

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/23/2001

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM94,

Topic:

Nonpoint, funding notices of discharge

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/23/2001	gilfokm 06/23/2001		_____			
/1			rschluet 06/24/2001	_____	lrb_docadmin 06/24/2001		
/2	traderc	gilfokm	jfrantze	_____	lrb_docadmin		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/25/2001	06/25/2001	06/26/2001	_____	06/26/2001		

FE Sent For:

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6/26/01 *Self*
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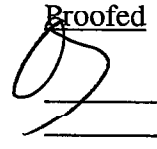
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1?	traderc	6/23 Kmg					

6-24-01

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B. Bureau of Air Management — Fees and Staffing

1. In order to address current backlog of air emissions applications, transfer 2.0 PR FTE from DNR Cooperative Environmental Assistance to 2.0 PR FTE DNR Air Management

2. In addition, adopt Joint Finance to approve the Governor's recommendation and (a) delete \$251,000 PR annually associated with the four Air and Waste Division positions that would be deleted by the Governor; and (b) delete an additional \$458,600 PR annually and 8.0 PR positions in the Air and Waste Division in order to maintain air emissions funded expenditures within existing fee revenues.

Affected agency: DNR

Fiscal Impact: -\$138,400 PR, +\$127,200 PR (Section 1)

Fiscal Impact:

Location/Status: Section 1 - New motion (Duff); Section 2 – JFC

RCT

7. Water Quality

Agency affected: DNR/DATCP

A. Non-Point Staffing Grants

[Location/status, JFC motion #296, alternatives Section D, first sentence]

Substitute the following language in the first sentence of page 1, JFC motion 296:

"In regards to Alternatives section D, specify that local match requirements for DATCP staffing grants are 30% for a second staff person and 50% for any additional staff persons as determined by DATCP by rule."

RCT

B. Funding Notices of Discharge (NOD) Outside the Targeted Runoff Management (TRM) Grant Process

[Location/status, new motion]

Add a new subsection to s. 281.65, subsection (4d), which states:

If the department issues a notice of discharge (NOD) under Ch. 283 to an animal feeding operation, the department shall provide financial assistance of at least 70% of the installation costs for corrective measures needed to address the unacceptable practices identified in the notice of discharge. Greater than 70% may be paid in cases of financial hardship as provided by the Department in administrative rule. Financial assistance for the corrective measures may be paid to a governmental unit for disbursement to a landowner if funds from appropriation s. 20.866 (2) (te) are used or may be paid directly to the owner of the animal feeding operation if segregated or general purpose revenue funds are used (see 2000 LRB Draft 0371/1).

RCT

Explanatory note – 1999 Act 9 moved the responsibility for paying for NOD's from DATCP to DNR. Funds were transferred and DATCP's authority to issue funds was

repealed, but that authority was not recreated for DNR. This provision gives DNR authority to disburse funds.

C. South Fork of the Hay River Watershed Funding

Maintain Joint Finance action, however change the sunset date from June 30, 2006 to June 30, 2005.

Location/Status [Comparative summary of Governor and Joint Finance Committee Budget Recommendations, page 546 – DNR Water Quality]

RET

D. Combined Sewer Bypasses

Intentional diversions of untreated waste streams from any portion of a treatment facility are prohibited unless (1) the bypass does not cause effluent to exceed limits, and (2) the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, and (3) there was no feasible alternatives, and the proper notification was submitted.

RET

In addition, delete exception under NR 205.07 (1)(u) 1: An inadvertent bypass resulting from equipment damage or temporary power interruption.

Agency affected: DNR

Fiscal Impact: \$0

Location/Status: New motion (Kedzie)

E. High capacity wells

Agency affected: DNR

Move to require that the DNR permit only high capacity wells that will not have a significant impact on waters of the state as in 2000 Assembly Bill 311 with the intent to grandfather all wells in existence upon enactment of this legislation and which need to be maintained or replaced at their existing capacity. In addition, require a joint legislative council study on the overall issue of high capacity wells in Wisconsin.

RET

Fiscal impact: DNR estimates that these provisions will have an annualized impact of \$303,200 if they had to screen 200 permit applications a year.

Location/Status: Assembly Bill 311, with addition of Legislative Council study (Johnsrud)

F. Facility Plans and Environmental Impact on Residential Wells

Amend Section 196.491(3)(a)3.a. to include "residential wells" as part of the engineering plan for siting of public utility facilities.

Agency affected: DNR

DOA:.....Grinde – Assistance to animal feeding operation that receives notice of discharge

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under current law, DNR, in conjunction with DATCP and local governmental units, administers a program to provide financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. Local governmental units annually apply for cost-sharing grants from DNR for new nonpoint source projects. A project qualifies for funding only if it is in a target area. An area may be a target area if it contains an animal feeding operation that has received a notice from DNR that the animal feeding operation is discharging a significant amount of pollution to the waters of this state (a notice of discharge). DNR ranks all of the eligible applications based on specified criteria, including the extent to which the project will result in the attainment of water quality objectives, and then DNR selects projects to receive cost-sharing grants. This process is sometimes referred to as the targeted runoff management grant process.

2001

Date (time) needed SOON (m6/24)

LRB b 1635 1 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

RT : King : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

✓ #. Page 1049, line 20: *after that line insert:*

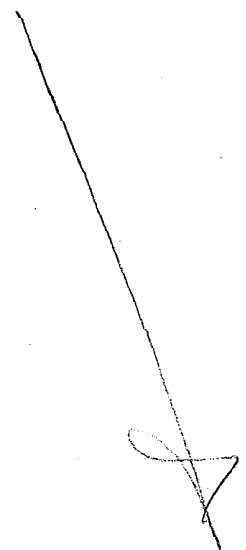
#. Page, line:

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1635/2

RCT:kmg:rs

SOON

RW

ARC:.....Tessmer – AM94, Nonpoint, funding notices of discharge

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1049, line 20: after that line insert:

3 "SECTION 3173j. 281.65 (4e) of the statutes is created to read:

4 281.65 (4e) If the department issues a notice of discharge under ch. 283 to an

5 animal feeding operation, the department ^{shall} ~~may~~ provide a cost-sharing grant for the

6 costs of measures needed to correct the unacceptable practices identified in the notice

7 of discharge. Notwithstanding sub. (8) (f), the department may provide a

8 cost-sharing grant under this subsection that exceeds 70% of the cost of the

9 corrective measures in cases of economic hardship, as defined by the department by

10 rule. If the department provides funds for a cost-sharing grant under this subsection

1 from the appropriation account under s. 20.866 (2) (te), the department shall pay the
2 grant to another governmental unit. If the department provides funds for a
3 cost-sharing grant under this subsection from the appropriation account under s.
4 20.370 (6) (aa), (ag), or (aq), the department may pay the funds to the landowner or
5 operator or to another governmental unit.”.

6 (END)



ARC:.....Tessmer – AM94, Nonpoint, funding notices of discharge

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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