



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #483

### Endangered Resources Natural Heritage Inventory Program (DNR -- Fish, Wildlife, and Recreation)

[LFB 2011-13 Budget Summary: Page 317, #14]

#### CURRENT LAW

The DNR Bureau of Endangered Resources conducts a Natural Heritage Inventory (NHI) program, which provides a system for determining the existence and location of natural areas, native plant and animal communities and habitat. Current law requires DNR to share NHI information with those who request it for authorized purposes. The data are utilized to assess the potential impacts of a proposed project (for example, a road or building project) on native plant and animal communities. DNR is authorized to charge a fee under s. 23.27(3)(b) to recover NHI related costs. These fees are currently deposited in a general operations appropriation in the endangered resources account of the segregated conservation fund.

#### GOVERNOR

Delete \$70,900 SEG annually and provide a corresponding \$70,900 PR annually and transfer 1.0 conservation biologist from segregated revenue to program revenue related to fees collected for access to the DNR Natural Heritage Inventory.

#### DISCUSSION POINTS

1. The administration indicates that the intent of the bill was for the conservation biologist position to be funded by the fees collected under s. 23.27(3)(b). A technical correction is needed to change the reference from the fee revenues being deposited to the endangered resources SEG appropriation to instead be deposited in the Lands Division general operations PR appropriation s. 20.370(1)(mi) [Alternative 1].

2. DNR would like to provide a more stable source of funding for the NHI conservation biologist position, particularly since endangered resources tax checkoff revenues and

license plate sales have been declining. The conservation biologist position transferred by the bill from SEG to PR funding is currently vacant. Current staff dedicated to providing NHI data and information consist of 0.6 FTE, two contract employees, and four part-time LTEs. These positions are primarily supported by the endangered resources SEG appropriation in which the NHI related fees authorized under s. 23.27(3)(b) are currently deposited. Fee revenues also include charges to other DNR programs which utilize the NHI data, such as facilities and lands and forestry, and an agreement with the Department of Transportation (DOT) for environmental review of transportation projects. DNR expects increased revenues from the fees which would be sufficient to support the position. These fees are established in chapter NR 29 of the administrative code and were increased effective January 1, 2011. In addition, the rule now specifies that "DNR shall charge fees for certification to cover the Department's costs". DNR anticipates creating a fee structure for a certification program which the Department plans to implement to train individuals in utilizing the data from the natural heritage inventory program to prepare preliminary evaluations of potential impacts of proposed projects on native plant and animal communities. The Department indicates that the PR position provided under the bill would be responsible for coordinating the Bureau's activities involving sharing NHI information and data, and would oversee the certification program.

3. As current workload associated with NHI information and data sharing is funded by endangered resources SEG, including the associated NHI fees, it could be argued that endangered resources SEG remains an appropriate place for a position to oversee these activities. Under the bill, as a PR appropriation, any interest earned on the balance of the appropriation would be deposited in the general fund; whereas, the interest earned on the balance of the SEG appropriation would accrue to the endangered resources account of the conservation fund. In addition, funds have been lapsed to the general fund from this PR appropriation in the past (\$23,000 in 2009-10). If current law were maintained, the position would continue to be funded by endangered resources SEG, with any interest earned on the balance of the appropriation deposited in the conservation fund (Alternative 2). NHI related fees would continue to be deposited to the endangered resources account.

**ALTERNATIVES**

1. Adopt the Governor's recommendation, as corrected, to shift \$70,900 annually and 1.0 conservation biologist from segregated revenue to program revenue related to DNR Natural Heritage Inventory fees. Specify that the NHI fees be deposited in the Lands Division general operations PR appropriation.

2. Maintain current law. The position would remain funded by endangered resources SEG (including the related NHI fees).

ALT 2	Change to Bill	
	Funding	Positions
PR	- \$70,900	- 1.00
SEG	<u>70,900</u>	<u>1.00</u>
Total	\$0	0.00

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