

**SINCE THE POSTING OF THIS BRIEF, THE FOLLOWING ITEM HAS CHANGED:
3.B.23 MODIFICATION**

NATURAL RESOURCES BOARD

AMENDED BRIEF OF ACTION (rev 2/7/08)

The regular meeting of the Natural Resources Board was held on Wednesday, December 5, 2007 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 5:40 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 September 10, 2007

Mr. O’Brien MOVED, seconded by Dr. Clausen approval of the minutes as amended. The motion carried unanimously.

1.C. Approval of minutes from September 25-26, 2007

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

1.D. Approval of agenda for December 5, 2007

Dr. Clausen MOVED, seconded by Mr. Welter approval of the agenda as amended for December 5, 2007, 2007. The motion carried unanimously.

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

Mr. Ela MOVED, seconded by Mr. Welter 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-04-06, proposed rules affecting chs. NR 433 and 484 pertaining to the Best Available Retrofit Technology (BART) requirements for visibility protection. **DELETED FROM AGENDA**~~

3.A.2 ~~Request Adoption of Board Order AM-24-07, proposed rules affecting NR 406, 407 & 445 pertaining to the timeline for implementation of air permit and hazardous air pollutant requirements for emissions associated with agricultural waste. **DELETED FROM AGENDA**~~

- 3.A.3 Request authorization for Public Hearings on Board Order WT-36-07 for revisions to NR 102 and NR 106 regarding Thermal Water Quality Rules

Mr. Welter MOVED, seconded by Dr. Clausen approval of Request authorization for Public Hearings on Board Order WT-36-07 for revisions to NR 102 and NR 106 regarding Thermal Water Quality Rules. The motion carried unanimously.

- 3.A.4 (MOVED to follow 3.B.23) Request Authorization for Public Hearings on Board Order WT-41-07 for permanent rule revisions to NR 345, Wisconsin Administrative Code, pertaining to general permit standards to allow operation of a motor vehicle on the beds of outlying waters.

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

- 3.B.1 Request adoption of Board Order FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin

Mr. O'Brien MOVED, seconded by Ms. Wiley approval of the request for adoption of Board Order FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin.

Dr. Clausen MOVED, seconded by Mr. Ela to amend the request for adoption of Board Order FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin to make it identical to the October 2007 Emergency Rule FH-40-07(E).

Ms. Wiley MOVED, seconded by Mr. O'Brien to amend the request for adoption of Board Order FH-30-07, rules to control the spread of Viral Hemorrhagic Septicemia virus in Wisconsin to allow people who are continuing to fish on the same body of water to transport their bait/ minnows home and then back to same fishing location when there has been no exchange of water.

Ms. Wiley's motion to amend failed on a roll call vote of 2-5.

Dr. Clausen's motion to amend carried on a roll call vote of 7-0.

The original motion as amended carried unanimously.

- 3.B.2 Request adoption of Board Order FH-07-07, chapter NR 25, Commercial fishing of yellow perch in outlying waters

Dr. Clausen MOVED, seconded by Mr. Cole approval of the request for adoption of Board Order FH-07-07, chapter NR 25, Commercial fishing of yellow perch in outlying waters.

Dr. Thomas MOVED to amend the motion that this item will come back to the Board in one year instead of two years. Dr. Clausen and Mr. Cole accepted as a friendly amendment.

The original motion as amended carried unanimously.

- 3.B.3 Consideration of a request for modifications to WM-16-07, the 2007 Wildlife Management housekeeping rule package, made by the Assembly Natural Resources Committee.

Mr. Welter MOVED, seconded by Ms. Wiley approval of the Consideration for a request for modifications to WM-16-07, the 2007 Wildlife Management housekeeping rule package, made by the Assembly Natural Resources Committee. The motion carried unanimously.

December 5, 2007

3.B.4 Request approval of the Wisconsin Waterfowl Strategic Plan

Dr. Clausen MOVED, seconded by Mr. Welter approval of the request for approval of the Wisconsin Waterfowl Strategic Plan. The motion carried unanimously.

3.B.5 (MOVED to follow rescheduled 3.A.4) Request approval of the Hank Aaron State Trail Boundary Adjustment

3.B.6 Request authorization for hearings on Board Order FH-42-07, revisions to NR 20 and 21 relating to hook and line lake sturgeon fishing

Mr. Welter MOVED, seconded by Mr. Cole approval of the request for authorization for hearings on Board Order FH-42-07, revisions to NR 20 and 21 relating to hook and line lake sturgeon fishing. The motion carried unanimously.

3.B.7 Land Acquisition - John Michael Kohler State Park - Sheboygan

Mr. Welter MOVED, seconded by Dr. Clausen approval of the Land Acquisition - John Michael Kohler State Park - Sheboygan County. The motion carried unanimously.

3.B.8 Land Acquisition - Mud Lake Wildlife Area - Dodge County

Mr. O'Brien MOVED, seconded by Mr. Welter approval of the Land Acquisition - Mud Lake Wildlife Area - Dodge County. The motion carried unanimously.

3.B.9 Land Acquisition - Ice Age Trail - Washington County

Mr. Welter MOVED, seconded by Mr. O'Brien to table the request for approval of the Land Acquisition - Ice Age Trail - Washington County until the January, 2008, meeting. The motion carried unanimously.

3.B.10 Land Acquisition - Lower Wisconsin Scenic Riverway - Iowa County

Mr. O'Brien MOVED, seconded by Dr. Clausen approval of the Land Acquisition - Lower Wisconsin Scenic Riverway - Iowa County. The motion carried unanimously.

3.B.11 Easement Acquisition - Lower Wisconsin Scenic Riverway - Grant County

Dr. Clausen MOVED, seconded by Mr. Welter approval of the Easement Acquisition - Lower Wisconsin Scenic Riverway - Grant County and to direct staff to enlarge the boundary to include this purchase. The motion carried unanimously.

3.B.12 Easement Acquisition - Lower Wisconsin Scenic Riverway - Crawford County

Ms. Wiley MOVED, seconded by Mr. Ela approval of Easement Acquisition - Lower Wisconsin Scenic Riverway - Crawford County. The motion carried unanimously.

3.B.13 Land Acquisition - Kettle Moraine State Forest - Southern Unit - Waukesha County

Mr. Welter MOVED, seconded by Mr. Ela approval of Land Acquisition - Kettle Moraine State Forest - Southern Unit - Waukesha County. The motion carried unanimously.

3.B.14 Land Acquisition - Waterloo Wildlife Area - Jefferson County

Mr. Ela MOVED, seconded by Mr. Welter approval of Land Acquisition - Waterloo Wildlife Area - Jefferson County. The motion carried unanimously.

3.B.15 Land Acquisition - Central Wisconsin Grasslands Conservation Area - Portage County

Mr. Welter MOVED, seconded by Mr. O'Brien approval of Land Acquisition - Central Wisconsin Grasslands Conservation Area - Portage County. The motion carried unanimously.

3.B.16 Land Acquisition, Donation & Boundary Modification - Evansville Wildlife Area - Rock County

Dr. Thomas MOVED, seconded by Mr. Welter approval of Land Acquisition, Donation & Boundary Modification - Evansville Wildlife Area - Rock County. The motion carried unanimously.

3.B.17 Easement Purchase and Donation - Statewide Natural Areas - Rock County

Dr. Thomas MOVED, seconded by Dr. Clausen approval of Easement Purchase and Donation - Statewide Natural Areas - Rock County. The motion carried unanimously.

3.B.18 Land Acquisition and Donation - Statewide Fishery Remnant Areas - Pierce County

Mr. Welter MOVED, seconded by Dr. Thomas approval of Land Acquisition and Donation - Statewide Fishery Remnant Areas - Pierce County. The motion carried unanimously.

3.B.19 Land Donation - Big Muskego Lake Wildlife Area - Milwaukee

Dr. Clausen MOVED, seconded by Dr. Thomas approval of Land Donation - Big Muskego Lake Wildlife Area - Milwaukee County. The motion carried 6-0. Mr. Cole abstained.

3.B.20 Land Transfer - Big Muskego Lake Wildlife Area - Waukesha County

Mr. Ela MOVED, seconded by Ms. Wiley approval of Land Transfer - Big Muskego Lake Wildlife Area - Waukesha County. The motion carried unanimously.

3.B.21 Easement Donation - Statewide Natural Areas - Oconto County

Mr. Ela MOVED, seconded by Mr. Welter approval of Easement Donation - Statewide Natural Areas - Oconto County. The motion carried unanimously.

3.B.22 Easement Donation and Boundary Modification - Willow Creek Fishery Area - Richland County

Mr. Welter MOVED, seconded by Mr. O'Brien approval of the Easement Donation and Boundary Modification - Willow Creek Fishery Area - Richland County. The motion carried unanimously.

4. Citizen Participation

4.A. Citizen Participation

3.A.4 Request Authorization for Public Hearings on Board Order WT-41-07 for permanent rule revisions to NR 345, Wisconsin Administrative Code, pertaining to general permit standards to allow operation of a motor vehicle on the beds of outlying waters

Mr. Welter MOVED, seconded by Mr. Ela approval of the Request for Authorization for Public Hearings on Board Order WT-41-07 for permanent rule revisions to NR 345, Wisconsin Administrative Code, pertaining to general permit standards to allow operation of a motor vehicle on the beds of outlying waters. The motion carried unanimously.

3.B.5 Request approval of the Hank Aaron State Trail Boundary

Dr. Clausen MOVED, seconded by Mr. Welter approval of the Request for approval of the Hank Aaron State Trail Boundary Adjustment. The motion carried 6-0. Mr. Cole abstained.

3.B.23 Request approval of proposed Interim Protocol for Grant Review

Dr. Clausen MOVED, seconded by Ms. Wiley approval of Request approval of proposed Interim Protocol for Grant Review.

Mr. Welter MOVED to amend attachment B, 3.b. as follows: “One or more nature-based outdoor activity *significantly* interferes with land management activities necessary to preserve, enhance, and restore the conservation values protected in the project.”

Dr. Clausen and Ms. Wiley accepted as a friendly amendment.

Dr. Thomas requested the Board’s Stewardship Subcommittee work with Department staff to oversee the gathering of information which will inform permanent rule. Dr. Clausen asked to be removed from the Subcommittee citing scheduling conflicts. The revised committee will consist of Mr. Welter as Chair, and members Jane Wiley and Preston Cole. **MODIFICATION**

Dr. Thomas MOVED to amend Proposed Protocol #5 to change to “If Department grant staff do not find that the proposed restriction fits the conditions in the Staff Guidance for Nature-based Outdoor Activities and the grantee requests further review, grant staff will seek Natural Resources Board Stewardship Subcommittee review of the project.

Dr. Clausen and Ms. Wiley accepted as a friendly amendment.

The original motion as amended carried unanimously.

5. Board Members’ Matters

6. Special Committees’ Reports

None.

7. Department Secretary’s Matters

7.A. Retirement Resolutions

7.A.1 Melody F. Walsh

7.A.2 Alan L. Czeshinski

7.A.3 Richard A. Rost

7.A.4 Edward Miller

7.A.5 Theodore J. Amman

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

7.B. Donations

7.B.1. The Ice Age Park and Trail Foundation will donate \$6,530 for construction of a wetland crossing for the Ice Age Trail at Brooklyn State Wildlife Area.

Dr. Clausen MOVED, seconded by Dr. Thomas approval of the Ice Age Park and Trail Foundation donation of \$6,530 for construction of a wetland crossing for the Ice Age Trail at Brooklyn State Wildlife Area. The motion carried unanimously.

December 5, 2007

- 7.B.2 Willow River State Park's Organization for Wildlife Learning (OWLs) will donate \$17,000 to pay the 2007-2008 salaries of the Park's limited-term volunteer coordinator and a work study position.

Mr. Welter MOVED, seconded by Mr. Cole approval of the Willow River State Park's Organization for Wildlife Learning (OWLs) donation of \$17,000 to pay the 2007-2008

salaries of the Park's limited-term volunteer coordinator and a work study position. The motion carried unanimously.

- 7.B.3 The Newport Wilderness Society, the friends group of Newport State Park, will donate \$42,000 worth of equipment and furniture to outfit the new Hotz Wilderness Interpretive Room and naturalist office/library in the new Public Entrance and Visitor Station at Newport State Park.

Mr. Ela MOVED, seconded by Ms. Wiley approval of the Newport Wilderness Society, the friends group of Newport State Park, donation of \$42,000 worth of equipment and furniture to outfit the new Hotz Wilderness Interpretive Room and naturalist office/library in the new Public Entrance and Visitor Station at Newport State Park. The motion carried unanimously.

- 7.B.4 The Natural Resources Foundation of Wisconsin will donate \$14,000 to manage and monitor Wisconsin's growing osprey population.

Mr. Welter MOVED, seconded by Dr. Clausen approval of the Natural Resources Foundation of Wisconsin's donation of \$14,000 to manage and monitor Wisconsin's growing osprey population. The motion carried unanimously.

- 7.B.5 Walleyes for Tomorrow, Inc. will donate \$10,000 to be used to support the Milwaukee River Walleye Restoration Project.

Mr. Cole MOVED, seconded by Dr. Clausen approval of Walleyes for Tomorrow, Inc. donation of \$10,000 to be used to support the Milwaukee River Walleye Restoration Project. The motion carried unanimously.

8. Information Items

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

- 8.A.1 Comprehensive analysis of the potential emission reductions posed by EPA's Reasonable Progress requirements, new particulate matter standards, and proposed new ozone standards

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

- 8.B.1 Report and preliminary findings from the 2007 gun deer season

- 8.B.2 Preliminary report on harvest ratios during two-year trial elimination of the October 4-day antlerless deer season

There being no further business, the Chair adjourned the meeting at 5:40 p.m.