NR 151 Implementation Evaluation Results
Acknowledgments

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NR 151
• Adopted in 2002; revised in 2011, etc.
• Statewide performance standards and prohibitions for farms

What did the DNR want to learn?
• What does NR 151 implementation look like?
• How is implementation being tracked?
• Why are NR 151 implementation grants sometimes under-utilized?
• What implementation barriers do counties face?
• What support do counties need from DNR?

Evaluation methods
• Data collected via online survey from county conservationists
• Two rounds of county pilot testing
• Response rate: 68% (49/72)
Why is understanding the level of NR151 Ag Performance Standards & Prohibitions (APSP) implementation statewide important?
Collective Challenges

- Implementation is inconsistent statewide due to many factors.
- There has been no common, uniformly accepted metrics to track implementation.
- Significant time and changes have occurred since original APSP adoption.
- Outreach/education/re-education has been inconsistent.
• In what ways and to what extent are the NR 151 performance standards being implemented in counties?

• What factors promote and/or hinder counties’ implementation of NR 151 performance standards and prohibitions?

• What can the DNR do to support counties in their NR 151 implementation efforts?
Factors that promote or hinder implementation of NR151
Factors that contribute to NR151 success

- Cost share: 20
- Good relationship with landowners: 14
- Dedicated county staff: 13
- Landowner willingness: 11
- Ability to leverage FPP tax credit program: 11
- Collaborating and receiving assistance from partners: 7
- Support from DNR: 6
- Incorporating NR151 into county ordinance: 5
- Focusing on high priority sites: 3
Factors that contribute to NR151 success:
Representative Quotes

Dedicated county staff

“The success of 151 implementation is due to the work of county soil & water departments along with cost share dollars for landowners required to install and implement conservation practices. After the DNR makes a site visit and sends out the NOI or NOD, county staff pretty much do the rest to get them to a compliance status.”

Landowners’ willingness

“Willing farmers that understand the need for conservation... Some of the farmer-led stuff has been helping, although not directly tied to NR 151, the producer-to-producer outreach is helping.”
Factors that hinder NR151 success

- Issues around staffing: 31
- Inadequate support from DNR: 18
- Enforcement challenges: 8
- Unwilling landowners: 8
- Excessive cost share requirements: 7
- Landowners lack $: 5
- Lack of awareness about NR151: 4
- Inadequate support from DNR: 3
- No political will: 3
Factors that hinder NR151 success

**Issues around staffing (n=31)**
- High workload
- High turnover
- No long term $ 

**Inadequate $ (n=18)**
- Inadequate cost share $ 
- Small county budgets 
- Inadequate $ from DATCP 

**Enforcement challenges (n=8)**
- DNR enforcement is lacking 
- County unable to enforce 

**Unwilling landowners (n=8)**
- SWCD has already worked with all willing landowners 

**Excessive cost share requirement (n=7)**

**Landowners lack funds (n=5)**
- Low commodity prices due to farm economy 

**Lack of awareness about NR151 (n=4)**
- Public and landowners lack NR 151 awareness 

**Inadequate support from DNR (n=3)**
- Political support 

**No political will (n=3)**
- Farmers on board do not support NR 151
• In what ways and to what extent are the NR 151 performance standards being implemented in counties?

• What factors promote and/or hinder counties’ implementation of NR 151 performance standards and prohibitions?

• What can the DNR do to support counties in their NR 151 implementation efforts?
How can DNR support counties

- Improve enforcement efforts: 16
- Support staff with more $: 12
- Increase cost share $ for implementation: 10
- Make efforts to educate landowners and public about NR151: 7
- Clarify expectations and roles and responsibilities of counties vs DNR: 5
- Increase engagement with counties: 3
- Reward counties that are implementing NR151: 2
How can DNR support counties

**Improve enforcement efforts** (n=16)
- Approach needs “teeth”
- Regular and more site visits

**Support staff with $** (n=12)
- Fulfill joint staffing obligations

**Increase cost share $ for implementation** (n=10)

**Educate landowners and public on NR151** (n=7)
- Develop a statewide NR151 awareness strategy

**Clarify expectation and roles and responsibilities of counties vs DNR** (n=5)
- Develop MOU
- Provide more guidance to counties

**Engage more with counties** (n=3)
- Meet counties regularly to discuss issues

**Reward counties that are implementing NR151 with staffing $** (n=2)
• In what ways and to what extent are the NR 151 performance standards being implemented in counties?

• What factors promote and/or hinder counties’ implementation of NR 151 performance standards and prohibitions?

• What can the DNR do to support counties in their NR 151 implementation efforts?
How are the NR151 Ag Performance Standards & Prohibitions (APSP) being implemented in counties?

Is there a representative answer?
County have a county-wide NR151 implementation strategy?

- Yes: 82%
- No: 18%

How does county implement its NR151 implementation strategy?

1. NR151 implementation strategy is defined in Land and Water Plan: 38%
2. Use farmland preservation cross-compliance: 26%
3. Use TRM grants: 19%
4. Uses NOD grants: 15%
5. None of the above: 0%
System in place to track NR151 implementation?  
- Yes: 71% 
- No: 29%

How can DNR support tracking system needs?  
- 11: Develop GIS based tracking system that all counties can use  
- 1: Address lack of staff
In the last 3 years, has your county done the following?

<table>
<thead>
<tr>
<th>Activity</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated staff's time commitment toward NR151 workload</td>
<td>17</td>
</tr>
<tr>
<td>Determined its financial outlay toward NR151 implementation</td>
<td>5</td>
</tr>
<tr>
<td>None of the above</td>
<td>31</td>
</tr>
</tbody>
</table>
In the last 3 years, percent landowners regularly receiving information on APSPs?

What methods in last 3 years

- One-on-one interaction: 49%
- Notification letters: 35%
- Workshops: 21%
- Newsletters: 15%
- Public information meetings: 13%
- Other: 10%
- News media: 7%
- Social media: 6%
DNR support related to county's communication with landowners

Develop communication/outreach material (n=10)
• Needs to be up-to-date (every time a change is made)
• Send directly to landowners
• Send copies to counties
• Include economic information

Increase presence in mass media (n=7)
• TV, radio, press releases, newspapers, PSAs

DNR should communicate with landowners directly (n=5)
• One respondent said that DNR must refrain from communication with landowners

Develop a state-wide communication strategy and train counties in it (n=5)
• Increased transparency
• Better communication when new changes are put into effect
• Clarify counties’ and DNR’s roles and responsibilities

Offer $ specifically for communication and outreach activities (n=3)

Develop materials to target specific audiences (n=2)
• County staff
• Ag groups
Has county performed a county-wide APSP compliance inventory in last 3 years?

- Yes: 16%
- No: 84%
In the last 3 years, has county evaluated farms for compliance with cropland and livestock performance standards?

- Yes: 86%
- No: 14%

Which performed during (or after) evaluations?

- Documented the extent of current compliance with each of the performance standards and prohibitions: 24%
- Where non-compliant, determined costs and eligibility for cost sharing: 7%
- Both above: 59%
- None above: 10%
Upon completion of compliance inventories, has your county issued NR151 notification letters to landowners?

- Yes: 60%
- No: 40%

How can DNR support Inventory & notification efforts?

- Provide staffing: 16
- Offer guidance, training, and resources: 8
- Develop relevant tools: 5
- Increase data transparency: 2
Has county applied for TRM or NOD grants to implement or achieve compliance with NR151 in last 3 years?

- Yes: 67%
- No: 33%

Which applied for?

- TRM: 13
- NOD: 8
- Both: 12
COMPONENT 8: ENFORCEMENT

If rejection of cost-share offer:

- Refer case to DNR for enforcement action or assistance [33]
- Issue “Notice of NR 151 Violation” letter [21]
- Enforce through financial sanctions available through State program (e.g. FPP). [19]
- Refer case county corporation counsel for enforcement action [16]
- Conduct an enforcement conference [11]
- Other [9]
- Not applicable since the county only works with landowners who are willing participants [5]
- Pursue enforcement through local District Attorney [2]
- None of the above [1]
County considering including all APSPs into local ordinances during the current LWRM Plan’s term?

- Yes: 51%
- No: 49%

Into local ordinances during future LWRM Plan terms?

- Yes: 46%
- No: 55%
In the last 3 years, has your county conducted evaluations after corrective measures are applied, to determine if landowners are in compliance with NR151?
In the last 3 years, responded to public complaints alleging non-compliance?

- Yes: 94%
- No: 6%

Various processes are in place; general steps are:

1. Contact person who lodged complaint
2. Drive through
3. Contact operator and/or landowner (might be over phone)
4. Conduct site visit
5. Consult with landowner (discuss corrective measures; cost-share options; timeline)
6. Issue notice of non-compliance
7. Contact DNR, if needed
8. Documented in a tracking system
9. Conduct follow-up evaluation
Recommendations going forward (for DNR & partners)

Grant (TRM) application process:
• Simplify the application process (easier and quicker to apply)
• Make efforts to improve the efficiency of the process (faster turn around)
• Offer resources and/or training on how to apply for grants and grant eligibility

Cost share-related:
• Consider easing/relaxing cost share eligibility requirements
• When an application for cost share is rejected, provide detailed feedback to applicants and an opportunity to re-apply

Enforcement:
• Improve enforcement efforts by maintaining contact with landowners, conducting more site visits, and more frequent site visits

Outreach and education:
• Consider launching a strategic state-wide campaign to increase awareness around NR151 for both the public and landowners
• Use mass media

Engagement and communication with counties:
• Meet with counties regularly to discuss issues that they are facing
• Clarify expectations of counties as related to NR151 implementation
• Clarify counties’ responsibilities with respect to implementation
• Notify counties in a timely manner when changes are made to NR151 or when changes are anticipated so they can be better prepared
• If changes require training, provide it to counties
Recommendations for DNR based on evaluation results

Communication and engagement with landowners
- Develop communication material that counties can use when they engage with landowners
- When changes are made, updated communication material should be distributed

Technology needs
- Develop (GIS-based) tools and/or software to help counties track and evaluate compliance
What QUESTIONS Or Reactions?

NEXT STEPS?
What do you think are the...

NEXT STEPS?
How incorporate this topic into the WI Land & Water Conference?