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## NATURAL RESOURCES BOARD

### MINUTES

A special meeting of the Natural Resources Board was held on Tuesday, December 11, 2012 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 1:05 p.m. for action on items 1 and 3. The meeting adjourned at 6:10 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  |                         |

1.B. Approval of agenda for December 11-12, 2012

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

2. Information Items

2.A. Air, Waste, and Water/Enforcement

None

2.B. Land Management, Recreation, and Fisheries/Wildlife

2.B.1. Report and preliminary findings from the 2012 firearm deer season

**Tom Hauge**, Wildlife Management Bureau Director, **Randy Stark**, Law Enforcement Bureau Director, **Jennifer Pilej**, Office of Communications, gave a joint presentation. They reviewed Wisconsin's deer hunting tradition, how the department is changing the tone from regulator to participator and the tools used, data from hotlines and calls for service, field registration, violation and arrest summary, 1984-2012 incident trend, summary of incidents, the rebound in resident male gun deer hunters, first time and returning buyers, growth in resident female gun deer hunters, mentored license sales trends, new access and applications, the ingredients to make a new hunter, harvest data, opening weekend importance, 2012 research wrap-up, CWD surveillance, and 2012 deer season structure **(HANDOUT)**

Discussion followed as to whether any non-hunting citizens were shot on the roadway that were biking, walking, or in vehicles; that there is opportunity for new hunters to come from the locavore movement and the program called "Gourmet Gone Wild"; whether the department has or will look into call-in or electronic registration as an option to deer check-in stations; whether the department is taking a human dimension look at the social aspect of registration (social gathering around the waterhole); interest in why the department is utilizing current technologies now; and how CWD prevalence in northern Illinois counties compares to Wisconsin.

**Secretary Stepp** thanked Jenny Pilej and her team for extraordinary leadership, thinking outside the box, being able to reach so many more people than the department has ever reached before, and the hundreds of hours that went into this. The public does not know that when it is deer season and the department is gearing up, it is like the anticipation for Christmas. There is an

excitement and a buzz and a hum. A real familial attitude of the staff. It is literally all hands on deck. People that do not work in Wildlife Management that are pitching in and helping out. She was very impressed this year with the amount of outreach the department did, the connections we made, and the feedback she got after harvesting her 7 point buck. Besides thanking the communications staff, obviously, the wildlife team's extraordinary effort. It is about putting a face to DNR and making sure that people can relate to who we are so they know how much fun we are having too through them. Her most thanks goes to the public because without deer hunters we could never manage deer in Wisconsin the way we do – not looking at hunters as tools but looking at them as partners in conservation efforts.

**Dr. Thomas** stated that she watched Secretary Stepp on the deer television show. She did a really nice job of showing enthusiasm and that deer hunting was fun and she appreciated the Secretary's efforts to reach out to women and girls.

### **INFORMATION ITEM – NO ACTION TAKEN**

3. Action Items

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

None

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

3.B.1 Request adoption of plan for management of hunting, fishing, and trapping in Wisconsin State Parks in accordance with 2011 Wisconsin Act 168

**Ms. Wiley** stated the timeframe was small to get this done but everyone responded. Dan Schuller and his team put in a lot of hours in not a very long timeframe. They did an incredible job. They listened thoughtfully and carefully to all of the suggestions and ideas from those that attended the listening sessions and sent in comments. The Natural Resources Board has set a new record for involvement. In a short period of time, every Board Member volunteered to attend and chair a listening session, thank you very much. Most of all, thanks of all to every citizen who testified or submitted comments. They were thoughtful and extremely insightful for the particular parks and trails. Although you may have been perhaps angry with Act 168, you have always been very respectful of the process as you spoke to the Board. She also gave thanks to the trappers that talked to the Board as well as the trapping association. They explained to the Board very carefully the concerns that many non-trappers had about trapping. They were willing to make accommodations to trapping in state parks. She thanked staff, the Board, and citizens from the bottom of her heart for their participation.

**Kurt Thiede**, Land Division Administrator, briefed the Board on the background of Act 168 – Sporting Heritage Act and Amendment 4 which opened up hunting and trapping opportunities for the first time in state park lands. He stated the bill has strict parameters under which the department and Board can limit hunting and trapping. He noted that without the department's recommendations here today or Board action, the bill still goes into effect on January 2, 2013 and all properties except for certain areas will be open for hunting during all seasons throughout the year. State park staff has been working diligently since the bill passed, developing a plan to implement this new law. He thanked the Board and specifically Jane Wiley who conducted five listening sessions for the public to comment on the department's proposal to carry out the law. The state parks program accepted written and emailed comments on the proposal as well. Throughout this process, the department strived to reach balance while providing opportunities to draw people into hunting and trapping outdoor skills programs while continuing to provide a wide-range of outdoor activities that people have long enjoyed in the state park system properties and being certain that the department was staying within the intent of the original law. Changes were made based on public comments received and the package before you attempts to address many of the changes that were proposed that are within the sideboards established in statute. The department also strived for consistency, simplicity, and that definable boundaries are feasible. He pointed out that their intent is to not reduce their ability to manage wildlife populations or reduce existing hunting opportunities in parks. Dan Schuller will explain in more detail, that it would be the department's intent to return to the Board in the spring to address the deer hunting

opportunities during the nine day gun-deer season in parks. He thanked Dan and his staff for the tremendous amount of effort in the past three months, specifically getting ready for this proposal. **Dan Schuller**, Wisconsin State Parks Director, and **Peter Biermeier**, Wisconsin State Parks Section Chief gave a joint presentation. They gave an overview of the recommendations, defined what a State Park is, gave examples of a designated use area, deer management uses, hunting and trapping seasonal exceptions, properties that are closed to hunting/trapping, the department's fishing authority, and how Act 168 affects Linear State Trails, Ice Ace Trail, and the North County Trail. They then reviewed the public comment process and the changes made from public comments. They then discussed the department's recommendation for archery only parks and trails, and closed with the amount of increased opportunities from Act 168: 18,198 hunting days and 21,790 trapping days. (POWERPOINT)

**Chair Clausen** reviewed the public appearance process and gave each speaker three minutes to testify. Legislators, tribal leaders, and the WI Conservation Congress Chair will have unlimited time to speak. He then stated that he understood that there is a lot of passion and some feelings and asked that you all be polite and respectful, and requested no outbursts of applause and/or disrespect.

#### **Public Appearances:**

**Representative Jeffrey Mursau**, 36<sup>th</sup> Assembly District, thanked chairman Clausen and Board members for inviting him to talk today. He stated he is Chairman of the Assembly Committee on Natural Resources; Chairman of the Assembly Committee on Forestry; and Chairman of the Joint Legislative Committee on State-Tribal Relations. Since its early days, the Conservation Commission, the Natural Resource Board, and the Department of Natural Resources have been able to automatically close lands to public hunting access just by acquiring them and designating them as State Parks. No board or official was responsible for hunting closures. His amendment to Act 168 changed that. Under Act 168 and the proposed rules before you today, he and the legislature have:

- 1) Reversed the presumption that all State Parks are automatically closed to public hunting and trapping recreation; and
- 2) Created accountability to the public in a formal vote to close publicly-owned land from public hunting and trapping.

Hunting, fishing and trapping are constitutional rights for the people of Wisconsin. If the rights are going to be restrained by government, even when it is reasonable, the public should be able to identify official decision makers closing off hunting access.

Regardless of what you hear today, peace and quiet are not constitutional rights ... I challenge anyone to find it in either our State or US constitution.

The Conservation Congress overwhelmingly voted to support this proposal. The proposals passed in 71 out of 72 counties in the 2011 spring hearings.

While some individual board members may not want it, the public deserves and the legislature has delivered a law placing both accountability and discretion with the Natural Resources Board.

You have all the necessary power to:

- a. Protect park visitors;
- b. Protect natural resources; and
- c. Make a real effort to analyze every State Park individually on its own merits

The NRB can close a State Park, in whole or in part, to hunting and/or trapping all or any species, either now or in the future based on safety risks to:

- State Park visitors;
- area residents; and
- certain species & plants

Since people around Wisconsin pay for acquisition and maintenance of State Parks, the State should try to make hunting inside State Parks for people in every geographical corner of the State whenever it is reasonable and safe. Act 168 automatically prohibits hunting and trapping within 100 yards of designated-use-areas in State Parks such as camping areas. This is two football fields width on both sides of a trail by Act 168 statute.

- Add in other statutes regarding gun free school zones and hunting near roads and structures
- Add in master plan regulations
- Add in expertise from DNR and NRB

He has confidence in the NRB to ensure hunting in State Parks will be done safely.

Wisconsin DNR is experienced at managing multiple types of users including hunters and trappers in State Forests and State Parks, doing so in more State Parks is not a new skill set for decision (the NRB) or land managers (the DNR).

Further, it is the responsibility of both DNR and the people of Wisconsin to manage our wildlife and their impact on our State Parks. Whether it is more active management of the timber or the deer or the turkeys or the garlic mustard ... Wisconsin needs its citizens to help us maintain our natural resources. If we do not, we start to lose public support for necessary future acquisitions in a fiscal environment where Stewardship has been scaled back. Demand is increasing for more public places to hunt and trap

It is wise to regularly re-examine our current assets to find new hunting and trapping opportunities in more of our existing State Parks ... helping ensure continued support for Stewardship from the entire public, including hunters. Finally, your authority to close down parks to hunting, fishing and trapping does not go away after today. This board will retain its authority and responsibility to regularly look at park visitor experiences to fine tune recreation plans. These parks have been paid for by all the people of Wisconsin. Let us try as hard as possible to make them available for all the people of Wisconsin.

**Representative Brett Hulsey**, 77<sup>th</sup> Assembly District, thanked Chair Clausen, Madam Secretary, and members of the Natural Resources Board. He appreciates the good work and hard work you do to protect the natural resources of our great state. It is one of the things that make Wisconsin a wonderful place to live. He, too, is a lifelong hunter and fisherman, dog owner, and cross-country skier. That is why he sent the Board a letter with Representative Fred Clark on Friday commenting on this proposal. Representative Fred Clark and he supported the Mursau amendment that was originally a compromise. He appreciates the Chairman doing that in committee and then voting for the bill on the floor.

We are concerned and obviously the concern we have seen from the public, the many calls from democrat or republicans across the state, that this proposal may go too far. He is here to say, that they may have made a mistake and may need to fix it. A concrete example of where he will be skiing, hopefully this weekend, is Blue Mound State Park. The lower area is open for hunting. He gets it. He hunts in the CWD zone. He does his part to try to control the deer population. If hunters do not get the deer, you know the drivers will. This area is too small to effectively hunt on it. It is probably 100 or 200 yards across. It really should not be open to hunting. It is right next to a ski trail. What happens is he usually comes bombing down here trying to avoid the trees and the last thing he wants to do is to be dodging trees and bullets at the same time. Again, if you are going to vote later, he would close that area of Blue Mounds along with the back part of it too. Again, he cross-country ski-races with bi-athletes who carry guns. He understands guns and skiing.

He thought that perhaps the language with which the legislature passed and he voted for is too broad. Their top priority, and he is checking the constitution, is protecting public safety. That is what the letter said and that is why he appreciates what you are doing in the room today. Again, based on the knowledge of the park that he knows the best, he believes the Board needs to go further and we should review this legislation very carefully. Again, he has hunted since he was six years old. His father bought his son his first gun when he was six months old. His dad was the Chairman of the National Wildlife Federation, one of the biggest hunting organizations in the country. It gives hunters a bad name when we are forced to put hunters in proximity with hikers and others. One of the things we need to do to promote hunting and fishing is to improve the image of hunters and fishermen. I believe this measure takes us in the wrong direction. He really thinks the Board needs to go even further than the staff has done, especially in his favorite skiing park, Blue Mounds, to protect public safety which should be our top priority.

1. **Lee Fahrney**, Hollandale, representing Wisconsin Conservation Congress. He stated that in 2011 at the annual Spring Hearings, the Wisconsin Conservation Congress asked the public if they would support legislation that would require lands purchased as state parks to be open to hunting and trapping. The public vote supported these questions (3,710 yea, 872 nay, approved in 72 counties for hunting and 3,488 yea, 1,078 nay, approved in 71 counties, rejected in one for trapping).

In April, legislation was enacted that opened state parks to hunting and trapping opportunities (and fishing where applicable) while enabling the department to prohibit these activities to protect park visitors or unique natural resources. The department's proposal was presented to the Forestry, Parks, and Recreation Committee by Dan Schuller at their November 3 meeting in Stevens Point. The committee unanimously supported the department's proposal to implement this legislation and increase opportunities for hunting and trapping on state park lands. The Executive Committee met via conference call on December 3, and adopted the Forestry, Parks, and Recreation Committee's position of support as the official Congress position.

The Congress feels the department has done a thorough job of looking at state parks and trails individually and identifying areas that would not be conducive to these activities. In addition, the proposal to wait and open these lands after the peak use period for non-consumptive user groups has passed, indicates the department is cognizant of the needs of various users and has been very deliberate in their attempt to coordinate the use of state parks/trails lands across a broad spectrum of activities. The Congress would like to commend the department staff statewide for their combined effort to identify appropriate areas to increase hunting, fishing, and trapping opportunities.

In closing he felt it important to point out some specific facts pertinent to this discussion. First, it should be noted that this is not something that is brand new. For years there has been some hunting in a number of Wisconsin state park areas and this has occurred significant impact on non-hunting users. The department has successfully managed public areas for multiple uses, often with non-consumptive users not even realizing hunting is occurring. Secondly, there have been concerns raised by neighboring landowners who are not supportive of hunting on state lands adjacent to theirs. However, it should be pointed out that if the state land were in private ownership, that owner would have every right to hunt or trap on his or her land without any input from neighbors. The requirements regarding discharging of a firearm within 100 yards of a dwelling devoted to human occupancy remain applicable. And finally, please note that the number of persons supporting these proposals at the 2011 Spring Hearings was well over 1,000 more than the total number of comments the department received in opposition.

2. **Jeff Samida**, Village of Sherwood, representing Friends of High Cliff State Park spoke in opposition to expanded recreational hunting and trapping at High Cliff State Park. He stated that revenue and visitation will most likely decrease. He asked the Board to not let this happen. (HANDOUT)
3. **Thomas Janssens**, Lodi, representing self and neighbors spoke with concerns on backtrail at Gibraltar Rock Area SIATA. He asked the Board to look at this trail and include a buffer. (HANDOUT)

Discussion followed on as to whether this property is now open for the 9 day deer gun hunt and whether it is open for archery.

**Deanna Devaul**, Madison, representing self was moved up from #48 due to an illness in the family. She spoke in opposition to expanded hunting and trapping in all of the state parks and asked the Board to vote for what is right for the majority of citizens. (HANDOUT)

4. **Dick Jones**, Lodi, representing self and surrounding property owners. He referenced a letter from Senator Erpenbach and stated that he had submitted a petition earlier. He

spoke on the Gibraltar Rock Area SIATA. He asked that this area be closed to trapping. He supports the IAT proposal but the back trail should be closed. He thanked Board Members Wiley and Cole for all the work they did.

5. **Jeff Wevenberg**, Sherwood, representing self. He spoke on High Cliff State Park and the value of partnerships and friends groups. He asked the Board to take the recommendation from the Friends of High Cliff into consideration.
6. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation. He spoke in support of the final proposal and requested the following modifications: 1. Disallow shooting across any of the linear state and federal trails, 2. Disallow the use of conibear traps for upland sets within state parks, 3. Allow park managers to temporarily close portions of state parks to hunting and trapping for scheduled special events, 4. Commit to revisiting this proposal in another year, and 5. Allow park managers to take immediate emergency measures to change specific provisions to address actual safety or conflict problems. **(HANDOUT)**
7. **Bill Fenske**, Madison, representing self. He was not in attendance. His handout noted his opposition to hunting and trapping in state parks and on the Ice Age Trail. **(HANDOUT)**
8. **Jack Barker**, Madison, representing self and also unofficially for Ring Game. He asked that the Board allow the implementation plan include a provision for individual superintendants to close sections of their park or to restrict hunting and trapping to accommodate special events to ensure the safety of all participants. **(HANDOUT)**
9. **Bob Richards**, Sturgeon Bay, representing the Door County Silent Sports Alliance. He stated that the department's recommendations for Act 168, even in its revised form, is unacceptable. You must remember that people of all ages use these state parks year-round and they deserve to do so safely. They support pre-act 168 hunting. Please prohibit expanded hunting and trapping. **(HANDOUT)**
10. **Denny Dewing**, Sherwood, representing self and concerned village of Sherwood. is not against hunting but is concerned with safety issues. He asked that the Board prohibit hunting and trapping on any state park property in order to protect safety or to protect a unique animal or plant community. The 100 yard buffer will be hard to enforce. Most people now stay out of parks during any hunting. **(HANDOUT)**
11. **Cynthia Gagan**, Cedarburg, representing self. She stated it saddens her that DNR did not listen to horseback rider concerns. The use of dogs and guns will cause a horse to spook and possibly throw the rider. If chain and fireworks are not allowed, why are guns and traps? She asked the Board to delay implementation. **(HANDOUT)**
12. **Carole Vande Walle**, Fish Creek, representing self. She addressed implementation and legal issues. She stated this is a bipartisan blunder with an unprecedented bipartisan backlash. The amendment to open all state parks and trails must be fixed. Please delay implementation and send lawmakers a message. **(HANDOUT)**
13. **Scott McAuley**, Wisconsin Rapids, representing self. He spoke in support of the recommendations but expressed concerns. It needs to be safe. He asked that only pet safe traps to used (no conibears); Dry-land body grips only allowed if 5 feet off ground; dog-proof traps, cable restraints, live traps and weasel boxes, allowed in the entire park; and trapping in the water (wet sets) is by nature very pet/people safe. Trapping hours should be the same as the statewide rules now, from 4 a.m. to 8 p.m. **(HANDOUT)**

14. **Catherine Hill**, Madison, representing self. Her dog was caught in a leg trap/conibear. She disconnected the trap and dragged her dog and trap as far as could. She had to abandon dog and run for help. The trap was by the railroad. If land is open to trapping, that means it is closed and you enter at your own risk. Trapping is a painful and awful thing.
15. **Phil Van Valkenberg**, Golden Lakes (Oconomowoc), representing self. He is opposed to firearm use in many state parks and rail-trails or linear parks as specified. Act 168 is a complete reversal of past. Hunters assume risk associated with firearms to enjoy their sport. Now park and trail users are being asked to assume this risk. He stated that park and trail use in the winter continues to grow. Where will people go who do not want to assume these risks? **(HANDOUT)**  
  
**Jeff Baylis** was moved up from #41 due to work. He spoke in opposition to act 168 and stated that not one single hunter friend thinks this is a good idea. He is a hunter also. State parks are a family destination. He asked the Board to minimize the harmful impact of this act by banning nighttime hunting, place all state parks and trails within the 'zero quota' wolf hunt zone as was done for reservation lands, and ban the running of game with dogs. **(HANDOUT)**
16. **Karen Graff** or **Dan Graff**, Mosinee, representing Friends of Rib Mountain. They oppose expanded gun hunting at Rib Mountain State Park due to its urban nature, high population surrounding the park, and high use of the park and its extensive trail system throughout the year. They also believe that downhill skiers at Granite Peak Ski Area, a ski area leased from the park, are at risk during gun seasons. They also believe park income will decrease significantly with fewer non-hunters using the park. **(HANDOUT)**
17. **Susan Shepanek**, Madison, representing self. She spoke in opposition to act 168. Hearing a shot is enough to give her pain and would cause her to leave park and not come back. Being out in nature is a way to connect. To hear gun shots or wounded animals is appalling to seeking of spirit. Where will we allow wild things to be wild? **(HANDOUT)**
18. **Doug Fendry**, McFarland, representing Pheasants Forever. He spoke in support of Act 168. They are a pro-hunting organization. By opening state parks to hunting and trapping, the DNR will provide a full range of properties for all hunters and trappers. He stated the proposed closed areas and limitations are reasonable and asked that no additional areas be closed to hunting and trapping. **(HANDOUT)**  
  
**Mr. Kazmierski** asked whether Pheasants Forever property is open to non-hunters the rest of the year.  
**Mr. Fendry** stated yes.
19. **Jim Rose**, Madison, representing self. He stated he has hunted his whole life. It makes sense to him to open deer hunting only during the 9 day season. It is irresponsible to encourage hunters and non-hunters to be in the woods at the same time. The risk of being wounded or killed is a risk that park users do not want. Statistics and common sense say that if a person is in area of someone hunting, the risk is greater. Parks in Wisconsin are for everyone and not just one group. He is strongly opposed to hunting and trapping in state parks for safety reasons. **(HANDOUT)**
20. **Janet Boddy**, Village of Friendship, representing self. She spoke in opposition to the department's recommendations and to Act 168. Adams County has over 50,000

acres of public hunting lands. There are over five million acres of public hunting land in Wisconsin. She asked that Roche-A-Cri State Park be kept for non-hunting activities exclusively and to let hunters continue to enjoy the 145 acres of Roche-A-Cri Natural Area already open to them across the road. **(HANDOUT)**

21. **John Madden**, Madison, representing National Park Service. They are concerned about the chilling effect that Act 168 and the implementation plan will have on non-hunters and urban folks to utilize the Ice Age Trail. They also are concerned about the length of the hunting season. They are very concerned about their County Corridor Planning efforts that they have conducted over the past 20+ years where they did not mention to the public that the lands DNR would be purchasing for the Ice Age Trail would also allow hunting. It has already adversely affected their ability to work with landowners to acquire lands for the trail. They recommend that a process be designed, as soon as possible, to review the DNR's implementation plan to evaluate those properties that have been opened to hunting to see how it has served trail users and hunters.

Discussion followed on NPS's concerns on Act 168 and how it could impact future acquisitions and easements, and whether there are some lands now that abut up to state trail property that are open to hunting.

22. **Rick Bogle**, Madison, representing self, did not testify.
23. **Patricia Slagoski**, Belleville, representing self. She questioned the value of allowing hunting and trapping in parks. She will not feel safe. She requested specific information regarding the types of traps allowed. She questioned the future of the parks and the safety of people and pets. She proposed that the DNR promote park usage to experience peace in nature. **(HANDOUT)**

**Mr. Bruins** asked that in fairness to everyone that the Board consider shortening the time allowed to give everyone a fair chance to speak.

**Chair Clausen** stated that traditionally, the Board has let people have their say.

24. **Jack Moneyppenny**, Sturgeon Bay, representing Door County Visitor Bureau. He spoke on behalf of tourism. Door County is a tourism based economy. They would prefer no hunting but the law is in place. He is not sure of its impact on tourism or on the lives of its members. He asked how they can partner going forward to make the best of this situation. They have to explain this to 2,000,000 visitors. They need a toolkit. They need illustrations of the signs that say "this is where hunting is". They need anything the DNR can put together for a toolkit to educate their visitors and residents why certain parks are safe during hunting.
25. **Virgil Schroeder**, Cottage Grove, representing WI Trappers Association. He spoke in support of the department's recommendations and displayed traps the Association recommends for use in state parks. These traps are dog and human proof and have never injured or killed a dog. These traps are used by most responsible trappers. The other trap he displayed was a cable restraint which gets tight as the animal struggles and loosens when relaxed. The Association recommends these two traps be used on dry land which are the most humane traps out there now. He was assisted by Warden Nate Kroepelin.

Discussion followed as to whether the recommendations are binding by the Association's membership and a further review of how the Association's recommended traps work.



26. **Joan Wilson**, Sturgeon Bay, representing self. She reviewed the DNR's responsibilities for Wisconsin's natural resources and then stated her concerns for the biodiversity of the plants and animals that are indigenous to the Door County Parks because of the Niagara Escarpment that forms Potawatomi, Peninsula, and Rock Island State Parks. How will these special traits be preserved? Hunting and trapping will have a negative effect on the tourists traveling to Door County. Amendment 4, which was added nine days after the Assembly public hearing, will have a bigger effect on keeping tourists away from Door County than luring hunters. Implementation of amendment 4 needs to be delayed until further investigation of its impacts and separate legislation should be introduced to delay the implementation. **(HANDOUT)**

Discussion followed on how hunting will affect endangered plants and animals.

**Chair Clausen** warned the audience that those making further outbursts will be escorted out of the building by a warden.

27. **Anneliese Emerson**, Madison, representing self. She stated that there are a lot of people in Wisconsin that are not happy about the secretive and deceitful process this act was put together.

**Chair Clausen** asked those speaking to keep their comments to the Board's green sheet package and what went on with the legislature is beyond the Board's control. The department has been open and transparent on this.

She then stated her concerns on how this will affect public safety. Is it worth reducing park usage to add 1% – 2% to the state's public hunting acreage? People go to parks to de-stress, to find peace and connect with nature - alone, with families, and/or with pets. Most do not want guns and traps in state parks and do not want to find wildlife that we look forward to observing frightened, injured, or killed. We and wildlife need to feel safe. Please do the right thing and delay implementation of Act 168. **(HANDOUT)**

28. **Dan Miller**, Madison, representing self. He was not in attendance
29. **Paul Matteoni**, Madison, representing self. He is a cross country skier. He appreciates the revisions but they do not go far enough. Representative Murseau told the Board that you can close all or part of these parks to protect public safety. A study was done last year by DNR that showed that hunting was incompatible with silent sports. As Murseau said, close lands using your prerogative to protect public safety. Murseau also mentioned that we need to identify our constitutional rights. We have a right to be secure of our own life and liberty. Use this opportunity to close most of these to hunting to protect public safety.
30. **Karen Matteoni**, Madison, representing self. The people who spoke at the listening sessions overwhelmingly were opposed to hunting and trapping because of their concern of safety for themselves, children, and pets. The residents are not content with staying out of our state parks for seven months. This is a bad law. The state of WI spends over \$12 million each year on tourism. Tourism is a big part of our economy which brings to Wisconsin \$16 billion each year.
31. **Scott Meyer**, Gleason, representing United Sportsmen of Wisconsin did not testify. His handout noted they were in support of the department's recommendations. He also included statistics showing hunting is the third safest activity when compared to 28 outdoor recreational activities. **(HANDOUT)**

32. **David Calhoun**, Middleton, representing self. He asked that the Board make public safety your top priority in deciding how to implement it. For decades, families and others have enjoyed Wisconsin's state parks with little reason to fear being killed or injured by a hunter's stray bullet or a trap. This is a bad law. The department does not have the staff and other resources to patrol or enforce these activities. Staff is already stretched pretty thin. Please make public safety your top priority by restricting hunting and trapping in the state parks much more severely than has been proposed. (HANDOUT)
33. **Sheila Williams**, Janesville and Sister Bay, representing self. If the Board cannot guarantee public safety, they should inform the legislature that this law cannot be implemented. This is the only area where non-hunters can go. Please maintain the integrity of our state parks. Leave the state park system as it was originally intended to be used by the public by not implementing this flawed law. The manner in this law was handled is a betrayal of public trust and lacked proper research and diligence, public input, and transparency. (HANDOUT)

**Ms. Wiley** clarified that the department did not initiate this.

34. **Patricia Randolph**, Portage, representing self. She stated that Act 168 is a massive power grab over all aspects of Wisconsin wildlife and public lands. If we want safe state parks we must organize to democratize a corrupt special interest system, which has been amassing power against us for 80 years. The hunters and trappers own the legislature where policy is made. Killing is not conservation. Wildlife watchers actually bring more revenue to state tax coffers than hunters and without inflicting destruction. Act 168 is the culmination of that civil liberty denied and it should be repealed entirely. (HANDOUT)
35. **Mike Brust**, Wausau, representing Wisconsin Bowhunters Association. He spoke in support of the DNR recommendation and endorse the fact that public lands belong to all members of the public. Many folks here may not appreciate that after all the fanfare, this use will find its own balance. Hunting, particularly bowhunting, is less disruptive to non-hunters than non-hunters are to hunters. He asked that bowhunting be allowed in all areas. He questioned whether public safety is a valid concern here. The risk is more perceived than real. Representative Hulsey's testimony does not help. His real concern should be dodging trees and deer.
36. **Patty Lowry**, Madison, representing self was not in attendance. She wrote in opposition to expanded hunting and trapping in state parks and trails and asked that this portion of Act 168 be rescinded before park users are injured or killed. (HANDOUT)
37. **Mike Kuss**, Friendship, representing self. He spoke on Roche-A-Cri state Park. The department's recommendations are woefully inadequate. He is opposed to the addition of hunting and trapping. He is concerned for neighboring home owners and with other silent sport users. Hunting will discourage traditional use all together. The loss of use will result in the loss of interest and revenue. Mixing hunting and other recreational uses at the same time will cause conflict. This is not worth the risk of public safety. He then added that he mentored his daughter this year on the deer hunt and thanked the DNR for this program. They were not lucky but it was a lot of fun.
38. **Kevin Thusius**, Cross Plains, representing Ice Age Trail Alliance. He talked about the tapestry of the Ice Age Trail. He stated that there is some hunting along the trail. They developed a website that separates areas with hunting and no hunting for those seasons. The Alliance supports the changes of no hunting within 100 yards of the trail but believe it should go further. Many state IAT trails are "islands". He

asked that the dates be modified to open to November 15 in the fall and then in the spring to close at the end of April. He also asked that shooting across the trail and on the trail should be disallowed, as WI Wildlife Federation recommended in their testimony.

39. **Michael Brogan**, Friendship, representing self. He spoke in opposition to expanded hunting and trapping at Roche-A-Cri State Park. Allowing big game rifles in the state park will be an extremely unsafe situation. He feels the individual parks with a small team of local advisory personnel to each respective park should be allowed to implement hunting if they felt it was a safe decision for their assigned parks. He is a hunter, fisherman, and nature lover. He requested a decision reversing the department's recommendations at Roche-A-Cri state park so the majority of the public can safely enjoy its wonders. **(HANDOUT)**
40. **Rhonda Arries**, Waunakee, representing self. She spoke in opposition to any hunting and trapping at Governor Nelson State Park. This is a public safety issue. In addition, endangered and rare birds migrate through the Six Mile Creek area out to the Yahara such as Snowy White Owl and Tundra Swans. There are two public hunting grounds adjacent to Governor Nelson already. Please do not allow hunting in Governor Nelson for the sake of public safety and to protect a migratory route for endangered and rare waterfowl. **(HANDOUT)**

**Peggy Wireman** was inadvertently left off the appearance listing and was added. She stated she is not an anti-hunter but she does not want to be afraid to use the state parks for seven months of the year. Will DNR require orange? How will the DNR keep teenagers and kids from going off trail. How will photographers stay on trail and not do stupid things? The parks are owned by all. They were originally set up in the 1930's for a place for people to go without hunters.

41. **Jeffrey Baylis**, Cross Plains, representing self, was moved to speak after #15 – Van Valkenberg.
42. **Kathy Halloran Liska**, Madison, representing self. She handed out two SCORP Booklets (<http://dnr.wi.gov/topic/parks/planning/scorp/>) - Statewide Comprehensive Outdoor Recreation Plan. She believes Act 168 is an assault on the rights of WI citizens to use our state parks safely, for ourselves and our families throughout the calendar year. She spoke on her many concerns regarding safety, enforcement, funding, and liability. Act 168 also disregards school groups who use state parks for their unique educational opportunities. It is the right of all taxpayers and citizens to use the state parks safely throughout the year.
43. **Dawn Sabin**, Madison, representing self. She is deeply troubled to learn that Act 168 will allow hunting and trapping in our State Parks. Opening up our state parks to hunting and trapping is so out of line with what the majority of people associate with use. People expect that they are going to a peaceful haven where wild animals are protected from human harm and their own safety is not in jeopardy. For the safety of all, shed pleaded and urged the Board to amend Act 168 by removing the hunting and trapping provision in our state parks. **(HANDOUT)**
44. **Jillian Hussey**, Madison, representing self, was not in attendance.

**Lucy Lodgen** was moved to this location but had to leave before it was her time to speak. Jeff Kravat asked to speak in her place. He was moved from #62.

**Jeff Kravat** stated that hunting and trapping in state parks has put a chilling effect on their entire outlook as to what the state parks are about. This will scare away a lot of people. He is afraid for our state, our tourism, and for our citizens. He is a retired personal injury

attorney. The DNR will be subject to lawsuits for both personal injury and for wrongful death if you are not very careful as to how you craft these rules. There are thousands of acres of land that are more suitable and appropriate for hunting and trapping. To ignore our birthright and to permit such an abuse of our lands by narrow commercial interests must be seen as unacceptable. We need to preserve these for the beauty of our state parks. We are stewards of this land and not just for the few crass, commercial, lobbyists and powerbrokers that have taken control of this state. We ask the Board to delay this to give the public more chance to think and plan accordingly.

**Mr. Kazmierski** asked whether Mr. Kravat thinks, as an attorney, a case was made today that hunting is not safe.

**Mr. Kravat** stated that if the DNR sticks its nose into this and promulgates rules that are found to be inappropriate or found to ignore the need of the people and the appropriateness of these rules, they can be subject to litigation. You can sue anybody. He is not saying it would win, but it does put the state and the DNR in a very tenuous position.

45. **Bob Welch**, Redgranite, representing Hunters Rights Coalition. He stated their strong support for the department's recommendations and believe it to be a reasonable compromise between competing users. If you look at the letter of the law, it probably should go further. This is a science-based approach to deciding how to use the parks and we believe that because parks are paid for by taxpayers, that they should be open to everybody. They also strongly disagree with anyone that stands up here and says hunting is unsafe. It is not. It is ridiculous and ignorant. Bowhunting is never unsafe. High powered rifles can carry beyond the target. A lot of parks are already open for deer hunting and it has not been a problem. The Board's role is to implement the legislation. **(HANDOUT)**
46. **Rachel Semrow**, Hatley, representing self, did not testify.
47. **Sabrina Miller**, Madison, representing self, did not testify.
48. ~~**Deanna Devaul**, Madison, representing self~~ She was moved to after #3.
49. **Carolyn Schueppel**, Madison, representing self. She spoke before the Board last December regarding her dog that was killed in a trap. She appreciates the Board's transparency and listening sessions. She handed out a map for Capital Springs State Park which is in a high density area. She is representing four different neighborhood associations. Just the other day, a lost dog was found. Its skeleton was found in a trap. There are no posted signs and no warnings. No one in this area knew about this. She will continue to gather names on a petition. Please delay implementation of this so more research can be done. **(HANDOUT)**
50. **Sue Miller**, Madison, representing self, did not testify.
51. **Nicholas Mischler**, Waunakee, representing self. He distributed a map of Governor Nelson State Park. He spoke in opposition to the department's proposal to all state parks, specifically for Governor Nelson State Park, which is in the Madison Metropolitan Area. We have a major public safety issue here with real injury and death consequences. The revised proposal places the residents of bordering properties and many park recreational users in harms way. The proposal does not meet basic common sense. The revised proposal fails, because it: Does NOT provide for a 100 yard buffer with three residential areas; Does NOT provide for a 100 yard buffer with roads; Does NOT provide for a 100 yard buffer with Morningside Trail; Does NOT provide for a 100 yard buffer with Six Mile Creek. This proposal allows one to hunt and trap, back and forth, across our roads, trails and creek. Common sense says NOT to attempt to shoehorn hunting and trapping into such a small area in Governor Nelson State Park, bordered by residences, heavily used road, and actively used trail, creek and roads. Be risk adverse. **(HANDOUT)**

52. Victoria LaChapelle, Sun Prairie, representing self. Cancelled, could not attend.
53. June Everson, Madison, representing self. Over the years she has camped at many of the Parks in Wisconsin and enjoyed each one for its uniqueness. She is now afraid she will not be adding any more new memories. She and her friends will no longer feel safe taking long walks or camping. A hundred yards does not make us feel safe. How many out-of-state visitors are not going to know about hunting and trapping in the park? They may go hiking in an area where there is hunting and trapping going on. Many of her favorite hiking trails are going to be in hunting/trapping areas. As many people she has talked with said, "It is an accident waiting to happen. (HANDOUT)
54. Denise Schmidt, Verona, representing Noll Valley Homeowners Assoc. She was not in attendance but in her handout, she asked that the Board reverse course on opening the section of Ice Age Trail in the Town of Middleton to hunting and trapping. It is appropriate to close this park to these activities entirely, as they are completely incompatible with the uses current and future park visitors enjoy. (HANDOUT)
55. Judy Middleton, Madison and Baileys Harbor, representing self. She has a cabin on Bailey's Harbor. Not one person has mentioned that hunting and trapping would take place the weekend of the Christmas bird count in mid-December each year. They do not want people shooting and killing during this event. This is serious business. They probably bring in more money than hunters but the DNR does not keep track. Door County also has a special event the week before Memorial Day weekend regarding the official start of summer. They use these parks all year round. These are small parks which are too small for hunters. This is not sensible.
56. David Hochtritt, Picket, representing self. He owns land in northern Wisconsin and in the Ripon/Oshkosh area. In one day, the Oshkosh Northwestern received 2,500 statements. 96% were against hunting in the state parks. Hunters just killed (harvested) approximately 5,000 bear and 500,000 deer. They are certainly successful. Why do they have to go to the parks? Wisconsin has enough killing ground. Someone mentioned today that there are humane traps. He would like to see a trap that can differentiate between a target and a non-target animal. He can then tell his neighbor, a non-trapper, who lost his black lab to a trap that was on his land that he had no knowledge was there. Some of these traps that are not supposed to be inhumane or not cruel, he does not believe it. He asked what the trapper does with the animal once it is caught? Club it to death? DNR is against clubbing, right? You could gut shoot it which probably happens most of the time, or you can shoot it between eyes. The fortunate ones would be shot between the eyes. We have had the wolf thing and this item rammed down our throats. It is terrible. People have to show courage, guts, and decide what they want to do.

Mr. Kazmierski stated to Mr. Hochtritt that Colorado parks are open to hunting.

57. Douglas King, Mount Horeb, representing The Madison Group, was not in attendance. Their position noted in the handout was in strong opposition to Act 168 and included their intent to participate in lawsuits brought by other legal partners for joint and severable liability in the matter of the injury or death of WI residents resulting from the expansion of lethal hazard in Wisconsin parks. (HANDOUT)
58. Jason Ircink, Waterford, representing The Brotherhood of the Arrow. Their brotherhood is a fraternity of archers bonded by the legacy of Kenny Koepsel. He stated that they stand opposed to the amendment and feel that the policy of "closed till open" has worked and forcing the DNR and the Board to accommodate this new policy of "opened till closed" was not a wise decision. 36 of 54 state parks already have some hunting, many, if not all, with little public opposition. They are not opposed to hunting in the state parks, but to how it was handled. They feel that gun deer hunting would destroy the quality archery deer hunt

that has existed at Buckhorn for 40 years. They would lose 30 days of hunting in a park that has had no conflict of interest. Please leave this park as-is. (HANDOUT)

59. **Kathy Wolf**, Middleton, representing self. She stated that hunting is a long tradition in her family: geese, duck, and deer. They are conservationists and they believe in the limited timeframe that we have for hunting. They are not in support of this expanded statewide approach. She shares their view to not open state parks to a seven month hunting and trapping season. We do not know the ramifications as to what will happen. It is not a surprise that only nine other states in this country allow this level of hunting. It is really excessive. Hunters make up only 10% of the population. Why would we limit access to our natural areas to the extent that we are looking at for such a small group? Most hunters would agree that the current seasons are reasonable. The DNR and Board have an obligation to protect the long term existence of animals. She urged the Board to slow the process down to take time for scientific research, discussion, and outreach.
60. **Lucy Lodgen**, Madison, representing self, asked to speak earlier but had to leave before her name was called.
61. **Barbara Patterson**, Grafton, representing self. She stated that Act 168 has been poorly publicized, and given very little time for public discussion and concern. As a Wisconsin resident for almost her entire life, she feels this action is unfair. Her family and ancestors have enjoyed the Wisconsin State Parks and its history of being a state wildlife refuge. They have always camped and hiked, learned and celebrated in most of these parks. You cannot duo-purpose these parks. These State Parks were not meant to be for "sportsmen" for their own selfish hunting needs, regardless of the safety of others, or the general public's enjoyment. (HANDOUT)
62. **Jeff Kravat**, Madison, representing self, was moved to testify after #44.
63. **Judy Kravat**, Madison, representing, did not testify.
64. **Tracev Schwalbe**, New Glarus, representing Friends of Wisconsin State Parks as President. She stated that the mission of the Friends of Wisconsin State Parks is to protect, promote, preserve and enhance Wisconsin's state parks, trails and recreation areas. In the last year, Friends groups have donated more than \$400,000 to state parks and have donated over 125,000 volunteer hours to the Wisconsin Park System. This is equivalent to 20 full time employees (FTE) or 220 summer limited time employees (LTE) in one year. They have heard directly from over 225 very concerned Friends group members and they have asked her to voice their concerns with the regulations for implementing the expansion of hunting and trapping to state parks and trails. There are many reasons to oppose opening parks and trails to hunting and trapping. Obviously, safety is the major concern, but there are other concerns, such as the financial losses from park sticker sales and the loss of tourism dollars in local communities. It will be truly devastating to Wisconsin if we lose the ability to encourage people to get out into nature and learn about its beauty and develop the environmental ethic necessary to value the resources and seek to preserve and protect them for the future.  
She asked that the Board listen to the public, limit the areas open to hunting and trapping as much as possible, restrict the time periods, protect the safety of park and trail users, preserve Wisconsin's parks and trails for all recreational users, continue Wisconsin's strong environmental ethic, and enhance Wisconsin's recreational tourist economy.  
(HANDOUT)

**Mr. Cole** asked department attorney Tim Andryk, in terms of the Board's ability to delay action, whether that would run afoul with the law the Board is intended to act.

**Tim Andryk**, Legal Service Bureau Director and Chief Legal Counsel, stated yes. The legislation goes into effect January and opens up parks to hunting across the board. If the Board fails to take any action on the law in this implementation plan, then everything is open. There would be no

closed areas or time restrictions. Staff recommendations and work that went into them would be lost for this meeting.

Discussion followed on how the parks will use the information received from the listening sessions and comment process, the department's signage plan, whether hunting will still be allowed on easements near trails, how the department gathers park user numbers, and whether the department keeps track of walk-ins that do not buy a pass.

**Mr. Bruins** stated he believes the state parks are well managed and well run. However, he also thinks the spirit of the Sporting Heritage Act is tremendous. It defines who we are as a state. We have a rich hunting heritage. But there is going to be a challenge to marry additional hunting and trapping opportunities to our existing state parks given the wide diversity and use that we have there.

**Mr. Bruins MOVED seconded by Mr. Kazmierski, to leave the hunting and trapping opportunities as they currently are and that the Board take Act 168 as a strong mandate to improve and expand hunting opportunities on the thousands of acres of land already in DNR ownership.**

Discussion followed on whether this motion would open up all hunting and trapping in all parks on January 1.

**Mr. Bruins** stated the intent of his motion would be to leave park management in terms of how it is currently managing hunting and trapping as it currently is and would incorporate an aggressive agenda to improve hunting and trapping opportunities on our considerable other acreage.

**Dr. Thomas** said her interpretation of Mr. Bruins' action is that we are taking action. The action we are taking is to leave hunting open in the parks where it is currently open and closed where it is currently closed.

**Chair Clausen** stated that if the Board does that, they will not have the ability to regulate what species is being hunted or anything else. Act 168 does not give us that flexibility. He asked Mr. Andryk for clarification.

**Mr. Andryk** stated that on January 1, what we had this year is gone. Parks are completely open to hunting and trapping. The Board has authority to close areas as determined to protect public safety or to protect unique plants or animals. The department has authority to close within 100 yards of designated use areas. In the Implementation Plan, the department has included closure within 100 yards of designated use areas, designates where those designated use areas are, and closure necessary to protect the public safety. If the Board does not approve those, then it is wide open.

**Mr. Hilgenberg** asked for an explanation that if the Board does nothing then 168 is implemented throughout all state parks. If we do what staff is recommending, we would be adopting the proposed maps and proposed designations. What are all of the Board's options?

**Dr. Clausen** asked Mr. Andryk that if the Board votes to adjust the season dates from November 15 to December 15 and the month of April, does that meet the requirements of the law.

**Mr. Andryk** stated that if the Board feels it is necessary to protect public safety; if the Board makes that finding, yes.

**Dr. Thomas** asked why the Board could not make that finding on Mr. Bruins' recommendation to protect public safety, that the Board has already looked at all of these parks through the years and decided what is and is not safe, and we like what we have done in the past.

**Mr. Bruins** stated he agrees with Dr. Thomas. He is not convinced it is a safety issue rather it is the perception of safety that we have to embrace. He really feels that the people have spoken. The legislature has given us a task to do and we have to do it.

**Mr. Andryk** stated the Board has the following options: according to the agenda and the implementation notice, that is what was posted for the Board to act on: you do not approve it, you can approve it as is, you can approve it with changes. His recommendation is the changes have to be within the scope of what is noticed on the agenda. When you approve it with changes, if you add restrictions, you have to do that on the basis that is necessary to protect public safety. In terms of what the DNR brought before you, that is what the DNR staff felt was necessary to protect public safety. To go beyond that, there has to be something you can use, some other information.

**Chair Clausen** asked Mr. Andryk whether he has a definition of “public safety”.

**Mr. Andryk** stated it is to protect the safety of the members of the public.

**Mr. Cole** stated that the premise of Act 168 spins around the current rule that all parks are closed. We do not have to adopt the plan the DNR put forward. We could adopt something that already exists as an alternative.

**Ms. Wiley** stated that Mr. Bruins’ motion keeps parks the way they are in 2012 with managed hunts to protect public safety.

**Mr. Andryk** stated that his motion is to change the implementation plan so that the restrictions are what the 2012 restrictions are as necessary to protect public safety.

**Mr. Cole** stated that if Parks staff put together Management Plan 2, which is by park locations and current rules and regulations that are in effect, the Board could adopt that.

Discussion followed on what the legislative committees might do with Management Plan 2 and the definition of public safety.

**Chair Clausen** added that the legislation says that public safety is whatever the Board Members of the Natural Resources Board determine it is.

**Mr. Andryk** stated that is correct. Through the legislative review, in Act 168 the legislature delegated that authority to the Board. There is no formal required review of this decision. It is not a rule. The Board is not acting on a rule that has to be approved by both houses of the legislature before it goes into effect.

**Mr. Kazmierski** withdrew his second. He misunderstood Mr. Bruins’ motion. He stated the whole spirit of the law is to add more opportunities to hunt at state parks.

**Mr. Bruins** stated to Mr. Kazmierski that he is technically correct but the spirit of the law is to expand hunting and trapping opportunities. To narrowly focus on just state park land is not in the spirit of Act 168.

**Mr. Hilgenberg** asked that the department staff tell the Board what parks currently are open for any hunting and trapping.

**Chair Clausen** stated this request could not be accomplished in an appropriate amount of time.

**Mr. Hilgenberg** then asked for the percentage of state parks are currently open.

**Ms. Wiley seconded Mr. Bruins’ motion**



**Mr. Hilgenberg** asked to address some of Mr. Kazmierski's concerns. The legislature are firebearers of this. If we move forward on this with a friendly amendment to instruct staff to look at all parks and make recommendations to the Board for example to add the 9-day gun deer season it is currently not allowed in, these recommendations would expand opportunities yet address all the concerns expressed here today, some of which the department and Board have nothing to do with any of this.

Discussion followed on the appropriateness of having staff look at current park hunting rules and make recommendations for additional opportunities.

**Mr. Hilgenberg MOVED that the department review all state parks for additional hunting opportunities for the 9 day gun season and bring back recommendations to the Board on January 23, 2013 for consideration. Mr. Bruins accepted as a friendly amendment.**

**Mr. Schuller** asked for clarification of the motion as to whether you want department staff to consider additional opportunities at parks that currently allow hunting or at any park.

**Mr. Hilgenberg** stated at any park and only the 9 day gun deer season.

**Secretary Stepp** stated she is really concerned about what she thinks could appear to be flying in the face of what the legislature intended with Act 168. They have given the DNR a very clear direction as Mr. Cole said to get a turn-about in the perception of how it is we look at hunting on park land. What the department's responsibility is to do is to go out to the public. In this particular measure, the department went out to the public in extraordinary ways through the help of all of you. To her, the department has already gone through all of these parks. To have the department go back and look at all these individual parks has already been done with input from men and women from across the state. They gave the department their direct input on particular properties which is an extraordinary thorough review and to look at it through the lens of the legislature that the legislature has directed them to look through. This is to expand hunting possibilities on state park lands and not on how to circumvent what the will was through Act 168. She is concerned as the Secretary of the department, that when they are charged to carry out what the will is of the legislature, the governor, and the people of the state, that doing a turnabout and looking at it through the old lens will not bode well for those at the department. Ultimately, the Board is the decision makers and she puts that back in your hands. You could not have had a more thorough review on each individual park, in what the department staff did, and what the people out here contributed to in that process and the hundreds of people across the state who also did. She is hopeful that the Board will put their trust back in our parks folks and all the reviews and the hundreds of hours they spent to review those properties to carry out the will of the elected officials of the state of Wisconsin.

**Mr. Cole** stated he agrees with Secretary Stepp on everything except for circumvention.

Discussion followed on the number of acres that would be opened within the state parks as a result of Act 168 and how many acres are currently open in Wisconsin.

**Secretary Stepp** stated that she has to remind herself and the Board of many times is that is not our decision. There was a decision made through the elected officials of the state who have decided they want to see advanced opportunities for folks in our state parks. The department's responsibility is to carry out the will of the elected official of the legislature and not to debate or disagree. Their role now is to carry out what that directive is. That is what their staff has been charged to do and has spent an extraordinary amount of work to try to balance the passions, the spirit, the feelings, the fears, to educate the public to try to get people to understand that we believe we can have a proper balance there. Ours is not to debate with what the elected officials decided. The vote in the state senate was like 32 – 1.

**Dr. Thomas** stated some legislatures even wrote and came and said they were not sure they should have done this. They are starting to waffle.

**Chair Clausen** stated that the bottom line is the legislature did not tell the Board to what degree to do this. They left it up to the Board. If the Board says they are doing a sufficient amount now and four board members agree with that, the Board can say they have met the letter of the law.

**Dr. Thomas** stated that as the Board purchases property and goes through new master plans for parks, they will have to assume every acre is open and work backward.

**Chair Clausen** stated there is nothing to stop administration from coming back in January and saying they think this park should be expanded. The Board was told today this was not the end of it and the Board could keep on dealing with this.

**Mr. Hilgenberg** stated that how many millions of acres of hunting land does not have any input in the decision. The conversation has to be whether or not we are going to allow hunting and trapping in state parks. That is what our focus needs to be on. He understands the Secretary's obligation. The Board also has an obligation. He likes Chair Clausen's idea saying we will allow hunting from November 15 through December 15 and the month of April. Then we did our duty. We listened to staff in terms of these areas are reasonable, safe areas. Staff had the responsibility of public safety when they drafted their proposals to the Board. He cannot buy the idea of saying we are going back to how it was before. That is not their charge.

**Ms. Wiley called the question.**

**The motion as amended failed on a roll call vote of 3 – 4.**

**William Bruins – yes     Preston Cole – no**

**Christine Thomas – yes     Jane Wiley – yes**

**Terry Hilgenberg – no     David Clausen – no**

**Greg Kazmierski – no**

**Mr. Hilgenberg MOVED, seconded by Mr. Bruins, to approve the Department's recommendations but to restrict the season dates to November 15 – December 15 and for the month of April.**

**Ms. Wiley MOVED to amend, seconded by Dr. Thomas, that the department immediately begin promulgating emergency rules establishing that no person may discharge a firearm, bow, crossbow, or air gun from, on, or across any trail corridor on lands in the Wisconsin State Parks which are identified on a map produced by the department as a designated use area.**

**Chair Clausen** asked Mr. Andryk whether this was in law already.

**Mr. Andryk** stated no. You currently cannot shoot across roads.

**The motion carried on a voice vote of 6 – 1. Mr. Bruins opposed.**

**Ms. Wiley** then read an amendment to restrict trapping to the use of dog-proof traps and to require trap locations be marked.

**Chair Clausen** stated he did not think it is a good policy to require having the trappers mark their traps because it could lead to conflicts as far as theft and people setting them off.

**Ms. Wiley** stated she could take that out of her amendment.

**Ms. Wiley MOVED to amend, seconded by Mr. Hilgenberg, to restrict the types of traps that may be used to ones that have been shown to be not capable of catching dogs (dog safe) or which are placed under water. The motion carried unanimously.**

**Mr. Thiede** asked for clarification to what Ms. Wiley is asking the department to do is to promulgate administrative rules to restrict the type of traps.

**Ms. Wiley** stated yes.

**Mr. Andryk** stated your motion, if passed, would require the department to initiate a process for emergency rules, to prepare a scope statement, and come back to the Board for approvals.

**Mr. Hilgenberg** asked whether the Board could incorporate this into their action now.

**Mr. Andryk** stated it has to be necessary to protect public safety and not personal property.

Discussion followed on the type of traps and whether it is necessary to include in the motion, and the perception of safety and the public's concern for trapping in state parks.

**Ms. Wiley** stated the trappers have been incredibly supportive of recognizing that this is an issue for people. The Board can respond as well if we adopt this as an emergency rule so we are saying to the public as well as to the trappers we appreciate your input and are dealing with it.

Discussion followed on whether the Board can restrict the types of traps used in state parks such as conibears.

**Mr. Andryk** stated the Board can restrict the types of traps if necessary to protect public safety.

**The motion on the trap amendment carried unanimously.**

**Mr. Thiede** spoke in regards to Mr. Hilgenberg's motion. One of the things the department is shooting for here is consistency of dates. One of the concerns he has is about an arbitrary end date, that could end or start in the middle of a hunting season. He asked for some consideration and for the month of April that would end in the middle of the third turkey period.

**Mr. Andryk** also noted that archery season currently goes through the whole month of December in some state parks. The Board would be cutting that out.

**Chair Clausen** stated that could come back to extend archery season as an amendment or at a future Board meeting.

**Mr. Hilgenberg** asked whether the Board could say with the exception to follow the end of the late archery season to continue through the end of the first weekend in January.

**Mr. Kazmierski** asked whether archery could begin November 1 through the end of the late archery season.

**Chair Clausen** stated he does not have an issue with extending the end date for archery through the end of the archery season but for consistency, he feels the Board should have a consistent date across the board. In parks with only archery, that gives bowhunters a few days of the rut.

**Mr. Hilgenberg** stated his strong concerns with November 1 due to the many activities at state parks, in particular Door County, that would be in conflict with this. He asked what is done now for bowhunting in Door County.

**Mr. Thiede** stated it is his understanding there is no early archery hunting so it typically would begin following the 9-day gun deer season.

**Mr. Schuller** stated archery only is very limited and is just on a couple of properties, such as at Buckhorn State Park.

**Dr. Clausen** asked the department to come back to the Board at the January meeting and propose specific things for those parks, he believes the Board would be open to looking at that.

**Mr. Kazmierski MOVED to amend to continue archery season to the end of the 1<sup>st</sup> weekend in January. Mr. Hilgenberg accepted as a friendly motion.**

**Mr. Cole MOVED to amend that Buckhorn State Park will retain the preexisting archery-only deer hunting season framework in portions of the park where archery-only deer hunting occurred prior to 2011 Act 168. That season opens on the normal opening day of the early archery season, which is the Saturday nearest September 15 and ends at the end of the first weekend in January. This means in this portion of the park open to archery-only, that the use of firearms would be prohibited. Mr. Hilgenberg accepted as a friendly motion.**

**Mr. Andryk** asked for a point of clarification on shooting across trails. The Board is not closing the area to hunting under Act 168. What the Board is doing is imposing a hunting method restriction and that you need to do by rule. What you are doing here is you have authority to close areas you find as necessary to protect safety. You are not closing anything, you are just saying you cannot shoot across a trail. That is a hunting regulation that you need to adopt by rule. Ms. Wiley's original motion where the Board requires the department to follow-up with an emergency rule on it, is correctly stated.

**Chair Clausen** stated that shooting across a trail will be handled by a separate emergency rule.

**Mr. Cole MOVED to amend, seconded by Dr. Thomas, that Governor Nelson State Park will not be open to hunting or trapping. The motion carried unanimously.**

For clarification, Mr. Hilgenberg restated his original motion as amended: **Mr. Hilgenberg MOVED, seconded by Mr. Bruins, to approve the Department's plan with the following amendments: The approved period for both hunting and trapping was amended and split into a fall/winter period and a spring period. 1) The Fall hunting and trapping period for open portions of parks in the department's plan will run from November 15 – December 15 each year, except that hunting by legal archery methods (bows and crossbows) would remain open until the end of the archery deer season, ending on the Sunday nearest January 6. 2) The spring hunting and trapping period for open portions of parks in the department's plan will run from April 1<sup>st</sup> through the end of the 3<sup>rd</sup> spring turkey hunting time period.**

**The motion as amended passed on a roll call vote of 7 - 0.**

**William Bruins – yes      Preston Cole – yes**

**Christine Thomas – yes      Jane Wiley – yes**

**Terry Hilgenberg – yes      David Clausen – yes**

**Greg Kazmierski – yes**

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

The regular meeting of the Natural Resources Board was held on Wednesday, December 12, 2012 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:40 a.m. for action on items 1-7. The meeting adjourned at 2:25 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  |                         |

**Secretary Stepp** requested that the Board amend the December 12 agenda to remove agenda item 3.B.21 – Land Exchange and Project Boundary Modification – Northern Highland/American Legion State Forest – Vilas County.

**Ms. Wiley MOVED approval to remove item 3.B.21, seconded by Mr. Kazmierski. The motion carried unanimously.**

#### 1.B. Approval of minutes from October 24, 2012

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

### 2. Ratification of Acts of the Department Secretary

#### 2.A. Real Estate Transactions

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

### 3. Action Items

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

##### 3.A.1 Request adoption of Board Order WT-23-11, revisions to NR 110, NR 205, NR 208, and NR 210 relating to sanitary sewer overflows

**Susan Sylvester**, Water Quality Bureau Director, and **Duane Schuettpelz**, Wastewater Engineer, P.E., gave a joint presentation. They noted that the subject of this rule package is one of the 75 issues identified by U.S. EPA as deficient in Wisconsin rules. Communications from 2 environmental organizations (Milwaukee Riverkeeper and Midwest Environmental Advocates) in support of the rule were received. The Department conducted 3 public hearings and received comments mostly supportive of the rule. Modifications to the draft rule were made in response to comments. They requested the Board adopt Board Order WT-23-11.

Discussion followed on implementation of the blending provisions of the rule.

**Mr. Cole MOVED approval, seconded by Mr. Kazmierski.**

#### **Public Appearance:**

1. **Paul Kent**, Madison, representing Municipal Environmental Group – Wastewater Division, spoke in support for this rule but asked that one clarifying note be added to the rule to address a provision that was changed subsequent to the public hearings. **(HANDOUT)**

As part of the rule package, proposed NR 210.12(2)(a) provides that wet weather blending may be approved if certain conditions are met including situations in which “the facility becomes inoperable due to loss of treatment efficiency from washout of biological media.

Clearly this language was designed to address high flow situations where blending is necessary to preserve secondary treatment biological media. However, there could be some ambiguity about the scope of this provision as a result of the use of the general term “inoperable.” For example, in many high flow conditions primary treatment and disinfection may still be operational even if secondary treatment is not fully operational. To clarify this matter he requested an amendment to add a note following this section that states as follows:

**Note: A facility may be considered inoperable in cases such as, but not limited to, situations where there is a significant loss of treatment capacity in the secondary treatment unit or units as a result of wet weather or high flow conditions.**

Chair Clausen asked the department whether they have issues with the note submitted by Mr. Kent.

Mr. Schuettpelz stated the note is fine.

Mr. Cole asked whether it was a note or an amendment.

Mr. Andrvk stated it is a note to the rule.

Chair Clausen stated it would then be added to the rule.

**The motion carried unanimously to approve Board Order WT-23-11 and to add the note submitted by Municipal Environmental Group – Wastewater Division.**

- 3.A.2 Request authorization for public hearing for Board Order WT-28-10, proposed rule affecting NR 211, related to General Pretreatment Requirements, which regulates industrial wastewater discharges to publicly owned treatment plants (POTWs)

Susan Sylvester, Water Quality Bureau Director spoke in place of, Bob Liska, Pretreatment Coordinator. She stated that the EPA identified the need for this revision of NR 211 as issue #16 in its 2011 list of 75 concerns with DNR’s wastewater permit program. The proposed revisions are the same as EPA made to the federal version of NR 211 in 2005. These revisions are referred to as the “Streamlining Rule” because many of the changes reduce regulatory requirements for industries without causing adverse environmental impacts. She then reviewed some of the more important streamlining changes. In September of this year DNR solicited comments regarding these proposed changes from 108 DNR-regulated industries and from the 26 delegated municipal pretreatment programs. 27 industries and 5 municipal programs responded. Based on the information they provided, annual savings in sampling costs will average \$800 annually for over 200 industries and \$4500 for municipal programs, while 10 commercial Wisconsin labs will lose \$3300 annually from lost sample testing revenue after an initial 3-year period in which these changes become fully implemented. She requested the Board authorize public hearings on Board Order WT-28-10.

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

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

- 3.B.1.a Bobcat, fisher, and otter population trends, harvest quotas, and harvest management within established quotas

John Olson, Furbearer Specialist, briefed the Board on goals, estimates, trends, and on the current status of bobcat, fisher, and otter populations. He then discussed other factors in setting quotas and permit levels, the department’s overall approach to establishing quotas and quota trends, rules regarding harvest reporting and emergency closure, challenges that impact ability to manage harvest, and changes that may reduce the probability of harvest exceeding quotas. **(PowerPoint and Handout)**

**Chair Clausen** thanked staff for seeking the 24 hour closure. This is something that has been lacking for a considerable period of time. As a comment, one of the things that the furbearer committee looks at is the effect of future harvest on the population projection. We are being conservative in quotas but the permits that we are issuing are about the highest permit that we can issue that will result in any kind of an increase. The DNR is walking a really fine line to satisfy user demands. The DNR has gone about as far as they can go with raising permits and still show some kind of a population increase.

Discussion followed as to whether the department stopped collecting data on success graphs and pregnancy rates since the information in the packet is two years behind.

#### **INFORMATION ITEM – NO ACTION WAS TAKEN**

##### 3.B.1.b. Request adoption of Board Order WM-09-11 related to the bobcat hunting and trapping seasons

**Scott Loomans**, Wildlife Regulation Specialist, stated that this proposed rulemaking will make permanent a trial bobcat season framework that was split into two separate time periods from 2010 through 2012. If this rule is not promulgated, the season automatically reverts back to a single permit period beginning on the Saturday nearest October 17 and continuing through December 31 in 2013. He requested the Board adopt Board Order WM-09-11.

Discussion followed on management of the total take, and whether opening a bobcat season in the southern part of the state is still in the works to be considered.

**Mr. Kazmierski MOVED approval, seconded by Ms. Wiley.**

**Chair Clausen** stated that he will allow a late request to testify which was submitted by Rob Bohmann of the Wisconsin Conservation Congress.

#### **Public Appearances:**

1. **Rob Bohmann**, Racine, Wisconsin Conservation Congress Chair, stated the proposed rule change passed in 2009. The new season framework started in 2010 with some conservative quotas and the hunter success rate was fairly high (60% in 2010, 52% in 2011). The late season of this split season structure has had a nearly 70% success rates both years. The Congress has been at the forefront of this initiative to hold a bobcat season later in the year and this compromise has proven successful. WCC has never had a statewide vote that did not support a later bobcat season and the Conservation Congress supports making this season structure permanent. **(Handout)**
2. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation. He is neither appearing in favor or against the proposed bobcat quotas and season before you today. The federation is a strong believer in data-driven professional natural resource management. They are greatly concerned that the staff estimates of the bobcat population in the state are not accurate. They hear from countless hunters and trappers that DNR's population estimates do not reflect the relatively large numbers of bobcats in the state. The federation strongly urges the department to start a systematic method of including hunters and trappers in bobcat tracking and observation programs. This effort could be combined with a beefed-up wolf tracking and population estimate protocol. They stand ready to work with the department to initiate this effort. **(Handout)**

**The motion carried unanimously.**

##### 3.B.2 Request authorization for public hearings for Board Order ER-19-10, revisions to falconry rules, Admin. Code NR 18, to comply with federal regulations governing the sport of falconry

**Erin Crain**, Endangered Resources Bureau Director, spoke in place of Sumner Matteson, Avian Ecologist. She reviewed the falconry definition, oversight by the U.S. Fish and Wildlife Service and DNR, and permits and annual reporting for active falconers and non-resident falconers. She then reviewed the proposed changes to NR 18 and the benefits to resident falconers. She requested that the Board authorize public hearings on Board Order ER-19-10. **(PowerPoint)**

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

Discussion followed as to whether there is opposition to falconers taking chicks from the wild, what the process is for taking a wild chick, and on the specifics of training and hunting with a falcon.

**Dr. Thomas** requested the Board receive information on upcoming Falconry events and to include falconry as a possible work-in to a Board out-state tour for summer 2013.

Discussion followed on whether the use of falcons in the hunt predates the use of dogs in the hunt.

**The motion carried unanimously.**

- 3.B.3 Request authorization for public hearings for Board Order WM-08-12, related to the wolf hunting and trapping season, regulations, a depredation program, training hunting dogs, and coyote hunting

No staff presentation was requested.

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

**Dr. Thomas** commented that the Department should collect information as to why hunters made their decisions on harvest (market capture analysis).

- 3.B.4 Request authorization for public hearings for Board Order FH-19-12, regarding housekeeping corrections, clarifications, and updates to outdated code for fishing in inland, outlying, and boundary waters

**Kate Strom Hiorns**, Fisheries Policy Specialist, reviewed legislative changes for fish farms in natural waterbodies, and the scope of the proposed rule. She requested the Board authorize public hearings for Board Order FH-19-12. **(PowerPoint)**

Discussion followed as to whether these changes will reduce the pages in the rulebook.

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

- 3.B.5 Request adoption of revisions to Wisconsin's Elk Management Plan

**Kevin Wallenfang**, Big Game Specialist, briefed the Board on why the Elk Management Plan is being updated. He then reviewed amendments to the plan including assisted dispersal, supplemental increase, boundary/goal modifications, predator impacts, and tribal sovereignty and partners. He then discussed public input, and elk reintroduction health concerns. He requested the Board adopt revisions to the Wisconsin's Elk Management Plan. **(PowerPoint)**

Discussion followed on whether there is interest from local elk farms in donating elk and whether there would be reintroduction issues using captive elk.

**Dr. Thomas** stated it has been fun to be involved in Elk over the years. When Ray Anderson became ill, she was given his projects to go forward with. She is proud of being the person that



worked with Bill Mitten to transition the elk into what she calls citizens of the state of Wisconsin. She is really glad Mr. Wallenfang is here carrying this forward.

**Mr. Hilgenberg** noted he had the pleasure of going up to the Clam Lake area. It was a great experience. Between the wonderful hospitality of staff, the local people are very encouraging and very gracious folks. To anyone that gets an opportunity to visit, he suggests you grab it and take it quickly before it vanishes.

Discussion followed on whether a predator management plan will help accelerate this process.

**Mr. Hilgenberg MOVED approval, seconded by Mr. Cole.**

**Public Appearances:**

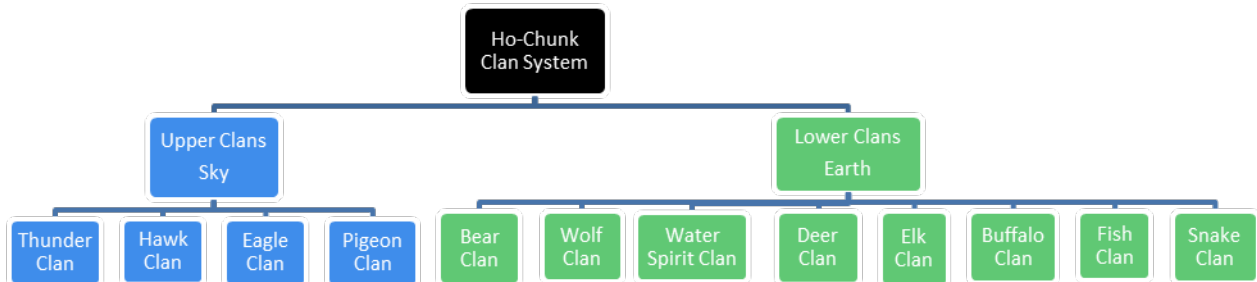
1. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress, spoke in support of the changes recommended today. **(Handout)**
2. **Tony Grabski**, Blue Mounds, representing self, spoke in opposition to the revisions to the plan. He is mostly opposed to the Black River introduction instead of Clam Lake where the elk already are. He listed his numerous concerns about establishing elk herds in Wisconsin. **(Handout)**
3. **Barb Brower**, Black River Falls, representing Black River Area Chamber of Commerce, spoke in support of the revisions to the plan. She stated this will help boost tourism in their area.
4. **Dennis Eberhardt**, Black River Falls, representing Jackson County as Board Chair. He stated they are very excited about the new plan put forward for the Jackson County forest. They have received a lot of support from Jackson County and surrounding counties, to include various counties, local cranberry growers, Black River Rotary, sports groups, Black River Area Chamber of Commerce, Jackson County Farm Bureau, archery clubs, and many more. The ongoing support will be tremendous too.
5. **Joel Harkner**, Black River Falls, representing Harkner Cranberries and Jackson County Wildlife Fund, spoke in support for the reintroduction of elk in Jackson County.
6. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation stated their strong support to the proposed revisions to the management plan. He distributed their resolution from the Federation's April 2012 annual meeting formally affirming their support for the reintroduction of elk into Jackson County in west central Wisconsin and their commitment to working with other organizations and the DNR to accomplish this goal. They are disappointed in the slow growth from the 1995 reintroduction of Elk in Clam Lake.
7. **Lee Swanson**, Cross Plains, representing Rocky Mountain Elk Foundation, spoke in support of the revised plan including the addition of more elk to be transported from, hopefully, Kentucky. He is the incoming chair of the Rocky Mountain Elk Foundation. They will supply over \$300,000 and thousands of hours of volunteer time.
8. **Jon Schweitzer**, Black River Falls, representing Jackson County Forestry and Parks Department. He stated that local support and interest remains at a very high level and the county is poised to do whatever is necessary to assist the DNR in preparing for their arrival. Their department has the ability to mobilize equipment, staff, and materials in a very timely manner to assist the DNR in their efforts. They are committed to the reintroduction of elk to the central forest. **(Handout)**
9. **Allen Jacobson**, Black River Falls, representing Jackson County Wildlife Fund. He spoke in support of the plan revisions and pledged \$50,000 for the initial reintroduction expenses.

Jackson County’s designated Black River elk range is the best habitat in the state and public and private resources of money, personnel, and equipment remain poised to assist the DNR. He and many others in the county urge the Board to approve this Elk Management Plan.

**Chair Clausen** stated that as a representative of the Ho-Chunk Nation, Mr. Mann may speak with no time restriction.

10. **Robert Mann**, Black River Falls, representing Ho-Chunk Nation.

The restoration of elk into Jackson County would be a major accomplishment, not only for the Ho-Chunk people, but for all residents in the State of Wisconsin. The Ho-Chunk Nation understands the concerns associated with transporting elk into the state. The Ho-Chunk Nation’s Division of Natural Resources, Wildlife Biologist, Karen Karash, along with Wisconsin’s Department of Natural Resources are cooperatively working to ensure risks are minimized and planned for with proper management. Those efforts are evident in the proposed 2012 Clam Lake and Black River Elk Management Plan Amendment. Our wildlife biologist works with Ho-Chunk Nation Heritage Preservation Department and Cultural Resources Division to understand the cultural significance of returning elk to aboriginal lands. We are committed to sharing our knowledge and aspects of our culture to portray the significance of the elk restoration efforts to partners such as we are doing here today. To understand the importance of returning elk to the landscape and Ho-Chunk people, one must also understand the importance of our social and governmental organization structure, which includes our clan system. This system has two specific groups Sky and Earth, which is divided into individual clans. The Thunder Clan supplied the civil leaders, or chiefs of the Tribe. Such positions were restricted to certain families, with positions passed on from father to son. The Hawk Clan provided the warriors or soldiers, authorized to decree life-and-death decisions over captives taken in war. The Eagle Clan and Pigeon Clans supplied soldiers for warfare and hunting. The Bear Clan provided policing responsibilities, while the Wolf Clan performed social welfare roles, administering public health and safety. The Water-Spirit Clan protected the water supply. The Deer Clan’s function concerned the environment and weather. The Elk Clan was responsible for distributing fire through the village, the hunt and on the warpath. From the Buffalo Clan came the chief’s town criers. The Fish Clan supplied soldiers for warfare and helped take care of the village. The Snake Clan maintained sanitation and acted as sentries for intruders. Together these last two clans also formed the first line of defense in warfare.



By understanding the cultural significance of elk to Ho-Chunk people and integrating that into the restoration, Ho-Chunk Nation fully supports the efforts of Wisconsin DNR, as well as recognizes and supports the efforts of partnering organizations and our own Division of Natural Resources.

**Mr. Kazmierski** applauded the department for addressing some of the concerns that he had heard on road closures and on funding for this project. There is one leg of the stool that needs to be addressed. The department needs to have the same ability that a farmer would have with his herd of cattle if his cattle were being depredated. He looks at these elk as the people’s cattle and it would be irresponsible of us to bring these elk in and not exercise the same type of control we would for a private individual.

**Mr. Kazmierski MOVED to amend the plan to add in predator control: Should the department find it necessary to directly reduce the densities of predators in order to restore and maintain the elk herd, the department will enact policies or initiate rule making that includes but is not limited to establishing harvest subzones to more directly focus the issuance of harvest permits in these zones, issuance of nuisance removal permits, issuance of landowner permits to private landowners living within the elk management zone who are willing to assist in predator control.**

**Chair Clausen** asked Mr. Andryk whether the amendment would require administrative rule changes.

**Mr. Andryk** stated some of it may. We would have to get into the details.

**Chair Clausen** asked whether that would require a scoping statement. What is your recommendation?

**Mr. Andryk** stated that if the Board was going to create focus zones for harvest, that would be a rule change. Some of the other things such as additional permits, landowner nuisance permits can be done without a rule change

**Mr. Cole** asked Mr. Kazmierski whether it was his idea to put this in place until the goal of 1,400 has been reached.

**Mr. Kazmierski** stated it is the department's call. Right now, the department does not really have the option of predator removal to help assist in the elk program. If we include this in the plan that would give their experts a tool.

**Dr. Thomas** believes the department already has the ability to do that. There is a bear management plan that gets essentially adjusted every year and quotas get changed accordingly. There is no limit on coyotes. The wolf part of the plan is part of a massively complicated stance that started this year that will continue to evolve. She is having trouble figuring out how passing this would change anything.

**Mr. Kazmierski** stated that what we do not have in bear quotas or the wolf plan are the subzones that are primarily elk habitat. This would focus just in the elk management zones. This allows the department to micromanage that area and not on populations outside of that area.

**Dr. Thomas** stated the only thing she would say about that is as soon we head down that trail, there will be many people upset because the elk caused the bear population to go down or people are upset because we are targeting wolves.

**Mr. Hilgenberg** asked that if the department determined that we needed more wolf harvesting in the elk management area but the season was closed, what does the department do?

**Mr. Thiede** understands what the amendment is getting at in regards to focusing harvest on predators for elk management. In each of their management plans, it can become part of those discussions as well as when zones are being established. Similar to the bear management plan update, those considerations can be taken into account. One option could potentially be to incorporate that language as we go into the discussion of those management plans and perhaps focus discussion of predator management as it pertains to elk when setting goals and establishing zones.

**The motion to amend failed due to the lack of a second.**

**Chair Clausen** requested that the department keep Mr. Kazmierski's comments in mind as they go forward with these other management plans.

**The original motion carried unanimously.**

**Secretary Stepp** reviewed her 2012 deer hunting experience with the Noll family and how she shot a 7-point buck.

3.B.6 **Request adoption of the Columbia County Planning Group Master Plan**

**Eric Lobner**, District Wildlife Supervisor, reviewed the 19 properties of the CCPG Master Plan, fast facts of the CCPG, outdoor recreation, public involvement in the master plan process, boundary adjustment goals, Management objectives for recreation and habitat management, and habitat management costs. He requested the Board to adopt the Columbia County Group Master Plan. **(PowerPoint)**

Discussion followed on how many of the 125 letters sent out by the department for public comment were responded to and whether the department tracks these mailings.

**Mr. Hilgenberg** requested that the department track survey responses on all future master plans.

**Public Appearances:**

1. **Doug Fendry**, McFarland, representing Pheasants Forever, spoke in support of the master plan. He stated that adding more hunting lands, especially in southern Wisconsin, is very important. They did recommend expanding the properties even more than proposed in the plan but we recognize the DNR and partners cannot buy it all. The proposed boundary revisions are a reasonable compromise. **(Handout)**
2. **Mike Barniskis**, Beaver Dam, representing Aldo Leopold Chapter of Trout Unlimited. He encouraged the Board to adopt the master plan. They feel the management objectives and management prescriptions will help preserve and enhance the cold water fisheries in the county. The proposed expansions for the various fishery areas will help preserve basic water quality and temperature by protecting critical riparian lands while they also allow for increased public access to the streams. The DNR staff involved in this process did a great job. All master plans should be done to emulate this process. **(Handout)**
3. **Mark Martin**, Arlington, representing The Prairie Enthusiasts – Empire Sauk Chapter, Wisconsin Friends of John Muir, spoke in support of the master plan including expansion of the State Natural Areas. Their group is glad to see that future plans for the area may include having the Ice Age Trail go through the French Creek State Wildlife Area. **(Handout)**
4. **Karen Etter Hale**, Madison, representing Madison Audubon Society, spoke in support of the master plan, including boundary expansions with a net expansion of 3,955 acres; creation of five new State Natural Areas; increasing grassland cover to benefit waterfowl and grassland nesting birds; and management activities including grassland (prairie) and savanna restoration, prescribed burning, and control of invasives. She distributed a Guide to Birding in Southern Columbia County. **(Handout)**

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

3.B.7 **Land Acquisition and Project Boundary Modification – Tichigan Wildlife Area – Racine County**

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

3.B.8 Land Acquisition – North Branch Milwaukee River Wildlife and Farm Heritage Area – Ozaukee County

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

3.B.9 Land Acquisition – French Creek Wildlife Area – Columbia County

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

3.B.10 Land Acquisition (Schiek)– Northern Highland/American Legion State Forest – Vilas County

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

3.B.11 Land Acquisition and Project Boundary Modification – Menominee River Park and Recreation area – Marinette County

Discussion followed on appraisal comparables.

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

3.B.12 Land Acquisition (BCPL) – Northern Highland/American Legion State Forest – Vilas County

Discussion followed on legislative requirements for BCPL acquisitions.

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

3.B.13 Land Acquisition – Ice Age Trail – Marathon County

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

**Public Appearance:**

1. **Kevin Thusius**, Cross Plains, representing Ice Age Trail Alliance. He thanked Dick Steffes for all the work he has done on the Ice Age Trail. He spoke in strong support of the Tigerton parcel acquisition because it will help enable an off-road segment of the Ice Age Trail, create a valuable link between two watersheds, and protect an important natural and geologic resource. Between the Ice Age Trail Alliance, National Park Service, and the DNR, we continue to plug away at protecting gaps in the trail. The Tigerton parcel is another vital connection. This parcel will provide ample area to meander the Ice Age Trail up and down the steep hills formed by the terminal moraine, interpret the geology and natural communities, and provide a buffer from neighboring parcels.

**The motion carried unanimously.**

3.B.14 Land Exchange - Namekagon Barrens Wildlife Area, Crex Meadows, Amsterdam Sloughs, Keizer Lake and Danbury Wildlife Areas – Burnett County

**Dr. Clausen MOVED approval, seconded by Mr. Cole.**

**Public Appearances:**

1. **Mark Nupen**, Anoka, MN, representing Friends of the Namekogen Barrens Wildlife Area.

The Friends of the Namekagon Barrens Wildlife Area urge the Board to approve this land exchange item. They believe the Barrens site is one of the last remnants of a common Barrens habitat with unique plants and animals, especially Sharp-tailed Grouse among others. The state DNR is the best agency to manage this property and not Burnett County. Its middle location provides a corridor with other Barrens properties in Northwest Wisconsin to ensure survival of these now uncommon animals. The Friends group has a dedicated board willing to promote the importance of this property to the public. **(Handout)**

2. **Jim Shurts**, Madison, representing the Wisconsin Sharptail Grouse Society. He urged the Board to approve the land trade with Burnett County. He noted that Open Barrens in Wisconsin are globally threatened and that Crex Meadows and Namekagon Barrens are two of the best remaining. The Burnett County Forestry Department is well competent to manage forested lands for wildlife recreation and wood products. There would be no loss of public use since all lands will be open to hunting, fishing, and trapping. **(Handout)**
3. **David Oxendale**, St. Croix Falls, representing Friends of Crex. He spoke in support of the land trade with Burnett County that will secure The Namekagon Barrens and increase the connectivity of Crex Meadows Wildlife Area with the Kohler-Peet Barrens on the Governor Knowles State Forest. The trade is good for both Burnett County and for the state of Wisconsin. This is a win-win for everyone. **(Handout)**

**The motion carried unanimously.**

3.B.15 Land Acquisitions and Donation – Lost Creek Bog Natural Area – Bayfield County

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

3.B.16 Land Donation – Lower Wolf River Bottoms Natural Resource Area – Waupaca County

**Dr. Thomas MOVED approval and to acknowledge the donation, seconded by Mr. Cole.**

**Public Appearances:**

1. **Doug Fendry**, McFarland, representing Pheasants Forever – National. They are offering to donate 44.5 acres of land to the citizens of Wisconsin for hunting, trapping, and other outdoor recreation. Much of the work done by Pheasants Forever is done by volunteers. Their volunteers in Wisconsin complete habitat projects, acquire lands, sponsor youth pheasant hunts, and outdoor skill programs through their forever shooting sport program. One of their projects has been this land acquisition project. It is within the boundary of the department's Lower Wolf River Bottomland Natural Resource Area boundary. Not only did the chapter acquire the land, but the chapter also obtained \$24,000 in federal grant funds that they will dedicating towards habitat restoration on this property. They have also pledged to donate volunteer time to assist with the physical work on the land.

Discussion followed on whether Pheasants Forever include deed restrictions to keep the lands open in perpetuity for hunting.

2. **Pastor Chuck Tews**, Waupaca, representing Waupaca Pheasants Forever. He stated that the Waupaca County Chapter of Pheasants Forever is pleased to turn over to the state of Wisconsin 44.5 acres of land located in our county just south east of Fremont off Marsh Road. The acquisition of this land has been a major focus of their chapter for the past eight years. This land will be open to hunting and recreational opportunities and will continue to benefit the public good in the state of Wisconsin. He then acknowledged their members in attendance: James Dietzler, President, and Dan Buening, Vice-President. He thanked the following chapters and organizations for their financial support for this project: The Fox

River Valley Pheasants Forever Chapter, The Outagamie County Pheasants Forever Chapter, and Shadows on the Wolf.

Discussion followed as to whether there are parking restrictions along Highway 10.

**The motion carried unanimously.**

3.B.17 Land Donation – Quincy Bluff and Chiwaukee Prairie Natural Areas – Adams and Kenosha Counties

**Mr. Kazmierski MOVED approval and to acknowledge the donation, seconded by Mr. Cole.**

**Public Appearances:**

1. **Rebecca Smith**, Madison, representing The Nature Conservancy as Deputy Director. She was honored to offer Quincy Bluff and Chiwaukee Prairie Natural Areas to the people of Wisconsin. Chiwaukee and Quincy are two very different properties that have a common long history in that TNC has worked with the DNR in a strong partnership since the beginning. On both sites, they worked hand in hand to protect and manage the land. The properties they are gifting have been managed well and are in good condition. This land gift will allow the DNR to streamline management in particular in the use of prescribed fire to restore native prairie and rare oak barrens. Along with the lands, TNC will donate dedicated endowments totaling at least \$400,000 to be used to help care for the Natural Areas in the future. TNC will continue to focus their resources on Door County, Military Ridge area, Baraboo, Mukwonago River Watershed, Border Lakes area, and large working forests. **(Handout)**

**The motion carried unanimously.**

3.B.18 Land Acquisition – Statewide Natural Areas – Adams County

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

3.B.19 Easement Purchase – Forest Legacy Program – Douglas County ADDED

Discussion followed on access concerns.

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

3.B.20 Land Acquisition – Big Muskego Lake Wildlife Area – Waukesha County ADDED

Discussion followed on the high cost of this property.

**Chair Clausen** stated that since those registered are not yet in attendance, the Board will break for lunch and will return to this item after the 1:00 p.m. Citizen Participation session has ended.

4. Citizen Participation

4.A. Citizen Recognition

4.A.1 Comeback Champs – Swamplovers Foundation, Inc.

**Secretary Stepp** stated that the Swamplovers began in 1986 when a group of five friends Lee Swanson, Gerry Goth and Joe, Tom and Jim Kuehn pooled their resources to purchase a large block of unproductive land immediately west of Cross Plains. Initially intended to serve as hunting land, these landowners have created a model of restoration ecology now home to more than 1,000 species, 68 of which have an at-risk status. These landowners took to heart the words of Aldo Leopold who wrote, “What more delightful avocation than to take a piece of land and by cautious experimentation to prove how it works. What more substantial service to conservation than to practice it on one’s own land?” Early on they sought opportunities to work with programs

that encourage and reward private landowners for conservation efforts, and have been enthusiastic partners in numerous federal and state conservation programs, including the Endangered Resources' Landowner Incentive Program.

Swamplovers also empower and inspire others, and share their successes and challenges. In 2009, they began working with the Operation Fresh Start program, providing hands-on job training for at-risk youth. They also partner with researchers to monitor and investigate changes in geology, wildlife and plant populations. In 2005, they permanently protected 433 acres of their property through a conservation easement with the Ice Age Trail Alliance, and they set up a foundation so that their ecological goals can continue to be pursued into the future. For their significant role in restoration ecology, and role as an inspiration and teacher to other private landowners, Swamplovers have been commended by Governor Scott Walker as the Wisconsin Department of Natural Resources' December 2012 "Comeback Champs". We thank them for their dedication to preserving Wisconsin's natural heritage for future generations.

**Lee Swanson** stated they would like to thank everyone for this recognition. They did not do this for recognition, but did it for the Leopold ethic. They learned to love the land and found that it was worth preserving. It has been a labor of love but they have had some wonderful partners. They have given them so much inspiration. Many of them are here today. They have all helped them leverage funds. He hated to say it but they get so much land to protect but they do not have the resources to manage it. Their concern was that with all the work they had done there and the money spent for the last 25 years that if they did not do something to allow for the preservation of it afterwards that it would revert back to what it was when we started. Again, for all of those people that have been so supportive and for this program, thanks for caring enough to be involved.

**Gerry Goth** stated that without all of your help, it would be very hard for them to carry on, especially with the funding that they receive. He remembered about 35 years ago, he received a book for plants and he thought he should really start doing this. He would go up and down the railroad tracks picking seeds and then planting them. A few years later he had Queen Anne's Lace and some parsnip. That was his introduction to the prairie eco-system. After that, it came to getting their Swamplovers property and deciding what they wanted to do as far as the plant community. Fortunately, now through many scars from some of the plants and all that went with it, they have really set up a community of plants there that will take them into the future. Thank you very much.

**Lee Swanson** stated that there is 20 miles of trails on the farm. Their great partners, the Ice Age Park and Trail Foundation, is the recipient of the farm and both their homes are included in that. The Foundation will be the long-term manager of the farm after we are done and of course it is part of the Ice Age Trail.

#### 4.B. Citizen Participation

##### **Public Appearances**

##### 1. **Cheryl Elkinton**, Madison, representing self

*Topic:* remove chapter 29 from the statutes and create a new chapter on conservation that is more environmentally related. She stated that water ways are depleted of the normal bulk of energy. Movement is important. It is not a good thing to think about fishing, but need to think about replenishing lakes. There needs to be more animals in wildlife areas. Hunting and trapping should stop. The life cycle cannot be controlled with an imbalance of humans.

**Chair Clausen** returned the meeting to item 3.B.20.

#### 3.B.20 Land Acquisition – Big Muskego Lake Wildlife Area – Waukesha County CONTINUED

##### **Public Appearances:**

##### 1. **Tom Zagar**, Muskego, representing City of Muskego. Big Muskego takes up about 1/6 of the community between the 2,000 acre lake, marsh fringe, and undeveloped land surrounding it. Right now the lake is a premiere fishing destination. It is not uncommon for 20" large mouth



bass to be caught or 3' northern pike. It is home to endangered species and special concerned species. The property has a bald eagle nest on it, the first one in Waukesha County in over 50 years. It is an important bird area and their own document recognizes it as a high-priority conservation area in the City Parks and Conservation Plan. He encouraged the Board to approve the acquisition.

2. **Tom Kies**, Muskego, representing Big Muskego Lake/Bass Bay Protection & Rehabilitation District. He spoke in favor of acquisition of the Rachel Lang parcel of land on the southwest corner of Big Muskego Lake. This area is the premier wildlife area for our region of the state. The proposed purchase would add great value to this recreation gem. Southeastern Wisconsin has a high population density. They have conducted several resources foundation tours on the lake. People marvel that within easy driving distance of the Milwaukee Metro Area there is this jewel pretty much undiscovered. When you get out into the middle of Big Muskego deep water marsh, you would be very certain that you are remote from any civilized part of the state. As Mr. Zagar mentioned, the first nesting pair of bald eagles in over 100 years (not 50) were established about five years ago and still nest and raise their young on a large cottonwood tree on this property.

Discussion followed regarding public pier access for boats.

**Mr. Cole MOVED approval and to acknowledge the donation, seconded by Dr. Thomas. The motion passed on a voice vote of 5 – 2.**

- 3.B.21 ~~Land Exchange and Project Boundary Modification – Northern Highland/American Legion State Forest – Vilas County ADDED~~

This item was removed from the agenda .

- 3.B.22 Dedicating a Unit of the Willow Flowage Scenic Waters Area in Honor of Dick Steffes Kurt Thiede, Lands Administrator, asked that Dick Steffes be present before he begins his presentation. He asks Dick after each Board meeting, “how did you do?” From his perspective, it was a pretty historic day. We had some pretty significant land acquisitions today. That is nothing new. He displayed a Wisconsin map showing lands acquired under the “200 years” of the Dick Steffes administration. It is an honor, privilege, and humbling opportunity today to recognize Dick for his efforts. What he is requesting today is that the Board authorize the department to dedicate a property in honor of a long-time and truly outstanding individual. The intent of this dedication is to honor the more than 40 years of public service and monumental contributions that Dick has made to the state of Wisconsin.

Dick Steffes began his storied career in the DNR Real Estate Program as the map indicates in 1874. In this time with the program, the DNR has acquired more than 834,502 acres in fee and easement. That is more than 1,300 square miles of land, an area larger than Dane County, that will be managed to protect and enhance its natural resources and be open to public recreation for generations to enjoy. His influence and leadership in the program will leave a lasting imprint on the state of Wisconsin as we can see here for many generations to come. Some of the projects that were established during Dick’s storied career include the Mountain-Bay State Trail, Hank Aaron State Trail, Chippewa Flowage, Turtle Flambeau Flowage, Rainbow Flowage, Willow Flowage, Lakeshore State Park, Straight Lake State Park, Jefferson Marsh Wildlife Area, Dells of the Wisconsin River, Menominee River Park and Recreation Area, Centennial State Park, Governor Thompson State Park, and the Turtle Valley Wildlife Area. Most recently, the largest forest legacy easement in state history, the St. Croix-Brule Legacy Forest that the Board approved. As Division Administrator, he values Dick’s wisdom, integrity, and also his counsel. He does not believe any Governor, nor Board, nor Secretary, nor citizen could have asked for better.

Today we are dedicating a unit of the Willow Flowage Scenic Waters Area in honor of Dick Steffes. The Unit of the Willow Flowage Scenic Waters Area that is proposed for dedication is about 1,900 acres in size and includes almost 8.5 of the Tomahawk River corridor. The nature of its acquisition exemplifies Dick Steffes’ dedication to acquire land for public recreation and

resource protection. The unit is the product of his vision and perseverance. Viewing the waterscape as spectacular wild northern Wisconsin, he carefully acquired small parcels and waterfront as part of several acquisition deals in order to build state ownership. He championed acquisition of this unit as part of the Great Addition, matching state monies with federal grant funding, trading of property with private owners, working with non-profit organizations to cooperatively acquire land, and working with the Board of Commissioners of Public lands. The property finally became official when Dick sponsored and presented a feasibility study to the Board. Another important aspect of this property is that in addition to being very beautiful, it also has special meaning in that he worked with his son-in-law Jeff Pennucci to put this together. As a result of his tremendous career and contributions to the state of Wisconsin, the Division of Lands would like to recognize him for his efforts by dedicating this unit to Dick Steffes (standing ovation).

**Dick Steffes** stated that this is great and is very humbling. This Board serves as volunteers. You each deserve so much credit. He gets paid for this and it is a lot of fun. He is so appreciative and really appreciates what you have done. This is a wonderful thing. It is way beyond what he deserves but he will take it anyway. Back when he started in 1974 (not 1874), he was in his early 20's and working with a bunch of old guys about his age now. He was kind of bridging that old group of conservation people which was interesting. He wished he had listened better. He did have coffee with these guys twice a day religiously. This does not happen anymore. He kind of picked up on some of their ethic and some of their values and tried to carry it forward. He then encountered all of these bright young people over the years. Their staff today is so fantastic. They are operating with fewer people, using different tools, and doing things differently but we are still doing so much. His job has been easy, really. He has also had these great Board's to work with and department Secretary's. The state of Wisconsin has provided the funds for this. This work never gets done without money. Anybody in real estate knows that. It has been a marvelous run and he wished everyone the best going forward.

**Dr. Thomas MOVED approval, seconded by Mr. Cole.**

**The motion passed on a roll call vote of 7 - 0.**

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

3.C. Scope Statements  
None

5. Board Members' Matters

**Mr. Kazmierski** thanked Board Liaison Laurie Ross for her diligent service and commitment to the Board, especially putting together these last couple of meetings.

**Mr. Kazmierski** distributed a Natural Resources Board guidance note to revise Wisconsin's elk management plan relating to the adoption of the elk management plan amendment to the Clam Lake and Black River elk management plans.

**The department will address elk management needs as it works with stakeholders to develop new wolf management and bear management plans. If future elk restoration or herd growth is compromised due to high levels of predation by wolves and/or bears, harvest subzones and nuisance and landowner permits will be considered to increase the level of wolf and/or bear harvest and removal in occupied elk range. If wolf and/or bear subzones are recommended as an elk management strategy, the department will initiate rule promulgation to establish such zones and will develop recommended quotas intended to reduce wolf and/or bear populations in those subzones.**

**Chair Clausen** stated this is a valid Board Member request.

6. Special Committees' Reports  
None
  
7. Department Secretary's Matters
  - 7.A. Retirement Resolutions
    - 7.A.1 Sandy Miller
    - 7.A.2 Laurel Steffes
    - 7.A.3 John E. Nelson
    - 7.A.4 Richard Steffes **ADDED**
    - 7.A.7 Nancy Wellman **ADDED**

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

- 7.B. Donations
  - 7.B.1 The Great Lakes Forest Fire Compact will donate \$100,000 to be used to coordinate an update to the Landfire coverage maps for Michigan, Minnesota, and Wisconsin **ADDED**

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

**Secretary Stepp** stated they did a really nice presentation for Dick Steffes earlier. Her story is now about Dick and is when she was on the Natural Resources Board. Everyone knows she was a homebuilder back in the day. She used to give him such a hard time when she was on the Board because Dick would come in with his presentations to the Board and he would say that we want to buy this land because we do not want it developed, we do not want the developers to get their hands on it. She would say to him, "remember what I do for a living, I build houses. It is not such a horrible thing". She would give him such a fit and challenge him, similar to what Mr. Hilgenberg has done. He was always a gentleman, always a professional, and always honest about everything he did. She has held him in the highest regard. There is only a handful of the folks that she dealt with on a regular basis at DNR when she was on the Board and he was one of those guys she could always count on to go to, to get the straight story. He always conducted himself with the best interest of Wisconsin at heart, first and foremost and his loyalty and dedication to the DNR is second to none. She thanked Dick for that.

Then to her Laurel, as she says "her Laurel" because when they first came into these jobs, and it has been almost two years ago now, Laurel was the very first face that they saw because she had to wait for them down by the parking ramp to get them in the building. She was standing out in the cold and she was waiting for them with her security badge to get them in. They had a really instant connection with Laurel. Laurel opened her heart to them and she will tell you, they both knew that they were coming from different political universes and never was that in the way of anything. She opened up to them and gave her the best advice (that she is pretty sure took all the time). She was so willing to put the first and foremost needs of Wisconsin's citizens and of this department. That Dick and Laurel have dedicated their collective lives together is a very special story. For her personally, Laurel took them under her wing and taught her more about Wisconsin DNR and the spirits who are the men and women of this agency who make up this agency and shared so much of that with me. She learned a lifetime from Laurel. Thank you. I love you. She will miss both of you.

**Laurel Steffes** shared that she is so proud of her children. All three of her daughters and son-in-law have all chosen public service for their careers. She is very proud of this.

Mr. Cole escorted Laurel Steffes to the podium to accept her retirement resolution. Dick Steffes joined them at the podium.

Secretary Stepp presented their plaques to each of them with highest regards.

Mr. Steffes stated there are a lot of great employees in this department that are so dedicated and they do not get the visibility. We all appreciate them just as much. They are out there doing a very good job, probably better than Laurel and I.

Chair Clausen then asked the Steffes children, Victoria (Tory), Miranda, and Jillian with spouse Jeff and son to approach the podium. The department has put together a presentation and would like your comments.

Laurel Steffes introduced their children. Victoria is the black sheep since she is a fed (federal employee). Jillian is the Grants Manager for northern region. Miranda is lead worker in the call center. Jeff is the property supervisor for northern region. Their youngest grandson, Alex, is two and 1/2.

Tori, being the eldest, led the comments. She thought she was about 10 before she really realized that not everyone's parents worked at the DNR. The DNR was always a huge part of their family's lives. Going to their dad's cube was always fun because the crocheted duck full of whoppers was there, and going to mom's was always a little bittersweet because she just had so many more toys in there than we had at home.

Their parents having always been immensely proud of their work, and it showed at home. She and her sisters knew more DNR gossip growing up than a lot of people working here, and they certainly had an advanced education on all the various land parcels and easements that their dad had helped scoop for the state over the years. And their enthusiasm was really infectious - both of her sisters' work at DNR now, and until recently their brother-in-law worked in the very real estate program that their dad was so proud of. Their parents never had a bad thing to say about their coworkers - really - and it is hard not to be envious of two people that have been so blessed as to really love their work for their entire careers. She did not think she knew of anyone else that could say that.

Their love for the natural resources of the state is obvious, and all three of them were raised with a profound respect for animals and nature, and their two nephews are already deeply sharing that same love, either through cub scouts or for helping their parents with their critters. They all love to make things grow, and the legacy that their parents leave for the state is a strong protection of growing things everywhere.

Their parents are both generous - more than she can say, though she bet a lot of people here already know that. Their dad is the first person up in the world each morning, and the last person to sleep each night. He never stops - he is either working endlessly for the state buying up beautiful land, or forever helping us with anything from how to title a car to how to fix a furnace. He would literally give anyone his shoes - and she is astounded by him and inspired to be like him every day of her life. If she can be half as generous, she will be proud.

Their mom is one of the most thoughtful people that they have ever met, and she is proud to the core of her accomplishments and those of her kids and grandkids. They were driving together once down to Chicago and she told me that when she was younger she wanted to be a tax attorney. When she asked her mom why, she told her that she wanted to help people, solve puzzles, and get things done. While she pursued a different career here, she thought that she has been able to do just those things - throughout all of the various administrations and politics, she has done an incredible job at getting the public the information they need, all while making sure that this vital organization runs smoothly. And that is quite an accomplishment.

As their parents retire, all their accomplishments and contributions will be enumerated and celebrated. But she hopes that they know that beyond all that, they have succeeded in being the best parents they could have wished for. Thank you. **(PowerPoint)**

8. Information Items

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

8.A.1 Environmental Enforcement Guidance

**Chair Clausen** stated that he has worked with some of the administration to develop this. **Steve Sisbach**, Environmental Enforcement & Emergency Response Section Chief, and is responsible for environmental enforcement and emergency response at DNR. He provided an update on the new environmental enforcement guidance that the department is proposing. It builds upon the process that has been used for about 40 years, a stepped enforcement that is designed to resolve violations at the lowest level appropriate for the circumstances. The system has been very effective over time. It allows DNR staff and Department of Justice staff to focus their work efforts on the most significant violations. What they have seen historically is about 88% of the violations they address are resolved at the Notice of Violation and Enforcement Conference Level. That allows the time to be spent on the most significant violations that affect public health and the environment. He then reviewed the new draft including new procedures for addressing potential conflicts of interest and clarifies the agency position on attendance at Enforcement Conferences. **(Handout)**

**Chair Clausen** thanked Mr. Sisbach for a job well done.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

8.A.2 DNR Retrospective of Rules Impacting Small Business

**Al Shea**, Office of Business Support & Sustainability Director. He brought the Board up to speed on their efforts to comply with Executive Order 61 which was a requirement for state agencies to examine their administrative rules to reduce burdens on business, particularly on small business and at the same time, staying within the intent of the law that promulgated the rule. Eileen Pierce had given the Board an update on Phase 1 in June 2012 which was focused on rules that the department could repeal. Phase 2, which was just completed, took a more in-depth look at 3,700 pages of rules that we have. We have expanded some of the recommendations we had. It is important to note that we had a one month public comment period on the original draft. They received 19 comments which were all very valuable. We made several changes to the package, particularly deleted several areas in the water side, NR 102, 104, and 207, were removed due to comments. Areas of NR 16 were revised and we also added a couple things based on comments. He then reviewed the highlights of the department's recommendations to 26 rules and 1 state statute. The next step is to bring that package back through the administrative rule process.

He gave special thanks to Eileen Pierce for her work. If she had not spent, in addition to her normal work, a huge amount of time on this, we would not be before you today. This package is being considered leading for state agencies and in line with Executive Order 61. DNR is out ahead once again. Again, that goes to Eileen's leadership. **(Handout)**

Discussion followed as to whether the DNR is cataloging any of the current and ongoing benefits to small businesses.

**Mr. Cole** requested that the department capture the essence of savings for the government and small business.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

**Dr. Thomas** requested the Board re-open Mr. Kazmierski's revision request to the Elk Management Plan which states is Natural Resources Board Guidance. This did not pass as a Board amendment since Mr. Kazmierski's motion at 3.B.5 died to lack of a second. This cannot be added to plan unless it is voted upon by Board.

**Mr. Cole MOVED, seconded by Mr. Bruins, to amend the Elk Management plan to include Mr. Kazmierski's Predator Management amendment.**

**Mr. Andryk** stated that the Board would first need to bring the back the motion to approve agenda item 3.B.5 – Request adoption of revisions to Wisconsin’s Elk Management Plan.

**Dr. Thomas MOVED, seconded by Mr. Hilgenberg to reconsider agenda item 3.B.5 – Request adoption of revisions to Wisconsin’s Elk Management Plan.**

Discussion followed on whether this allows DNR wildlife managers to exercise discretion and not being prescriptively told what to do, and on funding hurdles and concerns.

**Mr. Thiede** stated there are a few specifics about the proposal that the Board can take into consideration. When they were before the Board earlier, there was a directive to consider that as part of their management plans for the bear and wolf. It is important that it says to work with the stakeholders. Also, those actions require some level of public involvement whether we take action in any of those ways whether through modifying zones. There is public involvement built into this process. If we determine that predators continue to be a problem, we have direction from the Board to investigate that as a management option. He sees this as valuable guidance and basically documenting what the intent is to take into consideration.

**Ms. Wiley** asked Mr. Thiede whether he would like this as an amendment or as guidance from the Board.

**Mr. Thiede** stated from their perspective guidance from the Board is what they were given earlier. His intent in all of this is to make sure we document that guidance, then there is no question in the future that was the intent of the Board.

**Mr. Andryk** stated there is a motion for the Board to revisit this language and adopt it. Jane is talking about amending it which would require a motion to amend like normal procedure which would have to be acted on first before you can get to the motion to approve this language.

**Ms. Wiley MOVED to replace the word “will” with “may” in the first sentence of the note: The department “may” address elk management needs as it works with stakeholders to develop new wolf management and bear management plans. The motion to amend failed due to the lack of a second.**

**Mr. Hilgenberg** asked Mr. Andryk that in promulgating rules, before it gets out of the box, it has to come from the Board. The “will” part is that the DNR through the process brings it forward to the Board and the Board says no or yes, correct?

**Mr. Andryk** responded correct, other than the two additional items of nuisance permits and landowner permits. The other part requires a rule. The Board has to approve the scope statement to initiate it, along with the hearing request, and adoption.

Discussion followed on whether it should not list the methods but that it should come back to the Board, the level of public and partner involvement required, whether the department currently has authority to deal with nuisance permits and landowner permits to address this issue and the process for doing so, and the importance of involving the public in what the department is doing.

**Mr. Thiede** stated that the way they view this is the guidance and the intent for the department to take into consideration other management plans.

**Mr. Cole** asked how much the department plans on spending on elk.

**Mr. Thiede** stated approximately \$450,000.

**Mr. Cole** commented that the department would protect that investment as best as they could.

**Dr. Thomas MOVED, Mr. Hilgenberg seconded, to add guidance to the Elk Management Plan that if future elk restorations or herd growth is compromised due to high levels of predation by wolves, bears, or other predators, the department will work with the**

**Board and appropriate stakeholders to initiate actions that will reduce predator populations in the elk restoration zones.**

*Analysis*

**On December 12, 2012 the Natural Resources Board adopted a plan amendment to the Clam Lake and Black River elk management plans for management of Wisconsin's wild elk herds. The plan amendment recommends supplemental increase of elk to bolster the Clam Lake herd and establish a Black River herd as supported by the public. The plan also suggests that improved habitat spread over a broader area is an important factor in reducing predator impacts on the herd. This guidance directs the department to consider predator management in order to restore or maintain elk herds.**

**The original motion as amended carried unanimously.**

- 8.B. Land Management, Recreation, Fisheries, and Wildlife  
None

**Chair Clausen** granted a request from the Wisconsin Conservation Congress to address the Board.

**Rob Bohmann**, Wisconsin Conservation Chair, updated the Board on the Youth Conservation Committee.

**Chair Clausen** appointed Mr. Cole and Mr. Kazmierski to be committee liaisons for the Board.

**Mr. Hilgenberg MOVED, seconded by Mr. Kazmierski to adjourn the meeting. The motion carried unanimously.**

\*\*\*The meeting adjourned at 2:25 p.m.\*\*\*

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