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NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, June 24, 2015 at Stoney Creek Hotel & Conference Center, 3060 South Kinney Coulee Road, Onalaska, 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 11:50 a.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

William Bruins – absent/excused	Gary Zimmer – present
Julie Anderson – present	Dr. Frederick Prehn – present
Terry Hilgenberg – present	Preston Cole – present
Greg Kazmierski – present	

1.B. Approval of agenda for June 24, 2015

Mr. Kazmierski MOVED approval of the June 24, 2015 agenda, seconded by Mr. Hilgenberg. The motion carried 6 – 0. Mr. Bruins was absent/excused.

Chair Cole thanked regional director Dan Baumann and Administrative Assistant Sue Snyder for coordinating the Board's regional tours on Tuesday and logistics. The tours were very informative and highlighted the region, partnerships, and the wealth of opportunities this region has to offer.

1.C. Approval of Brief of Action from May 27, 2015

Mr. Zimmer MOVED approval of the May 27, 2015 Brief of Action, seconded by Mr. Kazmierski. The motion carried unanimously.

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

Mr. Kazmierski MOVED approval, seconded by Mr. Zimmer of the Real Estate Transactions. The motion carried unanimously.

3. Action Items

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

3.A.1. Request adoption of Board Order AM-24-12, proposed rules affecting chapters NR 400, 406, 407, and 445 related to simplifying and improving the Air Management permit program

Discussion followed on a non-expiring permit.

Chair Cole requested department staff in the future to use different words to express a non-expiring permit because it sends a mixed message. He stated he would abstain from the vote.

Mr. Hilgenberg suggested the department create an acknowledgement document that would be signed by the permittee stating they have read the materials and understand the risks in pre-construction activities.

Discussion followed on the benefits of streamlining.

Ms. Anderson MOVED approval, seconded by Dr. Prehn of the department's recommendations.

Discussion followed on the operation permit renewal process and the 200 hour vs. 500 hour rating for emergency generators.

Chair Cole directed department staff to make sure the acknowledgement letter recommended earlier by Mr. Hilgenberg occurs.

The motion carried 5-0. Chair Cole abstained.

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

3.B.1. Request adoption of Board Order WM-04-15(E), proposed rules affecting Ch. NR 10, related to establishing an early teal season and modifications to the mourning dove hunting season

Discussion followed on the first early teal season, how Wisconsin's estimated number of teal hunters compared to other states, regulation compliance results, and whether there was an effort up front to educate the public to comply with the regulations.

Mr. Kazmierski MOVED approval, seconded by Dr. Prehn of the department's recommendations.

Public Appearances:

1. **George Meyer**, Madison, representing Wisconsin Wildlife Federation as Executive Director spoke in support of the department's recommendation.

The motion carried unanimously.

3.B.2. Request approval of the proposed amendments to the Columbia County Planning Group Master Plan and the Environmental Impact Statement for the preferred site for the Columbia County Shooting Range on Mud Lake Wildlife Area

PowerPoint

Discussion followed on how often the department goes through the process of site selection for a shooting range.

Public Appearances:

1. **William Devine**, Portage, representing self. He spoke in opposition to the department's recommendation and questioned why the department chose this location. **(Handout)**

Chair Cole thanked Mr. Devine for his testimony and for his stick-to-it-ness.

2. **Eric Olmsted**, Rio, representing self. He spoke in opposition to the department's recommendation and reported on an incident that took place a few weeks ago. He called the department and they did not respond.

Chair Cole asked Kurt Thiede, Deputy Secretary, to visit with Mr. Olmsted to get a synopsis of the circumstance he found himself in and report back.

3. **Patti Olmsted**, Rio, representing self. She spoke in opposition to the department's recommendation.
4. **George Meyer**, Madison, representing Wisconsin Wildlife Federation as Executive Director. He spoke in support of the department's recommendation.
5. **Richard Swenson**, Portage, representing Columbia County Conservation Congress. He spoke in support of the department's recommendation.
6. **Becky Tomlinson**, Town of Lowville, representing Town of Lowville as Supervisor. She spoke in opposition to the department's recommendation and 1) asked the Board for assurance that the department will not abandon the town to pay for the extra traffic that they chose to put onto our roads; 2) expressed her concern on the close proximity of agriculture and tourist businesses and the potential for loss of business; and 3) expressed safety concerns related to the private landing strip located to the east of the proposed property. **(Handout)**
7. **Jim Watson**, Portage, representing Columbia County Sporting Alliance. He spoke in support of the department's recommendation. **(Handout)**

Mr. Kazmierski MOVED approval, seconded by Dr. Prehn of the department's recommendations.

Discussion followed on where the funding would come from for construction [Pittman-Robertson and cost share.] and whether there are any restrictions for use, how the department plans to address future problems of violators and maintenance, and whether a shooting range could impact real estate values.

Mr. Hilgenberg requested that the department take a look at adjustments on future environmental analyses, related to the impact on real estate values, to better reflect what the impact could be on projects.

Discussion followed on the issues raised by Becky Tomlinson from the Town of Lowville [public appearance #6], whether the department or sportsmen are the driving force behind this range [Combination of both.], and concerns on noise and the safety of planes from the airstrip located nearby.

Dr. Prehn asked for confirmation that the department will design/build the shooting range to the best sound technology to minimize the decibels and that the layout of the range will not endanger aircraft landing or taking off at the nearby airstrip because of ricochets.

Discussion continued on the status of issues in parking lots such as at Swan Lake and French Creek.

The motion carried unanimously.

3.B.3. Request approval of the Northern Highland American Legion State Forest Master Plan Amendment - Camp American Legion

Discussion followed on whether hunting would continue to be allowed on this land [Yes.], the 10 year lease and when it would terminate, and whether the camp is open to tribal veterans.

Public Appearances:

1. **Robert Shappell**, Cedarburg, representing The American Legion – Department of Wisconsin as State Commander. He spoke in support of the department's recommendations. **(Handouts)**

Dr. Prehn MOVED approval, seconded by Ms. Anderson of the department's recommendations. The motion carried unanimously.

Chair Cole requested a motion to go into closed session.

Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg that the Board convene into Closed Session under the authority of s.19.36(1) Wisconsin Statutes, for the purpose of discussing personnel matters. The motion was carried by a roll call vote.

William Bruins – absent/excused Gary Zimmer – yes
Julie Anderson – yes Dr. Frederick Prehn – yes
Terry Hilgenberg – yes Preston Cole – yes
Greg Kazmierski – yes

Mr. Cole reconvened the meeting at 10:30 a.m. Chair Cole reported that during the Closed Session no action was taken.

- 3.B.4. Request that the Board approve the hearing notice and report to the Legislative Council Rules Clearinghouse for Board Order WM-10-13, proposed rules affecting Ch. NR 19 related to the rehabilitation of wild animals

Mr. Zimmer MOVED approval, seconded by Dr. Prehn of the department’s recommendations. The motion carried unanimously.

- 3.B.5. Land Sale: Bad Axe and West Fork Kickapoo Watersheds, Vernon County

Discussion followed on the definition of recreational purposes and use of a deed restriction for easement.

Public Appearances:

1. **Andy LaChance**, Viroqua, representing Vernon County as County Forest Administrator. He spoke in support of the department’s recommendations. **(Handout)**
2. **Pete Taylor**, Viroqua, representing Vernon Trails. He spoke in support of the department’s recommendations.

Secretary Stepp thanked Mr. Taylor for taking the time to attend the meeting and for being the hands and feet that go into our trail system. We would never have enough funding in our budget to complete all the work that needs to get done.

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 WT-03-15 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 154 related to revisions to best management practices and cost share rates for agricultural and urban nonpoint source cost-share programs

Mr. Zimmer MOVED approval, seconded by Dr. Prehn of the department’s recommendations. The motion carried unanimously.

- 3.C.2. Request approval of the Statement of Scope for Board Order LF-02-15 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 45 related to governing public use of department properties and chapter 51 related to trail use and stewardship grants funding eligibility

Discussion followed on whether an amendment in paragraph 4 on page 3 is needed to clarify that the department is not looking to further restrict hunting [Department Attorney stated no amendment is necessary.] and whether the department changed a horse campground to a group camp at Black River Falls State Forest without authority [The department went through the process and it was approved.].

Public Appearances:

1. **William Devine**, Portage, representing self. He did not testify.
2. **Eric Olmsted**, Rio, representing self. He spoke in agreement with the department's recommendation in restricting use.
3. **Patti Olmsted**, Rio, representing self. She spoke in support of the department's recommendation in that the department should be able to close a site for one specific activity.

Chair Cole stated that the Board allows citizens from around the state to come before the Board and voice their concerns and opinion. He thanked the Olmsted's for doing so and taking time out of their day to travel from Portage.

This is an important discussion that people do come before the Board to give their input. No matter what the issue is, we shall continue with the legacy of allowing the public to come before the Board and weigh in on the natural resources issues of this state. That continues to excite him.

Dr. Frederick Prehn MOVED approval, seconded by Ms. Anderson of the department's recommendations. The motion carried unanimously.

- 3.C.3. Request approval of the Statement of Scope for Board Order FH-08-15(E) and Board Order FH-09-15 and conditionally approve the public hearing notice for FH-09-15 and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse for proposed rules affecting chapter NR 23 related to lake sturgeon regulations on the Menominee River **PowerPoint**

Discussion followed on tagging the sturgeons.

Mr. Kazmierski asked department staff to look into tagging fish with an identifying marker that is visible at time of harvest and get back to the Board with this information. He also requested staff get back to the Board with the number of sturgeon that were trucked around the dam.

Ms. Anderson MOVED approval, seconded by Dr. Prehn of the department's recommendations. The motion carried unanimously.

Chair Cole moved the meeting to agenda item 5.B.1.

5. Information Items

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

None

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

5.B.1. Public motorized access on department owned and managed roads **PowerPoint**

Discussion followed on whether any funding came with legislation in 2013 directing the department to inventory and map all roads located on department property [No funding was specifically tied to this.], staffing for the project, whether the department has looked at reducing road maintenance costs by partnering with citizens, and whether bermed roads will be included in the inventory e.g. at Northern Highland-American Legion State Forest.

Mr. Hilgenberg asked the department to look at creating guidance on utilizing friends groups to assist in maintaining these roads.

Discussion continued on bermed roads and usability.

Dr. Prehn requested that the department include bermed roads (not a walking trail) that are driveable in their inventory. Map out what was a road historically.

Chair Cole followed up on Dr. Prehn's request that the department capture roads that were bermed, a finite list, as its own subset of the road inventory.

Aaron Buchholz, District Land Representative, requested clarification on the Board's request.

Chair Cole asked Dr. Prehn to clarify his request during Board Members Matters.

Discussion continued on road management and the cost effectiveness of maintaining them to a certain standard.

Mr. Kazmierski added to the discussion on bermed roads. He asked the department to consider temporarily closing roads for ecological reasons due to a difficult season such as a wet fall or spring to help maintain those roads.

Chair Cole stated that he trusts land management staff heard this robust discussion and have clarity on what the Board is asking.

Chair Cole moved the meeting to agenda item 4.A.

4. Citizen Participation

Public Appearances

1. **George Meyer**, Madison, representing Wisconsin Wildlife Federation as Executive Director. **(Handout)**
Topic: Phosphorus Runoff into Lakes and Streams. He urged the Board last fall to ask for more funding for non-point and also asked staff to do a comprehensive review with the Department of Agriculture, Trade, and Consumer Protection (DATCP) on what financial resources and policy changes it would take to bring all phosphorus impacted Wisconsin waterways back into compliance in the next 20 years. We have been patient and are coming back to ask again for resources to get the job done.

Chair Cole stated the Board will have an information item at the August 12 meeting on this topic that Board Member Bill Bruins had requested. We can dovetail these issues as Mr. Meyer highlighted and his request of us into that August meeting. He asked Mr. Thiede whether this item will be before the Board in August [Yes.]. He respectfully asked this Board, Secretary Stepp, and Mr. Meyer to begin to make notes and direct to Mr. Thiede as to items that you want to hear. He will talk with Mr. Bruins. After that point in time, they will decide what steps, if any, this Board should do.

Chair Cole moved the meeting to agenda item 6.A.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

6. Department Secretary's Matters
 - 6.A. Retirement Resolutions
 - 6.A.1. James LaChapell
 - 6.A.2. Bill Ishmael
 - 6.A.3. Susan Meyer
 - 6.A.4. Dale Kufalk
 - 6.A.5. Lynne Harmon

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

- 6.B. Donations
 - 6.B.1. American Dairy Queen will donate \$75,600 in ice cream cone coupons that will expire in 2017 to reward boat, ATV/UTV, and snowmobile youth operators who exhibit responsible habits, safe operation, courteous actions, and understand basic safety related laws which apply to them

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

- 6.C. Department Secretary's Matters

None

7. Board Members' Matters

7.A. Appointment of two (2) members of the Sporting Heritage Council (SHC)

The Board appointed Ronald M. Bruch of Oshkosh to the angling seat and Anthony "Tony" C. Grabski to the deer management seat.

Chair Cole thanked all those who submitted an application. He requested Deputy Secretary Thiede to contact each appointee and wish them luck. He directed Bill Cosh and Laurie Ross to complete the Press Releases.

Mr. Zimmer and **Mr. Hilgenberg** requested that the outgoing council members receive a thank you and to thank the applicants.

7.B. Board Members' Matters

Mr. Kazmierski requested an information item about sturgeon management, fish ladders, and include the Menominee and Wolf Rivers.

Secretary Stepp updated the Board on the Wolf. This is really exciting for the tribes as well. We want to make sure decisions are based on sound science and are making sure we are cognizant of invasive threats. Those are the discussions we are having with our federal partners as well as the tribe.

Dr. Prehn requested 1) that road berms be included in the inventory (reference June agenda item 5.B.1.); and 2) the department to evaluate catch and release musky season with one tag for one kill per year. He also requested the department to evaluate Michigan's season.

Chair Cole asked Laurie Ross to compile a list of seasonal activities for our newest Board Members to attend/participate in. These activities may be important to observe during the season it is being done. For other Board Members who want to participate, they can do so as well. This work would range from science services to fisheries to forestry to Remediation and Redevelopment. It would help you to continue to meet the folks at the department. You can do so at your own leisure.

He then stated the Board should have an opportunity to observe winter activities. We may have unintentionally short-sighted winter outdoor recreation by having regional meetings in the warmer months. As we begin to craft what 2016 looks like, we may want to substitute one of those summer meetings or in addition add a January or February outside of the Madison area to observe winter activities in the state of Wisconsin. It is only going to create better relationships with the communities in which we serve as well as provide necessary background on the deliberations we will have, specifically as it relates to motorized vehicles.

Dr. Prehn MOVED, seconded by Mr. Zimmer to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 11:50 a.m.

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Natural Resources Board Liaison: Laurie Ross at 608-267-7420 or
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