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NATURAL RESOURCES BOARD

MINUTES

A special meeting of the Natural Resources Board was held by conference call at 1:30 p.m. on Monday, October 17, 2011 in Room 813 of the State Natural Resources Building (GEF 2), Madison, for action on Items 1 and 2. The meeting adjourned at 2:15 p.m.

ORDER OF BUSINESS

1. Organizational Matters
- 1.A. Calling the roll

William Bruins – present	Preston Cole – present
Christine Thomas – present	Jane Wiley – absent
Terry Hilgenberg – present	David Clausen – present
Greg Kazmierski – late call-in	

- 1.B. Approval of agenda for October 17, 2011

Ms. Wiley MOVED approval, seconded by Mr. Bruins. The motion carried 6 – 0. Mr. Kazmierski was absent.

Mr. Kazmierski called in to the meeting.

2. Action Item

- A. Land Management, Recreation, Fisheries, and Wildlife

1. Request scope approval and adoption of Emergency Board Order FH-22-11(E), a proposal to change the whitefish commercial harvest season on Lake Michigan and Green Bay, affecting NR 25.05(1)(c)

William Horns, Great Lakes Commercial Fisheries Coordinator, stated that the proposed emergency rule adds six days to the whitefish season. This season extension was recommended by the Commercial Fishing Board. Department staff endorsed initiating permanent rule development to extend the season. He then reviewed the commercial fishing harvest from the Wisconsin waters of Lake Michigan from 1990 through 2010 and from July 2010 through June 2011. The whitefish harvest limits are not being reached, especially in zone 2. The added days could increase the whitefish harvest by about 8%. He recommended the Board adopt Emergency Board Order FH-22-11(E). **(PowerPoint)**

Discussion followed on clarification as to whether Department biologists or fisheries staff have any concerns on this proposed rule, when the rule making process on this emergency rule was initiated, and the length of time the State of Michigan has had a longer whitefish season than Wisconsin.

Public Appearances:

1. ~~**George Meyer**, Madison, representing the WI Wildlife Federation **(Handout)**~~ Mr. Meyer called to remove his name from the P.A. listing due to scheduling conflicts.
2. **Charlie Henriksen**, Sister Bay, representing Lake Michigan Commercial Fishing Board and WI Commercial Fishing Association. He clarified that the Lake Michigan Commercial Fishing Board (LMCFB) requested the rule change. The LMCFB has the same authority as the WI Conservation

Congress. They made their recommendation after talking with local whitefish biologists and made a motion at their June meeting for July LMCFB approval. Due to Act 21 constraints, they made inquiries regarding an emergency rule. Governor Walker approved the Statement of Scope which included the Statement of Emergency. The Governor also gave approval to the Department to proceed with rulemaking. The dire economic condition of the fishery surely raises the urgency of this rule change to an emergency and that the recent storm that devastated Door County set them back one week or more during their important harvest period. The whitefish fishery is the last remaining success on Lake Michigan and for most whitefish fishers, October is vitally important and represents 30 – 50% of their annual income. Michigan has a bigger whitefish harvest and it encompasses a larger area. Michigan fishers have taken whitefish until November 1 for a long time. The tribal whitefish season ends November 7 or 10. There is an abundance of fish with a slow growth rate in Lake Michigan. Thinning the population might improve the growth rate. Enacting this rule change will benefit and preserve the public welfare of Wisconsin and aid the preservation and welfare of our first industry. He requested the Board approve this item. **(Handout)**

Mr. Bruins MOVED approval, seconded by Mr. Hilgenberg.

Discussion followed on Mr. Meyer's/Wisconsin Wildlife Federation's concern in their written comment that the Statement of Emergency is not legally justified, whether the commercial fishers have an adequate opportunity to meet quota, how the harvest this year in each of Lake Michigan's zones compares with the harvest in the previous five years, and what constitutes an emergency.

The motion carried 6 – 1.

Mr. Kazmierski voiced concern that his Board Members Matters request during the September 28, 2011 meeting for an October 26, 2011 agenda item regarding background information on personal property trail cameras on state lands was not on the regular meeting agenda for October.

Discussion followed on the rules process.

Mr. Cole MOVED, seconded by Ms. Wiley to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 2:15 p.m.

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