

Compilation of input received at the 3rd Meeting of the Stakeholder Advisory Group to consider changes to the Endangered Resources Review Program

Tuesday June 2, 2009 from 10:00 a.m. – noon
Room G09, of the State Natural Resources Building (GEF 2),
101 S. Webster St., Madison.

Meeting Attendees: Lesley Zuehls Brotkowski, Cedarburg Science, LLC; Jason Dare, Dare Ecosystem Management; Betsey Day, Natural Resources Consulting, Inc.; Dana Ferguson, Alliant Energy; Brad Foss, Dairyland Power Cooperative; Karen Etter Hale, Madison Audubon Society; J. Scott Mathie, Metropolitan Builders Association; Ray Perry, Wisconsin Cooperating Foresters and Perry Forestry Consulting, LLC; Dan Peterson, NewPage Corporation; Lee Turonie, Wisconsin Towns Association; Melody Walker, Wisconsin Dept. of Agriculture, Trade and Consumer Protection; Bob Weihrouch, USDA-Natural Resources Conservation Service. WDNR staff in attendance included Sarah Carter (project coordinator), Signe Holtz, Erin Crain, Carol Nielsen (Forestry), Angela Engelman*, Lisie Kitchel*, Rori Paloski*, and Emily Rusch*. *Indicates staff member served as a recorder for group discussions. **Stakeholders providing input via phone/email after the meeting:** Mike Grisar, WE Energies.

Below is a compilation of the comments received both during group discussions at the June 2nd 2009 Stakeholder Advisory Group meeting and from individuals either at the meeting or via phone. The comments have been edited for clarity. Please let me know if you have a question about the information, or think a mistake has been made in the interpretation of a comment or discussion item. You can reach me at 608-264-8968 or via email at Sarah.Carter@wisconsin.gov.

Comments/questions/clarifications during presentation (Changes to Services Provided by the Endangered Resources Review Program in Response to Stakeholder Requests):

- Question: Would the ER Review template apply to reviews completed by the Office of Energy? To NHI information provided to cooperating foresters? Answer: For now the ER Review template would apply only to formal ER Reviews conducted by the ER Review Program. However, we have been talking with the Office of Energy throughout this process, and in the future the template might be used by them as well. Cooperating foresters currently do not request formal ER Reviews from the Review Program, so the template would not apply to the information that they receive.
- Question about the differences between ER Reviews conducted by the Office of Energy vs. the ER Review Program. Noted that the core endangered species laws are the same, but there may be additional considerations with ER Reviews conducted by the Office of Energy because of the involvement of the Public Service Commission. In addition, utility projects are often significantly larger, more complex, and longer term.
 - Follow-up request that ER Reviews conducted through both venues be as consistent as possible, particularly in required vs. recommended actions. Noted that this is one of the issues the Review Program is trying to address in updating the ER Screening Guidance for Wisconsin DNR, which applies to all DNR staff.
- Question about the anticipated turnaround time for DNR review and concurrence of ER Pre-Reviews. A day? A week? Response: A specific timeframe hasn't been established, but the intent is that it would be as quick as possible and certainly substantially faster than a regular ER Review.
- Clarified the difference between Voluntary Expedited ER (VEER) Reviews and ER Pre-Reviews. VEER Reviews are the same as our current ER Reviews, only conducted within

a guaranteed, short turnaround time (7 working days) for a higher cost (\$360 min). ER Pre-Reviews are different in that they would be conducted not by the DNR but by external NHI Certified individuals. The DNR would then review and sign off on the ER Pre-Review. The final product would then be the same as an ER Review, but the bulk of the work would have been done by the NHI Certified individual on their own timeframe.

- Questions about the [ATRI interactive mapping application](#). Most in the room were not aware of this site previously and thought it was very helpful. Noted that it has been available for some time, but only recently did the Aquatic and Terrestrial Resources Inventory (ATRI) become associated with the ER Program. Noted that you can zoom in for as much detail as you like on many layers (e.g. aerial photos), and also that you can link to [EcoAtlas](#) to find out additional information and data that have been collected in specific areas.
- Question about NHI training – Would training (particularly field training) offered in association with NHI Certification also be open to other interested parties? The idea is that it would be open to both those seeking certification as well as others who may be interested just in the field-based portion. Forestry has seen significant benefits from providing training to DNR staff and external cooperating foresters concurrently, and we would like to follow that model.

New Rare Species & Habitat Web Pages available (<http://dnr.wi.gov/org/land/er/biodiversity>)

- Question as to whether you can get a list of rare species records for a given county or township. Answer: The species webpages themselves are not sortable. However, you can get a list of species recorded from any individual township using the free online [NHI County Data](#) printouts and then find information on each species and habitat listed for the township using the new species webpages.
- Question about whether current distribution maps are available (in addition to the map shown for each species which highlights all counties for which we have records of the species in the NHI database). Noted that when current distribution maps are available, they are shown. In the case of reptiles and amphibians, the current distribution maps are from the DNR reptile and amphibian books, and thus are shown under the 'book excerpt' tab.

Stakeholder input gathered through small group discussions: *Note that comments from each of the three groups are listed separately, but combined by category. As a result, there is some duplication of comments.*

1) If additional resources become available, how would you like to see the changes to Review Program services that we've implemented to date expanded/built on? Changes include: updated website, new rare species and habitat webpages, new forms, new ER Review template, updated ER screening guidance, newsletter

Online information (including new rare species & habitat webpages)

- Group was very impressed by the things Review Program staff have already been able to do in response to the desires/needs of the stakeholders. Knowing about the ATRI website will be great, and appreciate that we've pulled information from many different places together into one location.
- The new species pages and ATRI tool should be helpful.
- Good to have the consolidated species information online.

- There is a need for more species information, especially for training for DNR and external biologists to help them make better decisions regarding avoidance and habitat management recommendations. Request that we color code distribution maps on species webpages to differentiate between historic and recent records.
- Continue to have more information available on-line. The group really liked the species pages and would like to see management and avoidance guidance for more species incorporated as it becomes available.
- It would be helpful to have guidance on how to avoid impacting habitat as well as how to avoid take of species.
- Suggestion for a publication/index with list of available tools so that people know what's out there.
- The whole DNR website needs to be improved – it is hard to find information and links and the search function doesn't work well. [Note from Sarah – the DNR is very aware of this issue and a group is actively working to address it; DNR has purchased a new search engine tool, and I believe a new website template will be rolled out within a matter of months.]

NHI Portal

- One requested improvement would be additional functionality to the external Portal. Question as to whether we could make changes to the external Portal now, along with the other website improvements we're working on. (Explained that any changes to the Portal involve significantly more time and money because they must be made by DNR programmers, rather than ER staff.)

Sharing of detailed NHI Data

- Cooperating Foresters would like to receive NHI data from DNR foresters in one consistent format (the NHI Portal printout is standard, but sometimes there's additional information and sometimes not).

NHI data

- Questions were asked about whether local species experts (UW staff for example) are involved in/aware of the process of collecting new rare species records for NHI. It seemed that up until now it was only DNR staff. Getting the word out to external experts that we're seeking new rare species records and providing information on how to report new records to NHI might help fill in gaps in the database.
- Clarify, make known, and streamline process for reporting new occurrences of rare species. Many externals and the general public don't know how and where to report a new rare species observation. It was acknowledged that this could be a double-edged sword because we want to encourage new observations but it may take a long time for the observations to be entered into the NHI database.
- Need to gather more data throughout the state, especially in undersampled areas (e.g., using the Breeding Bird Atlas). Such an effort might show that some species are more common than previously thought.
- Suggestion to send requests for new rare species records out through newsletter and citizen science network.
- Entering backlog data into the NHI database should be a priority.
- Continue to improve data availability, especially mapping records into the NHI database.
- Next steps should include improving mapping (areas of high growth should be a priority) and designating high priority conservation areas (developers would like to be aware of such areas up front so that they can avoid pursuing projects in these areas).

- Question about how Central Office gets information from the regional offices and other established group (e.g., the Southern Wisconsin Butterfly Association)

Newsletter

- Put newsletter on website and send out via e-mail; include direct links in every issue. Would be helpful if there was a way to track who is reading the newsletter to help guide future outreach efforts.

Other

- Rare species information should be used to identify priority land in SE WI for Stewardship acquisitions.
- Certified Plan Writers already complete lots of required training; they would like us to incorporate rare species training into the existing training framework for this group.

2) What specific questions, suggestions, and concerns do you have regarding the changes that we're considering for the near future:

Voluntary Expedited ER Reviews

- Really liked the expedited review option
- Beneficial product; question as to whether the 7 working day timeframe is reasonable/ doable for the DNR?
- There was a concern that everyone will want an expedited review (\$360 didn't seem like a lot of money) and then all the "regular" ER Reviews would take a really long time to complete. [Note from Sarah – VEER Reviews are being conducted in a manner that should minimize any effect on the speed with which regular ER Reviews are conducted.]
- Question regarding reviews conducted by the Office of Energy: Could the Butler's Gartersnake portion of the review be expedited? Would there be a fee? How would it be paid? This is often the major holdup for the utility.

NHI Certification Program

Clarifications

- Question as to whether anyone could become certified. Answer – Our intent now is that individuals seeking certification would have to have a biological background as a foundation for interpreting endangered resources data.
- Question as to whether DNR would review all ER Pre-Reviews written by certified individuals. Answer - Yes. Group thought that was the way to go so letters don't become biased. [Additional note from Sarah: By law only the Department can make determinations about take.]
- Question on the timeframe for the certification pilot. Answer – DNR would like to have a pilot NHI Certification Program in place in about a year.

Process

- Consensus that the certification program would save everyone time.
- Keep certification process simple and low cost.
- Like to see all ER Pre-Reviews reviewed by DNR so that the liability remains with DNR (see clarification above).
- Consider different “levels” or types of certification for different users.
- Will you have different levels of certification? (e.g., bird certification at UW-Green Bay is specific to specific habitats or regions of the state)
- Support providing greater access to the detailed NHI data and providing additional training to users, but concern about using the term ‘certification’ and what it implies.

Some are interested in learning more and taking the training, but may not necessarily want to be 'certified.'

Training

- Question about how certifiers would be trained and by whom?
- Suggestion to certify trainers, so we'd have more help conducting the certification program.
- Suggestion to increase the NHI training fee and open the training to externals, or possibly combine it with other trainings (e.g., Forestry).
- Suggestion to identify other training (not offered by ER) that people could take and have count toward certification.
- Suggestion to work with forestry groups to identify potential training overlap and information sharing opportunities (e.g., with Certified Plan Writers) and combine efforts when possible; 10 hrs of training is required annually for Cooperating Foresters, and CPWs must attend an annual meeting in addition to this. Some Cooperating Foresters choose not to be CPWs because of the extra time commitment.
- Suggestion to have training for different habitats (wetlands, forests, prairies) or by region.
- Should have training and then practice session (with feedback) before any test to ensure that participants have really learned the material and concepts.
- Refreshers are important, especially to share new data and information.

Concerns

- Concern for expanding sharing of detailed NHI data with additional groups. How will consultants handle the confidentiality requirements for the NHI data? How many people do you open the certification program up to? Need to open it up widely, not to only a select few.
- Please take into consideration the experience, knowledge, and needs of the various groups (e.g., Certified Plan Writers, Cooperating Foresters, County Forests) as you develop the certification program. These groups are already accessing the NHI data, are resource managers, and understand the need to protect the data. County Forests don't need in-depth ER Reviews, but rather information on what species are present and how to manage for them. Similar situation for CPWs - would hate to see CPWs put through an in-depth training to do ER Pre-Reviews which they won't need or use. Current NHI license agreements with County Forests are working well; they are afraid of certification and associated costs.
- Stakeholders are concerned about certification being used simply as a mechanism to increase their fee

What process would you like to see used to create the NHI certification program?

- One that is open, objective, and not biased

3) Are there additional items/needs that you would like to see the program address in the near future? (Consider question in light of both additional resources that might become available and if resources/staff were to be reduced in the future).

NHI data

- It would be great if we could update the information on where species are, for example by partnering with other agencies (e.g., DATCP) to conduct surveys.
- Mapping should be a priority: we need up-to-date information and maps.

- Need to ensure reports and data get to the Endangered Resources Program; suggestion to set GPS as the locational standard requirement for submitting new rare species observations to facilitate mapping of the observations into the NHI database.
- Need to develop web-based tool to submit new rare species observations (applicants enter data & DNR does the subsequent QA/QC).
- Data entry is time consuming. Is there a way to speed up the mapping process? Could volunteers doing pre-mapping tasks help? Would requiring a certain standard/quality of data for submissions of new rare species records help?

Training/outreach

- Suggestion to talk about reporting new rare species observations to NHI at the Cooperating Forestry meeting, as Cooperating Foresters don't know how to do this or where to find the forms.
- Would like to see us develop a basic tool for towns to use when issuing building permits to help them (in a simple, straightforward manner) address environmental concerns at this local level. For example, supply each town clerk with a copy of the NHI county map that includes their township, and the clerk (as part of the building permit application process) would require the applicant to get an ER Review if their project is located in or adjacent to a section with an NHI record (i.e., a colored section). Would need to mail hard copies to ensure reaching all towns (not all have internet, let alone high-speed internet). Any tool needs to take into account the high turnover rate (25% every 2 years) of town officials. The Towns Association would be willing to work with us to provide guidance to towns via their monthly newsletter if we can provide the maps/information. The packet should include basic information on the endangered species law (i.e., it is the responsibility of the project proponent/applicant not to 'take' listed species).

ER Review

- DATCP- current system of data sharing and consultation/review of gypsy moth spraying has been hit or miss. There have been staffing changes, and it's not always clear what the species of concern are for a given project. Sometimes gypsy moth staff don't hear back from ER. There is lots of back and forth, and overall the process needs to be more streamlined and consistent.
- Noted that it would be helpful to have more information on the species in ER Reviews. Explained that ER Reviews are being transitioned to electronic format in part so that links to the species pages can be included in the reviews.

Other

- Important to provide more species guidance (including species/habitat management recommendations).
- Suggestion that we have a blog/twitter/facebook page for DNR/ the ER Program.

4) What role would you like to play in future activities of the ER Review Program (e.g., serve in advisory capacity, in-depth involvement with specific efforts, be kept informed of changes via email updates)?

Suggestions about future communications with stakeholders

- All in group wanted to be included on The Review newsletter mailing; they really liked the idea behind the newsletter and thought it would be helpful.
- Putting the newsletter on the website would be a good way of communicating future changes to stakeholders.

- Newsletter – should be electronic, quarterly (monthly would be too much) - will help in sharing updated info.
- Suggestion to continue stakeholder meetings, half-day, annually (e.g., following model of Solid Waste semiannual ‘program updates’ stakeholder meetings) – would be opportunity to interact with staff, keep in contact, and keep informed.

Volunteers to participate in future activities

- Individuals and/or organizations that would like to help develop a certification process:
 - NRC
 - Cooperating Foresters (Ray Perry) – would like estimate of time commitment
 - DNR Private Forestry (Carol Nielsen) - would like to assist in whatever manner the program deems most helpful; appreciates having been involved in this process and hearing input from and perspectives of other external partners.
 - DATCP is interested in participating and would like to stay involved.
 - We Energies (Mike Grisar)
- Individuals and/or organizations who would be willing to serve on an advisory board (for certification program or more generally for the review program):
 - NRCS (Bob Weihrouch)
 - Jason Dare
 - Dan Peterson (if forestry representation is needed)
 - Brad Foss (if utility representation is needed)
 - Noted that the advisory board should consist of a diverse group of people.
- Would like to be kept informed of process:
 - Cedarburg Science (Lesley Brotkowski); can offer feedback through email.
 - Metropolitan Builders Assn (Scott Mathie or another rep)
 - Madison Audubon (Karen Etter Hale); will review certification if she has time.
 - Wisconsin Towns Assn (Lee Turonie)

5) Final comments, suggestions, concerns, advice for us?

Accomplishments to date

- Great progress to date; really like the new rare species webpages.
- Everyone was very happy with what has been/is being accomplished so far.
- Good job in short time
- Very happy with what we’ve been able to accomplish, especially given staffing and resource limitations

Future activities

- Suggestion that we focus on a few things (the fundamentals vs. bells and whistles) – don’t try to do too much with too few resources.
- Stick to the basics and focus, especially with low funding, so that you aren’t spread too thin. Builders need maps, up-to-date data, and species guidance.
- Top priorities: ensure NHI database is as comprehensive and up-to-date as possible, post new species webpages on the internet.

Future communication

- Suggestion to have a “catch up” meeting once a year or so to update stakeholders on what’s going on with the Program and the Bureau regarding budgets, new issues, etc.
- Suggestion that an annual update meeting be done via webcast
- Suggestion to get the word out as broadly as possible about our activities, tools, etc (e.g., weekly DNR news, fisheries email updates)
- Suggestion to have a handout about the ATRI interactive mapping application at the Wetlands Meeting later this month, and in the future to share information with this same group about new tools, rules, and NHI certification