

NATURAL RESOURCES BOARD

BRIEF OF ACTION

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

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| 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
- 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

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.

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.

The original motion as amended carried unanimously.

- 3.B.2 Land Acquisition - Statewide Natural Area Program – Sugar Camp Hemlocks - Oneida County

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

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

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

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

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.

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

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.

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| David Clausen – yes | Preston Cole – yes |
| Jonathan Ela – no | Gary Rohde – no |
| John Welter – yes | Christine Thomas – no |
| Jane Wiley – no | |

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

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| David Clausen – yes | Preston Cole – yes |
| Jonathan Ela – yes | Gary Rohde – yes |
| John Welter – no | Christine Thomas – yes |
| Jane Wiley – yes | |

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

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.

Mr. Ela MOVED to amend the fourth paragraph in Mr. 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.

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.

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.

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

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| David Clausen – yes | Preston Cole – no |
| Jonathan Ela – no | Gary Rohde – no |
| John Welter – yes | Christine Thomas – no |
| Jane Wiley – no | |

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

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|---------------------|------------------------|
| David Clausen – yes | Preston Cole – yes |
| Jonathan Ela – yes | Gary Rohde – yes |
| John Welter – no | Christine Thomas – yes |
| Jane Wiley – yes | |

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

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|---------------------|------------------------|
| David Clausen – yes | Preston Cole – yes |
| Jonathan Ela – yes | Gary Rohde – yes |
| John Welter – no | Christine Thomas – yes |
| Jane Wiley – yes | |

**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.

Christine Thomas, Board Chair

**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. Welter reported on the Swain – Shotgun/rifle issue and recommended that trees to the south east are obscuring the sight lines and should be tipped in that area to clarify the sight lines. He will contact Lois Swain and update her on his findings.

6. Special Committees' Reports
None.

7. Department Secretary's Matters

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.