

NR 300



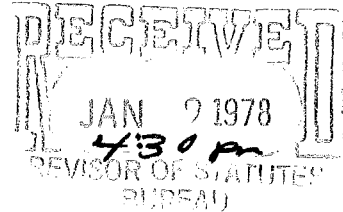
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
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, Anthony S. Earl, 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. WR-61-77 was duly approved and adopted by this Department on November 17, 1977. 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 Pyare Square Building in the Village of Shorewood Hills, this 6TH day of January, 1978.

Anthony S. Earl, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....
IN THE MATTER of creating chapter NR 300 of .
the Wisconsin Administrative Code pertaining .
to fees for water regulation permits and . WR-61-77
approvals .
.....

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
CREATING RULES .

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 30.28, 31.39 and 227.014(2), Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules as follows:

SECTION 1 - Chapter NR 300 is created to read:

Chapter NR 300

FEE FOR WATER REGULATION
PERMITS AND APPROVALS

- | | |
|-------------------------|-------------------------------------|
| NR 300.01 Purpose | NR 300.04 Fee processing procedures |
| NR 300.02 Applicability | NR 300.05 Severability |
| NR 300.03 Definitions | |

NR 300.01 Purpose. The purpose of this chapter is to provide a uniform procedure to be utilized in the implementation of section 30.28 and section 31.39, Wis. Stats.

NR 300.02 Applicability. The fee shall be submitted by every applicant for a permit or approval pursuant to sections 30.10 to 30.27 or sections 31.02 to 31.38, Wis. Stats.

NR 300.03 Definitions. (1) "Department" means the department of natural resources.

(2) "Fee" means a fee established in section 30.28 or 31.39, Wis. Stats., which is based on the number of applications filed for permits and approvals and the estimated project cost.

(3) "Estimated project cost" means the total design and construction costs related to the regulated activity for which a permit or approval is being sought. If a project requires more than one approval or permit, the estimated project cost shall be based on the total design and construction costs for which approvals or permits are sought.

(4) "Permit or approval" means a permit or approval pursuant to sections 30.10 to 30.27 or sections 31.02 to 31.38, Wis. Stats.

NR 300.04 Fee processing procedures. (1) Except as set forth herein every applicant for a permit or approval issued by the department shall include with the application the estimated project cost and a check for the amount of the fee required for that cost. An applicant receiving a permit pursuant to section 31.05 or 31.07, Wis. Stats., shall be exempt from fee payment for approval of plans pursuant to section 31.12, Wis. Stats.

(2) In determining estimated project cost, the applicant shall include both structural and nonstructural costs, such as, but not limited to the following costs. Municipalities shall estimate costs on the basis of total hourly rates and total hours when municipal equipment and labor are utilized.

(a) Technical costs (i.e. surveying or architectural and engineering design),

(b) Material costs (i.e. lumber, steel, concrete, riprap, pumps, pipes, sprinklers, etc.),

(c) Labor costs,

(d) Construction equipment rental or fees,

(e) Monitoring costs required by permit or approval,

(f) Landscaping costs required to prevent or minimize erosion,

(g) Other costs necessary to complete the project.

(3) Certification of the estimated project cost shall be done on forms furnished by the department. An itemized list of estimated project costs need not be submitted if the applicant certified that the project cost will be in excess of \$10,000.

(4) The fee charged for permits and approvals includes a basic fee of \$10 per permit or approval plus a single supplemental fee based upon the estimated project cost according to the following schedule:

- (a) Five dollars for projects from \$1 to \$500.99 in value.
- (b) Ten dollars for projects from \$501 to \$2000.99 in value.
- (c) Twenty dollars for projects from \$2001 to \$5000.99 in value.
- (d) Fifty dollars for projects from \$5001 to \$10,000.99 in value.
- (e) Sixty-five dollars for projects in excess of \$10,000.99 in value.

(5) Upon receipt of the estimated project cost, the department shall evaluate the cost figure and supporting information. Processing of the permit or approval application shall not commence until an acceptable fee has been established and paid.

(6) If the applicant withdraws the application for any reason or should the permit or approval be denied, the department shall refund the fee submitted with the application.

(7) Payment of a fee to the department shall not be construed to imply department consent or approval of the proposed project or limit department regulatory or enforcement authority.

NR 300.05 Severability. Should any section, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 17, 1977.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin 6 January 1978

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)