

AUGUST 13, 2008

## NATURAL RESOURCES BOARD

### MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday, August 13, 2008 at the Governor Dodge Hotel and Convention Center, Platteville, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 3:50 p.m.

#### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

David Clausen – present

Jonathan Ela – present

John Welter – present

Jane Wiley – present

Preston Cole – absent

Gary Rohde – present

Christine Thomas – present

**Dave Berny**, Platteville City Manager welcomed the Board to Platteville. He briefed the Board on the Pecatonica Trail and asked for their support.

**Dr. Thomas** thanked staff, on behalf of the Board, for hosting the tour and meeting.

1.B. Approval of agenda for August 13, 2008

**Dr. Clausen MOVED, seconded by Mr. Welter approval of the agenda for August 13, 2008. The motion carried unanimously.**

1.C. Approval of minutes from May 28, 2008

**Mr. Ela MOVED, seconded by Mr. Welter approval of the minutes as presented. The motion carried unanimously.**

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

Discussion followed on the new format.

**Dr. Thomas** requested that the format be modified to include a legend and columns for sales, Board approval date, and status of item.

**Dr. Clausen MOVED, seconded by Mr. Ela approval of the real estate transactions. The motion carried unanimously.**

3. Action Items

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

3.A.1 Request Adoption of Board Order AM-38-03, proposed rules affecting chs. NR 460, 463 and 484 pertaining to the incorporation of the national emission standards for hazardous air pollutants (NESHAP) for the secondary aluminum industry

**Bill Baumann**, Compliance and Enforcement Section Chief, Air Management Bureau stated that since NESHAP is already in effect at the national level, there is little discretion or flexibility for the Department regarding the standards. The Board approved this item without staff presentation.

**Mr. Ela MOVED, seconded by Dr. Clausen approval of the request for adoption of Board Order AM-38-03, proposed rules affecting chs. NR 460, 463 and 484 pertaining to the**

**incorporation of the national emission standards for hazardous air pollutants (NESHAP) for the secondary aluminum industry. The motion carried unanimously.**

- 3.A.2 Request Adoption of Board Order AM-31-07, incorporation of federal amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) affecting chs. NR 460, 469, and 484, Wisconsin Administrative Code

**Bill Baumann**, Compliance and Enforcement Section Chief, Air Management Bureau stated that this rule trues up to federal standards. The Board approved this item without staff presentation.

**Mr. Ela MOVED, seconded by Mr. Welter approval of the request for adoption of Board Order AM-31-07. Incorporation of federal amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) affecting chs. NR 460, 469, and 484, Wisconsin Administrative Code. The motion carried unanimously.**

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

- 3.B.1 Request Adoption of Board Orders WM-17-08 and WM-18-08(E), 2008 migratory game bird seasons

**Kent Van Horn**, Migratory Bird Staff Specialist, Wildlife Management Bureau stated that the USFWS proposals for two diving duck species, scaup and canvasback, resulted in considerable discussion and disagreement among waterfowl biologists across the continent over the last several months. The daily bag limit is proposed to be six ducks including no more than: four mallards, of which only one may be a hen, one black duck, one pintail, three wood ducks and two redheads. The daily bag limit may include one scaup except that from October 18 to November 6 in the north duck zone and November 1 to November 20 in the south zone the daily bag may include two scaup. Canvasback ducks may not be harvested.

For Canada geese, the state is apportioned into three goose hunting zones: Horicon, Collins, and Exterior. Other special goose management subzones within the Exterior Zone include Brown County, Burnett County, Rock Prairie and the Mississippi River. The daily bag limit will be two geese per day and hunters in the Horicon and Collins Zones will receive six tags. Season lengths are expected to be as follows: Collins Zone – 67 days; Horicon Zone – 92 days; Mississippi River Subzone – 85 days; and Exterior Zone – 85 days.

Additionally, the mourning dove hunting season will be lengthened by ten days which is consistent with the federal season framework that was offered this year. Mr. Van Horn requested the Board approve Board Orders WM-17-08 and WM-18-08(E). **(POWERPOINT)**

Discussion followed on scaup numbers in Wisconsin and identification issues, Migratory Bird Harvest Information Program (HIP), season framework on tribal lands, whether we are at critical mass, changes in spring migration habitat, pressure from hunting groups, if waterfowl harvest is active or compensatory, and banding ducks.

**Pat Henderson**, DNR Deputy Secretary stated that Secretary Frank mailed a letter to the U.S. Fish & Wildlife Service as to the Department's opposition. **(HANDOUT)**

**Public Appearances:**

1. **Dick Koerner**, Neenah, WI Conservation Congress Migratory Bird Committee Chair stated they support the entire DNR 2008 season rule proposals on the migratory waterfowl hunting season, under protest of the closed canvasback season and the split scaup bag limits as required by the USF&WS. **(HANDOUT)**
2. **Peter Peshek**, Madison, representing self spoke on the overall debate of the north-south zone and that federal regulators have not given flexibility to state.

Discussion continued on bluebills and the concern about mid-identification of bluebills and ringnecks/ringbills.

**Ms. Wiley MOVED, seconded by Dr. Clausen approval of the request for adoption of Board Orders WM-17-08 and WM-18-08(E), 2008 migratory game bird seasons. The motion carried unanimously.**

Discussion followed on the U.S. Fish & Wildlife Service's waterfowl hunting season frameworks for scaup and canvasback duck.

**Ms. Wiley MOVED, seconded by Mr. Rohde approval of a Board resolution relating to opposition to the United States Fish and Wildlife Service waterfowl hunting season frameworks for scaup and canvasback duck. (HANDOUT)**

Discussion continued on survey techniques and concerns for scaup.

Ms. Wiley called the question.

**The motion for approval of the Resolution failed.**

**David Clausen – no**

**Preston Cole – absent**

**Jonathan Ela – abstained**

**Gary Rohde – yes**

**John Welter – no**

**Christine Thomas – abstained**

**Jane Wiley – yes**

3.B.2 Request adoption of Board Order FH-22-06A, revised fishing tournament regulations

Mike Staggs, Director, Fisheries and Habitat Bureau stated that the Board approved Board Order FH-22-06 at their January 2008 meeting. In response to testimony and from concerns of the Assembly Committee on Natural Resources, the Committee voted unanimously to request that the Department of Natural Resources consider modification to Clearinghouse Rule 06-108 including but not limited to the issue of law enforcement probable cause. In addition, a number of people testified that the fees were still too high for smaller tournaments and were concerned that the rules would adversely affect youth participation. In an effort to address these concerns as well as some smaller issues of interest to the DNR, the DNR has made revisions to the proposed rules. He requested the Board approve Board Order FH-22-06A. **(POWERPOINT AND HANDOUT)**

**Public Appearances:**

Revisions were requested by the Assembly Committee on Natural Resources. No public comment was accepted on this item.

Discussion followed on the legislature's removal of law enforcement's inspection authority for tournament participants.

Tim Andryk, DNR Attorney stated that there is a provision in the rule that states the Department may include permit conditions as necessary to prevent the spread of aquatic invasive species (AIS). The legislature did approve that part of the rule so they did approve the Department's authority to impose conditions on permits to control AIS. In addition, the authorizing legislation 29.403 of the state statutes which was passed four years ago gives the Department a very broad authority to impose conditions on tournament permits. It says "the Department may impose conditions on tournament permits that are in addition to or vary from the requirements of any Department rules." It is the broadest authority the Department has to impose conditions on any of the Department permits. The intent of the legislative committee chaired by Duane Johnsrud was to give the Department broad authority to impose conditions where the Department felt it necessary to protect the resources. The Department has somewhat specifically narrowed down to imposing conditions for the protection of AIS in the rule and believed the Department has authority to add conditions on a permit that authorized us to inspect livewells for the purposes of ensuring compliance with AIS rules.

Discussion continued if this authority applies to fishing violations.

Mr. Andryk stated it may not. He gave as an example that the Department might inspect a livewell to ensure someone is leaving a boat landing with the water emptied from their livewell so they are in compliance with AIS. If the Department finds fish that are beyond the bag limit that they should be possessing, then there is a question as to whether the Department is allowed to prosecute them for having those fish, using our authority to inspect for AIS. There is a case law that says the fruits of inspection that are lawfully obtained can be used. But then if they are not lawfully obtained, the Department cannot prosecute. It does raise an issue.

Discussion continued regarding the AIS rule and if a fishing violation could be thrown out.

Mr. Andryk stated it could be, depending on how the warden handles it. If the law enforcement officer says “wait a minute, what about these fish here. Did you catch these...” and gets additional information which is typically what they would do, then the Department would be able to prosecute. The Department has a tool to get at that.

Discussion continued on writing in an inspection right in the permit conditions and stopping someone without probable cause for violations.

Mr. Andryk stated the Department can put in a condition that allows law enforcement to inspect livewells to check to make sure they are properly functioning. The Department has broad authority to impose conditions on permits. The statute gives the Department authority to impose conditions beyond what rules require. The Department is relying on broad statutory authority imposing condition to inspect that livewell.

Discussion followed on whether a county’s ordinance may be more restrictive than the Department’s ordinances.

Mr. Andryk stated the counties may impose additional requirements, and organizers and participants would have to comply with county ordinance as well. In that case, it would be an additional requirement imposed by the county that they would have to comply with or go to the county and try to get a variance or exception to that ordinance for that tournament.

Discussion followed on culling and complying with state regulations.

Mr. Andryk stated the Department has the authority to write conditions to require sponsors to educate their participants and also tell them that if they are caught violating in that tournament they would be expelled. If the tournament sponsor does not do that, the Department can find them in noncompliance and they would not be eligible for a tournament permit for up to two years. The Department does have authority to address that situation by working with the sponsors and holding them to their responsibility to educate and enforce the regulations.

Discussion continued on again addressing culling as part of a Conservation Congress question and what negotiations took place that resulted in these changes.

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the request for adoption of Board Order FH-22-06A, revised fishing tournament regulations.**

Discussion continued on the Department’s search authority.

**Mr. Welter MOVED, seconded by Dr. Clausen to amend the request for adoption of Board Order FH-22-06A, revised fishing tournament regulations to re-insert inspection authority NR20.40(6)(e) and (f) into the rule.**

Discussion followed on the legislative impact of returning the inspection authority to the rule.

**Pat Henderson**, Deputy Secretary stated that by adding inspection authority back to the rule, it would be rejected and sent to JCRAR. In all likelihood, they would object to the full rule. Discussion followed on the scope of a warden's search and individual waivers.

**Mr. Andryk** stated the Department can add inspection authority as a condition of the tournament permit. It gives the Department authority, we feel, to do so at this point. No written waivers by individual tournament participants are needed. As a permit condition, the Department could require that they allow wardens to inspect livewells. That tournament organizer is required to make sure all the participants know that and if the participants do not comply with that condition, they are required by this rule to either expel them or risk losing the tournament privilege.

Discussion continued on implementing these rules without the amendment.

**The motion to amend the inspection authority failed.**

<b>David Clausen – no</b>	<b>Preston Cole – absent</b>
<b>Jonathan Ela – no</b>	<b>Gary Rohde – no</b>
<b>John Welter – yes</b>	<b>Christine Thomas – no</b>
<b>Jane Wiley – no</b>	

Discussion continued on the dividing line between small and medium tournaments related to the total prize fee.

**Mr. Ela MOVED, seconded by Dr. Thomas approval to amend the request for adoption of Board Order FH-22-06A, revised fishing tournament regulations to reduce the value of total prizes to read at (4)(b)2 "Total prizes provided to tournament participants are valued at less than ~~\$1,000~~ \$500; or." and (4)(c)2 "Total prizes provided to tournament participants are valued at ~~\$1,000~~ \$500 or greater and less than \$10,000."**

**The motion to amend the total prize fee carried.**

<b>David Clausen – yes</b>	<b>Preston Cole – absent</b>
<b>Jonathan Ela – yes</b>	<b>Gary Rohde – yes</b>
<b>John Welter – yes</b>	<b>Christine Thomas – yes</b>
<b>Jane Wiley – yes</b>	

**The original motion with total prize fee amendment carried unanimously.**

3.B.3 Request authorization for public hearing for Board Order ER-08-08, revisions to NR 27 relating to the list of Endangered and Threatened Species

**Sumner Matteson**, Avian Ecologist, Endangered Resources Bureau stated the Department's recovery programs for Trumpeter Swan and Osprey have been very successful. The statewide populations of these two species have increased to the point where they no longer qualify as Endangered or Threatened Species and said the Department would like to hold public hearings on a proposed rule change that would remove these two species from the Endangered and Threatened Species lists in NR 27 Wisconsin Administrative Code. He asked the Board to approve the authorization for public hearing on Board Order ER-08-08. (POWERPOINT)

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the request for authorization for public hearing for Board Order ER-08-08, revisions to NR 27 relating to the list of Endangered and Threatened Species.**

Discussion followed on the Osprey's survival.

**The motion carried unanimously.**

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3.B.4 Request Authorization for public hearing for Board Order FR-15-08, revisions to NR 47, related to the gypsy moth suppression grant program

**Andrea Diss-Torrance**, Gypsy Moth Program Coordinator, Forest Sciences Bureau stated this revision is proposed in response to expected changes in eligibility requirements for the federal grant which provides the cost sharing for this program. She asked the Board to approve the authorization for public hearing on Board Order FR-15-08. **(POWERPOINT)**

**Mr. Welter MOVED, seconded by Dr. Clausen approval of the request for authorization for public hearing for Board Order FR-15-08, revisions to NR 47, related to the gypsy moth suppression grant program. The motion carried unanimously.**

Discussion followed on how the Department is working with the Department of Agriculture, Trade and Consumer Protection (DATCP) on gypsy moth suppression efforts.

3.B.5 Land Acquisition - Kettle Moraine State Forest - Mukwonago River Unit - Waukesha & Walworth Counties

Discussion followed on the "borrowing ahead" process.

**Public Appearances:**

1. **Rebecca Smith**, Middleton, representing The Nature Conservancy stated their support of the acquisition of this property. **(HANDOUT)**
2. **Nancy Russell**, Lake Geneva, representing Walworth County Board as Chair stated that the overwhelming majority of the citizens of Walworth County are strongly in support of the acquisition of this property. **(HANDOUT)**
3. **Michael Cotter**, East Troy, representing Walworth County Land Use and Resource Management spoke in strong support of the acquisition of this property as its highest and best use. **(HANDOUT)**
4. **Bob Welch**, Redgranite, representing Hunters Rights Coalition was not in attendance.
5. **Dale Shaver**, Waukesha, representing Waukesha County Parks and Land Use Department spoke in support of the acquisition of this property.
6. **Greg Kazmeirski**, Delafield, representing Hunters Rights Coalition spoke in support of the acquisition of this property with the understanding this be open to hunting and fishing. **(HANDOUT)**
7. **Al Phelan**, Madison, representing Wisconsin Wildlife Federation spoke in support of the acquisition of this property. He addressed two concerns: 1) He asked that the Waukesha County portion of the property be included for hunting and fishing, and 2) The Department has 1.6 million acres of land, and habitat and restoration work is not what it should be. He requested that the Department include supplementary funding for increased habitat and management to address the backlog on these properties. **(HANDOUT)**
8. **Don Camplin**, North Prairie, representing Waukesha County Conservation Alliance spoke in support of the acquisition of this property and asked that it be open to hunting and fishing.

**Mr. Welter MOVED, seconded by Dr. Clausen adoption of the Land Acquisition - Kettle Moraine State Forest - Mukwonago River Unit - Waukesha & Walworth Counties. The motion carried unanimously.**

Discussion followed on if there was any opposition to hunting and fishing on this property.

**Mr. Henderson** thanked Mr. Steffes and staff for their achievement in getting this done.

- 3.B.6 Land Acquisition - Statewide Natural Areas, Statewide Public Access, Brule River State Forest, Turtle Flambeau Scenic Waters Area & Willow Flowage Scenic Waters Areas - Langlade, Forest, Florence, Douglas, Iron & Oneida Counties

**Richard Steffes**, Real Estate Director requested the Board modify the recommendation by pulling out the 80 acre acquisition at Brule River State Forest, Douglas County.

**Dr. Clausen MOVED, seconded by Mr. Welter approval of the Land Acquisition - Statewide Natural Areas, Statewide Public Access, ~~Brule River State Forest~~, Turtle Flambeau Scenic Waters Area & Willow Flowage Scenic Waters Areas - Langlade, Forest, Florence, ~~Douglas~~, Iron & Oneida Counties with amendment to remove the Brule River State Forest acquisition. The motion as amended carried unanimously.**

- 3.B.7 Easement Acquisition & Partial Donation - Forest Legacy Project - Washington County

**Public Appearances:**

1. **Angie Curtes**, West Bend, representing Mid-Kettle Moraine Partners Group stated their overwhelming support for approval of this item and that preservation of the Beeler property marks a momentous opportunity for the state to implement the purpose of the Forest Legacy grant approved in 2004. Its protection, through conservation easement, will formalize this project, which has benefited from extensive partnerships with landowners, local governments, organizations, and the state and federal governments. (HANDOUT)

**Mr. Welter MOVED, seconded by Ms. Wiley approval of the Easement Acquisition & Partial Donation - Forest Legacy Project - Washington County and to include the Beeler property in the project boundary. The motion carried unanimously.**

- 3.B.8 Land and Easement Acquisition - Lower Wisconsin State Riverway - Crawford County

**Mr. Ela** asked if this property should be included within the project boundary.

**Mr. Ela MOVED, seconded by Mr. Welter approval of the Land and Easement Acquisition - Lower Wisconsin State Riverway - Crawford County and to include the Miller property in the project boundary. The motion carried unanimously.**

- 3.B.9 Land Acquisition – Lower Wisconsin State Riverway – Richland County

**Mr. Ela MOVED, seconded by Dr. Clausen approval of the Land Acquisition – Lower Wisconsin State Riverway – Richland County. The motion carried unanimously.**

- 3.B.10 Land Acquisition & Donation - Snow Bottom State Natural Area - Grant County

**Dr. Clausen MOVED, seconded by Dr. Thomas approval of the Land Acquisition & Donation - Snow Bottom State Natural Area - Grant County. The motion carried unanimously.**

- 3.B.11 Land Acquisition & Project Boundary Modification - Pershing Wildlife Area - Taylor County

**Mr. Welter MOVED, seconded by Mr. Ela approval of the Land Acquisition & Project Boundary Modification - Pershing Wildlife Area - Taylor County. The motion carried unanimously.**

**Dr. Thomas** continued with Agenda Items 5, 6, and 7.

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5. Board Members' Matters
- 5.A. Approval of the 2009 NRB Meeting Dates

Discussion followed on the July and October meeting dates.

**Mr. Welter** requested October meeting be moved up one week.

**Dr. Thomas** requested the July meeting be removed from the 2009 calendar.

**Mr. Welter MOVED, seconded by Dr. Thomas approval of the 2009 NRB Meeting Dates with the following amendments: move the October meeting to October 20-21, 2009 and to remove the July meeting date. The motion carried unanimously.**

Discussion continued on reducing the out-state meetings from six locations to five.

**Mr. Welter** urged wildlife and fisheries staff to work on obtaining funds as soon as available through the Open Fields Initiative of the 2008 Farm Bill, and asked staff report back to the Board in December on the status of the program.

**Dr. Thomas** requested that 1) Forestry staff organize a Board briefing and tour on Emerald Ash Borer, 2) Lands staff organize a briefing and tour on Prairie Chicken management manipulations, and 3) staff look into the reimbursement and approval process for a Board member to participate in DATCP's Land Use Study Tour to Eastern States.

6. Special Committees' Reports  
None
7. Department Secretary's Matters

**Mr. Henderson** briefed the Board on Emerald Ash Borer and stated that an informational tour will be set up by the Department.

- 7.A. Retirement Resolutions
- 7.A.1 Lee B. Liebenstein
- 7.A.2 Larry J. Schaefer
- 7.A.3. Charles Fitzgerald

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

- 7.B. Donations
- 7.B.1 The National Wild Turkey Federation will donate \$5,320.00 to the Bureau of Wildlife Management to develop wild turkey nesting and brood rearing habitat in Langlade County

**Mr. Welter MOVED, seconded by Mr. Ela approval of the National Wild Turkey Federation donation of \$5,320.00 to the Bureau of Wildlife Management to develop wild turkey nesting and brood rearing habitat in Langlade County. The motion carried unanimously.**

- 7.B.2 The Andrew F. Bell and Edith M. Bell Charitable Trust will donate \$47,207.50, with \$23,603.75 going to the Endangered Resources Fund and \$23,603.75 to the Wildlife Management Wetland Program

**Dr. Clausen MOVED, seconded by Mr. Ela approval of the Andrew F. Bell and Edith M. Bell Charitable Trust donation of \$47,207.50, with \$23,603.75 going to the Endangered Resources Fund and \$23,603.75 to the Wildlife Management Wetland Program. The motion carried unanimously.**

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- 7.B.3 Terry and Mary Kohler will donate \$5,000 in support of the Wisconsin Trumpeter Swan Program

**Mr. Welter MOVED, seconded by Dr. Thomas approval of the Terry and Mary Kohler donation of \$5,000 in support of the Wisconsin Trumpeter Swan Program. The motion carried unanimously.**

- 7.B.4 Whitetails Unlimited will donate \$8,000.00 to the Bureau of Wildlife Management for maintenance of hunter walking trails at Hay Creek/Hoffman Lake Wildlife Area

**Mr. Rohde MOVED, seconded by Dr. Clausen approval of the Whitetails Unlimited donation of \$8,000.00 to the Bureau of Wildlife Management for maintenance of hunter walking trails at Hay Creek/Hoffman Lake Wildlife Area. The motion carried unanimously.**

**Dr. Thomas** adjourned the meeting at 12:15 p.m. for lunch.

4. Citizen Participation – 1:00 p.m.

- 4.A. Citizen Participation

**Public Appearances:**

1. **Senator Dale Schultz**, Senate District 17 Topic: Critical Habitat designation for Lake Redstone. Senator Schultz was not in attendance.
2. **Representative Sheryl Albers**, 50<sup>th</sup> Assembly District Topic: Critical Habitat designation for Lake Redstone. She stated her concerns that there is no appeals process to change designation for Critical Habitat and that there is no designation between sensitive and critical habitats. She is not certain that the Department has authority to be involved in land use planning. She added that before the Department implements this process, the Department and the public need to understand the process and its impacts. **(HANDOUT)**
3. **Guy Neau**, LaValle, representing self Topic: Critical Habitat designation for Lake Redstone. He stated he is opposed to the designation of critical habitat for Lake Redstone and that residents should have the right of appeal.
4. **Jim Mercier**, LaValle, representing self Topic: Critical Habitat designation for Lake Redstone. He stated he does not support the DNR's designation of critical habitat for Lake Redstone and requested further clarification of critical habitat.
5. **Nick Ladas**, LaValle, representing self Topic: Critical Habitat designation for Lake Redstone. He stated they want to preserve and protect this lake for future generations. He does not support the Department's designation change for Lake Redstone from sensitive to critical habitat. He asked the Board to change the designation back to sensitive.
6. **Troy Pauls**, Oregon, representing self Topic: Critical Habitat designation for Lake Redstone in Sauk County. He spoke in opposition to the designation change from sensitive to critical habitat. **(HANDOUT)**  
  
Discussion followed on the definition of sensitive and critical.
7. **Representative Sheryl Albers**, 50<sup>th</sup> Assembly District Topic: Possible land exchange with DNR. Representative Albers spoke on behalf of Kevin Isenring. She briefed the Board on her following concerns: DNR records presently missing from files; false information conveyed among staff; failure to act in a timely manner; failure to relay critical information; and failure to obtain necessary information. **(HANDOUT)**
8. **Kevin Isenring**, Sauk City, representing self Topic: Possible land exchange with DNR. He stated that he does not have access to his property unless he goes up the bluff. A better

solution is to trade a three acre parcel for some property of equal value at the bottom of the hill which he feels would clear up this land dispute. He asked for better behavior towards him from the Department and asked for the Board's support on this item.

**Rep. Albers** stated Dick Steffes, Real Estate Director, contacted her office last Friday to meet at the property. She stated that people need to step cautiously when doing land transactions. She tried to get this going last year and met with Secretary Matt Frank and Paul Heinen. She did not receive a response from the Department until one year later. Non-responsiveness does not get us anywhere. She said it is important for the Department to work with neighboring landowners. Since this could be costly litigation in court, she asked for a fairly prompt response.

9. **Angie Wright**, Platteville, representing Southwest Badger Resource Conservation and Development Council (RC&D) **Topic:** Belmont-Platteville Trail Project. She stated that progress on this trail has stalled. She encouraged the Department to work with trail partners to complete this trail and to include future maintenance.
10. **April Baker**, Platteville, representing Southwest Wisconsin Cyclists **Topic:** Belmont-Platteville Trail Project. She stated 384 people signed a petition in support of the completion of this Trail; 25 of those were anonymous. She requested the Department complete this trail which is important to their area.
11. **Tom Antczak**, Platteville, representing self **Topic:** Belmont-Platteville Trail Project. He stated he would like to see this trail completed. He asked the Board to not only accommodate ATV's but to also promote the concepts of physical fitness and health.

**Dr. Thomas** stated that the Board's mode of operation is to listen and to sometimes work behind the scenes get things moving. In this case, the Department would like to make a response.

**Lloyd Eagan**, South Central Regional Director thanked everyone who testified. She stated that completion of the trail is important to the Department and that there is money set aside in state funds that will be used. At issue here is that the Department has to work with Lafayette County and Grant County. The Lafayette County Chair has agreed to meet, continue dialogue, and start working on this trail. Sometimes getting trails put together seems to take longer than it should.

Discussion continued on the allocation of grant money, timeline, and future issues as to the operation of the trail and maintenance.

**Pat Henderson** stated the Department will continue to work on resolving issues with LaFayette and Grant counties regarding the Belmont-Platteville Trail.

12. **Bob Welch**, Redgranite, representing Hunters Rights Coalition **Topic:** Road closures in WI's national forest as proposed by the U.S. Forest Service in their Travel Management Plan. He stated they are asking the Board to support Alternative 1, which is in effect the no action option. They do not object to a road by road analysis which would result in the closing of some forest roads. This analysis has not been done and there is no alternative presented to accomplish this result. **(HANDOUT)**

Discussion followed on the rationale for the road closings.

**Pat Henderson** stated that in 2004 the Department sent in comments to the U.S. Forest Service that they should be looking at protecting environmentally sensitive areas and suggested broad parameters the Forest Service might use in making determinations. They are working with Northern region staff and are looking at the impact of these closures.

13. **Greg Kazmeirski**, Delafield, representing Hunters Rights Coalition Topic: Road closures in WI's national forest as proposed by the U.S. Forest Service in their Travel Management Plan. He stated that there could be scientific implications on deer counts by closing these roads. He asked the Board to take a stand on alternative 1 of the Plan.
14. **Al Phelan**, Madison, representing Wisconsin Wildlife Federation and the Wisconsin Conservation Congress Topic: Chequamegon-Nicolet National Forest Travel Management Plan. He stated they would like to have the Board formally call on the U.S. Forest Service to have additional public input and to post roads that are slated to be closed in the future so the public knows the extent of this plan. He talked about the difficulty in the retention of hunters and stated taking out access roads is a step in the wrong direction.
15. **Bill Howe**, Crawford County representing self Topic: Mississippi River. He stated the Mississippi River is a tremendous resource and that we need to do everything we can to protect it.

**Mr. Ela** thanked Mr. Howe for his work over the years.

**Dr. Thomas** requested the Board be briefed in closed session with the outcome of the Isenring land transaction issue.

**Mr. Rohde** requested the Board receive from staff additional information related to the reasons for the U.S. Forest Service road closures, its impacts, and background information.

8. Information Items

8.A. Air, Waste, and Water/Enforcement

8.A.1 Update on June flooding

**Todd Ambs, Water Administrator and Susan Crawford, Law Enforcement and Science Administrator** jointly briefed the Board on the department's response to the catastrophic flooding that occurred across the southern half of the state in June. The department's response involved hundreds of Department staff from every region and program area and coordination with state departments, federal agencies, and the private sector. (POWERPOINT)

**INFORMATION ITEM – NO ACTION WAS TAKEN**

Discussion followed on staff hours and the rate of FEMA reimbursement, and how the Department is working with DOT to help rebuild.

8.B. Land Management, Recreation, and Fisheries/Wildlife

8.B.1 Annual Update on Wisconsin Wolf Management Plan

**Adrian Wydeven, Conservation Biologist, Endangered Resources Bureau** briefed the Board on the annual review of the Wolf Plan including the status of the wolf population including the results of the 2007-2008 winter survey, depredation management, and status of the lawsuit against the U.S. Fish and Wildlife Service action to delist the wolf in a population segment that includes Wisconsin. He also addressed the Conservation Congress's request to the Board to include "Appendix J" to the Wisconsin Wolf Management Plan. He then stated a new review of the Plan that should come before the Board in June 2009 will include new draft goals and objectives along with framework for potential wolf harvest. (POWERPOINT)

**Professor Tim Van Deelen, UW-Madison** stated that he has been developing a statistical model for projecting growth of the Wisconsin wolf population. He presented the results of his assessment of a sustained yield model which suggested that the equilibrium population for the state may be higher than previously suggested and that a higher more stable management goal may be desirable. (POWERPOINT)

**INFORMATION ITEM – NO ACTION WAS TAKEN**

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Discussion followed on the Wildlife Service Permits and the permitting process, removal of problem wolves, wolf-dog hybrids, and harvest implications.

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

\*\*\*The meeting adjourned at 3:50 p.m.\*\*\*

**NOTE: Each Natural Resources Board meeting is recorded. Tapes of each meeting are available for purchase by contacting the Natural Resources Board at 608-267-7420. The following resources are also available: Agenda Item Packets (green sheets), supporting documents, and public comment.**