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NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, April 24, 2013 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 2:10 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

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

1.B. Approval of agenda for April 24, 2013

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

1.C. Approval of minutes from March 27, 2013

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

3. Action Items

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

None

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

3.B.1 Ratification of department's determination that prohibiting the nature-based outdoor activities (NBOAs) of hunting and trapping is necessary to protect public safety on 2.4 acres in the City of River Falls, St. Croix County Stewardship grant project

Public Appearances:

1. **David Fodroczi**, Hudson, representing Kinnickinnic River Land Trust. He could not attend but submitted his testimony in support. **(Handout)**

Ms. Wiley MOVED approval, seconded by Dr. Thomas. The motion carried unanimously.

3.B.2 Land Donation – Statewide Natural Area– Jefferson County

Dr. Thomas MOVED approval and to acknowledge the donation, seconded by Dr. Clausen. The motion carried unanimously.

3.B.3 ~~Land Acquisition and Project Boundary Modification – Lower Wisconsin State Riverway Grant County~~ Deleted and moved to May 22 meeting.

3.B.4 Land Acquisition – Northern Highland State Forest – Vilas County

Ms. Wiley MOVED approval, seconded by Dr. Thomas. The motion carried unanimously.

3.C. Scope Statements

3.C.1 Request that the Board approve the Statement of Scope for Board Order WM-04-13 related to the 2013 Wildlife Management housekeeping rules package

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

3.C.2 Request that the Board approve the Statement of Scope for Board Order WM-05-13 related to hunting and the management of bobcat and elk

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

3.C.3 Request that the Board approve the Statement of Scope for Board Orders WM-06-13 and Emergency Board Order WM-07-13(E) related to establishing the 2013 migratory bird hunting seasons

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

3.C.4 Request that the Board approve the Statement of Scope for Board Orders WM-08-13 and WM-09-13(E) related to firearms use on department land in Columbia County

Public Appearances:

1. **Bill Devine**, Portage, representing self. He spoke in support of both scope statement approvals.
2. **Andy Ross**, Poynette, representing Columbia County as Chair. He spoke in support of both scope statement approvals.
3. **Kevin Kessler**, Town of West Point, representing self. He spoke in support of both scope statement approvals.

Dr. Thomas stated that while she understands there are issues associated with target shooting on public lands, she believes that this demonstrates a need for development of more ranges whether formal or informal, where the public can shoot.

Dr. Thomas MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

- 3.C.5 Request that the Board approve the Statement of Scope for Board Order WM-10-13 related to rehabilitation of wild animals

Dr. Thomas MOVED approval, seconded by Ms. Wiley. The motion carried unanimously.

- 3.C.6 Request that the Board approve the Statement of Scope for Board Order WM-11-13 related to deer management, hunting, and implementation of the 2012 White-tailed Deer Trustee's Report

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

- 3.D. Department Wide

- 3.D.1 Approval of the New Public Input Process for Creating or Updating Department of Natural Resources Guidance (Previously - New Policy Development Manual Code) (Handout)

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

4. Information Items

- 4.A. Air, Waste, Water, and Enforcement

- 4.A.1 Open Burning Complaint Response and Enforcement Authority (PowerPoint)

Dr. Clausen urged the Board to consider talking about this. They might not get legislative support but that does not mean we should not try.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 4.A.2 Scientific Integrity Policy (PowerPoint)

Dr. Thomas cautioned that there is no way to legislate here a person's private citizen rights.

Mr. Kazmierski stated that a lot of times a decision will happen and then dissenting opinion comes out after the fact. He would like to hear dissenting opinions on the front end.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 4.B. Land Management, Recreation, Fisheries, and Wildlife

- 4.B.1 Great Lakes commercial fishing harvest limits review (PowerPoint)

Co-Presenters:

1. **Charlie Henriksen**, Sister Bay, representing Lake Michigan Commercial Fishing Board. He could not attend but his talking points were distributed. **(Handout)**
2. **Jeff Bodin**, Bayfield, representing Lake Superior Commercial Fishing Board. He was not able to attend the meeting.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

- 4.B.2 Briefing on Stewardship grant process (PowerPoint and Handout)

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

5. Special Committees' Reports
None

6. Department Secretary's Matters
6.A. Retirement Resolutions
6.A.1 Diane Glodoski
6.A.2 Mark Pearce
6.A.3 Harold Whiteaker

Dr. Thomas MOVED approval, seconded by Dr. Clausen of the retirement resolutions. The motion carried unanimously.

- 6.B. Donations
6.B.1 ~~Peninsula Golf Associates, Inc. will donate \$591,000 for a Golf Learning Center at Peninsula State Park~~ Deleted and moved to the May 22 meeting.
6.B.2 The Ruffed Grouse Society will donate \$44,600 to support ten ruffed grouse and woodcock habitat and education projects across

Public Appearance:

1. **David Johnson**, representing RGS as Regional Director. He spoke in support of the donation and presented the DNR Secretary with a check in the amount of \$44,600.

Dr. Clausen MOVED approval and to acknowledge the donation, seconded by Mr. Kazmierski. The motion carried unanimously.

Secretary's Matters:

Secretary Stepp summarized the following: 1) April 23 Land Trust meeting and 2) Integration. She asked Kristy Rogers, Process Improvement Director to review the department's Vision and 2013-2014 Action Plan. **(PowerPoint and Handout)**

7. Board Members' Matters
7.A. ~~Becky Wallace Award~~ Deleted and moved to May 22 meeting.
7.B. Lean Six Sigma Review of Rule and Board Processes (PowerPoint)

Mr. Kazmierski stated he was at first uncomfortable with Proposal 1 but his comfort level increased with the knowledge that citizen groups will participate on DNR internal advisory committees. Many rule concepts originate in these committees.

Mr. Kazmierski MOVED approval of Proposal 1 – “Combine scope statement approval and authorization to hold hearings into one step”, seconded by Dr. Clausen. The motion carried unanimously.

Mr. Hilgenberg MOVED approval of Proposal 2 – “Eliminate the Board memo as an attachment to the green sheet for scope statement approval”, seconded by Dr. Thomas. The motion carried unanimously.

Ms. Wiley MOVED approval of Proposal 3 and to include that regional staff also may appear remotely – “Allow staff presenters to appear at out-state meetings via Live-meeting or conference call”, seconded by Dr. Clausen. The motion carried unanimously.

Mr. Hilgenberg MOVED approval of Proposal 4, Option 1 – “Reduce number of Board meetings from 10 to 8 per year”, seconded by Mr. Bruins.

Mr. Hilgenberg and Mr. Bruins withdrew their motions.

Mr. Kazmierski MOVED approval of Proposal 4, Option 2 “Reduce number of Board meetings from 10 to 9 per year”, seconded by Ms. Wiley. 2014 Tentative Schedule: January 28-29, February 25-26, April 8-9, May 27-28, June 24-25, August 12-13, September 23-24, October 28-29, and December 9-10.

Dr. Thomas requested that the March date be reserved in case of an emergency.

The motion carried unanimously.

Ms. Wiley MOVED approval of Proposal 5 – “Reduce copying costs and paper waste by issuing tablets or laptops to Board Members”, seconded by Mr. Kazmierski.

Bill Bruins requested he receive printed copies of the green sheet packages at the Board meeting.

Dr. Thomas and **Ms. Wiley** both requested that printed green sheet packages be mailed to them prior to each Board meeting. Dr. Thomas in addition requested to receive printed copies of the green sheet packages at the Board meeting.

The motion carried unanimously.

Dr. Clausen MOVED approval of Proposal 6 – “Alert appropriate department contact in advance of Board meetings”, seconded by Ms. Wiley. The motion carried unanimously.

Dr. Thomas MOVED approval of Proposal 7 – “Continue the use of Mediasite for Board meetings and include live broadcast access for the public”, seconded by Mr. Kazmierski. The motion carried unanimously.

Dr. Clausen MOVED approval of Proposal 8 – “Use Mediasite recordings and Brief of Action as legal record for Board meetings”, seconded by Mr. Hilgenberg. The draft Brief of Action will be reviewed by the Board Secretary for distribution and posting to the Board’s website with the understanding that the draft Brief of Action will be approved by the Board at the following meeting.

Mr. Hilgenberg noted that the Board will need to take a more aggressive role in the Brief of Action than in the past.

The motion carried unanimously.

Chair Cole requested a motion to go into Executive under the authority of s.19.85(1)(e) Wisconsin Statutes for purposes of discussing potential real estate transactions.

Mr. Hilgenberg MOVED, seconded by Dr. Clausen. The motion carried on a roll call vote of 7 – 0.

William Bruins – yes

David Clausen – yes

Christine Thomas – yes

Jane Wiley – yes

Terry Hilgenberg – yes

Preston Cole – yes

Greg Kazmierski – yes

Chair Cole reconvened the meeting at 1:15 p.m. He reported that during the Executive Session no action was taken.

7.C. Youth Initiative

Chair Cole stated that the Youth Conservation Congress will be appearing at the WCC annual meeting. There are 12 – 13 delegates. Dave Tupa, Door County WCC Chair, took leadership in organizing this. He noted that going forward he may forward ideas of youth engagement in the state such as resource management and the regulatory community.

Dr. Thomas requested that the department look into whether back ground checks are required for volunteers working with youth.

Chair Cole stated that he will have a conversation with Matt Moroney and Rob Bohmann, WCC Chair, on background checks.

7.D. Issue Coordinators

Chair Cole stated that Jane Wiley is the Land Management, Recreation, Fisheries, and Wildlife Issue Coordinator. He stated he was looking for a Board Member volunteer to fill the vacant position of Air, Waste, Water, and Enforcement Issue Coordinator.

Bill Bruins volunteered.

7.E. Board Member Requests

Chair Cole requested that Board Members complete Board Members Matters requests and submit them to the Board Liaison after each request has been made at the meeting. These forms will clarify Board Member requests for Department staff and for the Brief of Action.

Mr. Bruins reminded the department that he had previously asked for an information item on bear crop damage.

Dr. Thomas stated the Board had a bunch of folks testify today who were concerned about their groundwater in Kewaunee County and that there are many concerned people in central Wisconsin concerned about their groundwater. That may be true in other places. This is an emerging public concern theme. She suggested the Board receive an update on what is the department's role in protecting the quality and quantity of groundwater so the Board knows what their legislative sideboards are. Following that, she suggested a listening session on groundwater concerns at one of the Board's out-state meetings this summer. Out of that, we could look at whether there is more the Board can do or should we be seeking some legislative authority in some areas.

Mr. Bruins stated water quality and quantity are two front burner issues for agriculture. It is not going to go away. We need to be proactive.

Mr. Hilgenberg agrees with that one thousand percent. This is a big issue. Not only for the agriculture community but for anyone that owns property, especially those that are losing their lake.

Mr. Hilgenberg stated that he sent a memo to Chair Cole regarding their concerns about the Stewardship Program. **ADDED**

Mr. Kazmierski commented that it was good to spend half a day at the department yesterday without an agenda. He later stopped in on the GIS team gathering which was interesting. There are so many things going on in the department that we really do not get to see.

Ms. Wiley requested the Chair consider keeping public appearances to 1:00 p.m. in the afternoon to give those that live outside the Madison area and especially those located north of Highway 69 ample time to get here.

Chair Cole stated that the Board may have to do some clean-up related to hunting in state parks. The Board may have unintentionally closed things that were open in the rules. He asked for staff to do an inventory of those locations in which the Board inadvertently closed when they were open. He asked the department to report back to him and he will decide whether it needs to come before the Board.

Chair Cole asked David Clausen to the podium. He presented Dr. Clausen a plaque acknowledging his commitment to Wisconsin's Natural Resources as a Board Member from February 2006 – April 2013. He stated that he is a servant in every regard to the state of Wisconsin and left an indelible mark on your impact to this department. On behalf of the citizens of Wisconsin in your service to the state as Natural Resources Board Member, this is not good-bye but see you later. He thanked Dr. Clausen for his

leadership. Dr. Clausen taught him a lot as well as did Dr. Thomas. Your duty is done. Dr. Clausen received a standing ovation.

Dr. Clausen stated that he has been incredibly lucky. The list of those that do this job is not particularly long. He is fortunate and grateful to have had an opportunity to have such a wonderful experience. It was an honor to play a small part in the management of Wisconsin's natural resources over the past seven years. He measures the value of his endeavors by the quality people that have become his friends. By that measure, this job has been a big success. It has been such a pleasure to meet and work with so many dedicated and just plain nice people both within the agency and outside the agency.

He reviewed the mercury rule, use of department acronyms, impacts of groundwater and withdrawals on surface waters, contaminated wells from manure runoff and public health issues, field trips for the Board and specifically canoeing the Brule River, the phosphorus rule, deer management and CWD (Clausen's white paper "Perspectives on CWD" was distributed), and Legislative Acts 168 and 169 which he believed are among the most controversial issues ever to come before the Board during his tenure. Today's agenda item on Scientific Integrity Policy graces one of his highlights of his time on the Board. He lobbied for this issue for some time now and is gratifying to see it become a reality.

He then introduced Mr. Gary Zimmer who is his replacement on the Board and who was in attendance at the meeting. He is very happy with the Governor's choice. It is really nice to have a scientist replace him. He welcomed Mr. Zimmer to the Board. In closing, he noted how much he has enjoyed working with Scott Gunderson, Executive Assistant, Matt Moroney, Deputy Secretary, and Cathy Stepp, DNR Secretary. Thank you.

Secretary Stepp thanked Dr. Clausen for being willing to share his knowledge, experience, and history; and for his willingness to engage in a proactive and positive fashion and that politics never got in the way. The spirit that you put into it will be held high for those that follow.

7.F. Approval of resolution recognizing DNR's wildlife management staff for 85 years of professional service to the State of Wisconsin

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

8. Listening Session – 11:00 a.m.

Public Appearances

1. **Mimi Wuest**, Reedsburg, representing The Sauk Prairie Conservation Alliance
Topic: The Sauk Prairie Recreation Area/Badger Army Ammunition Plant
(Handouts)
2. **Adam Kassulke**, Madison, representing self
Topic: Wolf hunt and on the Conservation Congress delegate election process
3. **Susan Shepanek**, Madison, representing self
Topic: Concern regarding unusual results in April 8 Conservation Congress delegate election and concern regarding questions for/against hunting and trapping expansion; and a request for neutral wording to reflect widening scope of audience

4. **Patricia Randolph** Portage, representing self (Written testimony only – **Handout**)
Topic: Bobcat statewide killing, groundhog killing, elk killing, and corruption of process pouring in from all over the state from the 79th annual Election & Vote
5. **Nancy Utesch**, Kewaunee, representing self
Topic: CAFO enforcement and water quality issues

Lee Fahrney, Secretary of the WI Conservation Congress (WCC) and Chair of Wolf Committee addressed concerns from those testifying on the WCC spring hearings.

Chair Cole stated that department staff noted that Susan Shepanek did contact them and asked for a recount of the ballots for Dane County. He requested WCC Liaison Kari Lee-Zimmermann to have a delegate available for a ballot recount.

Dr. Thomas stated that WCC questions are their questions. She suggested to WCC to make sure that they do not ask two questions in one and that they are clear.

6. **Lynda Cochart**, Casco, representing self (**Handout**)
Topic: Complaint on liquid manure spreading

Chair Cole noted he will forward this concern to the Secretary's office.

7. **William Iwen**, Town of Pierce, representing self
Topic: Complaint regarding a CAFO
8. **David Hochtritt**, Picket, representing self
Topic: DNR hearing to discuss hunting and trapping in state parks
9. **Carl Landsness**, Madison, representing self. He was not in attendance.
Topic: Concern about the polarized process he observed

Dr. Clausen MOVED, seconded by Ms. Wiley to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 2:10 p.m.

APRIL 24, 2013

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