

SINCE THE POSTING OF THIS AGENDA, THE FOLLOWING HAS CHANGED:

2.A. CLARIFIED (4/11/22)

2.F. ADDED DG-04-22 Preliminary Public Hearing on Scope (4/01/22)

4.F. REMOVED DG-04-22 Scope approval (4/01/22)

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, April 6, 2022.

The Natural Resources Board will meet in-person. Remote testimony from the public via Zoom may be accepted for this meeting (no in-person appearances). Members of the public can submit their request to testify remotely 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/FiLKJXITNcg>

After each meeting, the webcast will be permanently available on demand at

<https://dnrmedia.wi.gov/main/Catalog/Full/9da0bb432fd448a69d86756192a62f1721>

WISCONSIN NATURAL RESOURCES BOARD

A M E N D E D A G E N D A (rev. 4/11/22)

For meeting at:

Room G09, State Natural Resources Building (GEF 2)

101 South Webster Street

Madison, Wisconsin

Wednesday, April 13, 2022

NOTICE IS HEREBY GIVEN that the Wisconsin Natural Resources Board meeting will convene at 8:30 a.m. on Wednesday, April 13, 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, April 13, 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 April 13, 2022

2. CONSENT

- A. Approval of brief of action from February 23, 2022 **CLARIFIED**
- B. Friends of Peninsula State Park will donate \$135,000 to fund the replacement of the playground at the Nicolet Beach Day Use Area at Peninsula State Park in Door County, WI. This project will replace the old playground (wood structure and wood chip surface) with an ADA accessible playground.
(Preston D. Cole, Secretary)
- C. The Natural Resources Foundation of Wisconsin will donate \$99,000 to the Department. This donation will be used to support the bat conservation program.
(Preston D. Cole, Secretary)
- D. The Natural Resources Foundation of Wisconsin will donate \$26,698.36 to the Department to be used to support the Lulu Lake SNA Savanna Enhancement project
(Preston D. Cole, Secretary)
- E. Dane County, WI will donate a bike trail valued at \$156,000 as a segment of the Lower Yahara River Trail in Lake Kegonsa State Park. The North Mendota Trail is identified in Dane County's Parks and Open Space Plan as a trail connection from the Capital City State Trail at Lake Farm County Park to Stoughton.
(Preston D. Cole, Secretary)
- F. Request that the Board authorize a preliminary public hearing and comment period for the Statement of Scope for Board Order DG-04-22, for proposed rules affecting chapter NR 140 related to setting numerical standards to minimize the concentration of polluting substances in groundwater (Cycle 10 Bacteria) ADDED (MOVED FROM SCOPE STATEMENTS 4.F.)
(Bruce Rheineck, Groundwater 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. Presentation of the 2022 Laboratory of the Year
(Steve Geis, Section Chief, Certification Services)
- B. Request approval of department recommendations for the FY 2023 Laboratory Certification and Registration Program Fee Adjustment.
(Steve Geis, Section Chief, Certification Services)
- C. Request adoption of Emergency Board Order WM-15-21(E), proposed rules affecting chapter NR 10 related to establishing the 2022 migratory bird season framework and regulations.
(Taylor Finger, Migratory Bird Specialist, Bureau of Wildlife Management)

- C.5. Request adoption of Board Order WT-22-19, proposed rules affecting chapters NR 300, NR 301, NR 305, NR 310, related to administration, procedures, and enforcement of the Wetland and Waterway Permit Program
(Amanda Minks, Public Trust and Zoning Manager)

SCOPE STATEMENTS (Citizen Testimony and Written Comment Welcome)

- D. Request that the Board approve the Statement of Scope for Emergency Board Order WA-17-21(E) and Board Order WA-18-21 and conditionally approve the public hearing notice for WA-18-21 and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 500 and 520 related to disposal of material dredged from the Great Lakes
(Kate Strom Hiorns, Recycling and Solid Waste Section Chief)
- E. Request that the Board approve the Statement of Scope for Board Order FH-16-21 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapter NR 20 related to reporting requirements for sport trolling licensees.
(Meredith Penthorn, Fisheries Management policy specialist)
- ~~F. Request that the Board approve the Statement of Scope for Board Order DG 04 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 chapter NR 140 related to setting numerical standards to minimize the concentration of polluting substances in groundwater (Cycle 10 Bacteria) **REMOVED (REVIEW ITEM 2.F.)**
(Bruce Rheineck, Groundwater Section Chief)~~

MISCELLANEOUS (Citizen Testimony and Written Comment Welcome)

NONE

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 morning break. Please refer to pages 4 and 5 of agenda for required pre-registration information and protocol.
6. INFORMATION ITEMS (Written Comment Welcome)
- A. Integrated Aquatic Plant Management
(Carroll W. Schaal, Lakes & Rivers Section Chief)
- B. Overview of Wisconsin's Recycling Law
(Jennifer Semrau, Waste Reduction and Diversion Coordinator)
- C. Update on Chronic Wasting Disease (CWD): Response Plan Implementation, 2021 CWD surveillance plan, and the 2nd five-year review of the CWD Response Plan.
(Amanda Kamps, Wildlife Health Conservation Specialist, and Tami Ryan, FWP Deputy Division Administrator)

7. DEPARTMENT SECRETARY'S MATTERS

A. RETIREMENT RECOGNITION - Action

1. Brent L. Alderman, Technical Services, 35 years
2. Terry K. Boone, Parks & Recreation, 37 years
3. James M. Klosiewski, Water Quality, 29 years
4. Warden Daniel R. Michels, Public Safety & Resource Protection, 30 years
5. Linda R. Olver, Customer and Outreach Services, 25 years
6. Deborah A. Rohrbeck, Technical Services, 21 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>.

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

<https://youtu.be/FiLKJXITNcg>

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

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 may be accepted for this meeting (no in-person appearances). 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 Laurie Ross, NRB Liaison, at 608-267-7420 or by email at laurie.ross@wisconsin.gov with NRB related questions, to request information, to submit written comments, and to register to testify at a meeting.

Public Participation Deadline: NRB Liaison receipt of your request to testify and/or written comment is 11:00 a.m. on Wednesday, April 6, 2022.

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.