

NR 60



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 450
MADISON, WISCONSIN 53701

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

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AUG 9 1976
3:05 P.M.
REVISOR OF STATUTES
BUREAU
GHP

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. IL-51-76 was duly approved and adopted by this Department on May 13, 1976 and July 22, 1976. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at Pyare Square Building in the Village of Shorewood Hills, this 19TH day of August, 1976.

Anthony S. Earl, Secretary

(SEAL)

.....
IN THE MATTER of repealing section NR 60.05; .
and amending sections NR 60.03(1), (2)(a) .
intro. par., (2)(c), 60.04(1) intro. par., .
(2)(a), (4)(a) & (d) and 60.11(2)(a) of the .
Wisconsin Administrative Code pertaining to .
public inland lake protection and rehabilitation. .
.....

IL-51-76

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

REPEALING AND AMENDING RULES

Pursuant to authority vested in the State of Wisconsin Natural Resources Board by chapters 33 and 227, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby repeals and amends rules as follows:

SECTION 1 - References to Part I and Part II are repealed.

SECTION 2 - Section NR 60.03 (1) is amended to read:

NR 60.03 Feasibility study requirements. (1) General. An application for technical assistance in establishing the specific feasibility study requirements must be filed with the department according to the procedures in subsection (2). Each feasibility study must be approved by the department in order to insure sufficient information for determining the feasibility of alternative remedial measures, including costs; the relative permanence of alternative measures; base-line data for measuring subsequent changes, and the potential for long-term control of the causes of degradation.

SECTION 3 - Section NR 60.03 (2) (a) intro. par. is amended to read:

(2) Application for Technical Assistance in Designing a Feasibility Study.
(a) An application for technical assistance for designing feasibility studies must be submitted by October 1 of each year as a prerequisite to receiving financial assistance for a feasibility study in that fiscal year. The application must be made on forms provided by the department and contain the following information:

SECTION 4 - Section NR 60.03 (2) (c) is amended to read:

(c) The department will notify the applicant of the specific feasibility study requirements including cost information on the study within 60 days of receipt of the completed application, except for those applications which require additional field investigations to complete the study design.

SECTION 5 - Section NR 60.04 (1) intro. par. is amended to read:

(1) Application for Financial Assistance. Districts must file applications for financial assistance for feasibility study work by March 15. The application must be on forms supplied by the department and shall include:

SECTION 6 - Section NR 60.04 (2) (a) is amended to read:

(a) The department shall notify the district of its decision to grant or deny aid for feasibility study work by April 1. Priority for and amount of aid granted will be determined in accordance with the procedure in subsection (3). If aid is denied, the department shall indicate in writing the reasons for denial.

SECTION 7 - Sections NR 60.04 (4) (a) and (d) are amended to read:

(a) Distribution of the aid shall be made in 2 installments. An initial installment shall be paid into a fund established by the district within 20 days after completion of a grant agreement. The initial installment shall not exceed 50% of the total feasibility study aids unless the department determines that a greater amount is justified by the requirements of the particular feasibility study. In no case shall the initial installment exceed 75% of the total grant. The remainder of the grant will be paid after receipt and approval of the final feasibility study report required by section NR 60.03(4)(d), Wis. Adm. Code, and any required audits.

(d) The foregoing conditions except as stated in section NR 60.04(4)(b) may not be waived or modified by the parties to the grant agreement. Any other terms, including the amount of aid, may be modified or changed if agreed upon in writing by all parties to the agreement.

SECTION 8 - Section NR 60.05 is repealed.

SECTION 9 - Section NR 60.11 (2) (a) is amended to read:

(a) The department will act on the application for financial assistance when it approves or disapproves a proposed plan as provided in NR 60.10(3)(d), Wis. Adm. Code. Applications for financial assistance will be acted upon by May 1 and November 1, consistent with the priority system established in subsection (3). If aid is denied, the department shall indicate in writing the reasons for denial.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 13, 1976 and July 22, 1976.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin 19 August 1976

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)