

## Chapter NR 192

### LAKE CLASSIFICATION TECHNICAL ASSISTANCE GRANTS

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**NR 192.01 Purpose.** The purpose of this chapter is to establish procedures for implementing a lake classification technical assistance grant program as provided in s. 281.69, Stats. Grants made under this program will go to nonprofit corporations to provide educational and technical assistance to local units of government and lake management organizations that will participate in lake classification projects as described in ch. NR 191.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.02 Applicability.** Only nonprofit corporations are eligible to receive a lake classification technical assistance grant.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.03 Definitions.** In this chapter;

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

(2) "Grant period" means the time period stated in the grant agreement during which the sponsor is eligible to expend program grant funds for a project.

(3) "Lake classification project" means a set of activities leading to the designation of lakes, within a particular jurisdiction, into different classifications for the purpose of tailoring management actions and policy to the unique needs of the class.

(4) "Lake classification technical assistance project" means a set of activities which will provide educational and technical assistance to local units of government and lake management organizations that will participate in a lake classification project.

(5) "Management unit" means a county, town, village, city, tribe, qualified lake association as defined in s. 281.68(1), Stats., town sanitary district, and other local governmental units as defined in s. 66.299(1) (a), Stats., that are established for the purpose of lake management, and public inland lake protection and rehabilitation district.

(6) "Nonprofit corporation" means an entity organized pursuant to ch. 181, Stats., and whose bylaws, charter or incorporation papers reflect as a purpose of the organization the conservation or preservation of natural resources by disseminating information and assisting local units of government and lake management organizations.

(7) "Sponsor" means the nonprofit organization that is receiving a grant under this chapter.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.04 Eligible activities.** (1) Lake classification technical assistance projects shall be conducted by nonprofit corporations to provide educational and technical assistance to local units of government and lake management organizations that will participate in a lake classification project.

(2) Eligible activities may include, but are not limited to: providing professional educational and technical assistance staff services; researching, producing, publishing and distributing informational and educational materials; and planning and conducting workshops and conferences.

(3) Lobbying is an ineligible activity.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.05 General provisions.** (1) Accounting for all project funds shall be in conformance with generally accepted accounting principles and practices, and shall be recorded by the sponsor in a separate account. Supporting records of grant expenditures shall be maintained in sufficient detail to show that grant funds were used for the purpose for which the grant was made. All financial records, including invoices and cancelled checks, that support all project costs claimed by the sponsor shall be kept and made available for inspection for 3 years after final payment from the department.

(2) The sponsor shall submit to the department a claim for payment on forms provided by the department at any time but not later than 3 months after the end of the grant period. All costs claimed for payment shall be documented and shall be consistent with the grant agreement relative to expenditures being made within the grant period, within the scope of work, and within estimated costs.

(3) The sponsor may request, for good cause, a grant agreement amendment for expenses expected to exceed those identified as estimated costs in the grant agreement prior to the end of the grant period.

(4) If the department finds that the project has not been satisfactorily completed by the end of the grant period, the department may seek repayment of the state share or a portion of the state share previously distributed to the sponsor.

(5) All of the sponsor's records pertaining to the project are subject to audit. Claims made for payment may be adjusted by audit.

(6) Any requests for extensions of the grant period shall be made prior to the end of the grant period.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.06 Priorities.** The department in consultation with the university of Wisconsin extension, interested eligible nonprofit corporations, and representative management units shall develop an annual list of priority activities for lake classification technical assistance grants.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.07 Applications.** (1) The department shall publish in the Wisconsin administrative register an official notice of request for applications and the list of priority activities developed under s. NR 192.06 for lake classification technical assistance grants by April 1 of each year.

(2) Nonprofit corporations interested in receiving the list of priorities and application instructions under this chapter shall contact the department in writing.

(3) Applications for funding shall be submitted to the bureau of community financial assistance by July 1 of each year in accordance with the application instructions on forms provided by the department.

Note: The department address is Bureau of Community Financial Assistance, Environmental Grants Section - CF78, 101 S. Webster Street, P.O. Box 7921, Madison, Wisconsin 53707-7921.

(4) The department shall review the application for completeness and may return the application with a request for more

detailed information. The application is not considered complete until the additional information requested by the department has been received.

(5) The application shall consist of 2 parts:

(a) *Organizational - Part I.* This part may be submitted at any time to obtain the department's determination that the organization is a qualified applicant. It shall include:

1. Information on the sponsor's purposes and ability to manage a lake classification technical assistance project. The sponsor shall provide evidence that the nonprofit corporation meets the requirements as described in ch. 181, Stats., and s. NR 192.03(6).

2. A resolution officially adopted by the nonprofit corporation requesting that the organization be recognized as an eligible sponsor and which authorizes a representative to apply for grants on its behalf and which provides the name, address and telephone number of that representative.

(b) *Project - Part II.* This part may be submitted any time after the list of priority activities are determined under s. NR 192.06, but prior to July 1 of each year. It shall contain the following information:

1. A description of the project with a statement of how the project will implement the list of priority activities.

2. An estimate of costs of the project including labor and fringe benefits, supplies, services, informational and educational materials, sub-contracts, and a time frame for project implementation and completion.

3. Identification of any other nonprofit corporations, management units and state agencies that will be involved and their roles, and a description of the level of support from affected management units and interested nonprofit corporations.

4. A description of how the proposed project complements other lake educational and technical assistance efforts.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.08 Project evaluation.** (1) The department shall consider the following factors when evaluating applications for funding:

(a) The extent to which the nonprofit corporation has demonstrated experience in providing educational and technical assistance in the area of lake and shoreland management to local units of government and lake management organizations.

(b) The degree to which the project implements the priority activities listed for the year.

(c) The degree to which the project will be conducted in a spirit of cooperation with other interested nonprofit organizations and management units.

(d) The degree to which the project will be conducted in collaboration with the department and the university of Wisconsin extension and their ongoing educational and technical assistance

efforts and activities to local units of government and lake management organizations.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.09 Grant awards.** (1) The department shall notify applicants by September 1 of each year the department's decision to award a grant.

(2) The department may provide grant funds for any part of an eligible project application. The grant award may not exceed the estimated costs of the project as set out in the grant application.

(3) The state share of the cost of a lake classification technical assistance grant may not exceed \$200,000.

(4) The state share of a grant may cover up to 100% of the eligible project costs. Eligible costs may include:

(a) Labor costs required to carry out activities identified in the grant agreement provided they require additional staff or increased hours of existing staff. Costs of additional staff positions or increased staff hours shall be based on nonprofit corporation rates for the position including salary, fringe benefits and other items determined to be appropriate by the department.

(b) Direct costs for employee travel, training and additional office support and services; research and surveys; newsletters, informational and educational materials and mailings; and professional services contracts and similar items.

(c) Other costs determined by the department to be necessary to carry out an adequate project.

(5) Ineligible costs include the sponsor's operational and administrative costs not directly associated with the lake classification technical assistance project.

(6) The department may distribute up to 25% of the state share of the project costs to the grant recipient following acceptance of the grant agreement by the grantee.

(7) The department may withhold 10% of the final payment until it has made a determination that the project and any required audits have been completed.

(8) A grant awarded may be terminated by the department for violation of any term or condition of the grant.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**NR 192.10 Variances.** The department may approve in writing a variance from a requirement of this chapter upon written request of a sponsor if the department determines that a variance is essential to effect necessary grant actions or program objectives and where special circumstances make a variance in the best interest of the program. Before approving a variance, the department shall take into account factors such as good cause, circumstances beyond the control of the sponsor and financial hardship. The department may not grant variances from statutory requirements.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99.