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Monday, February 20, 2017

Delivered Via Electronic Mail

Open Records Coordinator
Wisconsin Department of Natural Resources
PO Box 7921
Madison, WI 53707-7921

Dear Open Records Coordinator:

This letter, delivered via electronic mail, is a request for records pursuant to the Wisconsin Public Records Law, Wis. Stat. § 19.31-19.39, on behalf of Midwest Environmental Advocates ("MEA"), a Wisconsin nonprofit organization.

MEA requests all Wisconsin Department of Natural Resources ("DNR") records of meetings and communications with DNR legal staff or the DNR Secretary's Office regarding MEA's request to DNR attorney Judith M. Mills for an explanation of DNR's authority under NR 738. See Attachment A (email correspondence between MEA and Judith Mills, DNR).

Following MEA's request to DNR, Attorney Mills stated that she was preparing a response to MEA's inquiry and would be in contact shortly. Shortly thereafter, on December 12, 2015, MEA sent a memo to DNR outlining MEA's position on NR 738's application to manure contamination. On July 11, 2016, MEA again emailed DNR requesting an update on DNR's response to this issue. On August 3, 2016, Attorney Mills contacted MEA via e-mail indicating that this issue "will be addressed as part of the overall department response to the workgroup recommendations." To date, MEA has yet to receive a comprehensive response to its question.

For the purposes of this request, the word "records" is defined broadly to include letters, electronic mail messages, meeting notes, appointment records, phone logs, memoranda, documents and other records.

Please be aware that the Open Records law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of

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governmental business. The denial of access generally is contrary to public interest and only in exceptional cases can access be denied.” The law requires a response to this request “as soon as practicable and without delay” and that any denial of this request be made in writing. Wis. Stat. § 19.35(4)(a).

Midwest Environmental Advocates respectfully requests a public-interest fee waiver pursuant to Wis. Stat. § 19.35(3)(e). Midwest Environmental Advocates is a 501(c)(3) organization under the Internal Revenue Code and will not profit or hold commercial interest in the requested records. If the request for a fee waiver is partially or fully denied, please contact me before processing this request if the total cost will exceed \$50.

Please provide responsive documents in electronic format to the extent possible, either sent as attachments by electronic mail or on a compact disc.

Thank you in advance for your assistance. I can be reached at (608) 251-5047 ext.5, or via email at sgeers@midwestadvocates.org for any questions regarding this request.

Sincerely,

/s/

Sarah Geers
Midwest Environmental Advocates
Staff Attorney