

Chapter NR 47

FORESTRY GRANT AND STATE AID ADMINISTRATION

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Subchapter I — General Provisions

NR 47.001 Purpose. The purpose of this chapter is to implement and administer grant and state aid programs pertaining to forestry and forest resources in the state.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92.

NR 47.002 Definitions. For purposes of this chapter:

(1) "Act" means the cooperative forestry assistance act as amended (16 USC 2101, et seq.).

(2) "Committee" means the state forest stewardship coordinating committee created under s. NR 47.003.

(3) "Department" means department of natural resources.

(4) "Fiscal year" means October 1 through September 30.

Note: This is the fiscal year of the United States government.

(5) "Forest service" means United States department of agriculture, U.S. forest service.

(6) "Landowner" means any private individual, group, association, corporation, Indian tribe or other native group, or other private legal entity, excluding corporations whose stocks are publicly traded or legal entities principally engaged in the production of wood products.

(7) "Nonindustrial private forest land" means rural lands with existing tree cover or which are suitable for growing trees and owned by any landowner as defined in this section.

(8) "Project" means the practice or activity for which funds are applied for under this chapter.

(9) "State" means the state of Wisconsin.

(10) "State forester" means the state forester of the department's bureau of forestry, as appointed by the secretary of the department.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92.

NR 47.003 Forest stewardship coordinating committee. (1) **CREATION; COMPOSITION.** There is created a forest stewardship coordinating committee appointed by the state forester and chaired by the state forester or his or her designee. The state forester shall ensure that the membership of the committee is representative, to the extent practicable, of the following groups:

(a) The forest service, soil conservation service, agricultural stabilization and conservation service, and extension service;

(b) Representatives of:

1. Local governments
2. Consulting foresters
3. Environmental organizations
4. Forest products industry
5. Forest land owners
6. Land-trust organizations
7. Conservation organizations
8. The state fish and wildlife agency, and
9. Any other individual determined appropriate by the state forester.

Note: The composition of the committee is as directed in the act.

(2) **ROLE OF COMMITTEE.** The committee shall make recommendations to the state forester on administration of the forest stewardship program.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92.

NR 47.004 Project reports. (1) **APPLICABILITY.** The provisions of this section apply only to subchs. II, IV and V.

Register, June, 1994, No. 462

(2) Applicants with a tree ordinance, plan or administrative rule which describes public policies for tree planting, protection, maintenance and removal.

(3) Applicants with an ongoing forestry program budget. This funding need not be a line item amount in the budget but could include for example expenditures for tree removal, administration expenses, volunteer labor and other activity involved in managing trees.

(4) Applicants that have not received urban forestry assistance grants in the past.

(5) Projects that maximize benefits to the urban forest resource.

(6) Projects that are cost effective.

(7) Projects that involve the community in the development or implementation of the project.

(8) Projects that maximize benefits to the public.

(9) Projects that are innovative.

(10) Activities that are not currently funded.

(11) Community population.

(12) Projects that involve or stimulate cooperation with other local governments, organizations, schools or businesses.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92; am. (intro), cr. (12), Register, May, 1994, No. 461, eff. 6-1-94.

NR 47.58 Grant awards; payment. (1) **GRANT AWARDS.** Grants shall be awarded subject to execution of the department's project agreement.

(2) **PAYMENT.** Grant payments shall be made upon approval of the final report and the final accounting claim supported by evidence of cost.

(3) **FINAL AUDIT.** All payments are contingent upon final audit. Financial records including all documentation to support entries in the accounting records to substantiate charges for each project shall be kept available for review by state or federal officials for a period of 3 years after final payment.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92.

NR 47.70 County forest administrator grant program. (1) **PURPOSE.** The purpose of this section is to establish standards and procedures for implementation of a grant program to contribute funds toward payment of the salary of a professional forester in the position of administrator or assistant administrator of a county forest.

(2) **DEFINITIONS.** As used in this section:

(a) "Annual plan of work" means a listing of work projects and activities agreed to by the department and the county to be performed in the upcoming calendar year in the county which involves the management of the forest resources and its attributes.

(b) "Annual salary" means the total annualized compensation paid to a county employe excluding the cost of any fringe benefits.

(c) "Cost shared administrator" means any department employe who is presently performing the duties of county forest administrator by mutual agreement of the county and the department.

(d) "County" means a county that has entered county-owned land under the county forest law, ss. 28.10 and 28.11, Stats.

(e) "Forester" has the meaning given in s. NR 1.21 (2) (d) or who is employed as a county forest administrator or assistant county forest administrator in the administration of county forests as of August 12, 1993.

(f) "Grant year" means the calendar year to which the grant payment applies.

(g) "Independent consulting forester" means a forester as described in par. (e), who provides a variety of professional forestry services on a contract or fee basis and is employed by a county.

(3) APPLICATION AND GRANT PROCEDURE. (a) A county may apply for a grant under the county forest administrator grant program. A county shall include in an application a county board resolution authorizing the application. A county shall file the application with the department no later than November 30th of the year preceding the grant year, except for the grant year the rule becomes effective when the application shall be filed no later than May 1, 1994.

(b) A county that has received an initial grant under par. (a), shall file an application and resolution, as set forth in par. (a), to obtain a grant for each succeeding year unless the county has entered into a written agreement with the department.

(c) Except as provided in par. (d), a grant shall be limited to funding annual salary for a forester employed by a county.

(d) A grant under this section may be awarded to a county to contribute to the funding of an independent consulting forester or the salary of a forester shared between 2 counties.

(e) A grant may not be awarded to any county receiving services from a department cost shared administrator.

(f) Grants shall be distributed no later than April 15 of the grant year, except for the grant year the rule becomes effective when the grants shall be distributed no later than August 1, 1994.

(4) GENERAL PROVISIONS. (a) An annual grant award to a county may not exceed the lesser of 50% of the position's annual salary or the maximum grant amounts established in par. (b).

(b) The maximum grant which may be awarded each county forest shall be based upon the acreage of the county forest and is:

Acres of County Forest	Maximum Grant Amount
0 - less than 10,000	\$7,000
10,000 - less than 20,000	\$12,000
20,000 - less than 50,000	\$14,000
50,000 and larger	\$16,000

Note: The department intends to review the grant amounts and consider change by rule modification every 4 years.

(c) If the total amount of grants which the counties are eligible for under this section exceeds funds available, the grants shall be prorated prior to distribution.

(d) The department may not make a grant to a county under this section unless all the following apply:

1. An annual plan of work is jointly developed by the department's district forestry supervisor, the county forest administrator, department's liaison forester and the county forestry committee.

2. The annual plan of work is consistent with the county forest 10-year comprehensive land use plan for the county.

3. The annual plan of work is approved by the county and the department prior to the beginning of the grant year.

History: Cr. Register, June, 1994, No. 462, eff. 7-1-94.