



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

May 15, 2009

Richard E. Petershack, Chairman
Small Business Regulatory Review Board
Wisconsin Department of Commerce
P.O. Box 7970
Madison, WI 53707-7970

Subject: CR 08-074 -- Proposed chapter NR 40, Invasive Species

Dear Chairman Petershack:

This letter is a follow-up to Mike Staggs' testimony at your Board's November 18, 2008 meeting and a reply to your letter of November 25, 2008 to Secretary Frank regarding the Department's proposed invasive species rules.

Following Mr. Staggs' testimony, your Board commended the Department for addressing the concerns of fish farmers and for agreeing to take the concerns of small business into account in the rules. The proposed rules were modified subsequent to your Board's meeting, and the Department concluded in its Final Regulatory Flexibility Analysis that the rules will not have a significant adverse effect on a substantial number of small businesses.

I wanted to report these findings to you and inform you that the Natural Resources Board approved the proposed rules at its April 22, 2009 meeting. The proposed rules were submitted earlier this week for Legislative review. The Final Regulatory Flexibility Analysis (which is included in Department's Report to the Legislature) and the final proposed rules are available here: <https://apps.dhfs.state.wi.us/admrules/public/Rmo?nRmoId=505>.

Please call me if you have any questions.

Sincerely,

Peter D. Flaherty
Attorney at Law
Bureau of Legal Services

cc: Mary Ellen Vollbrecht – AD/8
Al Shea – AD/8
Mike Staggs – FH/4
Bill Horns – FH/4
Ron Sklansky – Joint Legislative Council