

CWTU Legislative Report Revised--April 2009

Invasive Species Rules—NR 40, Wis. Adm. Code

After having just reported that NR 40 would not be acted on by the NR Board, I just found out that not only had I somehow missed that particular item on their April agenda, but that they had in fact adopted the rule. I have not yet finished wiping the egg from my face, but can report that document is 72 pages in length and includes an extensive summary of public hearing comments and department analysis of the justification and impact as well as the rule itself (the rule is 26 pages). I have had no time yet to read or digest what's in the final rule or the comment summary, and due to its length, if I had been aware of it when I mailed the original report I might have said the same thing at that time.

I will be reviewing the document specifically to see if the concerns of the Lakes Association are reported on as to their recommendation to regulate/monitor sediment transport, whether any rule changes took place to that effect, and how that might affect our members.

With respect to AB 162, it would appear at this time that the provisions of that bill would not interfere, duplicate or contradict the provisions of administrative rule as adopted (at least I assume someone went through it to make sure before it was acted on). A read-through of both may verify my original speculation that AB 162 is primarily intended to deal with the transport of all aquatic plants and animals, not just those that can be identified as invasives, which was one of the criticisms of the original administrative rule. I've got some reading to do, and hope to report further in May.

If anyone wants to do some serious reading of their own, here's the link to the NRB Meeting Agenda: <http://www.dnr.state.wi.us/org/nrboard/2009/April/04-09-NRB-Agenda.htm>

There is a link to the adopted rule under (3) Action Items, (B)(1)-"Request Adoption of Board Order IS-34-06."

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April 23, 2009