



Wisconsin Conservation Congress  
 Environmental Committee  
 Meeting Minutes

**WCC Meeting Minutes**  
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<b>ORDER OF BUSINESS</b>	10/01/2016	9:30 am	Mead Wildlife Area Visitor Center
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**I. ORGANIZATIONAL MATTERS**

**A. CALL TO ORDER**

Meeting called to order by	Chris Underwood at	9:32
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**B. ROLL CALL**

<b>ATTENDEES</b>	Douglas Kurtzweil, Krystal Westfahl, Ronald Krueger, Sr., Lester Ryder, Chris Underwood, Meade Grim, Karen Wollenburg, Ronald Lang, Thomas Christman, Mariah Popp, Julie de la Terre, Larry Meyer, Jason Dorgan. WDNR: Dreux Watermolen, Larry Lynch, John Gillen, Michael Schmit
<b>EXCUSED</b>	Claude Bovi, David Blunk, Marc Schultz, Scott Pita. WDNR Excused: Deb Dix
<b>UNEXCUSED</b>	Josh Halberg, Ervin Peitersen
<b>GUESTS</b>	

**C. AGENDA APPROVAL/REPAIR**

<b>DISCUSSION</b>	none
<b>ACTION</b>	Motion to approve as posted by Grimm, 2nd Kreuger. Motion Carried

**D. REVIEW COMMITTEE MISSION STATEMENT**

<b>DISCUSSION</b>	Jason Dorgan reviewed and read aloud.
<b>ACTION</b>	none

**E. PUBLIC COMMENTS**

<b>DISCUSSION</b>	Tressie Kamp – Dane County, Midwest Environmental Advocates: They did not submit a resolution, but are here to support the resolutions of “DNR Enforcement of the Clean Water Act” and to be available to answer any questions or concerns. Midwest Environmental Advocates urges congress and committees to encourage enforcement of the Clean Water Act. Will Greendeer - Vernon County: He is here to speak about resolutions #9,10,13,14 on agenda. He would like to encourage a moratorium on Frac sand mining. He is here on behalf of tribal land in Monroe County. He has seen Frac sand mines plow trees down and burn them and is disappointed in the reclamation plan that the companies say they have. Apposed to Enbridge expansion due to their record of 800 spills in 10 years. He’s here to support the Beaver and Milkweed resolutions as well.
<b>ACTION</b>	none

**II. INFORMATION & ACTION ITEMS**

**A. Citizen Resolutions**

1.	Resolution 60416 (Efforts to control the parasitic cowbird)	Jason/Chris
	<b>DISCUSSION</b>	Motion to advance by Grimm, 2nd Ron a. Mariah did some research on this subject and every study she looked at, and academic papers read, did not scientifically support the control of the Cowbird. In her research, she found that habitat loss is the most significant contributor to the decline in our songbird populations and killing adult cowbirds isn’t necessarily effective. Also cowbirds are not the factor that decreases songbirds, instead, winter grounds and breeding habitat loss are the most conclusive factors for population loss. b. Question: Did the DNR use these tactics for the Kirtland’s warbler? i. Dreux Watermolen WDNR: Cowbirds are found state wide and their habitat consists of grasslands and edges of woodlots. Research shows songbirds (cowbirds included) are typically found in Great Plains and Kirtland’s warbler habitat is traditionally jack pine

	<p>forests. Cowbirds parasitize a wide variety of birds; over 200 species. 144 of those species have been documented to raise the cowbirds to a fledgling state. There is nothing in scientific literature that states cowbirds are the major factor in the decline of the warbler species. Most of the species parasitized will re-nest after they fledge the cowbirds young. In the case of Kirtland’s warbler there were only 200 left, so it was very important for that species to have the additional protection. The recovery/trapping effort of the cowbird had been on an annual basis, but the population of the warbler never responded although more young were fledged. The control given to the cowbird did not have an impact on the warbler. Currently the cowbird has a declining trend in its population. Song sparrows and Chipping sparrows are the species they prefer to parasitize are very abundant. In the case of current cowbird control there is an existing depredation order and is administered by USDA APHIS wildlife division and cowbirds are currently protected by the migratory songbird act.</p> <p>c. This resolution was advanced by the legislative committee to be discussed at the district leadership council level. Our discussion here puts this information to vote at the next spring hearing.</p> <p>d. Question: Is there currently a practice for killing outside the sport and recreation realm? Cormorants, Geese, egg shaking, etc.. Is this under a permit process?</p> <p>i. Yes - All control is under a permit process.</p> <p>ii. This resolution is redundant as APHIS already has a process in place. There is currently a depredation order included in state statute for the control of parasitic cowbirds. See NR12.05. <a href="http://docs.legis.wisconsin.gov/code/admin_code/nr/001/12.pdf">http://docs.legis.wisconsin.gov/code/admin_code/nr/001/12.pdf</a></p> <p>iii. Wisconsin Society of Ornithology also has a review paper and information on pros and cons on cowbird control. <a href="https://www.aba.org/birding/v36n4p374.pdf">https://www.aba.org/birding/v36n4p374.pdf</a></p> <p>e. Motion to advance fails</p> <p>f. Motion to make a friendly amendment by Mariah, 2nd by Lester</p> <p>i. Committee discussion on amendment: Add a statement to negate “songbird nest parasitism caused by cowbirds is believed a major factor in declining migratory songbird populations in much of the United States.” as it is not a factual statement due to the research provided.</p> <p>l. Point of order: A committee member cautioned committee to not change the resolution of the citizen without contacting the citizen. We can remove the ambiguity of the resolution but we should not change the intent.</p> <p>ii. Comment: The scientific evidence that we received does not support the resolution presented and there already appears to be mechanisms in place to control parasitic cowbirds through APHIS.</p> <p>g. Motion to amend withdrawn by Mariah</p> <p>h. Motion to reject by Mariah, Ron Lang 2nd Motion Carries</p>	
<b>ACTION</b>	Reject	
<b>PERSON(S) RESPONSIBLE</b>		<b>DEADLINE</b>

2.	Resolution 310216 (Agropur Corp and enforcement of the Clean Water Act)	Mariah/Chris
<b>DISCUSSION</b>	<p>Motion to advance by Krystal, 2nd by Larry</p> <p>a. Committee Discussion: There is a question about how this resolution was written. Ask Larry Lynch WDNR to explain: When you set effluent limits you look at the existing water quality in the river and its flow. Effluent limits are set looking at low flow conditions at ¼ capacity of the river. Discharge limits are set based on the permit asked for by the company. Certain runoff permits are regulated such as construction runoff permits, ag runoff permits, etc. Businesses are largely left to self-regulate and they must demonstrate best management practices. The levels of effluent discharge acceptable are listed under the state code – EPA</p>	

	delegates the state to oversee this. b. Motion to make a friendly amendment by Mariah, 2nd by Juliee i. Discussion: removed language “immediately rescind permit” and add “DNR to investigate the WPDS permit compliance” c. Motion to advance the friendly amendment fails - Aye 4, Nay7 d. Motion to advance as written – Motion fails e. Motion to reject by Mariah, Thomas 2nd – 1 nay, Motion Carries i. Committee Comment: There is zero evidence in this resolution that the company is in any way in violation with the Clean Water Act.	
ACTION	Reject	
PERSON(S) RESPONSIBLE		DEADLINE

3.	Resolution 540316 (Control of High capacity wells)	Resolution Author Larry Meyer
DISCUSSION	a. Committee Discussion: How do you deal with multiple wells on a property or multiple farmers in an area? Who is responsible for the water decline? i. This language in the resolution is only on NEW wells. ii. Larry Lynch WDNR: When the state is back in session this coming January legislative activity will happen on this issue, regardless of this committee. The big question is how do we deal with water rights in the state? Waters of the state include water courses and wetlands. 1. Currently the WDNR issues permits, controls location, the amount of water pumped, and well construction. The WDNR does not change permits in cases of drought, so all those using water can continue to use at the same amount they were originally permitted. WDNR currently does not have the authority to put an expiration date on permits. iii. Comment: This resolution just scratches the surface but at least it moves the question forward. b. Call for a vote – Ron c. Motion to advance carries.	
ACTION	Advance	
PERSON(S) RESPONSIBLE		DEADLINE

4.	Resolutions 020216, 090116, 110116, 131616, 150516, 170116, 250116, 260116, 310116, 410616, 53051	Resolution Authors Stated Below
DISCUSSION	a. Resolution writers present their resolutions: i. Resolution 020216 Ashland County - Richard Ketring Presents 1. Chequamegon Bay photo shared around the table. Read EPA Memo. We need to fund enforcement otherwise the Act means nothing. ii. Resolution 530516 Richland County - William Greendeer Presents 1. Shared his thoughts on manure spreading. The EPA Clean Water Act needs to be enforced. iii. Resolution 040116 Bayfield County - Denise Clebien Presents with Mike Fiorio 1. Mike Fiorio spoke about CAFO Operation in Bayfield County. Operation looks to add 26,000 hogs to Bayfield County and is concerned about nutrient runoff into Lake Superior. The Congress has an opportunity to make a statement.	

	2. Denise Clebien Presented photographic evidence a. Point of order – Mariah. This resolution is not the same as the others in the listing due to the CAFO’s discussion. b. Committee Discussion: Separate Resolution 040116 from the “DNR enforcement of the Clean Water Act” to discuss separately. c. Motion by Mariah, 2nd Douglas, Motion Carries iv. Resolution 170116 Dunn County - Jim Swanson Presents a. Discussed the non-enforcement the clean water act.  Motion to advance by Lester, 2nd Douglas b. Committee Discussion: i. It’s shocking that a state that prides itself on clean water and nature has to urge its own legislature to enforce EPA standards. ii. DNR is doing the correct research but they are not allowed to do their job. c. Motion Carries by unanimous vote	
ACTION	Advance	
PERSON(S) RESPONSIBLE		DEADLINE

5.	Resolution 040116 (DNR Enforcement of Clean Water Act)	Resolution writer Denise Clebien
DISCUSSION	Motion to advance by Ronald, 2nd Juliee de la Terre a. Committee Discussion: i. Discussion on tribal rights in the case of Bad River, etc. b. Motion for a friendly amendment by Lester, 2nd by Mariah: “BE IT RESOLVED, that this Congress recommend the DNR Secretary use their position to demand authority from the Governor and Legislature to suspend any application when pollution matters need to be studied by....” - Author approves the rewording. c. Motion on friendly amendment carries d. Motion to advance with friendly amendment – motion carries.	
ACTION	Advance	
PERSON(S) RESPONSIBLE		DEADLINE

6.	Resolution 710716 (Elimination of lead ammunition and lead fishing tackle)	Resolution Author Lauri Asbury
DISCUSSION	Motion to advance by Mariah, 2nd Juliee a. Committee Discussion: Mariah has studies available if anyone would like to see them. Thomas has seen studies with upland game hunting. Discussion surrounded the inventory in small business and in households and how that faze out happens is a matter for discussion. It may be beneficial to separate the lead shot and lead fishing tackle into two separate resolutions. i. Dreux Watermolen WDNR: Lead is not allowed for waterfowl hunting, hunting doves on state lands, or for harvesting blackbirds or cowbirds in a depredation context. Lead tackle is banned by the Canadian Government, Maine, Massachusetts, and restricted by size in New Hampshire. There is also a voluntary use of non-lead in the national wildlife refuge system. In Wisconsin in 2013 a lead tackle restriction was enacted in the Norther Highland American	

	Legion State Forest on Escanaba, Nebbish, and Pallet Lakes. The WDNR is surveying anglers on tackle restriction with an exchange program. The survey wrapped up last year and the data will be forthcoming. As a side note, EPA can't regulate the use of lead shot, only the fall out after it's been used.	
	b. Motion to advance fails	
	c. A discussion about a friendly amendment was had about the possibility of separating lead shot, lead bullets, tackle, and/or adding language about the manufacture for sale and sale. It was decided that we are trying to help the authors by rewriting all resolutions to make them pass through. They need to be sent back to the writer so the writer can put together a more concise and thoroughly written resolution.	
	i. Amendment conversation rescinded.	
	d. Motion to reject as written Krystal, 2nd Lester. Motion carries	
ACTION	Reject	
PERSON(S) RESPONSIBLE		DEADLINE

7.	Resolution 110216 (Oppose the Enbridge expansion proposal)	Resolution Author Kevin Stoddard
	DISCUSSION	Motion to advance Doug, 2nd Mariah a. Discussion: Enbridge Pipeline Company is actually Enbridge Energy Corp LLC. b. Motion to advance carries unanimously
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

8.	Resolution 040216 (Lead Reclamation)	Resolution Author Allan Pribnow
	DISCUSSION	Motion to advance by Meade, 2nd Ronald a. Motion for a friendly amendment Mariah, 2nd Meade i. "BE IT RESOLVED, that the Conservation Congress recommends" and " and other organizations to start this training for Environmental Stewardship Plans on lead reclamation and make it" b. Motion to advance as amended – Motion carries
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

9.	Resolution 310316 (Failure of the DNR to enforce the federal clean water act)	Jason
	DISCUSSION	Motion to advance by Krystal, 2nd Ronald a. Motion to Advance Carries
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

1 2	Resolution 131516 (Moratorium on issuing new CAFO permits and phasing out existing permits)	Ron/Chris
	DISCUSSION	Motion to reject Krystal, 2nd Thomas a. Committee Discussion: The DNR cannot enact a moratorium. The solution requires legislative action. Motion to Reject Carries, 3 nays
	ACTION	Reject.
	PERSON(S) RESPONSIBLE	DEADLINE

1 1	Resolution 590816 (Moratorium on new permits for Frac sand mining and processing)	Juliee/Chris
	DISCUSSION	Motion to advance by Ron, 2nd Juliee a. Committee Discussion: WDNR does not give permits for Frac Sand mining as there is no actual "Frac Sand Mining Permit". Strategic analysis plan released in June and there are comments on the website to review. The current situation, rules, etc. are covered but with no recommendation actually given. There is an analysis document with a regulatory alternatives section included as well. b. Motion to advance carries, 1 apposed, 1 abstain (Mariah)
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

1 2	Resolution 590716 (Repeal the Iron Mining Law)	Douglas
	DISCUSSION	Motion to advance by Mead, 2nd Douglas a. Committee Discussion: This resolution was on the ballet this spring & passed. i. 2350-1140 in 60 counties – this is clearly what the citizens want. Motion to Advance Unanimous
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

1 2	Resolution 200116 (Restore DNR compliance to Clean Water Act)	Chris
	DISCUSSION	Motion to advance Lester, 2nd Douglas a. Motion to advance unanimous
	ACTION	Advance
	PERSON(S) RESPONSIBLE	DEADLINE

1 1	Resolution 540116 (Support increased planting/maintenance of milkweed in WI)	Krystal
	DISCUSSION	Motion to advance Krystal, 2nd Mariah a. Discussion: Clarification on ordinance by DNR - Municipality or counties can name

	<p>“noxious weeds”. WDNR is not involved, or asked to be a part of these conversations.                  Noxious weeds – non-native species encouraged to look at NR40 <a href="http://dnr.wi.gov/topic/invasives/classification.html">http://dnr.wi.gov/topic/invasives/classification.html</a> to include in their regulations.                  b. Motion to advance unanimous</p>	
ACTION	Advance	
PERSON(S) RESPONSIBLE		DEADLINE

1 5	Resolution 530316 (Protec ecosystem services of Beaver)	Resolution Author Juliee de la Terre
DISCUSSION	<p>Motion to advance Lester, 2nd Mariah                  a. Discussion: Committee would like to know more about the current beaver plan.                  i. Juliee would specifically like to see nutrient pollution and flash water events as part of the beaver strategy.                  ii. John Gillen WDNR: John is with the division of forestry and also on the beaver task force. There is a population recommendation in 4 zones to maintain population at current level in 3 out of the 4 zones to balance issues like flooding.                  1. It is a 2-3 year process to rewrite state beaver management plan. 1990 was the last plan and beaver numbers were very high. The plan was very short and Fisheries (trout), Wildlife mgmt., and Forestry were all at the table. Emphasis then was to reduce the numbers. NRB plans to do a 10 year plan and revisit on a regular basis. Talk with locals at length.                  a. Education plans, mitigation, research.                  b. How do beavers impact our water quality? What impacts they have on Trout specifically.                  2. Encourage populations by creating habitat for them.                  3. Beavers may impact the slowing of water during rain events.                  b. Motion to advance unanimous.</p>	
ACTION	Advance	
PERSON(S) RESPONSIBLE		DEADLINE

**B. Review outcome of 2015 questions advanced to Executive Council [PRESENTER]**

DISCUSSION	Successful and unsuccessful resolutions clarified and discussed.	
ACTION	None	
PERSON(S) RESPONSIBLE		DEADLINE

**C. Department Information Items and Updates [PRESENTER]**

DISCUSSION	None	
ACTION	None	
PERSON(S) RESPONSIBLE		DEADLINE

**D. Rule Simplification [PRESENTER]**

DISCUSSION	<p>Concentrate less on amendments. Send back to the author and reject as it is written. Friendly amendments are good for changing a word here and there but not the intent. 90% of resolutions are thrown out because they are written to direct DNR to do something they can't do.</p>	
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	Resolution writing instructions are needed. You can't ask for moratoriums, etc. Letter templates are on the website.	
ACTION	None	
PERSON(S) RESPONSIBLE		DEADLINE

**III. MEMBERS MATTERS**

DISCUSSION	Thanks to all for attending. 29 resolutions covered! Jason and Chris new are new in leadership positions and apologize for the late date of the meeting. Will try to plan a date for next year earlier in the year. Chris complimented the committee for the most participation in any committee that he has ever seen.
ACTION	None

**IV. ADJOURNMENT**

MEETING ADJOURNED	<b>3:16 pm</b>
SUBMITTED BY	<b>Krystal Westfahl</b>
DATE	<b>10/01/2016</b>