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NATURAL RESOURCES BOARD

A G E N D A

For meeting at:
Room G09, State Natural Resources Building (GEF 2)
101 South Webster Street
Madison, Wisconsin

Wednesday, February 26, 2014

NOTICE IS HEREBY GIVEN that the Natural Resources Board will convene at 8:30 a.m. on Wednesday, February 26, 2014, in Room G09, State Natural Resources Building (GEF 2), 101 South Webster Street, Madison, Wisconsin. The Board will act on items 1-3 and 6-7 as listed on the Agenda.

NOTICE IS FURTHER GIVEN that on Wednesday, February 26, 2014 at approximately 11:45 a.m., the Natural Resources Board will meet in closed session in conference room 813, State Natural Resources Building (GEF 2), 101 South Webster Street, Madison, Wisconsin under the authority of s.19.85(1)(g) Wisconsin Statutes for purposes of discussing litigation matters.

NOTICE IS FURTHER GIVEN that matters concerning natural resource issues or the Department's program responsibilities or operations specified in the Wisconsin Statutes, which arise after publication of this agenda may be added to the agenda and publicly noticed no less than two hours before the scheduled board meeting, if the Board Chair determines that the matter is urgent.

ORDER OF BUSINESS

1. Organizational Matters
 - A. Calling the roll
 - B. Approval of agenda for February 26, 2014
 - C. Approval of brief of action from January 22, 2014
2. Ratification of Acts of the Department Secretary
 - A. Real Estate Transactions
3. Action Items
 - A. Air, Waste, Water, and Enforcement
 1. Presentation of the "Registered Laboratory of the Year Award (Steve Geis, Environmental Sciences Section Chief)

2. Request approval of department recommendations for the FY 2015 Laboratory Certification and Registration Program Fee Adjustment **Citizen Testimony Welcome**
(Steve Geis, Environmental Sciences Section Chief)
 3. Request adoption of Board Order DG-02-13, proposed rules for heat exchange drilling, to create a drilling license with requirements for heat exchange authorization and construction standards for heat exchange drilling. The proposed action implements 2011 Wisconsin Act 150 modifying Chapter 280, Wisconsin Statutes.
Citizen Testimony Welcome
(Ken Johnson, Water Division Administrator)
 4. Request adoption of Board Order DG-03-13, proposed rules for inspections of water systems at time of property transfer, licensing of filling and sealing contractors, well inspectors and water well drilling rig operators, and citations for violations related to drilling and pump installing to protect public health and groundwater
Citizen Testimony Welcome
(Ken Johnson, Water Division Administrator)
 5. Request authorization for public hearings for Board Order WT-13-12, proposed rules affecting chapters NR 200, 201, 203, and 205 relating to the administration of the Wisconsin Pollutant Discharge Elimination System (WPDES) permit program regulating wastewater discharges.
(Ken Johnson, Water Division Administrator)
- B. Land Management, Recreation, Fisheries, and Wildlife
1. Request adoption of Board Order FH-26-12, proposed rules affecting chapter NR 25 related to lake trout harvest limits on Lake Superior **Citizen Testimony Welcome**
(Mike Staggs, Fisheries Management Bureau Director)
 2. Request adoption of Board Order WM-21-13, proposed rules that prohibit firearm discharge across trails and require dog-proof traps on State Park properties, eliminate unique state park turkey hunting units because they are no longer needed, and clean up chs. NR 10 and 45 to reflect previous Board determinations (December 2012) under Wis. Act 168 **Citizen Testimony Welcome**
(Dan Schuller, State Park System Bureau Director)
 3. Request authorization for public hearings for Board Order FR-07-12, proposed rules affecting chapter NR 47.65 related to a county forest time standards grant, which would allow county forests additional flexibility in selecting the optimal combination of resources provided by the department
(Joe Schwantes, County and Public Forest Specialist)
 4. Request approval of department recommendation to issue a Stewardship grant that will prohibit at least one nature-based outdoor activity (NBOA) on non-department land: City of Madison, Dane County **Citizen Testimony Welcome**
(Lavane Hessler, Stewardship Grant Manager)

5. Request approval of department recommendation to issue a Stewardship grant that will prohibit at least one nature-based outdoor activity (NBOA) on non-department land: City of Eau Claire, Eau Claire County **Citizen Testimony Welcome**
(Lavane Hessler, Stewardship Grant Manager)
6. Request approval of department recommendation to issue a Stewardship grant that will prohibit at least one nature-based outdoor activity (NBOA) on non-department land: City of Racine, Racine County **Citizen Testimony Welcome (moved from January 22, 2014 agenda)**
(Lavane Hessler, Stewardship Grant Manager)
7. Land Donation – Lower Chippewa River State Natural Area – Dunn County
Citizen Testimony Welcome
(Doug Haag, Facilities and Lands Deputy Bureau Director)

C. Scope Statements

1. Request approval of the Statement of Scope for Board Order AM-18-13 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 422, 423, 439, and 484 related to volatile organic compound control regulations for lithographic printing **Citizen Testimony Welcome**
(Kristin Hart, Air Permits and Stationary Source Modeling Section Chief)
2. Request approval of the Statement of Scope for Board Order AM-32-13 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules potentially affecting chapters NR 400 to 439, 445, and 484 to 499 related to reporting, monitoring, and recordkeeping requirements for stationary source owner or operators, and additional changes of a clarifying or clean-up nature **Citizen Testimony Welcome**
(Kristin Hart, Air Permits and Stationary Source Modeling Chief)
3. Request approval of the Statement of Scope for Board Order WY-23-13 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapter NR 102 related to processes for waterbody assessments and impaired waters listing, biological criteria for water quality standards, and biological confirmation of phosphorus impairments **Citizen Testimony Welcome**
(Ken Johnson, Water Division Administrator)
4. Request approval of the Statement of Scope for Board Order WY-25-13 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 102, 104, and 105 related to surface water designated uses, associated water quality criteria, variance waters and qualifying factors for variances based on economic impacts **Citizen Testimony Welcome**
(Ken Johnson, Water Division Administrator)

4. Citizen Participation – 11:30 a.m.

(Note: If time permits, Items 5-Information Items, 6-Department Secretary's Matters, and 7-Board Members' Matters may come before the Board prior to Item 4-Citizen Participation)

A. Citizen Participation

(Citizen appearances on topics that are not on this month's agenda; appearances on items that are on this month's agenda are made at the time the Board considers the item. See complete information on public participation at Board meetings at <http://dnr.wi.gov/about/nrb/public.html>)

5. Information Items

A. Air, Waste, Water, and Enforcement

None

B. Land Management, Recreation, Fisheries, and Wildlife

None

6. Department Secretary's Matters

A. Retirement Resolutions

1. James Buchholz
2. Debra Burgau
3. Terry Flugler
4. William Gantz
5. Fredrick Hagstrom
6. Dr. William Horns
7. Kevin Huggins
8. Mary Singsime
9. Fred Strand

B. Donations

1. The Green Bay Packers with support from sponsors SCA and Green Bay Packaging will donate \$32,000 to be used to support the "First Downs for Trees" program
2. The Paul E. Stry Foundation, Inc. will donate \$20,000 to be used to support the management of State Natural Areas
3. The Natural Resources Foundation will donate \$17,000 to be used to support the 2014 Citizen Science in the Classroom Workshop

7. Board Members' Matters

The public is welcome to attend a Natural Resources Board (NRB) meeting unless it is noticed as a closed/executive session. The NRB also provides opportunities for citizens to appear and to submit written comment about issues that come before the NRB. See complete information on public participation at Board meetings at <http://dnr.wi.gov/about/nrb/public.html>.

Board Meetings are now webcast live. To watch, go to <http://dnr.wi.gov/about/nrb/agenda.html> and click **Webcasts** in the **Related Links** column on the right. Then click on **this month's meeting**. After each meeting, the webcast will be permanently available on demand.

Please contact Laurie Ross, NRB Liaison, at 608-267-7420 or by email at laurie.ross@wisconsin.gov with NRB related questions, to request information, to submit written comments, or to register to testify at a meeting or listening session.

Public Participation Registration and Written Comment Deadline:
11:00 a.m. on the Friday before the meeting.

The NRB and Department of Natural Resources are committed to serving people with disabilities. Please contact the NRB Liaison to request NRB information in an alternative format.