

Agenda amended (07/29/22) to extend public participation deadline, and modify 2.E, 2.F, (08/3/22) to modify 4.B, and remove item 4.A (08/09/22)

View Wisconsin Natural Resources Board agendas, meeting calendar, webcasts, biographies and public participation info online at:

<http://dnr.wi.gov/about/nrb/overview.html>

Public Participation Deadline: NRB Liaison receipt of your request to testify and/or written comment is 11:00 a.m. on ~~Wednesday, August 3,~~ **Friday, August 5, 2022.**

The Natural Resources Board will meet in-person. Remote testimony from the public via Zoom may be accepted for this meeting. In person public appearances are also welcome. Members of the public can submit their request to testify remotely, in person, or their written comments by the posted deadline date for Board consideration.

The public is encouraged to watch the Board meeting via YouTube here:

<https://youtu.be/t0zRNKaSz1s>

After each meeting, the webcast will be permanently available on demand at <https://dnrmedia.wi.gov/main/Catalog/Full/9da0bb432fd448a69d86756192a62f1721>

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WISCONSIN NATURAL RESOURCES BOARD

A G E N D A (rev. 7/29/22)

For meeting at:

Room G09, State Natural Resources Building (GEF 2)
101 South Webster Street
Madison, Wisconsin

Wednesday, August 10, 2022

NOTICE IS HEREBY GIVEN that the Wisconsin Natural Resources Board meeting will convene at 8:30 a.m. on Wednesday, August 10, 2022, in Public Meeting Room G09, State Natural Resources Building (GEF 2), 101 South Webster Street, Madison, Wisconsin. The Board will act on items 1-4 and 7-8 as listed on the Agenda.

NOTICE IS FURTHER GIVEN that at approximately noon on Wednesday, August 10, 2022, the Wisconsin Natural Resources Board will have lunch in Room G27. No action will be taken.

NOTICE IS FURTHER GIVEN that matters concerning natural resource issues or the Department's program responsibilities or operations specified in the Wisconsin Statutes, which arise after publication of this agenda may be added to the agenda and publicly noticed no less than two hours before the scheduled board meeting, if the Board Chair determines that the matter is urgent.

ORDER OF BUSINESS

1. ORGANIZATIONAL MATTERS

- A. Calling the roll
- B. Approval of agenda for August 10, 2022

2. CONSENT

- A. Approval of brief of action from June 22, 2022
- B. The Friends of Whitefish Dunes State Park will donate an in-kind donation of a Bobcat CT2040 Compact Tractor HST valued at \$23,205.00
(Preston Cole, Secretary)
- C. The Friends of Blue Mound State Park and Capital Off Road Pathfinders will donate \$148,000.00
(Preston Cole, Secretary)
- D. Preliminary public hearing and comment period for the Statement of Scope for Board Order AM-05-22, for proposed rules affecting chapter NR 439 to simplify, reduce, modernize, and make more efficient reporting, recordkeeping, testing, inspection and determination of compliance requirements for sources of air contaminants
(Maria Hill, Enforcement & Emission Section Chief)
- E. Preliminary public hearing and comment period for the Statement of Scope for Board Order WW-06-22 ~~and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse,~~ for proposed rules affecting chapters NR 320, 323, 326, 328, and 329 related to structures in navigable waterways
(Kyle McLaughlin, Waterways Team Coordinator)
- F. Preliminary public hearing and comment period for the Statement of Scope for Emergency Board Order DG-07-22(E) and Board Order DG-08- 22 ~~and conditionally approve the public hearing notice for DG-08-22 and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse,~~ for proposed rules affecting chapter NR 812 related to allowing for the use of new cement formulations for the construction of water wells
(Marty Nessman, Private Water Supply Section Chief)

3. DISCUSSION AND POSSIBLE ACTION CONCERNING ITEMS REMOVED FROM THE CONSENT AGENDA

4. ACTION ITEMS

ADOPTION (Citizen Testimony and Written Comment Welcome)

~~A. Request adoption of Board Order WY-29-19, proposed rules affecting chapters NR 1, 107, 109, 150, 193, 329 and 345, related to aquatic plant management, manual removal and mechanical control regulations, aquatic habitat protection, and surface water grants (Carroll W. Schaal, Lakes & Rivers Section Chief)~~

B. Request adoption of amended Board Order WY-23-13, proposed rules affecting chapter NR 102 related to processes for waterbody assessments and impaired waters listing, biological assessment thresholds, biological confirmation of phosphorus impairments, and water quality criteria for dissolved oxygen
(~~Marcia Willhite, Water Evaluation Section Chief~~ **Adrian Stocks, Water Quality Bureau Director**)

SCOPE STATEMENTS (Citizen Testimony and Written Comment Welcome)

C. Statement of Scope for Board Order FH-01-22, for proposed rules affecting chapters NR 19-26, related to changes to fishing regulations on inland, outlying and boundary waters (the 2023 Fisheries Management Spring Hearings rule)
(Meredith Penthorn, Fisheries Management policy specialist)

MISCELLANEOUS (Citizen Testimony and Written Comment Welcome)

D. Land Acquisition and Monetary Donation – Ice Age Trail - Waukesha County
(James W. Lemke, Real Estate Section Chief)

E. Land Acquisition, Partial Donation and Project Boundary Expansion – Green Bay West Shores Wildlife Area – Marinette County
(James W. Lemke, Real Estate Section Chief)

5. OPEN FORUM (Testimony that pertains to topics not on the meeting agenda or not in litigation) – at approximately 10:15 a.m. or following break. Please refer to pages 4 and 5 of agenda for required pre-registration information and protocol.

6. INFORMATION ITEMS (Written Comment Welcome)

A. Great Lakes commercial fishing update

(Bradley Eggold, DNR Great Lakes district fisheries supervisor, Charlie Henriksen, Lake Michigan Commercial Fishing Board Chair; Craig Hoopman, Lake Superior Commercial Fishing Board Chair)

B. Forest Regeneration Monitoring Program Update

(Collin Buntrock, Forest Products Services Team Leader; Jeff Pritzl, Deer Program Specialist)

C. Dr. James Kroll Presentation

7. DEPARTMENT SECRETARY'S MATTERS

A. RETIREMENT RECOGNITION - Action

1. Manny Oradei, Forestry, 31 years
2. Mark Burmesch, Public Safety and Resource Protection, 31 years

B. DEPARTMENT SECRETARY’S MATTERS – Informational

1. Acts of the Department Secretary – Real Estate Transactions
2. Department Secretary’s Matters
 - a. Sandra Dee Naas Report
3. Planning Status Update - None

8. BOARD MEMBERS’ MATTERS

The public is welcome to view the Wisconsin Natural Resources Board (NRB) meeting via YouTube. The NRB also provides opportunities for citizens to testify and to submit written comment about issues that come before the NRB. See complete information on public participation at Board meetings at <http://dnr.wi.gov/about/nrb/public.html>.

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The following meeting resources also are available: Agenda Item Packets (also known as green sheet packages are linked to the corresponding item on the website/html meeting agenda at <https://dnr.wi.gov/about/nrb/> -- click on the blue “View agendas” button then scroll down.), supporting documents, and public comment.

Live transcription of the webcast is autogenerated and not a legal record of the Board Meeting. The approved Brief of Action and meeting recording constitute the official Board’s minutes.

Public Appearance protocol: Remote testimony from the public via Zoom or in person appearances may be accepted for this meeting. Members of the public can submit their request to testify remotely or their written comments by the posted deadline date for Board consideration. You must be pre-registered to testify. Please include your name, daytime phone number, email address, city of residence, agenda item you request to testify on (include topic for item 5-Open Forum), and name of organization you will represent (if none, state “self”). Confirmed speakers will receive meeting logistics via email. Those confirmed to testify on a specific agenda item will testify on that item prior to vote. Please review: <https://dnr.wisconsin.gov/about/NRB/public.html>.

NOTE: The Board welcomes citizen input on matters of natural resources management and Department programs and policies. Comments concerning any individual’s personal information or personal business are not appropriate and will not be allowed.

The time that item 5. – Open Forum may be before the Board is approximately 10:15 a.m. or immediately following morning break. If you arrive late, you may lose your opportunity to

testify. Each speaker will have three minutes to give their testimony; however, the Board Chair has final discretion on time limit.

The following is from the Board's meeting guidelines: Only one speaker per organization.

Testimony that threatens, intimidates, or includes disparaging comments about Board Members, department staff, and other members of the public will not be allowed. Those that do so may be removed from the meeting or remote location. Written comment is always welcome.

Please contact NRB Liaison, by email at DNRNRBLIAISON@wisconsin.gov with NRB related questions, to request information, to submit written comments, and to register to testify at a meeting.

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The DNR strives to ensure the comfort and safety of staff and visitors by encouraging a fragrance-free environment. Our chemically sensitive staff and visitors thank you for refraining from using scented products.

The NRB and Department of Natural Resources are committed to serving people with disabilities. Please contact the NRB Liaison to request NRB information in an alternative format.