

Notice of Preliminary Hearing on Statement of Scope

The Department of Natural Resources announces that it will hold a preliminary public hearing on Statement of Scope SS 051-21 for proposed rules relating to revisions to chapters NR 102, 106, 205, and 207, and other related regulations for the purpose of updating Wisconsin's water quality antidegradation policy and procedures (Board Order WY-13-20). In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on Statement of Scope SS 051-21 at the time and virtual location shown below.

Hearing Information

Date: July 13, 2021

Time: 1:00

Virtual Location Link:

Join Zoom Meeting: <https://us02web.zoom.us/j/82342491223>

Meeting ID: 823 4249 1223

Dial in: +1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/u/keJ5QJuhwD>

Rule Information

The objective of the proposed rule is to update Wisconsin's antidegradation policy and implementation procedures to establish an effective, transparent process for conducting antidegradation reviews consistent with federal regulations. Antidegradation reviews are a federally-required component of water quality standards. They are established to protect existing uses and to protect high quality waters from degradation. A state's antidegradation policy and implementation procedures do not prohibit all activities that would otherwise lower water quality in high-quality waters. However, they require a demonstration that lowering of water quality is necessary to support social or economic development in the area where the waterbody is located.

States are required to adopt an antidegradation policy and implementation procedures that are consistent with the Clean Water Act and federal regulations promulgated under the Act (33 USC 1313(d)(4)(B), 40 CFR 131.12) and 40 CFR 132 Appendix E.

The purpose of these rule revisions is to ensure that Wisconsin's antidegradation policy, currently established in ch. NR 102, Wis. Adm. Code, and its implementation procedures, detailed in ch. NR 207, Wis. Adm. Code, are consistent with federal regulations (40 CFR 131.12) that were revised effective August 21, 2015 (Federal Register Vol. 80, No. 162). The rule revisions may also include additional antidegradation policies and procedures that apply in the Great Lakes Basin (40 CFR 132, Appendix E).

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. To register and join the hearing online or by phone, use the information provided above. Pre-registration is also available by completing a Hearing Appearance form, which is available at:

<https://dnr.wisconsin.gov/news/input/ProposedPermanent.html>. 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 Kristi.Minahan@wisconsin.gov.

Comments on the proposed scope statement must be received on or before July 13, 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 statement of scope should be submitted to:**

Department of Natural Resources
Attn: Kristi Minahan - WY/3
Department of Natural Resources
101 S. Webster Street
Madison, WI 53703

Kristi.Minahan@wisconsin.gov or DNRAAdministrativeRulesComments@wisconsin.gov

The Statement of Scope may be reviewed, and comments made at https://docs.legis.wisconsin.gov/code/scope_statements/comment.