

NR 120

State of Wisconsin

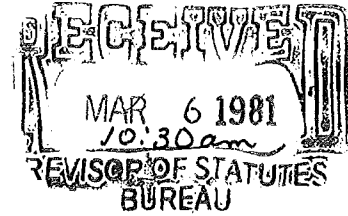
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

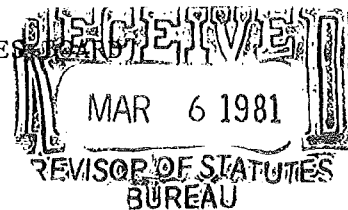
I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WQ-32-80 was duly approved and adopted by this Department on November 20, 1980. I further certify 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 General Executive Facility #2 in the City of Madison, this 3rd day of March, 1981.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

CREATING RULES



.....
IN THE MATTER of creating sections .
NR 120.50 thru NR 120.53 of the .
Wisconsin Administrative Code .
pertaining to administration of .
the nonpoint source control program- .
local assistance aids .
.....

WQ-32-80

Analysis Prepared by Department of Natural Resources

The revisions to ch. NR 120, Wis. Adm. Code, are required to:

1. Provide an administrative framework for distribution of local assistance aids resulting from transfer of budget responsibility from the Board of Soil and Water Conservation Districts by s. 144.25(4)(f), Stats.; and
2. Establish procedures for determining activities eligible for reimbursement.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 144.25 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby creates rules interpreting s. 144.25, Stats., as follows:

SECTION 1 - Sections NR 120.50 through NR 120.53 are created to read:

NR 120.50 Purpose. The purpose of ss. NR 120.50 to NR 120.53 is to develop an administrative structure to distribute funds appropriated to carry out s. 144.25(4)(f), Stats. The following general policies are established for distribution of those funds to designated management agencies.

(1) The designated management agency shall be reimbursed for actual services provided for the implementation of a priority watershed plan over and above ongoing staff commitments and reasonable redirection of staff time into the watershed plan.

(2) The program for implementation contained in the priority watershed plan as described in s. NR 120.08 shall serve as the scope of work for the local assistance agreement.

NR 120.51 Local assistance agreement. (1) The local assistance agreement is a contract between the department and the designated management agency for providing additional resources to the designated management agency in carrying out the priority watershed plan. The designated management agency shall be a party to the agreement.

(2) The duration of the local assistance agreement shall be no greater than 12 months.

(3) No local assistance agreement shall extend beyond the duration of the nonpoint source grant agreement.

(4) The local assistance agreement shall contain the specific task and amount of time for each task attributable to the following activity categories based on the needs identified in the detailed program for implementation for the priority watershed project:

- (a) Technical assistance;
- (b) Fiscal management;
- (c) Program management; and
- (d) Information and education.

(5) All subcontracts shall be submitted to the department for review prior to signing.

NR 120.52 Eligible tasks. (1) The following tasks shall be eligible for reimbursement:

- (a) Contacting landowners and land users in the priority management area;
- (b) Development of cost-sharing agreements;
- (c) Design of best management practices;
- (d) Installation and certification of best management practices;
- (e) Annual review of best management practice operation and maintenance;
- (f) Recordkeeping including listing practices completed, filing referral forms, and making payments;

(g) Preparation of informational and educational materials;

(h) Conducting informational meetings and tours; and

(i) Other.

(2) The following conditions shall be used to determine the amount of time attributable to each task within an activity category:

(a) All landowner and land user contacts and cost-sharing agreements shall be completed within 3 years unless exempted through the procedures described in s. NR 120.10(1)(b).

(b) All best management practice installations shall be completed within 5 years of the signing of the appropriate cost-sharing agreement.

(c) To the extent possible the time per task shall be based on past experience in the participating county.

(d) A landowner or land user participation level of 75% shall be used.

(3) Procedures for determining local share and state share of costs.

(a) The local share shall be the hours determined by multiplying the percent of the county area in the watershed by 1.5 times the number of hours available from existing soil and water conservation district, soil conservation service, and other appropriate technical and professional staff in the county.

(b) The state share shall be the difference between the total hours of work tasks and the hours determined to be the local share.

(c) The reimbursement rate per hour for the state share shall be based on the local pay rate for an appropriate position.

NR 120.53 Recordkeeping and reporting procedures. (1) All requests for reimbursement shall be supported by documentation of completed work tasks.

(2) Reimbursement shall be based on the completion of work tasks identified in the local assistance agreement.

(3) The department shall include the annual status of the local assistance program in the program annual report.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 20, 1980.

The rules contained herein shall take effect as provided in section 227.026(1) intro., Wisconsin Statutes.

Dated at Madison, Wisconsin

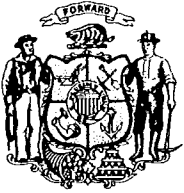
March 3, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

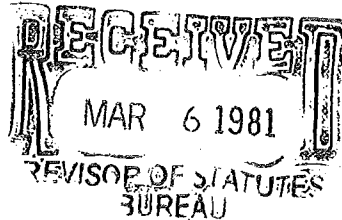
Carroll D. Besadny
Secretary

March 3, 1981

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

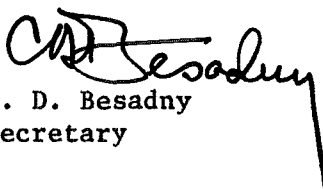


Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WQ-32-80. These rules were reviewed by the Assembly Committee on Environmental Resources and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no comments.

You will note that this order takes effect as provided in s. 227.026(1) intro., Stats. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.