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WISCONSIN NATURAL RESOURCES BOARD

BRIEF OF ACTION (rev. 9/20/22)

For hybrid (virtual technology and in-person) meeting at:
Room G09, State Natural Resources Building (GEF 2)
101 South Webster Street
Madison, Wisconsin

Wednesday, August 10, 2022

The hybrid meeting of the Wisconsin Natural Resources Board was held on Wednesday, August 10, 2022 from Public Meeting Room G09, State Natural Resources Building (GEF 2), 101 South Webster Street, Madison Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-4 and 7-8. The meeting adjourned at 1:46 p.m.

ORDER OF BUSINESS

1. ORGANIZATIONAL MATTERS (0:00:01 – 0:04:53)

A. Calling the roll (0:04:17 – 0:04:32)

William Bruins – present

Sharon Adams – present

Terry Hilgenberg – present

Marcy West – present

William Smith – present

Dr. Frederick Prehn – present

Greg Kazmierski – present

B. Approval of agenda for August 10, 2022 (0:04:40 – 0:04:53)

At 0:04:40 Dr. Frederick Prehn MOVED, seconded by Terry Hilgenberg approval of the agenda for August 10, 2022. The motion carried unanimously.

2. CONSENT (0:04:55 – 0:06:00)

A. Approval of brief of action from June 22, 2022

B. The Friends of Whitefish Dunes State Park will donate an in-kind donation of a Bobcat CT2040 Compact Tractor HST valued at \$23,205.00
(Preston Cole, Secretary)

C. The Friends of Blue Mound State Park and Capital Off Road Pathfinders will donate \$148,000.00
(Preston Cole, Secretary)

- ~~D. Preliminary public hearing and comment period for the Statement of Scope for Board Order AM-05-22, for proposed rules affecting chapter NR 439 to simplify, reduce, modernize, and make more efficient reporting, recordkeeping, testing, inspection and determination of compliance requirements for sources of air contaminants (Maria Hill, Enforcement & Emission Section Chief) – MOVED to item 3.~~
- E. Preliminary public hearing and comment period for the Statement of Scope for Board Order WW-06-22 proposed rules affecting chapters NR 320, 323, 326, 328, and 329 related to structures in navigable waterways (Kyle McLaughlin, Waterways Team Coordinator)
- F. Preliminary public hearing and comment period for the Statement of Scope for Emergency Board Order DG-07-22(E) and Board Order DG-08-22 for proposed rules affecting chapter NR 812 related to allowing for the use of new cement formulations for the construction of water wells (Marty Nessman, Private Water Supply Section Chief)
At 0:05:30, Dr. Frederick Prehn MOVED, seconded by Marcy West, approval of consent agenda items 2.A., 2.B., 2.C., 2.E., and 2.F., to move item 2.D. to item 3. The motion carried unanimously.

3. DISCUSSION AND POSSIBLE ACTION CONCERNING ITEMS REMOVED FROM THE CONSENT AGENDA (0:06:00 – 0:8:40)

- 2D. Preliminary public hearing and comment period for the Statement of Scope for Board Order AM-05-22, for proposed rules affecting chapter NR 439 to simplify, reduce, modernize, and make more efficient reporting, recordkeeping, testing, inspection and determination of compliance requirements for sources of air contaminants (Maria Hill, Enforcement & Emission Section Chief)

At 0:08:27 William Bruins MOVED, seconded by Terry Hilgenberg, approval of the department’s recommendation for item 2D. The motion carried unanimously.

4. ACTION ITEMS (0:08:49 – 0:45:19)
ADOPTION

- A. Request adoption of amended Board Order WY-23-13, proposed rules affecting chapter NR 102 related to processes for waterbody assessments and impaired waters listing, biological assessment thresholds, biological confirmation of phosphorus impairments, and water quality criteria for dissolved oxygen (Adrian Stocks, Water Quality Bureau Director)
At 0:11:37 Terry Hilgenberg MOVED, seconded by Dr. Frederick Prehn, approval of the department’s recommendation. The motion carried unanimously.

SCOPE STATEMENTS (0:11:53 – 0:13:45)

- B. Statement of Scope for Board Order FH-01-22, for proposed rules affecting chapters NR 19-26, related to changes to fishing regulations on inland, outlying and boundary waters (the 2023 Fisheries Management Spring Hearings rule) (Meredith Penthorn, Fisheries Management policy specialist)
At 0:13:25 Marcy West MOVED, seconded by William Smith, approval of the department’s recommendation. The motion carried unanimously.

MISCELLANEOUS (0:13:48 – 0:45:19)

- C. Land Acquisition and Monetary Donation – Ice Age Trail - Waukesha County

(James W. Lemke, Real Estate Section Chief)

At 0:21:37 Dr. Frederick Prehn MOVED, second by William Smith, approval of the department's recommendation.

At 0:31:55 Terry Hilgenberg MOVED to amend the motion by adding the condition that the department offer within one year to resell the Northwestern 10 acres of the parcel at or above the appraised value, because DNR does not need the property for conservation purposes, with the exact boundaries of the property to be determined with consultation with the Ice Age Trail Alliance, seconded by Dr. Frederick Prehn. At 0:42:10 the motion to amend passed unanimously.

At 0:42:15 the amended motion carried unanimously.

E. Land Acquisition, Partial Donation and Project Boundary Expansion – Green Bay West Shores Wildlife Area – Marinette County

(James W. Lemke, Real Estate Section Chief)

At 0:44:27 Terry Hilgenberg MOVED, seconded by Marcy West, approval of the department's recommendation. The motion carried unanimously.

5. OPEN FORUM (1:39:50 – 1:53:39) [Note: This item was moved to after Agenda Item 6A]

Mary Anne Sekaney, Bryant, representing self

Topic: Manure pollution of water well

Laurie Groskopf, Tomahawk, representing self

Topic: Wisconsin Wolf Management Plan

Mike Brust, Wausau, representing Wisconsin Bowhunters Association

Topic: status of Wolf Management Plan

6. INFORMATION ITEMS (0:45:41 -1:38:59; 1:53:51– 3:51:47)

A. Great Lakes Commercial Fishing Update (0:45:52 – 1:38:59)

(Bradley Eggold, DNR Great Lakes district fisheries supervisor, Charlie Henriksen, Lake Michigan Commercial Fishing Board Chair; Craig Hoopman, Lake Superior Commercial Fishing Board Chair)- [Note: Mr. Henriksen was present and testified; Mr. Hoopman was not present] **INFORMATION ONLY – NO ACTION**

B. Forest Regeneration Monitoring Program Update (1:53:51 – 2:48:39)

(Collin Buntrock, Forest Products Services Team Leader; Jeff Pritzl, Deer Program Specialist) **INFORMATION ONLY – NO ACTION**

C. Dr. James Kroll Presentation (2:48:40 – 3:51:47) **INFORMATION ONLY – NO ACTION**

7. DEPARTMENT SECRETARY'S MATTERS (3:53:38 – 4:00:00)

A. RETIREMENT RECOGNITION – Action (3:53:41 – 3:54:01)

1. Manny Oradei, Forestry, 31 years

2. Mark Burmesch, Public Safety and Resource Protection, 31 years

At 3:53:56 Terry Hilgenberg MOVED, seconded by Dr. Frederick Prehn to recognize the department retirees. The motion carried unanimously.

B. DEPARTMENT SECRETARY'S MATTERS (3:54:06 – 4:00:00)

1. Acts of the Department Secretary – Real Estate Transactions (3:54:06 – 3:54:12)
2. Department Secretary's Matters
 - a. Sandra Dee Naas Report (3:54:23 – 3:59:52)
3. Planning Status Update - None

8. BOARD MEMBERS' MATTERS (4:00:04 – 4:04:58)

Bill Bruins, at 4:00:08, requested that DNR develop a plan regarding managing forests for habitat, in balance with forest regeneration, and that this be made a future agenda item.

Sharon Adams, at 4:01:13, requested that an update from the Department on the commercial fisheries issues raised by Charlie Henriksen be added as an agenda item at an appropriate time, well before the August 2023 meeting.

Terry Hilgenberg, at 4:02:15, reported looking forward to the October NBR meeting in Shawano.

Marcy West, at 4:02:34, noted that she will be attending the Monroe County CWD Taskforce event.

Bill Smith, at 4:03:15, requested a staff response to the concerns raised by Charlie Henriksen, and where we are headed in the future.

Dr. Frederick Prehn, at 4:04:05, noted that he and Bill Smith will be visiting Presque Isle, WI, to discuss concerns regarding surf boarding boats in Northern WI lakes.

At 4:04:58, Dr. Frederick Prehn MOVED, seconded by Marcy West to adjourn. The motion carried unanimously.

The meeting adjourned at 1:46 p.m.

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