

Chapter NR 29

ENDANGERED RESOURCES INFORMATION FEES

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NR 29.04 Fees for providing natural heritage inventory information.

NR 29.01 Purpose. This chapter establishes and describes fees for providing natural heritage inventory information, pursuant to s. 23.27 (3) (b), Stats.

History: Cr. Register, April, 1990, No. 412, eff. 5-1-90.

NR 29.02 Applicability. The provisions of this chapter apply to all persons who request natural heritage inventory information from the department of natural resources.

History: Cr. Register, April, 1990, No. 412, eff. 5-1-90.

NR 29.03 Definitions. As used in this chapter:

(1) "Department" means the department of natural resources.

(2) "Natural heritage inventory information" means information collected by the department under the natural heritage inventory program, including information on the biology, existence and locations of native plant and animal communities and of endangered, threatened and critical species; the degree of endangerment and protective status of these communities and species; information on managed lands; life-history information on Wisconsin's native flora and fauna, and biological consultation and recommendation.

(3) "Person" means an individual or any corporation, partnership, association or body politic.

History: Cr. Register, April, 1990, No. 412, eff. 5-1-90.

NR 29.04 Fees for providing natural heritage inventory information. (1) The department may charge a fee for compiling and providing natural heritage inventory information to any person requesting that information for the purposes authorized in s. 23.27 (3) (b), Stats.

(a) The department shall charge a minimum fee of \$75 per request, for which the department will provide up to one hour of staff time. The \$75 fee includes the associated administrative costs in compiling, interpreting and providing appropriate natural heritage inventory information and the cost of collecting, storing, managing, compiling, interpreting, analyzing, and providing the natural heritage inventory data. The department shall charge an additional \$75 for each hour, or any portion thereof, of staff time required in excess of one hour to answer the request.

(am) The department shall charge a minimum fee of \$420 per expedited request, for which the department will provide up to 3 hours of staff time. The \$420 fee includes the associated administrative costs in compiling, interpreting and providing appropriate natural heritage inventory information and the cost of collecting, storing, managing, compiling, interpreting, analyzing, and providing appropriate natural heritage inventory information within 7 working days and the cost of collecting, storing, managing,

compiling and providing the natural heritage inventory data. The department shall charge an additional \$140 for each hour, or any portion thereof, of staff time required in excess of three hours to answer the expedited request.

(b) The department shall set and charge an annual fee for providing updated copies of all or any portion of the actual natural heritage inventory data and for providing support in the use and interpretation of these data. This annual fee shall be no less than \$850 and no greater than \$1,500. The fee includes the associated administrative costs in compiling, interpreting and providing appropriate natural heritage inventory data and the cost of collecting, storing, managing, compiling, interpreting, analyzing, and providing the natural heritage inventory data.

(c) The department may require requesters of natural heritage inventory data to have formal education, training, or experience in interpreting natural heritage inventory information. The department may require requesters to take training and an exam prior to being provided access to natural heritage inventory data. The department shall charge fees for training and exams to help cover the department's costs of providing the data.

(d) The department shall establish a certification program for individuals using natural heritage inventory data to prepare preliminary evaluations of potential impacts of proposed projects on native plant and animal communities, including endangered, threatened, and critical species. The department shall charge fees for certification to cover the department's costs. These preliminary evaluations shall be approved by the department before becoming final.

(2) (a) The department may waive or reduce fees for any person with whom the department has a contractual agreement or other mechanism by which the department's costs are reimbursed, or a memorandum of understanding by which the department is obligated to provide natural heritage inventory information.

(b) The department may waive or reduce fees for providing natural heritage inventory information for any research or educational project, where it has been determined that:

1. Such waiver is in the public interest because the project furthers the interests of the endangered resources program; and

2. The department has determined the requester has demonstrated that they are not financially capable of paying the fee. The department may request financial statements.

Note: Requests for natural heritage inventory information and the associated fees for the provision of this information should be directed to the Bureau of Endangered Resources at P.O. Box 7921, Madison, WI 53707, phone (608) 266-2625.

History: Cr. Register, April, 1990, No. 412, eff. 5-1-90; **CR 10-069: am.** (1) (a), (b), **cr.** (1) (am), (c), (d) **Register December 2010 No. 660, eff. 1-1-11.**