

NR 153 Revisions

Advisory Committee Meeting

December 10, 2007



Advisory Committee Process

- How DNR envisions this process
 - DNR explains proposals: what & why
 - DNR facilitates discussion of issues, ideas
 - Line-by-line review of draft rule as appropriate
 - DNR staff will consider committee discussions in preparing a public hearing draft



Ground Rules

- Advisory committee members & DNR staff may participate; others welcome to sit in
- Keep discussion to NR 153
- Focus on promoting cultivation and mutual understanding of ideas set forth in draft rule or brought forth by committee
- Consensus on issues not required
- Start and end meetings on time



Rules Timeline - 2008

- Nov-Jan Work with Committees
- March/Apr Natural Resources Board
- June Public Hearing
- June-July Review comments & finalize rule
- June – Aug LWCB review and comment
- Aug Natural Resources Board
- Aug Send to legislature
- Fall Rules promulgation



Overview of Key Issues Addressed by Rule



NR 153 Revisions: Two Main Initiatives

- Revise TRM Program
 - To incorporate into grants program expanded watershed management needs (TMDLs) and options (large & small scale) and strengthen local incentives to implement NR 151
- Initiate NOD funding program
 - To use new authority to fund NODs outside of TRM



Initiative: Revise TRM

Goal: Balanced, Expand Project Options

Proposed Method

1. Attributes: TMDL, NPS, Large-Scale, Small-Scale
2. Four project categories with own eligibility criteria, scoring, competitions and budgeting
3. Impaired waters, TMDL requirements vary by category
4. Watershed size varies by category
5. Planning information varies by category
6. Role of performance standards varies by category
7. Urban & agricultural opportunities vary by category



Initiative: Revise TRM

Goal: Modify Scoring System to Accommodate Categories

Proposed Method

1. Scoring set-up varies by project type
2. Scoring system for each category is general
3. DNR will establish scoring details in application (This is current process)
4. Change scoring multipliers for all projects
 1. Reduce from 1.25 to 1.15
 2. Retain enforcement multiplier
 3. Change implementation multiplier to a screening criterion

Initiative: Revise TRM

Goal: Provide Staffing Funds

Proposed Method

1. Provide local assistance grants for large-scale agricultural projects
2. Allow reimbursement for local NR 151 activities (except design due to statutory limitations)
3. Revised list of other activities eligible for reimbursement (removed urban items, office space & supplies, auto purchase/lease)

Initiative: Revise TRM

Goal: Create Incentives for Local NR 151 Implementation

Proposed Method

1. Require local NR 151 implementation in order to qualify for a TRM grant (used to be a scoring factor)
2. Tie screening criteria for acceptable local implementation program to approved LWRM plans
3. Provide funding for local implementation if a large scale project
4. To close loop, require local NR 151 implementation activities as a condition of the NPS grant
5. Enforcement multiplier rewards county-wide NR 151 regulations



Initiative: Revise TRM

Goal: Strengthen requirements for cost-share recipients

Proposed Method

1. Funding available for compliance with standards/prohibitions
2. Full-farm compliance checks, documentation, “notification” required for all cost share recipients
3. Cost-share recipients must agree to meet NR 151 standards/prohibitions for all non cost-sharable items
4. DNR will no longer fund any BMPs for “new” facilities or practices



Initiative: Revise TRM

Goal: Modify Project Selection & Funding to Accommodate Categories

1. Projects compete within own category
2. DNR sets budget for category in Joint Allocation Plan
3. DNR will continue to set funding caps in application on individual projects (like we do now)
4. DNR may set limit on total number of projects it can fund per applicant
5. DNR may make partial awards to large-scale projects and base remainder on project evaluation criteria in the rule
6. Codify project substitution guidance



Initiative: Revise TRM

Miscellaneous

1. DNR may re-cost share ineffective BMPs
2. Requirements for environmental hazard assessments
3. Codified satisfaction guidance
4. Codified up-front payment option for cropping practices



Initiative: NOD Funding Program

Goal: Use TRM Policies Where Possible

Proposed Method

1. Throughout the rule, clarify what applies to TRM program (281.65(4c)) & what applies to NOD funding program (281.65(4e))
2. Created two new subsections for NOD Program
 - Eligible Projects
 - Application, Selection, Funding
3. Rule very general for maximum flexibility

