positions, legislature reduced that by 46 positions)



Session Review – What Passed

Legislative Session – Budgetary

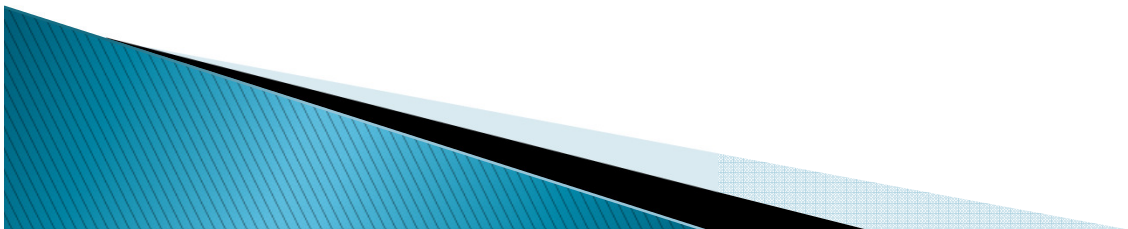
- ▶ Reduction in bonding authority for the Stewardship Program of \$63.5 million over the biennium. (Gov's budget made a number of changes to Stewardship, but kept funding relatively flat, legislature reduced it)
- ▶ Investments in Walleye and fish hatchery programs



Session Review – What Passed

Legislative Session – Budgetary

- ▶ Cumulative Impact of High Capacity Wells
 - No person may challenge an approval or application for a high capacity well based on the department's lack of consideration of the cumulative impact of it and other wells in the area (effective July 1, 2014)



Session Review – What Passed

Legislative Session – Budgetary

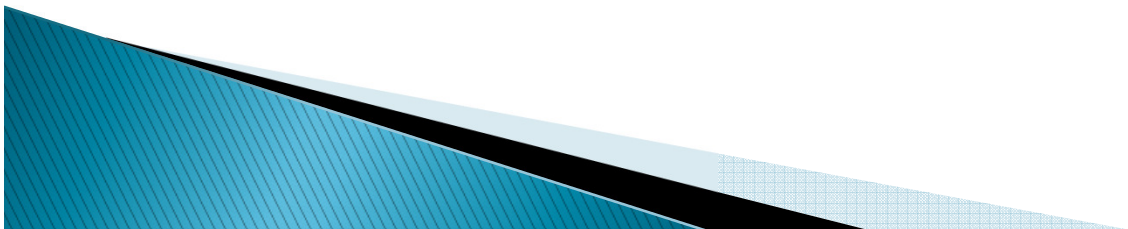
- ▶ Targeted Runoff Management Bonding
 - Increase of \$7 million, cost-sharing to landowners for installation of structural best management practices, including vegetation or control structures to stabilize stream banks or steep land grades to abate nonpoint source pollution (increased by \$7 million in each of the last three biennia, up to \$32 million this biennium).



Session Review – What Passed

Legislative Session – Budgetary

- ▶ **Urban Nonpoint Source Bonding**
 - Increase of \$5 million, grants to municipalities for construction projects for management of runoff, including storm water discharges.
- ▶ **Dam Safety Bonding**
 - Provide \$4 million, matching grants for dam safety projects to counties, cities, public inland lake protection and rehab districts.



Session Review – What Passed

Legislative Session – Non-budget

Act 1 (SB1) – Iron Mining Bill

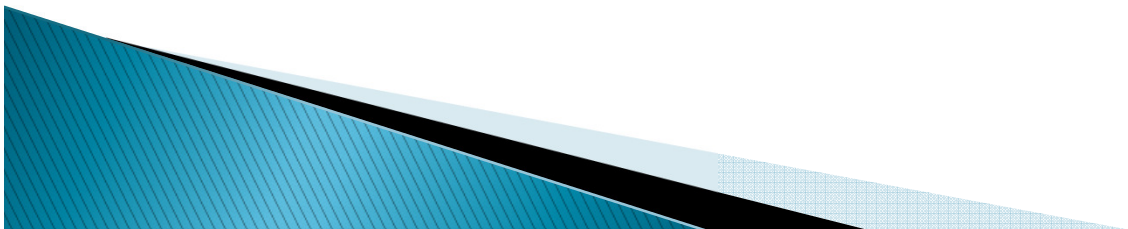
Act 72 (SB134) – Sea Lamprey Control Program

Act 75 (AB352) – Fish Pens in Navigable Waters

Act 80 (SB183) – Applicability of County
Shoreland Zoning Ordinances

Act 248 (SB596) – Water Trails Inclusion

Act 304 (SB344) – Disclosing Dam Presence

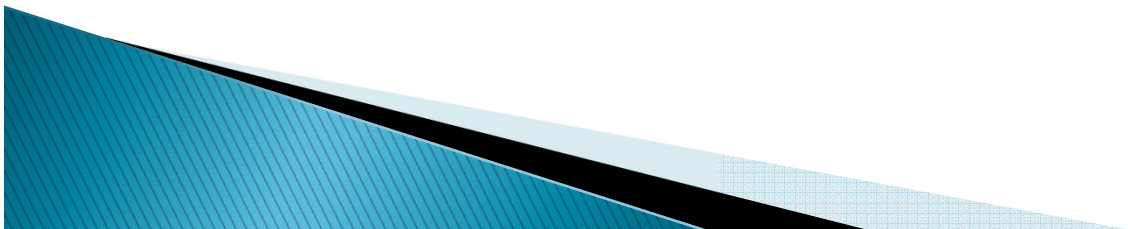


Session Review – What Passed

Legislative Session – Non-budget

Act 1 (SB1) – Ferrous Mining Bill

- ▶ Stated goal of expediting permitting processes for new iron mines
- ▶ Changes framework for environmental review and permit approval

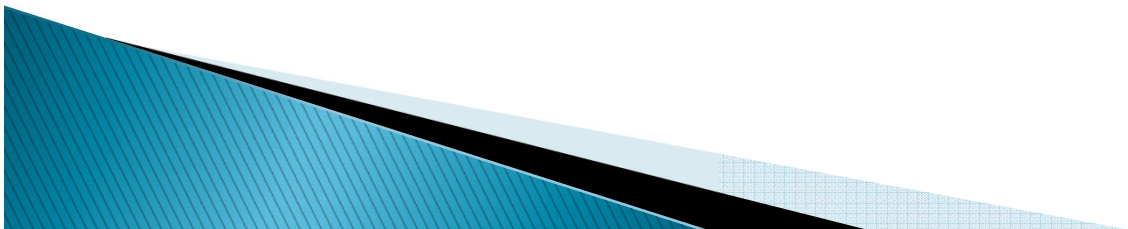


Session Review – What Passed

Legislative Session – Non-budget

Act 1 (SB1) – Ferrous Mining Bill

- ▶ Reduces public input
- ▶ Limits the environmental review
- ▶ Allows depositing of mine waste in wetlands and some lakes and streams
- ▶ Allows drawdown of water levels from lakes, rivers streams and groundwater

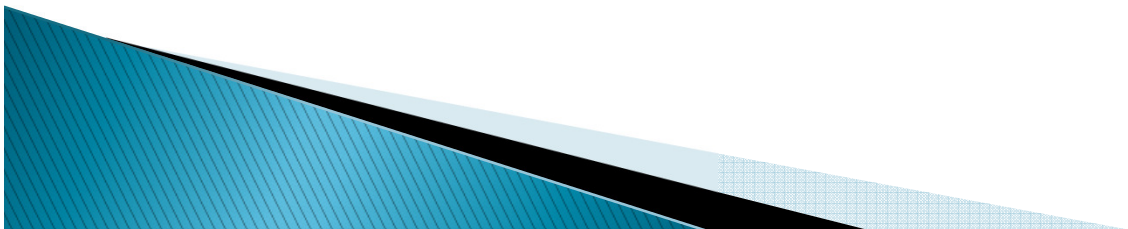


Session Review – What Passed

Legislative Session – Non-budget

Act 80 (SB183) – Applicability of County Shoreland Zoning Ordinances

- ▶ Prior law: county shoreland zoning ordinance applies to unincorporated areas and to annexed or incorporated areas (ann. or incorp. after 1982) and the city or village had to enforce it

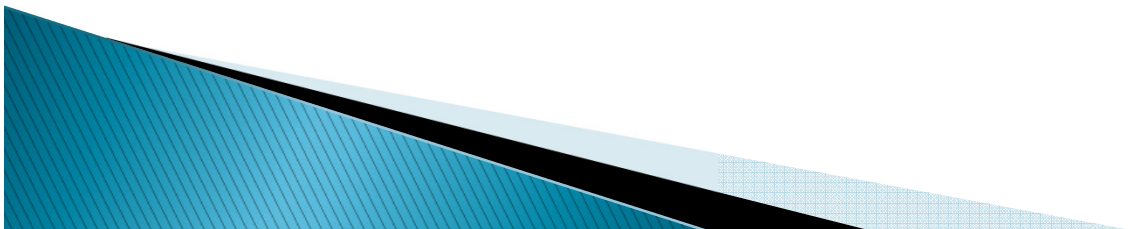


Session Review – What Passed

Legislative Session – Non-budget

Act 80 (SB183) – Applicability of County Shoreland Zoning Ordinances

- ▶ Had to be done until city or village enacted an ordinance for the area in question that complied with NR 115, or requested the county to amend the ord. to delete or modify certain provisions, or asked that the county enforce the county ordinance



Session Review – What Passed

Legislative Session – Non-budget

Act 80 (SB183) – Applicability of County Shoreland Zoning Ordinances

- ▶ Act 80 repeals these provisions and:
 - Requires cities and villages to enact shoreland zoning ordinances by July 1, 2014 that apply to any shoreland area annexed after 1982 and any shoreland area that was subject to a county ordinance prior to being incorporated as a city or village – and includes minimum requirements:

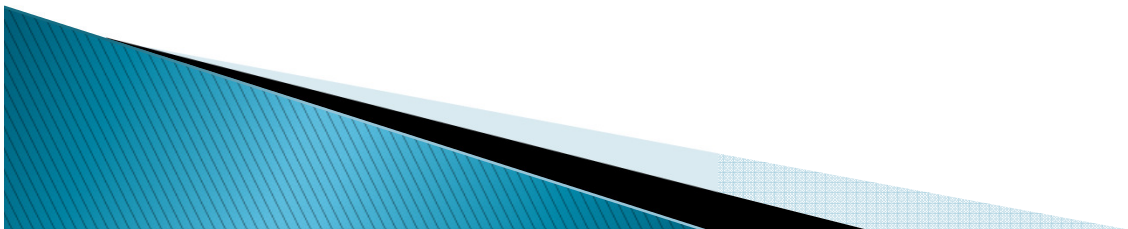


Session Review – What Passed

Legislative Session – Non-budget

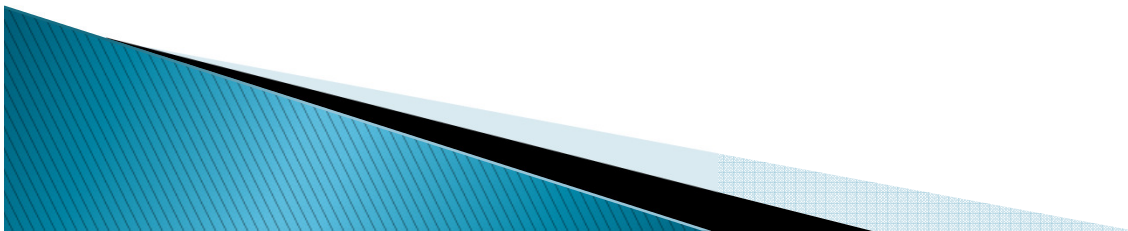
Act 80 (SB183) – Applicability of County Shoreland Zoning Ordinances

- Shoreland setback area of at least 50 feet from the ordinary high water mark (or average setback of adjacent buildings or 35 feet, whichever is greater)
- Maintenance of a vegetative buffer if it exists extending 35 feet inland (but allows for a 30 foot removal corridor for viewing/access per 100 feet)



Session Review – What Didn't Pass

- ▶ Further groundwater legislation
- ▶ Sand mining restrictions/DNR staffing
- ▶ Attempts to rescind contracts/grants to environmental organizations



Session Review – Admin. Code

- ▶ NR 115, Wis. Adm. Code – the State’s standard for shoreland zoning ordinances
- ▶ What’s in the new rule:
 - Higher impervious surface standard for already highly developed areas
 - Allow up to 200 sq. feet of lateral expansion over the life of a structure within the setback as long as the expansion is not closer to the waterway
 - Eliminate the requirement to remove nonconforming accessory structures when replacing or relocating nonconforming structures
 - No permit is required to remove invasive, damaged or diseased vegetation



Session Review

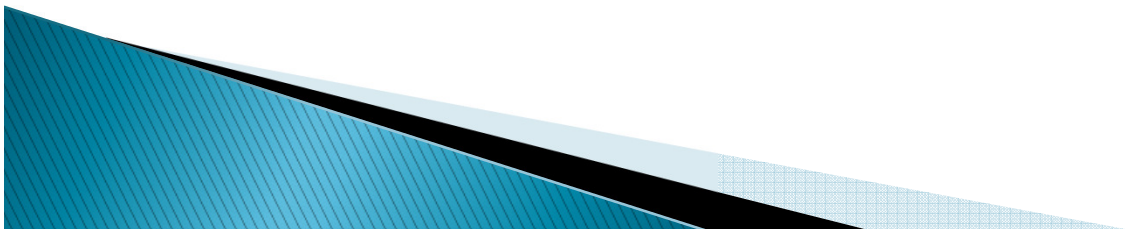
- ▶ General take-aways:

- Goal of providing infrastructure for dealing with runoff/pollution (through bonding)
- Goal of increasing use of natural resources by both individuals (including tourists) and businesses
- Continued tension between members of the majority party on how far to relax environmental regulation and oversight in order to pursue the goals mentioned above



What's Next?

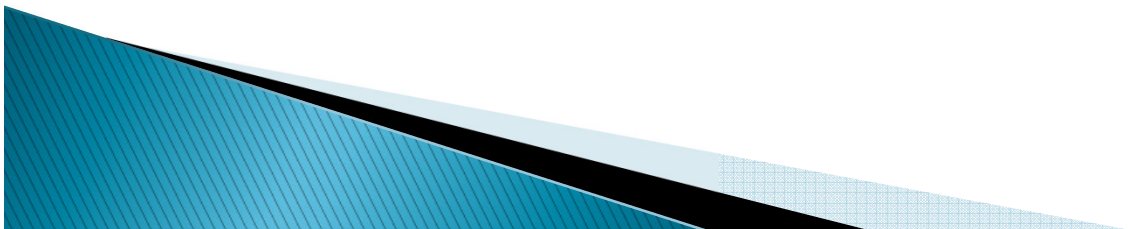
- ▶ 2015–2017 State Budget
 - General fiscal health very strong
 - Tax collections continue to come in above estimates
 - State agencies already developing their agency budget requests – due to Department of Administration in September



What's Next?

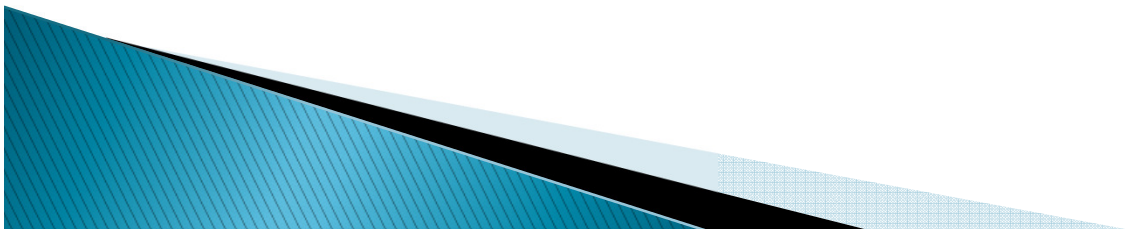
▶ Legislative Elections

- Many retirements
- Challenges within the majority party (for state and federal offices)
- Probably at least two dozen new legislators to begin work next January
- Continues pattern of large turnover election cycles
- Lately, many incoming legislators lack political/governmental experience
- Redistricting occurred under current majority party, not likely to see change in power this cycle



What's Next?

- ▶ 2015–2016 Legislative Session
 - Majority/minority parties likely to remain the same, therefore, look within the parties to discover direction of policy next year
 - Open questions for majority party:
 - Who, besides Representative Vos, will rise within the Republican party and be an agenda-shaper?
 - Will the Senate establish an agenda?
 - Will Assembly Republicans work more closely with Senate Republicans next session?



Wisconsin Lakes Policy Resources

- ▶ Wisconsin Lakes website policy pages
 - www.wisconsinlakes.org
- ▶ E-Lake Newsletter
- ▶ E-alerts
- ▶ Lake Connection

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