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# Romaine Robert Quinn

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

From: Senator Romaine Robert Quinn  
To: Senate Committee on Housing, Rural Issues and Forestry  
Re: **Testimony on SB 222**  
**Relating to: pre-disaster flood resilience grant program**  
Date: May 11, 2023

Thank you, fellow committee members. Today I testify before you on Senate Bill 222, relating to a pre-disaster flood resilience grant program.

It is spring, and the floods have started again. 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 SB 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.

SB 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. SB 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 Senate Bill 222.



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# LOREN OLDENBURG

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

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## Testimony on Senate Bill 222

Relating to: a pre-disaster flood resilience grant program

**Senate Committee on Housing, Rural Issues & Forestry**

May 11<sup>th</sup>, 2023

Good Morning, Chairman Quinn and committee members. Thank you for holding a public hearing on Senate bill 222 today. I am unfortunately unable to attend today's public hearing to testify with Senator Quinn. However, please accept this submission of my written testimony in support of Senate bill 222 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. Communities currently only observe where repetitive flooding damages occur and fix these roads, bridges, and culverts year after year.

The largest municipality in my district, Prairie du Chien, just last week fell victim once again to the forces of the Mississippi river with flooding cresting at 22.91 feet. The third highest crest on record for the area. The last time the Mississippi reached this level of flooding here, was 21.98 feet in 1993 and 21.75 feet in 2019. Make no mistake, these heights are not recent phenomenon as the two highest crests of 23.75 feet and 25.38 feet were in 2001 and 1965 respectively. Water cresting over 21 feet alone in Prairie du Chien has only happened 10 times since 1880. As of this hearing, the flood warning issued by the National Weather Service does not expire until 11:00pm tonight.

Existing state and federal programs primarily focus on clean-up, replacing or repairing structures after a disaster, and are driven by compliance with FEMA regulations. Under current programs, the next step for Prairie du Chien will be clean up with the potential to move



structures affected away from flood zones. Moving structures out of mapped floodplains is currently the most heavily funded pre-disaster strategy. The assessment and restoration work in such a community often isn't eligible or commonly funded through existing state or federal flood risk reduction programs.

SB222 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 and 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 rather than the current approach.

Communities such as Prairie du Chien would no longer have to rely on moving or replacing any buildings and structures damaged by flooding. Rather, this community and others in similar situations could work towards restoration projects that would ultimately reduce or even prevent these communities from being affected by flood waters regularly. Creating this statewide program will immensely help our flood prone communities look towards the future rather than worry each year that a few inches of rainfall may lead to another disaster.

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. Senate Bill 222 will help communities statewide truly begin solving this fundamental issue. Thank you again for hearing Senate Bill 222.





## Testimony on 2023 Senate Bill 222

Major General Paul Knapp, The Adjutant General

Senate Committee on Housing, Rural Issues and Forestry

May 11, 2023

The Department of Military Affairs is providing the following background information related to Senate 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.

SB 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.



To: Senate Committee on Housing, Rural Issues, and Forestry  
From: Wisconsin Wetlands Association  
Re: Testimony on Senate Bill 222  
Date: May 11, 2023

Thank you for the opportunity to testify in support of Senate Bill (SB) 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.

SB 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, SB 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 SB 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. SB 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, SB 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 SB 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



**WISCONSIN TOWNS  
ASSOCIATION**

**Empowering Town Officials**

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**MEMO TO: Senate Committee on Housing, Rural Issues and Forestry**  
**FROM: Wisconsin Towns Association**  
**RE: Senate Bill 222**  
**DATE: 5/11/2023**

Chair Quinn, members of the Committee, thank you for the opportunity to testify in support of Senate 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 SB 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 SB 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 SB 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.





May 11, 2023

RE: *Wisconsin TU testimony on SB222 regarding Pre-Disaster Flood Resiliency*

Members of the Senate Committee on Housing, Rural Issues, and Forestry:

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.

Our members value the recreational opportunities that Wisconsin's woods and waters provide. We understand that healthy watersheds are vital to these pursuits and to our local communities. TU has several staffers working in Wisconsin as Project Managers and Technicians. We take a watershed approach to stream restoration: protecting the headwaters and reconnecting them to areas we restore downstream. Our projects often include flood resiliency components like replacing undersized and perched culverts or reshaping the stream banks to reduce erosion and provide a better connection to the flood plain.

I wish I could say that TU is here to fix all of our upstream problems ~~and that your~~ downstream infrastructure will be safe from flooding, but we simply ~~don't have~~ the capacity to do that statewide. We rely heavily on partnerships with agencies at the federal, state, and local levels and with other non-profit organizations to carry out this work in our watersheds.

SB 222 would create a pre disaster flood resiliency grant program at a time when our local communities need it most. As you've heard today, flooding presents a huge risk for our infrastructure, natural habitats, and our local economies. We don't have to wait until the next flood blows out a culvert or bridge to act. Assessment grants under Tier I of the program will allow local communities to partner with others in the watershed to do the data collection and analysis needed to identify at-risk infrastructure.

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.



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 SB 222 and its companion, AB 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, Senator Quinn and Representative Oldenburg 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 SB 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 SB 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 of Brian Vigue, Freshwater Policy Director, Audubon Great Lakes on SB 222  
Thursday, May 11<sup>th</sup>**

Thank you, Chairman Quinn, Senator Wirsch, and committee members for the opportunity to offer my testimony today on behalf of Audubon Great Lakes and our 28,000 members in Wisconsin in support of Senate Bill 222. My name is Brian Vigue, and I'm the freshwater policy director for Audubon Great Lakes based here in Wisconsin. Our organization works to protect birds and the habitats that they need to thrive. And flooding is a threat to that habitat.

Flooding and the damages that it inflicts on our state are all-encompassing.

- It causes economic damages by temporarily isolating businesses from their customers and suppliers. In the last 10 years, Wisconsin reported roughly \$365 million in property damage from flooding.
- It damages our public health by overwhelming our water treatment and septic systems, fouling our water.
- It damages to our public infrastructure like roads, bridges, ports, power lines, telecommunications, and other utility equipment.
- It injures livestock, destroys crops and washes away valuable topsoil from our agricultural fields, sending it downstream to the Gulf of Mexico or the Great Lakes. Wisconsin farmers suffered \$22 million in crop damages in 2022 alone, according to the American Farm Bureau.
- It damages habitat birds, fish and other wildlife need to survive.
- And, of course, floods can injure or kill people.

The amount of precipitation our state will receive in the future is only going increase and arrive via more frequent and damaging storms. But as this bill shows, wetlands can be a major part of the solution to this problem while providing valuable co-benefits.

One acre of wetlands can store a million gallons, or more, of water and therefore provide an important buffer against flooding. Wetland plants absorb carbon and prevent it from entering the atmosphere at a time when climate change threatens birds, wildlife, and people. Wetlands are a critical source of habitat and food for birds, fish, and other wildlife. 75% of Wisconsin's wildlife species depend on wetlands at some point in their life cycle.



Additionally, we support this bill because it illustrates two other important things. The first is that we can collaborate to address this growing problem by relying on the expertise of the public and private sector as well as non-profit organizations, trade associations and concerned citizens. This approach shows that solutions to the big problems we face are never really beyond our ability to solve.

The second is that utilizing wetlands as solutions to our water problems isn't ideological and it isn't partisan. This has been demonstrated by the list of bill cosponsors. And by the coalition building work by the bills' authors and the diverse partnerships that the Wisconsin Wetlands Association built for their flood mitigation work. It's what legislating can and should be when we work together. I can't praise Senator Quinn and Representative Oldenburg enough for pulling people together to find an effective and efficient solution to this problem.

Audubon Great Lakes is grateful for Senator Quinn's leadership co-authoring and introducing SB 222. This bill will create a program to incentivize local governments to use voluntary, non-regulatory, targeted wetland restoration and conservation to prevent flooding before it happens. The program is called the Pre-Disaster Flood Resilience Grant Program. It assists local government to study how water flows in their communities so they can identify where the flooding hazards are.

It also provides funding for local and tribal governments and regional planning commissions to implement those plans and do the wetland restoration projects so that those targeted wetlands can slow down and hold onto the water, removing its destructive energy and greatly reducing the volume of water that flows into their communities during major rain events or snowmelts.

We can and should be using wetlands to solve our water problems. An acre of wetlands can hold about one million gallons of water, which helps to soak up excess rainwater and snowmelt to prevent flooding. Using wetlands for natural water storage is also more affordable than building steel and concrete structures to accomplish that goal. And by using wetlands, you'll also get habitat for birds, fish and other wildlife, cleaner water and carbon removed from the atmosphere to help counter climate change.

Thank you again, Senator Quinn and Representative Oldenburg, for your leadership on this issue and to the committee for taking the time to hear my testimony.



## **Wisconsin Land+Water Conservation Association**

121 S. Pinckney Street, Suite 420 • Madison, WI 53703  
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### **Testimony of WI Land+Water Executive Director Matt Krueger in Support of Senate Bill 222**

Senate Committee on Housing, Rural Issues, and Forestry

May 11, 2023

Chairman Quinn, Vice-Chair Jagler, and Committee Members,

My name is Matt Krueger. I am the executive director of WI Land+Water, a nonprofit, nonpartisan membership organization that represents 800 boots-on-the-ground county conservation department staff and elected county land conservation committee members across the state. Our members provide technical support and trusted advice to agricultural producers and private landowners, helping them achieve their land management objectives, while meeting baseline conservation standards at the same time. On behalf of those members, I submit my testimony in favor of SB 222.

Over the past several years Wisconsin has been hit hard with extreme weather. In northern counties, catastrophic summer storms have dumped feet of rain in some areas, causing massive flooding that washed away culverts and major highways, and isolated communities surrounded by flood waters. In storm events in the Driftless Area of the state, where rivers that flow through steep hills and valleys can rise out of their banks in mere minutes, homes have been flooded out. A 2018 storm dumped ten inches of rain in seven hours on the Coon Creek watershed, damaging five of the seven flood control dams in the valley—an event that engineers with the federal Natural Resources Conservation Service never thought possible.

County land and water conservation department staff are at the forefront of these extreme storms. Their conservation work on the front end, implementing conservation practices that absorb rain, is vital to reducing storm runoff. They are there post-flood as well, to clean up debris, replace culverts, and help landowners better prepare for the next storm. County budgets struggle from the financial costs to rebuild and repair. According to National Oceanic and Atmospheric Association records, in the last ten years, Wisconsin reported around \$365 million in flood-related property damage.

SB 222 will help better prepare communities for extreme flooding. This bill will help local governments identify flood vulnerabilities and implement projects that repair degraded upstream conditions that accelerate flow and erosion. We are grateful to Chairman Quinn and Rep. Oldenburg for recognizing the hardship on local governments and for their leadership in authoring SB 222.

In closing, we are very supportive of SB 222, and think its passage will help communities take the necessary proactive steps to limit impacts from the next storm. Thank you for the opportunity to provide comment, and I'm happy to answer any questions committee members may have.



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To: Senate Committee on Housing, Rural Issues, and Forestry  
From: Toni Herkert, Government Affairs Director, League of Wisconsin Municipalities  
Date: May 11, 2023  
RE: Senate Bill 222 Related to a Pre-Disaster Flood Resilience Grant Program.

Chairman Quinn, Vice-Chair Jagler, and Committee Members,

My name is Toni Herkert, and I am the Government Affairs Director with the League. The League of Wisconsin Municipalities represents almost all of the 605 cities in villages, large and small, throughout the state.

Thank you for the opportunity to provide testimony today in support of Senate Bill 222 relating to a pre-disaster flood resilience grant program. Last session the League worked with the legislature to pass Senate Bill 91, 2021 Wisconsin Act 77 which created a DNR general permit that would authorize wetland, stream, and floodplain restoration and management activities resulting in beneficial hydrologic connections and functionality. General permits would reduce the need for multiple permits by multiple entities and allow communities to work in partnership on projects that would restore the natural hydrology. Restoration projects aim to reduce flood peaks, increase flood resilience, and restore surface and groundwater interactions.

This session, Senate Bill 222 would complement that legislation by allowing assessment and implementation grants to complete the work required in hydrologic restoration. Last session you reduced the regulatory burden for these innovative and common-sense projects and this session the authors are providing the necessary financial tools to get the job done.

Our communities will be much better served if they plan, proactively prepare, and complete restoration projects before flooding and disaster response is necessary. Identifying risks, restoring natural hydrology, and repairing upstream conditions will allow our communities to be more resilient. Communities that adapt to flood risks can limit damage from large storm events and lower flood insurance costs.

SB 222 focuses grant funding in flood-prone communities that have been the site of a presidential or gubernatorial declared states of emergency within the last 10 years. The bill also provides the potential to qualify if a local hazard mitigation plan identifies a flood risk area. We believe these grants will greatly incentivize the on the ground implementation necessary to better protect our communities from the devastating impacts of flooding in our water rich state.

Thank you for your consideration. I would be happy to answer any questions now or you can contact me at your convenience at [therkert@lwm-info.org](mailto:therkert@lwm-info.org).



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## MEMORANDUM

**TO:** Honorable Members of the Senate Committee on Housing, Rural Issues and Forestry

**FROM:** Daniel Bahr, Government Affairs Associate

**DATE:** May 11, 2023

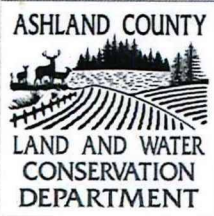
**SUBJECT:** Support of Senate Bill 222

The Wisconsin Counties Association (WCA) supports Senate Bill 222 relating to the establishment of a flood resiliency grant program. This legislation creates a state-directed pre-disaster program for local governments (towns, counties, municipalities, regional planning commissions, and tribes). Two different tiers of grants are available:

1. Assessment Grants which help local governments get the data needed to assess flood vulnerabilities within a project area. Examples of eligible activities include location and condition of culverts, hydrologic and hydraulic modeling that indicates how and where flood flows are moving, and upstream condition assessments of erosion hazards.
2. Implementation Grants which focus on hydrologic restoration (including work outside the right-of-way) that can reduce flood damages and protect infrastructure like roads. Healthy conditions in upstream wetlands, streams, and floodplains offer stable flood storage and opportunities to slow the energy of flood flows. The projects enabled through an implementation grant focus on restoring the landscape's natural ability to store, infiltrate, and slowly release runoff.

WCA has received feedback from its membership supporting this proposal and have heard comments that SB 222 would address an importation shortfall in pre-disaster support.

Thank you for considering our comments. Please feel free to contact WCA for further information.



Ashland County Land and Water Conservation Department  
315 Sanborn Ave., Suite 100  
Ashland, WI 54806-1014

**MaryJo Gingras, County Conservationist**

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

phone: (715) 682-7187

Committee on Housing, Rural Issues, and Forestry  
Comments on SB222 Pre-Disaster Flood Resilience Grant  
May 11, 2023

My name is MaryJo Gingras, County Conservationist with the Ashland County Land & Water Conservation Department. Thank You for your bipartisan support of SB222 & AB222 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 to road infrastructure and private property. 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 to reduce future hazards. This includes our current design of Act 157, the 2019 Wisconsin Legislature allocation to Ashland County to implement 2-3 natural flood management demonstration projects. Act 157 is a catchment-scale project that 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 improvements 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 catchments that would greatly benefit from landscape-scale restoration, we have yet to determine how to fund these projects.

Funding for implementing flood mitigation practices is extremely limited or non-existent. Most state and federal programs focus on post-disaster funding for replacing or repairing structures. 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 SB222 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 peak floods. These types of conservation efforts help communities identify flood risks and provide highly-effective solutions.

THANK YOU.

5/9/2023

To: The Senate Committee on Housing, Rural Issues and Forestry

Regarding SB 222

Thank you for this opportunity to address the Senate Committee on Housing, Rural Issues and Forestry, in regard to SB 222. I am Janice Penn, 38792 Poppe Road, Highbridge, WI/Ashland County. I live in the Ceded Territory of the Anishinaabe, in the Bad River Watershed of Lake Superior.

I am fully in support of SB 222 with its provisions for a pre-disaster flood resilience grant program. The importance of grants to assist rural communities to formulate a comprehensive assessment of flood risks and design plans to strengthen their ability to respond, restore and protect the natural wetlands and landscape to offset flooding, and retain the necessary high levels of public safety is imperative.

My comments are derived from a number of perspectives. I am a retired Nurse Practitioner with a strong Public Health background-a scientist at heart. I have experienced the increase in extreme weather events such as the July 2016 floods both personally and as the President of Northern Finnish Mutual Insurance Company. As Chair of the Town of Ashland Comprehensive Planning Committee I have overseen the initial Plan and am in the process of working with the team on an update. I have a kinship with and appreciation of the extensive and rich ecosystem remaining in Northern Wisconsin and am an active member of local chapters of groups such as Wild Rivers Trout Unlimited, working to protect the natural world. Finally, I am a mother and grandmother.

- As a Nurse Practitioner I incorporated the Public Health model of the social determinants of health. The experiences of Wisconsin becoming “wetter, windier and warmer” have only begun to impact the wellbeing of my community. I have seen increasing threats to a healthy and vital life in our region. According to the March 2023 County Ranking\* from the UW-Madison, Ashland County is among the least healthy being in the lowest 25% of all Wisconsin counties. The rate of premature/preventable deaths is almost 50% higher than the rest of the State. Flooding is impacting housing and health related concerns such as mold, sewerage overflows and septic

failures with associated well contamination, and destruction of road, energy, and telecommunications infrastructures. Flooding is a very real threat to Public Health and Emergency Disaster Response.

- The July 2016 floods, followed by those in 2018 impacted my personal life and that of neighbors. As the President of Northern Finnish Mutual Insurance Company, a centennial WI business, these floods impacted a thriving cooperative insurance company providing service to a very rural community. While we do not provide flood insurance directly, we are a neighbor helping neighbor business and reached out to our policyholders who suffered enormous damages, rapidly paid for covered perils, and connected them to the available Disaster Services and support.

The northern half of the Town of Ashland where I live, was entirely cut off from electricity, landline phone service which many depend on as our broadband is lacking, and the ability not only to get to services such as food and health care, but the inability of our contracted Fire and EMT services to even reach us. I was the sole emergency health service provider in the area.

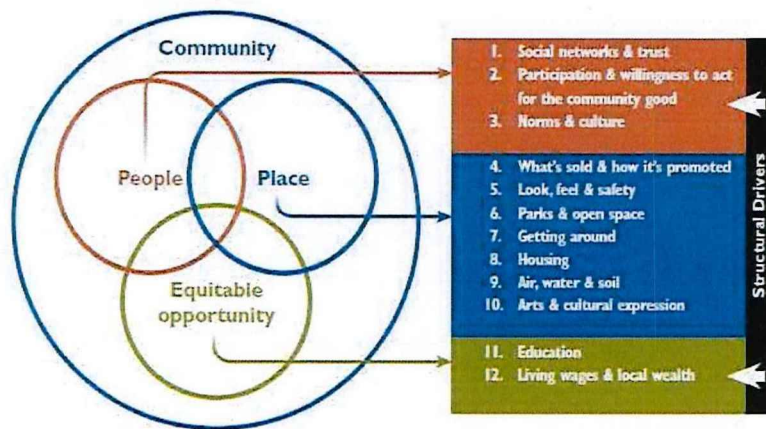
I walked to neighbors who had significant health problems like the child down the road with a severe seizure disorder. I sat at the end of my driveway, cell phone recharging off my car, to organize the ATV delivery of water and supplies to seniors living alone and isolated. For over a year one neighbor filled jugs of drinking/cooking water at our well while they waited for their contaminated well to be replaced. Another neighbor is still looking at a tarp covered structure over the collapsed basement wall and a home contaminated with mold. Farmers and mini farmers were challenged to water and feed animals. The fact is many of us are still suffering with PTSD which resurges each time we hear thunder in the distance.

The July 2016 floods alone cost Ashland and Bayfield counties **\$16,120,997**. Earlier in April this year's flooding resulted in an overflow of greater than **10 million gallons** of sewerage into the Chequamegon Bay of Lake Superior. As taxpayers we see these as threats to our economy and quality of life overall.



- As Chair of the Town of Ashland Comprehensive Planning Committee, I have worked with local farmers, our County Supervisor, and other neighbors to establish the list of problems our township faces in regard to the impacts of Climate Change and flooding to our community. In this plan we have added a new chapter to the legislated outline-Climate Change.

We have used the Thrive Model-a Tool for Health and Resilience in Vulnerable Environments \*\* in which assets and challenges are identified along variables not unlike those of the Public Health model.



The unique and mixed hydrogeology in our township presents a fine example of the delicate balancing act in applying this model. A good portion of the Township is in the uplands or transition zone of the entire watershed-where water of the aquifer is restored. The other portion is in the red clay lowlands.

The uplands host numerous streams, the nursery of a strong brook trout population and where the brown trout of Lake Superior migrate each October to spawn. Billy Creek and Krause Creek, both in our township, are the only Class 1 Trout Streams in Ashland County. Their vitality was verified after the July 2016 floods by a DNR fishery biologist who electroshocked these streams. (see photos below). This single asset is a vital element in complex ecosystem that is threatened by the impacts of flooding and climate related weather pattern changes. Our Comprehensive Planning



team of farmers, small businesspeople, County Supervisors, and citizens recognize the importance of water to our community. We acknowledge that protection and restoration of wetland functions in these steeply sloped hills of the Penokee Mountains is important to the fishery and overall water resource, including that of Lake Superior. What occurs in the uplands is connected to the extreme downstream flooding being experienced in the clay lowlands.

We also acknowledge that being connected in a watershed, the responsibility to build flood resiliency is across municipalities. SB222 supports the necessary work to protect valued assets.

We do, however, recognize that there are other factors of resiliency that need to be addressed. We have an aging population. At the same time, we have seen an influx of what is termed “climate migrants”.

The far north is identified as a safer place to live as fires and heat are experienced elsewhere. We are seeing property bought sight unseen by folks from Texas and California. They are welcomed, but with them come increased needs for services and stronger infrastructures. Economic development in rural Wisconsin is dependent on offering a safe, healthy and vital community. Flood resiliency planning is an integral part of a comprehensive approach and supports Wisconsin economy and growth.

- I have been blessed being raised in an old tradition of care for future generations. My Bavarian peasant farmer family arrived the last week of May, 1848-the very week of Wisconsin’s statehood. With them, they brought a relationship and a kinship with the land they called home. They, like other immigrants, soon learned these values were shared with the Indigenous peoples who have long inhabited the lands. These values are reflected in the Wisconsin Constitution, the Public Trust Doctrine and the very language of the Treaties formed with the Tribes of Wisconsin.

I am 5<sup>th</sup> generation Bavarian peasant woman in Wisconsin. I am a mother and grandmother of the 7<sup>th</sup> generation twin grandchildren. This **foremost** is

where the boots hit the road in building a future that holds the very best world possible for them. Being of a family of resilient people, I cannot walk away from the challenge. It is for me the bottom line, for as my grandma told me “Everything I have ever done that matters, I have done for my daughter and for my grandchildren. “

Thank you for this opportunity to address the in support of SB222 and work ensure Wisconsin is the best place to live for generations to come.

Janice Mary Umhoefer Penn

38792 Poppe Rd.

Highbrige, WI 54846 (715-274-2942)

***Supporting references and pictures:***

\* <https://www.countyhealthrankings.org/>

\*\* <https://www.preventioninstitute.org/tools/thrive-tool-health-resilience-vulnerable-environments#:~:text=THRIVE%20enables%20communities%20to%20determine%20how%20to%20improve,of%20the%20social-cultural%2C%20physical%2Fbuilt%2C%20and%20economic%2F%20educational%20environments>



Brook Trout-Billy Creek/Town of Ashland-post 2016 flood. (DNR Shocking)



Billy Creek ravine during the July 2016 Floods (Creek under usual flow is about a 5 foot cold water stream. Shown here overbanks and completely silted in the understory with 6 inches of sand runoff.)





Spring 2020 breakup-the normal Billy Creek with one supporting wetland as snow melts



Culvert on Poppe Rd totally exposed after July 2016 Flood. This had been replaced a few years prior as a demonstration model for culverts under a grant from the U.S. Fish and Wildlife, designed by the Federal Engineers.



Exposed telephone cable on Poppe Rd. Main cable severed at the Trout Brook washout.



The Trout Brook washout of State HWY 13 near North York/just north of Highbridge July 2016





The Silver Creek washout July 2016 of State Hwy 13 just south of Highbridge

# AWRPC

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May 10, 2023

Senator Romaine Robert Quinn  
P.O. Box 7882  
Madison, WI 53707

RE: Testimony for Support of Senate Bill 222

Dear Senator Quinn:

Thank you to the Committee for the opportunity to provide testimony on Senate Bill 222 (Wisconsin Pre-Disaster Flooding Grant Program). I'm sorry I could not be there in person with you today.

Statewide, Wisconsin has experienced large-scale flood events over the past decade resulting in millions of dollars in infrastructure damage. The scale and extent of flood damage has severely impacted local budgets, as counties and local units of government struggled to keep up with repairs and maintenance.

Case studies have demonstrated that nature-based initiatives are highly effective in making communities more resilient to disastrous flooding and other natural hazards. But funding has largely shortchanged these solutions in favor of more costly and less efficient traditional engineering projects.

The creation of funding programs to address data needs and support project implementation are critical to ensuring that communities have access to the means and tools necessary to strengthen resilience.

Thank you for the opportunity to submit testimony on the impact this legislation would have on communities across Wisconsin. I strongly encourage you to vote in support of Senate Bill 222.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra L. J.", written over a horizontal line.

Chair, AWRPC



Northwest Regional Planning Commission

**NWRPC**

*keeping your future as our focus*

*Serving communities within and counties of  
ASHLAND, BAYFIELD, BURNETT,  
DOUGLAS, IRON, PRICE, RUSK, SAWYER,  
TAYLOR, & WASHBURN*

*And the Tribal Nations of  
BAD RIVER, LAC COURTE ORIELLES, LAC DU  
FLAMBEAU, RED CLIFF, & ST. CROIX*

May 10, 2023

Senator Romaine Robert Quinn  
P.O. Box 7882  
Madison, WI 53707

Dear Senator Quinn:

Thank you to the Committee for the opportunity to provide testimony on Senate Bill 222. I'm sorry I could not be there in person with you today.

The Northwest Regional Planning Commission represents the 10 counties of northwest Wisconsin. Our region experienced several disastrous large-scale flood events over the past decade. These events cost lives, resulted in millions of dollars in infrastructure damage and threatened the economic stability of our entire region. The scale and extent of flood damage has severely impacted local budgets, as counties and local units of government struggled to keep up with repairs and maintenance. Efforts to mitigate flooding in northwest Wisconsin have historically focused on patchwork repairs to structures within the crossing right-of-way or in-kind replacement of culverts. This approach is proving to be ineffective in addressing the increasing magnitude of flooding in the region and is both technically and financially unsustainable.

Recent work by the Wisconsin Wetlands Association (WWA) and its partners in the Marengo Watershed (Ashland County) clearly demonstrates the potential for nature-based solutions for flood mitigation. Additionally, NWRPC's work in conducting a road-stream (culvert) crossing inventory using the Great Lakes Road Stream Crossing Inventory protocol (GLRSCI) has revealed substantial concerns and risk elements associate with crossings in the Lake Superior Basin.

Case studies have demonstrated that nature-based initiatives are highly effective in making communities more resilient to disastrous flooding and other natural hazards. But funding has largely shortchanged these solutions in favor of more costly and less efficient traditional engineering projects.

The creation of funding programs to address data needs and support project implementation are critical to ensuring that communities have access to the means and tools necessary to strengthen resilience. This is particularly true in rural northern Wisconsin, where small communities simply can no longer keep pace with the repair/replace cycles of recurrent flooding.

Thank you for the opportunity to submit testimony on the impact this legislation would have on communities across Wisconsin. I strongly encourage you to vote in support of Senate Bill 222. If you have any questions, please reach out to me ([sjohnson@nwrpc.com](mailto:sjohnson@nwrpc.com) 715-635-2197).

Sincerely,

Sheldon Johnson  
Executive Director



## Written Testimony from Mark and Pam Dryer for SB 222 Hearing on May 11, 2023

We are grateful that this bill has been introduced. We are Mark and Pam Dryer who live in the Town of Lincoln, Bayfield County. We are in Senator Quinn's district and appreciate his initiation and sponsorship of this bill. Thank you for the opportunity to provide written testimony.

We support SB 222.

We are 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.

We are also **encouraged to see that the implementation actions will include design, engineering, and construction of fixes.** In our 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 economically viable for a private landowner to afford hiring an engineering firm to do the design, let alone afford construction.

Mark was Town of Lincoln clerk for six years and Chairman for four years. He did not run in 2023. He was clerk during the 2016 flood, which was declared a federal emergency. There was only one way out of the town because of the flooding and most residents were without electricity for up to a week. **Significant damage to our roads occurred and significant FEMA funding was required to fix them.** Here are two of the hundreds of pictures that show the extent of the flood damage to our roads:



When Mark was Chairman, he actively engaged organizations who were conducting road and culvert inventories to assist with future planning for flood management and fish passage. **The Town is poised to take further action to prepare for future events.**

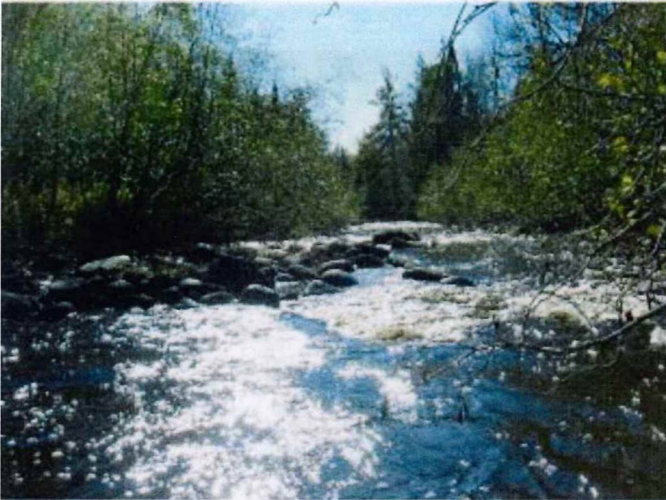


The Town has also established an Incident Response Plan and Team, following FEMA's template, to ensure that property owners and residents have the care they need during disasters. **We are not just waiting for others to take care of us, but will appreciate support and assistance from the state.**

We (Mark and Pam) own 400 acres in the Town of Lincoln, which includes our permanent home. About 4 miles of the Marengo River flows through it, which is within the Lake Superior watershed. 370 acres are forested. **We are managing our forest through sustainable harvest and have planted over 3000 trees to improve forest health and diversity, wildlife habitat and increase carbon storage. We are hoping to fix gully erosion and restore wetlands in the near future.**

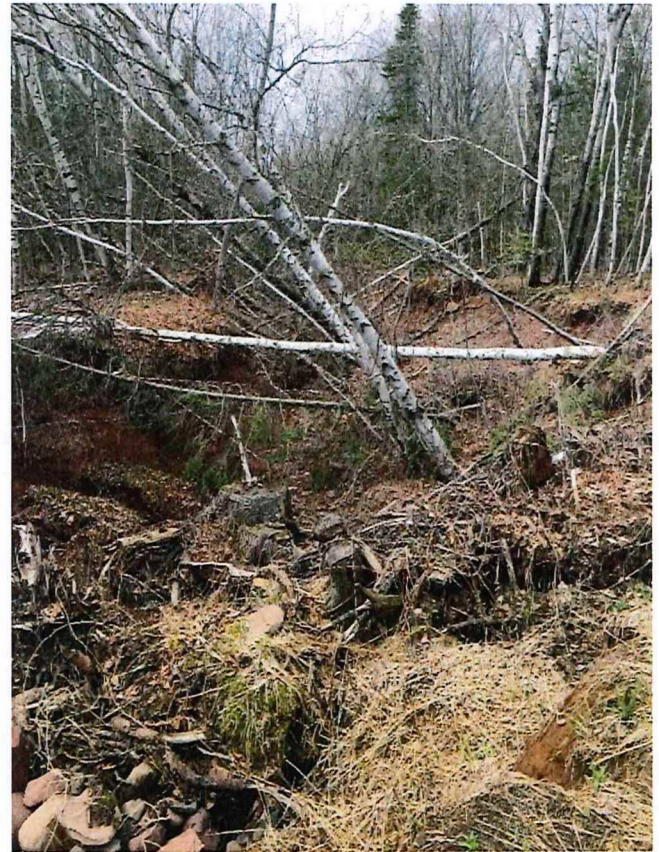
**The flooding in 2016 and 2018 had a big impact on our personal property.** Significant slumping took place on the Marengo River bluffs. We lost over 20 acres of forested land from this slumping. It continues to slump back and affect not only our land, but had created significant changes to the river and its floodplain. It went from a clear, cold, shaded stream that was home to brook trout, to an open, sunny, warmer stream that carries significant sediment downstream. The Brook Trout population has dwindled significantly. The sediment carried downstream from these slumps has deposited downstream, causing the riverbed to rise in elevation, which means downstream landowners have greater flood risks.

Here is one location on the Marengo River on our property that shows the changes pre- and post-2016 flood. Both pictures are taken in the same place looking upstream:





The drainages into the Marengo River were also cut back and are continuing to cut back, and have and will continue to drain upstream wetlands that store water and provide critical wildlife habitat. Here is an example on our property:



Looking upstream to wetland we are about to lose.

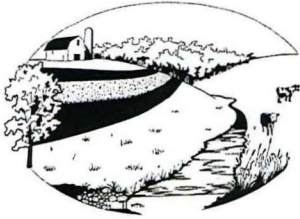
Downstream head cutting started in 2016

**We 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.

Pam and Mark Dryer  
28340 Kyster Rd.  
Mason, WI 54856





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

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

Committee on Housing, Rural Issues, and Forestry  
Comments on SB222 and AB 222 Pre-Disaster Flood Resilience Grant  
May 11, 2023

Repeatedly in recent years, communities across Vernon County have been disproportionately impacted by historic flooding. Our community partners agree that we need greater planning and funding to provide solutions, and hope, to our community. As you can see below, this local and farmer driven approach to flood solutions fits directly into the mission of Vernon County Land and Water.

**“The mission of Vernon County Land and Water Conservation Department is to foster and carry out locally led conservation. Locally led conservation is based on the principle that local leaders and community members are best suited to identify and resolve local natural resource problems. It challenges local, state, and federal agency representatives and urban and rural neighbors to work together and take responsibility for addressing resource needs.”**

Listening to folks in Vernon County who have been repeatedly ravaged by floods, one of the most common challenges with federal funding is that they will not allow damaged infrastructure to be enhanced. This means that communities are forced to replace damages with the same thing that led to flood caused damages in the first place. SB222 helps local communities to utilize their experience with flooding to make the most long-term and cost-effective choices. This bill allows funding to do a proper assessment and develop enhancements to improve our local resilience to extreme weather events. Ultimately this bill will help farmers, rural areas, public health and safety, local government infrastructure, tourism, conservation, and rural budgets.

This is a well written, bi-partisan bill whose sponsors have clearly listened and responded to their constituents. Please support both tiers of SB 222, as it is a vote to truly support the needs of flood impacted Wisconsinites.

Sincerely,

Ben Wojahn

Vernon County Conservationist

[bwojahn@vernoncounty.org](mailto:bwojahn@vernoncounty.org)