

**NATURAL RESOURCES BOARD**

MINUTES

The regular meeting of the Natural Resources Board was held on Tuesday, January 22, 2008 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 2:00 p.m. for action on item 3.A. The meeting adjourned at 4:40 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 agenda for January 22-23, 2008

**Dr. Clausen MOVED, seconded by Mr. Welter approval of the agenda for January 22-23, 2008. The motion carried unanimously.**

3. Action Items

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

3.A.1 Request Adoption of Board Order WT-33-07. Rule revisions to create new standards for the de-contamination of all equipment prior to use and after use for controlling the spread of invasive species and viruses for any project that is exempt or receiving a general permit under NR 320, NR 323, NR 328, NR 329, NR 341, NR 343, and NR 345

**Martin Griffin**, Water Regulations and Zoning Specialist, Watershed Management (PowerPoint) stated that the Department is proposing permanent rule revisions to create new exemption and general permit standards for the de-contamination of all equipment prior to use and after use for controlling the spread of invasive species and viruses for any project that is exempt or receiving a general permit under NR 320, NR 323, NR 328, NR 329, NR 341, NR 343, and NR 345. He requested the Board adopt the proposed rule.

Discussion followed related to equipment disinfection protocol, enforcement, and public comment.

**Dr. Clausen MOVED, seconded by Ms. Wiley approval of the Request for Adoption of Board Order WT-33-07. Rule revisions to create new standards for the de-contamination of all equipment prior to use and after use for controlling the spread of invasive species and viruses for any project that is exempt or receiving a general permit under NR 320, NR 323, NR 328, NR 329, NR 341, NR 343, and NR 345.**

Discussion continued related to public comment and costs associated with implementation of rule.

**Mr. O’Brien MOVED, seconded by Mr. Cole to table approval of the Request for Adoption of Board Order WT-33-07. Rule revisions to create new standards for the de-contamination of all equipment prior to use and after use for controlling the spread of invasive species and viruses for any project that is exempt or receiving a general permit under NR 320, NR 323, NR 328, NR 329, NR 341, NR 343, and NR 345.**

**The motion to table failed in a roll call vote of 2-5.**

David Clausen – no	Preston Cole – yes
Jonathan Ela – no	Gerald O’Brien –yes

**John Welter – no**                      **Christine Thomas – no**  
**Jane Wiley – no**

**The original motion carried in a vote of 6-1.**  
**David Clausen – yes**            **Preston Cole – yes**  
**Jonathan Ela – yes**            **Gerald O'Brien –no**  
**John Welter – yes**              **Christine Thomas – yes**  
**Jane Wiley – yes**

Discussion continued related to the rule making process.

- 3.A.2 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.  
**Larry Bruss**, Section Chief, Regional Pollutants and Mobile Sources Section, Air Management Bureau (PowerPoint) stated this item was deferred from the December 4-5, 2007 meeting. This rule establishes a procedure for the determination of BART requirements to control SO<sub>2</sub>, NO<sub>x</sub> and particulate matter (PM) emissions from sources subject to BART, which are mainly boilers at electric generating power plants and at pulp and paper facilities. He requested the Board adopt the proposed rules.

Discussion followed related to trading, the reasonable progress requirement, and haze.

**Dr. Clausen MOVED, seconded by Ms. Wiley approval of the request for 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. The motion carried unanimously.**

- 3.A.3 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.  
**Eileen Pierce**, Regional Air and Waste Leader, Division of Air & Waste stated this proposal is to extend the compliance deadline to July 31, 2011, for air permit and hazardous air pollutant requirements associated with agricultural waste under chs. NR 406, 407, and 445 since the results of ongoing state and federal air monitoring studies of animal feeding operations will not be available in time to support implementation of current rules by the July 2007 and June 2008 compliance deadlines. Extension of the compliance deadline will allow sufficient time for completion of these studies and development of compliance plans by affected sources. She requested the Board adopt the proposed rules.

Discussion followed related to Best Management Practices, health standards, and hydrogen sulfide.

1. **Jeff Lyon**, Middleton, representing the Wisconsin Farm Bureau Federation spoke in support of adoption of the rule (handout).
2. **Terry Quam**, Lodi, representing himself spoke in support of adoption of the rule.
3. **Jordan Lamb**, Fitchburg, representing the Wisconsin Pork Association and the Wisconsin Cattlemen's Association spoke in support of adoption of the rule. (handout)
4. **Merna Fremstad**, Westby, representing herself spoke in support of adoption of the rule (handout).
5. **Dr. James Mslna**, Hillsboro, representing himself spoke in support of adoption of the rule.

6. **Jerry Meissner**, Chili, representing the Wisconsin Dairy Business Association spoke in support of adoption of the rule (handout).
7. **Tim Anderson**, Lodi, representing Perfect Environmental Performance, LLC asked the department to add in true incentives to NR 445 while extension is running (handout).
8. **Duane Chapman**, Tomah, representing himself was not in attendance. His written comment was distributed to the Board.
9. **Mike Wehler**, Plain, Wisconsin Pork Producers spoke on behalf of **Liz Wagstrom**, Des Moines, IA, representing the Wisconsin Pork Producers who could not attend. He spoke in support of adoption of the rule (handout).
10. **Sandi Cihlar**, Mosinee, representing herself spoke in support of adoption of the rule (handout).
11. **David Chakoian**, Viroqua, representing himself stated the Board should take the strongest possible actions to eliminate odors from the environment. Permanent rules to severely restrict odors beyond the property line of CAFO operations, with adequate penalties to ensure compliance, should be implemented immediately (handout).
12. **Matt Urch**, Viroqua, representing the Valley Stewardship Network requested the Board to require bio-filter systems on all large hog facilities similar to some of our neighboring states. He spoke against adoption of the rule.
13. **John Vrieze**, Baldwin, representing himself spoke in support of adoption of the rule. He invited the Board to tour his farm.
14. **Jennifer Nelson**, Steuben, representing the Crawford Stewardship Project spoke against adoption of the rule.
15. **Peter McKeever**, Monona, representing John and Linda Adams and the Green Rock Citizens for Clean Water spoke against adoption of the rule.
16. **Robert Horwich**, Gays Mills, representing himself spoke against adoption of the rule. He gave the Board a 100 page report for their review, "Iowa Concentrated Annual Feeding Operations, Air Quality Study." He also offered to assist the Department in monitoring CAFO's, free of charge.
17. **James Saul**, Madison, representing Midwest Environmental Advocates, Inc. spoke against adoption of the rule.

**Mr. O'Brien MOVED, seconded by Ms. Wiley approval of the request for 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.**

Discussion followed regarding public comment, odors associated with agricultural waste, Best Management Practices, federal and state studies, and compliance deadline.

**Mr. Welter MOVED, seconded by Mr. Ela to amend compliance deadline to December 31, 2009 with the understanding that once the Board receives the state report they have the option to extend this deadline to 2011.**

Discussion continued related to farm expenses, compliance deadline, and the implications of tabling this rule.

**Mr. Ela MOVED, seconded by Dr. Thomas to table until February 22-23, 2008 the request for 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. The motion carried unanimously.**

- 3.A.4 Request adoption of Board Order AM-37-07, proposed rules affecting ch. NR 462 pertaining to the national Emission Standards for hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters in ch. NR 462, Wisconsin Administrative Code  
**Kevin Kessler**, Director, Bureau of Air Management stated the proposed rule amendment stays implementation of ch. NR 462 Boiler Maximum Achievable Control Technology (MACT). Sources would not be required to operate any emission controls that were installed to comply with ch. NR 462 by September 13, 2007, until a case-by-case determination under the “MACT hammer” provisions has been established in their operating permit, or until USEPA promulgates and requires compliance with a replacement standard for the Boiler MACT. He requested the Board adopt the proposed rules.

**Mr. Cole MOVED, seconded by Ms. Wiley approval of the request for adoption of Board Order AM-37-07, proposed rules affecting ch. NR 462 pertaining to the national Emission Standards for hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters in ch. NR 462, Wisconsin Administrative Code. 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 Briefing on Reauthorized Stewardship Program  
Moved to Wednesday

**The meeting recessed at 4:40 p.m.**

The regular meeting of the Natural Resources Board resumed on Wednesday, January 23, 2008 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 2, 3.B., 4-7. The meeting adjourned at 3:46 p.m.

Wednesday, January 23, 2008

**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 October 24, 2007

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

**Dr. Thomas** requested the Brief of Action from December 4-5 meeting include, at 3.B.23, the reconstituted Stewardship sub-committee is directed to work through the Interim Protocol rule process with Department staff. The Stewardship sub-committee consists of John Welter as Chair with members Jane Wiley and Preston Cole.

2. Ratification of Acts of the Department Secretary
- 2.A. Real Estate Transactions

**Dr. Clausen MOVED, seconded by Mr. O'Brien approval of the real estate transactions. The motion carried unanimously.**

- 3.B. Land Management, Recreation, and Fisheries/Wildlife
- 3.B.1 Request adoption of Board Order FH-22-06, proposed rules governing fishing tournament rules  
**Mike Staggs**, Director, Fisheries and Habitat Bureau (PowerPoint) stated the proposed rules generally include 1) a fee structure for tournament organizers to fund the administration of the program, 2) limits on the number/size of tournaments that can be held on Wisconsin waters, 3) a reduction in the daily bag limit for walleye and bass species during time periods where water temperatures are likely to be elevated in an effort to reduce tournament related mortality, and 4) a mechanism for the processing of permit applications. He requested the Board adopt the proposed rules.

Discussion followed regarding mortality rates, large tournament procedures, bag limit, culling, department costs, law enforcement staffing needs, and lead time for permits.

#### **Public Appearances**

1. **Jeffrey Reed**, Plover, representing the U.S. Angler Choice Tournament Trail was not in attendance. His written comment was distributed to the Board.
2. **Dan Brovarney**, Wauwatosa, representing the Fishing Tournament Advisory Committee spoke against adoption of the rule.
3. **Joe Trejo**, Beaver Dam, representing himself and Beaver Dam Bass Anglers spoke against adoption of the rule.

Discussion followed on culling.

4. **Mike Mattis**, Hudson, representing St. Croix Bass Anglers was not in attendance.
5. **Chuck Rolfsmeyer**, McFarland, representing The National Bass Federation (TBF) spoke against adoption of the rule.

Discussion followed regarding increasing participant fees, bag limits, law enforcement, and culling.

6. **Steve Hjort**, Oregon, representing the Wisconsin State Bass Federation spoke against adoption of the rule. He is concerned that added fees will be deducted from donations to youth and conservation projects (handout).

Discussion followed regarding proceeds from tournament fees and culling.

7. **Warren Zaren**, Franklin, representing American Sport Fishing Tournaments spoke against adoption of the rule. Non-refundable tournament fee and \$2 surcharge are a poor business practice and should be removed.
8. **Tom Ehrenberg**, Howards Grove, representing WI Bass Federation Nation and Waupaca Bass Club spoke against adoption of the rule.

9. **Roy Bragg**, Milwaukee, representing American Bass Anglers spoke against adoption of the rule. He asked the Board to not force them out of Wisconsin and to do something with the tournament rule.

Discussion followed regarding bag limit and culling.

10. **Peter McKeever**, Monona, representing FLW Outdoors spoke in support of adoption of the rule, even though they have concerns with it.

Discussion following regarding FLW statistics in WI, corporate sponsors, certainty of a permit, lead time, and culling.

11. **Chris Jones**, Neenah, representing Fishers of Men National Tournament Trail and Full Throttle Outdoors spoke against adoption of the rule.

Discussion followed on tournament revenue.

12. **George Meyer**, Poynette, Executive Director, Wisconsin Wildlife Federation spoke in support of adoption if their concerns are amended into the motion.

Discussion following on culling, the La Crosse tournament issue, and post-permit issuance conditions.

13. **Aaron David**, Watertown, representing himself spoke against adoption of the rule.

**Mr. O'Brien MOVED, seconded by Ms. Wiley approval of the request for adoption of Board Order FH-22-06, proposed rules governing fishing tournament rules.**

**Mr. Ela MOVED to amend the proposal to change the effective application date for the 2009 permit lottery to January 1, 2009.**

**Mr. O'Brien and Ms. Wiley accepted as a friendly amendment.**

Discussion followed on bag limits and lead time for tournaments.

**Mr. Ela MOVED, seconded by Ms. Wiley to move and edit item (g) 1. on page 13 of the Order to (g) 8 as follows: "There ~~will~~ *may* be a daily bag limit of 3 walleye from the second Saturday in June to the first Sunday in September for all catch-hold-release tournaments on all waters with a daily bag limit of 3 walleye or greater. There ~~will~~ *may* be a daily bag limit of 3 bass from first Saturday in July to the second Sunday in August for all catch-hold-release tournaments for all waters with a daily bag limit of 3 bass or greater."** [Changes in italics.] **The amendment carried unanimously.**

Further discussion followed on lead time for tournaments.

**Dr. Clausen MOVED, seconded by Mr. Ela to add language under (8) on page 12 to allow the Department to issue permits under certain conditions with up to 3 years in lead time for tournaments. The amendment carried unanimously.**

Discussion followed on search and seizure by Wardens during tournaments.

**Dr. Thomas MOVED, seconded by Mr. Cole to strike (6)(e) under Compliance from the rule, removing a conservation warden's authority for search and seizure. The amendment failed in a roll call vote of 3-4.**

**David Clausen – yes      Preston Cole – yes**  
**Jonathan Ela – no      Gerald O'Brien – no**

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

Discussion followed related to the participant fee and refundability.

**Mr. Cole MOVED, seconded by Ms. Wiley to strike (4)(e) under Application from the rule, removing the \$2 per participant non-refundable permit surcharge. The amendment carried unanimously.**

**The original motion as amended carried unanimously.**

Mr. Cole requested a state of Wisconsin map with all 2007 fishing tournament locations on it be forwarded to him.

3.B.2 Request approval of bear harvest quotas for the 2008 season

Keith Warnke, Wildlife Biologist, Wildlife Management Bureau (PowerPoint) stated regulated hunting is the primary management tool for Wisconsin's black bear population. Recommended bear harvest quotas are determined using the department's bear population model to assess the effects of various harvest levels on the bear population estimate. The proposed permit level represents a nearly 6% increase in bear harvest permits with most of the increase occurring in management zone B. He requested the Board approve the 2008 season quotas.

**Public Appearances**

1. Ed Harvey, Waldo, representing Wisconsin Conservation Congress thanked the Board for moving this item from December to January. He spoke in support of the bear harvest quotas.

**Dr. Clausen MOVED, seconded by Mr. Welter approval of the request for approval of bear harvest quotas for the 2008 season. The motion carried unanimously.**

3.B.3 Request adoption of Wisconsin's Double-crested Cormorant Population Objectives

Jeff Pritzl, Regional Wildlife Supervisor (PowerPoint) stated Double-crested cormorant numbers have expanded tremendously across the North American continent over the previous 20 years. Most states and provinces in the Great lakes region have found it necessary to initiate cormorant population control due to concerns about impacts on public resources including fish stocks, co-nesting waterbird populations, and protection of unique island vegetative habitats. He requested the Board adopt the population objectives.

**Public Appearances:**

1. George Meyer, Poynette, Executive Director, Wisconsin Wildlife Federation was not in attendance. His written comments were distributed to the Board.
2. Karen Etter Hale, Lake Mills, Madison Audubon Society and Wisconsin Audubon Council spoke against adoption of the population objectives.

Discussion followed regarding nesting terns on the islands.

**Mr. O'Brien MOVED, seconded by Ms. Wiley approval of the request for adoption of Wisconsin's Double-crested Cormorant Population Objectives. The motion carried unanimously.**

3.B.4 Request authorization for public hearings on Board Order FH-02-08, related to 2008 proposed fisheries spring hearing rule changes

Joseph Hennessy, Natural Resources Staff Specialist, Fisheries Management and Habitat Protection Bureau (PowerPoint) stated these rule changes are proposed for inclusion in the 2008 Spring Hearing questionnaire and related to management of recreational fishing in Wisconsin's

inland and boundary waters. At this time, the Department proposes to solicit public comment on ten items of statewide interest and approximately 10 items of local interest. He requested the Board approve authorization for public hearing.

Discussion followed related to deferring this item until after January item 3.B.17 had been addressed.

**Public Appearances**

1. **Ed Harvey**, Waldo, representing Wisconsin Conservation Congress objected to Fisheries Questions 1-5 as to how they were brought forward through the state budget rather than through the traditional rule making process. The traditional administrative rule process provides more opportunity for public input.

NOTE: In accordance with s. 15.348, Wis. Stats., the Wisconsin Conservation Congress shall serve in an advisory capacity to the Natural Resources Board on all matters under the jurisdiction of the Board, and therefore is uniquely granted the permission to address the Board on any agenda items. No other public comment will be accepted.

**Mr. Welter MOVED, seconded by Mr. O'Brien approval of the request for authorization for public hearings on Board Order FH-02-08, related to 2008 proposed fisheries spring hearing rule changes. The motion carried unanimously.**

**Mr. Ela MOVED that the Board convene into Executive Session following the lunch break under the authority of s.19.85(1)(g), Wisconsin Statutes, for the purpose of discussing litigation matters. Mr. Welter seconded the motion. The motion was carried by a roll call vote by those members present.**

David Clausen – yes	Preston Cole – yes
Jonathan Ela – yes	Gerald O'Brien –yes
John Welter – yes	Christine Thomas – yes
Jane Wiley – yes	

**Dr. Thomas reconvened the meeting at 1:10 p.m. Chair Thomas reported that during the Executive Session no action was taken.**

- 3.B.5 Request authorization for public hearings on Board Order WM-01-08, related to 2008 proposed wildlife management spring hearing rule changes  
**Scott Loomans**, Wildlife Regulation Policy Specialist stated these rule changes are proposed for inclusion in the 2008 Spring Hearing questionnaire and relate to hunting, trapping, dog training, and the use of public lands. He requested the Board approve authorization for public hearing.

Discussion followed on restricting dog trails to protect ground nesting birds.

**Public Appearances:**

1. **Ed Harvey**, Waldo, representing Wisconsin Conservation Congress stated they support this package in its entirety.

NOTE: In accordance with s. 15.348, Wis. Stats., the Wisconsin Conservation Congress shall serve in an advisory capacity to the Natural Resources Board on all matters under the

jurisdiction of the Board, and therefore is uniquely granted the permission to address the Board on any agenda items. No other public comment will be accepted.

**Dr. Thomas MOVED, seconded by Mr. Ela approval of the request for authorization for public hearings on Board Order WM-01-08, related to 2008 proposed wildlife management spring hearing rule changes and to include the staff amendment to add "Question 7. Do you favor making duplicate copies of the trapper education course certificate of**

**completion available through all license outlets and establishing a fee of \$2.75 for that service?" The motion carried unanimously.**

**Dr. Thomas MOVED, seconded by Dr. Clausen to add an advisory question to extend the fall turkey season "Do you support extending the turkey season to include the Monday following the 9-day deer gun season through December 31 in turkey management zones 1 – 5 for two years (Zones 6 and 7 would be excluded)?" The motion carried unanimously.**

- 3.B.6 Congress Matters: Wisconsin Conservation Congress 2008 Spring Hearing Advisory Questions  
**Ed Harvey**, Wisconsin Conservation Congress Chair stated the 2008 Advisory Questions had been approved by the Congress Executive Council for inclusion on the Statewide Spring Hearing Questionnaire and will be presented to the public at the joint DNR Spring Hearings and Conservation Congress County Meetings on Monday, April 14, 2008. He also presented to the Board a local citizen resolution from 2007 regarding electric motor use at Willow River State Park.

**INFORMATION ITEM: NO ACTION WAS TAKEN BY THE BOARD.**

Discussion followed on the handicap hunt, managed forest lands and access, wolf management, and the 2007 resolution from Pierce County.

- 3.B.7 Request authorization for public hearings on Board Order WM-04-08, related to hunting on state Ice Age Trail areas and state park hunting regulations  
**Scott Loomans**, Wildlife Regulation Policy Specialist and **Peter Biermeier**, Trails and External Relations Section Chief, Park and Recreation Bureau gave a joint presentation related to establishing general rule authority for the Department to allow hunting on State Ice Age trail areas. Hunting is currently allowed at some state parks and trails by rule but, where it is not allowed, all firearms must be unloaded and enclosed in a carrying case. This proposal would allow a person who is hunting on adjoining public or private property to cross a trail as long as the firearm is unloaded. They requested the Board approve authorization for public hearing.

Discussion followed related to hunting in the wildlife area within an Ice Age Trail.

**Mr. Welter MOVED, seconded by Mr. Ela approval of the request for authorization for public hearings on Board Order WM-04-08, related to hunting on state Ice Age Trail areas and state park hunting regulations. The motion carried unanimously.**

- 3.B.8 Request authorization for public hearings on Board Order ER-39-07, revisions to NR 58, related to State Wildlife Grants Program  
**Tara Bergeson**, Wildlife Action Plan Implementation Coordinator (PowerPoint) stated the Department is amending the Endangered Resources Small Grants Program administrative rule, ch. NR 58, Wis. Adm. Code, to establish a grant program that will provide financial assistance to the public and non-governmental organizations as well as public agencies for projects that protect Species of Greatest Conservation Need and their habitats and implement the Wildlife Action Plan. She requested the Board approve authorization for public hearing.

Discussion followed regarding new staff funding.

**Mr. O'Brien MOVED, seconded by Mr. Welter approval of the request for authorization for public hearings on Board Order ER-39-07, revisions to NR 58, related to State Wildlife Grants Program. The motion carried unanimously.**

- 3.B.9 Land Acquisition Ice Age Trail Washington County (Richard Steffes, 5 minutes) DEFERRED FROM DECEMBER 2007 AGENDA **DELETED**

3.B.10 Land Acquisition – Statewide Public Access – Sauk County

**Public Appearances:**

1. **David Gollon**, Dodgeville, representing Gollon Bait & Fish Farms spoke in support of this purchase.
2. **Dale Tourdot**, Reedsburg, representing Delton Sportsmens Club spoke in support of this purchase.
3. **Gordon Priegel**, Baraboo, representing the Village of Lake Delton spoke in support of this purchase. He addressed the safety aspects of having limited access to this portion of the waterway.

Discussion followed related to other access points and possible future purchases by the village.

**Mr. O'Brien MOVED, seconded by Mr. Ela approval of Land Acquisition – Statewide Public Access – Sauk County. The motion carried unanimously.**

3.B.11 Land Acquisition – Buckhorn State Park – Juneau County

**Dr. Clausen MOVED, seconded by Ms. Wiley approval of Land Acquisition – Buckhorn State Park – Juneau County. The motion carried unanimously.**

3.B.12 Land Acquisition – Statewide Habitat Area – Shawano County

**Mr. Ela MOVED, seconded by Mr. Welter approval of Land Acquisition – Statewide Habitat Area – Shawano County. The motion carried unanimously.**

3.B.13 Land Donation – Statewide Wildlife Area – Chippewa County

**Mr. O'Brien MOVED, seconded by Dr. Thomas approval of Land Donation – Statewide Wildlife Area – Chippewa County. The motion carried unanimously.**

3.B.14 Land Donation – New Munster Wildlife Area – Kenosha County

**Mr. Welter MOVED, seconded by Dr. Clausen approval of Land Donation – New Munster Wildlife Area – Kenosha County. The motion carried unanimously.**

3.B.15 Land Transfer – New Munster Wildlife Area – Kenosha County

**Dr. Clausen MOVED, seconded by Mr. Ela approval of Land Transfer – New Munster Wildlife Area – Kenosha County. The motion carried unanimously.**

3.B.16 Land Sale – Pembine Ranger Station – Marinette County

**Mr. Welter MOVED, seconded by Dr. Clausen approval of Land Sale – Pembine Ranger Station – Marinette County. The motion carried unanimously.**

3.B.17 Request adoption of Emergency Board Order FH-07-08(E), related to proposed trout regulations in the Prairie River, Lincoln County

**Joseph Hennessy**, Natural Resources Staff Specialist, Fisheries Management and Habitat Protection Bureau (PowerPoint) stated the proposed emergency rule creates a protection regulation for brook trout and brown trout in the Prairie River, Lincoln County, between R & H Road and STH 17. Harvest of brown trout less than 18 inches and harvest of brook trout less than 12 inches would be prohibited by this rule and angler would only be allowed one trout in total from this section of river. He requested the Board adopt Emergency Board Order FH-07-08(E).

**Public Appearances:**

1. **Representative Donald Friske**, Merrill, representing 35<sup>th</sup> Assembly District was not in attendance. His written comment was distributed to the Board.

Discussion followed regarding public input.

2. **Lloyd Andrews**, Minocqua, representing himself spoke in support of adoption of the rule (handout).

**Mr. O'Brien MOVED, seconded by Mr. Welter to table until February 26-27, 2008 the request for adoption of Emergency Board Order FH-07-08(E), related to proposed trout regulations in the Prairie River, Lincoln County. The motion carried unanimously.**

Discussion followed regarding adding a question relating to this item to the 2008 DNR spring rules hearings.

**Tim Andryk**, DNR attorney, stated as a point of clarification, that in the past the Board has allowed Board members to put any question on as an advisory question without Board action. Something like this which is a Department rule proposal takes a Board action to propose and add to the rule package that is going to hearing. Just like the Board approved the other rule packages (January 3.B.4 and 3.B.5), the Board would have to approve this also.

**Dr. Clausen MOVED, seconded by Mr. Welter to add to the April 2008 DNR spring rules hearings “Question 25 - Do you favor Category 5 trout regulations (aggregate daily bag limit of 1 trout; 18” minimum size limit on brown trout; 12” minimum size limit on brook and rainbow trout; artificial lures only) on the Prairie River in Lincoln County from R & H Road downstream to STH 17 (5 miles) through the 2010 season? At that time the Natural Resources Board can determine whether to permanently institute these Category 5 regulations based on results of the evaluation, or begin an evaluation of the Category 4 alternative. This will allow a full evaluation of the regulation and the capacity of this stretch of river to grow larger trout.” The motion carried unanimously.**

Discussion followed related to the Turkey season advisory question motion within January agenda item 3.B.5. and if this should be a DNR spring rules hearings question.

**Tim Andryk**, DNR Attorney, stated normally there is a Department recommendation on a rule proposal like this done by the Department’s study committee and running through the Department’s process.

Discussion followed on the possible implementation and timing of extending the turkey season if the advisory question is passed.

**Dr. Thomas** asked the Full Board for approval to have information item 8.B.1 follow 3.B.17 and with 5.A and 5.B. Board Members Matters to be taken up as the last item.

**The Board** agreed.

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

8.B.1 Briefing on Reauthorized Stewardship Program (Deferred from Tuesday, January 22, 2008)

**Laurie Osterndorf**, Division of Land Administrator and **Vance Rayburn**, Customer and Employee Services Administrator (PowerPoint and Handout) gave a joint presentation to inform the Board of the changes that were made to the Stewardship Program as a result of reauthorization, described the general timeframe and administrative rule and policy making processes the DNR needs to conduct to implement the new program, and asked for board feedback on implementation and the rule and policy process.

Discussion followed on the clarification of allowed activities on Stewardship lands, appointing an Access Advisory Committee, holding NRB Stewardship Subcommittee listening sessions, funding sources on lands purchased outside of Stewardship, availability of annual funds to manage purchased lands, the purchase of easements on lands owned by private forestry companies, the tracking of land that has public access, and grant partners.

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation  
None

6. Special Committees' Reports  
None.

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Janet Deprez

7.A.2 Michael Cain

7.A.3 Joseph E. Ancel

7.A.4 Kimberly T. Nash

7.A.5 Daniel J. Heath

7.A.6 Doral G. Richardson

7.A.7 Margaret A. Beaumier

7.A.8 David J. Edwards

**Mr. Welter MOVED, seconded by Mr. O'Brien approval of the retirement resolutions. The motion carried unanimously.**

7.B. Donations

7.B.1 The Natural Resources Foundation will donate \$10,000 to be used for the Department's bird migration stopover habitat project.

**Mr. Welter MOVED, seconded by Mr. Ela approval of the Natural Resources Foundation donation of \$10,000 to be used for the Department's bird migration stopover habitat project. The motion carried unanimously.**

5. Board Members' Matters

**Mr. O'Brien** requested Tom Hauge's website.

**Dr. Thomas** requested Board members reserve Tuesday, February 26 from 1:00 – 4:00 p.m. in case additional time is needed to act on the February agenda items.

5.A. Approval to amend the 2008 Natural Resources Board Meeting Dates

**Mr. Welter MOVED, seconded by Mr. Ela approval to amend the 2008 Natural Resources Board Meeting Dates by moving the December 2-3, 2008 meeting to December 9-10, 2008. The motion carried unanimously.**

5.B. Election of Officers

**Mr. O'Brien MOVED, seconded by Dr. Clausen to nominate the existing officers to serve a second term. The motion carried unanimously.**

JANUARY 22-23, 2008

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

\*\*\*The meeting adjourned at 4:40 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.**