

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 026-22 (Board Order DG-03-22) for proposed creation of chapter NR 851 for the management of diversions (transfers of water from the Great Lakes basin to outside of the Great Lakes basin) and intrabasin transfers including the application and review process and other related criteria. In accordance with s. 227.136, Wis. Stats., the DNR is seeking public comment and feedback on Statement of Scope SS 026-22 at the time and virtual location shown below.

This hearing will also include:

- Statement of Scope SS 025-22 (Board Order DG-02-22), proposed creation of chapter NR 854 for statewide water supply service area planning for municipalities serving populations greater than 10,000 people.

Hearing Information

Date: June 3, 2022

Time: 10:00 a.m.

Virtual Location:

- Online via Zoom: <https://us02web.zoom.us/j/82411527746>
- Meeting ID: 824 1152 7746
- Join by Telephone: (312)-626-6799

Rule Information

The objective is to create a new rule under the authority of ss. 281.343(3)(c)2., 281.346(4)(b)4. and (d)1. and (9)(b) to (d), Wis. Stats. This rule will establish department procedures for managing Great Lakes diversions and intrabasin transfers. Diversions are defined as a transfer of water from the Great Lakes basin into a watershed outside the Great Lakes basin, or from the watershed of one of the Great Lakes into that of another, by any means of transfer, including a pipeline, canal, tunnel, aqueduct, channel, modification of the direction of a water course, tanker ship, tanker truck, or rail tanker with few exceptions (s. 281.346(1)(h), Wis. Stats.). Intrabasin transfer means the transfer of water from the watershed of one of the Great Lakes into the watershed of another of the Great Lakes (s. 281.346(1)(jm), Wis. Stats.).

This rule would specify requirements regarding: diversion and intrabasin transfer application requirements, including exception standard requirements; department determinations related to approval/denial of diversion applications; public participation opportunities; and requirements related to annual diversion and intrabasin transfer reporting.

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. Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, either use the Zoom link above prior to the day of the hearing or download and complete the fillable [hearing appearance form](#) and send it to Nicole.Clayton@wisconsin.gov.

Comments on the proposed scope statement must be received on or before June 3, 2022. 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 scope statement should be submitted to:

Department of Natural Resources
Attn: Nicole Clayton – DG/5
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921
Nicole.Clayton@wisconsin.gov

The scope statement may be viewed at:

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

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

The scope statement may be reviewed, and comments made at:

https://docs.legis.wisconsin.gov/code/scope_statements/comment.