



Warren Petryk

State Representative • 93rd Assembly District

TO: Assembly Committee on Local Government
FROM: Representative Warren Petryk
DATE: June 6, 2023
SUBJECT: Assembly Bill 136

Thank you Chairman Novak and members of the Assembly Committee on Local Government for allowing me to submit testimony in favor of Assembly Bill 136.

In the previous state budget the legislature provided more funding to the Municipal Dam Grant Program at the Department of Natural Resources (DNR). The program helps our local communities with the maintenance, repair and modification of municipal owned dams. The program also helps with the removal of dams as well.

Prior to the expansion of the program, local matching funds were required for the program, but not for any dam removals. This is because according to the DNR a dam removal is the greatest possible safety measure that an owner can undertake. However, due to a drafting error, a match is now required for dam removals.

This legislation simply reverts the program back to previous law and removes the match requirement only for dam removal projects while maintaining existing project cap limits.

Thank you again for your time and support of Senate Bill 140 and I look forward to answering any questions you may have.



ROB STAFSHOLT

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TO: Assembly Committee on Local Government
FROM: Senator Rob Stafsholt
DATE: June 6th, 2023
SUBJECT: Testimony in Favor of Assembly Bill 136.

Thank you Chairman Novak and members of the Assembly Committee on Local Government for allowing me to submit testimony in favor of Assembly Bill 136.

Currently, the Department of Natural Resources administers grant programs relating to repairing and removing dams throughout Wisconsin. Dam owners/operators are eligible for these grant funds for the removal or repair of their dams. Matching funds have always been required for grants to repair a dam, but have not traditionally been required for dam removal projects.

In the latest biennial state budget, there were some changes made to improve both grant programs, however, there was an unintended change made by a drafting error that requires matching funds for dam removals. This legislation would revert back to prior law and remove the requirement that matching funds are necessary to receive a grant for a dam removal.

Thank you, members. I ask for your support and would be happy to meet with you to address any concerns or answer any questions about these bills.



Assembly Committee on Local Government

2023 Assembly Bill 136 *Financial Assistance Limits for Dam Removal* *June 6, 2023*

Good morning, Chair Novak, and members of the Committee. My name is Wendy Soleska, and I am the Grant Manager for the Municipal Dam Grant Program for the Wisconsin Department of Natural Resources. With me today is Uriah Monday, the State Dam Safety Engineer for the Dam Safety Program. Thank you for the opportunity to provide testimony, for informational purposes, on Assembly Bill 136, related to financial assistance limits for dam removal.

The department is charged with protecting life, health, and property from unsafe dams. Beginning in the 1989-91 biennium, the department has administered a competitive grant program to help counties; cities; villages; towns; tribes; and public inland lake protection and rehabilitation districts; repair, reconstruct, or remove municipally owned dams. The program has committed over \$42 million in funding since 1990 and this has been a vital component of department efforts to improve the safety of dams.

Prior to the passage of 2021 Act 58 (Act 58), the grant program had project cap limits, a cost-share requirement for dam repair projects, and no cost-share requirement for dam removal projects. Act 58 made changes to the cost-share and project cap limit provisions, including creating a cost-share requirement and a project cap limit for dam removal projects. This bill would eliminate the cost-share requirement but retain the project cap limit for dam removal projects while keeping the cost-share requirement and project cap limit for dam repair projects intact.

Removing a dam is typically the greatest possible safety measure that an owner can undertake. The department has not historically required a cost-share for dam removal as an incentive for implementing this great safety measure; however, a project cap on dam removals eliminates the potential for a single large removal project using up a large portion of the funds and limiting the number of municipalities receiving grant funding for required dam improvement projects. The project cap promotes a larger number of projects receiving grant funding and helps to determine how many projects can be funded in each biennium through a priority ranking list of projects.

In summary, the grant program is a crucial tool to improve resiliency of dams in Wisconsin. This bill provides important clarifying language about grant requirements that would eliminate potential confusion for dam owners who are considering applying for grants to assist with dam removal projects.

On behalf of the Department of Natural Resources, we would like to thank you for your time today. We would be happy to answer any questions you may have.



RE: Wisconsin TU support for AB136 / SB140 – Municipal Dam Safety Grant Language

Members of the Assembly Committee on Local Government:

My name is Mike Kuhr, I live in Monona, where I'm a husband, father, small business owner, and volunteer leader for Wisconsin Trout Unlimited. I'm currently serving as our Advocacy Chair. Trout Unlimited is our Nation's leading cold water conservation organization. Here in Wisconsin, we're home to over 6,500 members and 21 local chapters dedicated to ensuring future generations' access to cold, clean, fishable water.

I'm here to express our organization's support for AB136, which would clarify language regarding municipal dam safety grants. We would like to thank Representative Petryk, Senator Stafsholt, and the other co-sponsors of AB 136 for their efforts to provide certainty for the municipalities who use the dam safety grant program.

Wisconsin Trout Unlimited was supportive of efforts in the last state budget to provide additional funding for the Municipal Dam Safety program and for raising the cap on grants awarded through the program to one million dollars. It has since come to our attention that some of the language in the last budget has created a grey area regarding dam removal project grants, which historically have not required municipalities to provide matching funds as part of the grant.

AB 136 and its counterpart SB 140, clarify this point and provide certainty to municipalities and their partners who utilize the program for dam removal projects. Unlike dam repair projects which will occur multiple times over the lifespan of the structure, dam removal is a one-time expense that warrants the exemption from cost share requirements for municipalities.

We urge the Committee to support AB 136 and we look forward to working with the legislature to continue creating policies that will be beneficial to Wisconsin anglers and our communities.

Thank you for your time and for your commitment to public service.

Mike Kuhr

Wisconsin Trout Unlimited, State Council Advocacy Chair

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The Wisconsin Council of Trout Unlimited ("WITU") is a 501(c) 3 non-profit organization which consists of approximately 6,500 volunteer members in 21 chapters in Wisconsin working to ensure that future generations have access to cold, clean, fishable water. In a typical year, WITU and its Chapters report over 50,000 volunteer hours, working on conservation projects, education and outreach events, and operating Service Partnership programs to support veterans and first responders.