



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1228/P2  
RCT;jld:jf

DOA:.....Byrnes, BB0432 - Producer led watershed committee grants

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

This bill creates a program under which DATCP provides grants for nonpoint source pollution abatement activities implemented through groups of farmers who assist the farmers within a watershed to voluntarily implement those activities. Nonpoint source pollution is water pollution that originates from a diffuse source, such as runoff from fields.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 20.115 (7) (qf) of the statutes is amended to read:

20.115 (7) (qf) *Soil and water management; aids.* From the environmental fund, the amounts in the schedule for cost-sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support

of local land conservation personnel, and for producer led watershed protection grants under s. 93.59. The department shall allocate funds, in an amount that does not exceed \$250,000 in each fiscal year for the producer led watershed protection grants.

**SECTION 2.** 93.59 of the statutes is created to read:

**93.59 Producer led watershed protection grants.** (1) The department shall make grants for nonpoint source pollution abatement activities conducted with the assistance of producer led groups that comply with sub. (2). The department shall make a grant directly to the producer led group, except that, if the group is not a legal entity, the department may only make the grant to a legal entity on behalf of the group.

(2) The department may provide a grant under sub. (1) if all of the following apply:

(a) The producer led group includes at least 5 agricultural producers each of whom operates an eligible farm, as defined in s. 91.86 (1), in one watershed. The group may include additional agricultural producers who are not required to be operators of eligible farms.

(b) The group is formed through a memorandum of understanding with the collaborating entity under par. (c).

(c) The group collaborates with at least one of the following:

1. The department.
2. The department of natural resources.
3. A county land conservation committee.
4. The University of Wisconsin-Extension or the Discovery Farms program of the University of Wisconsin-Extension.

5. A nonprofit conservation organization.

(d) The group assists agricultural producers in the watershed under par. (a) to voluntarily conduct nonpoint source water pollution abatement activities.

(3) A producer led group that receives, or on whose behalf a legal entity receives, a grant under this section shall annually file a report with the department describing the activities conducted with the grant and the impact of those activities on water quality in the watershed under sub. (2) (a).

(4) The department may promulgate rules that do all of the following:

(a) Define “legal entity” for the purposes of this section.

(b) Specify the application process for a grant under this section.

(c) Specify activities that may be conducted using a grant under this section.

**SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.**

(1) EMERGENCY RULE MAKING FOR PRODUCER LED WATERSHED PROTECTION GRANTS. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate rules authorized under section 93.59 (4) of the statutes, as created by this act, for the period before the effective date of a permanent rule promulgated under section 93.59 (4) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace,

health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**(END)**