

39. WETLANDS

We recognize that while our country has had a history of programs encouraging the conversion of wetlands to uses considered more productive, public opinion now sees significant benefits in protecting wetlands. We agree wetlands provide certain benefits and support reasonable efforts to discourage their conversion. However, this should not mean that in all instances wetland conversion is unnecessary or that private landowners should solely bear the cost of protecting wetlands. Any effort to protect wetlands should recognize the rights of private property owners and drainage districts.

We support:

1. A definition that requires all three benchmarks of hydric soil, hydrophytic vegetation, and standing water during a predominance of the growing season, supported by a minimum of three consecutive years of sampling data, before a wetland designation is made. Any definition should be subject to public review and legislative approval.
2. Scientific soil vegetation sampling on all lands that are to be designated a wetland. Data should be made available to the landowner and be maintained by the Natural Resource Conservation Service (NRCS) as long as that parcel continues to be designated a wetland.
3. An equitable wetland designation appeals process for landowners.
4. A mapping program, as a prerequisite to regulation, which:
 - A. Accurately identifies land which has a predominance of hydric soils, hydrophytic vegetation and standing water.
 - B. Has been subject to the review of locally affected landowners and operators.
 - C. Has a standard interpretation from the state NRCS office which ensures equality across county lines.
5. The exemption from regulation under Section 404 of the Clean Water Act and Swampbuster of prior converted cropland and any land that has been cropped in at least six of the last ten years.
6. Compensation to property owners when their ability to make management decisions as to the best economic use of their property is restricted by laws or regulations aimed at protecting wetlands.
7. The ability for private wetland landowners to be able to mitigate wetland conversion on an acre-for-acre or value-for-value basis.
8. Compensation to local units of government which lose tax revenue due to governmental development or acquisition of wetland areas.
9. Education programs which seek to inform landowners of the benefits of wetlands and to urge voluntary conservation of wetland areas.
10. State regulatory control of wetlands programs if they are administered through the Illinois Department of Agriculture (IDOA). State regulations should be no more restrictive than federal regulations.
11. The ability to maintain existing drainage structures and tile lines without prior permits or permission.
12. The United States Department of Agriculture (USDA) NRCS being responsible for identification and regulations of all wetlands.

We oppose the delineation of these areas as linear wetlands:

1. Man-made drainage ditches.
2. Fence lines.
3. Either existing waterways or land previously used for natural drainage.