

Annual APM Meeting

Madi Johansen, Statewide APM Team Leader

Michelle Nault, Lakes and Rivers Section Manager

January 21, 2025

Agenda

9:30 – 10:15 General Program Updates – Madi Johansen & Michelle Nault, DNR

- Staffing Updates
- Permit Reminders

10:30 – 11:30 Treatment Record App – Emily Hjalmarson, DNR

- A progress report on the Treatment Record App.
- A discussion of key user layout options for entering chemical information on the form.

11:30 – 1:00 Lunch on your own

1:00 – 1:40 WPDES Program – Jennifer Jerich, DNR

- An explanation of the Low Impact GP
- An explanation of the Pesticide GP

1:50 – 3:15 APM Rule – Madi Johansen, DNR

- A presentation on the APM Rule.
- A discussion on the APM Rule focused on pond permitting.

Staffing Updates

Industry Staffing/Contact Updates

- Please let us know if:
 - You have new staff.
 - You have updated contact information.
 - You have preferences for communication (phone or email).
 - Send info to Madison.Johansen@wisconsin.gov
- Any other information that may help us work with you quickly and efficiently this year

DNR Staffing Updates

- APM Intake Staff
 - Emily Hjalmarson leads central intake.
 - Sarah Wood, Breanna Crane and Marco Scarasso will assist
 - All emails go to DNRAPMProgram@wisconsin.gov
- Lakes and Rivers Section Manager
 - Michelle Nault
- West District Field Supervisor
 - Anna Mares
- North District Field Supervisor
 - Pamela Toshner

New Staff

Northwest (Light Purple Counties)

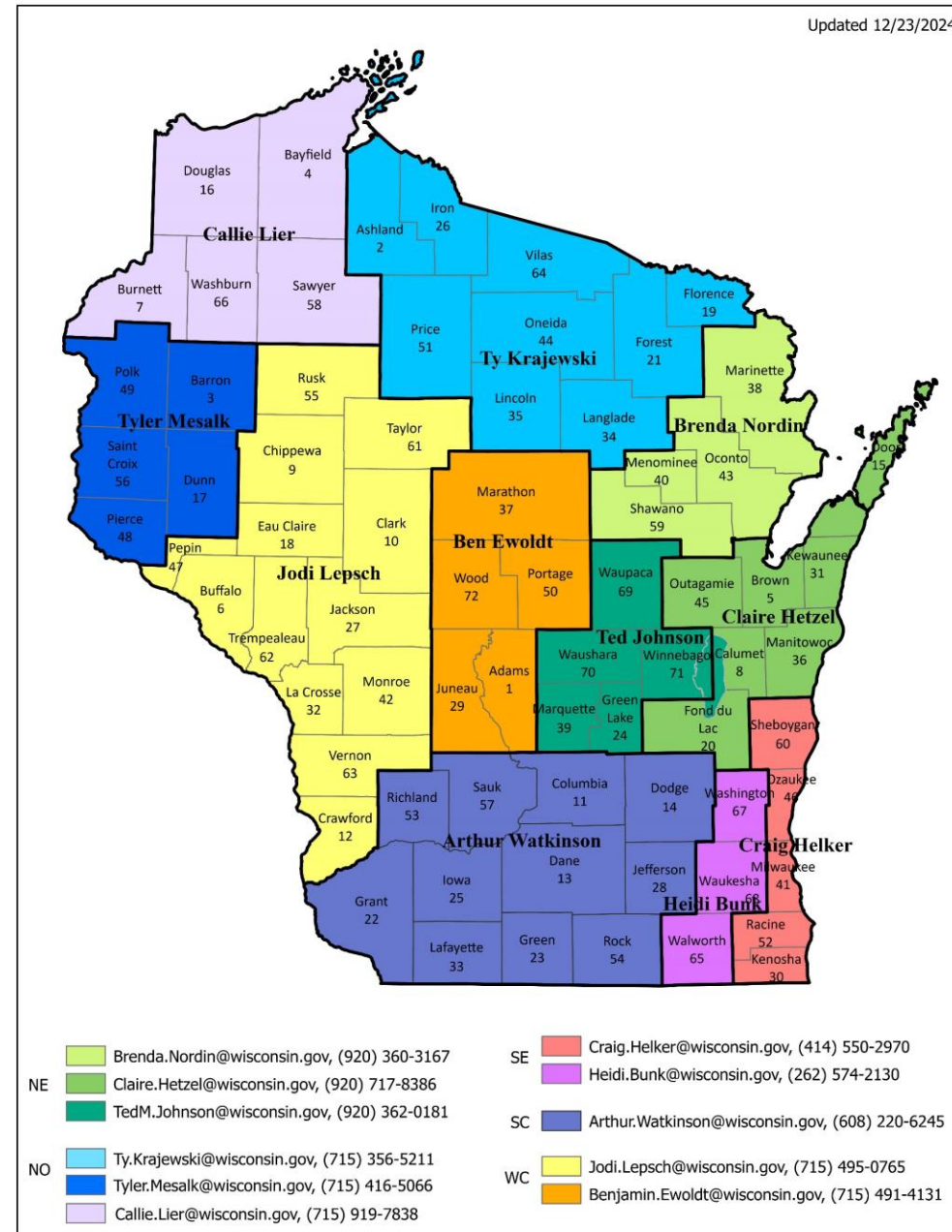
- Benjamin Schleppenbach – Lakes Biologist
- Callie Lier

West (Yellow and Orange)

- Brandon Thill

Southeast (Pink and Red Counties)

- Miriam Burgos Febus



Permit Submittal

ePermitting, Permit Quality

ePermitting

- Permit applications must be submitted using the ePermitting system.
- Wetland, Lake and Pond Permits, as well as all reporting forms.
 - Help document at the top and bottom of our APM webpage, updated annually.
 - <https://dnr.wi.gov/lakes/plants/forms/>

Application Forms and Resources

- [Apply for an Aquatic Plant Management Permit Online](#)
- [Worksheet for Large-Scale Chemical Aquatic Plant Treatment 3200-004a \[PDF\]](#)
- [Aquatic Plant Management Herbicide Treatment Record 3200-111 \[PDF\]](#)
- [APM Permit Site Map Examples \[PDF\]](#)
- [APM ePermitting Guidebook \[PDF\]](#)

Issues with ePermitting System

If ePermitting issues come up:

- DNRAPMProgram@Wisconsin.gov
 - Can potentially solve the problem without IT.
 - They know the “lingo” to best communicate the problem and can send issue trackers on your behalf.

Email to Us

- Permit #'s or draft #'s
- Include screenshots
- Confirm you are using Chrome on computer
- Signature issues – confirm you checked Junk/Spam

Moving Away from WAMS ID in 2025

- Should have gotten email from ePermitting GovDelivery explaining the migration.
- Questions?
 - Visit the MyWisconsin FAQ webpage for answers to common questions or contact the MyWisconsin account service desk at 608-471-6667.
 - Contact ePermitting support staff by submitting a DNR Contact Form for support with the Wisconsin DNR ePermitting system. Please fill out the required fields in the contact form and select “MyWisconsin ID” from the Permit Category dropdown menu.

QAQC

A member of the public should be able to answer this question when looking at a permit

“What was permitted on X waterbody? How many acres will be managed? What species are to be treated? What chemicals or equipment will be used?”

QAQC

- Specificity in permits for non-private waters
 - Clear and concise herbicide list
 - Clearly delineated treatment areas
 - Public notice requirements met, when appropriate
- These are not new requirements
- Permits are placed on hold when this information is missing

Permit Reminders – Applicant contact info

- Applicant Information must be on the form correctly.
 - Your business information is not correct
 - Missing information is not correct, need phone or email.
- Personal contact information has been removed from publicly viewable permits once they are submitted.

Permit Reminders - Responsibilities

- If you are signing a permit for an applicant, you are responsible to meet all of the requirements of the permit form and NR 107 or 109.
 - If the applicant is taking some part of the responsibility, notifying their neighbors of a treatment as an example, you should ensure that they are following the correct procedure and adequately informing all appropriate parties.

Public Notice – NR 107

- Large Scale Chemical Control
 - > 10 acres or 10% of the waterbody less than 10 feet in depth.
 - Non-private waters: ponds, wetlands and lakes
- Public Notice Procedures
 - Do BEFORE sending permit to DNR, not after.
 - 2 by 4 inch advertising format, largest circulation in the area.
 - Size of the proposed treatment
 - Approximate treatment dates.
 - Provide opportunity for public informational meeting outlining the criteria
 - 5 members of public may request a meeting within 5 days of the notice.

Public Notice Continued

- In NR 107, says folks may request that meeting in writing.
 - Generally, public notices only list mailing addresses.
 - DNR asks folks to add an email address to public notices as well or instead of mailing address.

Evidence of Public Notice

- Unacceptable Evidence:
 - A word doc of what the notice says.
 - An email that says you will get to it later in the spring.
 - A fake public notice or ad purchase.

Acceptable Public Notice Evidence

- Ensure acceptable evidence of public notice is submitted with application.
 - Examples

AQUATIC PLANT TREATMENT


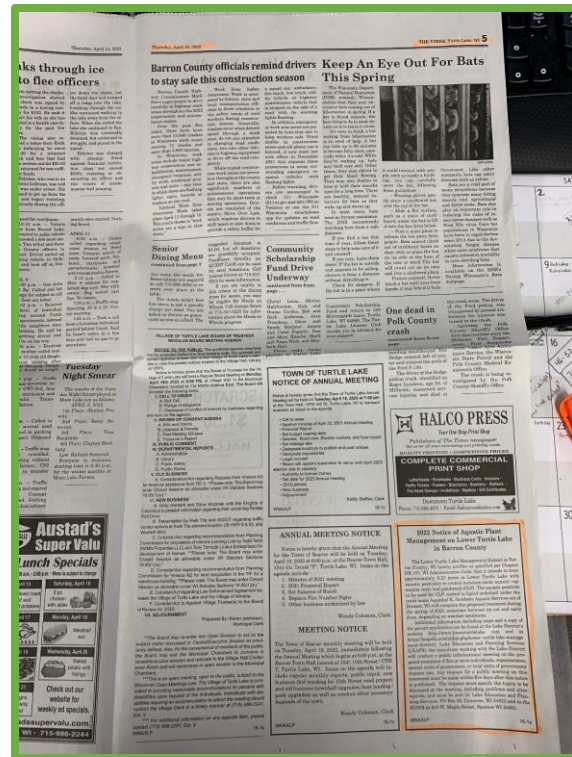
Affidavit of Publication
STATE OF WISCONSIN) SS
COUNTY OF ADAMS)

Elizabeth Sutcliffe, being duly sworn, says:
That she is an authorized representative of the Adams-Friendship Times-Reporter, a weekly newspaper of general circulation, printed and published in Adams, Adams County, Wisconsin; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
4/13/2022

That said newspaper was regularly issued and circulated on those dates.

SIGNED: Elizabeth Sutcliffe
Subscribed to sworn to me this 4/14/2022
Allen Schirfgen
Allen Schirfgen, Notary Public, State of Wisconsin.
My Commission Expires January 31, 2025

of Lines: _____ Printers Fee: \$ _____
See Monthly Statement for Cost Received Payment
101742 27290
JORDAN LAKE R&P DISTRICT
1859 OLD OAKS COURT
ROCKFORD, IL 61008

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Account	AGE	Net Amount	Tax Amount	Total Amount	Payment Method	Payment Amount	Amount Due
139222	000E160199	\$44.38	\$0.00	\$44.38	Invoice	\$0.00	\$44.38

Sales Rep: H50mls Order Taker: H50mls
Line Start Date End Date
1 03/16/2022 03/16/2022
1 03/16/2022 03/16/2022

*ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Date of Ad: 03/09/2022
ADVERTISING SALES AGREEMENT FOR AQUATIC PLANT TREATMENT

Marine Biochemists wishes to apply for permits from the Wisconsin Department of Natural Resources to treat a total of approximately 34-51 acres of waterbody (Eurasian water-milfoil) in Adams County, Wisconsin. The project will involve the use of aquatic herbicides. The project will be conducted in Adams County, Wisconsin. The project will be conducted in Adams County, Wisconsin. The project will be conducted in Adams County, Wisconsin.

Marine Biochemists will conduct a public informational meeting on the proposed treatment of low or near ambient, unproductive, open water of government, private or other ownership. The meeting will provide a chance to hear the project description, to ask questions and to provide input. The meeting will be held on Thursday, April 14, 2022, at 7:00 PM at the Adams-Friendship Times-Reporter, 1859 Old Oaks Court, Rockford, IL 61008. The meeting will be held on Thursday, April 14, 2022, at 7:00 PM at the Adams-Friendship Times-Reporter, 1859 Old Oaks Court, Rockford, IL 61008.

Map Quality

- What's a good map?
- https://dnr.wi.gov/lakes/plants/forms/current_form/Map.pdf

We should be able to look at your map, your control areas on the form and the planned control method to figure out what's being proposed.

Please check before copying last years and sending it with permit.

Map Quality

- Site maps should use recent aerial imagery
- Use labels if there is more than one waterbody.
- If a waterbody's size/shape has completely changed, a new map is needed.
- Drawn-in polygons are not acceptable if imagery of the waterbody exists.

Good Example



On permit
application:

Pond A – 1.2ac
Pond B – 1.1ac



Bad Example



On permit application:

Pond A – 1.2ac

Pond B – 1.1ac

New Ponds

- We don't issue permits for ponds that don't exist yet.
- If your map shows an open field, we are going to put it on hold and ask questions.
- Don't submit permits until ponds are constructed.

Permit Issuance

- Permits should be issued within 10-15 business days
 - Unless placed on hold
- Lack of planning not our emergency
 - Please submit at least 15 business days prior to when trying to treat
- If haven't heard by the 15th business day, check in with the APM Coordinator directly, or DNRAPMProgram if it's a private pond.
- **Reminder:** We may send cover letters for ponds out in large batches once a week to cut down on emails and time. This would stop once the field season is underway.

Permit Expiration Dates/No Treat

The expiration date on the permit is also the date “no treatments” are due.

Questions?

Private pond permit, DNRAPMProgram@wisconsin.gov

Non-private permit, the [APM Coordinator](#) directly.

Permit Modifications

- Check permits over before submitting.
- Ensure your client wants your services before you submit a permit on their behalf.
- In most cases, we will be requiring you to fill out a new application if you submit a permit then immediately ask us to make modifications to the permit.
 - It is a lot of work to manually edit the information, and the \$20 fee isn't covering even basic review of the pond permits.

Permit Decision-making

Ceded Territory Permitting

- Increased Tribal scrutiny of APM in general, particularly chemical control.
- DNR works closely with Tribes, Voigt Intertribal Task Force, GLIFWC and lake groups to facilitate open communication and decision-making.
- Timing constraints for herbicidal application to avoid Tribal Spring Fish Harvest activities.
- The Wild Rice Stipulations require the WDNR to offer consultation with VTF if wild rice abundance or habitat may be impacted by an activity.
- Wild rice is recognized as a high value species under DNR's aquatic plant management rules. In accordance with NR 107, the DNR will review the use of ProcellaCOR in wild rice waters on a case-by-case basis.

Guidance

- No new guidance this year.
 - No high-level changes to program decision-making.
 - Program is focused on APM rulemaking.
-
- All permit decisions made on a case-by-case basis under the standards of NR 107 and 109.

Control Reporting

Chemical and Mechanical Control

Reporting

Chemical

- 30 days after each control event.
- Immediately if unusual or adverse conditions noted.
- Use ePermitting system.
- After app rolled out, will be phasing out email and mailed records.

Mechanical/DASH

- Annual summary.
- Must use ePermitting System.

Reminder – Mechanical/Manual Reporting Form

- New form for reporting NR 109 control work
- Similar process to NR 107 treatment record submission
 - Autopopulation
 - Accessing PDF copy

Enter permit number to begin your treatment record or control report

Permit ID #: **NE-2023-12-3456M**

Permit Name: **Example Permit**

Waterbody Name: **Example Lake**

Permit Holder Name: **Jane Smith**

Treatment or Control Completed: Yes No

[Where to find your permit number](#)

Aquatic Plant Management

NOTE: Missing or incomplete fields are highlighted at the bottom of each page. You may save, close and return to your draft permit as often as necessary to complete your application. If you close the application without saving, your draft is deleted.

PLEASE NOTE: You must complete the section below before continuing.

Site or Project Name:
The permit application will be saved automatically with this name

Activity:

Before completing your APM permit application, the DNR encourages applicants to contact their local APM Contact:
https://apps.dnr.wi.gov/lakes/contacts/contacts.aspx?role=AP_MNGT

Treatment Record Application

- Goal: A mobile/desktop friendly application which allows the user to simultaneously report treatment records to DNR databases, the applicator and customer.
- Where we are:
 - Development in final stages.
 - Show and tell of the progress so far this morning.
 - Questions on usability and function.

Implementation - sometime in 2025.

Questions?

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CONNECT WITH US

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@WIDNR



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/WIDNRTV



"WILD WISCONSIN:
OFF THE RECORD"

Aquatic Plant Management Rulemaking

Madi Johansen, Statewide APM Coordinator

January 21st, 2025

Agenda 1:50-3:15

30-40 minutes

- Rulemaking Process Overview
- Scope Statement Review
- General Outline of DNR progress in drafting
 - What is in the draft rule now




5 minute break

45 minutes

- Listening session on ponds

Rulemaking Process

Different Levels of Government

	Governmental Bodies	Their regulations
 Federal	Congress →	<i>US Constitution, Laws passed by Congress (Clean Water Act)</i>
	Federal Agencies (US EPA) →	<i>Codes passed by each Agency (Code of Federal Regulations, 40 CFR Part #)</i>
 State	Legislature →	<i>State Constitution, Statutes</i>
	State Agencies (DNR) →	<i>Wis. Administrative Codes for each agency (NR codes)</i>
 Local	Counties →	<i>Ordinances</i>
	Municipalities →	<i>Ordinances</i>

About Administrative Rules...



Regulations, standards, or policies written by executive branch agencies (DNR) to implement statutes and administer agency programs.



Have the force and effect of law.

About Administrative Rules...



Rulemaking process is subject to oversight by the Legislature and is governed by Chapter 227, Wis. Stats.



Administrative rules are compiled in the Wisconsin Administrative Code.

Terms



Natural Resources Board (NRB) is the rule-making authority for the department. NRB sets policy for the department and exercises authority and responsibility in accordance with state laws.



Initiating Administrative Rule Work

Agencies may only promulgate an administrative rule if they have the statutory authority to do so.

▶ Legislation or court decision

▶ Federal code changes

▶ Agency-initiated changes

▶ Petition by citizens

Administrative Rule Promulgation

32 – 36
months

✓ PHASE I – Scope Statement

✓ PHASE II – Rule Development

✓ PHASE III – Economic Impact Analysis

✓ PHASE IV – Public Hearings

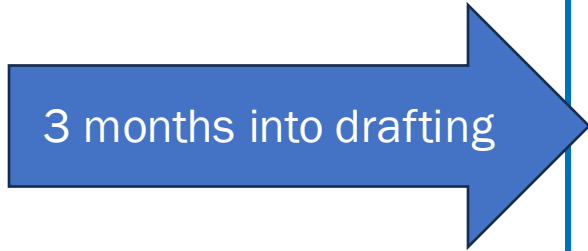
✓ PHASE V – Adoption by NRB & Approval
by Governor

✓ PHASE VI – Legislative Review

30 Month Deadline!

Administrative Rule Promulgation

3 months into drafting



32 - 36
months



PHASE I – Scope Statement



PHASE II – Rule Development



PHASE III – Economic Impact Analysis



PHASE IV – Public Hearings



PHASE V – Adoption by NRB & Approval
by Governor



PHASE VI – Legislative Review

PHASE I – Scope Statement

**Scope needs to be broad enough to encompass all expected revisions; can't make changes beyond the scope*

Scope statement includes:



Objective of the proposed rule



Description of the statutory authority for the proposed rule



Description of all entities that may be affected by the rule

Public Input in Rulemaking Process



Public has a minimum of 4 opportunities to provide input on proposed administrative rules.



Legislature can prompt at least 2 more opportunities for public input.



Individual DNR programs may choose to have additional public input opportunities throughout the process.

Stakeholder Feedback While Rule Drafting

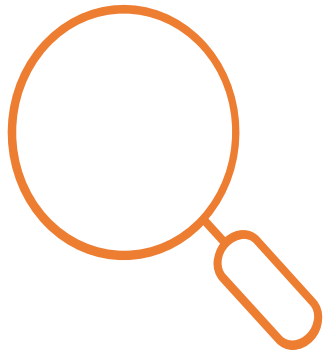
Two advisory committees during rule and EIA drafting.

- Technical advisory group – industry reps
- General stakeholder group – lake groups, Tribes, fishery experts, conservationists

A “roadshow” around the state to seek input from public

- 4 locations in June 2025

Where to Go For Information?



DNR.wi.gov – [Proposed Permanent Rules](#)



Highlights all “formal” public input opportunities

Scope Statement

Economic Impact Analysis

Public Hearing on Draft Rule

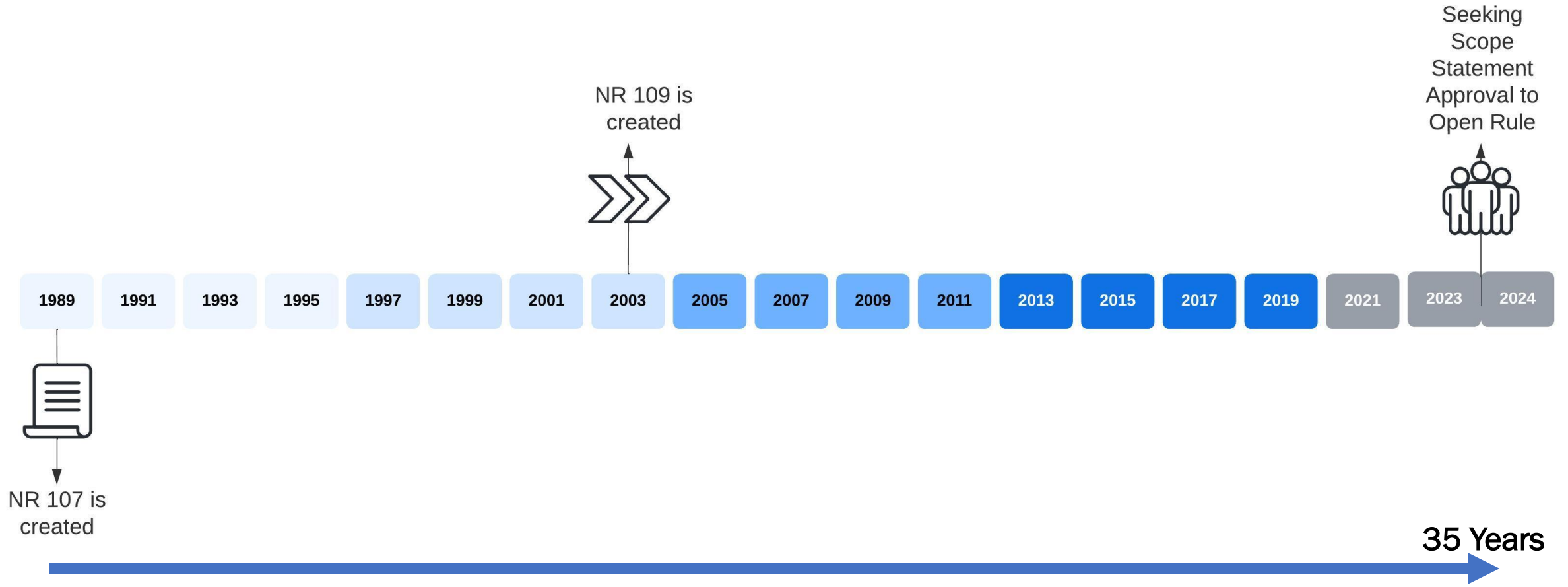
Where to Go For Information?

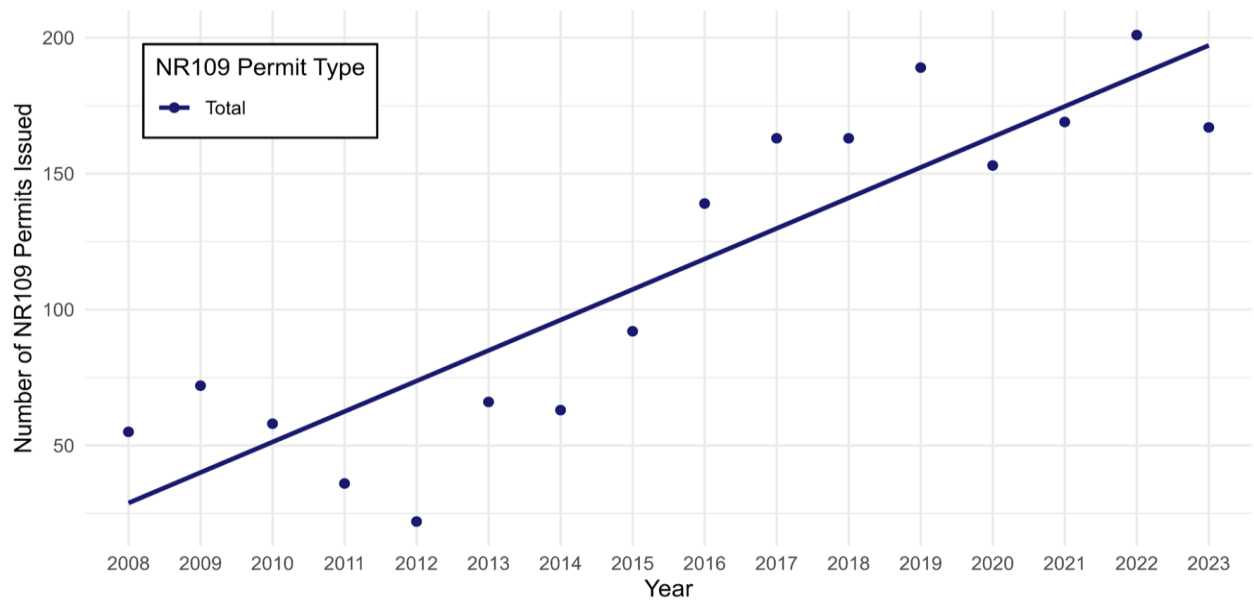
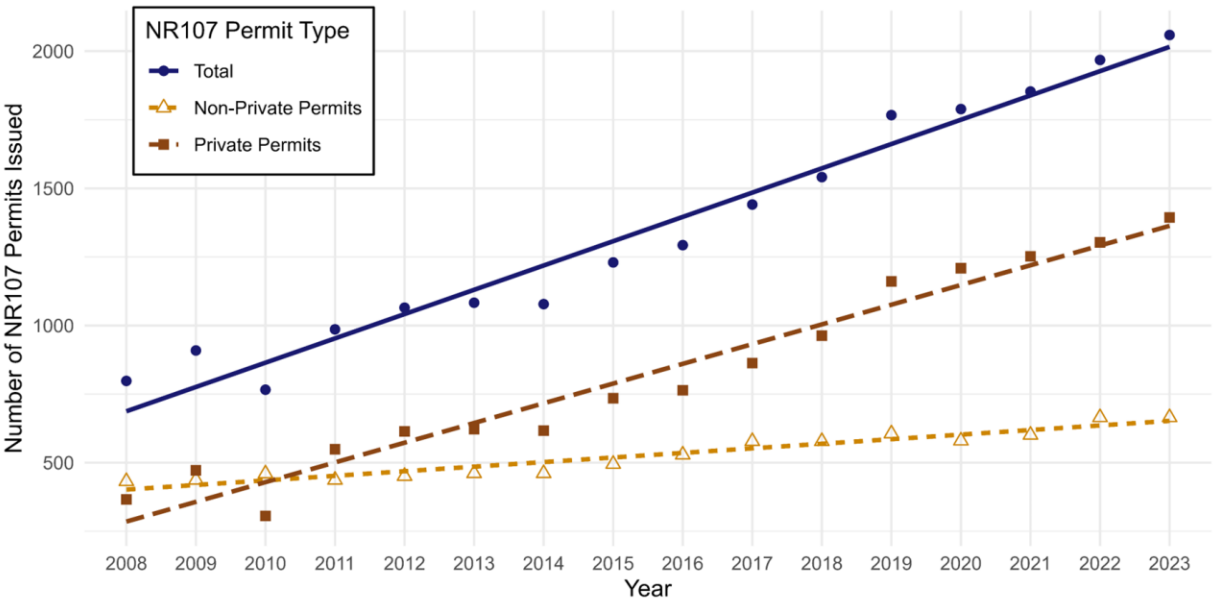
Program
Webpages on
DNR.wi.gov

Sign up for
[GovDelivery](#)

Scope Statement Overview

Why Pursuing Rule Change?





First Priorities

- Increase permit fees
- Streamline the pond permit process
- Streamline permit processes, combine the rules
- Provide planning consistency

Additional Areas for Consideration

- Increase aquatic habitat protection
- Expand permit waivers
- Adjust large scale control thresholds
- Create product specific regulations for dyes, additives

Rule Drafting Update

These are general, preliminary and subject to change

Primary Goal



Keep as much of the original NR 107 and NR 109 rule language as possible.



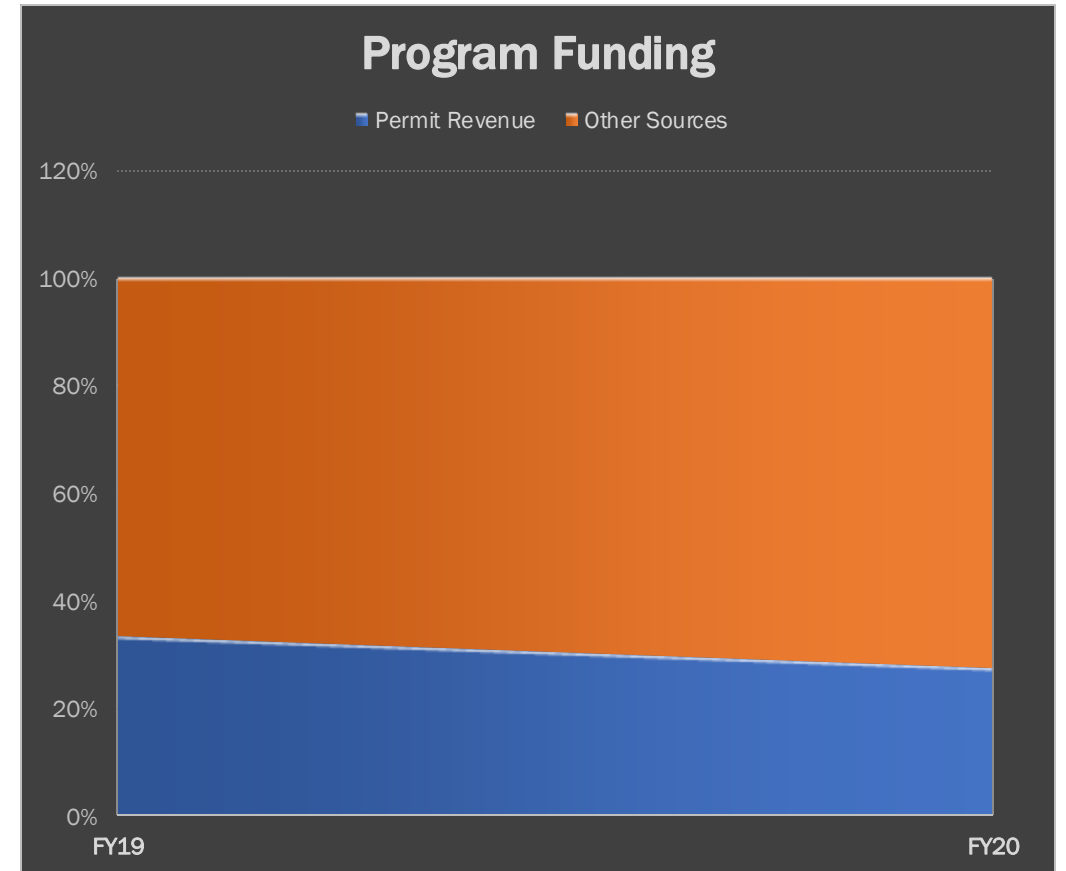
Marked up copies of NR 107 and NR 109 to show what was changed and what wasn't.



- The ideas presented today are general outlines of our progress.
- 7 more months of editing to go.

Permit Fees

	FY19	FY20
Program Costs	\$ 475,836	\$ 582,720
Permit Revenue	\$ 159,455	\$ 159,455
Other Sources	\$ 316,381	\$ 423,265



Merge NR 107 and 109



Well described definitions section.



All waivers in one place.



Apply NR 109 plan language to all non-private permits.



Permit review “standards” merged.



Conditions merged.

Streamline and Clarify Permit Processes

1

Clarify process and expand options for riparian notification

2

Clarify process and expand options for public notice

3

Include details on Ceded Territory permitting for wild rice stipulation.

Waterbodies Less than 10 Acres

Now

- Private Ponds:
 - Land one owner
 - No surface water discharge or can be controlled
 - No public access
- No acreage limitation.
- \$20 annual permit.

Proposed

- All waters less than 10 acres
- 5 year permits, fee TBD
- Three different “buckets”

Private Ponds

Criteria

- 10 acres or less
- Land of one owner
- No surface water discharge
- No public access

Requirements

- Permit form stays the same.
- Exemptions stay the same:
 - Riparian notification
 - Public notification
 - Signage posting
- 5 year permit, fee increase
- Reporting stays the same

Shared Ponds

Criteria

- 10 acres or less
- Land of multiple owners*
- No surface water discharge
- No public access

Requirements

- Modest change to private pond permit form:
 - Confirmation neighbor notification occurred.
- Exemptions mostly the same:
 - Public notification
 - Signage posting
- 5 year permit, fee increase
- Reporting stays the same

Public Ponds

Criteria

- 10 acres or less

Has

- Surface water discharge

or

- Public access

Requirements

- Same criteria as non-private waters now on permit form.
 - May require plans.
 - Public notice for large scale chemical control.
 - Homeowner notification.
 - Signage posting
- 5 year permit, fee increase.
- Reporting the same

Other Changes Considered

Considering

- Federal waiver from permit process.
- Prohibiting dyes from public waters.
 - Private and Shared ponds could still use.
 - Still allowed for dye tracer studies and other research.

No Changes Yet

- Large scale chemical threshold
- Increased aquatic habitat protection

5 minute break

CONNECT WITH US

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@WI_DNR



/WIDNRTV



"WILD WISCONSIN:
OFF THE RECORD"

Questions and Listening Session

Until 3:15