

OCTOBER 24, 2007

NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, October 24, 2007 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 10:00 a.m. for action on items 1-7. The meeting adjourned at 4:10 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

David Clausen – present	Preston Cole – present
Jonathan Ela – present	Gerald O'Brien – present
John Welter – present	Christine Thomas – present
Jane Wiley – present	

1.B. Approval of minutes from August 14-15, 2007

Mr. O'Brien MOVED, seconded by Mr. Welter approval of the minutes as presented. The motion carried unanimously.

1.C. Approval of agenda for October 24, 2007

Mr. O'Brien MOVED, seconded by Mr. Ela approval of the agenda for October 24, 2007. The motion carried unanimously.

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

3. Action Items

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

3.A.1 Request adoption of Board Order AM-08-07, incorporation of the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of paper and other web into ch. NR 466.

Mr. Ela MOVED, seconded by Dr. Clausen approval of the Request for adoption of Board Order AM-08-07, incorporation of the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of paper and other web into ch. NR 466. The motion carried unanimously.

3.A.2 Request adoption of Board Order AM-12-07, pertaining to the revision of chs. NR 400, 406, 407, 410, Wisconsin Administrative Code, incorporating changes in Federal Definitions, Permit Requirements and Portable Source Relocation Requirements

Mr. Ela MOVED, seconded by Dr. Clausen approval of the Request for adoption of Board Order AM-12-07, pertaining to the revision of chs. NR 400, 406, 407, 410, Wisconsin Administrative Code, incorporating changes in Federal Definitions, Permit Requirements and Portable Source Relocation Requirements. The motion carried unanimously.

OCTOBER 24, 2007

- 3.A.3 Request adoption of Board Order LE-07-07, revisions to NR 8, Wisconsin Administrative Code, pertaining to procedures for implementation of the wildlife violators compact

Mr. Welter MOVED, seconded by Mr. O'Brien approval of the Request for adoption of Board Order LE-07-07, revisions to NR 8, Wisconsin Administrative Code, pertaining to procedures for implementation of the wildlife violators compact. The motion carried unanimously.

- 3.A.4 Request adoption of Board Order SS-06-06, proposed amendments to ch. NR 149 related to Laboratory Certification and Registration

Mr. O'Brien MOVED, seconded by Dr. Clausen approval of the Request for adoption of Board Order SS-06-06, proposed amendments to ch. NR 149 related to Laboratory Certification and Registration. The motion carried unanimously.

- 3.A.5 Request authorization for public hearing on Board Order AM-34-07, proposed rules affecting NR 405, 407, and 408 pertaining to the incorporation of changes of federal regulations for the air permitting of ethanol plants

Mr. Ela MOVED, seconded by Ms. Wiley approval of the Request for authorization for public hearing on Board Order AM-34-07, proposed rules affecting NR 405, 407, and 408 pertaining to the incorporation of changes of federal regulations for the air permitting of ethanol plants. The motion carried unanimously.

- 3.A.6 Request authorization for public hearing for Board order AM-31-07, incorporation of federal amendments to the national emission standards for hazardous air pollutants (NESHAP) into chs. NR 460 (general provisions) and 469 (halogenated solvent cleaning) into the Wisconsin Administrative Code

Ms. Wiley MOVED, seconded by Mr. Welter approval of the Request for authorization for public hearing for Board order AM-31-07, incorporation of federal amendments to the national emission standards for hazardous air pollutants (NESHAP) into chs. NR 460 (general provisions) and 469 (halogenated solvent cleaning) into the Wisconsin Administrative Code. The motion carried unanimously.

- 3.A.7 Request authorization for Public Hearings for Board Order WT-35-07, Revision of Chapter NR 105 Relating to the Establishment of Surface Water Quality Criteria and Secondary Values for Toxic Substances

Mr. O'Brien MOVED, seconded by Mr. Ela approval of the Request for authorization for Public Hearings for Board Order WT-35-07, Revision of Chapter NR 105 Relating to the Establishment of Surface Water Quality Criteria and Secondary Values for Toxic Substances. The motion carried unanimously.

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

- 3.B.1 Land Acquisition - Jackson Marsh Wildlife Area - Washington County

Mr. Ela MOVED, seconded by Mr. Welter approval of Land Acquisition – Jackson Marsh Wildlife Area - Washington County. The motion carried unanimously.

- 3.B.2 Land Acquisition - Glacial Habitat Restoration Area - Winnebago County

Mr. O'Brien MOVED, seconded by Dr. Clausen approval of Land Acquisition - Glacial Habitat Restoration Area - Winnebago County. The motion carried unanimously.

OCTOBER 24, 2007

3.B.3 Land Acquisition - Onion River Stream Bank Protection Area - Sheboygan County

Mr. Welter MOVED, seconded by Mr. Ela approval of Land Acquisition - Onion River Stream Bank Protection Area - Sheboygan County. The motion carried unanimously.

3.B.4 Land Acquisition & Project Boundary Modification - Peter Helland Wildlife Area - Columbia County

Mr. O'Brien MOVED, seconded by Ms. Wiley approval of Land Acquisition & Project Boundary Modification - Peter Helland Wildlife Area - Columbia County. The motion carried unanimously.

3.B.5 Land Acquisition - Dunnville Wildlife Area - Dunn County

Dr. Clausen MOVED, seconded by Mr. Welter adoption of Land Acquisition - Dunnville Wildlife Area - Dunn County. The motion carried unanimously.

3.B.6 Land Acquisition and Partial Donation - Turtle Flambeau Scenic Waters Area - Iron County

Dr. Clausen MOVED, seconded by Mr. Welter approval of Land Acquisition and Partial Donation - Turtle Flambeau Scenic Waters Area - Iron County. The motion carried 6-0. Mr. Ela abstained.

3.B.7 Request adoption of FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin

Mr. Cole MOVED, seconded by Mr. O'Brien to table the Request for adoption of FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin until the December 2007 meeting and requested a joint meeting with the Department of Agriculture, Trade and Consumer Protection (DATCP) in order to obtain information on how the DNR rules integrate with DATCP's rules approved on October 10, 2007. The motion carried unanimously.

3.B.8 Request adoption of FH-40-07(E), rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin

Mr. O'Brien MOVED, seconded by Dr. Clausen to amend the request for adoption of FH-40-07(E), rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin so that if the VHS virus is found in any additional lake or stream, the emergency rules apply to all waters of the state.

Mr. Welter MOVED to amend the motion to delete the current rule that bans the use of minnows on Big Green Lake when fishing through the ice in water that is 50' or deeper. Mr. O'Brien and Dr. Clausen accepted as a friendly amendment.

Mr. Cole MOVED, seconded by Mr. Welter to amend the motion to make the emergency rule immediately applicable to all waters of the state.

Dr. Clausen MOVED, seconded by Mr. O'Brien to amend the motion to allow the DNR to continue to allow wild bait harvest by permit only. Mr. Cole and Mr. Welter accepted as a friendly amendment.

Dr. Thomas MOVED, seconded by Dr. Clausen to include in the rule a requirement that all water in livewells, bilges and other compartments or containers of boats, trailers and other

OCTOBER 24, 2007

boating and fishing equipment must first be drained before being transported over land for use in waters of the state. The amendment carried unanimously.

The amended motion carried unanimously.

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation

Public Appearances

None

5. Board Members' Matters

5.A. Approval of the 2008 Natural Resources Board Meeting Dates

Mr. Welter MOVED, seconded by Mr. Ela approval of the 2008 Natural Resources Board Meeting Dates. The motion carried unanimously.

6. Special Committees' Reports

None

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Bruce Chevis

7.A.2 Chuck Hammer

7.A.3 Robert D. Young

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

7.B. Memorial Resolutions

7.B.1 Michael W. King

Mr. Welter MOVED, seconded by Mr. Ela approval of the memorial resolution. The motion carried unanimously.

7.C Donations

7.C.1 The Lyle Hougans Estate will donate to Lake Kegonsa State Park \$17,791.97 to be used for general support and maintenance of the park.

Mr. Welter MOVED, seconded by Dr. Clausen approval of the Lyle Hougans Estate donation to Lake Kegonsa State Park \$17,791.97 to be used for general support and maintenance of the park. The motion carried unanimously.

8. Information Items

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

None

8.B. Land Management, Recreation, and Fisheries/Wildlife

None

The meeting adjourned at 4:10 p.m.