

00:25:22 Brian Suffern: Carlton Layne did not get link. I forwarded email Eric sent to me....hopefully that works for him

00:34:26 DAVID BLUMER: Different aquatic plant surveyors often end up with different results - some surveyors identify more plants, some identify less. What is more important, those plants that are abundant and make up most of the community, or those that are very limited, maybe found at one or two points, maybe only visual? Also is there a suggested frequency of occurrence that would determine more or less importance for a specific plant species?

00:35:46 Scott Manley: "Public Rights Features" is a very broad and subjective definition, and includes "Reaches of bank, shore or bed that are predominantly natural in appearance." Is there anywhere in Wisconsin where the bank, bed or shore of a waterbody is not predominantly natural in appearance? This appears to be a back door to allow staff to deny a permit wherever it deems, essentially without justification. How does this provide regulatory clarity to anyone?

00:36:49 DAVID BLUMER: Will the new high value species list include more than just aquatic plants?

00:37:23 James Scharl: Priority Navigable Waters already include all the proposed listed protected areas (ANSRI, OERW, etc.). Why duplicate listing them?

00:38:45 DAVID BLUMER: Many of the Sensitive Area designations completed by the WDNR are 10-30 years old. How long does a sensitive area designation remain in place in a way it can impact management planning?

00:39:41 Roy Carlson: Can high value species receive management? For instance, water shield can easily impede navigation.

00:40:08 James Scharl: How will additional protections for PNW impact permitting for lakes under 50 acres?

00:42:23 James Scharl: Can algae be added to the definition of water use obstructions?

00:43:33 DAVID BLUMER: What does it mean that "the equipment being used is not scale appropriate for the waterbody"

00:43:39 James Scharl: What is the legal authority to determine water watercraft is scale appropriate? For example, rules cannot be created that restrict certain types of watercraft (PWC, wake board boats, or others) from using a lake.

00:46:01 Olson, Eric: <https://dnr.wi.gov/lakes/plants/rules/>

00:46:17 Scott Manley: What is the explicit statutory authority that authorizes the Department to condition an APM permit upon the appearance of the scenery surrounding the waterbody?

00:46:32 DAVID BLUMER: If the new high value species list includes more than just plants, how or who determines whether or not "the high value species" is present in the lake?

00:46:53 James Scharl: If the permittee must demonstrate that treatments can be conducted in a manner that will not alter the ecological character of the area, isn't that an unavoidable and target consequence of aquatic plant control regardless of method?

00:47:40 Matthew Harp: Is it fair to say that the rule changes will result in lower management (acreage) of aquatic plants in Wisconsin? Is it also fair to say that there will be increased expense to lake organizations for management?

00:48:52 Scott Manley: Will the Department be promulgating a list via rule of all areas that meet the definition of "critical habitat?"

00:49:05 DAVID BLUMER: In reference to James Scharl's comment about algae - in my mind specifically mats of filamentous algae.

00:49:21 Roy Carlson: I'm glad to hear waters with little or no human impacts will be managed differently than those with severe or excessive impacts. However, many studies driving management strategies are based largely from work performed on our northern, less disturbed environments. Shouldn't be used only with comparable lake systems?

00:49:43 Matthew Johnson: What type of detail will be expected or research required to show the non target impact from a pesticide treatment? Will the DNR provide guidance on what is acceptable and or expected from their standpoint?

00:49:45 Olson, Eric: This message from Brian Suffern: For any Sensitiv, etc., is any formal Notice required to Riparians? Also.... we are encouraged to treat early.....typically before Material Obstructions occur. Is DNR Staff going to be making these determinations?

00:52:10 Olson, Eric: <https://dnr.wisconsin.gov/topic/EIA/APMSA.html>

00:53:46 Matthew Johnson: Does the WI DNR look at invasive plants as a threat to Aquatic Vegetation

Habitat? By federal definition Invasive species can lead to the extinction of native plants and animals, destroy biodiversity, and permanently alter habitats. I would think that some level of short term impact to native species would be worth prevention of damage to this habitat. I just wanted to confirm this would be part of the evaluation process.

00:54:08 carlton Layne: Are the determinations of critical habitat, sensitive species, etc. subject to public comment and appeal or are the determinations simply up to DNR?

00:56:15 carlton Layne: I should have used the term "sensitive areas" above.

00:56:24 James Scharl: Understood, but plants are not algae.

00:57:45 James Scharl: If you are listing PNW, but excluding waters under 50 acre, why not put that in writing?

01:00:14 Scott Manley: NR 1 provides subjective definitions, but is not a list of specific areas. My question is whether there will be a promulgated list so that applicants can know ahead of time whether their treatment would occur in an area of critical habitat?

01:05:39 Liz Tanner: Sign up to speak during the verbal comment period here:

[https://docs.google.com/spreadsheets/d/17vWUoVEtXrWrPMtpWy4C29\\_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing](https://docs.google.com/spreadsheets/d/17vWUoVEtXrWrPMtpWy4C29_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing)

01:06:15 James Scharl: NR1.07 (04) is not called out in the native plant protection paper.

01:29:10 Matthew Harp: It would be helpful to see if there are example of current management permitted that would not be in the future and the reasoning.

01:29:22 Robert Langjahr: What is determined as a "certain threshold density" by the DNR for invasives

01:34:45 Matthew Harp: What current management would not be allowed in the future.

01:39:08 Liz Tanner: Sign up to speak during the verbal comment period here:

[https://docs.google.com/spreadsheets/d/17vWUoVEtXrWrPMtpWy4C29\\_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing](https://docs.google.com/spreadsheets/d/17vWUoVEtXrWrPMtpWy4C29_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing)

01:50:30 James Scharl: What is the definition of "private ponds" as listed in the white paper as "The department proposes moving a portion of permitting requirements for all permitted activities (excluding private ponds)...?"

01:51:50 Roy Carlson: IPM is a science-based decision-making process, yet during our last session we learned there is little or no data surrounding vertebrate, invertebrate removal or the reduction of targeted species as it relates to mechanical harvesting or DASH. Without science behind these management techniques, how can they be recommended as part of an IPM plan?

01:52:33 Scott Manley: How much time and expense does the Department anticipate must be spent to develop these 5-year plans?

01:52:46 DAVID BLUMER: Right now, some management of AIS and aquatic plants can be done without an APM Plan. Does this possibility go away under the rule revision? All management that needs a permit will not be allowed without an APM Plan? Does IPM and adaptability allow for the use of a "new" management technique even if it is not specifically mentioned in an APM Plan?

01:53:09 Jeff Stelzer: You mention that a good IPM should adapt to current technologies. How can we be adaptive to current technologies when you identified that techniques not outlined in the 5 year APM Plan wouldn't be allowed?

01:54:17 Scott Manley: This seems like a lot of make-work and red tape with very little value add to current management practices.

01:54:24 Matthew Harp: How about a 10 year management plan with adaptations as needed?

01:56:16 James Scharl: Is the current grant program funding adequate for the proposed increase in workload due to this rule update?

02:11:14 DAVID BLUMER: Given the idea of modules that anyone can use to prepare an APM Plan, do you foresee putting in place a maximum ceiling for the cost for a consultant to develop a plan?

02:14:47 Alyssa Barrette: When is this planning process initiated? Will it affect permit review timeframes?

02:17:11 James Scharl: What is the definition of "private ponds" as listed in the white paper as "The department proposes moving a portion of permitting requirements for all permitted activities (excluding private ponds)...?"

02:17:50 James Scharl: Will the planning process be necessary for a 0.25 acre stormwater pond without public access but with >1 adjacent landowner?

02:18:11 James Scharl: Why are questions being addressed as "comments"?

02:19:47 Scott Manley: How many mechanical harvesting permits are there versus chemical treatment

permits?

02:20:14 Jeff Stelzer: James is essentially asking if "public ponds" are being included in this regulation?

02:20:40 Liz Tanner: Sign up to speak during the verbal comment period here:

[https://docs.google.com/spreadsheets/d/17vWUoVETXrWrPMtpWy4C29\\_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing](https://docs.google.com/spreadsheets/d/17vWUoVETXrWrPMtpWy4C29_g7mC2Hc3p0C26Tx1aKTM/edit?usp=sharing)

02:20:47 Alyssa Barrette: Comment - I think it would be beneficial to have an option for proactive planning prior to the permitting process. Often, we're under tight timeframes to get contracts, funding and permits in place ahead of the growing season and appropriate treatment times.

02:21:09 Jeff Stelzer: You haven't answered the questions above!

02:21:15 Alyssa Barrette: Could existing or other required planning efforts (e.g. conceptual mitigation plan for compensatory mitigation sites) be used in place of the modules? USACE and WDNR staff approve these plans.

02:25:29 DAVID BLUMER: Under the current AIRR (rapid response) management is allowed without an APM Plan. Will there be a grace period for new infestations in the APM Planning process?

02:29:29 Jeff Stelzer: please read my question above

02:30:07 Jeff Stelzer: Or James Scharl's

02:45:07 Zofia Noe: and these presentations will be publicly posted yes?

02:45:30 Zofia Noe: Maybe in the next week?

02:47:40 Paul Cunningham: [https://dnr.wi.gov/topic/EIA/documents/APMSA/APMSA\\_Final\\_2019-06-14.pdf](https://dnr.wi.gov/topic/EIA/documents/APMSA/APMSA_Final_2019-06-14.pdf)