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# LOREN OLDENBURG

STATE REPRESENTATIVE • 96<sup>th</sup> ASSEMBLY DISTRICT

## Testimony on Assembly Bill 222

Relating to: a pre-disaster flood resilience grant program

Assembly Committee on Local Government

June 6<sup>th</sup>, 2023

Good morning, Chairman Novak and committee members. Thank you for holding a public hearing on Assembly bill 222 today.

In August 2018 Coon valley, a small village nestled in Vernon county, experienced record breaking flooding. Three dams in the Coon Creek watershed failed, with two others failing next door in the Kickapoo watershed. Most residents awoke to firefighters pounding on their doors and their basements completely submerged underwater. The storm left the villages 700 residents to fend for themselves as outside emergency assistance could not reach the village due to debris. Instead of floods such as this one happening every 100 years, Coon valley is experiencing this once every few years.

Flooding is Wisconsin's most costly disaster. This presents an urgent need for communities similar to Coon Valley to better understand these vulnerabilities and work proactively to reduce risks and damages. Communities currently only observe where repetitive flooding damages occur and fix these roads, bridges, and culverts year after year. Existing state and federal programs primarily focus on post disaster clean-up, replacing or repairing structures after a disaster.

Moving structures out of mapped floodplains is currently the most heavily funded pre-disaster strategy. The assessment and restoration work in a community often isn't eligible or commonly funded through existing state or federal flood risk reduction programs. Funding to mitigate flooding before a disaster is extremely limited.

AB222 creates a grant program (administered by the DMA Division of Wisconsin Emergency Management) for flood vulnerability assessments aimed at understanding flood flows and erosion hazards. As well as completing projects that mitigate these hazards by restoring healthy wetlands, streams, and floodplains. The program is structured to improve our understanding about flood vulnerabilities through assessment work and hydrologic restoration projects that can help reduce flood damages. The programs' aim is to help solve and prevent future flooding by working at the root cause and using natural flood management rather than the current post disaster approach.

Flood prone communities, such as Coon Valley, would no longer have to rely on moving or replacing any buildings and structures damaged by flooding. Rather, the community could work towards restoration projects upstream or in neighboring wetlands that would ultimately reduce or even prevent these communities from being affected by flood waters frequently. Creating this statewide program will immensely help our flood prone communities be proactive in flood prevention rather than reactive.

This legislation was drafted after working with the Wisconsin Wetlands Association, Wisconsin Towns Association, and Trout Unlimited and is supported by groups as the Association of Regional Planning commissions, The American Council of Engineering Companies, Wisconsin State Firefighters Association and many more.

It's important that we do not continue to just put band aids on our flooding issues, but rather work towards more permanent solutions. Assembly Bill 222 will help communities statewide truly begin solving this fundamental issue. Thank you again for hearing Assembly Bill 222, I am happy to take any questions.



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# Romaine Robert Quinn

STATE SENATOR • 25<sup>TH</sup> SENATE DISTRICT

From: Senator Romaine Robert Quinn  
To: Assembly Committee on Local Government  
Re: **Testimony on AB 222**  
**Relating to: pre-disaster flood resilience grant program**  
Date: June 6, 2023

Thank you, Chairman Novak and committee members for allowing me to submit this testimony on Assembly Bill 222, relating to a pre-disaster flood resilience grant program.

In the district I represent, almost all of the counties have been the sites of flooding disasters in the past decade. But the problem is statewide. In the last 10 years, Wisconsin reported roughly \$365 million in property damage from flooding. Yet for the most part, existing state and federal programs focus on replacing structures, repairing roads and bridges, and cleaning up after flood events – only to see the same culverts destroyed and the same roads washed out year after year.

A more proactive approach is needed to reduce risks and damages. Working with a diverse array of organizations, I have authored AB 222 with Representative Loren Oldenburg to create a program that uses scientific and conservation techniques to achieve the dual purposes of restoring wetlands and reducing flooding. We want to encourage natural flood management, allowing the land to capture, store, and slowly release runoff.

This bill will create a grant program administered by the DMA Division of Wisconsin Emergency Management for assessment grants of up to \$300,000 and implementation grants of up to \$250,000 to give to cities, villages, towns, counties, regional planning commissions, or tribes to plan and perform interventions to make the landscape more flood resilient. Grants must go to areas that have been designated as areas of flood disasters or flood emergencies, or to areas that have written and state-approved flood hazard mitigation plans.

The program is structured to improve our understanding about flood vulnerabilities through assessment work and hydrologic restoration projects that can help reduce flood damages. The aim is to help solve and prevent future flooding by working at the root cause rather than the current fix and repair approach after the incident.



This type of program has been proven to work in Ashland County, which, thanks to its geologic history and unique soils is at an elevated flooding risk. In 2019 as a member of the State Assembly I co-sponsored a bill that funded a pilot program within that county to explore natural flood management. A team of researchers, working in collaboration with local partners throughout the Marengo River Watershed, mapped areas where flooding could be expected in future years. Some of these areas, to no one's surprise, coincided with places that had seen washouts year after year. They recommended tactics like ravine stabilization, floodplain reconnection, and wetland restoration within their project area.

AB 222 has received bipartisan support in both houses and was drafted after working with the Wisconsin Wetlands Association, Wisconsin Towns Association, and Trout Unlimited. It has received the support of many other organizations, some of which you will hear from in the committee today.

Flooding is Wisconsin's most costly disaster, presenting an urgent need for communities to better understand these vulnerabilities and work proactively to reduce risks and damages. This bill would go, literally, upstream from where damages occur and break the cycle of post-disaster response. AB 222 will help preserve wetlands and working with private landowners to improve the water retention already possible in existing floodplains.

Thank you for your time and consideration today. I ask for your support in passing Assembly Bill 222.



STATE REPRESENTATIVE  
**Katrina Shankland**

71<sup>st</sup> ASSEMBLY DISTRICT

Testimony in Support of Assembly Bill 222  
Assembly Committee on Local Government  
June 6, 2023

Chair Novak, Vice Chair Donovan, and members of the Assembly Committee on Local Government, thank you for the opportunity to testify in support of Assembly Bill 222, bipartisan legislation to create a pre-disaster floor resilience grant program. I also want to recognize and thank Representatives Oldenburg and Novak for their leadership on this important issue.

AB 222 is a commonsense bill to help local governments in taking proactive measures to prepare for and reduce the dangers of severe flooding. The bill requires the Division of Emergency Management in the Department of Military Affairs to create and administer a pre-disaster floor resiliency grant program. The program would provide grants to local governments of up to \$300,000 for qualifying assessment projects and \$250,000 for qualifying implementation projects. To ensure the money is going where it's most needed, grants may only be awarded to communities with a demonstrated risk of disastrous flooding.

We know that flooding poses a serious threat to communities throughout Wisconsin, and unfortunately, the costs associated with repairing flood damage can be devastating for local governments and communities. While many state and federal programs exist to help local governments address flood damage after the fact, there is little support for communities that are interested in assessing potential flood risks and implementing mitigation and resilience strategies. Assembly Bill 222 seeks to fill that void by creating a targeted grant program that will ensure at-risk communities have access to the resources needed to determine where vulnerabilities exist and what can be done to best remedy their unique challenges.

One example of a flood resilience solution is floodplain restoration, which reconnects the floodplain to the waterway to help rebuild its ability to store floodwaters, reduce erosion, and filter water pollution. Another is to restore and protect wetlands to reduce flooding, which also filters, absorbs, and slows runoff and improves water quality. By encouraging and empowering local governments to address potential flood risks before they are hit with a disastrous flood, we can limit the economic and environmental damages that communities and residents endure and save Wisconsin taxpayers' money, as clean-up and repair are often more costly than mitigation. We can also improve water quality, restore and protect wetlands, stabilize shorelines, increase property values, grow our economy, and improve public health, reducing injuries and loss of life.

This legislation has broad support from a variety of organizations, including the Wisconsin Wetlands Association, the Towns Association, the League of Municipalities, Ducks Unlimited, and many more. I hope that all members of the committee can see the need for and value of this legislation. And with that, I again want to thank Representatives Oldenburg and Novak for their work on this bill, and I am happy to answer any questions the committee may have at this time. Thank you.





To: Assembly Committee on Local Government  
From: Wisconsin Wetlands Association  
Re: Testimony on Assembly Bill 222  
Date: June 6, 2023

Thank you for the opportunity to testify in support of Assembly Bill (AB) 222, creating a state-directed Pre-Disaster Flood Resilience Grant for Wisconsin's most flood-prone communities. We thank the authors for introducing this bill and are grateful to have collaborated in its development.

The Wisconsin Wetlands Association (WWA) is a statewide non-partisan, non-profit organization dedicated to the protection, restoration, and enjoyment of wetlands and associated ecosystems through science-based programs, education, and advocacy. We work with a wide array of partners where wetlands are an essential part of the solution to water management concerns like erosion and flooding.

WWA has worked for more than six years alongside communities in the Lake Superior Basin to understand and address how loss of wetland and floodplain storage increases flood risks and damages. Like many areas, road and culvert washouts are major concerns up North. We have worked with county emergency managers, highway commissioners, land conservation departments, town boards and road crews, and state and federal agencies to develop data and decision support tools to both identify vulnerabilities *and* cost-effective nature-based solutions.

In recent years, WWA has examined how state and federal policies and programs either support or inhibit wetland, stream, and floodplain restoration to reduce flood risks and vulnerabilities. Many of these programs remain difficult to access, complicated, and fall short of providing communities with the support they need to proactively reduce flood risks and vulnerabilities.

AB 222 helps address the need of flood-prone communities to better understand the causes of flood damage and stressors. The program accomplishes this by offering an *assessment grant*, which enables watershed, catchment, or stream reach scale vulnerability assessments to gather data on where and how water flows (i.e., H&H modeling), the condition of culverts, and upstream erosion hazards that are contributing to flood risks. We call this the "firehose effect." Hazards like erosion into wetlands and incised stream channels lead to flashier flows of water, sediment and debris, making it necessary to address these issues.

Where data indicates erosion hazards are compounding the problem, AB 222 also allows communities to pursue an *implementation grant* that enables hydrologic restoration of wetlands, streams, and floodplains. Healthy wetlands and floodplains store vast quantities of water and "slow the flow." This reduces the "firehose effect." These benefits pay off downstream where infrastructure like roads and culverts are better able to manage the reduced flows and debris. This helps local governments break the cycle of repair/replace that disregards upstream conditions.

This bill will benefit any community that has endured high costs from flooding in the form of public safety, property damage, agricultural impacts, transportation interruption, and ecological impacts. In the past ten years, NOAA records indicate Wisconsin communities had an estimated \$365 million in flood-related damages. In that time, disaster declarations have included 45 individual counties, with multiple counties impacted by four or more events. Not only must these areas deal with immediate public safety concerns and a budget far surpassed by clean-up and recovery efforts, but they often don't have the resources to entertain the best ways to be more prepared.

With AB 222, Wisconsin is taking the initiative to empower flood-prone communities to be more prepared.

WWA appreciates the flexibility and accessibility for local governments offered through this state-directed grant. Flood-impacted communities have diverse circumstances, levels of data, and pathways to being proactive. AB 222 will allow the eligible local government – or the organization(s) they are working with – to develop a grant proposal that meets their needs.

To ensure that small, rural towns can compete for these grants, AB 222 also allows a local government to work with a private consulting firm or non-profit organization to develop and apply for grants through this program.

It is worth noting that the hydrology-focused solutions facilitated through AB 222 to proactively address flooding will also yield benefits for water quality, soil conservation, and habitat. This bill will demonstrate a path forward for using watershed-based hydrologic restoration that improves outcomes for flooding and other water-related problems.

We appreciate the opportunity to provide this testimony and would be happy to answer any questions you have about the need and benefits of the proposed program.

**Jennifer Western Hauser, Policy Liaison**

Jennifer.westernhauser@wisconsinwetlands.org or 608-250-9971





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**MEMO TO: Assembly Committee on Local Government**  
**FROM: Wisconsin Towns Association**  
**RE: Assembly Bill 222**  
**DATE: 6/6/2023**

Chair Novak, members of the Committee, thank you for the opportunity to testify in support of Assembly Bill 222 on behalf of the Wisconsin Towns Association.

For as long as there have been roads in this state, local officials have been dealing with the devastating aftermath of flooding. Flood damage to local roads and other infrastructure exacts a heavy toll on local, state, and federal resources, creates serious risks to public safety, damages private property, and severely interrupts the functioning of our state's economy. The focus has always been on passing the problem downstream or on reactive repairs. We believe that there is a better way.

The idea for this bill grew out of a meeting convened by Representative Oldenburg to search for ideas for regulatory reform that could make flood disaster responses by local governments faster and more effective. That project is still ongoing, but along the way we were tasked by the authors of this bill with another objective – to identify ways that we might mitigate flooding damage before it happens. We have spent months evaluating existing programs, available data and methodologies, and opportunities. The result of these efforts is the program that would be created under AB 222.

It became clear to us early on that there are two significant “gaps” in the way that we address and fund flood-related programs in this state and at the federal level. The first is in the way that we assess flood vulnerability. The focus has always been on looking narrowly at areas that are prone to flood damage, generally *between the road right-of-way lines*. If a culvert washed out in a flood, we focused on armoring the crossing or upsizing the flow capacity, which usually just sends the problem downstream. We have also failed to react to the changes in the hydraulic landscape caused by repetitive flooding that make each successive flood more and more damaging.

The assessment grants that would be authorized under AB 222 would evaluate flood vulnerability on a stream reach or watershed scale, making it possible to better understand the causes of flooding problems so that the most cost-effective solution can be



identified to reduce or prevent flooding damage. This bill would make this critical information accessible to local governments. It is time to stop throwing good money after bad by breaking the cycle of conducting repeated repairs to vulnerable infrastructure because we just don't know any better.

The second "gap" in flood-related programs is the lack of funding for what in some cases are the most cost-effective, beneficial, and effective solutions. There are great opportunities in the state to restore the landscape's ability to mitigate flood intensity – we just rarely look for them and have little means to fund these solutions even when they are identified. The implementation grants in AB 222 would focus funding toward floodplain, wetland, and stream restoration efforts when these are identified as providing the best "bang for our buck" to address flood resiliency. Instead of just repeatedly repairing a washed-out bridge or culvert, this bill will allow local governments to find ways to reduce those damage risks by addressing them at their source.

We believe that this bill may be a small step of a paradigm shift in how we seek to understand and respond to flood vulnerabilities in this state. The projects that will be conducted using the improved data from broad-based flood vulnerability assessments and by providing funding for upstream solutions will save taxpayer money, reduce economic disruption, and provide significant benefits to the quality and health of our state's environmental resources. A true win-win-win.

Thank you again for your consideration of this bill and the opportunity to testify before you today.



This data will help local communities make better decisions regarding maintenance and planning for future infrastructure upgrades. Identifying at-risk locations will also allow us to take a closer look at what's happening upstream. We know from experience that good functioning wetlands and a proper connection to a river's flood plain can greatly reduce the flood risk to downstream infrastructure. This program's Tier II Implementation Grants are set up to specifically support this type of work in our watersheds.

Wisconsin Trout Unlimited is supportive of AB 222 and its companion, SB 222. We believe that Wisconsin Emergency Management will be capable of delivering results through this pre disaster flood resiliency program for our communities and our watersheds.

In closing, we'd like to thank the bills authors, Representative Oldenburg and Senator Quinn for their leadership in crafting this important piece of legislation and for their willingness to allow groups like Trout Unlimited, the Wisconsin Wetlands Association, and the Wisconsin Towns Association to provide input along the way.

We believe AB 222 will have a positive impact on our watersheds, our fish and wildlife, and our communities. Working together we can get out ahead of the next storm and build a more resilient Wisconsin. We urge this Committee to support AB 222.

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

Respectfully Submitted,

Mike Kuhr  
Wisconsin Trout Unlimited  
State Council Advocacy Chair  
[mikek.trout@yahoo.com](mailto:mikek.trout@yahoo.com)  
(414) 588-4281

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.



## **Testimony on 2023 Assembly Bill 222**

Major General Paul Knapp, The Adjutant General

Assembly Committee on Local Government

June 6, 2023

The Department of Military Affairs is providing the following background information related to Assembly Bill 222 and the program's potential impact on the state's hazard mitigation programs.

In Wisconsin, our most significant natural hazard is flooding, followed by severe wind events. Over the past three decades our state has incurred nearly \$3 billion in damages from these hazards.

Hazard mitigation projects work to reduce or eliminate the long-term risk to human life and property from future disasters. A 2019 study by the National Institute of Building Sciences found that every \$1 spent on flood mitigation saves an average of \$7 in future damages and response costs. These savings have been evident in the recent flooding along the Mississippi where, despite highest water levels since the federally declared disaster of 2001, mitigation efforts over the past twenty years have helped to reduce the damage below federal disaster thresholds.

The division of Wisconsin Emergency Management (WEM) has a highly active and robust hazard mitigation program that currently manages 74 active projects totaling nearly \$64 million in federal funding. These projects are helping protect communities across Wisconsin in a variety of ways, including building community tornado safe rooms, buying out properties in the flood zone, floodproofing electrical infrastructure, and stabilizing shorelines prone to erosion.

Some of this federal funding is distributed via a formula while a portion is made available to states on a competitive basis. Wisconsin thus competes for funding directly with coastal states that experience multi-billion-dollar disasters like Florida, Texas, and California, which limits our chances for funding. In 2022, Wisconsin was approved for only one project under the competitive portion of the Building Resilient Infrastructure and Communities (BRIC) program. We were the only non-coastal state to receive an award that year.

These grants also rely on a strict Benefit Cost Analysis (BCA) formula that prioritizes property buyouts over studies and hydrologic restoration projects. As a result, property buyouts make up



the majority of projects funded in Wisconsin. Likewise, the Municipal Flood Control grant program administered by the Department of Natural Resources prioritizes property buyouts.

While acquiring and removing properties in flood zones is an important way to eliminate the risk of repetitive loss, it is only one among a number of tools we must mitigate risk and build more resilient communities.

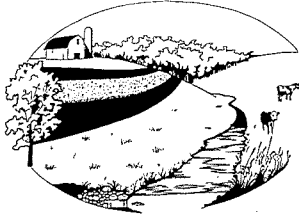
Assembly Bill 222 will help state and local officials use some of these other tools and will complement existing programs by providing funding for community-scale hydrologic restoration projects that have difficulty competing for funding through other state and federal programs.

Studies funded by the program will help WEM and local governments build resilience by improving our understanding of the evolving flood risks, leading to smarter decisions about where to invest resources. The studies will also provide data that will aid in hazard mitigation planning, help communities to design more effective projects, and ultimately help them be more competitive for federal funding.

The bill encourages partnerships among local governments, non-profits, and other private sector partners for implementation. It includes language for establishing an application process and evaluating grant applications that allows the division some flexibility to adjust to changing needs.

The bill also includes the flexibility to provide grant extensions to match the timelines of federal grants. It is anticipated that the ability of communities to use this funding to match federal grants will increase our ability as a state to leverage the available federal funding.

The program will require 1.5 full-time equivalent (FTE) employees to administer effectively, including 1.0 FTE run the program and 0.5 FTE to manage the fiscal needs. An estimated \$180,300 would be required to fund the positions and related administrative costs. This includes one-time start-up supplies, equipment, and training as well as salaries, benefits, supplies, and travel. Sufficient administrative funding will enable WEM to support applicants and provide adequate oversight of the program.



**Vernon County**  
***Land & Water Conservation Department***

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220 Airport Road, Viroqua, WI 54665 Phone (608) 637-5480

Assembly Committee on Local Government  
Comments on SB222 and AB 222 Pre-Disaster Flood Resilience Grant  
June 6<sup>th</sup>, 2023

Thank you to the Chair and distinguished Representatives for your time. My name is Ben Wojahn, I am the Vernon County Conservationist. I am honored to be here today to share with the committee what I have seen and learned from the people of Vernon County. Assembly bill 222 is a great example of our representatives listening to their constituents. This bill thinks of the future and how local communities can prepare for disasters rather than continuing to be reactive. Since 2007, people of Vernon County have had to endure many devastating flooding events. Significant damage has occurred, and then been repaired, only to occur once again. This has happened to private infrastructure including culverts, bridges, driveways, houses, trout streams, and farmland. Flooding has also caused extensive and repeated damage to public infrastructure including roads, bridges, and culverts.

In the most recent devastating flood of 2018, five dams in the Coon Creek and West fork of the Kickapoo River Watersheds breached and were destroyed. Having this many dams destroyed in such a small geographic area is historically unprecedented across the country. These dams were put in by the federal government in partnership with Vernon County. Now the federal government is finding that these dams no longer meet their formula for cost benefit analysis and therefore federal funding will not repair or replace these dams. So, most of all PL-566 dams in La Crosse, Monroe, and Vernon County, will have to be decommissioned.

Countless residents, farmers, and local officials express frustration over not being able to improve the damaged infrastructure. Most state and Federal programs have rules which only allow damages to be replaced at pre-flood conditions. This is frustrating to our community members that know better than to do repairs that haven't worked in the past.

This bill is different. Assembly bill 222 is a well written and responsible bill that empowers the planning and the projects to help mitigate the effects of these disasters. This bill will provide grants to local flood ravaged communities by using the best data, the best local knowledge, and the best management practices for our community.

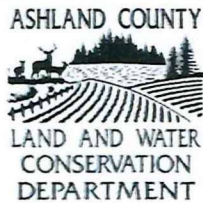
I really like that this bill uses the word resilience. Resilience really means hope and preparedness. Hope, that no matter what we have gone through, tomorrow can be a better day. I see the frustration in our community, and I myself am frustrated when I am helping folks with a government program that does not allow common sense approaches. This bill offers a chance at real resilience. This bill offers a chance at real hope for communities who know the next devastating flood is probably not too many years away.

I thank the Chair, this committee, the sponsors and the co-sponsors of Assembly Bill 222, and the Wisconsin Assembly for hearing your constituents and considering this bill.

Sincerely,

Ben Wojahn

Vernon County Conservationist



Ashland County Land and Water Conservation Department  
315 Sanborn Ave., Suite 100  
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**MaryJo Gingras, County Conservationist**

email: [maryjo.gingras@co.ashland.wi.us](mailto:maryjo.gingras@co.ashland.wi.us)

phone: (715) 682-7187

Committee on Local Government  
Comments on AB222 Pre-Disaster Flood Resilience Grant  
June 6, 2023

My name is MaryJo Gingras, County Conservationist with the Ashland County Land & Water Conservation Department. Thank You for your bipartisan support of AB222 & SB222 Pre-Disaster Flood Resilience Grant. I know first-hand the benefits this funding could provide.

A "100-year flood" is often noted as a destructive event. Yet, as you are aware, floods in recent years have well surpassed that categorization to include 500, and even 1,000-year storms. Nothing less has occurred in Ashland County and with greater frequency. The Marengo River Watershed was devastated by floods in 2016 and 2018 with millions in damages. Flooding disasters regularly threaten roads/infrastructure, public safety, homes, and farms. For local and tribal governments, these damages present immediate and long-term budget, public safety, and administrative challenges.

In Ashland County, we recognize the climatic changes in our region and understand that we must alter our conservation efforts to adapt for the future. We are working in the Marengo watershed to implement innovative natural flood management practices this summer to reduce future hazards. This includes our current design of Act 157, the 2020 Wisconsin Legislature allocation to Ashland County to implement 2-3 natural flood management demonstration projects. Act 157 will restore wetlands and reconnect floodplains to rebuild the landscape's natural ability to capture, store, and slowly release runoff. These practices can be combined with culvert upgrades and other structural enhancements to improve the natural movement of water, sediment, and debris.

In 2019 Ashland County received a FEMA Pre-Disaster Mitigation Grant and worked with Wisconsin Wetlands Association to identify vulnerable public infrastructure and upstream erosion hazards in the Marengo watershed. Potential wetland and floodplain restoration sites were prioritized and strategies were identified to help reduce infrastructure damages with natural flood management solutions. Although this project identified several areas that would greatly benefit from landscape-scale restoration, we have yet to determine how to fund these projects.

Funding for implementing these types of practices is extremely limited or non-existent. Most state and federal programs focus on post-disaster funding. Funding for proactive strategies that help identify flood risks and implement projects to restore degraded stream conditions is not readily available.

Please support both tiers of AB222 to allocate funding for assessment studies, as well as the implementation of flood mitigation projects. Restoring wetlands and floodplains is a crucial and cost-effective strategy for storing water and reducing flood impacts. These conservation efforts help communities identify flood risks and provide highly-effective solutions.

THANK YOU.





Contact: Jennifer Western Hauser (WWA), [policy1@wisconsinwetlands.org](mailto:policy1@wisconsinwetlands.org)  
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March 2023

## Wisconsin Pre-Disaster Flooding Grant Program – AB 222 & SB 222

Flooding disasters threaten public safety, roads, homes, and farms. Local governments are at the forefront of dealing with the aftermath and costs of these damages. According to NOAA records, in the last 10 years, Wisconsin reported roughly \$365 million in property damage from flooding.

Most state and federal programs focus on post-disaster clean-up and replacing or repairing structures. What’s missing are proactive strategies that help identify flood risks and implement projects that repair degraded upstream conditions that accelerate flow and erosion.

AB & SB 222 by Representatives Oldenburg and Novak, and Senator Quinn addresses this need by establishing a two-tiered grant under the Division of Emergency Management for flood-prone communities:

**Tier 1. Assessment Grants** support watershed, catchment, or stream reach scale data on erosion hazards (including wetland, stream, and floodplain conditions), culvert inventories, and hydrologic and hydraulic modeling.

**Tier 2. Implementation Grants** support hydrologic restoration projects that:

- Mitigate erosion hazards;
- Reconnect streams and floodplains;
- Reestablish healthy channel conditions;
- Reduce erosion-induced wetland drainage;
- Improve flow of water or sediment; or
- Reestablish vegetation for site stability.

- ✓ **Wisconsin-driven and proactive** – Breaks the cycle of post-disaster response and empowers local communities to address flood vulnerabilities before flooding events occur.
- ✓ **Targeted** – For flood-prone communities with areas that have been the site of a presidentially-declared disaster or governor-declared state of emergency for flooding in the past 10 years. An area may also qualify if the local hazard mitigation plan identifies exposure to flood risk.
- ✓ **Watershed-based** – Helps communities broadly identify flood risks and provides funding for underutilized and highly-effective solutions. Healthy wetlands and floodplains store floodwaters and reduce flood peaks. But when degraded, they can accelerate erosion, runoff, and damages downstream. Restoring wetlands and floodplains is often a crucial and cost-effective strategy.
- ✓ **Builds knowledge and accountability** – Requires grant recipients to report on their projects and share key data with emergency managers and others. This builds our shared understanding about effective flood risk reduction strategies.



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To: Local Government Committee  
Date: June 6<sup>th</sup>, 2023  
Subject: Wisconsin Pre-Disaster Flooding Grant Program – AB222 & SB 222  
Testifying: Joseph J. Pfeiffer, Jr. SPWS (Joe.Pfeiffer@kci.com)

**Qualifications:**

AS-Wildlife Fisheries Management, BS-Environmental Science, MS-Physical Geography/Environmental Planning, 35 years professional experience in Engineering/Planning industry. For the full tenure of my 35-year professional career I have specialized in the planning, design, implementation and monitoring of large-scale ecological restoration. I have provided expertise in 24 states and internationally in preventing, minimizing and recovering damage to ecosystems.

Based on my experiences I offer support and encouragement for the approval of the subject legislation as a formative step in integrating the natural and built environment to pre-emptively reduce impacts on local communities through investing in integrated water management strategies. These strategies combine engineered solutions with natural infrastructure to reduce costs, enhance services, and provide a suite of co-benefits. This integrated approach provides a synergistic effect in advancing economic viability of development while improving the natural environment. I encourage the application of the following components as part of the process. These are key elements that I have learned over time that are the basis for successful programs.

- **Establish and Prioritize Functions and Needs** - In the current human environment, ecosystems are subject to a variety of demands for the needs of infrastructure, recreation, habitat, water quality etc. These demands far exceed those from which the system evolved and form a new paradigm for its future condition. The resultant desired condition is a “novel” ecosystem that provides a host of functions, that are not better or worse than its historic functionality but serve a greater cross section of needs from the built environment in and around it. Re-establishing the equilibrium within the ecosystem to restore/reset its functions services is primary goal in sustainable management.
- **Understanding Ecosystem Functional Processes** - Develop a detailed understanding of the functional pathways within the system and the limiting factors within each. Identify key processes that influence dependent functionality and the contributory effect on the ecosystem. Seek collaboration and concurrence with stakeholders in the process and establish focus on the stressors in the system.
- **Identification and Prioritization of Restoration Opportunities** - Establish living documents identifying restoration opportunities in the system prioritized to treat the stressors impacting the critical functional processes, triage symptoms, and invoke changes within the system to promote sustainable use.
- **Coordination of Funding Mechanisms** - Focus on funding by coordinating prioritized restoration opportunities with stakeholder priorities to maximize the effectiveness to the system as a whole on the basis of the funding partners (local, state, federal, etc.)
- **Public Outreach and Coordination** - Inform and educate the public in concert with all stakeholder groups to elicit change and encourage stewardship. Seek to gain ownership of the watershed and its ecosystems by all, with recognition that everyone contributes to the long-term well-being and prosperity of the system.

The following schematic shows how these components can be applied from the assessment through implementation to maximize the effectiveness of the work. This is a framework that has proven effective in other states that have adopted programs of this type.

AB 222 provides a significant step forward to facilitate stakeholder participation, develop goals and objectives, understand causes and sources of degradation in the system, develop models to assess, evaluate and predict the effects of proposed management options, and coordinate the implementation of natural flood management solutions that maximize the effectiveness of available project implementation funds.

Thank you for the opportunity to provide this testimony in support of AB 222.

Hello - My name is Gretchen Pfeiffer

Professionally most people know me as Gretchen Benjamin, but I had a recent name change.

I worked for over 39 years on water issues. I worked for the WI DNR from 1984 to 2008 and The Nature Conservancy from 2008 to 2023. I recently retired. I am also on the Board of the Wisconsin Wetlands Association and the Board President of Mississippi Valley Conservancy, a local land trust in western Wisconsin.

My work focused on rivers and restoration with the Mississippi River as my primary focus but also worked on other large river across the US and supported large river work in Brazil, Colombia and China.

Having grown up on the Mississippi River and worked on it for my entire career I have seen tremendous records, large floods on a regular basis and interestingly significant droughts. The frequency at which these events occur has substantially increased over my lifetime. And what I find most interesting is a significant flood can often be followed by a significant drought. The normal precipitation patterns have changed in my lifetime.

Having worked in hydrology my whole career I have seen the resilience nature can provide during weather extremes. For instance, a wetland can provide storage for excess water during a flood, but that same wetland can supply water to adjacent aquatic systems during a drought. I have also seen the erosive power of heavy rains carve out stream channels to bedrock, permanently changing the hydrology and hydraulics of flow both up and downstream. Restoring essential elements of the natural stream dynamics can benefit the stream function and buffer capacity of the aquatic system but also buffer hazards for people and infrastructure.

Nature has a type of resilience that cannot always be duplicated. I certainly understand we need engineered solutions for climate resilience, but I also know nature can be an important component of our climate resilience preparedness for people and infrastructure.

That is why I support AB 222. This bill supports communities to investigate hydrologic restoration solutions to recurring flooding that impacts their property and potentially their lives. It also goes one step further to provide funds to implement the climate solutions that are identified in the first phase. These two phases are important if we are going to move forward on pre-disaster planning rather than always having to pick up the pieces in post disaster clean up and rebuild.

The findings of this work should also build the case for the value of natural solutions for pre-disaster preparedness and promote opportunities to get more of these solutions on the ground. These solutions tend to be less expensive than engineered solutions and provide an added benefit to the aquatic environment.

This bill supports a proactive way to work on this complicated problem ... it won't solve all impacts from climate change, but it will provide a good option for many WI communities to move in a resilient direction.

Gretchen Pfeiffer  
2525 Sunrise Dr  
La Crosse WI



June 5, 2023

Dear Chairman Novak and Assembly Committee on Local Government Members:

Thank you for the opportunity to come testify in support of Assembly Bill/Senate Bill 222, creating a much-needed Pre-Disaster Flood Resilience Grant Program in Wisconsin. Thank you also to Representatives Oldenburg and Novak, and Senator Quinn for authoring this critically needed legislation. My name is Kayla Wandsnider, and I work for The Nature Conservancy as the East River Community Resilience Coordinator. For over 60 years in Wisconsin, The Nature Conservancy (TNC) has collaborated with businesses, communities, and local governments to protect ecosystems and people threatened by flooding.

TNC is particularly proud to co-lead the East River Collaborative, a group of local, state, and federal agency staff, elected officials, NGOs, and academic partners all dedicated to protecting the East River in the Greater Green Bay region. The East River is one of Northeast Wisconsin's critical freshwater ecosystems, and flooding is a serious threat to economic development and human wellbeing in this rapidly growing part of our state. Pre-Disaster Resilience Grants represent a fundamental shift in how we grapple with these threats, for the first time taking a proactive approach to the problem rather than reactively waiting for disaster to strike.

The assessment grants created AB/SB 222 will allow communities to marshal the data they need to improve flood resilience with the most up-to-date science available, including research like hydrologic and hydraulic modelling, culvert inventories, and watershed-specific scaling. This knowledge will then inform the implementation grants needed to restore wetlands and increase water storage, improve water flow, and expand the implementation of nature-based solutions to make river systems more flood resilient. AB/SB 222 will help improve our environment and economy now and into the future and empower local governments with the resources needed for flood resilience.

These grants hold tremendous promise, and it is my hope that in addition to passing this bill, the Legislature will allocate a robust level of funding so Department of Military Affairs staff can work most effectively to make Wisconsin more resilient. Thank you again for the opportunity to testify and I am happy to answer any questions you may have.

Kayla Wandsnider, East River Community Resilience Coordinator  
Alex Madorsky, Associate Director of Government Relations  
[Kayla.wandsnider@tnc.org](mailto:Kayla.wandsnider@tnc.org)  
[A.R.Madorsky@tnc.org](mailto:A.R.Madorsky@tnc.org)



## **Letter of Support for Assembly Bill 222**

**Jared Tessman, Emergency Management Coordinator**

**Monroe County Sheriff's Office**

**Re: Testimony on Assembly Bill 222**

**Date: June 6, 2023**

Thank you for the opportunity to speak in support of AB 222, Wisconsin Pre-Disaster Flooding Grant Program.

I believe this bill will give municipalities the opportunities to be proactive instead of reactive to flooding mitigation work in our most flood-prone areas. Over the last 15 years the driftless area has felt the brunt of weather changes through increased rainfall intensity and flooding. This has decimated local municipality's infrastructure (crossings) and budgets to maintain existing crossings with no opportunity to be proactive with our changing weather. Since 2016 Monroe County, along with many other counties, have seen a dramatic increase in significant flood events. These floods have cause millions of dollars in damage to the same roads, bridges and other infrastructure over and over again.

For example, in September 2021, the Township of Portland in southwest Monroe County had a significant rainfall that caused many road and culvert washouts. These roads and culverts were many of the same that have washed out from the previous floods of 2016-2019. The reason this keeps happening is that FEMA and the State of Wisconsin disaster reimbursement programs require it to be put back to the pre-disaster condition.

State and federal financial assistance that is available now is mostly in the recovery-phase of a disaster. For example, the Wisconsin Disaster Fund (non-federal declaration) and FEMA reimbursements for federally declared disaster.

Mitigation funds available prior to a disaster in the form of the Building Resilient Infrastructure and Communities Grant (BRIC) are open nationwide and are highly competitive. With the Pre-Disaster Flood Resilience Grant Program we will only be competing against the other counties and tribes within the state. This will make the program more likely a project could get funded.

This bill would provide Land Conservation Departments much needed funding for hydraulic studies that are required to implement stream restoration work within the mapped flood plain that encompasses miles of streams within the driftless area. This would also provide funding for crossing (Culverts, Bridges) inventory and assessments that is crucial to towns in realizing the limitations to their infrastructure crossings within the valley floor; other opportunities exist to improve flood capacity through wetland restoration, stream restoration and buffers.

More importantly, funding would be provided to municipalities to address the flood concerns through implementation of appropriate sized culvers, implement best mgt. practices (Wetland restoration) in the valley floor to mitigate the flooding among other tools for flood management. Along with public safety concerns this bill would have many positive natural resource impacts.

The assistance portion of the grant will also allow communities to contract with engineers to make sure projects are designed and constructed with flooding in mind. Right now the mentality is to just "put it back like it was". With this being the case the same end result will be felt during the next flood event.

In closing, I would like to thank the committee for taking the time and letting me speak to you in favor of AB222.

A handwritten signature in black ink, appearing to read 'Jared Tessman', written in a cursive style.

Jared Tessman

Monroe County Emergency Management



**June 1, 2023 Written Testimony from Brian Pierce:**

I'm grateful that this bill has been introduced. I live in the Town of Lincoln, Bayfield County. I am in Senator Quinn's district and appreciate his initiation and sponsorship of this bill. Thank you for the opportunity to provide written testimony.

I support SB 222.

I am encouraged that the legislation includes both the need for assessment and implementation to reduce flooding before a disaster happens. So much public funding goes to clean-up after a disaster. This bill will help us locally to prepare for future floods and disasters by making changes on the landscapes that will slow down water and at the same time improve streams, rivers, floodplains and wetlands.

I am also encouraged to see that the implementation actions will include design, engineering, and construction of fixes. In my experience, the design and engineering for big projects that will make a big difference, such as gully washes, are not covered by other public conservation funding. It is often not economical for a private landowner to afford hiring an engineering firm to do the design, let alone afford construction.

I am the current Town of Lincoln chairman. I have lived in the town of Lincoln for the past 30 years. I witnessed the damage to the roads from the 2016 flood.

The Town has also established an Incident Response Plan and Team, following FEMA's template, to ensure that property owners and residents have the care they need during disasters. We would appreciate any support and assistance from the state.

The flooding in 2016/2018 had a big impact on the Marengo River. The river area suffered much damage to the trees, banks and habitat for all land animals and the river's trout population.

Our property has run off tributaries that lead to the Marengo River. To prevent future flood damage, action needs to be taken to prevent additional flood damage to our river and roads.

I will look forward to working with our Town Board and other organizations to continue our stewardship and flood management efforts. This bill will support us and our Town to address our needs.

Thank you.

Brian A. Pierce  
55065 N Altamont Rd  
Mason, WI 54856



DATE: June 6, 2023  
FROM: Clean Wisconsin  
TO: Members of the Committee on Local Government  
RE: Please Support Assembly Bill 222

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Clean Wisconsin is a non-profit environmental policy group advocating for clean water, clean air and clean energy. We were founded over fifty years ago and have 30,000 members and supporters around the state. We employ scientists, policy experts and attorneys to protect and improve Wisconsin's environment.

Clean Wisconsin respectfully requests your support for Assembly Bill 222, which provides grants to local governments for pre-disaster flood resiliency projects.

Wisconsin is increasingly experiencing major floods events in rural and urban areas alike. According to data from the University of Wisconsin<sup>1</sup>, annual precipitation totals have increased in every region of the state over the last 70 years: from 5 to 10 percent in the north and 15 percent in the east to a 20 percent increase in the south-central and western part of the state.

This increased precipitation and associated flooding has wreaked, and will only continue to wreak, havoc on communities unprepared to mitigate major rain events, costing the state millions of dollars in damage after floods. For example, major rains in Wisconsin during the late summer of 2018 cost \$98.2 million in damage to homes, \$40.8 million in damage to businesses and \$69.6 million in damage to public infrastructure.<sup>2</sup>

Rather than continuing to only invest in clean-up efforts, Assembly Bill 222 thoughtfully makes upfront investments in communities to prevent the worst environmental and economic outcomes of major flooding events. The new program will provide vulnerability assessment and implementation grants for communities to fund hydrologic restoration grants that ensure healthy wetlands, streams and floodplains, which will better prepare those communities for natural flood mitigation.

Clean Wisconsin believes nature-based solutions, like those contemplated in Assembly Bill 222, are often the best techniques to mitigate environmental challenges, and we again request your support for this forward-thinking bill.

If you have any questions, please contact Clean Wisconsin's Government Relations Director, Erik Kanter, at [ekanter@cleanwisconsin.org](mailto:ekanter@cleanwisconsin.org) and (262) 565-3263.

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<sup>1</sup> <https://wicci.wisc.edu/wisconsin-climate-trends-and-projections/>

<sup>2</sup> <https://apnews.com/article/15a2ca91bcb94840bceb192365cf01a1>



Fish Creek Restoration LLC  
4321 Upland Drive, Madison, WI 53705  
[www.healthystreams.com](http://www.healthystreams.com)

May 5, 2023

To Whom It May Concern:

I am a consulting water resources engineer focused on managing rivers and streams in Wisconsin. I have worked with municipalities, non-profit organizations, private landowners, and Indian tribes throughout the state. Many of my projects address failing road-stream crossings, failing dams, severe streambank erosion, and sedimentation degrading valuable sport fisheries. Large floods are often the cause of these problems.

In many cases, better up-front planning would have identified the problems. Funding and resources to carry out the planning, however, are lacking. When large floods occur, communities struggle to obtain professional assistance and money. Moreover, funding amounts are often inadequate to pay for complete projects. For example, the budget available through federal programs is typically only enough to replace the failed infrastructure, leaving a community in jeopardy of failure again.

The new Wisconsin Pre-Disaster Flooding Grant Program will be extremely valuable to our state. It will help communities proactively develop and implement plans to protect citizens and natural resources. The program will require a comprehensive approach to addressing flooding, rather than piecemeal projects that can lead to repeat future disasters. It will also fill a funding gap that is generally unaccounted for. I support the passage of Assembly Bill 222 and Senate Bill 222.

Sincerely,

Ben Lee, PE