

ROBERT L. COWLES

Wisconsin State Senator, 2nd Senate District

STANDING COMMITTEES:

Natural Resources & Energy, Chair
Transportation & Local Government, Vice-Chair
Economic Development & Technical Colleges

Testimony on 2023 Assembly Bill 171

Senator Robert Cowles

Assembly Committee on Environment

June 8th, 2023

Thank you, Chair Oldenburg and Committee Members, for allowing me to testify on 2023 Assembly Bill 171. This bill levels the playing field by expanding eligibility in the wildlife abatement program to more communities.

In the 1997-99 State Budget, a small grant program was created at the Department of Natural Resources (DNR) to help municipalities with some of their costs to control impacts from nuisance wildlife like raccoons and geese. However, the language to create the program was very broad, simply referring to eligible applicants as “urban communities.” The DNR, in the process of creating rules to administer this grant program, used an obscure statutory cross-reference in a Department of Transportation chapter to make the only eligible applicants those certain communities which were identified as “urban areas” by the Federal Highway Administration in 1989.

A lot has changed in those thirty years, including that communities which were not arbitrarily identified by the federal government as urban back then are now without a doubt urban communities. Yet, because of the broad statutory language and obscure and outdated administrative rules, dozens, if not hundreds of municipalities throughout Wisconsin are not eligible to compete for this limited grant funding. We learned of this issue when we were contacted by a Fox Valley community, the Village of Kimberly, which was unable to apply because they weren’t considered urban in 1989. Today, they have a sizable population of about 7,500 residents, beating the population numbers of some of the other communities which are eligible for this grant funding.

Assembly Bill 171 corrects this long-standing problem by removing the statutory reference to “urban communities” and instead sets a requirement to qualify by population density. Using population density as the measure for qualification ensures that larger towns may be eligible along with their city and village counterparts. This grant program is only recently funded at about \$20,000 to \$25,000 per year, and applications are highly competitive. But the issue of program funding is separate from the issue of fairness in eligibility for the program.

By passing Assembly Bill 171, we can fix that issue of fairness. This small change will create a better grant program and ensure that all communities which were likely once envisioned to be eligible are now in fact eligible and able to compete for these competitive funds to control the impacts of nuisance wildlife in their area.

Finally, I’d like to note that the companion to Assembly Bill 171, Senate Bill 207, passed the Senate Committee on Natural Resources and Energy on a 5 – 0 vote in May and passed the full Senate yesterday on a voice vote.



RON TUSLER

STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

**Testimony for Assembly Bill 171
Public Hearing
Assembly Committee on Environment
June 6th, 2023**

Chair Oldenburg and fellow members of the Assembly Committee on Environment: thank you for hearing this bill today. The bill before you is Assembly Bill 171 (AB 171), relating to eligibility for local wildlife control grants. This bill eliminates an outdated and undefined term to allow municipalities to apply for grants to cover the costs, up to \$5,000, for wildlife abatement or control projects and seeks to rectify a long-standing problem with the state's grant program for controlling nuisance wildlife.

The current grant program was created in the 1997-99 State Budget, with the intention of providing financial assistance to urban communities struggling with the effects of nuisance wildlife. However, due to the broad statutory language used in its creation, many municipalities have been unfairly excluded from this support. The problem lies in the fact that the Department of Natural Resources in creating its eligibility requirements referenced a 1989 Federal Highway Administration data to determine the definition of "urban." This definition has not been updated since, which means any community not classified as urban in 1989 is ineligible for this grant, regardless of their current population density or urban status today. This issue of exclusion has been the inability to effectively manage the nuisance wildlife is expanding communities which has resulted in property damage, increase of vehicle collisions, as well as, negative effects on local ecosystems.

Assembly Bill 171 seeks to address this problem by amending the statutory language to remove reference to "urban communities" and instead requires population density to be used as the measure of eligibility. This change ensures that all communities with a significant population density are eligible for the grant program, regardless of whether or not they were classified as urban in 1989.

I strongly urge support for AB 171, which would rectify the long-standing problem of arbitrary exclusion of certain communities from the state's grant program for controlling nuisance wildlife. AB 171 will ensure that all communities with a significant population density are eligible for the grant. This change will create a fairer grant program, provide greater support for communities in need, and help manage the impact of nuisance wildlife in Wisconsin.

Thank you again, members of the Assembly Committee on Environment for taking my testimony on AB 171. I look forward to your support and recommendation of passage of this bill.



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To: Assembly Environment Committee
From: Toni Herkert, Government Affairs Director, League of Wisconsin Municipalities
Date: June 8, 2023
RE: AB 171 – Related to Eligibility for Local Wildlife Control Grants

Chairman Oldenburg, Vice-Chair Kitchens, and Committee Members,

My name is Toni Herkert and I am the Government Affairs Director with the League of Wisconsin Municipalities. The League represents almost all of the 606 cities and villages and their councils and boards from large and small communities throughout the state. From the largest cities to the Villages of Yuba and Stockholm, with populations of 74 and 76, and everywhere in between, the League represents a diverse array of municipal members.

Thank you for the opportunity to provide testimony today on Assembly Bill 171 relating to the eligibility for local wildlife control grants. We would like to thank Representative Tusler and Senator Cowles for their leadership on this initiative. The idea for this legislative change was brought to us by the Village of Kimberly in Representative Tusler's district. You will hear testimony written by the Village President today as well.

Current wildlife damage abatement and control grants help to develop wildlife plans and implement specific damage abatement and/or control measures for white-tailed deer and/or Canadian geese. They are available to any town, city, village, county, or tribal government within an urban area. The department may award matching grants for up to 50 percent of the department approved costs of the projects. No grant may exceed \$5,000 in any fiscal year.

When the program was created in the 1997-99 State Budget eligible recipients were identified as "urban communities," but a definition was not provided. The DNR rules implementing the statutory program created a definition of urban area and cross-referenced s. 86.196 related to tourist-oriented directional signs because it contained a definition of urban area. However, that definition was linked to boundaries established in a Federal Highway Administration publication entitled Urban Federal Aid Systems and was published in January of 1989.

Based on that federal transportation definition from 1989 only 128 communities are eligible for grants from the program. And we know several communities struggle with wildlife damage and control of whitetail deer and Canadian geese.

The DNR currently utilizes a ranking system that helps to distribute available funding each year. The criteria used to rank applications for grant awards include:

- the extent that the application addresses prevention and abatement of nuisance wildlife problems or wildlife damage to human safety, health, property.
- the extent that the application includes long-term solutions to wildlife problems such as habitat modification or adopting a "no wildlife feeding" ordinance.
- the cost-effectiveness of the plan or project.
- the severity of the wildlife damage or nuisance problem addressed by the application.
- the likelihood of preventing the specified damage or nuisance.

The League is comfortable with the modification of the eligibility criteria because we are confident that the ranking criteria will prioritize those communities that are experiencing greater damage to human safety, health, and property which would target more densely populated locations.

Thank you for your consideration of this legislation. We hope the committee can support Assembly Bill 171. I would be happy to answer questions now or you can contact me at your convenience at therkert@lwm-info.org.



VILLAGE OF KIMBERLY

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MAY 30, 2023

Assembly Committee on Environment

Wisconsin State Capital
2 East Main Street
Madison, WI 53703

Dear Chairman Oldenburg, Vice-Chair Kitchens and members of the Assembly Environment Committee,

I write today asking for your support in the amendment of 29.887 (1) relating to the eligibility for local wildlife control grants. The amendment, as presented, would allow the Village of Kimberly and other urban communities to become eligible for future funding cycles for a grant process that we are currently precluded from. My hope was to deliver this request in person to the committee, but I experienced a bicycle accident resulting in a broken bone that requires my tending. Thank you for accepting this written request in my absence.

The Urban Area List, which is currently used as one of the criteria of eligibility for the DNR's Wildlife Abatement grants, has not been updated or amended since 1989. Based on the village's 2022 population data (7,502 people) in comparison to the 1990 census (5,419 people), the village has increased in population by 38% within 32 years. Specifically, within the Heart of the Valley region we have experienced significant growth over the past 30+ years thanks in part to highway improvements like the Tri-County Expressway (ST HWY 441) and the strong education systems we host.

The village continues to invest in our natural spaces throughout the community by adding trails, parks, and open space with each new development. We ask that the Assembly Committee on Environment considers our request for eligibility in future DNR Wildlife Abatement grant cycles and we continue to keep Kimberly a great place to live, learn, work and play. I thank you for your consideration, I encourage you to contact me with any questions or clarifications you might need.

Very truly yours,



Chuck Kuen

VILLAGE PRESIDENT



Assembly Committee on Environment

2023 Assembly Bill 171 *Eligibility for Local Wildlife Control Grants* *June 8, 2023*

Good morning, Chair Oldenburg, and members of the Committee. My name is Brad Koele, and I am the Wildlife Damage Specialist for the Wisconsin Department of Natural Resources. Thank you for the opportunity to testify, for informational purposes, on Assembly Bill 171, related to eligibility for local wildlife control grants.

The Urban Wildlife Damage Abatement and Control Grant Program was created by the Wisconsin State Legislature in 1997. Under this program the department awards matching grants, up to \$5,000 per grant, with a total of \$25,000 available annually, to municipalities for the development of a deer or Canada goose population control plan or the implementation of a deer or Canada goose removal program. In recent years, six to ten municipalities apply for grant funding annually with between six and eight grants being awarded. Each year, the available grant funding is used up completely.

Assembly Bill 171 (AB 171) proposes to increase the number of municipalities eligible for the grant. To determine grant eligibility the program currently utilizes a definition of "Urban Area" that was created by the Federal Highway Administration 1989. Under this definition, 128 municipalities in the state are defined as an "Urban Area" and are currently eligible. AB 171 proposes to update and expand the eligibility requirements to include any city, village, or town with a population density of 125 or more persons per square mile. Many communities have a need for this funding but are currently ineligible because of the outdated definitions that are being used.

This change would increase the number of municipalities that are eligible for the grant and could help with urban wildlife problems that communities are experiencing. That said, it should be acknowledged that funding is a limitation. Currently, only \$25,000 is allocated to the program annually. As mentioned above, the department already receives enough applications to fully utilize the funding, so while the number of municipalities eligible for the grant would increase under the bill, the department would still only be able to award between six and eight grants.

The department appreciates the efforts to expand the eligibility requirements and allow more municipalities to be eligible for wildlife control grants. There is an ongoing need for wildlife management efforts in urban areas and this will help more communities find resources to address their wildlife control problems.

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

URBAN AREA LIST

WHO CAN APPLY?

The following areas (all or in part) are "urban areas" eligible to apply for grant funds available through the Urban Wildlife Damage Abatement and Control (UWDAC) program.

Any questions pertaining to this list should be directed to DNR's Wildlife Damage and Urban Wildlife Specialist.

Allouez	Madison	Shorewood
Altoona	Manitowoc	Shorewood Hills
Antigo	Maple Bluff	South Milwaukee
Appleton	Marinette	Sparta
Ashland	Marshfield	St. Francis
Ashwaubenon	McFarland	Stevens Point
Bayside	Menasha	Stoughton
Baraboo	Menomonie	Sturgeon Bay
Beaver Dam	Menomonee Falls	Sturtevant
Beloit	Mequon	Sun Prairie
Berlin	Merrill	Superior
Blooming Grove	Middleton	Superior Village
Brown Deer	Milwaukee	Sussex
Brookfield	Monona	Thiensville
Burlington	Monroe	Tomah
Butler	Montreal	Two Rivers
Cedarburg	Muskego	Watertown
Crestview	Neenah	Waukesha
Cudahy	Nekoosa	Waupun
De Pere	New Berlin	Wausau
Delavan	New London	Wauwatosa
Eagle Point	North Point	West Allis
Eau Claire	Oak Creek	Whiting
Elm Grove	Oconomowoc	West Baraboo
Fond du Lac	Onalaska	West Bend
Fox Point	Oshkosh	West Milwaukee
Fort Atkinson	Park Ridge	White Fish Bay
Franklin	Pewaukee	Whitewater
Germantown	Pine River	Wind Lake
Glendale	Platteville	Wind Point
Grafton	Plover	Wisconsin Rapids
Green Bay	Plymouth	
Greendale	Port Edwards	
Greenfield	Portage	
Hales Corners	Port Washington	
Hallie	Prairie du Chien	
Hartford	Racine	
Hartland	Reedsburg	
Howard	Rhineland	
Hudson	Rice Lake	
Hurley	Ripon	
Janesville	River Falls	
Jefferson	River Hills	
Kenosha	Rothschild	
Kohler	Schofield	
LaCrosse	Shawano	
Lake Geneva	Sheboygan	
Little Chute	Sheboygan Falls	
Lannon		