

Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule to revise ch. NR 154, relating to Best Management Practices and Cost Share Conditions, at the time and place shown below.

Hearing Information

Date: February 13, 2019

Time: 1:00-4:00 pm

Location: Wisconsin Department of Natural Resources 101 South Webster Street, Madison, WI 54501

Rule Information: Chapter NR 154, Wisconsin Administrative Code, identifies the agricultural and urban best management practices (BMPs) that can be funded under the Notice of Discharge, Targeted Runoff Management, Urban Construction and Urban Planning grant programs as specified in chs. NR 153 and NR 155, Wis. Adm. Code. In addition, ch. NR 154 identifies cost share conditions for BMPs available for funding and the grant programs identified above

The primary purposes of the proposed rule change is to make the sections of ch. NR 154 regulating agricultural BMPs consistent with recent updates to ch. ATCP 50 and to identify additional cost-shareable urban BMPs and their technical standards. For agricultural BMPs, ch. NR 154 directly cross-references ch. ATCP 50, Wis. Adm. Code, which was updated in both 2014 and 2018. In order to maintain consistency with the state's nonpoint source pollution abatement programs authorized in chs. 92 and 281, Wis. Stats., these cross-references need to be updated.

The proposed rule revisions also adds references to urban BMP technical standards developed since September 2002 when ch. NR 154 became effective, so that these BMPs are identified in code as cost-shareable practices.

The proposed revisions provide additional options for demonstrating that a grantee meets the provisions for economic hardship to be consistent with 2011 revisions to NR 153. Lastly, the proposed rule changes adjusts optional per acre flat reimbursement rates for some agricultural BMPs to more be consistent with recent revisions to ATCP and more accurately reflect current data on actual BMP costs.

Accessibility (Choose either version)

Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Ann Hirekatur at 608-266-0156 with specific information on your request at least 10 days before the date of the scheduled hearing.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which will be provided. Comments on the proposed rule must be received on or before February 15, 2019. The Hearing Appearance form also can be used for submitting a written comment at the hearing. Written comments may be submitted by U.S. mail, fax, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. Written comments and any questions on the proposed rules should be submitted to:

Department of Natural Resources
Attn: Ann Hirekatur, WT/3
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921

The rule may be viewed at: <https://dnr.wi.gov/news/input/ProposedPermanent.html>

Comments can be made at: DNRAAdministrativeRuleComments@wisconsin.gov

Initial Regulatory Flexibility Analysis: It is anticipated that the economic impacts of the implementing the rule will be minor. Revisions to NR 154 will assist the Department in implementing the nonpoint source grant programs through which state cost-share funds are provided to grantees to implement BMPs.

Agency Small Business Regulatory Coordinator:

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