

June 25, 2008

## NATURAL RESOURCES BOARD

### BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, June 25, 2008 at the Best Western Grand Seasons Hotel, Waupaca, Wisconsin. The meeting was called to order at 8:35 a.m. for action on items 1-7. The meeting adjourned at 4:45 p.m.

#### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

David Clausen – present	Preston Cole – present
Jonathan Ela – present	Gary Rohde – present
John Welter – present	Christine Thomas – present
Jane Wiley - present	

1.B. Approval of agenda for June 25, 2008

**Dr. Clausen MOVED, seconded by Ms. Wiley approval of the agenda as amended for June 25, 2008. The motion carried unanimously.**

1.C. Approval of minutes from April 23, 2008

**Mr. Ela MOVED, seconded by Mr. Cole approval of the minutes as presented. The motion carried unanimously.**

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the real estate transactions. The motion carried unanimously.**

**Dr. Thomas** thanked NER staff and local extension staff for their hospitality and coordination of the June Natural Resources Board meeting.

3. Action Items

3.A. Air, Waste, and Water/Enforcement

3.A.1a Briefing on Mercury Public Health & Welfare Finding

**Information Item – No action was taken by the Board.**

3.A.1b Request Adoption of Board Order AM-32-05, proposed rules affecting chs. NR 439, 446 and 484 pertaining to mercury emissions from coal-fired electric generating units

**Mr. Cole MOVED, seconded by Ms. Wiley approval of the request for Adoption of Board Order AM-32-05, proposed rules affecting chs. NR 439, 446 and 484 pertaining to mercury emissions from coal-fired electric generating units. The motion carried unanimously.**

3.A.2 Request Adoption of Board Order WT-35-07, revision of Chapter NR 105, Surface Water Quality Criteria and Secondary Values for Toxic Substances

**Dr. Clausen MOVED, seconded by Mr. Ela approval of the request for Adoption of Board**

**Order WT-35-07, revision of Chapter NR 105, Surface Water Quality Criteria and Secondary Values for Toxic Substances. The motion carried unanimously.**

- 3.A.3 Request authorization for public hearings on Board Order SS-16-08, proposed amendments on ch. NR 219, related to analytical methods used for WPDES monitoring

**Mr. Cole MOVED, seconded by Dr. Clausen approval of the request for authorization for public hearings on Board Order SS-16-08, proposed amendments on ch. NR 219, related to analytical methods used for WPDES monitoring. The motion carried unanimously.**

- 3.A.4 Request Amendment of Adopted Permanent Rule Revisions to Board Order WT-33-07 relating to invasive species decontamination Standards

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the Request for Amendment of Adopted Permanent Rule Revisions to Board Order WT-33-07 relating to invasive species decontamination standards.**

**Dr. Clausen MOVED, seconded by Mr. Welter to amend the rule to delete the word “excess” and correct the word “maintaining” in subsection a. in each of the general permits being amended throughout the Board Order as follows: “Inspect all equipment used for constructing, operating, or ~~maintaining~~ maintaining the project and remove all plants and animals, and other ~~excess~~ mud, debris, etc.” The amendment carried unanimously.**

**Mr. Ela MOVED, seconded by Dr. Thomas to amend the rule to add “department approved” to subsection h. in each section pertaining to the general permits being amended throughout the Board Order as follows: “Follow the most recent department approved disinfection protocols or department approved best management practices for infested waters. The department shall maintain on its website and make available at its offices a list of the most recent disinfection protocols or department approved best management practices for invasive species and viruses. Note: See the department’s website at [dnr.wi.gov](http://dnr.wi.gov) under the topic “Waterway and Wetlands”. Recommendations for additional disinfection or decontamination protocols or department approved best management practices may be submitted to the department for review and approval to be added to this list.” The amendment carried unanimously.**

**The original motion carried unanimously.**

**Dr. Thomas** requested a motion to go into Executive Session.

**Mr. Welter MOVED that the Board convene into Executive Session under the authority of s.19.85(1)(e), Wisconsin Statutes, for the purpose of discussing potential real estate transactions. Dr. Clausen seconded the motion. The motion was carried by a roll call vote.**

**David Clausen – yes**

**Preston Cole – yes**

**Jonathan Ela – yes**

**Gary Rohde – yes**

**John Welter – yes**

**Christine Thomas – yes**

**Jane Wiley – yes**

**Dr. Thomas** reconvened the meeting at 1:10 p.m. Chair Thomas reported that during the Executive Session no action was taken.

- 3.B. Land Management, Recreation, and Fisheries/Wildlife

- 3.B.1 Request adoption of Board Order FR-03-08, related to stumpage rates, definition changes and additions, and procedural changes to MFL petitions and management plan packets

**Mr. Ela MOVED, seconded by Mr. Welter approval of the request for adoption of Board Order FR-03-08, related to stumpage rates, definition changes and additions, and procedural changes to MFL petitions and management plan packets. The motion carried with a vote of 4 - 0. Board members Thomas, Clausen, and Rohde abstained.**

- 3.B.2 Request Adoption of Board Order WM-06-08, Modifications to chs. NR 1, 8, 10, 11, 12, 15, 16, 17, and 19, the 2008 Wildlife Management Housekeeping Rule Package

**Mr. Cole MOVED, seconded by Mr. Welter approval of the request for Adoption of Board Order WM-06-08, Modifications to chs. NR 1, 8, 10, 11, 12, 15, 16, 17, and 19, the 2008 Wildlife Management Housekeeping Rule Package. The motion carried unanimously.**

- 3.B.3 Request adoption of Board Order FH-02-08, Fisheries Management Rule Proposals supported at the 2008 Spring Fish and Wildlife Rules Hearings

**Ms. Wiley MOVED, seconded by Mr. Ela approval of the request for adoption of Board Order FH-02-08, Fisheries Management Rule Proposals supported at the 2008 Spring Fish and Wildlife Rules Hearings.**

**Dr. Clausen MOVED, seconded by Mr. Welter to commence Cat. 5 regulations on the Prairie River between R & H Road and the County CCC Bridge beginning May 3, 2009, with a 12" minimum size limit for all trout, a three trout aggregate bag limit, only one of which may be a brook trout, and fishing with artificial lures or flies only, unless the department recommended a pilot program under which bait anglers would be required to fish with non-offset circle hooks only.**

Ms. Wiley called the question.

**The motion to amend failed on a roll call vote of 3 - 4.**

<b>David Clausen – yes</b>	<b>Preston Cole – no</b>
<b>Jonathan Ela – no</b>	<b>Gary Rohde – yes</b>
<b>John Welter – yes</b>	<b>Christine Thomas – no</b>
<b>Jane Wiley – no</b>	

**The original motion carried unanimously.**

- 3.B.4 Request adoption of Board Order FH 22-06A, revised fishing tournament regulations DELETED

- 3.B.5 Request Authorization of Public Hearings for Board Order IS-34-06, an order to create ch. NR 40 relating to the identification, classification and control of Invasive Species

**Mr. Welter MOVED, seconded by Dr. Clausen adoption of the request for Authorization of Public Hearings for Board Order IS-34-06, an order to create ch. NR 40 relating to the identification, classification and control of Invasive Species. The motion carried unanimously.**

- 3.B.6 Land Acquisition – Buckhorn State Park – Juneau County

**Dr. Clausen MOVED, seconded by Mr. Ela approval of the Land Acquisition – Buckhorn State Park – Juneau County. The motion carried unanimously.**

- 3.B.7 Land and Easement Acquisition – North Branch Milwaukee River Wildlife and Farming Heritage Area – Ozaukee County

**Mr. Ela MOVED, seconded by Mr. Rohde approval of the Land and Easement Acquisition – North Branch Milwaukee River Wildlife and Farming Heritage Area – Ozaukee County. The motion carried unanimously.**

3.B.8 Land Acquisition – Statewide Public Access Program – Waukesha County

**Mr. Cole MOVED, seconded by Ms. Wiley to table until July 10, 2008 the Land Acquisition – Statewide Public Access Program – Waukesha County.**

**The motion to table passed in a roll call vote of 4 – 3.**

<b>David Clausen – no</b>	<b>Preston Cole – yes</b>
<b>Jonathan Ela – no</b>	<b>Gary Rohde – yes</b>
<b>John Welter – no</b>	<b>Christine Thomas – yes</b>
<b>Jane Wiley – yes</b>	

3.B.9 Land Acquisition – Devil’s Lake State Park – Sauk County

**Mr. Ela MOVED, seconded by Dr. Clausen approval of the Land Acquisition – Devil’s Lake State Park – Sauk County. The motion carried unanimously.**

3.B.10 Land Acquisition and Project Boundary Modification – South Shore Lake Superior Fish and Wildlife Area – Bayfield County

**Dr. Thomas MOVED, seconded by Dr. Clausen approval of the Land Acquisition and Project Boundary Modification – South Shore Lake Superior Fish and Wildlife Area – Bayfield County. The motion carried unanimously.**

3.B.11 Land Acquisition and Project Boundary Modification – Lower WI State Riverway – Iowa County

**Ms. Wiley MOVED, seconded by Mr. Ela approval of the Land Acquisition and Project Boundary Modification – Lower WI State Riverway – Iowa County. The motion carried unanimously.**

3.B.12 Land Acquisition – Lower WI State Riverway – Sauk County

**Mr. Ela MOVED, seconded by Ms. Wiley approval of the Land Acquisition – Lower WI State Riverway – Sauk County. The motion carried unanimously.**

3.B.13 Land Acquisition – Statewide Natural Areas – St. Croix County

**Mr. Ela MOVED, seconded by Dr. Clausen approval of the Land Acquisition – Statewide Natural Areas – St. Croix County. The motion carried unanimously.**

3.B.14 Land Acquisition and Project Boundary Modification – Peter Helland Wildlife Area – Columbia County

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the Land Acquisition and Project Boundary Modification – Peter Helland Wildlife Area – Columbia County. The motion carried unanimously.**

3.B.15 Land Acquisition and Donation – Beaver Brook Wildlife Area – Washburn County

**Dr. Clausen MOVED, seconded by Mr. Cole approval of Land Acquisition and Donation – Beaver Brook Wildlife Area – Washburn County. The motion carried unanimously.**

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3.B.16 Land Acquisition and Donation – Statewide Fisheries Habitat Program – Brown County

**Mr. Ela MOVED, seconded by Dr. Clausen approval of the Land Acquisition and Donation – Statewide Fisheries Habitat Program – Brown County. The motion carried unanimously.**

3.B.17 Easement Donation – Gift Lands Program – Waupaca County

**Dr. Clausen MOVED, seconded by Dr. Thomas approval of the Easement Donation – Gift Lands Program – Waupaca County. The motion carried unanimously.**

3.B.18 Easement Acquisition – Lower WI State Riverway – Dane County

**Dr. Clausen MOVED, seconded by Mr. Ela approval of the Easement Acquisition – Lower WI State Riverway – Dane County. The motion carried unanimously.**

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation

5. Board Members' Matters

6. Special Committees' Reports  
Stewardship Subcommittee

**Mr. Welter** requested the full Board review the Stewardship Subcommittee's recommendations on access related changes in the rule and to respond to him within one week with any changes, after which the recommendations would be forwarded to Secretary Frank and the Citizens Access Committee.

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Lee S. Meyers

7.A.2 Arden R. Pinkert

7.A.3 Delbert L. Maag

7.A.4 Jim Varro

7.A.5 Barb Ingram

7.A.6 Jack B. Hoisington

7.A.7 Terrence Gardon

7.A.8 Barb Hennings

7.A.9 Bruce J. Williams

7.A.10 ~~John Brandenburg~~ DELETED

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the retirement resolutions. The motion carried unanimously.**

7.B. Donations

7.B.1 Badger High School Leadership Dynamics Class of 2008 will donate \$10,310.00 to Big Foot Beach State Park

**Mr. Welter MOVED, seconded by Mr. Ela approval of the Badger High School Leadership Dynamics Class of 2008 will donation of \$10,310.00 to Big Foot Beach State Park. The motion carried unanimously.**

8. Information Items

8.A. Air, Waste, and Water/Enforcement

None

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- 8.B. Land Management, Recreation, and Fisheries/Wildlife  
None

**Dr. Clausen MOVED, seconded by Mr. Welter to adjourn the meeting. The motion carried unanimously.**

\*\*\*The meeting adjourned at 4:45 p.m.\*\*\*

**NOTE: Each Natural Resources Board meeting is recorded. Tapes of each meeting are available for purchase by contacting the Natural Resources Board at 608-267-7420. The following resources are also available: Agenda Item Packets (green sheets), supporting documents, and public comment.**