

2008 Fee Report to Natural Resources Board

DNR Evaluation of the Reasonableness of Fees Compared with the Expenditures of Regulatory Authorities Administering NR 135 Nonmetallic Mining Reclamation Programs in Wisconsin

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Executive Summary

The Department of Natural Resources (DNR) prepares a report once every five years (the “Fee Report”) for the Natural Resources Board (NRB) on the reasonableness and fairness of nonmetallic mining reclamation fees charged by county or local regulatory authorities (RAs). The DNR has prepared this report to satisfy the requirement in s. NR 135.39(7), Wis. Adm. Code. The Fee Report is intended to facilitate statewide consistency and accountability among RAs’ nonmetallic mining reclamation programs.

The Fee Report is based on an analysis of financial data and other information from 24 RAs for which adequate financial information was available and evaluated. In reviewing the financial data, the DNR found that for three-quarters of the RAs, revenue and administrative costs were reasonably well matched or there was a deficit in revenue. More than half the RAs reviewed for this report elected to administer the program at a loss. Despite this, the DNR found no instances in which there was a threat to program integrity. In all cases, performance audits confirmed that RAs are administering NR 135 programs in a manner that ensures that they are meeting uniform statewide reclamation standards and maintaining proper program administration.

In seven of the RAs reviewed, the DNR identified a need to address an existing surplus and, in some cases, reserves. In three instances, RAs used a short-term under-assessment of annual reclamation fees to deplete reserves and achieve a balance. Such reserves were generated during the early phase of program administration. In the other cases, RAs had lowered their fees to deplete the surplus either prior to or in conjunction with recent ordinance amendments mandated by the 2006 revisions to ch. NR 135, Wis. Adm. Code. In these cases, the DNR will need to monitor the programs to determine if this approach is effective.

The 2006 revision to NR 135 included a fee increase provided in s. NR 135.39, Table 2. The size of the increase was estimated using the consumer price index, and the DNR concludes that the increase accurately reflects increased administrative expenses, as was the intention.

Administrative oversight expenses have shifted in the past year (2007) from a perennial deficit to a slight surplus. This is due in large part to staff vacancies in the DNR’s Bureau of Waste and Materials Management. The Nonmetallic Mining Advisory Committee (NMAC), a group of stakeholders created under s. NR 135.51,¹ has expressed concern to the DNR secretary regarding the long-term implications of these vacancies for the state’s nonmetallic mine reclamation program.

Acknowledgments

Many thanks are due the DNR’s NR 135 subteam members, who continue to work on this process. Without their diligence this report could not have been produced. Thanks are also due to other internal reviewers who provided valuable suggestions and critical review that greatly enhanced this report. The DNR appreciates the concerns and efforts of the NMAC and its ongoing representation of stakeholders during the preparation of this report. The DNR expresses special thanks to Justin Cavey of Marathon County and Gerry Kokkonen of Jefferson County for providing timely and detailed program data that aided in the preparation of this report.

¹ Please see Appendix 1 for a list of NMAC members

Introduction and background

The primary purpose of this Fee Report is to evaluate the fairness and reasonableness of nonmetallic mining reclamation fees assessed by county and local NR 135 RAs. In addition, the rule requires a comparison of DNR program revenues and administrative costs.

State law (s. 295, Wis. Stats.) requires that county and local nonmetallic mining reclamation programs be administered in a manner that ensures that uniform reclamation standards are implemented statewide. The Legislature intended that these reclamation programs be self-funded through annual reclamation fees on active mining operations. These fees are intended to support county or municipal program administration as well as DNR statewide oversight and technical support. Counties and local governments may set and collect annual reclamation fees on unreclaimed acres. The fees must reflect the reasonable and actual costs for administering the reclamation program. These costs include permitting, plan review, and administrative and inspection costs. Fees are established through the county or local reclamation ordinance, either directly or by reference to other fee schedules established by the county or municipal board.

When the nonmetallic mining reclamation permitting program began, stakeholders had concerns regarding accuracy and fairness in the assessment of fees. In response to these concerns, two provisions were included in ch. NR 135, Wis. Adm. Code. One was a requirement that the DNR evaluate and report to the NRB on the reasonableness of fees. The second provision was a de facto ceiling on fees given in a table in s. NR 135.39 ("Table 2"). The fees in the table are based on an estimate of DNR administrative costs in the event that the DNR would be required to act as the regulatory authority. RAs may set fees higher than those in the table provided they maintain written documentation of the basis for the higher fees.

On completion of the Fee Report submitted at the October 2003 NRB meeting, the NMAC, a group of stakeholders created under s. NR 135.51, recommended to the DNR that the question of the reasonableness of fees should be revisited. The NMAC concluded that this should be done by the DNR once RAs had completed the review of reclamation permits, the primary source of surpluses documented in the 2003 report, and more complete financial information was available. In response to this advice, the DNR revised s. NR 135.39(7) in December 2006 to require that a regular report on the reasonableness of fees be provided to the NRB every five years. The DNR consults with the NMAC in preparing the report.

Both the original 2003 Fee Report and the 2008 Fee Report are available on the DNR Web site [<http://dnr.wi.gov/org/aw/wm/mining/nonmetallic/nmac.htm>].

Program activities, successes and accomplishments

Prior to 2001, when the statewide reclamation program was established, reclamation requirements varied widely throughout the state, from minimal to very extensive. In many jurisdictions there were no reclamation requirements at all, and some nonmetallic mines were closed and abandoned without any level of reclamation. This resulted in potential safety hazards, environmental risks, blots on the landscape and loss of tax revenue.

While some pre-law abandoned mines remain in the state, as of 2001 the practice of abandoning nonmetallic mines has effectively ceased to occur. Currently, there are 91 RAs that have reclamation ordinances establishing reclamation programs that ensure that nonmetallic mines are reclaimed according to uniform statewide reclamation standards. These programs create a known set of expectations and a level playing field.

Collectively, these 91 RAs are responsible for issuing reclamation permits to some 2,507 mines that cover the approximately 35,000 acres currently being mined. In 2007, the most recent year for which data are available, about 2,200 new acres were approved for mining, and about 1,260 acres were reclaimed.

The DNR provides technical and other support to RAs, including guidance documents and other outreach efforts; computer tools and support; training; consultations; and, when requested, dispute resolution between operators

and RAs. To ensure that programs are successful and meet the legislative intent of uniform reclamation programs statewide, the DNR audits all county and local NR 135 programs and provides written results regarding program compliance at least once every 10 years.

Methods

The DNR is required under s. NR 135.47(4), Wis. Adm. Code, to perform an audit and provide a written evaluation of each county and local program at least once every 10 years. To evaluate the reasonableness of nonmetallic mining reclamation fees, the DNR reviews financial information obtained during program performance audits and compares revenues from annual fees to program administrative costs.

Between 2003 and 2008, the DNR conducted 42 performance audits of county and local nonmetallic mining reclamation programs. A listing of those RAs audited after the initial 2003 Fee Report appears in Table 1. The program performance review criteria used in the audits are established in s. NR 135.47 (reproduced in Appendix 2). Of the 42 RAs audited, 24 were used as the basis for this report because they were comprehensive audits and included an analysis of program finances. Summary results of the 24 RAs used for this Fee Report are presented in Appendix 3. The remainder were partial audits conducted to address specific issues or program areas other than those related to finances, and therefore did not review financial information. Additional updated financial data were obtained from three RAs that were previously audited; Jackson, Jefferson and Vernon counties (see Appendix 3).

Table 1. List of RAs Audited since 2003 Fee Report

County or Municipality	DNR Region	Audit Year
Brown	NER	2008
Calumet	NER	2004
Chippewa	WCR	2007
Crawford	WCR	2006
Douglas	NOR	2007
Florence	NOR	2008
Green Lake	NER	2006
Jackson	WCR	2005
Jefferson	SCR	2006
Lafayette	WCR	2006
Monroe	WCR	2005
Oconto	NER	2005
Oneida	NOR	2008
Outagamie	NER	2006
Pepin	WCR	2005
Portage	WCR	2007
Richland	SCR	2007
Rock	SCR	2005
Sauk	SCR	2008
Vernon	WCR	2006
Village of Sussex (Waukesha Co.)	SER	2008
Waupaca	NOR	2007
Waushara	NOR	2007
Wood	WCR	2007
Audited between 2003 and 2008 but not included in the 2008 Fee Report*		
Ashland	NOR	2007
Barron	NOR	2005
Bayfield	NOR	2007
Burnett	NOR	2005
Town of Wayne (Washington Co.)	SER	2005
Forest	NOR	2005
Iron	NOR	2005
Juneau	WCR	2003
Langlade	NOR	2005
Lincoln	NOR	2005
Town of Omega (Price Co.)	NOR	2004
Price	NOR	2005
Racine	SER	2003
Rusk	NOR	2004
Sawyer	NOR	2005
Taylor	NOR	2005
Trempealeau	WCR	2005
Washburn	NOR	2004

* Partial audits conducted to address specific issues or program areas other than those related to finances

NOR = Northern region; NER = Northeast region; SCR = South Central region;
WCR = West Central region; SER = Southeast region

Results and discussion

Part I. Comparison Between DNR's Revenue and Administrative Costs

A comparison of the DNR's revenue stream and administrative costs for the NR 135 nonmetallic mining reclamation program is provided in Table 2.

In the years between the 2003 Fee Report and 2006, the financial status of the DNR went from one of a moderate deficit to a slight deficit, generally due to a reduction in outreach activities and emphasis as the initial phase of program implementation ended. In 2007, the DNR had a slight surplus for the first time, due to a reduction in staff expenditures resulting from vacancies in the program.

DNR staffing shortages and other resource issues were discussed at the July 31, 2008, NMAC meeting. Although the DNR indicated an expectation that some existing vacancies will be filled, the overall trend toward fewer program resources was a matter of concern among the NMAC members. These discussions, while focused on the DNR, also included concerns regarding RA staffing and resources. As a result of this, a motion carried that the NMAC would write a letter to the DNR secretary formally expressing its concerns, urging "... the department to fill vacancies that exist in the NR 135 program as soon as practicable." A copy of the NMAC's letter is included in Appendix 4.

Table 2. Comparison of DNR Nonmetallic Mining Reclamation Program Revenue to Administrative Expenses for 2001-2007

Fiscal Year	DNR Income (revenue collected by RAs and forwarded to the DNR)	DNR Expenditure	Surplus or Deficit
2001	\$108,606	\$137,816	- \$29,210
2002	\$141,312	\$150,864	- \$9,552
2003	\$134,880	\$188,083	- \$53,203
2004	\$151,116	\$204,321	- \$53,205
2005	\$160,319	\$174,689	- \$14,370
2006	\$159,417	\$162,335	- \$2,918
2007	\$165,414	\$146,224	\$19,190

Part II. Comparison of Regulatory Authority Revenue and Administrative Costs

Table 3 provides the program balances, expressed in both dollars per permit and dollars per unreclaimed acre, for RAs. Presenting the information this way helps to account for variations in the size and scope of individual RAs' nonmetallic mining programs (namely, the total number of permits and amount of unreclaimed acreage).

Table 3. Regulatory Authority Balances

Regulatory Authority		Surplus or deficit (\$)	Balance (\$)	
			per permit	per acre
Surplus	Wood	8,768	183	22.60
	Jackson 2005 *	3,387	161	17.00
	Rock	5,824	142	5.08
	Douglas	5,195	133	21.00
	Jackson 2007 *	1,250	60	3.36
Balance				
Balance	Brown	462	29	1.57
	Monroe	802	22	2.07
	Oneida	514	12	1.23
	Calumet **	Balanced	Balanced	Balanced
	Waupaca **	Balanced	Balanced	Balanced
	Outagamie **	Balanced	Balanced	Balanced
	Pepin	-30	-2	-0.36
Moderate Deficit				
Moderate Deficit	Jefferson ***	- 635	-25	1.31
	Waushara	-510	-27	-2.68
	Lafayette	-1,190	-70	-13.10
	Richland	-1,785	-75	-13.73
	Chippewa	-6,255	-89	-0.20
Deficit				
Deficit	Portage	-2,095	- 131	- 4.83
	Crawford	-3,436	-132	-19.19
	Florence	-1,605	- 179	-26.75
	Village of Sussex	- 365	- 183	- 1.80
	Vernon 2007 *	-10,233	- 218	- 22.79
	Oconto	-16,216	-290	- 29.97
	Vernon 2005 *	-18,361	-403	-47.05
	Sauk	-14,096	- 403	- 27.47
Green Lake ****				
		-24,916	-1466	-55.99

* For Jackson County and Vernon County, two separate years are listed because additional financial information was obtained for comparison.

** Using voluntary short-term deficits to deplete existing reserves.

*** Jefferson County provided comprehensive data on balances; its revenue and expenses are expressed as annual averages.

**** Substantial deficit; a 2006 performance audit of Green Lake County determined that the reclamation standards were being met and concluded that the NR 135 program was being administered properly.

Based on the information gathered, the financial status of the RAs included in this evaluation can be placed in five general categories, as follows:

I. Surplus.

Four RAs reported surpluses. These RAs (Jackson, Wood, Rock and Douglas counties) have already taken action to achieve a balance between revenues and expenses by lowering their fees either prior to or in conjunction with the recent ordinance amendment mandated by the 2006 revisions to ch. NR 135. In these cases, the DNR will

need to monitor the situation to determine if this approach is effective. Based on more recent financial data obtained from Jackson County, lower fees have already greatly reduced its surplus between 2005 and 2007.

II. Revenues approximately match expenditures or existing reserve funds are being systematically depleted.

In seven cases, there is a reasonable match between revenue and expenses, or a system is in place to accurately and systematically deplete any reserves left over from the initial phase of program development. This includes three counties (Calumet, Waupaca and Outagamie) that are administered by the East Central Wisconsin Regional Planning Commission.

III. Slight deficit.

Five RAs (Chippewa, Jefferson, Lafayette, Richland and Waushara counties) fall into this category. For these, any deficits appear to be easily covered by other funding mechanisms. Recent comprehensive program performance audits conducted by the DNR did not produce any concern about program administration or the ability to ensure compliance in the field.

IV. Moderate deficit.

As was reported in 2003, many RAs continue to be underfunded when evaluated solely on the basis of annual fees collected without any indication of other revenue sources. This is typically a result of a choice by the RA or its board (usually the county board) due to a desire to hold down costs to industry in the belief that the aggregate industry benefits the common good. One would expect that, in such cases, regulatory costs are offset by public funds. This has largely been found to be the case. Regardless, there is no indication that these moderate funding deficits have compromised the capacity of any RA to properly implement its program.

In addition, based on the size of the deficit noted during a 2006 audit (-\$18,361, or -\$403 per permit issued), the DNR obtained and compared recent (2007) financial information for Vernon County to determine whether action had been taken to address that deficit. When 2007 data are compared to those obtained during the DNR's 2006 audit, the annual deficit has been reduced from -\$18,116 to -\$10,233, or -\$218 per permit issued.

There is no statutory requirement that an RA and its board cannot incur a deficit while administering an NR 135 program, provided that program performance remains adequate and meets the uniform statewide reclamation standards contained in ch. NR 135 during reclamation. This includes ensuring that there is no indication of environmental harm or undue risk, an ineffective program, or a serious administrative lapse. Should any of these be the case, the DNR is charged with taking appropriate action to remedy the situation.

V. Substantial deficit.

There is one case, Green Lake County, in which the revenue losses appear to be substantial enough to potentially impair program administration. However, the DNR determined in a 2006 performance audit that Green Lake County was meeting reclamation standards and properly administering the NR 235 program.

As discussed above, RAs are not required to set fees at a level to meet all of their costs. Because Green Lake County fees are actually slightly higher than those set out in Table 2, s. NR 135.39, the deficit appears to be due to administrative costs, as opposed to unusually low annual reclamation fees (see Appendix 3).

As a general observation, it was noted that several RAs are assessing fees that are higher than the de facto ceiling in Table 2 of s. NR 135.39, Wis. Adm. Code. There is nothing that prohibits this, as long as the RA satisfies the requirement in s. NR 135.39(4)(b)2, by providing justification and sufficient documentation to support the higher fees. Ample opportunity for public input on the administration of NR 135 programs across the state, including associated fees, was provided at public hearings conducted as part of the 2006 NR 135 revision process. The DNR knows of no instances in which adverse comment on fees was received during the public hearing process. This observation was discussed with the NMAC at its July 31, 2008, meeting,

Conclusions

As a result of this report, the DNR concludes that:

- Fees are generally reasonable and in many cases match the administrative expenditures incurred by NR 135 county or local RAs.
- Steps, including fee adjustments, have been taken by RAs to reduce or eliminate surpluses where they exist. The DNR needs to continue to monitor these cases to determine the effect of recent fee adjustments.
- Revenues are lower than expenses in many cases and the programs operate in a deficit. The DNR found no instance where it deemed that there was a threat to program integrity that resulted from a funding shortfall.
- The DNR administrative oversight expenses have shifted in the past year (2007) from a perennial deficit to a slight surplus. This is due in large part to vacancies in the program. Despite this, the DNR revenues and expenses remain reasonably well balanced.
- Finally, the 2006 revision to NR 135 included a fee increase provided in NR 135.39, Table 2. This fee increase, estimated using the consumer price index, appears to accurately reflect increased administrative expenses.

In all cases, performance audits confirmed that county and local NR 135 reclamation programs are being administered in a manner that ensures that uniform statewide reclamation standards are being met and that all RAs discussed in this report were performing as required by s. 295, Wis. Stats. and ch. NR 135, Wis. Adm. Code.

Appendix 1: Information on NMAC Members

More Information available on DNR Web site: <http://dnr.wi.gov/org/aw/wm/mining/nonmetallic/nmac.htm>

Monica Groves Batiza - Legislative Associate

Wisconsin Counties Association

The Wisconsin Counties Association (WCA) is a membership organization created by state statute for the furtherance of better county government and the protection of county interests. Ms. Groves Batiza is a licensed lobbyist in Wisconsin. She works on land use legislation that affects Wisconsin counties including land use, transportation and agriculture. Ms. Batiza is replacing Matt Stohr on the NMAC.

Bruce Brown - Senior Geologist

Wisconsin Geologic and Natural History Survey

Dr. Brown received his Ph.D. from the University of Manitoba in 1984. His interest and experience areas include mineral and water resources and engineering geology. He has worked closely with the nonmetallic mining industry in Wisconsin. He has experience with nonmetallic resources, production methods and permitting problems statewide. He has been a member of the WISDOT/industry committee on aggregate quality and testing. Dr. Brown has been involved in the developing the NR 135 rule and statewide program since 1994 and has served on the NMAC since 2001.

Jim Burgener - Assistant Director of the Conservation, Planning and Zoning Department

Marathon County Planning and Zoning Department

While a former zoning administrator, Mr. Burgener was a driving force in establishing Marathon County's reclamation program, the first in the state. Jim's extensive experience in the development and administration of Marathon County's nonmetallic mining reclamation program, and as former president of the Wisconsin County Code Administrators (WCCA) and a former member of the WCCA Executive Board, facilitated communication with the counties throughout the process of developing the NR 135 rule and statewide program. Mr. Burgener has worked with the department on NR 135 matters since 1994 and has served on the NMAC since 2001.

Susan Courter - President

Courter Resources Group

As a consulting geologist Ms. Courter assists clients in resource development, environmental compliance, and community education and relations. Courter Resource Group has on-going experience in administering the NR 135 program at the county level. Ms. Courter first served on the Governor's Nonmetallic Mining Council beginning in 1996 and has served on the NMAC since 2001.

Mike Erickson - Aggregate producer and owner

Erickson Quarries, Inc.

Mr. Erickson, as a long-term owner and producer represented the perspective of the small operator during the rulemaking process. He has been actively involved with NR 135 since 1995, participating as a member of the Governor's Council, and the Aggregate Producers of Wisconsin. Mr. Erickson has served on the NMAC since 2001.

Mr. Ronald L. Garrison, Geologist

Milestone Materials

Mr. Garrison plans and designs mine development. Ron supervises aggregate resource development, reclamation permitting and reclamation activities. He is involved in permitting with the townships, counties and the DNR. Mr. Garrison is a past member of the Sauk County Ad-hoc Mineral Extraction Committee and has participated in the development of mining and reclamation ordinances in a number of other Wisconsin Counties. Ron previously worked as a consulting geologist and a project geologist. Mr. Garrison has been involved in the developing the NR 135 rule and statewide program since 1994 and has served on the NMAC since 2001.

Marty Lehman - Safety Associate

Badger Mining Corporation

Mr. Lehman has a BS in Wildlife Management from UW Stevens Point and a Masters from the University of Connecticut in Allied Health – Occupational Health and Safety. As a Safety Associate Marty is involved in the development and implementation of the comprehensive environmental management program. He is concerned with both reclamation plans and closure plans for corporate owned landfills. Marty previously worked for the Fond du Lac Land Conservation Department and with the DNR. Mr. Lehman has been involved in the developing the NR 135 rule and statewide program since 1994 and has served on the NMAC since 2001.

Edward A. Reesman - Senior Manager

Payne & Dolan, Inc.

Mr. Reesman has been involved with community relations, environmental compliance and permitting. He has worked with all levels of government in promoting resolution or issues around nonmetallic mining. Mr. Reesman has participated in the Municipal Environmental Action Committee (MEAC), the purpose of which is, to bring all affected parties together on a regular basis for problem solving. In his capacity as a representative of the Wisconsin Transportation Builders Association Mr. Reesman has contributed to the development of the NR 135 rule and statewide program since 1994. Mr. Reesman has served on the NMAC since 2001.

Bryce Richardson - Soil and Water Conservationist

Monroe County Land Conservation

Mr. Richardson represents the Wisconsin Association of Land Conservation Employees (WALCE). Although not appointed to the NMAC by the Secretary of the DNR, he participates at the request of the NMAC. Mr. Richardson has served on the NMAC since 2003.

Gary Werner

Sierra Club

Besides representing the Sierra Club, Gary is the Executive Director of the Partnership for the National Trails System, a nationwide, non-profit federation of citizen organizations that works in partnership with the National Park Service, the USDA Forest Service and the Bureau of Land Management in achieving the goals of the National Trails System Act. Mr. Werner has been involved in the developing the NR 135 rule and statewide program since 1996 and has served on the NMAC since 2001.

Appendix 2: Relevant code citations on fee, audit and reporting requirements needed for the DNR fee evaluation process and this report

NR 135.39 FEES. (7) Within 36 months after December 2000, and within each 5 year period thereafter, the department shall submit to the natural resources board a report on whether the nonmetallic mining reclamation revenue, expenditures and fees established by this section and by other regulatory authorities are reasonable. The report shall be prepared in consultation with the nonmetallic mining advisory committee established under s. NR 135.51.

Note: The department intends to continue to consult and seek the advice of representatives and persons affected by the fees established by the department and other regulatory authorities for the purpose of preparing the report to the natural resources board required by this subsection.

NR 135.47 DEPARTMENT AUDITS.

(1) The department shall periodically review the nonmetallic mining program of each regulatory authority to determine if the program is being conducted in compliance with this chapter, and is effective and consistent in ensuring operator compliance with the statewide uniform reclamation standards contained in this chapter.

(2) The program review shall include a performance audit and on-site inspections of mining operations within the jurisdiction.

(3) During the performance audit the department may evaluate the regulatory authority with respect to all of the following:

(a) Compliance with the county or local regulatory authority's nonmetallic mining reclamation ordinance and the standards in this chapter.

(b) The procedures employed by the regulatory authority regarding reclamation plan review, and the issuance and modification of permits.

(c) The methods for review of annual reports received from operators.

(d) The method and effectiveness of fee collection.

(e) Procedures to accurately forward the department's portion of collected fees in a timely fashion.

(f) Methods for conducting on-site compliance inspections and attendant reports, records and enforcement actions.

(g) Responses to citizen complaints.

(h) The method of and accuracy in determining the amount of the financial assurance obtained from the operator to guarantee reclamation performance.

(i) The maintenance and availability of records.

(j) The number and type of approvals of alternative requirements pursuant to this chapter.

(k) The method of determining the success of reclamation in meeting the criteria contained in the reclamation plan and subsequently releasing the financial assurance pursuant to s. NR 135.40(7).

(L) Any changes in local regulations, ordinances, funding and staffing mechanisms or any other factor which might affect the ability of the regulatory authority to implement its nonmetallic mining reclamation program.

(m) The amount of fees collected in comparison to the amount of money actually expended for nonmetallic mining reclamation program administration.

(n) Any other performance criterion that the department may deem necessary to ascertain compliance with this chapter.

(4) The department shall issue a written determination to the audited regulatory authority not less than every 10 years within 90 days of its audit, of whether or not the reclamation program administered by the regulatory authority is in compliance with the provisions of this chapter.

Appendix 3: Individual NR 135 Regulatory Authority Program Financial Data from Audit Summaries

General program information	
Regulatory authority/audit year	Brown County 2008
Administered by:	Brown County
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Ordinance adopted in 2007 refers to a fee schedule established in a separate schedule as part of the county's annual budget.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 10,418
Fees collected on unreclaimed acres	\$ 10,880
(+) Reserves (if applicable)	\$ N/A
(-) Amount transferred to DNR	\$ 1,530
Total operating revenue	\$ 9,350
(-) Total administrative expenses	\$ 10,418
Surplus or (deficit)	\$ -1,068
Other information	
Total permits	16
Total acres being mined	294
Mines and acreage reclaimed in audit year	N/A
Comments:	* ECWRPC reviews fees annually and recommends appropriate adjustments. ** Supplement from reserves allows for balance absent adequate fees.

General program information	
Regulatory authority/audit year	Calumet County 2004
Administered by:	East Central Wisconsin Regional Planning Commission (ECWRPC)
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	ECWRPC works with county through ordinance to establish. *
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 9,174
Fees collected on unreclaimed acres	\$ 8,115
(+) Reserves (if applicable)	\$ 2,674 (prev. \$8,041)
(-) Amount transferred to DNR	\$ 1,615
Total operating revenue	\$ 6,500 + \$2,674 **
(-) Total administrative expenses	\$ 9,174
Surplus or (deficit)	\$ Balanced using supplemental funds from reserves.
Other information	
Total permits	19
Total acres being mined	325
Mines and acreage reclaimed in audit year	
Comments:	<p>* ECWRPC reviews fees annually and recommends appropriate adjustments.</p> <p>** Supplement from reserves allows for balance absent adequate fees.</p>

General program information	
Regulatory authority/audit year	Chippewa County 2007
Administered by:	Chippewa County Land Conservation Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Similar to NR 135.39 (4) Table 2. Acreage amounts are slightly higher. Reclamation plan review fees, however, are lower except for those that exceed 50 acres.
Overhead costs - expenditures on program administration	
Supplies	\$ 1,200
Salary & fringe benefits	\$ 35,794
Administrative support/ data management	\$ 5,362
Transportation and office space/ other	\$ 500
Equipment or services (GPS or fees to access data base or contract services).	\$ 15,000
Total administrative expenses	\$ 42,856
Fees collected on unreclaimed acres	\$ 42,767
(+) Reserves (if applicable)	\$ 90
(-) Amount transferred to DNR	\$ 6,255
Total operating revenue	\$ 36,662
(-) Total administrative expenses	\$ 42,856
Surplus or (deficit)	\$ -6,255
Other information	
Total permits	70
Total acres being mined	1,255
Mines and acreage reclaimed in audit year	3 acres
Comments:	N/A

General program information	
Regulatory authority/audit year	Crawford County 2006
Administered by:	Crawford County Land Conservation Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Fees are included in the revised ordinance. Fees are by acreage bracket and are lower than Table 2 until mines reach 16 acres; then fees are slightly higher. The ordinance also provides for a plan review fee.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	\$ 6,341.36
Administrative support/ data management	\$ 750
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 7,091.36
Fees collected on unreclaimed acres	\$ 4,900
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 1,335
Total operating revenue	\$ 3,656
(-) Total administrative expenses	\$ 7,091.36
Surplus or (deficit)	\$ -3,436
Other information	
Total permits	26
Total acres being mined	179
Mines and acreage reclaimed in audit year	N/A
Comments:	N/A

General program information	
Regulatory authority/audit year	Douglas County 2007
Administered by:	Douglas County Zoning Office
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	In ordinance.
Overhead costs - expenditures on program administration	
Supplies	\$ 82
Salary & fringe benefits	\$ 3,958
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 4,040
Fees collected on unreclaimed acres	\$ 11,450
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 2,215
Total operating revenue	\$ 9,235
(-) Total administrative expenses	\$ 4,040
Surplus or (deficit)	\$ 5,195
Other information	
Total permits	39
Total acres being mined	242
Comments:	In the recent audit results letter the surplus was attributed to a reduction in effort now that all permitting had been done and fees have been reduced and are expected to be in balance within the next year or two. The conclusion of the auditor was that fees are not excessive and are being adjusted to balance in the new future.

General program information	
Regulatory authority/audit year	Florence County 2008
Administered by:	Florence County Zoning Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Fees are contained in the ordinance and are structured like Table 2 but are higher.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 2,865
Fees collected on unreclaimed acres	\$1,620
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 360
Total operating revenue	\$ 1,260
(-) Total administrative expenses	\$ 2,865
Surplus or (deficit)	\$ -1,605
Other information	
Total permits	9
Total acres being mined	60
Comments: N/A	

General program information	
Regulatory authority/audit year	Green Lake County 2006
Administered by:	Courter Resource Group
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Fee table in amended ordinance (June 28, 2007) is structured like the Table 2 in NR 135.39. However, the fee amounts are . 1.3 to 1.8 higher than DNR fees.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 32,316
Fees collected on unreclaimed acres	
Fees collected on unreclaimed acres	\$ 9,250
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 1,850
Total operating revenue	\$ 7,400
(-) Total administrative expenses	\$ 32,316
Surplus or (deficit)	\$ -24,916
Other information	
Total permits	17
Total acres being mined	446
Mines and acreage reclaimed in audit year	9 acres (2006 AR)
Comments:	N/A

General program information		
Regulatory authority/audit year	Jackson County 2005	
Administered by:	Jackson County Conservation Department	
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	<p>New ordinance has an addendum in which the fees are contained and can be adjusted on an annual basis.</p> <p>Monitoring is the solution and fees will be adjusted as appropriate.</p> <p>In 2005 audit results letter from DNDR asked them to reevaluate fees and to adjust ordinance accordingly if surplus existed.</p>	
Overhead costs - expenditures on program administration		
	2005	2007
Plan review (one time expense)	\$ 2,917	N/A
Supplies	N/A	N/A
Salary & fringe benefits	\$ 9,694	\$ 4,560
Administrative support/ data management	N/A	\$ 250
Transportation and office space/ other	N/A	\$ 3,500
Equipment or services (GPS or fees to access data base or contract services).	N/A	N/A
Total administrative expenses	\$ 15,428	\$ 8,310
Fees collected on unreclaimed acres + one-time plan review fee	\$ 9,594 +\$ 2,400 = \$14,811	\$10,720
(+) Reserves (if applicable)	N/A	N/A
(-) Amount transferred to DNR	\$ 1,210	\$ 1,160
Total operating revenue	\$ 4,007	\$ 9,560
(-) Total administrative expenses	\$ 15,428	\$ 8,310
Surplus or (deficit)	\$ 3,387	\$ 1,250
Other information		
Total permits	21	
Total acres being mined	372	
Mines and acreage reclaimed in audit year	41	
Comments:	N/A	

General program information		
Regulatory authority/audit year	Jefferson County 2006	
Administered by:	Jefferson County Land and Water Conservation Department	
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Both reclamation plan review fees and fees on unreclaimed acres are structured the same as in NR 135.39(4) but amounts assessed are less.	
Overhead costs - expenditures on program administration		
Supplies & office equipment	\$ 390	
Salary & fringe benefits	\$ 5,200	
Administrative support/ data management	N/A	
Transportation and office space/ other	\$ 220	
Equipment or services (GPS or fees to access data base or contract services).	\$ 1,014	
Total administrative expenses	\$ 6,850	\$13,780*
Fees collected on unreclaimed acres		
	\$ 12,450	\$13,145*
(+) Reserves (if applicable)	N/A	
(-) Amount transferred to DNR	\$ 2,085	
Total operating revenue	\$ 10,365	
(-) Total administrative expenses	\$ 6,850	\$13,780*
Surplus or (deficit)	\$ 3,515	\$- 635 *
Other information		
Total permits	25	
Total acres being mined	482	
Mines and acreage reclaimed in audit year	40	
Comments:	* Averages from 2001 through 2007	

General program information	
Regulatory authority/audit year	Lafayette County 2006
Administered by:	Lafayette County Planning and Zoning
Fee structure <ul style="list-style-type: none"> Revised with amended ordinance? Other? 	Follows NR 135 format; fee schedule employed and referenced in amended ordinance.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	\$ 6,160
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	\$ 80
Total administrative expenses	\$ 6,240
Fees collected on unreclaimed acres	
	\$ 4,250
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 480
Total operating revenue	\$ 3,740
(-) Total administrative expenses	\$ 6,240
Surplus or (deficit)	\$ -1,190
Other information	
Total permits	17
Total acres being mined	91
Mines and acreage reclaimed in audit year	N/A
Comments:	N/A

General program information	
Regulatory authority/audit year	Monroe 2005
Administered by:	Monroe County Land Conservation Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	In ordinance.
Overhead costs - expenditures on program administration	
Supplies	\$ N/A
Salary & fringe benefits	\$ 5,558
Administrative support/ data management	\$ N/A
Transportation and office space/ other	\$ N/A
Equipment or services (GPS or fees to access data base or contract services).	\$ N/A
Total administrative expenses	\$ N/A
Fees collected on unreclaimed acres	\$ N/A
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 2,045
Total operating revenue	\$ N/A
(-) Total administrative expenses	\$ N/A
Surplus or (deficit)	\$ N/A
Other information	
Total permits	34 (2004)
Total acres being mined	316
Mines and acreage reclaimed in audit year	N/A
Comments:	N/A

General program information	
Regulatory authority/audit year	Oconto County 2005
Administered by:	Oconto County Office of Land Use and Planning
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Included in ordinance and identical to Table 2.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 33,316
Fees collected on unreclaimed acres	
Fees collected on unreclaimed acres	\$ 20,110
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 3,010
Total operating revenue	\$ 17,100
(-) Total administrative expenses	\$ 33,316
Surplus or (deficit)	\$ -16,216
Other information	
Total permits	8
Total acres being mined	64
Mines and acreage reclaimed in audit year	N/A
Comments:	N/A

General program information	
Regulatory authority/audit year	Oneida County 2008
Administered by:	Oneida County Solid Waste Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	In ordinance. Similar to DNR Table 2. Brackets for acreage up to 15 acres. These are lower than DNR costs. After 15 acres all one fee.
Overhead costs - expenditures on program administration	
Supplies	\$ 27
Salary & fringe benefits	\$ 6,240.47
Administrative support/ data management	N/A
Transportation and office space/ other	\$ 368.12
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 6,635.59
Fees collected on unreclaimed acres	\$ 3,325
(+) Reserves (if applicable)	\$ 6,505
(-) Amount transferred to DNR	\$ 2,680
Total operating revenue	\$ 7,150
(-) Total administrative expenses	\$ 6,635.59
Surplus or (deficit)	\$ 514.41
Other information	
Total permits	44
Total acres being mined	419
Mines and acreage reclaimed in audit year	N/A
Comments:	N/A

General program information	
Regulatory Authority/ Audit year	Outagamie County 2007
Administered by:	East Central Wisconsin Regional Planning Commission (ECWRPC)
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	ECWRPC works with county through ordinance to establish. *
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 35,036
Fees collected on unreclaimed acres	\$ 32,131
(+) Reserves (if applicable)	\$ 7,245 **
(-) Amount transferred to DNR	\$ 4,340
Total operating revenue	\$ 27,791 + reserve from above **
(-) Total administrative expenses	\$ 35,036
Surplus or (deficit)	Balanced
Other information	
Total permits	49
Total acres being mined	1,226
Mines and acreage reclaimed in audit year	N/A
Comments: * ECWRPC reviews fees annually and recommends appropriate adjustments. ** Supplement from reserves allows for balance absent adequate fees; intent is to deplete reserves as soon as possible via current annual fee acreage fee shortfall.	

General program information	
Regulatory authority/audit year	Pepin County 2005
Administered by:	Pepin County Zoning
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Follows NR 135 format; included in amended ordinance DNR format.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 2,400
Fees collected on unreclaimed acres	\$ 3,000
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 630
Total operating revenue	\$ 2370
(-) Total administrative expenses	\$ 2,400
Surplus or (deficit)	\$ -30
Other information	
Total permits	15
Total acres being mined	83
Mines and acreage reclaimed in audit year	N/A
Comments:	Costs not easy to track – per audit results

General program information	
Regulatory authority/audit year	Portage County 2007
Administered by:	Portage County Planning and Zoning
Fee structure <ul style="list-style-type: none"> Revised with amended ordinance? Other? 	Fees slightly lower than NR 135.39, Table 2.
Overhead costs - expenditures on program administration	
Supplies	\$ 485
Salary & fringe benefits	\$ 5,810
Administrative support/ data management	N/A
Transportation and office space/ other	\$ 620
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 6,915
Fees collected on unreclaimed acres	
	\$ 6,230
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 1,410
Total operating revenue	\$ 4,820
(-) Total administrative expenses	\$ 6,915
Surplus or (deficit)	\$ -2,095
Other information	
Total permits	16
Total acres being mined	434
Comments:	N/A

General program information	
Regulatory authority/audit year	Richland County 2007
Administered by:	Richland County Zoning and Assisted by Land Conservation
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	\$ 75.00 per acre at time of audit and rose to \$ 100.00 per acre with adoption of revised NR 135 ordinance on May 15, 2007.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	\$ 9,025
Administrative support/ data management	\$ 400
Transportation and office space/ other	\$ 2,000
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 11,425
Fees collected on unreclaimed acres	\$ 10,770
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 1,100
Total operating revenue	\$ 9,670
(-) Total administrative expenses	\$ 11,425
Surplus or (deficit)	\$ -1755
Other information	
Total permits	24
Total acres being mined	130
Mines and acreage reclaimed in audit year	82
Comments:	N/A

General program information	
Regulatory authority/audit year	Rock County 2005
Administered by:	Rock County Planning and Development
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Fees to DNR per NR 135.39 and county fees referenced in the revised ordinance; to be set on an annual basis by Land Conservation Committee.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 4,372
Fees collected on unreclaimed acres	\$ 13,626
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 3,430
Total operating revenue	\$ 10,196
(-) Total administrative expenses	\$ 4,372
Surplus or (deficit)	\$ 5,824
Other information	
Total permits	41
Total acres being mined	1,147
Mines and acreage reclaimed in audit year	N/A
Comments: Fees are in a schedule apart from the ordinance and are adjusted on a regular basis. Monitoring by DNR is needed.	

General program information	
Regulatory authority/audit year	Sauk County 2008
Administered by:	Sauk County Planning and Zoning Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Provided in a separate fee schedule; referenced in the ordinance. Similar to NR 135.39, Table 2 but higher for some acreage bands.
Overhead costs - expenditures on program administration	
Supplies	\$ 500
Salary & fringe benefits	\$ 25,651
Transportation and office space etc./ Administrative support/ data management	\$ 6,210
Equipment or services (GPS or fees to access data base or contract services).	\$ 800
Total administrative expenses	\$ 33,161
Fees collected on unreclaimed acres	\$ 21,880
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 2,815
Total operating revenue	\$ 19,065
(-) Total administrative expenses	\$ 33,161
Surplus or (deficit)	\$ - 14,096
Other information	
Total permits	35
Total acres being mined	513
Mines and acreage reclaimed in audit year	27
Comments:	N/A

General program information		
Regulatory authority/audit year	Vernon County 2006	
Administered by:	Vernon County Land and Water Conservation Department	
	Original	Revised Ordinance
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Identical in structure and dollar amounts to the DNR.	The fee schedule is included in an appendix to the reclamation ordinance. The fee schedule is similar to NR 135.39, Table 2 in that it is banded by acreage except that there are more bands than in the DNR table. For all bands the fees are higher than those in the DNR table. As the acreage becomes larger the fees become closer to the DNR table in the 11-25 range but then rise again for larger acreages. In addition, while the DNR fee table reaches the maximum fee assessment at 50 acres, the Vernon County fee schedule does not set fees to the maximum until 80 acres.
Overhead costs - expenditures on program administration		
	2005	2007
Supplies	\$ *	*
Salary & fringe benefits	\$ 25,850	\$ 20,914
Administrative support (including legal)/ data management	\$ 4,680	\$ 3,603
Transportation and office space/ other	\$ 2,855	\$ 188
Equipment or services (GPS or fees to access data base or contract services).	\$ 1,126	\$1,698
Total administrative expenses	\$ 34,511	\$ 28,403
Fees collected on unreclaimed acres	\$ 19,150	\$ 21,900
(+) Reserves (if applicable)	N/A	N/A
(-) Amount transferred to DNR	\$ 2,755	\$ 3,730
Total operating revenue	\$ 16,395	\$ 18,170
(-) Total administrative expenses	\$ 34,511	\$ 28,403
Surplus or (deficit)	\$ -18,116	\$ -10,233
Other information		
Total permits	45	47
Total acres being mined	385	449
Mines and acreage reclaimed in audit year	N/A	6
Comments:	* supplies included with equipment line.	

General program information	
Regulatory authority/audit year	Village of Sussex Waukesha County 2008
Administered by:	Village of Sussex
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Fees are contained in the recently revised ordinance (May 22, 2007). They reflect the DNR costs from the previous version of NR 135.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Transportation and office space etc./ Administrative support/ data management	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 2,325
Fees collected on unreclaimed acres	\$ 2,250
(+) Reserves (if applicable)	Not applicable
(-) Amount transferred to DNR	\$ 290
Total operating revenue	\$ 1,960
Total administrative expenses (from above if broken out).	\$ 2,325
Surplus or (deficit)	\$ - 365
Other information	
Total permits	2
Total acres being mined	198
Comments:	N/A

General program information	
Regulatory authority/audit year	Waupaca 2007
Administered by:	East Central Wisconsin Regional Planning Commission (ECWRPC)
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	ECWRPC works with county through ordinance to establish. *
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 14,679
Fees collected on unreclaimed acres	\$ 10,488
(+) Reserves (if applicable)	\$ 6,946 * *
(-) Amount transferred to DNR	\$ 2,755
Total operating revenue	\$ 7,733 + reserves **
(-) Total administrative expenses	\$ 14,679
Surplus or (deficit)	\$ Balanced
Other information	
Total permits	39
Total acres being mined	488
Mines and acreage reclaimed in audit year	N/A
Comments: * ECWRPC reviews fees annually and recommends appropriate adjustments. ** Supplement from reserves allows for balance absent adequate fees; intent is to deplete reserves as soon as possible via current annual fee acreage fee shortfall.	

General program information	
Regulatory authority/audit year	Waushara County 2007
Administered by:	Waushara County Land Conservation and Zoning Office
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Nearly the same (slightly higher) than NR 135.39, Table 2.
Overhead costs - expenditures on program administration	
Supplies	N/A
Salary & fringe benefits	N/A
Administrative support/ data management	N/A
Transportation and office space/ other	N/A
Equipment or services (GPS or fees to access data base or contract services).	N/A
Total administrative expenses	\$ 3,930
Fees collected on unreclaimed acres	\$ 4,800
(+) Reserves (if applicable)	N/A
(-) Amount transferred to DNR	\$ 1,380
Total operating revenue	\$ 3,420
(-) Total administrative expenses	\$ 3,930
Surplus or (deficit)	\$ -510
Other information	
Total permits	19
Total acres being mined	190
Mines and acreage reclaimed in audit year	4 acres
Comments:	N/A

General program information	
Regulatory authority/audit year	Wood County 2007
Administered by:	Wood County Land Conservation Department
Fee structure <ul style="list-style-type: none"> • Revised with amended ordinance? • Other? 	Ordinance fee structures of May 15, 2007 contained in the reclamation ordinance is structured like Table 2, in NR 135.39. Recently lowered (25% reduction) as part of the ordinance revision mandated by the 2006 version of NR 135. Wood County's fees are, however, are 3 to 10 percent above DNR's in Table 2. No objection to the fee structure at recent hearings.
Overhead costs - expenditures on program administration	
Supplies	\$ 198
Salary & fringe benefits	\$ 12,354
Administrative support/ data management	\$ 658
Transportation and office space/ other	\$ 900
Equipment or services (GPS or fees to access data base or contract services).	\$ 272
Total administrative expenses	\$ 14,382
Fees collected on unreclaimed acres	\$ 23,150
(+) Reserves (if applicable)	\$ 3,059
(-) Amount transferred to DNR	\$ 3,220
Total operating revenue	\$ N/A
(-) Total administrative expenses	\$ 14,382
Surplus or (deficit)	\$ 8,768
Other information	
Total permits	48
Total acres being mined	388
Comments: Reviewed in 2006 and found fees were exceeding expenditures. Audit results letter of July 31, 2007 requested actions to reduce fees; indicated that monitoring should occur. Fees were reduced in 2007 and staff person currently in opposition is compensated at a lesser rate than the previous incumbent. This is part of the problem because fees were calibrated based on an existing higher salary.	

Appendix 4: Letter from NMAC to Department Secretary on staffing and other resource issues

August 4, 2008

Matthew J. Frank, Secretary AD/8
WI Department of Natural Resources
101 S Webster St
PO Box 7921
Madison WI 53707 7921

Re: DNR Nonmetallic Mine Advisory Committee (NMAC)

Secretary Frank:

At our July 31, 2008 meeting to review the DNR's report on fees pursuant to NR 135.39(7) the Committee discussed, among other things, the current staffing level for this program.

Consensus of the Committee was that we formally express our concern that unfilled vacancies have created a staffing shortage that could, in the long term, negatively affect an otherwise well run DNR Nonmetallic Mining Reclamation program. We urge the Department to fill vacancies that exist in the NR 135 program as soon as practicable.

If you have any questions please feel free to contact me or any of the NMAC members.

James Burgener
Assistant Director
Representing Wisconsin County Code Administrators
Nonmetallic Mine Advisory Committee