

Notice of Hearing

The Department of Natural Resources announces that it will hold an online public hearing on a permanent rule to revise NR 216 relating to storm water discharge permits. In accordance with s. 227.17, Wis. Stats., the DNR is seeking public comment and feedback on the rule at the time and virtual location shown below.

Hearing Information

Date: April 20, 2021

Time: 1:00 PM

Virtual Location Link: <https://us02web.zoom.us/j/82982473211>

Dial In: 1-312-626-6799

Meeting ID: 829 8247 3211

Rule Information:

This rule updates ch. NR 216, Wis. Adm. Code to address the issues identified by the U.S. Environmental Policy Agency Region 5 by letter to the department dated July 18, 2011 as a result of their Legal Authorities Review; update the references to the non-agricultural and transportation facility performance standards in ch. NR 151; codify other federal storm water requirements that have become effective since the previous promulgation of amendments to ch. NR 216; and update fees authorized by s. 283.33 (9), Stats.

Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, DNR will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which is available [here](#). Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, please download and complete the fillable [Hearing Appearance form](#) and send it to DNRNR216Revisions@wisconsin.gov.

Comments on the proposed rule must be received on or before April 30, 2021. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. **Written comments and any questions on the proposed rules should be submitted to (email preferred):**

Department of Natural Resources
Attn: Amy Minser – WT/3
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921
(920) 360-0913
DNRNR216Revisions@wisconsin.gov.

The rule may be viewed at: <https://dnr.wisconsin.gov/news/input/ProposedPermanent.html>

Initial Regulatory Flexibility Analysis:

This rule's net impact on small business is expected to be \$235,200. This includes \$2,400 in postage savings due to electronic permitting, \$105,700 in costs industrial permittees with small businesses to update storm water pollution prevention plans, and \$131,900 in increased construction site permit fees and additional information required with the permit application.

For the construction subprogram, it was assumed that small businesses were most likely to be associated with the smallest sites. For the construction permit application fee updates, a separate category was created for sites with under 2 acres of land disturbance. The application fee for this category was increased at a lower rate compared to sites over 2 acres to limit impacts to small businesses and local government entities.

Agency Small Business Regulatory Coordinator:

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