

View Natural Resources Board agendas, meeting calendar, webcasts, biographies and public participation info online at: <http://dnr.wi.gov/about/nrb/overview.html>

## NATURAL RESOURCES BOARD

### BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, October 29, 2014 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-3 and 6-7. The meeting adjourned at 11:55 a.m.

### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

William Bruins – present      Gary Zimmer – present  
Christine Thomas – present      Jane Wiley – present  
Terry Hilgenberg – present      Preston Cole – present  
Greg Kazmierski – present

1.B. Approval of agenda for October 29, 2014

**Mr. Zimmer MOVED approval of the October 29, 2014 agenda, seconded by Mr. Kazmierski. The motion carried unanimously.**

1.C. Approval of Brief of Action from September 24, 2014

**Mr. Kazmierski MOVED approval of the September 24, 2014 Brief of Action, seconded by Mr. Hilgenberg. The motion carried unanimously.**

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

**Ms. Wiley MOVED approval, seconded by Dr. Thomas of the Real Estate Transactions. The motion carried unanimously.**

3. Action Items

3.A. Air, Waste, Water, and Enforcement

None

3.B. Land Management, Recreation, Fisheries, and Wildlife

3.B.1. Request approval of department recommendations for establishment of a connector ATV/UTV trail on the Woodboro Lakes Wildlife Area, Oneida County (Handout)

**Public Appearances:**

1. **Randy Hardin**, Sheboygan, representing Wisconsin ATV UTV Association, Inc. He stated the project was a good fit and supports the proposed trail. They respect the process and would support a master plan if it was completed within one year or so. **(Handout)**

**Chair Cole** thanked Mr. Hardin for his service on the Governor's Trail Council.

**Ms. Wiley** stated that she and Mr. Zimmer attended open houses on this item and walked the trails. The issue here is there is no master plan. She distributed for Board review NR 1.61 Public use of department land. This is a policy decision of the Board. **(Handout)**

**Ms. Wiley MOVED approval, seconded by Dr. Thomas of the department's recommendations.**

Discussion followed on whether a maintenance agreement would be in place if approved [yes], whether this would free the department from any maintenance costs [trail tread on department property; by and large, maintenance directly linked to ATV or snowmobile activity would fall to club and what would be worked out in agreement], concern for maintenance and management costs, whether the Board is amending the master plan if approved [yes, a modified master plan process], and who will be paying for the constructions costs associated with the bridge, trail resurfacing, and trail segments [that would be worked out in the agreement as well]

**Secretary Stepp** stated that early on in her term, Mr. Thiede and his team brought to her the extraordinary backlog of 10 – 15 years in master planning. Mr. Thiede redirected resources in his division to really work on a plan to streamline and get on top of the process of master planning as well as an inventory of where we are behind so we could expedite through the process. This was a really good effort on their part.

**Mr. Zimmer MOVED to amend, seconded by Ms. Wiley, to allow for a more comprehensive look at the entire Woodboro WA property as a whole; and to meet the intent of NR 1.61, we would like to direct the department to do a full property master Plan and complete it by the end of 2015.**

Discussion followed on whether the department has the capacity to move planning forward and how to handle this when other groups start asking to have their master plan pushed to the top of the list.

**Mr. Hilgenberg** stated his concern looking at some of these Master Plans which are very extensive and very comprehensive in that he cannot imagine how the department can shift within our existing programming enough resources to

adequately deal with this issue once it becomes public. So maybe some of this process is to look at how we do the process instead of saying now we have to redo a master plan because someone wants to do a cross-country trail; that we have more flexibility within the planning process itself. He requested staff to come up with a legitimate process the Board can take a look at and say this makes a lot of sense and let's move forward.

Discussion followed on whether the trail will not commence until after the master plan is completed, and whether the department has an expected completion date of the master plan [end of 2015].

**Dr. Thomas** stated that what order master plans happen in is not the purview of the Board but the purview of the Secretary. She asked Secretary Stepp whether she was fine with the proposed amendment.

**Secretary Stepp** stated she always defers to the Board but appreciates Dr. Thomas for pointing that out. She is comfortable as is Mr. Thiede with the timeline on this property.

**Ms. Wiley** added that the amendment on this item was not done independently but was developed with department staff.

**Mr. Kazmierski** stated that he had been involved in several master plans in a former life. The process tends to wear you down over time. What prevails are organizations that can pay people to be in the process. Citizens that have jobs and cannot stay engaged all the way to the end tend to have their voices left out. He requested the department look for a way to streamline the process so it is not so onerous.

Discussion followed on whether the ATV trail request will stay intact or go back to square one if the amendment is approved [not square one but will be on list of potential users in the master plan process].

**The motion to amend carried unanimously.**

**The original motion as amended carried unanimously.**

**Chair Cole** stated that the way he sees it, government became responsive. There was an alignment, there was an ask. Plans were way out in the future. It was almost imperative that the department had to react in some way, shape, or form. To the notion that others may come and ask that their plans get moved up, more power to them. To the responsibility of the administration, they have to then create a legislative initiative or budget initiative to staff accordingly. When alignment occurs from a customer/stakeholder and for the department to respond accordingly, I think moves us in the right direction as to the expectations of the public.

Discussion followed on whether the department should prioritize moving properties up the list that have no master plans and whether the department could hire outside contractors to do some of the legwork e.g. inventor and soil type work.

**Ms. Wiley** added that by our vote, the Board is keeping our policy making responsibility intact by saying we must have a Master Plan before we start looking at individual activities on a piece of property.

- 3.B.2. Request approval to initiate a public involvement process which may result in an amendment to the Columbia County Planning Group Master Plan to site a shooting range on Mud Lake Wildlife Area, Columbia County **PowerPoint**

No Board discussion

**Mr. Hilgenberg MOVED approval, seconded by Ms. Wiley of the department's recommendations. The motion carried unanimously.**

- 3.B.3. Request approval of tier 3 Management Plans for Stewardship Demonstration Forests **PowerPoint**

**Dr. Thomas MOVED approval.**

Discussion followed on the number of tiers, whether they are restricted by acreage, and what the department's communication plan is in getting the word out.

**Mr. Zimmer** requested the department also should get the word out to organizations such as Wisconsin Woodland Owners Association and others that work with private landowners as well as schools that do not have a school forest.

Discussion followed on how much visitation these sites actually get.

**Seconded by Ms. Wiley of the department's recommendations. The motion carried unanimously.**

- 3.B.4. Land Acquisition – Lower Chippewa River State Natural Area – Eau Claire County and Dunn County

**Mr. Bruins MOVED approval, seconded by Mr. Zimmer of the department's recommendations. The motion carried unanimously.**

- 3.B.5. Land Sale – Lower Wisconsin State Riverway – Grant County

**Public Appearances:**

1. **Ron Brisbois**, Boscobel, representing Grant County Economic Development

He spoke in support of the department's recommendations.

Discussion followed on this item being an example of really moving forward in excess department property.

**Mr. Hilgenberg MOVED approval, seconded by Mr. Kazmierski of the department's recommendations.**

Discussion followed that this item symbolizes good government and common sense and whether this property has a master plan [yes].

**The motion carried unanimously.**

- 3.B.6. Request approval to initiate a public involvement process which may result in a master plan amendment to the Brule River State Forest to modify and align the annual sustainable harvest levels

No discussion.

**Mr. Hilgenberg MOVED approval, seconded by Mr. Zimmer of the department's recommendations. The motion carried unanimously.**

- 3.C. Scope Statements

- 3.C.1. Request approval of the Statement of Scope for Board Order FH-12-14 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapter NR 20 related to minor changes to fisheries administrative code

No discussion.

**Mr. Hilgenberg MOVED approval, seconded by Ms. Wiley of the department's recommendations. The motion carried unanimously.**

- 3.C.2. Request approval of the Statement of Scope for Board Order FH-13-14 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapter NR 25 related to implementing a web-based Electronic Fish Harvest Reporting System (EFHRS) for licensed commercial fishers of the Great Lakes (remote presentation from Green Bay DNR office)

No discussion.

**Mr. Zimmer MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

- 3.C.3. Request approval of the Statement of Scope for Emergency Board Order FH-16-14(E) and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 20 and 25 related to lake trout harvest limits in Lake Superior (remote presentation from Rhinelander DNR office) **PowerPoint**

No discussion.

**Mr. Zimmer MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

4. Citizen Participation  
4.A. **Public Appearances**

1. **Ken Schmitt**, Colfax, representing signers of Citizen Petition for a Strategic Analysis of the Frac-Sand Industry  
*Topic:* Presentation of petition to Board  
He requested that the Board direct the department to do a strategic analysis of the frac-sand industry and gave his reasons why the Board should act.  
**(Handout)**

**Chair Cole** thanked Mr. Schmitt for bringing this petition forward for the department's review and consideration. As Board Chair, he asked the department staff to review the petition and to report back to the Board at a future meeting with any recommendations for the Board's consideration.

2. **Sarah Williams**, Madison, representing Midwest Environmental Advocates  
*Topic:* Petition for Strategic Analysis of the Frac-Sand Industry  
She requested the Board consider the Citizen Petition for a Strategic Analysis of the Frac-Sand Industry and direct the department to do the study. She requested this be added to the December agenda.

Discussion followed on what Ms. Williams' expectation was for the December meeting [listening session], whether Midwest Environmental Advocates was involved in soliciting signatures on the petition [yes], whether a special listening session at the December meeting is needed [no, the Board hosted one on September 25, 2012], and that the department should have a reasonable timeframe before coming back to Board.

3. **Ann Casper**, Madison, representing self  
*Topic:* Frac sand mining and petition for a Strategic Analysis of the Frac-Sand Industry  
She spoke on concerns with the frac sand industry and supports a strategic analysis of the frac sand industry. **(Handout)**

**Dr. Thomas** stated that it would be helpful for staff to brief her and Board on the Board's legal role in this process (e.g. what is role, how much role is already

legislated/no wiggle room, where does Board have wiggle room, # permits pending now, will permits be issued during strategic analysis process?).

**Mr. Kazmierski** stated he believed the department requested additional funding for mining and asked the Secretary for clarification.

**Secretary Stepp** stated the Board did receive additional funding and support from the Governor in the last budget. The department added a couple of positions and extensive staff training. She referred to a memo she distributed to correct some of the inaccurate information on this issue and to provide the Board with the facts. **(Handout)**

4.B. Citizen Recognition

4.B.1. The Rebecca Wallace Award

**Chair Cole** and **Secretary Stepp** announced the Award Recipient: Dr. John Lyons, Natural Resource Program Supervisor in the Fisheries and Aquatic Sciences Research Section, Office of Business Support, Science, and Sustainability. John is internationally known for his research in aquatic ecology and fisheries science. He normally leads at least 10 research projects every year that bear directly on resource management decisions that serve the mission of the department through numerous teams, committees and cooperative projects. They congratulated him. (Dr. Lyons received a standing ovation) **(Handout)**

**Dr. John Lyons** thanked the people who nominated him and thanked Mitch Wallace for being here. He had the honor and privilege to work with Becky Wallace. She was a special person and was very well like and respected. He was very touched and honored to receive an award assimilated with her. He got where he is from working with many great people. This is a group award for many different folks. He expressed his thankfulness.

**Chair Cole** noted that the closed session will be taken up by the Board at the end of the meeting agenda. He moved the meeting to agenda item 5 – Information Items.

5. Information Items

5.A. Air, Waste, Water, and Enforcement

None

5.B. Land Management, Recreation, Fisheries, and Wildlife

5.B.1. Update on development and implementation of the Deer Management Assistance Program (DMAP) and County Deer Management Advisory Councils (CDAC)

Discussion followed on the degree of department staff involvement at the CDAC meetings [their role is to sit back and be a resource/provide factual

information], that CDAC committees with urban landscapes need to address that deer can only be managed where you can hunt, and a positive experience by a Board member that attended their local meeting.

**Mr. Zimmer** stated that at the Conservation Round Table he attended, he heard concerns that some locals are not hearing in advance about the CDAC meetings. This is something to be aware of. He asked that staff follow-up with the local chairs of CDAC committees with ways to target different media sources.

**Secretary Stepp** thanked Sawyer Briel, Public Affairs Manager, for his first presentation to the Natural Resources Board and for his outside-the-box thinking. She then thanked Mr. Briel and the communications team for their excellent work in communicating to the public.

**Bob Nack**, Big Game Section Chief, who presented this item to the Board thanked and gave accolades to the following for their team effort: Kevin Wallenfang, Dan Kaminski, Melinda Nelson, and Meredith Penthorn. They are top notch employees.

#### **INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

##### 5.B.2. 2014 wolf harvesting season update (Handout)

Discussion followed on unit closings and total quota, shortening the time of registration for faster reporting, whether any collared wolves had been taken, whether trappers will be used now to harvest depredating wolves instead of APHIS, U.S. Fish and Wildlife Service's (USFWS) involvement, and the process of getting a wolf permit if you apply and do not get one.

**Secretary Stepp** thanked Dave MacFarland, Carnivore Staff Specialist, who presented this item to the Board. This is a really high charged issue. The public is passionate on several sides to wolf hunting. Mr. MacFarland is a very gifted scientist. She thanked him for his extraordinary leadership and guidance.

**Mr. MacFarland** stated a lot goes on behind the scenes and thanked his team for their extraordinary effort and acknowledged Tia Kropf-Beringer, Geriann Albers, and Dan Kaminski.

#### **INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

6. Department Secretary's Matters
- 6.A. Retirement Resolutions
- 6.A.1. Ronald W. Cork
- 6.A.2. Marcia Frost-Vahradian
- 6.A.3. James Storandt

**Mr. Zimmer MOVED approval, seconded by Mr. Kazmierski of the retirement resolutions. The motion carried unanimously.**

6.B. Donations

- 6.B.1. The Friends of Blue Mound State Park will donate \$100,000 to be used to renovate and upgrade the swimming facilities at Blue Mound State Park

**Secretary Stepp** stated the Friends Group could not be in attendance and requested Dan Schuller, Parks and Recreation Bureau Director, to acknowledge this donation.

**Mr. Schuller** stated the Blue Mound pool has been a feature at the park since inception in the 1960's as a way to keep visitors and campers coming to the park. It was a large pool but required a lot of maintenance and staffing. It is now a failing facility. With the assistance of the Friends Group, they were able to put together plans for a smaller, high tech replacement similar to a hotel pool with a small splash pad. It would not require lifeguards due to the zero depth accessibility. Theme: State parks.

**Secretary Stepp** gave her heartfelt thanks to all members of the Friends of Blue Mound State Park for their extraordinary gifts of generosity. It is not just dollars and cents but their sweat and effort. She thanked Mr. Schuller and Peter Biermeier in the Parks Program. We have much to be proud of.

**Mr. Hilgenberg MOVED approval of the department's recommendations and to acknowledge the donation, seconded by Mr. Kazmierski. The motion carried unanimously.**

**Secretary Stepp** then updated the Board on the status of the Northern long-eared bat's proposed listing by the USFWS. The department is continuing to work with the USFWS in order to provide them data and an understanding of the impact of land management activities so the conservation measures developed are practical, implementable, and based on sound science.

She then highlighted items from a memo dated October 7, 2014 which was distributed during this meeting at 4.A. – Citizen Participation regarding sand mining sources.

7. Board Members' Matters

None.

OCTOBER 29, 2014

**Chair Cole** requested a motion to go into Executive Session under the authority of s.19.85(1)(g) Wisconsin Statutes for purposes of discussing litigation matters.

**Mr. Bruins MOVED, seconded by Mr. Zimmer. The motion carried on a roll call vote of 7 – 0.**

William Bruins – yes	Gary Zimmer – yes
Christine Thomas – yes	Jane Wiley – yes
Terry Hilgenberg – yes	Preston Cole – yes
Greg Kazmierski – yes	

**Chair Cole** reconvened the meeting. He reported that during the Executive Session, no action was taken.

**Mr. Bruins MOVED, seconded by Mr. Zimmer to adjourn the meeting. The motion carried unanimously.**

\*\*\*The meeting adjourned at 11:55 a.m.\*\*\*

The Natural Resources Board and Department of Natural Resources are committed to serving people with disabilities. If you need Board information in an alternative format, please contact:

Natural Resources Board Liaison: Laurie Ross at 608-267-7420 or  
[laurie.ross@wisconsin.gov](mailto:laurie.ross@wisconsin.gov)

**NOTE: Each Natural Resources Board meeting is recorded and webcasts are posted to the Board webpage. Recordings are posted on-line at:**  
<http://dnrmedia.wi.gov/main/Catalog/Full/5449d652227e46a8b511bfc430ca79ce21>  
**The following resources also are available: Agenda Item Packets (green sheets), supporting documents, and public comment.**