

Assembly Committee on Environment

Clearinghouse Rule 19-078

NR 193 Surface Water Grants

January 16, 2020

Good morning Chairman Kitchens and members of the Committee. My name is Carroll Schaal, and I am the Lakes and Rivers Section Chief in the Bureau of Water Quality at the Wisconsin Department of Natural Resources. With me today is our Lake and River Team leader, Alison Mikulyuk, who led the rule development. Thank you for the opportunity to testify on the proposed administrative rule NR 193 Surface Water Grants, relating to the administration of cost-sharing grant programs for lake and river planning, monitoring, and protection, and aquatic invasive species prevention and control.

Citizens of Wisconsin place high value on the lakes, rivers and watersheds where they live, work and play, and want to ensure their quality for years to come. The surface water grant program provides over \$6 million in financial assistance for those who want to protect and restore surface waters. The source of the funding is the Water Resources Account of the Conservation Fund, derived from an excise tax on the amount of gasoline estimated to be annually consumed by motor boats.

Grants are most often sought by qualified lake associations, lake districts, river and watershed groups, county governments, municipalities, and non-profit organizations. Projects supported by grant funds generally fall into two main categories. **Education & Planning projects** help communities understand surface water conditions and make plans for action. **Management projects** help them take action, resulting in improved water quality, aquatic habitat, and aquatic invasive species control.

The grant program has evolved incrementally over 30 years of successive enabling legislation and is currently governed by five separate, but related, administrative rules. These rules cover lake planning, lake management, river planning and management, aquatic invasive species, and the citizen lake monitoring network. This is the first fully comprehensive review and update of these surface water grant programs.

By repealing and consolidating the five related rules, the objective is to clarify policies, improve customer service and satisfaction, improve administrative consistency and efficiency, enhance accountability and ultimately, to support positive cost-effective environmental outcomes that serve local needs and advance department management objectives for state surface waters. In plain language, we're trying to make it easier to implement water quality and habitat improvement projects. By joining lakes, rivers, and invasive control under one program, we'll have more flexibility to take a broader ecosystem and watershed approach to solving problems. Aside from the administrative and financial aspects of the rule, some highlights include:

- Codifies the Healthy Lakes pilot program to streamline the ability of individual shoreland property owners to fund and implement five prescribed shoreland management best practices for water quality and habitat improvements. The rule also expands eligibility to properties near rivers.

- Expands the number of additional activities that can be funded in lake and river shoreland areas without the requirement of a management plan if certain technical standards are followed. Example eligible projects include: culvert or fish barrier removal and repair, installation of department-approved structures to provide fish or wildlife habitat, native plantings, critical area stabilization, and erosion control.
- Repurposes County Lake Classification Grants to County Lake Grants intended to support countywide lake protection plans and implementation.
- Reduces the maximum funding amounts for AIS control projects to allow for more projects per grant cycle and prioritizes NR 40 prohibited species.
- Expands the no-cost share contract subprogram to fund basic core services such as lake monitoring and AIS prevention activities that don't need to be in a competitive grant program. The goal is to establish a stable, statewide, county-based network of service providers and to replace cumbersome grants with predictable base funding.
- Expands eligibility so that potential applicants are consistent for all grants within the limitations of the enabling legislation.

In preparation for this rule, we held focus groups and webinars, conducted user surveys, presented at conferences, convened work groups, and used direct mail and GOV delivery to keep our customers, partners, and affected businesses informed of the changes. The July 17, 2019 public hearing was uneventful with only 11 attendees, of which seven noted full support of the changes. We received 55 written comments from 25 people. Fourteen comments noted support of the rule or specific changes and most sought clarifications that were resolved with minor adjustments. The changes will go into effect for next year's (2020-21) grant cycle.

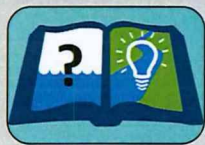
On behalf of the Bureau of Water Quality, I would like to thank you for your time today. We would be happy to answer any questions you may have.

GOALS OF THE RULE CONSOLIDATION

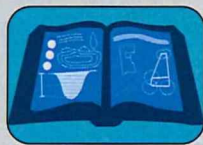
- **Unite** programs under a consistent set of procedures & policies.
- Support **watershed-scale** management.
- **Update** program to current standards.
- Enhance accountability, allow for **performance** standards.

Consolidated Surface Water Grant Program

Draft Administrative Rule NR 193



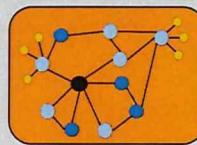
Education



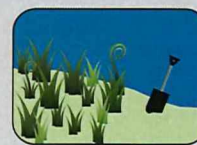
Planning



**County
Lake
Grants**



**Lake
Monitoring &
Protection
Network**



**Surface Water
Management**



**AIS
Control**