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## NATURAL RESOURCES BOARD

### BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, May 27, 2015 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 12:20 p.m.

**Chair Cole** introduced and welcomed new Board Members Julie Anderson (southern representative) and Dr. Frederick Prehn (northern representative) and asked each to give a short background.

### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

William Bruins – present      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 May 27, 2015

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

1.C. Approval of Brief of Action from April 8, 2015

**Mr. Zimmer MOVED approval of the April 8, 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. Hilgenberg 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. Presentation of the Shikar-Safari Club International Wildlife Officer of the Year Award for Wisconsin

**Todd Schaller**, Chief Warden, welcomed and introduced Janis Bohner.

**Janis Bohner**, Shikar Safari Club, presented a background of the Shikar Safari Club and their program and then formally presented the Award to Warden Supervisor Joe Jerich.

**Chief Warden Schaller** stated Warden Jerich has spent his entire career in South East Region. He has developed and honed his considerable skills with a proven history of successfully developing staff in an area known for high turn-over. Warden Jerich is a gifted communicator who uses a variety of communication styles with staff to provide guidance and promote consistency. He is very deserving of this award.

**Warden Jerich** stated it was an honor to be recognized for such a prestigious award. He stated he was very fortunate to work with a lot of wonderful people who have supported him over the years and has had the great support of his wife and children. He is fortunate to have a job he loves and is able to live his dream.

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

- 3.A.2. Request adoption of Emergency Board Order OE-20-14(E), proposed rules affecting chapter NR 150 related to the Department’s environmental analysis and review procedures **PowerPoint**

Discussion followed on the number of public hearings that will be held [One on June 2.], whether any improvements had been made to the emergency rule from last year, and the balancing act of streamlining a very bureaucratic process and implementing rules.

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

- 3.A.3. Request authorization for public hearings for Board Order DG-15-03, proposed rules affecting chapter NR 809 related to safe drinking water **PowerPoint**

Discussion followed on what instigated this rule proposal and whether this proposed rule would cause change in testing [Some may be affected by increased frequency of monitoring].

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

- 3.B. Land Management, Recreation, Fisheries, and Wildlife  
3.B.1. Request adoption of Board Order FH-12-14, proposed rules affecting chapter NR 20 related to minor changes to fisheries administrative code **PowerPoint**

Discussion followed as to the frequency the department hashes out consistent regulations with neighboring states/border waters.

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

- 3.B.2. Request authorization for public hearings for Board Order FH-10-12, proposed rules affecting chapter NR 25 related to commercial harvest of chubs from Lake Michigan **PowerPoint**

Discussion followed on the 25% exploitation rate, whether Michigan is experiencing the same issue and are advancing similar rules [Michigan does not have a significant commercial fishery], whether research is ongoing to find the cause of the ebb and flow of the bloater chubb population, whether research is specific to Wisconsin waters [No, it is lake-wide.], and why it took so long for the department to respond to the population crash.

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

- 3.B.3. Congress Matters: 2015 Conservation Congress Advisory Question Summary and Convention Report

**Chair Cole** congratulated Rob Bohmann on being elected to his fifth consecutive term as Wisconsin Conservation Congress Chair.

#### **INFORMATIONAL ONLY – NO ACTION TAKEN**

- 3.B.4. Request adoption of Board Order FH-14-14, proposed rules affecting chapters NR 19-21 and 26 related to fishing regulations on inland, outlying, and boundary waters that were proposed at the 2015 Fish and Wildlife Spring Hearings **PowerPoint**

Discussion followed on whether there will be any compatible predatory fish regulations and an explanation to the change in sunfish regulation to Big Sand Lake in Vilas County, Question 42.

#### **Public Appearances:**

1. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress (WCC) as Chair. He spoke in support of the rule package.

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

3.B.5. Request adoption of Board Order WM-01-15, proposed rules modifying chapters NR 10 and 11 related to hunting, trapping, and closed areas that were proposed at the 2015 Fish and Wildlife Spring Hearings PowerPoint

**Public Appearances:**

1. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress as Chair. He spoke in support of the rule package.
2. **Melissa Tedrowe**, Wauwatosa, representing The Humane Society of the United States (HSUS) as Wisconsin State Director, State Affairs. She urged the Board to reconsider the department's recommendation to allow cable restraints modified to capture fox, coyote, and bobcat throughout the entire state and to prohibit all trapping activities in areas where wolves are present or known to be present. The HSUS recommends that all trapping activities cease in the areas where wolves are present or known to be present.  
**(Handout)**

Discussion followed on the effectiveness and safety of cable restraints.

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

3.B.6. Request approval of antlerless deer harvest quotas and deer hunting season framework for 2015

Discussion followed on the data that buck only was based on for Eastern Jackson County/Central Forest, whether the department is seeing improvement in population numbers in the Northern Forest Zone, the working relationship department has with the councils and the councils input on antlerless harvest quotas (e.g. Shawano County at 15,000), how the first year roll-out was received by rank and file hunters (e.g. enforcement issues, confusion), commendation to the department and staff for their working relationship through the process, clarification on zero quota antlerless harvest applied across weapon types [antlerless harvest that did take place was by statutory exemption: youth hunter, disabled, and military personnel on leave], whether youth tags cannot be used for group bagging [This is a legislative discussion.], and additional commendation to the department for supporting CDAC.

**Public Appearances:**

1. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress as Chair. He spoke in support of the department's recommendation.
2. **George Meyer**, Madison, spoke in place of Ralph Fritsch, Townsend, representing Wisconsin Wildlife Federation. He addressed concerns the Federation has with the green sheet package and its underlying data.  
**(Handout)**

Discussion followed with Mr. Meyer on whether the Wisconsin Wildlife Federation has any recommendations for a solution to Chronic Wasting Disease (CWD).

**Secretary Stepp**, in follow-up to the discussion with Mr. Meyer, stated that the department does not use as a metric for success the number of press releases released. Since the discovery of CWD, the department has spent over 10 years educating the public and doing a lot of research and testing. A lot of intense management practices have been tried. The legislature has since become involved and the department has had to change up some of its strategies.

Discussion on Mr. Meyer's testimony continued regarding a significant number of CDAC's asking that their counties be split because of dramatic differences in deer habitat in different portions of the counties and what the process and speed is to change management in each county should there be detrimental effects.

**Secretary Stepp** added to the discussion that for the first time the department will now be able to monitor and manage more closely public vs. private land pressure instead of the old zone boundaries and be able to dial into the actual numbers based on land ownership.

Discussion continued on permits for private and public land and how that tool is developing with the county committees, how the department works with county committees, and concern on what the department's bench strength is in the counties and working with WCC.

**Secretary Stepp** added this is a partnering effort. The biologists are building partnerships and trust relationships.

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

**Chair Cole** moved the meeting to agenda item 6.B.1.

6. Department Secretary's Matters

6.B. Donations

6.B.1 The Friends of Rib Mountain State Park, Inc. will donate \$680,000 of cash and in-kind to be used to build a three season shelter/gathering center to enhance visitor experience at Rib Mountain State Park

**Secretary Stepp** presented Sheryl Hemp and Paula Voss, representing the Friends of Rib Mountain State Park, Inc. with an appreciation plaque and thanked the

Friends group for their cumulative donation which has amazing impacts on our properties.

**Public Appearances:**

1. **Sheryl Hemp** and **Paula Voss**, representing Friends of Rib Mountain State Park, Inc. spoke about the donation and fundraising process in their community.

Discussion followed on where the shelter will be located [Near the amphitheatre.].

**Chair Cole** moved the meeting to agenda item 3.B.10.

3.B.10. **Land Acquisition – State Trails, Barron and Manitowoc Counties**

**Public Appearances:**

1. **Dave Cieslewicz**, Madison, representing Wisconsin Bike Fed as Executive Director. Citizen Dave spoke in support of the department's recommendation. **(Handout)**
2. **Randy Harden**, Sheboygan, representing Wisconsin ATV UTV Association, Inc. as President. He spoke in support of the department's recommendation. **(Handout)**
3. **Deputy David Moin**, Barron, representing Barron County as Trail Coordinator and Recreation Patrol Officer. He spoke in support of the department's recommendation.

Discussion followed on Deputy Moin's experience with user conflicts between ATV's and snowmobilers [Their trails are multi-use and he has seen their complaints drop.] and lessons to be learned.

4. **Pete Schneider**, Rice Lake, Rice Lake Snow and Dirt Club. He spoke in support of the department's recommendation.
5. **Daniel Thole**, Rice Lake, representing NRTAC (Northern Regional Trail Advisory Committee; previously Wild Rivers Trail Commission). He spoke in support of the department's recommendation. **(Handout)**

Discussion followed on the ongoing cost of maintaining these trails [Trails will have local support and excellent cooperation from member counties.] and Mr. Thole's experience with multi users.

6. **Rhienna Gabriel**, Manitowoc, representing City of Manitowoc Complete Streets Advisory Committee and Northeast Wisconsin Off road Mountain

Biking (NEWOM). She spoke in support of the department's recommendation. **(Handout)**

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

Discussion followed on the appraisal process, an overview of the land acquisition process, and the reversion process.

**The motion carried unanimously.**

**Chair Cole** moved the meeting to agenda item 3.B.7.

3.B.7. Land Acquisition – White River Fishery Area, Bayfield County

Discussion followed on the access easement and whether there is a place to park on the road [This is in a remote area. There will be some pull-off along the road.], whether it will be signed [Yes.], and whether this acquisition will give the department access to currently owned department property on the south side of the river [Yes.].

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

**Chair Cole** stated that the Board will take agenda items 3.B.8. and 3.B.9. in aggregate.

3.B.8. Land Acquisition – Black River State Forest (Gebhardt parcel), Jackson County

3.B.9. Land Acquisition – Black River State Forest (Rogan Cabin LLC parcel), Jackson County

**Dr. Prehn MOVED approval, seconded by Mr. Bruins of the department's recommendations for 3.B.8. - Land Acquisition – Black River State Forest (Gebhardt parcel), Jackson County and 3.B.9. - Land Acquisition – Black River State Forest (Rogan Cabin LLC parcel), Jackson County.**

Discussion followed on the appraisal process for 3.B.9.

**The motion carried unanimously.**

**Chair Cole** stated that the Board will take agenda items 3.B.11. and 3.B.12. in aggregate.

3.B.11. Land Acquisition – Statewide Natural Areas (Marclan, Inc. parcel), Iowa County

3.B.12. Land Acquisition – Statewide Natural Areas (Day parcel), Iowa County

**Mr. Zimmer MOVED approval, seconded by Mr. Kazmierski of the department's recommendations for 3.B.11. - Land Acquisition – Statewide Natural Areas (Marclan, Inc. parcel), Iowa County and 3.B.12 - Land Acquisition – Statewide Natural Areas (Day parcel), Iowa County.**

Discussion followed on the life estate issue on 3.B.11-Marclan parcel, whether the brush on this property is invasive species [Natural Areas staff will begin maintenance right away. This is possibly an old fence line growth.], and whether the cost reflects the removal of cabin (Yes.).

**The motion carried unanimously.**

**3.B.13. Land Acquisition – Tiffany Wildlife Area, Pepin County**

Discussion followed on the walk-in easement which is an abandoned town road, the huge disparity between the two contracted appraisals [This was due to a very good building site on the property that was missed by one appraiser.], and whether there are any residences located on the easement.

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

**3.B.14. Land Acquisition – Kettle Moraine State Forest – Southern Unit, Walworth County**

**Doug Haag**, Facilities and Lands Deputy Bureau Director, mentioned two items that came after the green sheet was created: 1) A neighboring landowner, Camp Joy, is interested in buying a small piece of the property from the department. The department is informing the Board at this time they intend to go back and work with Camp Joy on a small transaction on the lower 1/3 of the property. Camp Joy also has expressed interest in some of the old buildings. The department may bring this back before the Board in the near future recommending a sale of a small portion of this property. 2) The purpose of acquiring the Krahn parcel is not the relocation of the Ice Age Trail although they did mention the potential opportunity to relocate the trail in the green sheet. There are some concerns that the current location of the trail runs within ten – fifteen feet away from five or six camp sites in the campground. Park staff have heard from campers over the years. Staff thought this would be a great opportunity to alleviate that problem. We want to assure the Board that we will be working with the Ice Age Alliance and the National Parks Service to make sure that if we relocate the trail everyone is supportive of the location and best interest of the trail and the public at this location.

Discussion followed on whether the parcel the department is proposing to sell off is considered good deer habitat and whether the department could retain a conservation easement.

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

3.C. Scope Statements

- 3.C.1. Request approval of the Statements of Scope for Board Orders WM-04-15(E), WM-05-15(E), and WM-06-15, and grant conditional approval of the notice of public hearing and notice of submittal of proposed rules to the Legislative Council Rules Clearing House, regarding proposed changes to Ch. NR 10 related to establishing the 2015 migratory bird hunting seasons

Discussion followed on how many hearings will be held this year and whether the locations are the same each year [Schedule is similar to previous year.].

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

4. Citizen Participation

4.A. Public Appearances

1. Nancy Utesch, Kewaunee, representing self. **(Handout)**

*Topic:* DNR involvement on water contamination/phosphorus issues

She requested: 1) The department fill the warden vacancy in their county; 2) Secretary Stepp and the Natural Resources Board recognize the cumulative effects of 15 industrial farm operations in Kewaunee County and its waste; and 3) The department to not give additional permitting allowing expansions and more cows in Kewaunee County until we get a handle on our massive water contamination and water quality issues where we live.

Chair Cole stated the Board can have a discussion on this at another time.

Secretary Stepp stated the department will inform the Board on what is and has been done in that part of the state. There is a lot of good news to share as well.

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)  
**PowerPoint and Handout** (2014 and 2015 Cumulative DMAP Enrollments)

Discussion followed on whether there are any concerns that the department is not touching the larger landowners enough, whether the department has an acreage goal in mind and whether the department is targeting certain areas of the state

[20% increase would be a good annual target; there are no specific locations targeted in the state.], whether additional resources are needed, whether county forests have shown any interest in getting involved in DMAP [There has been some interest but no applications have been received.], that the department should make available at CDAC meetings information on DMAP and how it is used as a tool, and that CDAC members could go out and encourage landowners to sign up for DMAP.

**Mr. Zimmer** stated his appreciation for the monthly update. He recommended that updates to the Board need only take place on key dates for the programs. **The Board** agreed.

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

6. Department Secretary's Matters
- 6.A. Retirement Resolutions
- 6.A.1. W. Ted Ave'Lallemant
- 6.A.2. Don Bates
- 6.A.3. Brian Buenzow
- 6.A.4. Alan Crossley
- 6.A.5. JoAnne Farnsworth
- 6.A.6. Charles (Chuck) Gatling
- 6.A.7. James Horne
- 6.A.8. Dale Katsma
- 6.A.9. Randy McDonough
- 6.A.10. Gregory Rublee
- 6.A.11. William Vander Zouwen
- 6.A.12. Nondor (Tim) Weiss
- 6.A.13. Adrian Wydeven

**Mr. Zimmer MOVED approval, seconded by Mr. Kazmierski of the retirement resolutions.**

**Mr. Hilgenberg** requested that staff correct the spelling in the resolution for James Horn. He then added that Jim will be sorely missed in Shawano County. He was a fantastic warden.

**The motion carried unanimously.**

6. Department Secretary's Matters
- 6.B. Donations
- 6.B.1 The Friends of Rib Mountain State Park, Inc. will donate \$680,000 of cash and in-kind to be used to build a three season shelter/gathering center to enhance visitor experience at Rib Mountain State Park

[Note: Presentation to the Friends of Rib Mountain State Park, Inc. was done earlier in the meeting.]

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

- 6.B.2. The Friends of Kohler-Andrae State Park will donate \$90,000 in cash and \$16,500 in kind labor to be used to improve Lake Michigan water quality, install beach paths, and provide sand dune restoration

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

- 6.B.3. Devil's Lake Concession Corporation will donate \$57,500 to be used to fund limited term employees in visitor services, maintenance, law enforcement, and interpretation; ongoing maintenance and repair of park facilities and grounds; and long-term lake monitoring of Devil's Lake

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

- 6.B.4. The Ruffed Grouse Society will donate \$45,755 to support eleven habitat and trail projects across Wisconsin

**Public Appearances:**

1. **Jim Shurts**, representing Ruffed Grouse Society John M. Keener Chapter as President. He spoke in support of the department's recommendation.  
(Handout)

**Secretary Stepp** presented Jim Shurts, representing the Ruffed Grouse Society John M. Keener Chapter, with an appreciation plaque and thanked the Society for their generous donation.

**Mr. Hilgenberg MOVED approval of the department's recommendations and to acknowledge the donation, seconded by Dr. Prehn. The motion carried 6 – 0, Mr. Zimmer abstained.**

**Secretary Stepp** then gave an update on Highly Pathogenic Avian Influenza.

7. Board Members' Matters

Mr. Bruins stated he is looking forward to the August meeting presentation on CAFO's (Concentrated Animal Feeding Operation) permitting process that is used and how it works.

Mr. Hilgenberg stated his interest in hearing more information on CWD and what the department is doing.

Secretary Stepp asked Mr. Hilgenberg what information he was looking for.

Mr. Hilgenberg clarified that he would like to hear about all of the things the department is doing.

Chair Cole noted that the legislature pulled the department back in terms of what they were doing years ago such as sharpshooting that were socially unacceptable. The department was asked to stand down in several ways.

Mr. Hilgenberg clarified he would like an overview.

Mr. Kazmierski offered a comment on coexistence. It is good to see that people can coexist without many issues (e.g. ATV/Snowmobiles). When dealing with public money, we need to keep this in the back of our mind and get the most benefit for everybody when making purchases.

Mr. Zimmer requested a briefing on DNR's potential involvement in implementing the "Good Neighbor Authority" and how much it would cost in assisting on the management of the Chequamegon-Nicolet National Forest.

Dr. Prehn stated he finds this Board fascinating. There is a lot to it. The public should be thankful to the Natural Resources Board Members and Secretary.

Chair Cole welcomed new Board Members Anderson and Prehn to their first meeting. He asked them to look at the resources, issues, and talk with partners. You will be out in the field as the Board travels out-state and you both will get a taste of Wisconsin from one side of the state to another.

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

\*\*\*The meeting adjourned at 12:20 p.m.\*\*\*

MAY 27, 2015

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