2019 WI Lakes Convention Technical Session Surface Water Grants
NR 193 Rule Consolidation
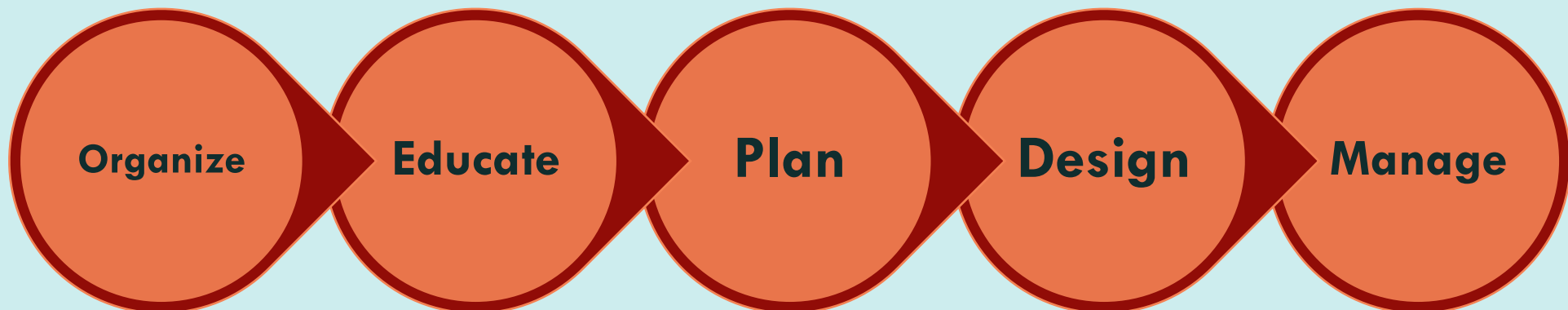
Carroll Schaal

Bureau of Water Quality

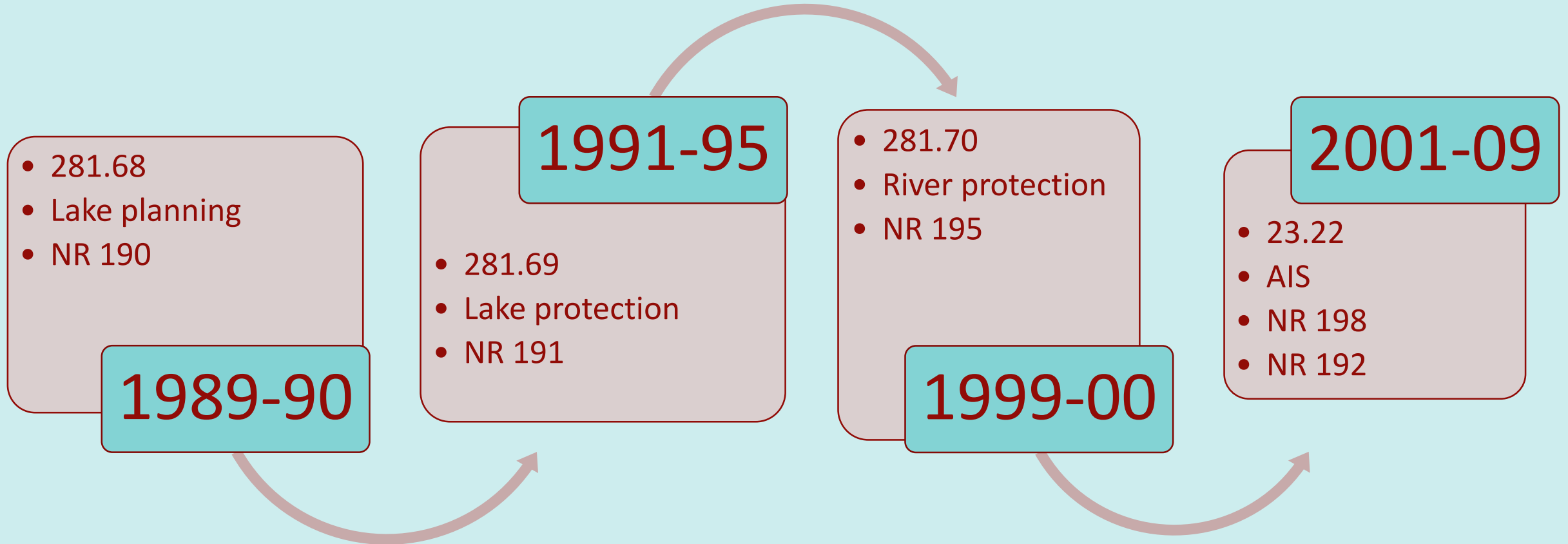## Ashley Dooley

Bureau of Community Financial Assistance

The surface water grant program

Helps communities protect and improve waterbodies,

by supporting surface water management, from start to finish

Organize → Educate → Plan → Design → Manage

Statutory and Administrative Code History

1989-90
- 281.68
- Lake planning
- NR 190

1991-95
- 281.69
- Lake protection
- NR 191

1999-00
- 281.70
- River protection
- NR 195

2001-09
- 23.22
- AIS
- NR 198
- NR 192

Current Program
5 related rules

NR198   AIS Prevention & Control

NR195   River Protection

NR190   Lake Planning

NR191   Lake Protection

NR192   Lake Mon. Contracts & Citizen Monitoring Network

Current Program

Planning

- Lake Planning
    - $3,000 $10,000 $25,000
- River Planning
    - $10,000
- AIS Education, Prevention & Planning
    - $10,000 $50,000 $150,000
- Clean Boats, Clean Water (Watercraft Inspection)
    - $4,000 (per 200 hours)

Management

- Lake Protection
    - Land Acquisition $200,000
    - Plan Implementation $200,000
    - Wetland/Shoreland Restoration $100,000
    - Healthy Lakes $1,000 per practice
- River Protection
    - $50,000
- AIS Control
    - $200,000

$6.5M
Boat Fuel Tax

Goals of NR 193

$190 + 191 + 192 + 195 + 198 = 193$

- **Unite** programs under a consistent set of rules
  - E.g. eligible grantees, cost-share rates, align activities across programs
- Streamlined, predictable, flexible processes
- Support management at the **watershed** scale

Lakes + wetlands + rivers = Surface Water

- **Update** program to current standards
  - Methods, management practices, statutory changes, science based
- Enhance accountability, allow for **performance** standards

Many Things Remain the Same

Planning

- Help communities understand the condition of lakes, rivers and wetlands

- Plan management actions to protect and restore lakes, rivers and wetlands

Management

- Help communities improve water quality and lake, river and wetland condition

- Control aquatic invasive species

Eligible Applicants (Sponsors) Same (Essentially) – Alignment not perfect

Projects and activities largely same - re-organized with updated language

FLEXIBILITY: Lakes & Rivers and Wetlands = Ecosystems

Organization of Chapter NR 193

General Provisions: Financial Administration & Applicant & Department Responsibilities

Goals:

- Stream line and improve program consistency

- Increase flexibility of grant funds - spent responsibly

- Codify current practices

- Simplify and make language consistent between grant programs
  - Examples: Applicant, grantee, DNR cost-share rate, grantee match, and grant award amount used throughout

Grant Max, Cost Share & Advance Payments

Planning & Education

Education	$ 5,000*
River Planning	$10,000
Lake Planning	$25,000
County Grants*	$50,000
Clean Boats,	
Clean Waters*	$24,000*

* Change

- **67%** State Share / 33% Grantee
- 75% Advance
- **No partial reimbursements**
- 25% Final payment
- Remove $100,000 lifetime lake planning cap

Management = 75% State Share
25% Advance* w/ $25,000 max   Partial Payment OK

Water Quality & Habitat		AIS	
Healthy Lakes & Rivers*	$ 25,000	Early Detection & Response	$25,000
Wet/Shore/Stream*	$100,000		
Wetland Incentive	$ 10,000	Small-Scale*	$50,000
Lake Plan Imp		Large–Scale	$150,000*
& Land Acq.	$200,000		
River Plan Imp		Research & Demonstration	$500,000
& Land Acq	$ 50,000		

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Applications & Project Selection

- Application deadline out of code
  - Publish in Guidance post on website 90 days before deadline
- DNR staff to determine best funding source and assign applications to appropriate subprograms
- May return applications below a minimum scoring threshold
- May request additional information as part of a complete application
- Priorities out of code and published in Guidance 90 days advacne
- Ability to deny all or part of a request for funding

General Provisions – Clarifications

Depreciation - Capital Assets = equipment costing ≥ $5,000

- Includes customized equipment where the sum of the components is equal to or exceeds $5,000.
- Established approved methods of disposal for equipment and capital assets
- Specifies when repayment may be owed to the department

- Standard grant agreement conditions now in code

- Permits must be submitted with 1ˢᵗ reimbursement
  - Previously before project implementation

- Scope amendments will require signatures

Performance & Consistency

- Minimum training requirements for collection of water quality and aquatic plant some project implementation activities

- Require contracts between grantee and service providers for some services

- Projects must use department-approved protocols or submit plan for approval for some activities e.g. monitoring, modelling, assessments

- May request progress reports outside of reimbursement submissions to assure progress

- Standardized projects and reporting

Performance

- Limit administrative costs to 10% of grant award amount
  - Administrative costs: salary/fringe of immediate supervisor of staff implementing the project, grantee accountant, payroll, purchasing agent, legal counsel.
  - Hold all administrative costs for final reimbursement

Cost Containment Section

- Grantee required to implement a cost containment measure defined in code for practices identified in grant agreement.
- Grantee must identify the cost containment method used at reimbursement

  e.g. bids, quotes, flat rates, average costs, etc.

General Provision – Misc

- Audits may be conducted
- Standard equipment installation costs
- Volunteers must be at least 14
- Sets rates for some equipment costs not covered under WI DOT Guidelines

Education & Planning

EDUCATION PROJECTS

- Surface water information & education

- AIS information, education and inspection programs

- Training & skill development

- Organization development

- River management organization formation

Education & Planning

PLANNING PROJECTS

- Preparing to plan
- Organization & community assessment

SOCIAL

- Water quality assessment

TECHNICAL

- Watershed assessment
- Aquatic life assessment
- Management plan development

County Lake Grants – "retooled"

PURPOSE: Support **Lake Classification Projects** for counties to update and improve lake information, allow use classifications, and implement <u>protection</u> activities.

Two Project Types

1. "Classification" becomes a lake mapping and information project to improve County information about lakes and identify protection needs and priorities i.e. a "lake protection plan"

2. "Implementation" of identified protection projects

Surface Water Management

PURPOSE: Implement protection or improvement projects in surface waters and aquatic ecosystems.

- Healthy lakes and rivers

- Shoreland projects

- Littoral and in-stream projects

- Wetland restoration

- Management plan implementation projects

What's different?

- Shorelands & Wetlands Littoral & In-Stream
  - **Expanded Updated** list of activities that don't require a plan.
  - Establishes technical standards

- Management plan implementation projects
  - Same application and plan approval process
  - **Streamlined** approval process focusses on recommendations, not the whole plan
    - Exapnded plan eligibility.
  - "Applied implementation" projects support science-based management

- Lake and River Land Acquisition merged in subchapter

Aquatic Invasive Species Control

Early Detection & Response ($25,000)

- One grant per population (restricted species) Planning included.
- Department control approved when likely to be effective

Established AIS control projects ($50,000)

- Small-scale population management
- Actions unlikely to affect the entire lake, stream reach or wetland

Large-scale management ($150,000)

- Long-term multi-season control in a substantial portion of lake, stream reach or wetland

Aquatic Invasive Species Control
Manage AIS populations via integrated pest management" (IPM)

- Effective ecosystem-based management strategy

- Focus on long-term control

- Consider all available control methods

- Informed by ecological info on life cycles and interactions

- Practices include more than one of the following:

Prevention	Habitat Manipulation
Biological Control	Water Level Manipulation
Herbicide application	Mechanical Removal
Biomanipulation	Population Monitoring
Nutrient Management	Other approved methods

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Lake monitoring & protection contracts AKA "Protection Network"

PURPOSE: Administer contracts for the creation and support of a statewide lake monitoring and protection network.

- 20% of grant funds may be used
- Support volunteer network
- Replaces need for grants
- Continuous coverage and more reliable funding sources
- Annual contracts based on an Allocation model

Lake monitoring & protection contracts

Provide Oversight & Support for Network Activities

- Method development a training
- Tracking, coordination
- Data management
- Laboratory analyses

Network activities include:

- WQ monitoring
- AIS detection
- Watercraft inspection
- Technical assistance to AIS grantees
- Purple Loosestrife Bio Control
- Outreach training and communication

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PAUSE

Rule promulgation timeline

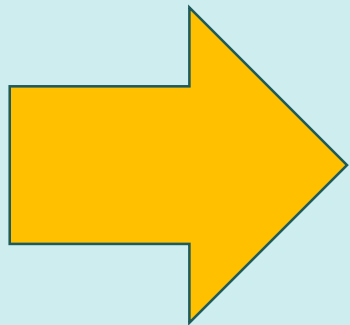|	
Economic Impact Analysis Comment	Mar
Comment period ended 3/26	
Revise and Finalize EIA	April
NRB Passive Review for Hearing Approval	May
Leg Council Review of Rule (20 working days)	June
Public Comment/Hearing	June-July
Comment period ~30 days	
NRB Adoption	Fall
Governor Approval	Fall
Legislature review	Winter
Published	Spring, 2020

Scope expires 04 Feb, 2020

Thanks!

Questions and Discussion

NR193 Website

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