

Wetland Study Council Meeting
July 23, 2020
9:00 – 11:00 am
Held Online via Skype

<u>Agenda Topic</u>	<u>Notes/Follow-up</u>
Call to Order	WSC Attendees: <ul style="list-style-type: none"> - Tim Andryk - Tracy Hames - Stacy Jepson - Paul Kent - Thomas Larson - Robert Rosenberger - Karen Gefvert - Matt Howard Other participants: <ul style="list-style-type: none"> - Tom Pearce - Mike Thompson - James Brodzeller - Chad Konickson - Becky Graser - Jennifer Western Hauser
Public Comment	No public comments received
Review and approval of Agenda	Decision: Agenda approved
Approval of Board Minutes	Decision: Minutes approved, no changes
Discussion with USACE about Jurisdictional Determinations and the WOTUS rule <ul style="list-style-type: none"> • Update on WOTUS rule implementation on JDs 	<ul style="list-style-type: none"> • Joining from USACE: <ul style="list-style-type: none"> ○ Chad Konickson – Chief of Regulatory Program, St. Paul District ○ Becky Graser – Chief of Regulatory Program for State of Wisconsin • USACE: <ul style="list-style-type: none"> ○ A JD not required to complete a USACE permit – usually about 10% of the 404 permits have an attached AJD. ○ USACE will complete AJD when they receive a permit application if they believe the waters are likely not federally regulated (when an AJD will expedite or eliminate the permit process) ○ When a JD is requested without an attached permit or proposal, for the purpose of evaluating the nonfederal wetland exemption, USACE considers low priority ○ Current USACE JD requests: 25 pending actions which are an average of 17 days old ○ USACE JD requests may increase over the next several months due to WOTUS jurisdiction changes for wetlands ○ USACE completed 100 JDs the first day after WOTUS rule to level the playing field for as many outstanding permits as

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<ul style="list-style-type: none"> • USACE interest for DNR-funded potential Corps position • Discussion of feasibility and aspects of a professional JD confirmation program 	<p style="text-align: center;">possible. About 20% of the permits ended with reduced Corps jurisdiction via the new WOTUS rule.</p> <ul style="list-style-type: none"> • DNR observations - average of 6 nonfederal exemptions through first six months of 2020, bumped to 15 over the last month • Study Council – <ul style="list-style-type: none"> ○ Clients want certainty that there is not federal jurisdiction before they begin the permit process ○ There is a perception, whether real or not, that there are long delays on getting JDs back. • USACE interested in DNR funded position if AJD numbers increase, lot of flexibility with potential work agreement • DNR work priorities are flood mitigation to protect public safety and waterways general inquiry response through the call intake line to streamline permitting for all customers • Council agreed of low current need for this position. Agreement to table the idea for now, assess proposal in 3-6 months • USACE does not have authority to delegate JD decision-making, but is interested in working with DNR to provide outreach, training, and guidance for wetland professionals to collect and submit detailed data to USACE to streamline JD processing. Several virtual workshops over 2020-21 could be part of this effort. <p>Decision:</p> <ul style="list-style-type: none"> • Corps position tabled for 3-6 months, revisit at future meeting, possibly before end of 2020 in November. <p>Action Items:</p> <ul style="list-style-type: none"> • DNR and USACE to begin discussions on guidance and workshops for JD process for WI professionals – use DNR network of engaged consultants • Consider metrics for AJD requests timelines and consultants survey to measure idea effectiveness
<p>Annual Report draft</p>	<p>Action Items:</p> <ul style="list-style-type: none"> • Tracy to revise the paragraph about JDs given Corps information from this meeting – regarding when AJDs are required or completed, send to Council • Tim A. to add link and language for the Topics and Recommendations page, send to Tracy • Finalize edits at August meeting

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<p>Council Membership update</p>	<p>Statement on Seth Hudson’s service to the Council:</p> <p>The Governor’s Wetland Study Council would like to officially acknowledge the service of Mr. Seth Hudson as a member and chairperson of the Council. Seth Hudson very effectively represented the Statewide Wetland Consultants interests on the council. During his tenure on the Council, Seth brought strong technical information and leadership to meetings. Seth approached issues with a very pragmatic and problem-solving approach. Seth had very common-sense solutions to issues. Seth also brought very strong facilitator skills to conversations and led the Council through many detailed conversations. Seth formed strong working relationships with council members and was a pleasure to work with. The Council would like to formally thank Mr. Seth Hudson for his valuable contributions to the Council and the citizens of the state of Wisconsin. Seth Hudson has significantly advanced and improved the wetland regulatory framework in the state. It has been a pleasure working with you Seth and we wish you the best on your future endeavors!</p> <p>Action Items:</p> <ul style="list-style-type: none"> • Vacancy for Statewide Wetland Consultant representative • Council to send nominees to Mike Thompson for a new member • Request to go out to Governor in 2 weeks for a new member (7/6) • Chair position – if Council members interested in Chair or Co-Chair position, reach out to Tracy before next meeting.
<p>Council future meeting agenda topics</p>	<ul style="list-style-type: none"> • Interest in DNR updates on NR 350 language and general permit revisions • Prepare for Council discussion on connections between stormwater management and wetlands <ul style="list-style-type: none"> ○ how does current wetland policy present barriers to green infrastructure development? ○ how do we change to arrive at better stormwater mgmt. to reduce flood mitigation? ○ Paul K. and Robert to develop plan for specific topics and guest presenters • Develop a wetland dashboard for metrics and data? Some Council interest, to be discussed at future meeting.
<p>New Business and Future meeting planning</p>	<ul style="list-style-type: none"> • Next meeting tentatively 10am to 12am, August 27, calendar invites to follow. <ul style="list-style-type: none"> ○ WSC annual report ○ Report on stormwater topic organization ○ Report on Corps/DNR planning for AJD outreach, if available ○ Wetland data discussion