

CR 86-83

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. AA-30-86 was duly approved and adopted by this Department on June 26, 1986. 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 General Executive Facility #2 in the City of Madison, this 3rd day of October, 1986.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

8594K

RECEIVED

OCT 7 1986
10:40 am
Revisor of Statutes
Bureau

10-1-86

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES

.....
IN THE MATTER of amending ss. NR 50.01 .
and 50.02; and creating s. NR 50.19 of .
the Wisconsin Administrative Code . AA-30-86
relating to Wisconsin's Scenic Urban .
Waterways Grant Program .
.....

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 30.275 and 227.11(2)(a), Stats., and interpret s. 30.275, Stats.

The creation of s. NR 50.19 is to establish procedures for the implementation and administration of the scenic urban waterways grant program authorized under s. 30.275, Stats. NR 50.19 defines projects which are eligible for funding, establishes application procedures, creates a method of allocating funds between designated urban waterways, establishes a committee for each scenic urban waterway that will select projects to receive funding, establishes criteria to be used to select projects, establishes the level of grant assistance, creates procedures for the issuance of grant awards, and establishes conditions grantees must comply with.

Sections NR 50.01 and 50.02 are being amended to include the scenic urban waterways grant program.

The department has determined, pursuant to s. 227.114, Stats., that the proposed rule will not have a significant economic impact on a substantial number of small businesses.

SECTION 1. NR 50.01 and 50.02 are amended to read:

NR 50.01 PURPOSE. The purpose of this chapter is to establish procedures for implementation of various recreational aids programs under ss. 20.370(4)(bx), 23.09(11), (12), (17m) and (26), 23.30(3)(h), 30.275 and 350.12(4), Stats., and 16 U.S.C. ss., 460d, 460L-4, et seq.

NR 50.02 APPLICABILITY. The provisions of this chapter are applicable to all sponsors of recreational aids programs under ss. 20.370(4)(bx), 23.09(11), (12), (17m) and (26), 23.30(3)(h), 30.275 and 350.12(4), Stats., and 16 U.S.C. ss. 460d, 460L-4, et seq.

SECTION 2. NR 50.19 is created to read:

NR 50.19 SCENIC URBAN WATERWAYS GRANT PROGRAM. (1) PURPOSE. The purpose of this section is to establish standards for the implementation and administration of the scenic urban waterways grant program under s. 30.275, Stats.

(2) APPLICABILITY. The provisions of this section are applicable to all counties, cities, villages, towns and Indian tribes within a designated scenic urban waterway and to the department.

(3) ELIGIBLE PROJECTS. The following types of projects are eligible for funding under this section:

(a) Acquisition and development of land for parks, open spaces, scenic easements, public access, automobile parking, fish and wildlife habitat, woodlands, wetlands and trails.

(b) Layout and development of scenic drives.

(c) Improvement of surface water quality and surface water flow.

(4) APPLICATION PROCEDURE. Applications for project grants shall be submitted to the department no later than November 1 of each state fiscal year for which funding is requested. The department shall review applications for completeness. An application shall contain the following items:

(a) A completed application form.

Note: Application forms may be obtained, at no charge, from the Bureau of Aid Programs, Department of Natural Resources, Box 7921, Madison, Wisconsin 53707.

(b) A resolution adopted by the governing body of the municipality, Indian tribe or the department designating an authorized representative to apply for grants under s. 30.275, Stats., and this section on behalf of the municipality, Indian tribe or the department. The authorized representative shall be an official or employee of the municipality, Indian tribe or the department.

(c) Description of project; including proximity to urban areas, types of water-based recreational activities the project would promote, a detailed estimate of project costs, and an estimate of the number of people who would be expected to enjoy the benefits of the project.

(d) Plans and specifications for the project.

(e) Other information as requested by the department.

(5) ALLOCATION OF FUNDS. Annual appropriations will be allocated equally among all designated scenic urban waterways as soon as possible after July 1 of each year. Funds allocated to a designated scenic urban waterway that are not needed to fund applications received by November 1, may be reallocated equally among designated scenic urban waterways which have requested funds in excess of their allocations. The reallocation shall be completed by February 1 of the following year.

(6) WATERSHED COMMITTEES. The selection of projects within a designated scenic urban waterway shall be made by a watershed committee for that scenic urban waterway appointed by the department. The committee shall have members from each county within the designated scenic urban waterway; some cities, villages, towns and inland lake protection and rehabilitation districts within the designated scenic urban waterway; the department and independent citizens within the designated scenic urban waterway. Existing watershed committees may be used to select projects. Regional planning commissions may and the department shall be coordinators and advisors to the committee.

(7) SELECTION OF PROJECTS. The watershed committee shall give priority to local government projects. Department projects may be selected only if sufficient funds remain after local government projects within the designated scenic urban waterway are selected. Priority shall be given to applications based on the degree to which the potential benefits of each project correspond to the program's purpose pursuant to s. 30.275(1), Stats.

(8) GRANT AWARDS. The department shall issue grant awards by February 28 of each year. The state share of the project cost shall be no greater than 80% of the eligible project costs. The department may not issue grants to applicants whose application is not complete.

(9) GRANT CONDITIONS. (a) Grant awards are subject to the conditions of this section and s. 30.275, Stats.

(b) Projects funded under this section shall be consistent with any approved areawide water quality management plan encompassing the project.

(c) Nonpoint source projects to improve surface water quality and surface water flow are subject to the requirements of ss. NR 120.14 and 120.15.

(d) The general provisions of s. NR 50.05 apply to awards made under this section.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 26, 1986.

The rules shall take effect as provided in s. 227.22(2)(intro.), Stats.

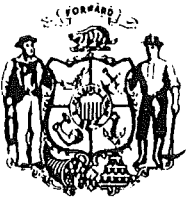
Dated at Madison, Wisconsin October 3, 1986

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

9658S
6/4/86



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

October 6, 1986

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 904
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. AA-30-86. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. D. Besadny".

C. D. Besadny
Secretary

Enc.
8595K

RECEIVED
OCT 7 1986
Revisor of Statutes
Bureau