

## Wetland Study Council Act 183 Subcommittee Update (November 2024)

Pursuant to the Wetland Study Council's request, the Act 183 Subcommittee is developing a report to provide information about artificial and nonfederal wetland exemption requests since 2017 Act 183 and some of the challenges of implementing this new policy. At this point, we are wrapping up our report, we are seeking any additional requests from the Council to what other information the Council may be interested in seeing regarding the implementation of Act 183.

In the meantime, please see the following data regarding exemption numbers below:

**Table 1 – Wetland Exemption Requests by Type, 2019-2022**

Year	Artificial Exemption Requests	Nonfederal Exemption Requests <sup>1</sup>	Total
2019	336	80	416
2020	283	130	413
2021	267	118	385
2022	223	106	329
2023	213	76	289
2024 (to Oct 24)	215	107	322
<b>TOTAL</b>	<b>1109</b>	<b>434</b>	<b>1543</b>
<b>ANNUAL</b>	<b>277.3</b>	<b>108.5</b>	<b>385.8</b>

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<sup>1</sup> Rural nonfederal exemptions have been sought less frequently than urban nonfederal exemptions. This may be owing to the existing exemptions per 281.36(4) and under NR 103(4).

**Table 2 – NR103 Exemption Requests from 2015 through June 2018**

NR103 Exemptions	
Year	Total
2015	78
2016	107
2017	153
2018 (Pre-July Only)	54

**Table 3 – Total Numbers of Wetland Exemption Acreage Approval of Top 10 Busiest Wisconsin Counties (2018 – October 2024)<sup>2</sup>**

Total Acreage of Exemption Approval of 10 Top Counties (2019 - October 2024)			
Artificial Exemptions		Nonfederal Exemptions	
Outagamie	94.03	Racine	32.85
Waukesha	86.20	Kenosha	16.12
Dane	70.18	Brown	15.02
Brown	70.13	Calumet	9.42
Kenosha	61.68	Outagamie	8.80
Milwaukee	51.71	Waukesha	7.45
Racine	42.26	Winnebago	7.34
Marathon	36.39	Milwaukee	6.80
Ozaukee	26.66	Ozaukee	4.74
Winnebago	21.18	Dane	4.26

<sup>2</sup> The data used to generate the numbers on these tables has been obtained from the Waterways program's internal permit tracking database. These numbers include approvals and denials only and do not include partial approvals.

**Table 4 – Artificial Wetland Exemption Approvals and Denials in Acreage (2019 – 2023)<sup>3</sup>**

<b>Artificial Wetland Exemption</b>			
<b>Year</b>	<b>Number of Requests</b>	<b>Acres Approved</b>	<b>Acres Denied</b>
2019	336	214	24
2020	283	204	11
2021	267	141	18
2022	223	102	12
2023	213	62	2

**Table 5 – Nonfederal Wetland Exemption Approvals and Denials in Acreage (2019 – 2023)<sup>4</sup>**

<b>Nonfederal Wetland Exemption</b>			
<b>Year</b>	<b>Number of Requests</b>	<b>Acres Approved</b>	<b>Acres Denied</b>
2019	80	16	0.87
2020	130	27	2.24
2021	118	29	0.23
2022	106	40	0.04
2023	76	11	0

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<sup>3</sup> See footnote 2

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