

**NATURAL RESOURCES BOARD**

**MINUTES**

A special meeting of the Natural Resources Board was scheduled for Tuesday, April 21, 2009 at the Washington County Fair Park, Ziegler Family Expo Center, West Bend, Wisconsin. The special meeting was cancelled.

**ORDER OF BUSINESS**

1. Organizational Matters
- 1.A. Calling the roll
- 1.B. Approval of amended agenda for April 21-22, 2009
2. Citizen Participation – Moved from 1:00 p.m. timeslot on Wednesday, April 22, 2009
- 2.A. Citizen Participation

The regular meeting of the Natural Resources Board was held on Wednesday, April 22, 2009 at the Washington County Fair Park, Ziegler Family Expo Center, West Bend, Wisconsin. The meeting was called to order at 8:35 a.m. for action on items 1-7. The meeting adjourned at 4:05 p.m.

**ORDER OF BUSINESS**

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

David Clausen – present	Preston Cole – present
Jonathan Ela – present	Gary Rohde – present
John Welter – present	Christine Thomas – present
Jane Wiley – present	

- 1.B. Approval of minutes from March 25, 2009, 2009

**Mr. Ela MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.**

- 1.C. Welcome by Washington County  
**Dan Stoffel**, First Vice-Chair of the County Board welcomed the Board and Department to Washington County. He asked all in attendance to take the opportunity to browse around the fair park and then to come back at one's leisure to enjoy their county.

**Dr. Thomas** stated that the Board tries to travel to the different regions each summer. She thanked Mr. Stoffel for welcoming them to Washington County. She could not attend the tour on Tuesday and asked for Board member input.

**Mr. Ela** stated the tours were meticulously planned and thanked Southeast regional staff for putting this together. Mother Nature did not cooperate: the trail hikes were cut short due to a rainy and blustery day.

- 1.D. Approval of amended agenda for April 22, 2009

**Ms. Wiley MOVED approval, seconded by Mr. Cole. The motion carried unanimously.**

2. Ratification of Acts of the Department Secretary
- 2.A. Real Estate Transactions

**Dr. Clausen MOVED approval, seconded by Mr. Ela. The motion carried unanimously.**

3. Action Items
- 3.A. Air, Waste, and Water/Enforcement
- 3.A.1 Request Adoption of Board Order AM-20-08, proposed rules affecting NR 428 pertaining to modification of Reasonably Available Control Technology for NOx sources  
**Larry Bruss**, Regional Pollutant and Mobile Source Section Chief stated that the RACT rules were submitted to US EPA for approval as part of Wisconsin's State Implementation Plan (SIP) for ozone control. EPA has raised concerns about the use of the term "potential to emit" (PTE) for purposes of identifying major sources subject to NOx RACT. The term PTE is not consistent with EPA's criteria for approving RACT rules, is not consistent with the state's VOC RACT rules, nor is it consistent with the NOx RACT rule's original intent. For these reasons, the Department is proposing to define and use the term "maximum theoretical emissions" (MTE) in determining major sources subject to NOx RACT requirements.

In addition, a number of non-substantive revisions are being proposed to address issues identified by the Department and affected sources during implementation of the rules in ch. NR 428. He requested the Board approve Board Order AM-20-08.

Discussion followed on existing sources in categories such as animal food processing and public comment.

**Mr. Ela MOVED approval, seconded by Mr. Cole. The motion carried unanimously.**

- 3.A.2 ~~Request Adoption of Board Order WT 36-07, revisions to NR 102 and NR 106 relating to water quality standards for heat and associated procedures for the calculation of point source effluent limitations~~ DELETED Moved to May 27 agenda
- 3.B. Land Management, Recreation, and Fisheries/Wildlife
- 3.B.1 Request Adoption of Board Order IS-34-06, creating ch. NR 40 relating to the identification, classification, and control of invasive species Note: Moved from March 2009 Agenda.  
**Kelly Kearns**, Plant Conservation Program Manager stated that the proposed rule establishes a consistent, science-based classification and regulatory system for all listed invasive species. The rule sets specific restrictions on actions such as possession, sale, transportation and introduction of listed invasive species. It will allow the Department to work with local units of government, state or federal agencies, land managers and landowners to quickly contain new infestations of prohibited species likely to become problematic. It does not require the control of restricted species, those already widespread. The rule also includes specific measures to prevent the spread of aquatic invasive species. She requested the Board approve Board Order IS-34-06.

Discussion followed on why the treatment of vertebrates changed, captive cervids and the potential for escape, prohibited and restricted species, concerns for managed forest law lands, education/ outreach and how it will be funded, reasoning as to why the "indeterminate" box was checked on the Fiscal Estimate, how pervasive the restricted species are in Wisconsin, process of developing list of prohibited or restricted species, and concern that controversial species are left off list.

**Public Appearances:**

1. **Peter Murray**, Baraboo, representing the WI Council on Invasive Species stated their strong support for this proposed rule and recognized the work of the council, department, and partners. He stated that more than 60-70 people that worked on this were all volunteers. He noted that June is Wisconsin's Fifth Annual Invasive Species Awareness Month and asked the Board to visit the website [www.invasivespecies.wi.gov](http://www.invasivespecies.wi.gov). (HANDOUT)

2. **Jane Severt**, Merrill, representing WI County Forest Association stated their support for this proposed rule. Their comments have been listened to and changes have been made in the rule. This has been a very open process. It is very important to have a rule like this in place.

Discussion followed on whether there were any problem species in Lincoln County that she thought should be on the list.

**Mr. Cole** noted that Ms. Severt was treated unfairly during her testimony before the joint meeting of the senate and assembly wildlife committees during the deer item last week. He appreciated her testimony.

3. **Tami Jackson**, Columbus, representing WI Association of Lakes stated the proposed rule provides a necessary framework to better direct management efforts. However, they had three concerns: 1) It did not contain a mechanism to incorporate additional invasive species that met the Department's criterion, move an invasive from one classification to another, or move a caution list species into a classification into NR 40 without a formal rule revision; 2) Two common vectors for transportation of invasive species – sediment and transfer of water from one water body to another – were not addressed; and 3) Whether certain groups of organisms (monera, protista, viruses, phytoplasma, mycoplasma-like organisms, and prions) were included within the rule. **(HANDOUT)**
4. **Mark Kirschling** spoke on behalf of Scott Koerner, Oshkosh, representing Great Lakes Timber Professionals Assoc. He stated their concerns: 1) BMP's were developed as a voluntary program; however, rule states reasonable precautions which include BMP's. Voluntary is now mandatory; 2) The Department has determine whether reasonable precautions are being taken. His experience is that there are good staff and others that have questionable motivations; and 3) Economic impacts of this rule. Emerald Ash Borer (EAB) quarantine has cost him \$10,000 and lost him three markets for his product. He also has concern this rule could be requiring movement of product within a quarantine area only would not be practical.
5. **Dave Robinson**, Genoa City, representing Robinson Wholesale. He stated they are in the business of moving fish around. He supports NR 40. The process of this rule making was well done.

However, he is opposed to having Gambusia (Mosquitofish) placed on the prohibited species list. He stated these fish are a non-injurious/incidental species and feels putting this species on list is only going to place companies like his in legal jeopardy. It is hard to avoid not having that species on truck when trucking from out-of-state. They are not present in WI because they can't live here since it is too cold and will not survive a WI winter. This documentation goes back to 1941. He asked that Gambusia be placed on the invasive species caution list. He feels this is an unnecessary regulation at this point in time.

Discussion followed on proposed Department actions related to Gambusia and Prohibited Species on page 22 of the order and how staff would interpret rule during a routine stop of transport vehicle.

6. **Eugene Roark**, Madison, representing Woodland Owners Association (WOA) and Invasive Plants Association of Wisconsin stated WOA members are affected by and interested in invasive species. They support adoption of this proposed rule and outreach is terribly important. On behalf of the Invasive Plants Association of Wisconsin, they have long supported rules to limit introduction and sale of invasives. The rule process was balanced, inclusive, and fair. NR 40 is an acceptable compromise.

**Mr. Rohde** asked department staff to respond to Mr. Robinson's concerns on Mosquito Fish.

**Bill Horns**, Great Lakes Fisheries Coordinator stated this proposed rule does not affect existing businesses who have acceptable practices. Mr. Robinson had pointed out the element of interpretation. The Department knows they come into the state in the way he described and does not want to change the current process and will work with industry to help minimize risk and control fish brought in inadvertently. This is a serious threat and hears it from biologists and scientists. A study from Michigan shows negative effects and a warming climate would enable these fish to move. They are in the top 1,000 of the worlds worst invasive species. Mosquito fish is a threat if it becomes established. The rule is trying to mitigate risk. The need is to list as Prohibited and work on Best Management Practices. He noted that the aquarium industry is directly affected since they deliberately bring in listed species.

**Ms. Wiley MOVED approval, seconded by Dr. Clausen.**

**Mr. Ela MOVED to amend section NR 40.045 (5) on page 26, as follows: The identification and classification under sub. (1) of an additional species as an invasive species in the prohibited category terminates 2 years after the emergency order is issued under sub. (2), when the emergency order issued under sub. (2) is withdrawn by the department, or when a permanent rule takes effect adding the species to this chapter, whichever occurs first.**

**Ms. Wiley and Dr. Clausen accepted as a friendly amendment.**

**Mr. Ela MOVED to amend ch. NR 40 by adding a new s. NR 40.09 to the chapter on page 38, as follows: NR 40.09 Interagency coordination. This chapter does not affect the authority of DATCP under chs. 93, 94, 95, and 97, Stats. The action of the department under this chapter shall be coordinated with DATCP. The secretaries of the department and DATCP shall execute a memorandum of agreement to enable coordination of invasive species work of their departments.**

**Ms. Wiley and Dr. Clausen accepted as a friendly amendment.**

**Mr. Ela** requested a 6 month progress report on how this rule is being implemented, what the next steps are, and further development of future species on the restricted list.

Discussion continued on the process of the development, approval, and enforcement concerns of the BMP's, and Department outreach and training.

**Secretary Frank** stated that most of the work has gone into the classification system itself. Wisconsin is the first state in the U.S. that has tried this. Future efforts will be focused on priorities. The Department is not prepared today to bring a rule that would say exactly what you can or can not do with species. The hope is to have framework in place to work from. A strong emphasis is to work with partners to come up with better ways to protect the state from invasives. This is an important first step.

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

3.B.2 Land Acquisition - Statewide Natural Area Program – Sugar Camp Hemlocks - Oneida County  
Note: Deferred from February 25 meeting.

**Mr. Ela MOVED approval, seconded by Mr. Welter. The motion carried unanimously.**

3.B.3 Land Acquisition & Donation - White River Fishery Area - Bayfield County

**Dr. Clausen MOVED approval, seconded by Mr. Welter. The motion carried unanimously.**

3.B.4 Request Approval of Department recommendations for the 2009 deer hunting season structure and antlerless deer quotas

**Keith Warnke**, Big Game Biologist stated the deer harvest was down in 2008 as it was in neighboring states. While the department underestimated the impact of the winter on fawn production, especially in the north, statewide Wisconsin still had one of the largest harvests in the nation. Deer population goals are established to ensure a healthy deer herd and habitat for the long term, ensuring the preservation of our great hunting traditions for future generations. Our population goals are also designed to protect the long-term vitality and economic viability of our forests and our agriculture lands.

For 2009, the department recommends a regular deer season framework for 62 units, a herd control season for 50 units, and an Earn-A-Buck (EAB) season for CWD units only. It is critical that we not abandon our long-term goal to reduce the deer herd where the herd size outstrips its habitat, cannot be sustained for future hunters and harms agricultural crops and forests. During the moratorium on CWD, harvest and populations data will continue to be analyzed. Additional data will be gathered and options for achieving population goals will be evaluated for the 2010 deer hunt. He requested the Board approve the 2009 deer hunting season structure and antlerless deer quotas.

Discussion followed on harvest recommendations and harvest and testing results in CWD Management Zone.

**Dr. Thomas** requested staff include in their May or June CWD presentation to the Board, information on the percentage of core area prevalence rates.

Discussion followed on the population goals process, the general trend with herd control regulation in units where populations are over goal, population goals in deer management units adjacent to present CWD units, and whether the Department is searching for a replacement mechanism to EAB.

**Public Appearances:**

1. **Senator Jim Holperin**, Conover, 12<sup>th</sup> Senate District was not in attendance. A joint letter from Senator Holperin and Representative Hraychuck was distributed to the Board. **(HANDOUT)**
2. **Representative Ann Hraychuck**, Balsam Lake, 28<sup>th</sup> Assembly District was not in attendance. (Please see Holperin/Hraychuck handout)
3. **Ed Harvey**, Waldo, Representing WI Conservation Congress (WCC) as Chair stated the Department needs to seek out alternatives to earn-a-buck and ways to soften any new herd reduction alternatives. The public has let us know they view this as a punitive measure. We need to use the upcoming year for this work. WCC is committed to do this. He noted that it is extremely important that Sex-Age-Kill be maintained just as one would maintain any other tool or piece of equipment. **(HANDOUT)**

NOTE: In accordance with s. 15.348, Wis. Stats., the Wisconsin Conservation Congress shall serve in an advisory capacity to the Natural Resources Board on all matters under the jurisdiction of the Board, and therefore is uniquely granted the permission to address the Board with no time restriction.

4. **Jane Severt**, Merrill, Representing WI County Forest Association stated their concern the deer herd is having on their timber harvests. They support the efforts of the Department to bring deer herd numbers down to established goals. In order to achieve this population reduction, all effective tools for population control must be available to natural resources professionals. They applaud the position of the Natural Resources Board supporting a statewide ban on baiting and feeding of deer and believe this would put an end to the artificial increase in the productivity of Wisconsin's deer herd. **(HANDOUT)**

Discussion continued on the commercialization and privatization of the deer herd and the impact of exclosures on forest regeneration.

**Dr. Thomas** requested the Board tour a deer exclosure during one of their planned regional meetings this year in order to view the impact of deer herbivory on forest regeneration.

5. **Mary Jean Huston**, Madison, representing Council on Forestry stated that deer herbivory is causing ecological and economic losses in commercial forests by affecting tree growth, species composition and age class diversity, and is threatening the sustainability of forest management. Wisconsin's deer management goals must include maintaining our forests as economic and ecological assets. In managing our natural resources, we need to use the necessary tools to keep the deer herd at or very near the goals. The council supports the efforts of the Department to bring Wisconsin's deer herd management units down to goal. **(HANDOUT)**

Discussion followed on whether the financial impact of deer herbivory was known.

6. **Shirley or Roger Seymer**, Oakfield, were not in attendance but sent the following statement: The deer herd has been reduced sufficiently and the earn-a-buck policy should be eliminated permanently. What few deer are left in the less populated areas of the state will be kept that way by nature: wolves and coyotes. As for the urban areas that have been developed for human housing at the expense of deer habitat, allow experienced bow hunters to thin the deer herd in those areas. That will be safer than guns for the populace.
7. **Sarah Johnson**, Madison, representing self. She urged the Board to strongly consider the ecosystem-level consequences of sustained large deer herd numbers and to not relax management efforts in areas of the state where population numbers are at or above the population goals set by the Department. She distributed and discussed her research report titled *Threats Posed by Ungulate Herbivory to Forest Structure and Plant Diversity in the Upper Great Lakes Region and a Review of Methods to Assess Those Threats*. **(HANDOUT)**

Discussion continued on the accumulated effects of overpopulation and deer exclosures.

8. **Larry Gohlke**, Neshkoro, representing self. He requested the Board continue with EAB and to stop the baiting and feeding of deer. He stated the common theme at the legislative hearings had been that hunters did not see enough deer and want more deer. They also want a traditional season yet they wait by their bait pile and will not cross a 40 acre field to shoot at a deer.
9. **George Meyer**, Madison, representing Wisconsin Wildlife Federation requested that 1) the Department indefinitely suspend the use of EAB as a deer management tool in non-CWD units, and over the next two years, in a highly intensive unit-by-unit process; 2) revise the over-winter goals for deer management units, especially the farm land units, and 3) revise the criteria for the use of EAB in a manner that does not require it to be used as a mandatory deer management goal. Deer management must be a careful blend of the ecological, the economic, and the social. Currently, it is their belief that deer management is out of balance. **(HANDOUT)**

Discussion followed on the loss of labor and money in timber lots due to deer herbivory, and the DNR's statewide overall population goal.

10. **Greg Kazmierski**, Waukesha, representing Hunters Rights Coalition and Safari Club International applauded the Department for recommending a one year moratorium on EAB. However, they need goals that make sense, a population system that works and most importantly, buy-in by hunters and landowners for whatever herd control is perhaps needed. They request the Department recommend alternative rules that eliminate EAB and

October hunts as was once again supported in all 72 counties at this years Spring Hearings. They are motivated to assist the Department in coming up with a good solution.  
**(HANDOUT)**

11. **Chuck Pils**, Madison, WI Chapter of the Wildlife Society formally supports the Department's recommendations and requests the Board resist requests to increase population goals.
12. **Eugene Roark**, Madison, representing Woodland Owners Association. He stated that deer and invasives are detrimental to their members. Most woodlots have been affected by deer. He personally has spent thousands of dollars planting trees and installing fences to withstand browsing from deer. The WOA board passed a resolution to support management of WI's deer herd by professionals and keeping forest health and biodiversity in mind. This should be free of excessive political intervention which may be in the offing before too long. They support recommendations of the Department and that the people making these recommendations are competent and have the needs of the state in mind.

Discussion continued on crop damage reimbursement.

13. **Jim Rennemann**, Town of Fremont, representing self stated there is not the amount of deer out there that the Department says there is. Why does the Department require hunters kill a young doe before they can kill a buck? He requested EAB be stopped permanently. They are sick of it. There is not a doe to shoot due to overharvesting. Let hunters make the choice.
14. **Professor Tim Van Deelen**, University of Wisconsin-Madison stated he teaches population dynamics. His concern is that wildlife managers and deer hunters are overreacting to a disappointing 2008 deer harvest and that this overreaction will result in a diminishment of the role of science-based management and its tools. Deer hunters and wildlife managers have been arguing over deer management since the 1940s when Aldo Leopold himself was criticized and ridiculed for his advocacy of enhanced antlerless hunting. He referred to Leopold's experiences during the early deer controversies in his essay *The Land Ethic*.

He stated 1) the decline in the harvest in 2008 is minor relative to historical deer harvests and may be part of a larger regional phenomenon; 2) The goal densities for Wisconsin DMUs reflect rigorous deliberation about the social, ecological, and economic carrying capacities for deer; 3) There is no population control for deer without adequate harvest of antlerless deer; and 4) The dynamic interactions of deer biology, deer hunter behavior, and the ecological conditions in Wisconsin create an astonishingly complex system.

He then gave an overview of Sex-Age-Kill (SAK), work on Lambda, and more research on buck and recovery rate.

Discussion followed on winter mortality, controversy from counting deer, feasible recommendations, and cultural views on baiting and feeding.

**Ms. Wiley MOVED approval, seconded by Mr. Ela.**

Discussion followed on concern of losing EAB by taking this action, if there are other effective tools available, new report that CWD positive deer was taken near a bordering unit (Welter HANDOUT – map), and concern that CWD will spread into bordering management units.

**Mr. Welter MOVED to amend, seconded by Mr. Cole to include units 68A, 73B, 73D, 74B, and 77C as Earn-a-Buck units for the 2009 season.**

Discussion followed on CWD concerns and that political opposition prevented dramatic regulatory action when CWD was first diagnosed in Wisconsin.

**Mr. Hauge**, Wildlife Management Bureau Director asked that the CWD issue be addressed at the June meeting so it can be properly noticed.

**Tim Andryk**, Staff Attorney, stated that if this was adequately noticed, the Board could amend the Secretary's Orders next month or in June during the CWD Management plan agenda item. This is a timing issue.

Discussion continued on planning for the 2009 season, arbitrarily expanding CWD unit boundaries, publication logistics of the hunting regulations pamphlet, the process for expanding CWD zone boundary should CWD be found outside of CWD zone, concern the April 21 letter from legislators did not have information relative to the new development in CWD, and the need to reduce deer numbers

**Mr. Andryk** stated the Board can expand the CWD zone by rule as set in Administrative Code. This cannot be done without a rule change. He advised this come before the Board in June during the CWD item.

Discussion continued on how a June item would not affect the 2009 deer hunting seasons and if this could meet emergency rule criteria.

**Secretary Frank** stated that he does not speak for the legislature but there has been a lot of communication going back and forth on this. The legislature ultimately crafts laws that the Department is bound to execute. He pointed out that there are some in the legislature and others that would get rid of EAB in the entire state. If the Board takes action to keep EAB in CWD zone, there would be no huge response to that in the legislature. However, there is an issue of EAB being used outside of the CWD zone. The legislature is waiting and watching very carefully how the Board handles this. It would be a bad precedent to have the legislature regulate EAB.

Discussion continued on how legislative action could be a detriment to deer policy within the state, that Board decisions need to have science and biology in mind, and Department and Board response to public outcry.

**Dr. Clausen** requested the Department commit to additional CWD testing in the units bordering the CWD zones.

**Secretary Frank** stated testing efforts in CWD bordering zones could be redoubled going into this season. When you make those decisions, there would be more public acceptance with evidence, especially in those border areas.

**Dr. Clausen** requested the Department test car kills for CWD in the units bordering the CWD zones.

**The motion to amend to add 5 DMUs as EAB units failed in a roll call vote of 3-4.**

<b>David Clausen – yes</b>	<b>Preston Cole – yes</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>	

**The original motion to approve the Department's recommendations passed in a roll call vote of 6-1.**

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

Discussion followed on the legislative hearing last week.

**Ms. Wiley MOVED approval, seconded by Mr. Ela of a Resolution to indefinitely suspend the use of Earn-a-buck.**

Discussion continued on the definition of *indefinitely* and the need to form a special committee to develop alternative tools for EAB.

**Mr. Welter MOVED approval, seconded by Dr. Clausen of a substitute Resolution to Form a Special Study Committee to develop recommendations for alternatives to Earn-a-buck which will be effective in controlling the deer herd.**

Discussion continued on comparing both resolutions.

**Mr. Ela MOVED to amend the fourth paragraph of Welter's Resolution as follows: WHEREAS, the Natural Resources Board has approved a 2009 deer season structure which includes no EAB units in the areas outside of existing CWD units; and,**

**Mr. Welter and Dr. Clausen accepted as a friendly amendment.**

Discussion continued on comparing resolutions, the need to send a strong message that the Board is working on this in good faith with the legislature, and indefinitely suspending EAB.

Secretary Frank stated the Department needs time to explore alternatives to EAB. This is what people want.

Discussion followed on the concern of indefinitely suspending EAB.

Secretary Frank stated indefinitely suspending EAB does not make it permanent. It shows the Department is serious and committed in looking for an alternative.

Discussion continued on the wording of both resolutions and the voting process for both.

**Dr. Thomas MOVED to amend Welter's Resolution, seconded by Dr. Clausen to add the following after the last paragraph: AND FURTHER BE IT RESOLVED, NRB suspends EAB until the Special Study Committee's report is presented before the Board.**

Discussion continued on the possibility of bringing back EAB irrespective of the findings and if a special study committee is coming out of left-field to surprise the staff.

Secretary Frank stated that the make-up of a special study committee, if directed by the NRB, it would be prescriptive. His concern is that when we leave this room, all organizations and legislators may want input on what this looks like. Committee set up is a big deal since people want input. We are really dealing with a delicate situation.

Discussion continued on sending a signal that the Board and Department is serious (Wiley Resolution), the need to set up a process (Welter Resolution), who would be responsible for committee recommendations, taking out the word *indefinitely* from the Wiley Resolution, and if both resolutions could be combined.

**Mr. Ela MOVED to amend, seconded by Mr. Cole the last paragraph in Wiley's Resolution to: NOW, THEREFORE BE IT RESOLVED, the NRB indefinitely suspends the use of EAB, other than in the CWD Mgmt zone, and directs that a NRB Special Study Committee be formed to bring herd management proposals before the Natural Resources Board for consideration prior to adoption of the 2010 deer season structure.**

**Ms. Wiley accepted as a friendly amendment.**

**Secretary Frank** reinforced Ms. Wiley's concerns. The Department has been in dialogue with the legislature. They need hunter support. He is concerned he has not had a chance to review these resolutions and that he will miss something.

Discussion continued that hunters will be on the special committee and that it would go out to public hearing.

**Secretary Frank** asked staff if this goes through the rule process, if it would be workable.

**Mr. Warnke** stated it would be tight for the 2010 season. It would not be easy, but it can be done with a lot of work and cooperation.

**Secretary Frank** stated that having hunter support for these policies is important, as well as with the agriculture and forestry industries.

Mr. Welter asked the Board to not add the word *indefinitely* to his resolution.

**The Welter Resolution as amended failed on a roll call vote of 2-5.**

<b>David Clausen – yes</b>	<b>Preston Cole – no</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>	

**The Motion to amend the Wiley resolution was carried by a roll call vote of 6-1.**

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

**The Wiley resolution as amended was carried by a roll call vote of 6-1.**

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

**STATE OF WISCONSIN  
NATURAL RESOURCES BOARD  
RESOLUTION**

**RELATING TO: Deer management policy for future deer season and effective alternatives to Earn-a-buck that will ensure a healthy and sustainable deer population.**

**WHEREAS, the Natural Resources Board has ratified the 2009 deer season which includes Earn-a-buck only in the Chronic Wasting Disease (CWD) management zone.**

**WHEREAS, the Natural Resources Board recognizes that the annual deer herd management objective is to keep the herds at a healthy and sustainable level while maintaining Wisconsin's proud hunting tradition.**

**WHEREAS, the updated population goals for 2010 and beyond must be the product of public discussion of how large a deer herd the public believes will provide a quality hunt without causing intolerable damage to Wisconsin's agriculture, forest industry, or ecosystems.**

**WHEREAS, these new goals will comply with Board policy as outlined in NR 1.15.**

**WHEREAS, the department will give priority to implementing data gathering actions, including the impacts of winter severity, natural predators and other factors that will strengthen both the science and the public's confidence in annual herd estimates.**

**WHEREAS, Earn-a-buck will continue to be used within the CWD management zone until those herds are at goal, or effective alternative herd management strategies are developed.**

**NOW, THEREFORE BE IT RESOLVED, the NRB indefinitely suspends the use of EAB, other than in the CWD Mgmt zone, and directs that a NRB Special Study Committee be formed to bring herd management proposals before the Natural Resources Board for consideration prior to adoption of the 2010 deer season structure.**

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**Christine Thomas, Board Chair**

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**John Welter, Chair  
Land Management, Recreation and  
Fisheries/Wildlife Committee**

**Dr. Thomas** deferred the Executive Session until the May 27, 2009 meeting.

4. Citizen Participation – Moved to Tuesday, April 21, 2009
5. Board Members' Matters

**Mr. Ela** paid his respects to Tom Hauge, Keith Warnke, and their various cohorts in Wildlife Management for keeping their cool when things go off track.

**Mr. Welter** reported on the Swain – Shot gun/rifle issue and recommended that trees to the south east are obscuring the shot lines and should be tipped in that area to clarify the sight lines. He will contact Lois Swain and update her on his findings. He also reported that he spoke with various people regarding the rifle-shotgun issue in the CWD area and made a recommendation that no Board action be taken.

**Dr. Thomas** thanked Mr. Welter for his report and for taking the time to view the property. She requested Department staff contact Lois Swain on the findings.

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

**Secretary Frank** briefed the Board on green tier electronic waste and was happy to report three new laws signed recently: Brunsweler River designation as a wild river, phosphorus ban, and repealing last seasons bass and musky rule. Representative Hraychuck introduced a bill that sets youth hunting at age 10. The hearing is scheduled for next week.

He also announced that the 2009 – 2011 capital budget was approved. The Department has very good projects in this budget, which include Wild Rose Fish Hatchery renovation, four new fire control heavy unit garages at Poynette, Brule, Wausaukee, and Boscobel, modernization at Rib Mountain State Park, 50 campsites at Governor Thompson State Park; a vehicle maintenance facility at Black River State Forest, Visitor entrance stations at Black River State Forest and Lake Kegonsa State Park, and one project the Department had a unique chance to contribute to is the Yahara River Watershed Anaerobic Digester.

He then gave a briefing on the new Emerald Ash Borer find in Vernon County. They are disappointed but have strong communication and a good partnership with DATCP and local governments. The Department will work closely with Minnesota and Iowa.

He closed by mentioning something that had a profound effect on the Department – Pilot Heath van Handel lost his life on April 8 during forest fire activities. The accident is being investigated. He was the first Department pilot killed in the line of duty. Governor Doyle issued a proclamation on Heath's behalf and ordered flags to be flown at half staff. The Department is giving thought to a permanent memorial to honor his memory.

7.A. Retirement Resolutions

7.A.1 Robert Hay

7.A.2 Joseph R. Hennlich

7.A.3 Joe Menkol

**Dr. Clausen MOVED approval, seconded by Mr. Ela of the retirement resolutions. The motion carried on a voice vote.**

7.B. Donations

7.B.1 Dow Agrisciences will donate chemicals valued at \$15,000 to be used for invasive species control on the Glacial Habitat Restoration Area

**Dr. Thomas MOVED approval, seconded by Mr. Rohde. The motion carried on a voice vote.**

7.B.2 The National Wild Turkey Federation will donate \$10,000 to support WRP project restoration costs in South Central Region

**Dr. Clausen MOVED approval, seconded by Mr. Ela. The motion carried on a voice vote.**

7.B.3 The Natural Resources Foundation of Wisconsin will donate \$10,000 to the Endangered Resources Bat Program

**Mr. Ela MOVED approval, seconded by Mr. Rohde. The motion carried on a voice vote.**

7.B.4 The Ruffed Grouse Society will donate \$5,000 to support regeneration Quaking Aspen within the John Kubisak Ruffed Grouse Management Area

**Dr. Clausen MOVED approval, seconded by Mr. Ela. The motion carried on a voice vote.**

8. Information Items

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

None

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

None

**Dr. Clausen MOVED approval, seconded by Mr. Ela to adjourn the meeting. The motion carried on a voice vote.**

\*\*\*The meeting adjourned at 4:05 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.**