

SEPTEMBER 23, 2009

View the September 23, 2009 Agenda and Agenda items (green sheets) online at
<http://dnr.wi.gov/org/nrboard/2009/September/09-09-NRB-Agenda.htm>

View the September 23, 2009 Meeting Minutes online at
<http://dnr.wi.gov/org/nrboard/2009/September/09-09-NRB-Minutes.pdf>

NATURAL RESOURCES BOARD

BRIEF OF ACTION (rev. 9/28/09)

The regular meeting of the Natural Resources Board was held on Wednesday, September 23, 2009, at the Stone Harbor Resort, Europe Bay Room, 107 North First Avenue, Sturgeon Bay, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 2:00 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 23, 2009

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

1.C. Approval of minutes from August 12, 2009

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

3. Action Items

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

3.A.1 Request Adoption of Board Order AM-05-09, proposed rules affecting chs. NR 406, 407, 409, 419, 439 and 484 pertaining to updating permit language relating to federal Generally Available Control Technology (GACT) rules for hazardous air pollutants, and rule consistency and other changes of a non-substantive nature

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

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

3.B.1 Request Adoption of Board Order FH-18-09, fisheries housekeeping rule revisions

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

3.B.2 Request Authorization for Hearings of Board Order WM-20-09 to establish alternatives to earn-a-buck (EAB) deer hunting regulations

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

Mr. Welter MOVED to include the following Amendment to correct a drafting error and to update the definition of group hunting for deer as it applies in mentored hunting situations.

Section 1. NR 10.01(3)(e), as amended by CR 09-024, is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)1.		
<p>f. In unit 77C <u>On lands which comprise the Kettle Moraine State Forest in Sheboygan, Fond du Lac, Washington and Waukesha counties</u>, this season may be implemented when the criteria established in par. (ed) 2. are met, if the harvest resulting from the permit issuance procedures established in par. (ed) 1. a. in a deer management region does not meet the performance measures established in par. (ef).</p>	<p>Firearm season beginning on the Thursday nearest October 27 and continuing for 5 consecutive days. The firearm type is the same as authorized during the seasons listed in subdivision paragraphs a. and b.</p>	<p>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</p>

Section 2. Section 9. NR 10.01(3)(et)1. is amended to read:

NR 10.01(3)(et) Special disease control hunts.		
1. Disease management zone.		
a.	<p>2. Early firearm season. A firearm deer hunt beginning on the Thursday nearest October 15 <u>second Saturday in October</u> and continuing for 4 <u>5</u> consecutive days- <u>except on lands which comprise the Kettle Moraine State Forest in Jefferson, Walworth and Waukesha counties where the season begins on the Thursday nearest October 27 and continues for 5 consecutive days.</u></p>	<p>One antlerless deer per unused deer carcass tag or permit described under s. NR 10.104 (11).</p>

Section 3. NR 10.001 (28) is created to read:

NR 10.001 (28) “Using firearms” for the purpose of s. 29.324, Stats. means being in possession or control of a separate, individual firearm except that a mentor and the person for whom they are serving as a mentor as required under s. 29.592(3), Stats., who jointly possess only one firearm, shall each be considered to be using a firearm.

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

Mr. Cole requested that a public hearing also be held in Milwaukee, Kenosha, or Racine County.

SEPTEMBER 23, 2009

Dr. Thomas requested the Department provide the Natural Resources Committee with a copy of the final Earn-A-Buck Alternatives Report.

The original motion as amended carried unanimously.

3.B.3 Land Acquisition- Lower Wisconsin State Riverway- Iowa County

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

3.B.4 Land Acquisition - Western Prairie Habitat Restoration Area- St. Croix County

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

3.B.5 Land Acquisition -Black River State Forest – Jackson County

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

3.B.6 Land Donation - Statewide Natural Area Program – Chippewa County

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

3.B.7 Land Donation - Western Prairie Habitat Restoration Area- St. Croix County

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

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation

Mr. Ela requested that in follow-up to Mike LeClair's testimony at 4.A-2, the Board be copied on the Department's formal recommendations/response to all motions from the Lake Michigan Commercial Fishing Board and the Lake Superior Commercial Fishing Board.

5. Board Members' Matters

Mr. Welter stated he was pleased that the Department will begin a study on silica sand impacts on air quality and human health and that the Department will make a recommendation to the Board for regulatory framework. Timeframe for completion of this report is one year.

Mr. Welter stated that due to pending legal proceedings, the Department is taking an appropriate position on the Marinette County land complaint. Let the legal process play out.

6. Special Committees' Reports

None

7. Department Secretary's Matters

Mr. Welter requested a report be given at the October 2009 meeting regarding the Little Plover River.

7.A. Retirement Resolutions

7.A.1 Steven J. Michalko

7.A.2 Scott Retallick

7.A.3 Greg Delwiche

7.A.4 George W. Osipoff

7.A.5 Gene Mitchell

SEPTEMBER 23, 2009

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

7.B. Donations

7.B.1 The Friends of Horicon International Education Center will donate up to \$1,910,000 for the Horicon Marsh building construction

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

7.B.2 Peninsula Golf Associates will donate \$212,077 for the renovation of the Peninsula State Park Golf Course Clubhouse

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

7.B.3 The Natural Resources Foundation will donate \$28,150 to the Bureau of Endangered Resources: \$16,150 in support of raptor monitoring and \$12,000 in support of bat monitoring

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

7.B.4 The Friends of Hartman Creek State Park will donate \$19,386 towards the purchase of a Bobcat Tractor

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

7.B.5 The Ox-Bow Sportman's Club will donate \$10,000 to be used towards the Aders Creek Restoration Project on Brillion Wildlife Area

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

7.B.6 The Ken Holmes family will donate \$5,000 to be used towards displays in the Wild Rose Fish Hatchery Visitor and Aquatic Education Center

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

8. Information Items

8.A. Air, Waste, and Water/Enforcement
None

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

8.B.1 Great Lakes Commercial Fishing Annual Overview

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.2 2009 – 2011 Budget update and its impact on the Department - DEFERRED FROM AUGUST 12, 2009 MEETING

Mr. Welter requested a report on additional expenses incurred by the Department through the Department of Administration (DOA), such as rate increases on operating equipment, fleet, and buildings.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.3 White-nose Syndrome Briefing

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

SEPTEMBER 23, 2009

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

The meeting adjourned at 2:00 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.