

Wisconsin

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Natural Resources

NEWS

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**Public hearing set on updated shoreland development rules**

MADISON – Public hearings are set statewide in July and August for new proposals to update shoreland development rules along lakes and rivers so they better balance property owners’ desires for their land with better protection of water quality and habitat critical for healthy fish and wildlife.

The new proposals reflect changes made to earlier drafts as a result of nearly a dozen public hearings and more than 50,000 public comments received since the Department of Natural Resources launched efforts to update the rules in 2003.

“It’s been 40 years since current rules were put in place and development has changed on the waterfront from a small cabin on the shore to larger, extensively landscaped year-round homes and condominiums. This newer style of development has increased runoff entering lakes and decreased the habitat critical for fish and wildlife,” says Russ Rasmussen, Department of Natural Resources watershed management bureau chief.

“We’ve seen water quality worsen, evidenced by blooms of toxic blue green algae and habitat decreased for loons, songbirds, fish and frogs so we need changes in the minimum standards for shoreland development to address problems not envisioned 40 years ago.”

Updating the shoreland development rules is one piece of the puzzle to improve water quality, Rasmussen says, with storm water discharge permits for construction sites, municipalities and industry other pieces. “All of these pieces must connect to create a framework that will maintain or improve water quality. In short, we are loving our waterways to death. New rules are essential to grow our \$13 billion tourism industry, protect our world-class aquatic resources and sustain our quality of life.”

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The existing rules, found in Natural Resources Chapter 115 of the Wisconsin Administrative Code, set statewide minimums in unincorporated areas for lot sizes, how far structures are set back from the water's edge, and limits on removing trees and plants. They are essentially unchanged since lawmakers created the shoreland management program in 1966 and required counties to adopt and enforce shoreland zoning ordinances that met or exceeded the minimum state standards, according to Mary Ellen Vollbrecht, DNR chief of habitat protection.

Since then, the number of dwellings on northern Wisconsin lakes of all sizes has increased an average of 216 percent, and as much as 800 percent on lakes 400 to 900 acres, the second most common size of lakes, she says.

As the density of shoreland development has increased, the storm water running off hard surfaces such as roofs, patios and driveways has increased and led to decreasing water quality in many places. At the same time, scores of studies have shown that as new residents move in, they tend to remove the native plants and trees in and near the water that fish and wildlife need and replace them with grass, sand beaches and riprap, Vollbrecht says.

***Key provisions aim to strike a better balance, allow more flexibility***

Toni Herkert, the policy analyst leading the revision effort, says the proposed rules are shorter and simpler than the version DNR took to public hearing in summer 2005, and reflect the major themes of the public comments. "We tried to simplify it and focus on what is needed to obtain our goals of improving water quality and providing more natural habitat," she says. "We've also provided greater flexibility for counties to craft their shoreline zoning ordinances based on local needs."

The recommendations stress regulating structures based on their potential to harm water quality and habitat given their size, amount of hard surfaces on the lot, how close they are to the water, and the amount of native plants, trees and shrubs left intact around it. New development or changes to existing development would need to meet the minimum standards for having their runoff soak into the ground or would have to take measures to offset, or "mitigate" the increased storm water the development creates. Such mitigation might include options of planting native trees and shrubs, creating a rain garden, or replacing hard surfaces, like walkways with ones that water can penetrate.

***Key provisions of the proposal would:***

- Require a minimum lot size of 20,000 square feet for new single family homes. Current rules allow smaller lots for structures with sanitary sewers instead of septic systems. Counties would be required to develop lot size standards for multi-family residential development, campgrounds, mobile home parks.
- Keep the same standard that structures be set back 75 feet from the ordinary high water mark but allow for construction closer to the water of new on-land boathouses 250 square feet or smaller, gazebos, decks and patios, utilities, flagpoles, satellite dishes, utilities and other structures. Current rules exempt only piers, boat hoists and boathouses.
- Allow owners of homes not meeting the water setback to make unlimited repairs and maintenance without regard to cost - but requiring measures to reduce habitat and water quality impacts. Now, repairs and reconstruction of such "nonconforming structures" are limited to 50 percent of the current equalized value over the lifetime of the structure.

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- Establish standards capping the amount of hard surfaces, i.e. roofs, patios, paved or gravel driveways, etc. allowed on a lot and setting a threshold level that would trigger requirements that property owners take steps to control water runoff and habitat impacts of those hard surfaces. For property owners wanting to build a new structure, the cap is 20 percent and the threshold or trigger is 10 percent. For owners of existing structures who want to expand that structure or add a patio or other hard surface, the cap would be 20 percent and the trigger 15 percent. To control or “mitigate” water runoff and habitat impacts, the property owner could maintain plants and trees by the water, restore plantings to that area, use rain gardens or other methods to assure runoff is absorbed into the ground and that shore cover is available for fish and wildlife. The amount of mitigation required would be proportional to the hard surfaces on the lot.

More information on the proposals can be found on the DNR Web site at:

[<http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm>].

### ***Hearing details and locations***

The public hearings will all begin with a formal presentation and opportunity to ask questions at 4:30 p.m. Formal, recorded public testimony starts at 5:30 p.m. Times, dates, locations and contact number of hosting facilities are as follows:

- **July 24, Wausau** – North Central Technical College – Health and Science Building Auditorium - 1000 West Campus Dr.
- **July 25, Rhinelander** – High-School Auditorium – 665 Coolidge Ave., Rhinelander.
- **July 26, Rice Lake** – Blue Hills Masonic Center - 225 West South St. (Note: The Masonic Center is near the college on the corner of Pioneer Avenue and South Street.)
- **July 31, Tomah** – Farmers & Merchants Bank, Community Room – 1001 Superior Ave.
- **Aug. 2, Green Bay** – Neville Museum Theater – 210 Museum Place.
- **Aug. 7, Pewaukee** - Waukesha County Technical College – Pewaukee Campus - Richard T. Anderson Education Center – 800 Main St.
- **Aug. 8, Stoughton** – Opera House - 381 E. Main St. (608) 873-7523 Note: The Opera House is on the second floor of the City Hall, a red brick building at the corner of Fifth and Main (Hwy. 51).

In addition, a hearing is being planned for Oshkosh, with a date and location yet to be announced.

The proposed rule, environmental analysis and fiscal estimate may be reviewed and comments electronically submitted either through the DNR Shoreland Management Web pages [[dnr.wi.gov](http://dnr.wi.gov)] or through the Wisconsin Administrative Rules Web site. Written comments may be submitted via U.S. mail to Toni Herkert, Bureau of Watershed Management, PO Box 7921, Madison, WI 53707. Comments may be submitted until September 7, 2007. Written comments, whether submitted electronically or by U.S. mail, will have the same weight and effect as oral statements presented at the public hearings. For more information or a copy of the proposed rule and fiscal estimate contact Toni Herkert at (608) 266-0161.

FOR MORE INFORMATION CONTACT: Mary Ellen Vollbrecht (608) 264-8554; Russ Rasmussen (608) 267-7651; Toni Herkert (608) 266-0161

# # #

## **Some stocking of hatchery raised fish to begin**

### ***Testing found no signs of deadly fish virus***

MADISON – Wisconsin fisheries officials have finished assessing the risk that state fish hatchery operations could accidentally spread a new fish virus, and have concluded that hatcheries can safely resume some stocking and other fish transfers if they meet strict safeguards.

Fish stocking from key northern hatcheries could begin later this week if test results from their water supplies come back negative for viral hemorrhagic septicemia, or VHS, as expected. Officials at other hatcheries are now evaluating whether they've met all the safeguards and can resume stocking they halted when the Department of Natural Resources imposed a moratorium May 16, 2007.

“We'll be stocking significant numbers of fish but there will be less fish stocked and we'll be stocking them in such a way it reduces the risk of spreading VHS as much as we possibly can,” says Mike Staggs, DNR fisheries director. “Nobody is more concerned about spreading VHS than the department and we won't do anything to knowingly spread this disease.”

Ninety percent of Wisconsin lakes and rivers have naturally reproducing, self-sustaining fish populations, but it's important for providing fishing opportunities in some waters, including Lake Michigan, where the popular fishery for chinook, coho and steelhead is maintained by stocking.

DNR has approved a policy with the guiding principle that the department will not stock any group of fish in 2007 that have tested positive for, or show clinical signs of VHS, nor any group of fish for which testing of their parents or “broodstock,” the hatchery water supply, or the forage fish they were fed has shown a positive VHS result. Changes to the planned stocking of specific lakes are not known now, but DNR fisheries staff will re-allocate fish among lakes based on longstanding priorities for stocking, Staggs says.

Officials had originally planned on stocking about 14 million fish from the state's 13 hatcheries in 2007, but the final number won't be known until the fish are transferred out of their rearing ponds and raceways, counted, and then stocked into lakes and rivers. Different species are stocked at different times of the year well into the fall and next spring.

What's known now is that all testing to date of DNR spawning brood stocks, hatchery fish, and water supplies and forage fish has been negative for VHS and that despite those clean results, fish from four facilities will be stocked back only into waters where VHS has been documented or is suspected.

Fish from the old Wild Rose, Kettle Moraine Springs and Lake Mills hatcheries will be stocked only in Lake Michigan or Lake Winnebago, where VHS has already been detected, and fish from the Bayfield hatchery will be stocked only into Lake Michigan or Lake Superior, where VHS is suspected.

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In addition, fish that were transferred from these facilities to four outlying ponds may only be stocked into Lake Michigan or Lake Winnebago. Fish species being reared at these facilities include chinook and coho salmon, brown and rainbow trout, walleye, northern pike, sauger and lake sturgeon.

DNR staff concluded it's too great a risk to stock fish from those facilities elsewhere for different reasons, Staggs says. Fish from the old Wild Rose, Kettle Moraine Springs and Lake Mills were hatched from eggs collected from the Lake Winnebago system, where VHS has been detected in drum and other species. DNR can't guarantee that the Bayfield hatchery's water supply -- Lake Superior itself -- is VHS free.

"There is no option that is risk-free but we have decided to err on the side of extreme caution," Staggs says. The tests themselves are done on a small, but representative sample of fish because each test costs \$500 and takes 28 days. So while the results provide a good indication of the health of a particular group of hatchery fish or brood stock, they are not a 100 percent guarantee that the fish are VHS-free or have remained so since fish from their lot were first tested.

One certainty coming out of the evaluation is that hatcheries will be following new testing and egg disinfection procedures for coolwater fish such as musky, walleye and northern pike in the future. Such precautions have been taken for hatchery trout and salmon since at least 1984 because it's long been known that these coldwater species are vulnerable to an array of viruses.

But VHS was not thought to be a virus affecting coolwater species until 2005, when VHS-caused fish kills first were documented in the eastern Great Lakes fish including coolwater species. Concerned that the virus might show up in Wisconsin in the near future, DNR started testing the parent fish and coolwater fish it stocked from all waters in 2007 and is working with the Department of Agriculture, Trade and Consumer Protection to develop egg disinfection protocols for 2008 that would further reduce the risk of transmitting the disease.

And DNR is also making changes to its operations including eliminating the collection of forage minnows for feeding hatchery fish from area lakes and streams, VHS testing of forage minnows bought from private vendors, and eliminating transfers of live fish from water to water unless the fish can be safely tested for VHS.

"These changes are an important part of the overall effort to stop the spread of VHS to Wisconsin," Staggs says. "With our recent emergency rules, we asked anglers and boaters to never move live fish around and to drain water from their boats and fishing gear before leaving VHS waters. They should know that DNR will be doing its part to make sure the virus isn't spread."

VHS is not a human health threat but can kill a broad range of native fish. It caused large fish kills in several eastern Great Lakes in 2005 and 2006. The fish virus is shed into the water by infected fish, where it can survive for 14 days and be absorbed by healthy fish. The virus can also be transmitted when fish eat infected fish.

FOR MORE INFORMATION CONTACT: Mike Staggs (608) 267-0796

# # #

## **Internet offers wealth of information for enjoying Wisconsin's 15,000 lakes**

MADISON – The July 4th weather forecast for much of Wisconsin may look hot, hot, hot. But here's 15,081 good ways to keep cool: Wisconsin's lakes.

Yes, Minnesota may brag about its 10,000 lakes, but the Badger state's got more than 15,000 of what Henry David Thoreau called the "landscape's most beautiful and expressive feature."

Chances are most Wisconsinites will find their way down to the water's edge for at least some of the holiday. According to the Department of Natural Resources' Wisconsin Statewide Comprehensive Outdoor Recreation Plan 2005-2010, (SCORP), [<http://dnr.wi.gov/planning/scorp>] nearly 3 million Wisconsin residents 16 and older participated in water-based recreation in 2004, an increase of nearly 8 percent from the previous decade.

Many people come just to enjoy the lakes' natural beauty. Others seek them out as an unparalleled playground at a great price: free. Thanks to the drafters of Wisconsin's Constitution, subsequent legal decisions, and the efforts of individual citizens, Wisconsin's lakes belong to all citizens. They are public resources, "forever free." Learn more on the DNR Public Trust Doctrine Web pages [<http://dnr.wi.gov/org/water/wm/dsfm/shore/doctrine.htm>].

For these lake-lovers, visiting a beach weighed in as the most popular activity, with more than 47 percent of Wisconsin adults participating, followed by 45 percent saying they swam in lakes and streams, and 41 percent who said they fished.

Boating – of all kinds – was another hugely popular water-based recreation. That's easy to believe considering the state has 635,751 registered motorized boats and an estimated 350,000 nonmotorized boats, mostly canoes and kayaks. In the boating category, motor boating was tops with 36 percent of adults in the survey participating, followed by canoeing with 20.5 percent and 14 percent rafting.

Here's a few tips to help people enjoy Wisconsin's 15,000 lakes even more.

- Use the DNR's online resources to find a lake that suits your needs. The Wisconsin Lakes Book [<http://dnr.wi.gov/org/water/fhp/lakes/list>] provides details on all named lakes and unnamed lakes greater than 20 acres. The University of Wisconsin-Madison Remote Sensing Center offers a Lakes from Space Web site [<http://www.ersc.wisc.edu/research/Projects/LakesTSI>] that provides an easy way to find clear lakes for swimming and more fertile lakes for fishing.
- Up-to-date water quality conditions is available for 120 public beaches along Wisconsin's Lake Michigan and Lake Superior shores, and dozens of beaches on inland lakes at [<http://www.wibeaches.us>]. People can even sign up to receive an e-mail notice when water quality conditions change at a favorite beach.

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- Go to the DNR Web site's outdoor recreation topic search [<http://dnr.wi.gov/topics/category.asp?CID=1&searchall=1>] to find links to more than 100 outdoor recreational topics, many of them involving water.
- Read up on some of the most frequently asked questions [<http://dnr.wi.gov/org/water/fhp/lakes/LakeQuestions.htm>] DNR lakes staff receive about lakes.

Finally, take a minute to reflect that while Wisconsin's geology and glacial history created so many great lakes, keeping them healthy and beautiful has come through the hard work of Wisconsin's devoted corps of lake volunteers, researchers and professional resource managers, says Jeff Bode, who leads the DNR lakes program.

"We've got so many people working so hard to protect Wisconsin's lakes, the July 4th holiday is a great chance for everyone to relax and enjoy the fruits of their labors," he says.

FOR MORE INFORMATION CONTACT: Tim Asplund, DNR limnologist (608) 267-7602 or  
Jeff Bode (608) 266-0502

# # #

### **Ten things that could get you into trouble on the water during a busy boating holiday**

MADISON -- The busiest boating time of the year is here, the Fourth of July holiday. Harbors, bays and rivers are brimming with vacationing boaters and vessels are flocking to waterfront fireworks shows, marinas and launch ramps, contributing to recreational boating's own form of waterway rush hour.

The Wisconsin Department of Natural Resources wants people to have a safe and enjoyable time on Wisconsin's waterways, and to avoid mishaps this July 4<sup>th</sup>, DNR boating safety specialists Roy Zellmer asks boaters to consider these 10 tips:

**It's a long day:** A full day in the sun will increase alcohol's effects on the body, so it's better to wait until you're safely back at the dock or home before breaking out the libations. Also bring lots of water, a VHF radio, and check the weather reports to avoid storms.

**It's a long day, for the boat, too:** As the firework shows end many boaters will find themselves needing jump starts. Running electronics all day such as sound systems, fans, or other appliances and failing to monitor battery usage could leave your boat dead in the water when it's time to go home.

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**Running the engine to charge the batteries:** Raft-ups, or groups of boats tied together in a protected anchorage, is a great way to spend the holiday with fellow boating friends. But you should never run an engine with swimmers in the water or near exhaust ports. Even though the boat's transmission may not be in gear, propellers can still rotate, and odorless, colorless carbon monoxide can quickly overcome swimmers.

**Trailer problems:** Flat tires and burnt bearings are the two biggest causes for boat trailer breakdowns. What shape are yours in? Make sure your boat maintenance is up to date.

**Don't overload your boat:** Capsizing and falls overboard account for over half of all boating fatalities. Resist the urge to invite more friends or family to the fireworks show than what your boat was designed to carry. Heavily loaded small boats, and those with little freeboard such as bass boats, are more susceptible to swamping from weather or wake action associated with heavy July 4th boating traffic.

**Wear life jackets:** 70 percent of all fatal boating accident victims drowned, and of those, 87 percent were not wearing a life jacket. Accidents can happen very quickly, sometimes leaving no time to don a life jacket.

**Follow the rules of the road:** If a boat is approaching your vessel from your starboard (right) side, do you know what to do? What happens when a light on another vessel "changes" from red to green? Brush up now before you head out.

**Patience:** The lines at boat launch ramps – in the parking lot or the water – can resemble a Southern California freeway at rush hour. Be patient, ready to go when it's your turn, and follow good boating etiquette.

**Take your time to get home:** July 4th is the one time each year many fair-weather boaters – who may rarely navigate in the dark – venture out after the sun goes down. The most reported type of boating accident is a collision with another vessel so it's a good idea to keep your speed down, post an extra lookout, and ensure all your navigation lights work. A spotlight is a must, and ensure all safety gear is readily available. Be extra vigilant about not running over anchor lines in crowded fireworks viewing areas, and don't take shortcuts in the dark.

**Celebrate:** Hey, it's America's birthday and you're on the water! Be safe, be prepared and have fun!

A copy of Wisconsin boating regulations is available on the law enforcement pages of the DNR Web site at: <http://dnr.wi.gov/org/es/enforcement/docs/BoatingRegs.pdf>

*\*If a boat is approaching your vessel from your starboard (right) side in a crossing situation, the boat on the right is the privileged boat and has the right-of-way. The boat on the left shall slow and/or change course to cross behind the privileged boat to avoid collision.*

*What happens when a light on another vessel "changes" from red to green? Motorboats must be equipped with a red light on the left (port) side and a green light on the right (starboard) side of the front of the boat, so this would indicate the approaching boat has begun to veer to the right.*

FOR MORE INFORMATION CONTACT: Roy Zellmer at (608) 264-8970

# # #

## **Following up on fundamentals can improve marksmanship**

MADISON – People who hunt with rifle in Wisconsin often ask Department of Natural Resources Hunter Education Administrator Tim Lawhern what they should do to become better shooters.

“Without hesitation I offer everyone the same advice,” Lawhern says. “First, clean your rifle. Most hunters do a pretty good job at cleaning their firearms, but cleaning them more often, when done correctly, will certainly not hurt them. Second, do some dry firing. That means practicing the fundamentals of good marksmanship, but without the recoil and noise of shooting live ammunition.”

Lawhern says the best shooters in the world, including Olympic medal winners, all practice by dry firing. For hunters with a center-fire rifle, this will not hurt their firearm. But as always, Lawhern recommends people check their owner’s manual, or check with the manufacturer, if they are concerned. As an alternative, one can purchase “snap caps” or inert ammunition, which is commonly referred to as “dummy” ammunition. Whatever they decide, the most important thing is to check to make sure a firearm is completely unloaded or that there is something in the chamber that will not fire when the trigger is pulled.

To keep things simple, place a target of some kind on the wall across a room or in the basement. Then practice shooting by following the steps toward a good and accurate shot. While there are actually seven steps to a good shot, a person can use one word to help them remember five of those steps. The word is BRASS. The steps are:

**B = Breath or breath control.** Breath normally and come to a normal respiratory pause. Your shot should occur sometime within 10 seconds of beginning that pause. If not, you should begin the shooting sequence all over.

**R = Relax.** Relax the muscles and allow the bones to support the firearm. When muscles are tight they twitch and flex without warning and cause the shot to go somewhere other than where the shooter wants it to.

**A = Aim.** Take care in placing the sights or cross-hairs exactly where you want the bullet to go and keep them as steady as possible. Your goal is to see no change in the sight picture when the trigger is pulled and the firing pin is released.

**S = Squeeze.** This is the term most people are familiar with regarding trigger control. A hunter should press the trigger straight back towards the rear of the firearm by using slow increasing pressure.

**S = Shot.** The shot should be a surprise. When it goes off you should maintain your position on the firearm in order to have good follow through. Many shooters do the “gopher” movement, meaning that they raise their head looking for where the shot went. Using good follow-through enables hunters to better “call” their shots. That means knowing where the sights were when the gun went off.

“Good shooters practice the fundamentals,” Lawhern says. “The only difference between advanced shooters and basic shooters is the advanced shooters do the basics better.”

FOR MORE INFORMATION CONTACT: Tim Lawhern at (608) 266-1317

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## OUTDOORS CALENDAR

\*Indicates date remains the same each year, except some permit deadlines may be extended one day if they fall on a Sunday or Federal Holiday.

### April 15 through July 31

- It is illegal to allow dogs to run on DNR lands and Federal Waterfowl Production Areas lands during this time unless the dog is on a leash no longer than 8 feet. Do not apply to class 1 field trial grounds or DNR lands open to dog training.\*

### July 15

- Turtle season opens statewide through Nov. 30 for those species that are not listed as endangered or threatened.\*

### August 1

- Fall turkey hunting applications due.\*
- Deadline to apply for goose hunting permits for the Collins and Horicon zones.\*
- Sharp-tailed grouse permit application due.\*
- Deadline to apply for bobcat, fisher and otter permits.
- Deadline for successful applicants to purchase or transfer Class A Bear License.\*

### August 6, 7, 8, & 9

- Public hearings on the proposed 2007 migratory game bird season hunting zones, season length and bag limits. The public hearings will all begin at 7 p.m. on the following dates at the locations listed.
  - **August 6, La Crosse** – State Office Bldg, Rooms B-19 and B-20, 3550 Mormon Coulee Road
  - **August 7, Rice Lake** – University of Wisconsin at Barron County, Room R228, Meggers Hall, 1800 College Drive.
  - **August 8, Appleton** – Agricultural Services Center, Main conference room, 3369 West Brewster St.
  - **August 9, Waukesha** – State Office Building, main conference room, 141 N. W. Barstow St.

### August 25

- Over the counter sales of antlerless deer tags begin at noon at all license vendors.
- Permits to hunt deer in State Park deer management units during one or more deer hunting seasons including the archery, gun and muzzleloader seasons go on sale at noon on a first-come, first-served basis until they are all sold. The number of hunters allowed in these state parks is limited. In the past, hunters applied for access to hunt in one of these state parks through the Hunters' Choice program, which has been discontinued this year. Now, hunters must purchase a \$3 access permit online or at any DNR license sales location (same cost as the old hunters' choice permit) for the park of their choice.

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## DNR Public Hearings and Meetings

Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call the contact person listed for the meeting or hearing with specific information on your request at least 10 days before the date of the scheduled hearing.

### Hearings

**July 10** - The Department of Natural Resources will hold a public hearing pursuant to §§ 30.12(1) and (3)(br), 30.2035, 30.206, 227.11(2)(a) and 227.24, Stats., interpreting §§ 30.12(1), (3) and (3m) and 30.206, Stats., on Natural Resources Board Emergency Order No. WT-26-07(E) pertaining to general permits for dredging in Great Lakes navigable waterways at 3 p.m. in the Lake Michigan Room, Green Bay Service Center, 2984 Shawano Ave., **Green Bay**. The emergency rule revises ch. NR 345, Wis. Adm. Code, to establish a new general permit with appropriate conditions. The rule establishes standards for projects to be eligible for a general permit for dredging, including operation of a motor vehicle, on the beds of the Great lakes to remove algae, mussels, dead fish and similar large plant and animal nuisance deposits. The emergency rule establishes a general permit for an activity that would otherwise require an individual permit. The general permit will permit lakefront property owners to remove plant and animal nuisance deposits on the beds of outlying waters more efficiently while complying with general permit conditions created to protect the public interest in the lakebed. The general permit has a \$50 application fee and is processed within 30 days. The emergency rule may be reviewed and comments electronically submitted through the State of Wisconsin Administrative Rules Web site [<http://adminrules.wisconsin.gov>]. Written comments on the proposed rule may be submitted via U.S. mail to Mr. Martin Griffin, Bureau of Watershed Management, PO Box 7921, Madison, WI 53707. Comments may be submitted until July 20, 2007. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. For information contact Martin Griffin at - (608) 266-0842.

**July 10** – A public informational hearing as part of the application review process for several natural gas pipeline projects proposed to expand the network of natural gas supply lines in eastern Wisconsin will be held from 3 to 5 p.m. and 6 to 8 p.m. in meeting rooms D and E at the Fond du Lac City Hall, 160 S. Macy St., **Fond du Lac**. Guardian Pipeline Company, Wisconsin Public Service Corp., Wisconsin Energies/Wisconsin Gas, have applied to the Wisconsin Department of Natural Resources for Chapter 30 permits for temporary bridges, structures and dredging in or near public waters, grading on the bank of public waters, and for Wetland Water Quality Certification under NR 103 and NR 299. Other permits and approvals are also needed to allow construction of the facilities and are listed on the DNR Web site. Application materials and maps of the proposed project will be available for public viewing starting at 5:30 p.m. on the day of the hearing. The hearings will be public informational hearings where individuals can learn more about the proposed activity and submit written or oral comments about the project and any department determinations associated with the project. DNR staff are currently evaluating the applicants' proposal and must consider factual information about the legal standards listed above in deciding whether to grant, modify, or deny a permit for the project. The pipeline projects include: Guardian 2 Pipeline of 119 miles in Jefferson, Dodge, Fond du Lac, Calumet, Brown and Outagamie counties; Wisconsin Energies/Wisconsin Gas pipeline 1) Hartford/West Bend Lateral Pipeline 14 miles total and 2) Fox Valley Lateral Pipeline – 12.8 miles total; Wisconsin Public Service Corp. pipeline 1) Sheboygan Lateral Pipeline – 33 miles, total, 2) Chilton Lateral Pipeline – 1.72 miles, 3) Denmark Lateral Pipeline – 14.25 miles, and 4) Southwest Green Bay Lateral Pipeline – 8.25 miles. Each applicant has filed its own application with the department. The proposed projects would require a total of 179 water body crossings, including perennial and intermittent streams. The proposed pipelines would also cross 203 wetlands, affecting up to a total of 103.8 acres. Installing the pipelines will require temporary bridges over most of the waterways. The department has determined that preparation of an Environmental Assessment (EA) is required pursuant to the Wisconsin Environmental Policy Act (WEPA), § 1.11, Wis. Stats., and ch. NR 150, Wis. Adm. Code. In compliance with § 1.11, Wis. Stats., the DNR has prepared an Environmental Assessment (EA) for this project. In addition, the FERC has prepared a Draft Environmental Impact Statement (EIS) for the mainline project, and the PSC has prepared its own EA for the lateral projects. More information is available on the DNR Office of Energy Web pages at [<http://dnr.wi.gov/org/es/science/energy/plines/>]. For information or to review the applications, contact Steven Ugoretz, DNR OE/G3, PO Box 7921, 101 S. Webster St., Madison, WI 53707-7921, or call him at (608) 266-6673 or e-mail: [[Steven.Ugoretz@wisconsin.gov](mailto:Steven.Ugoretz@wisconsin.gov)].

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**July 11** - The Department of Natural Resources will hold public hearings pursuant to §§ 23.09(2)(intro.), 23.091, 23.11(1), 23.22(2)(a) and (b)6., 27.01(2)(j), 29.041, 227.11(2)(a) and 227.24(1)(a), Stats., interpreting §§ 23.09(2)(intro.), 23.22(2)(a), 29.014(1), 29.041 and 227.11(2)(a), Stats., on Natural Resources Board Emergency Order No. FH-28-07(E) which revises chs. NR 19 and 20, Wis. Adm. Code, pertaining to control of fish diseases and invasive species at 10 a.m. in Room 413, State Natural Resources building (GEF 2), 101 South Webster St., **Madison**. This emergency order was published on May 27, 2007 and revised Natural Resources Board Emergency Order FH-22-07(E) which took effect on April 7, 2007 and Natural Resources Board Emergency Order No. FH-25-07(E). This rule will aid the department in controlling the spread of viral hemorrhagic septicemia virus (VHS) in the following ways: Natural Resources Board Emergency Order FH-28-07(E) extends the restrictions on the movement and use of fish, fish parts and water taken from the Great Lakes and Mississippi River drainages to the Lake Winnebago system and the Fox River from Lake Winnebago to Green Bay and allows extensions to other waters in the event that the VHS virus is discovered in those waters. The emergency rule and fiscal estimate may be reviewed and comments electronically submitted through the State of Wisconsin Administrative Rules Web site [<http://adminrules.wisconsin.gov>]. Written comments on the proposed rule may be submitted via U.S. mail to Mr. Bill Horns, Bureau of Fisheries Management and Habitat Protection, PO Box 7921, Madison, WI 53707. Comments may be submitted until July 13, 2007. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearing. For more information or a copy of the emergency rule and fiscal estimate contact Bill Horns at (608) 266-8782.

**July 17** –A public hearing on proposed amendments to a June 7, 2007 extended Cooperative Environmental Agreement with Northern Engraving Corporation (NEC) under the Environmental Cooperation Pilot Program and the preliminary determinations to approve the renewal of air pollution control permits for existing air pollution sources for NEC facilities in Sparta and Holmen will be held from 10:30 a.m. to 12:30 p.m. at the Monroe County Courthouse 112 S. Court St., **Sparta**. Pursuant to § 299.80, Wis. Stats., and at the request of NEC, the DNR is proposing to amend the June 2007 Agreement to include the necessary changes and renewal of the air pollution control permits § 299.80 (7)(b) Wis. Stats. DNR and NEC will incorporate into the Air Pollution Control Permits (Part I A.), for each participating facility, the requirements necessary for NEC to construct and operate under flexible pre-approved conditions as part of this agreement. In addition, the proposed amendment would include the following: 1) On a case-by-case basis NEC will be allowed to request an additional period of time to commence construction and/or modification of proposed projects requiring a permit under ch. NR 406, Wis. Adm. Code. 2) In concurrence with US Environmental Protection Agency, (EPA) NEC's Holmen and Sparta facilities will no longer be required to provide a 6 month report on actual emissions to EPA. EPA has concurred with DNR that the requirement to report actual Volatile Organic Compounds (VOC) and Hazardous Air Pollutant (HAP) emissions every 6 months could be removed from the Agreement and associated Air Pollution Control Operation Permits, as the permits issued under the Amended Agreement meet EPA's requirements for the "Formula Based Approach" by specifying how NEC is required to calculate their actual VOC and HAP emissions. 3) West Salem will operate under the conditions established in the June 7, 2007 Extended Agreement and the Air Pollution Control Permits (Part I. A. Specific Permit Conditions for West Salem) until such time that they submit an Air Pollution Control Permit application, the permit has been public noticed for 30 days, and approval has been granted by the DNR. (Note: NEC West Salem Air Pollution Control Permit under current Agreement expires on June 10, 2008.). In making a final decision on the proposed action, DNR will insure that the applicant has complied with all of the requirements in § 299.80(6) (d), Wis. Stats. DNR will also review and consider all public comments received within the 30-day public comment period and at the public hearing. In consultation with the project manager and other staff, the DNR Secretary will decide whether or not to sign and implement the Amendment to the Cooperative Environmental Agreement. The DNR Air Program analyzed these materials and has made a preliminary determination that operation of this air pollution source should meet applicable criteria for permit approval as stated in §§ 285.63 and 285.64, Wis. Stats., including both the emission limits and the ambient air standards and that the application is approvable. This preliminary determination does not constitute approval from the Air Management Program or any other DNR sections which may also require a review of the project. Complete information on the proposed Amendment to the Agreement, the preliminary determination and analysis regarding the issuance of an Air Pollution Control Operation Permit for NEC's Sparta and Holmen facilities can be found at <http://www.dnr.state.wi.us/org/caer/cea/ecpp>. The information will also be available for public inspection at the DNR Bureau of Air Management Headquarters, Seventh Floor, 101 South Webster, Madison. Additional locations for viewing documents include the DNR La Crosse Area Office Air Program, 3550 Mormon Coulee Road, Room 104, La Crosse; the DNR Eau Claire Regional Office, 1300 W. Clairemont Ave., Eau Claire, Wisconsin, the Sparta Free Library, PO Box 347, Court & Main Street, Sparta, Wisconsin, and the La Crosse County Library, 103 State Street, Holmen, Wisconsin. Written comments from the public regarding the proposed Amendment to the Cooperative Environmental Agreement and the preliminary determinations to approve the renewals of air pollution control operation permits for NEC's Sparta and Holmen facilities can be submitted by July 23, 2007. Comments on the amended Agreement should be directed to Mark Harings, DNR, 1300 W. Clairemont Avenue, Eau Claire, WI 54702. Comments on the air pollution control permits for Sparta and Holmen should be directed to Mary Oleson, DNR, La Crosse Area Office Air Program, 3550 Mormon Coulee Road, Room 104, La Crosse, WI 54601. For information related to the Air Pollution Control Operational Permit contact Mary Oleson at (608) 789-5544. For information on the Amendment to the Cooperative Environmental Agreement contact Mark Harings at (715) 831-3263.

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**Meetings**

**July 10** - The [Groundwater Advisory Committee](#) created by 2003 WI Act 310 will meet from 9:30 a.m. to 1:30 p.m. in room G09 of the Natural Resources building (GEF 2) at 101 S. Webster St., **Madison**. For more information, contact Jill Jonas at (608) 267-7545.

**July 11** - The Wisconsin Forest Sustainability Framework Advisory Committee will meet at 8:30 a.m. at the Forest Products Lab, One Gifford Pinchot Drive, **Madison**. As a sub-committee of the Wisconsin Council on Forestry, the group is charged with drafting a monitoring framework for forests across the state. The agenda includes a review and prioritization of the draft framework and wrap-up for the group. For information contact Amy Peterson at (608) 267-9680.

**July 12** - A meeting to discuss the white list/black list approach to classifying fish species related to the control of invasive species will be held from 10 a.m. to-noon in Room 232 of the State Natural Resources Building (GEF 2), 101 S. Webster St., **Madison**. Several members of the Wisconsin Council on Invasive Species and representatives of the Department of Natural Resources will be at the meeting. For information contact Ron Martin, DNR aquatic invasive species specialist, at (608) 266-9270.

**July 13** - The 2007 Pre-Flyway Wisconsin Waterfowl Hunting Season Meeting will be held from 7 to 10 p.m. at the Comfort Suites, N5780 Kinney Road, Hwy. 78 South, **Portage**. The meeting is held to solicit input from interest groups, including representatives of the Conservation Congress Migratory Bird Committee for items that they wish the Wisconsin DNR to pursue at the Mississippi Flyway Council meeting that will occur in mid July. At this meeting DNR staff provide the attendees with any breeding status information the state has received from the U.S. Fish and Wildlife Service. For information contact Kent Van Horn at - (608) 266-8841.

**July 13** - The State Trails Council quarterly meeting will be held from 10 a.m. until 2 p.m. at the Crystal Lake Campground Picnic Shelter, Northern Highland-American Legion State Forest (Approximately 4 miles east of State Highway 51 on County Highway N). The meeting agenda includes: Northern Highland-American Legion State ATV Stakeholder Committee update, Off-Highway Vehicle (OHV) motorized recreation area concept update, invasive species, water trails, trail crew update, campaign for funding active transportation and other trail issues. For more information contact Joseph Warren at (608) 267-7487, e-mail: josephc.warren@wisconsin.gov.

**July 18** - The state [Natural Resources Board](#) will convene at 9:30 a.m. in Conference Rooms 1 & 2, Portage County Annex Building, 1462 Strongs Ave., **Stevens Point**. The Board will hear an informational seminar on mercury in the environment including health effects, effects on fish and wildlife, sources and fate of mercury, control technology availability for coal-fired power plants, control technology costs and implications for electric reliability. This is an informational item, no action will be taken. For information contact Laurie J. Ross, Natural Resources Board Executive Staff Assistant at (608) 267-7420.

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Department of Natural Resources – CE/6  
PO Box 7921 Madison WI 53707-7921

