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## NATURAL RESOURCES BOARD

### BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, September 22, 2010 at Hotel Mead, Wisconsin Rapids, Wisconsin. The meeting was called to order at 8:00 a.m. for action on items 1-7. The meeting adjourned at 4:15 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 September 21-22, 2010

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

1.C. Approval of minutes from August 10-11, 2010

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions **MODIFIED**

**Mr. Cole MOVED approval, seconded by Ms. Wiley. The motion carried on a voice vote of 6 – 1.**

3. Action Items

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

3.A.1 Request authorization for public hearing for Board Order AM-34-05, proposed rules affecting NR 411 pertaining to the indirect source air permit program **ADDED**

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

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

3.B.1 Request approval of the Department's fifteen year plan for responding to Chronic Wasting Disease (CWD) in Wisconsin's free-ranging deer

**Dr. Clausen MOVED approval, seconded by Ms. Wiley.**

**Mr. Welter** requested that the Department works with the USDA to obtain and use any tool available to ensure the Hall Farm fence remains in place. This is really crucial to the people in central Wisconsin.

**The motion carried unanimously.**

3.B.2 Request authorization for public hearing on Board Order PR-36-10, revisions to NR 1.29 and NR 45.10 relating to the management of Department lands purchased for the Ice Age and North Country Trails

**Dr. Clausen MOVED approval, seconded by Ms. Wiley.**

**The motion carried unanimously.**

3.B.3 Request authorization for public hearing on Board Order CF 28-09, amending ch. NR 51, Administration of Stewardship Grants DELETED

3.B.4 Request approval of the Flambeau River State Forest Master Plan

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

3.B.5 Land Acquisition – Statewide Public Access – Door County

Discussion followed on deferring this item to the October 2010 meeting.

**Ms. Wiley MOVED to defer this item to October, seconded by Dr. Thomas. The motion carried unanimously.**

3.B.6 Land Acquisition and Donation – Scattered Forest Lands – Ashland County

**Mr. Welter MOVED approval, seconded by Dr. Thomas. The motion carried on a voice vote of 6-1.**

3.B.7 Land Acquisition and Project Boundary Modification – Tichigan Wildlife Area – Racine County

**Ms. Wiley MOVED approval, seconded by Mr. Welter. The motion carried on a voice vote of 6-1.**

3.B.8 Easement Purchase – North Branch Milwaukee River Wildlife and Farm Heritage Area – Sheboygan County

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

3.B.9 **Land Acquisition and Donation – Western Prairie Habitat Restoration Area – Polk County**

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

3.B.10 Land Exchange – Statewide Wildlife Habitat Area and Land Transfer – Statewide Fishery Habitat Area – Brown County

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

3.B.11 Easement Donation – North Country National Scenic Trail – Douglas County

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

3.B.12 Request adoption of Emergency Board Order ER-37-10(E) and request authorization for public hearing on Board Order ER-35-10, revisions to Ch. 27, addition of Wisconsin cave bats to the endangered and threatened species list **ADDED**

**Mr. Welter MOVED approval of the emergency order and public hearing authorization, seconded by Dr. Thomas. The motion carried unanimously.**

- 3.B.13 Request adoption of Emergency Board Order IS-42-10(E) and request authorization for public hearing on Board Order IS-41-10, rule revisions to Ch. 40, addition of the fungus, Geomyces Destructans, as a prohibited invasive species in Wis. Admin. Code **ADDED**

**Ms. Crain** noted an error on page 5 of the Board Order: the “Deadline for written comments” should be **November 1** and not November 20. She also noted a typo on the Fiscal Estimate Administrative Rule Number which should be IS-42-10(E) and IS-41-10 (not ER-41-10 and ER-42-10(E)).

**Mr. Welter MOVED approval of the emergency order and public hearing authorization, seconded by Dr. Clausen. The motion carried unanimously.**

**Mr. Ela** requested, under the authority of s.19.85(1)(g) Wisconsin Statutes, a motion to go into Executive Session for the purpose of discussing litigation matters.

**Dr. Clausen MOVED, seconded by Dr. Thomas that the Board convene into Executive Session under the authority of s.19.85(1)(g) Wisconsin Statutes for the purpose of discussing litigation matters. The motion was carried by a roll call vote of 7-0.**

<b>David Clausen – yes</b>	<b>Preston Cole – yes</b>
<b>Jonathan Ela – yes</b>	<b>Gary Rohde – yes</b>
<b>John Welter – yes</b>	<b>Christine Thomas – yes</b>
<b>Jane Wiley – yes</b>	

**Mr. Ela** reconvened the meeting at 1:40 p.m. Mr. Ela reported that during the Executive Session no action was taken.

4. Citizen Participation  
4.A. Citizen Participation

- 4.B. Citizen Recognition **ADDED**

1. Wisconsin Industrial Sands

**Secretary Frank** and **Laurie Osterndorf**, Land Administrator, presented an award of great appreciation to Wisconsin Industrial Sands Maiden Rock sand mine and to Wisconsin Specialty Sands Bay City mine in recognition of their commitment to managing and monitoring important bat hibernacula in the state of Wisconsin. In attendance to accept the awards were:

**Michele Maxson** - West Region Environmental Health & Safety Manager

**Al Nelson** - Maiden Rock Plant Manager

**Mark Waters** - Hager City/Bay City Plant Manager

**Jenine Gigliotti** - West Region Sustainable Development Coordinator

- 3.C. Budget

- 3.C.1 Request approval of the Department’s 2011 – 2013 Biennial Budget, including Operating, Capital, and Environmental Improvement Fund Components

**Dr. Thomas** stated the Department’s budget continues to decline. The state deserves to know this budget is not a happy face. We have fewer and fewer people to manage our resources. In fact, our declining budget means we are getting less: less money, fewer people, and fewer services.

**Mr. Welter MOVED approval of the 2011-2013 biennial budget, seconded by Dr. Clausen.**

**Ms. Wiley MOVED to amend the 2011-2013 biennial budget to include funding in the Science Services Bureau for a Librarian, seconded by Dr. Thomas**

**The amendment failed on a roll call vote of 3-4.**

<b>David Clausen – yes</b>	<b>Preston Cole – no</b>
<b>Jonathan Ela – yes</b>	<b>Gary Rohde – no</b>

**John Welter – no**  
**Jane Wiley – yes**

**Christine Thomas – no**

**The original motion to approve the 2011-2013 biennial budget carried on a voice vote of 6-1.**

**Ms. Wiley MOVED approval of the Capital Development Budget, seconded by Dr. Thomas. The motion carried on a voice vote of 6-1.**

5. Board Members' Matters  
5.A. Approval of the 2011 Natural Resources Board Meeting Schedule

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

- 5.B. Clausen lead symposium proposal **ADDED**

**The Board** agreed to Dr. Clausen's proposal requesting the Department to schedule a lead Symposium tentatively scheduled for Tuesday afternoon, December 13, 2010 at DNR Central Office in Room G09, 101 S. Webster Street, Madison, WI.

**Dr. Thomas** requested at a future meeting for the Board revisit their role in land purchases and grants.

**Mr. Welter** requested a Board resolution or letter be drafted to the USDA on the importance of fencing regulations at the Hall farm and other deer farms.

**Mr. Ela** requested Mr. Welter work with Department staff to work on the USDA/deer fencing emergency issue.

**Mr. Rohde** requested an update on the trap net issue in Lake Michigan.

**Mr. Cole** and **Dr. Thomas** toured Lake Michigan in the area concerned. The Department is working on plausible recommendations for trap net safety.

**Mr. Cole** noted that the Clean Air Act turns 40 this month.

**Ms. Wiley** stated that when the Board and Department are discussing forums and special meetings to keep in mind winter weather driving conditions.

6. Special Committees' Reports  
None

7. Department Secretary's Matters  
7.A. Retirement Resolutions  
7.A.1 David C. Bailey  
7.A.2 Harry Sorenson  
7.A.3 Patrick J. Brady  
7.A.4 John C. Hagman  
7.A.5 Christopher R. Wunrow

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

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

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None

- 8.B. Land Management, Recreation, and Fisheries/Wildlife
- 8.B.1 DNR Land Acquisition Strategy for the Stewardship Program

**Mr. Welter** requested additional information how the percentages differ for the last five years than in the proposed fund allocation.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

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

\*\*\*The meeting adjourned at 4:15 p.m.\*\*\*

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