

OCTOBER 21, 2009

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NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, October 21, 2009 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 3:25 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 – absent
Jane Wiley – present	

1.B. Approval of agenda for October 21, 2009

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

1.C. Approval of minutes from September 22-23, 2009

Mr. Cole MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

1.D. Approval of minutes from September 28, 2009

Mr. Cole MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

3. Action Items

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

3.A.1 Request Authorization for Public Hearing on Board Order AM-12-09, proposed rules affecting revisions to chs. NR 404 and 438, Wis. Adm. Code, pertaining to air quality standards for ozone and lead

Ms. Wiley MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

3.A.2 Request Authorization for Public Hearing on Board Order DG-24-09, amendment to ch. NR 140, Wis. Adm. Code, relating to groundwater quality standards

Dr. Clausen MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

- 3.A.3 Request Authorization for Public Hearing on Board Order WT-14-08, revisions to NR 151, NR 153, and NR 155 pertaining to performance standards and grant programs to address polluted runoff

Mr. Welter MOVED approval, seconded by Dr. Clausen.

Dr. Clausen MOVED to amend, seconded by Mr. Welter to instruct department staff to revise NR 151.003, prior to holding public hearings, to disallow credit toward meeting pollutant reduction standards for any device or best management practice designed to treat pollutants from storm water runoff within navigable waters. Further, department staff is instructed to investigate and analyze the feasibility of prohibiting outright these practices in NR151 or other administrative rules in order for state code to be consistent with the federal Clean Water Act.

Mr. Welter MOVED to table approval the public hearing request until staff can provide actual language for amendment with a follow-up recommendation.

The motion to table passed in a roll call vote of 6-0.

David Clausen – yes	Preston Cole – yes
Jonathan Ela – yes	Gary Rohde – yes
John Welter – yes	Christine Thomas – absent
Jane Wiley – yes	

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

- 3.B.1 Presentation of American Fisheries Society Award for Wild Rose Hatchery Education Center

Presentation - No Action was Taken

- 3.B.2 Request Adoption of Board Order WM-16-09, revisions to NR 10 relating to white-tailed deer population goals

Mr. Rohde MOVED, seconded by Ms. Wiley, that the Department engage in a consultative process with The Great Lakes Indian Fish & Wildlife Commission (GLIFWC) on DMU 5 to discuss and determine the process involved in terms of dealing with Unit 5 and the substantive nature if there should be a separate Unit 5. Findings should be brought before the Board within the next year. The motion carried unanimously.

Dr. Clausen MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

- 3.B.3 Request Authorization for Public Hearings for Modifications to WM-03-09, the 2009 Wildlife Management housekeeping rule package

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

- 3.B.4 Request Adoption of Board Order FR-25-09, amendment of NR 45.04(1)(g), regulating firewood that may be brought onto state lands

Mr. Rohde MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

- 3.B.5 Request Approval of the proposed Kettle Moraine State Forest - Pike Lake Unit Master Plan

Mr. Welter MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

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3.B.6 Request Approval of the proposed Glacial Heritage Area Feasibility Study and Master Plan

Mr. Ela requested a motion to go into Executive Session at the conclusion of the public testimony.

Mr. Welter MOVED, seconded by Dr. Clausen 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. 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 – absent

Jane Wiley – yes

Mr. Ela reconvened the meeting at 1:35 p.m. Vice-Chair Ela reported that during the Executive Session no action was taken.

Discussion of agenda item 3.B.6, Request Approval of the proposed Glacial Heritage Area Feasibility Study and Master Plan resumed.

Mr. Welter MOVED approval, seconded by Ms. Wiley.

Mr. Welter MOVED to change the designation of the proposed Conservation Parks to State Recreational Areas.

The motion to amend was not seconded and failed.

The original motion carried unanimously.

3.B.7 Land Acquisition - Waterloo Wildlife Area and Glacial Heritage Area - Jefferson County

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

3.B.8 Land Acquisitions and Project Boundary Modifications -Statewide Natural Area (Hawkins Hemlocks) – Rusk County; Statewide Natural Area (Newman Lake) – Iron County; Kimberly Clark Wildlife Area - Price County; and McKenzie Fishery Area -Washburn

Mr. Welter MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

3.B.9 Land Acquisition - Pine Island Wildlife Area - Sauk County

Mr. Cole MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

3.B.10 Land Acquisition – Vernon Wildlife Area – Waukesha County

Dr. Clausen MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

3.B.11 Land Acquisition and Donation - Statewide Fishery Remnant Area Program - Dunn County

Mr. Welter MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

3.B.12 Land Exchange - Menominee River Natural Resources Area and Pike Wild River - Marinette County

Dr. Clausen MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

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3.B.13 Land Donation – Statewide Wildlife Habitat Areas – Chippewa County

Mr. Cole MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

3.B.14 Land Donation & Project Boundary Modification - Pine Island Wildlife Area - Columbia County

Dr. Clausen MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

3.B.15 Redesignation of Land to Northern Highland/American Legion State Forest - Vilas County

Dr. Clausen MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation

5. Board Members' Matters

Ms. Wiley stated she recently visited the Horicon Visitor's Center. It is a spectacular place and deserves a visit. The Center will be acquiring incredible mounts, including an extinct species, from a family in Milwaukee. She also noted the Department has a website which locates GPS coordinates of private lands open for hunting in the Glacial Heritage Restoration Area, which is: <http://dnr.wi.gov/org/land/wildlife/ghra/properties.htm>

6. Special Committees' Reports

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Lowell Henry Tesky

7.A.2 Steve Schram

7.A.3 Joan A. Neis

7.A.4 Jonathan D. Stone

7.A.5 Roger Fritz

7.A.6 Greg Swanson

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

7.B. Donations

7.B.1 Willow River OWLs will donate up to \$20,000 to pay the salaries of a limited-term volunteer coordinator and work study position for 2009

Dr. Clausen MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

7.B.2 The Natural Resources Foundation of Wisconsin, Inc. will donate \$5,000 in support of Kirtland's Warbler conservation and management program

Ms. Wiley MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

7.B.3 The Black River State Forest Trail Foundation will donate \$15,060 to electrify the Black River State Forest ski warming shelter **ADDED**

Mr. Welter MOVED approval, seconded by Mr. Cole. The motion carried unanimously.

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- 8. Information Items
- 8.A. Air, Waste, and Water/Enforcement
- 8.A.1 Wildlife Violator Compact Update

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 8.B. Land Management, Recreation, and Fisheries/Wildlife
- 8.B.1 Update on the status of emerald ash borer in Wisconsin and efforts to minimize its spread and impacts

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Mr. Cole MOVED approval, seconded by Mr. Welter to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 3:25 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.