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ROBERT L. COWLES

Wisconsin State Senator
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Testimony on 2017 Senate Bill 747

Senator Robert Cowles

Senate Committee on Natural Resources and Energy - February 15, 2018

Thank you, committee members, for allowing me to testify on 2017 Senate Bill 747. This bill exempts property owners from Department of Natural Resources (DNR) permitting requirements for simple alterations in the shoreline area on outlying waters.

Property owners along the Great Lakes and select Northeast Wisconsin Great Lakes tributaries face a unique situation as their water levels frequently rise and lower, which often leaves yards of shoreline exposed on their property. In many cases, this shoreline area, while on exposed land, is below the Ordinary High-Water Mark (OHWM). Under current law, the property owners must receive one or more permits from the DNR for most shoreline maintenance activities on the land below the OHWM. The general permit is not only cumbersome with many unnecessary criteria, but it is difficult for the average property owner to complete without hiring a professional consultant. Permitting for just simple alterations in the shoreline area is not only tedious and costly, but a lengthy process that will delay property owners from basic upkeep.

Senate Bill 747 exempts landowners from DNR permitting when they perform maintenance activities such as leveling but not removing sand, grooming soil, removing debris, and mowing vegetation in the shoreline area below the OHWM but on exposed land. This exemption only applies in outlying waters where this exemption is needed most due to fluctuating water levels, including Lake Superior, Lake Michigan, Green Bay, Sturgeon Bay, Sawyer's Harbor, and the Fox River from the mouth to the De Pere Dam.

Property owners should have the ability to perform basic upkeep on their property without delays or additional costs. Senate Bill 747 removes an unnecessary burden on property owners who are simply looking to maintain their property, which, when there is exposed land which is below the OHWM, should include that shoreline area.