

NATURAL RESOURCES BOARD

MINUTES

The regular meeting of the Natural Resources Board was held Tuesday and Wednesday, October 24-25, 2000, in Room 027 of the State Natural Resources Building (GEF 2), 101 South Webster Street, Madison, Wisconsin. The meeting was called to order on Tuesday, October 24, 2000 at 12:37 p.m. for action on Items 1 and 2, reconvened at 1:15 p.m. The meeting recessed at 2:55 and reconvened October 25 at 1:15 p.m.

PRESENT: Trygve A. Solberg, Chair (via conference call)
Herbert F. Behnke
Howard D. Poulson
Catherine Stepp
Stephen Willett (via conference call)

ABSENT: James E. Tiefenthaler, Jr., Vice Chair
Gerald W. O'Brien, Secretary

ORDER OF BUSINESS

1. Minutes to be approved.

1.A. Full Board Minutes of September 27, 2000

Mr. Poulson MOVED, seconded by Ms. Stepp, approval of the Full Board Minutes of September 27, 2000. The motion was carried unanimously by those members present. (Mr. Tiefenthaler and Mr. O'Brien were absent.)

1.B Agenda for October 24-25, 2000

Secretary Meyer recommended that the agenda be changed to reflect an addition to 3.I, a retirement resolution for James A. Rice.

Secretary Meyer recommended deletion of 3.D, a presentation of award to Keith McCaffery to be deferred to the December Board Meeting.

Mr. Poulson MOVED, seconded by Ms. Stepp, approval of the October 24-25, 2000 agenda, as amended. The motion was carried unanimously by those members present. (Mr. Tiefenthaler and Mr. O'Brien were absent.)

2. Ratification of acts of the Department Secretary.

2.A Real Estate Transactions

Mr. Willett MOVED, seconded by Mr. Poulson, approval of the real estate transactions, as printed. The motion was carried unanimously by those members present. (Mr. Tiefenthaler and Mr. O'Brien were absent.)

3. Committee of the Whole

Mr. Willett MOVED, seconded by Mr. Solberg to go to Full Board at 1:15 p.m. The motion was carried unanimously by those members present. (Mr. Tiefenthaler and Mr. O'Brien were absent.)

3.A Approval of the master plan for the Lakeshore State Park in Milwaukee.

This item was presented at the Committee of the Whole meeting.

3.B Citizen participation.

This item was presented at the Committee of the Whole meeting.

- 3.C Presentation of award to The River Alliance of Wisconsin for habitat restoration at the Oak Street Dam removal site on the Baraboo River.

This item was presented at the Committee of the Whole meeting.

- 3.D Presentation of award to Keith McCaffery, retired Research Deer Biologist, Rhinelander, for Legislative recognition of career and wildlife management by Representative DuWayne Johnsrud.

This item was deferred to the December Board Meeting.

- 3.E Presentation of the Deer 2000 report and authorization for hearing on revision of Chapters NR 10, 12 and 19, Wis. Adm. Code, pertaining to the 2001 Deer Hunting Season and Wildlife Damage Program and authorization for the Department to seek statutory change for Deer 2000 recommendations.

This item was presented at the Committee of the Whole meeting.

Mr. Solberg made a recommendation to include alternative language on what happens after the T-Zone doesn't work regarding the Earn-a-Buck versus antlerless only season.

Mr. Willett MOVED, seconded by Mr. Poulson to approve the Deer 2000 report, as amended. The motion was carried unanimously by those members present.

- 3.F INFORMATIONAL ITEM – Report on phosphorus in the environment.

This item was presented at the Committee of the Whole meeting.

- 3.G INFORMATIONAL ITEM – Update on Wisconsin's Brownfields Initiative.

This item was deferred to the December Board Meeting due to the time constraints of this meeting.

- 3.H INFORMATIONAL ITEM – Gypsy moth update.

This item was presented at the Committee of the Whole meeting.

- 3.I Retirement resolution

1. James A. Rice

Mr. Tiefenthaler MOVED, seconded by Mr. Poulson, adoption of the retirement resolution. The motion was carried unanimously by those members present.

- 3.J Approval of master plan for the Willow Flowage Scenic Water Area.

This item was presented at the Committee of the Whole meeting.

A recommendation was made for an amendment to the plan to expand the boundaries on the south end in Section 2, Town of Little Rice sufficiently to encompass the existing ATV trail to allow a continuous trail from the Willow Flowage Scenic Waters Area to the United County Forest.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler approval of the Willow Flowage Scenic Water Area Master Plan, as amended. The motion was carried unanimously by those members present.

4. Board Members' Matters.

- 4.A Discharging a firearm within 100 yards of a building.

This item was presented during the Committee of the Whole meeting.

4.B Request for resolution to actively pursue purchase of property south of the Willow Flowage

This item was presented during the Committee of the Whole meeting.

4.C Allegations regarding the issuance of citations

This item was presented during the Committee of the Whole meeting.

4.D Meeting with Department of Agriculture

This item was presented during the Committee of the Whole meeting.

4.E Request to be informed on the status of the protection of Fisher Lake

This item was presented during the Committee of the Whole meeting.

5. Special Committees' Reports

There were no Special Committees' Reports this month.

6. Operating Committees

6.A Air, Waste and Water/Enforcement Committee

6.A-1 Minutes

The September 27, 2000 minutes were approved as submitted.

6.A-2 Adoption of Order CF-30-00 – creation of Chapter NR 168, Wis. Adm. Code, pertaining to administration of the Brownfield Site Assessment Grant Program.

The committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp adoption of Order CF-30-00, creation of Chapter NR 168 as presented. The motion was carried unanimously by those members present.

6.A-3 Adoption of Order WT-24-00 – revision of Chapter NR 101, Wis. Adm. Code, pertaining to changes in the wastewater fee program pursuant to 1999 Wisconsin Act. 9.

The committee recommended and Mr. Willett MOVED, seconded by Mr. Poulson adoption of Order WT-24-00, revision of Chapter NR 101, as presented. The motion was carried unanimously by those members present.

6.A-4 Adoption of Order CF-18-00 – repeal of Chapters NR 161 and 163 and the repeal and recreation of Chapter NR 162, Wis. Adm. Code, pertaining to non-point and stormwater project loans under the Clean Water Fund.

The committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp adoption of Order CF-18-00, repeal of Chapters NR 161 and 163 and the repeal and recreation of Chapter NR 162 as presented. The motion was carried unanimously by those members present.

6.A-5 Approval of recommendation to continue the landfill license fee surcharge under Section NR 5520.04(I)(d)4, Wis. Adm. Code.

The committee reviewed the recommendation and made a motion to do nothing, but requested that the department return in 2 years for a review.

6.A-6 Authorization for hearing on revision of Chapter NR 714, Wis. Adm. Code, relating to landowner notification of contamination.

The committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp authorization for hearing on revision of Chapter NR 714. The motion was carried unanimously by those members present.

6.A-7 Authorization for hearing on revision of Chapters NR 460, 465 and 484, Wis. Adm. Code, pertaining to national emission standards for hazardous air pollutants for wood furniture manufacturing operations.

The committee recommended and Mr. Willett MOVED, seconded by Mr. Poulson authorization for hearing on revision of Chapters NR 460, 465 and 484. The motion was carried unanimously by those members present.

6.A-8 Authorization for hearing on revision of Chapter NR 103 and creation of Chapter NR 350, Wis. Adm. Code, pertaining to wetland water quality standards.

The committee recommended and Mr. Willett MOVED, seconded by Ms. Stepp authorization for hearing on revision of Chapter NR 103 and creation of Chapter NR 350. The motion was carried unanimously by those members present. There will be eight public hearings

6.B. Land Management, Recreation and Fisheries/Wildlife Committee

6.B-1 Minutes

The September 27, 2000 minutes were approved as submitted.

6.B-2 Approval of master plan for the Willow Flowage Scenic Water Area.

This item was moved to 3.J and was presented at the Committee of the Whole meeting.

6.B-3 Adoption of Emergency Order FR-41-00(E) and authorization for hearing on an identical permanent rule, pertaining to gypsy moth and the State Suppression Program.

The committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler adoption of Emergency Order FR-41-00(E) and authorization for hearing on an identical permanent rule. The motion was carried unanimously by those members present.

6.B-4 Approval of feasibility study for a 370-acre boundary expansion at the Vernon Wildlife Area – Waukesha County.

The committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler approval of feasibility study for a 370-acre boundary expansion at the Vernon Wildlife Area. The motion was carried unanimously by those members present.

Mr. Poulson raised concerns regarding the area having more agricultural land than should be taken by the DNR for future boundaries. Mr. Solberg noted that a letter was received from Waukesha County indicating their approval of the proposed boundary expansion.

6.B-5 Establishment of the North County National Scenic Trail in Bayfield, Douglas and Ashland Counties with an acreage goal of 2,050 acres.

The committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien establishment of the North County National Scenic Trail. The motion was carried unanimously by those members present. This is federal legislation and includes seven states.

6.B-6 Fishery Remnant Areas land acquisition – Grant County.

The committee recommended and Mr. Behnke MOVED that the Board approved the purchase of 240 acres of land from Trout Unlimited for \$264,000. Mr. Tiefenthaler seconded the motion.

Mr. O'Brien expressed concern that Trout Unlimited wasn't willing to keep the land and that they committed the Board into the purchase to prevent another from purchasing it.

The motion was carried by a vote of 6-1 as follows:

<u>Yes</u>	<u>Opposed</u>
Mr. Behnke	Mr. O'Brien
Mr. Poulson	
Mr. Solberg	
Ms. Stepp	
Mr. Tiefenthaler	
Mr. Willett	

6.B-7 Killsnake Wildlife Area land acquisition – Calumet County.

The committee recommended and Mr. Behnke MOVED that the Board approve the purchase of 155 acres of land from the Russell A. Schmidt Revocable Living Trust for \$193,800. Mr. Tiefenthaler seconded the motion. The motion was carried unanimously by those members present.

7. Department Secretary's Matters

7.A DONATION – of a trail equipment building at the Greenbush Recreation Area in the Kettle Moraine State Forest – Northern Unit valued at \$22,000 from The Northern Kettle Moraine Nordic Ski Club, The FATKATS Mountain Bike Club and the Friends of the Kettle Moraine, Inc.

Secretary Meyer recommended and Mr. O'Brien MOVED, seconded by Mr. Tiefenthaler, acceptance of the donation. The motion was carried unanimously by those members present.

Mr. Solberg recognized Susan Sylvester, Administrator for the Division of Water on her birthday today, October 25.

Mr. Solberg and Mr. Behnke recognized Linda Morgan for her assistance with the Board minutes during the interim of Judy Scullion's retirement.

The Board meeting was adjourned at 4:30 p.m.