

To: Ann Hirekatur, Department of Natural Resources  
From: ACEC WI Wisconsin  
RE: NR 154 Proposed Changes  
Date: February 14, 2019

We understand that Chapter NR 154 of the Wisconsin Administrative Code (Best Management Practices and Cost-Share Conditions) is currently under revision. We offer the following comments on the proposed revisions:

1. Chapters NR 154 and 155 of the Wisconsin Administrative Code clarifies eligible and noneligible project components for the Urban Nonpoint Source and Storm Water Management (UNPS) Grant Program. While the proposed revisions to the urban storm water practices within NR 154 are warranted, the code does not include newer water quality improvement technologies or practices that may be more efficient and/or cost effective. These code sections also currently do not allow water quality best management practices (BMPs) that address newer pollutants of concern such as bacteria and chlorides.
2. Given the above restrictions on project types, BMPs such as cisterns, green roofs, rain barrels, soil amendments, storm water trees and native plantings either do not qualify for funding or are viewed as low-priority. These same types of projects are often high priorities to local communities but cannot be completed due to the lack of available funding.
3. The current grant application review timeline often conflicts with the local budgeting process of Wisconsin's municipalities. We recommend the timing of the awards be modified to better coincide with the municipal budget schedule.
4. The grant administration process has recently become very time consuming. Several Wisconsin communities have indicated they will likely no longer apply for UNPS grant funding because of this administrative burden. We recommend that the process be reviewed to better match the administrative needs of Department staff with the time constraints of municipal staff.
5. These grants will play a key role in helping Wisconsin communities comply with MS4 and TMDL storm water quality permit requirements. We strongly recommend a substantial increase in UNPS grant funding and a return to offering both programs on an annual basis.

To summarize, we recommend that NR 154 and 155 be revised as noted above to better allow Wisconsin's grant programs to address the current needs of the state's municipalities. We would welcome the opportunity to meet with Department staff to further discuss these concerns.