

Notice of Hearing

Notice date: December 5, 2022

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule to revise ch. NR 102, relating to site-specific phosphorus criteria for Lac Courte Oreilles (Board Order WY-21-20), at the time and place shown below.

Hearing Information

Date: January 23, 2023

Time: 6:00 PM

Location: Hayward DNR office, 16133 Nursery Road, Hayward, WI, 54843, with virtual option also available

Virtual Location:

- Online via Zoom: <https://us02web.zoom.us/j/88432754855>
- Meeting ID: 884 3275 4855
- Join by Telephone: 888 475 4499 US Toll-free

Rule Information:

This rule proposes a site-specific criterion of 10 µg/L total phosphorus for Lac Courte Oreilles (LCO), a lake in Sawyer County. The lake straddles both state land and Tribal lands of the Lac Courte Oreilles Band of Lake Superior Chippewa. LCO is a state-classified Outstanding Resource Water and one of a small number of “two-story fishery” lakes in Wisconsin that support a coldwater fishery within its deep basins.

Pursuant to s. NR 102.06(7), Wis. Adm. Code, and s. 281.15, Stats., the department has the authority to develop a site-specific criterion in place of the generally applicable phosphorus criteria in s. NR 102.06, Wis. Adm. Code, if site-specific, scientifically defensible data and analysis demonstrate a different criterion is protective of the designated use of the specific surface waterbody and the site-specific criterion is no more stringent than reasonably necessary to protect the designated use.

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 Kristi.Minahan@wisconsin.gov.

Comments on the proposed rule must be received on or before January 30, 2023. 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:

Kristi Minahan at Kristi.Minahan@wisconsin.gov (preferred)

or

Department of Natural Resources

Attn: Kristi Minahan – WY/3

P.O. Box 7921

101 S. Webster Street,

Madison, WI 53707-7921

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

Comments can be made at: DNRAAdministrativeRulesComments@wisconsin.gov

The rule may be reviewed, and comments made at:

<http://docs.legis.wisconsin.gov/code/chr/hearings>.

Initial Regulatory Flexibility Analysis:

The rule is not expected to impact small businesses.

Agency Small Business Regulatory Coordinator:

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