

**DNR'S DISABILITY ADVISORY COUNCIL
COUNCIL PURPOSE/MISSION**

To advise the Department of Natural Resources on matters pertaining to the accessibility of all department programs and services by persons with disabilities.

- To draft recommendations to the Department for legislation, administrative rules, or department policy.
- To identify and evaluate needs of persons with disabilities and to communicate them to the Department.
- To help to increase public awareness and sensitivity to the needs of persons with disabilities.
- To communicate with individuals and other organizations dedicated to similar purposes.

**MEETING MINUTES
DISABILITY ADVISORY COUNCIL MEETING
FRIDAY, DECEMBER 18, 2020
TELECONFERENCE**

Members Present via Teleconference: Cathryn Scott, Keith Pamperin, Jim Rutledge, Kirsten Engel, John Martinson, Calvin Richtig, John Mitchell, Patricia Ardivino, and Andrea Frisch

Others Present via Teleconference: Barry Gilbeck, Nick Zouski, and Julie Amakobe

Chair Martinson called the meeting to order at 10:03 am.

First, the Council reviewed the agenda.

Jim made a motion to accept the agenda. John Mitchell seconded the motion and all were in favor.

Next, the Council reviewed the meeting minutes from September 25, 2020.

Keith made a motion to accept the minutes. John Mitchell seconded the motion and all were in favor.

The first topic to be discussed was the Disabled Veteran Sporting Permits Bill and Potawatomi Tower led by State Senator Andre Jacque and Christie Weber President of the Sturgeon Bay Historical Society Foundation. Senator Jacque introduced himself and let the Council know of his work with the Department of Tourism. He also informed the Council of his continued interest and dedication to persons with disabilities. We are very fortunate to have such a valuable accessibility advocate over in the Legislature! The Senator went briefly over the Disabled Veteran Sporting Permits bill that is a draft proposal making its way through the Legislature. Because of Covid-19, there has not been a Study Committee to look over the bill and, therefore, it hasn't moved forward. Thank you, Senator Jacque, for attending the Disability Advisory Council (DAC) meeting with us today via teleconference.

Christie Weber is with the Sturgeon Bay Historical Society Foundation as stated earlier. Ms. Weber told the Council she has worked cooperatively with DNR staff for a number of years. There was a lengthy discussion on the Potawatomi Tower. To begin, Ms. Weber wanted reconsideration regarding the DAC discussion and minutes from its last meeting which she said were inaccurate. The DAC minutes from September 25, 2020, stated “There are two types of historical designations. The first is very important and must meet renovation standards for historical buildings. Potawatomi will never get that designation per the State Historical Society. Yes, it is historical based on its age, but it’s not unique.” Ms. Weber said the Potawatomi Tower is historic and unique and DNR’s decision to not repair and tear down the Tower was made with wrong assumptions. It should be noted at the time of the DAC’s last meeting on September 25, 2020, the information in the minutes reflected what the DNR’s archeologist had provided to the DAC liaison weeks prior to the meeting. This determination likely changed at a later date when new information was available.

Ms. Weber told the Council WHS was not part of the DNR engineer’s or DNR’s independent consultant’s engineering reviews. These reviews concluded the Tower was beyond normal (in place) repairs. An outside 3rd party was hired. This firm concluded the Tower could be repaired in place and restored. There was an assessment based on this conclusion and as an historic structure, and then a plan was developed. The plan was to realign the foundation since the staircase had shifted. It was determined the Tower needed preservation. The outside study concluded with these repairs, the structure could last another 90 years.

Ms. Weber indicated the Wisconsin State Historical Society has sent the paperwork to the National Historic Society (NHS) requesting the Potawatomi Tower be added to the National Register of Historic Places. Reasons to add the Potawatomi Tower to the National Register is twofold 1) it is a unique structure (observation tower) which is the first purpose-built recreational tower in a State Park and 2) it has a unique architecture. The Potawatomi Tower was constructed differently from the Eagle Tower at Peninsula State Park. It was also one of the first tourist attractions in the State. The State should retain the historic significance of the structure and doing so would result in a lower cost to the State. The Council looks forward to hearing back from Christie as to whether NHS will reach the same conclusion and place the Potawatomi Tower on the National Register of Historic Places.

It was asked if the NHS determination and subsequent repairs would have precedence over the ADA regulations? Are there ADA standards for historic structures? These questions were not clearly answered. Ms. Weber stressed WHS is 100% behind the ADA code, but there can be alternative options in meeting this ADA code. Ms. Weber said the NHS has worked at the federal level with ADA agencies and they have approved “reasonable accommodations”. An example accommodation for persons with disabilities would be to view the landscape with some sort of telephoto lens at the bottom of the structure; to view a video of the landscape within the park office; or view a video on one’s cell phone standing at the base of the structure and have a walking tour of the landscape.

Calvin suggested that reasonable options could include, removal, repair with added accessibility features, or the tower could be preserved to keep its historic look/value, but it would not be climbable, as an option to provide equal access for people with/without a disability. Ms. Weber objected and stated that abandoned places are good areas for people to take their own lives. In

this case, the tower would not be abandoned, but chained off and would be for viewing only by all visitors. The telephoto lens as the recommendation above could be used at this point by the abled and disabled communities. Ms. Weber noted there is a \$3.2 million-dollar accessible observation tower only a few miles down the road at Peninsula State Park for someone with a disability that wanted to access a tower. As stated earlier, the Council will wait to hear back from Christie regarding the Potawatomi Tower historical designation determination.

The next agenda item was the Customer Service and Licensing Updates led by Barry.

Deer Season Wrap Up

- Gun Deer Hunting license sales including Patron licenses increased.
 - o 25,144 New Buyer Licenses
- Deer Harvest increased
 - o Current Harvest for the year at 319,719
 - o Search key words “Deer Harvest” on the DNR website to see all the harvest information
- CWD found in Ozaukee Co.
 - o New baiting and feeding bans have been implemented per state statute.

Legislation

- The Legislature will reconvene in January, so there are no legislative changes at this time.
- The Legislature is looking at overall hunting and fishing license simplification
 - o Reducing the number of different licenses and fees

Service Centers remain closed

- Due to COVID-19, the DNR Service Centers remain closed.

Wolf

- On Oct. 29, 2020, the U.S. Fish and Wildlife Service announced that they will be removing gray wolves from the federal endangered species list for the lower 48 states. The rule will be published in the Federal Register on Nov. 3 and will take effect 60 days after on Jan. 4, 2021.
- There will be a wolf season planned for fall of 2021
- Applications are expected to be available starting in March when the new license year begins
- All previous preference points are still active

Disabled Permit Applications

- Customer Service adapted using a new secure process for faxing to move applications through in an efficient manner prior to the gun deer season and was able to keep up with all incoming applications.

The next item on the agenda was the Fishing with an Assistant which was Kirsten’s item for discussion. Kirsten said currently by law, a person with a severe disability cannot have his/her assistant help with baiting or taking the fish off the hook unless the assistant has a fishing license. Kirsten thought that an assistant should be able to assist a person with a severe disability without having to have a fishing license. Julie commented on this and said when she talked to DNR’s Chief Warden several years ago about this very thing, he said wardens are told at law

enforcement training to use discretion when they come upon a situation like this and be accommodating. Barry thought the Council should ask the Wardens what the assistant should do? Barry recommended the Council not to make a motion against the current State law and suggested getting a warden to come to the next meeting. Nick will reach out to Law Enforcement to ask them this question which is “what should the assistant do”? Kirsten was thinking the disabled person and his or her assistant could ask for a reasonable accommodation. Andrea asked if the DNR wardens have accessibility sensitivity training? It was suggested the entire Department should have the training. Based on Law Enforcement’s answer, we might invite him/her to the next meeting. Barry suggested any agreed upon change for assistants may require a change to Administrative Code or State Statute. There was no motion at this time. Barry will research all rules and laws for all types of hunting i.e. turkey, deer, etc. activities in regard to assistants and support to provide what is currently in the Administrative Code and State Statutes.

Next agenda item was the Mapping Accessible Features and Missing Instructions on Disability Permits led by John Mitchell. John said this is just a question and he was wondering about the status. Hunting regulations did not have the disability permits information. Barry needs the information that is missing from John Mitchell. Once he has this information, he will forward the missing information to the Bureau of Wildlife Management (WM).

Nick said he had asked the Property Managers for their accessible features. He hasn’t heard back from any of the Bureaus. Barry said the Bureau of Parks is super busy right now with high numbers of visitors to the parks due to Covid indoor restrictions.

Next on the agenda was the Accessible Hunting Blinds Up Overnight Update given by Nick. Nick reached out to Bob Nack in WM and he hasn’t heard back from him. He asked if this would be a rule change or policy change. Barry said it would be an administrative rule change and the original rule went through the Spring Hearings of 2016 via the Conservation Congress (CC). It was this CC that recommended and voted hunting blinds could be left up overnight north of Hwy 64. Nick said if this were to apply to locations south of Hwy 64, the person with the hunting blind must hold an A, B, C, or D disabled permit and must place a placert with the disabled hunter information on or near the hunting blind. The Council decided to wait for the Spring Hearings and place this recommendation on the list of items to discuss/vote.

Next, it was decided there was no need for followup discussion regarding the Potawatomi Tower since it was throughouly discussed earlier in the morning.

The next agenda item, Campsites Reserved for Persons with Environmental (Chemical) Sensitivies Update, was led by Nick. Nick indicated he has not done anything on this topic yet and did not yet reach out to Cathryn and Kirsten. Kirsten did do some research on it. Campfires/campsites should have good ventilation (not in valley, but possibly on a hill) away from bathrooms. The camper should know when staff are cleaning the restrooms, know if the park staff spray insectisides, and be aware if there is treated lumber. It was asked if parks routinely spray insecticides? Andrea said they probably do use chemicals (herbicides versus pesticides) for posion ivy, etc. Nick or Julie will ask Parks. Nick’s idea was to have one site that is isolated (listed in reservation system) that is friendly to persons with chemical sensitivities. A question arose, how do we clearly define a chemical sensitive friendly campsite? Keith thought the persons with chemcial sensitivities should check with the park on where this proposed site is

located because if someone is allergic to campfires, then it could still be a problem. Kirsten said a chemical sensitive friendly campsite would be one which doesn't have pesticides and herbicides used on it and leave it at that. Staff should be trained how to respond to these types of calls. Nick will work with Cathryn and Kirsten on this topic and report back to the Council at the next meeting.

The next item on the agenda was the Accessibility Coordinator Updates led by Nick.

1)DNR Website and Accessible Features Update. Nick has sent the pictures to the web designer. The person who approves the pictures is out of the office until January 3rd. The pictures Nick submitted include John Martinson with a dog on his lap, John Mitchell with two ducks, and Jim Rutledge at a fishing pier. Nick let Regina Kammes, DNR's Equal Opportunity Program Specialist, know the Open the Outdoors (Accessibility) icon needs to be moved to the on top of the DNR's webpage. This is because in the current location at the bottom of the page, the card readers don't recognize the icon and it can be easily overlooked. Kirsten asked if the DAC should make a motion? She was told not at this time. There was more discussion on these topics.

Andrea pointed out the DNR needs to use the "best practices" when setting up its website. Independence First has a good information website. Calvin indicated Minnesota's DNR website has the accessibility icon right on the left side of the page. Cathryn said when you search WI DNR, different things come up and these should be the same as the items that are on the website.

Calvin made a motion that all data of accessible features that was collected from each state property should be added to its respective property webpage where it can be located easily with all other information specific to that property. Kirsten seconded the motion and all were in favor.

Calvin made a motion to relocate the Open the Outdoors tab to the navigation bar and re-label to something more recognizable to users looking for accessible features and programs. Cathryn seconded the motion and all were in favor.

The Transition Plan for DNR's webpage should be more transparent and how often is it looked at.

Andrea asked about the accessibility of the website in general (i.e. screen reader, colors used, etc.). Nick said it was supposed to be accessible. Nick will follow up.

2)PDMD Update and All Terrain Chair at Dodgeville. Nick had recently sent out the new PDMD policy to the DAC. He informed the Council the all-terrain chair was added to the definition of wheelchairs. Nick is looking at Dodgeville State Park as the first host site. Nick is working with Ray (AAW), the Park's Friend's Group, and Parks' staff to work out details of getting the chair out to persons who want to use them. Calvin is happy with Nick's effort in coordinating this effort. Nick said he is also working on having a track chair at every park event.

3)Eagle Tower Update. Nick said the new Tower project at Peninsula State Park was bigger than he thought. It is expected to be opening in the Spring. Nick thought the DAC could have its June meeting at the park. Calvin says the community in general thinks it is so cool (not just the disability community). This is very exciting. Nick thought there should be alternate railing heights at one section of the landings and not just all 48 inches.

4)State ID Update. Nick checked with the Section Chief and found out the changes to the application have been made. An applicant has to click on the area where the change is located in order to make it work.

5)DAC Alternate Update. The potential alternate's name is Wendy and Nick reached out to her last week since he hadn't heard from her. He had sent his message to her personal e-mail and will now send it to her work e-mail.

6)Blackhawk Lake Recreational Area Update. Nick will talk to Jim about this next week. The two of them can discuss what they want to tell the County which is basically it needs to meet ADA Title II requirements. Iowa County receives grants from the DNR and must follow Title II.

The last agenda item was the Members' Updates:

John Martinson - No updates at this time.

Calvin - Calvin had received positive feedback from two teenage boys with disabilities. The boys have always had great experiences when applying for hunting licenses.

John Mitchell – Adaptive Sportsman wants to have the same events in 2021 as it has had in the past. The organization is keeping an eye on the Covid situation.

Jim - Jim hasn't been to a lot of places due to Covid.

Cathryn - No updates at this time.

Keith - No updates at this time.

Kirsten - No updates at this time.

Andrea –Andrea indicated WisCorps Inc. has completed the conservation field season by the opening day of deer season. WisCorps Conservation Crews conserved 174 acres of land and planted 24,000 trees and shrubs throughout Wisconsin.

Patricia – Patricia was wondering if anyone is looking for intern students? These students would be a recreational and tourism intern.

Lastly, the Council chose the next year's (2021) meeting dates:

March 26, 2021 meeting will be a conference call.

June 24 & 25, 2021 meeting will be at Buckhorn State Park.

September 23 & 24, 2021 meeting will be at Peninsula State Park in Door County if Eagle Tower is completed. Otherwise, another location in Door County will be chosen.

December 17, 2021 meeting will be at the Fitchburg Service Center or call in.

John Martinson made a motion to adjourn the meeting. Andrea seconded the motion and all were in favor.

John Martinson adjourned the meeting at 3:16.