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NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, August 10, 2011 at the House on the Rock Resort, 400 Springs Drive, Spring Green, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 3:40 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

William Bruins – present	Preston Cole – present
Christine Thomas – present*	Jane Wiley – present
Terry Hilgenberg – present	David Clausen – present
Greg Kazmierski – present	

* attended meeting via conference call

1.B. Approval of agenda for August 9-10, 2011

Mr. Kazmierski MOVED approval, seconded by Mr. Hilgenberg. The motion carried unanimously.

1.C. Approval of minutes from May 25, 2011

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

1.D. Approval of minutes from June 22, 2011

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

3. Action Items

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

3.A.1 Revised request for adoption of Board Order AM-44-10, proposed rules affecting NR 400, 419, 421, 422, 423, 439, and 484 pertaining to the correction of deficiencies identified by the U.S. EPA with a portion of the state's current volatile organic compound (VOC) reasonably available control technology (RACT) rules

Joseph Hoch, Air Pollution Control Specialist, introduced and distributed a Department amendment to Board Order AM-44-10, as follows:

b. Any emissions unit that is not subject to an emission limitation under s. NR 419.05, 419.06, or 419.08; ch. NR 421, 422, or 423; or s. NR 424.04, or 424.05 ch. NR 420; s. NR 421.03, 421.04, and 421.07; s. NR 422.05 to 422.08, 422.09, 422.10 to 422.125, 422.13, 422.131, 422.14, 422.141, ~~and 422.143, 422.144, and 422.15~~ to 422.16; and s. NR 423.03, 423.037, and 423.05, except if the emissions unit is regulated under 40 CFR part 60, subpart BBB, III, NNN, or RRR, or 40 CFR part 63, subpart T.

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

- 3.B. Land Management, Recreation, Fisheries, and Wildlife
- 3.B.1 Request adoption of Board Order WM-02-11, the Wildlife Management housekeeping rules package

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

- 3.B.2 Request adoption of Emergency Board Order WM-12-11(E) and Board Order WM-11-11, the 2011 migratory game bird hunting seasons

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

Mr. Kazmierski MOVED to give the Department authority to negotiate with Michigan and other states to support a Great Lakes sea duck season and to send a letter requesting the addition of a Great Lakes zone to the US F&WS and congressional delegation.

Chair Clausen stated there was already a motion before the Board and requested Mr. Kazmierski take this up during Item 5-Board Members Matters.

Mr. Kazmierzki withdrew his motion.

The motion carried unanimously.

- 3.B.3 Request adoption of Board Order CF-28-09, Chapter NR 51 relating to Administration of Stewardship Grants

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

- 3.B.4 Request approval of Allocation Plan for Grant Subprograms of Knowles-Nelson Stewardship Program

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

- 3.B.5 Ratification of Department decision to issue a Stewardship grant that will prohibit at least one nature-based outdoor activity (NBOA) on non-department land: The Nature Conservancy-Baileys Harbor (North Bay State Natural Area), Door County; The Nature Conservancy-Liberty Grove (North Bay State Natural Area), Door County; and The Nature Conservancy-Liberty Grove (Mink River Estuary State Natural Area), Door County

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

Mr. Hilgenberg MOVED, seconded by Mr. Kazmierski to amend the rule to strike the water trapping prohibition on all three parcels and to mandate that registration be voluntary on all three parcels.

Mr. Bruins requested the amendment be separated into two motions.

Mr. Hilgenberg MOVED, seconded by Mr. Kazmierski to withdraw their motion.

Mr. Hilgenberg MOVED, seconded by Mr. Kazmierski to amend the rule to strike the water trapping prohibition on all three parcels.

The amendment passed on a roll call vote of 6-1.

William Bruins – yes Preston Cole – yes

Christine Thomas – yes
Terry Hilgenberg – yes
Greg Kazmierski – yes

Jane Wiley – no
David Clausen – yes

Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg to amend the rule to mandate that registration be available immediately on all three parcels.

Mr. Bruins requested the amendment be modified to read “registration be available on-site” instead of immediately.

Mr. Kazmierski and Mr. Hilgenberg accepted Mr. Bruins’ modification as a friendly amendment.

Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg to amend the rule to mandate that registration be available on-site on all three parcels.

Ms. Wiley called the question.

The modified amendment passed on a roll call vote of 6-1.

William Bruins – yes	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – yes
Terry Hilgenberg – yes	David Clausen – no
Greg Kazmierski – yes	

The original motion as amended carried unanimously.

William Bruins – yes	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – yes
Terry Hilgenberg – yes	David Clausen – yes
Greg Kazmierski – yes	

- 3.B.6 Request approval of Secretary’s Order pertaining to modification of the deadline for counties to enact or amend a shoreland zoning and subdivision ordinance in compliance with the revised statewide minimum shoreland zoning standards under ch. NR 115, Wis. Admin. Code

Mr. Cole requested the comments from the Wisconsin County Code Administrators be included in the permanent record.

Chair Clausen spoke to Mr. Cole’s concerns related to comments the Board received from a surveyor. He recommended Mr. Cole work with staff to address the concerns raised.

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

Chair Clausen moved the meeting to item 4A – Citizen Participation.

4. Citizen Participation – 1:00 p.m.
4.A. Citizen Participation

Chair Clausen moved the meeting to item 3.B.7.

- 3.B.7 Easement Purchase – Forest Legacy Area – Sawyer County

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

- 3.B.8 Land Acquisition – Lower Wolf River Bottoms Wildlife Area – Outagamie County

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

3.B.9 Land Donation – Statewide Natural Area – Dane County

Mr. Bruins objected to receiving the donation based upon the fact that accepting it would take agricultural land out of production. A lengthy discussion ensued.

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

Chair Clausen called the question based upon philosophical differences that were unlikely to be resolved during the meeting and agreed to schedule a discussion at a future meeting on the Working Lands Initiative.

The motion passed on a roll call vote of 4-3.

William Bruins – no	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – yes
Terry Hilgenberg – no	David Clausen – yes
Greg Kazmierski – no	

Mr. Hilgenberg clarified that the Working Lands Initiative discussion would come before the Board as an information item at a future Board meeting.

Mr. Cole requested the Working Lands Initiative item be before the Board at their joint meeting with the Department of Agriculture, Trade and Consumer Protection (DATCP).

3.B.10 ~~Land Donation – Statewide Natural Area – Door County~~ **DELETED (moved to September agenda)**

3.B.11 ~~Easement Donation – Grassy Lake Wildlife Area – Columbia County~~ **DELETED (moved to September agenda)**

3.B.12 Land Donation – Rush Creek Natural Area – Crawford County

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

3.B.13 ~~Land Acquisition – Glacial Habitat Restoration Area – Winnebago County~~ **ADDED, DELETED**

5. Board Members’ Matters

Mr. Bruins spoke on a bear attack on livestock that occurred in Sawyer County. He was concerned with the Department’s response after the attack. He stated the Department needs to take more ownership of the fact that if wildlife attacks livestock or animals of any sort, the Department has to be more pro-active and make it a more positive response. It should be important for the Department to pay for those damages and put things back as close to normal as possible. There are growing concerns with wolves and depredation. The Department needs a better plan in place to deal with these situations. He requested the Department to do some investigating on procedures and see where things can be tightened up and improvements made.

Chair Clausen requested an update on bear and wolf depredation procedures be added to the agenda at a future meeting.

Mr. Kazmierski reported that he had the opportunity to attend the Great Lakes Forest Conference which primarily dealt with timber harvest on national forests. He was hopeful that the Board

would help support the timber industry. There was also considerable talk about the Department’s efforts on the 100,000 acres of blowdown in northern Wisconsin. It was all good.

Regarding August item 3B7 - Forest Legacy easement, he stated that access to the interior of that property slipped through the cracks. He requested the Department set up a standard access

criteria for the big block land acquisitions to ensure access to fishing holes and useable land.

He then requested the Department hold off on drafting a letter regarding creating a separate migratory game bird hunting zone on the sea duck season. Instead, he requested the Department be given authority to work with some of the other states on supporting a sea duck type season. He would like the Department to aggressively go after this. He requested staff return before Board in December and address this request.

Chair Clausen stated since Mr. Kazmierski's request was not noticed, the Board could not take action. Instead, he requested staff to get back to him with possible scenarios for access and on the sea duck issue.

Mr. Hilgenberg stated the easement issue is even more encompassing than just access. There are so many parts of what an easement can do and what can be included. He requested Mr. Kazmierski's request be expanded to an overview of what is negotiated in an easement, review it, and then work together towards a model.

Mr. Cole noted that in regards to August item 3.B.5, he was not able to locate the hunter registration form on The Nature Conservancy's website.

Ms. Wiley stated that while she attended the La Crosse Migratory Game Bird hearing, she met a man named Al Marotz who is a hunter education instructor. His hunter education group is putting together a book called "After the Hunt – a hunter education cookbook for those on the hunter's journey". He asked for anyone interested to email to him recipes, photographs, stories, etc. about hunting for this cookbook. Funds received on the sale of the cookbooks, she thought, would go to hunter education. She distributed his business cards. Al Marotz can be reached at 715-556-9717, or through email at huntereducationcookbook@hotmail.com. Their website is <http://www.chippewariverpearl.com/cookbook>

5.A. Approval of 2012 Meeting Calendar

Mr. Cole MOVED approval, seconded by Ms. Wiley of the retirement resolutions. The motion carried unanimously.

6. Special Committees' Reports
None

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Bruce Bacon

7.A.2 Steve Bade

7.A.3 Fred K. Bailey

7.A.4 Jim Bishop

7.A.5 Raymond Briggs

7.A.6 Don Bush

7.A.7 Gregory W. Dahl

7.A.8 James S. Dalton

7.A.9 J. Terry Dukerschein

7.A.10 Audrey Gantenbein

7.A.11 James Gobel

7.A.12 Paul F. Hainstock

7.A.13 Craig Hollingsworth

7.A.14 Terry R. Jensen

7.A.15 Neal H. Kephart

7.A.16 Dennis Kobes

7.A.17 Cheryl Krull

7.A.18 Ron Kurowski

7.A.19 Allen (Ross) Larson

AUGUST 10, 2011

- 7.A.20 Dennis McLain
- 7.A.21 Mark Putra
- 7.A.22 Bruce C. Rodger
- 7.A.23 Al Stranz
- 7.A.24 Tom Turner
- 7.A.25 Scott Wardell

Mr. Cole MOVED approval, seconded by Ms. Wiley of the retirement resolutions. The motion carried unanimously.

- 7.B. Donations
- 7.B.1 The Andrew F. Bell and Edith M. Bell Charitable Trust will donate \$35,214.50 to be split evenly between the Bureaus of Endangered Resources and Wildlife Management

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

- 8. Information Items
- 8.A. Air, Waste, Water, and Enforcement
None

- 8.B. Land Management, Recreation, Fisheries, and Wildlife
- 8.B.1 ~~Blue green algae in Wisconsin waters: cause and locations of blooms, Department monitoring program, ecology and ecological effects, and human health~~ **DELETED (moved to September agenda)**

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 8.B.2 Timeline and reassessment of predator management as a component of the Sharp-tailed Grouse Management Plan

Dr. Thomas stated that she would like to see for the addendum to the plan is for the Department's literature review to be written up, inclusion of the feasibility of various options to be outlined, and for the Department to make a recommendation about how the Board moves forward with the rest of the plan. She would like to also see recommendations for research projects to help pinpoint the factors affecting survival rates. As an example, if she was on the receiving end of a request for raptor control, she would want evidence that raptors were a problem. A February 2012 timeframe was agreeable to her.

Mr. Kazmierski stated that he has been in contact with the trappers association and they would love to partner with the Department on the predator management plan. The Department needs to explore these possibilities which could be implemented as early as next spring. He does not want the Department to worry about confounding research on the blow down event. The ultimate goal here is sharp-tail. If predator management and the blow down can help, that is a great thing. The Department can only do so much habitat management which the plan addresses.

Mr. Bruins requested a more fleshed out plan as to how the Department is going to create ideal habitat.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 8.B.3 Annual Update on Wisconsin Wolf Management

Chair Clausen requested a straw poll show of hands from the Board as to who is fed up with the wolf delisting issue.

AUGUST 10, 2011

The straw poll was unanimous.

William Bruins – yes	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – yes
Terry Hilgenberg – yes	David Clausen – yes
Greg Kazmierski – yes	

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.4 Metallic Mining Update

Chair Clausen requested an information item on frac sand at a future Board meeting.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Mr. Cole MOVED, seconded by Ms. Wiley to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 3:40 p.m.

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Natural Resources Board Liaison: Laurie Ross at 608-267-7420 or laurie.ross@wisconsin.gov

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