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BOA and WEBCAST NOTE: At the April 24, 2013 Board meeting, the Board approved the use of the Mediasite/Webcast recording and Brief of Action (BOA) as the legal record for Board meetings. With the February 2019 meeting going forward, the Brief of Action has been streamlined and will now list jump points to allow listeners to fast forward to desired agenda items (e.g. Calling the roll begins on the Webcast at 0:03:18; agenda item 5-Secretary's Matters begins at 3:33:56 – and ends at 3:35:49). Jump points on the webcast are located on the horizontal blue line on the bottom. To move to a specific item, grab the blue ball on the horizontal line and drag it to the specific item as timed in the Brief of Action.

Please refer to the Board's Webcast Internet page:

<https://dnrmedia.wi.gov/main/Catalog/Full/9da0bb432fd448a69d86756192a62f1721>

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WISCONSIN NATURAL RESOURCES BOARD DRAFT BRIEF OF ACTION (rev. 03/29/19)

The regular meeting of the Wisconsin Natural Resources Board was held on Wednesday, February 27, 2019 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:00 a.m. for action on items 1-2 and 5-6. The meeting adjourned at 1:12 p.m.

ORDER OF BUSINESS

1. Organizational Matters (0:00:25 – 0:06:42)
- 1.A. Calling the roll (0:03:18)

William Bruins – present	Gary Zimmer – present
Julie Anderson – present	Fred Clark – present
Terry Hilgenberg – present	Dr. Prehn – present
Greg Kazmierski – present	

Chair Prehn at 0:03:41 welcomed Fred Clark to the Board who was recently appointed by Governor Evers to fill the vacancy left by Preston Cole.

Fred Clark at 0:04:10 addressed the Board and shared information about himself.

- 1.B. Approval of agenda for February 26-27, 2019 (0:05:58)

At 0:06:04 Mr. Zimmer MOVED, seconded by Ms. Anderson, approval of the February 26-27, 2019 agenda. The motion carried unanimously.

- 1.C. Approval of Brief of Action from January 22-23, 2019 (0:06:14)

At 0:06:21 Mr. Kazmierski MOVED, seconded by Mr. Zimmer, approval of the January 22-23, 2019 Brief of Action. The motion carried unanimously.

Chair Prehn at 0:06:43 requested a motion to convene into closed session under the authority of s.19.85(1)(g) Wisconsin Statutes to confer with legal counsel regarding potential litigation issues arising out of the Board's pending decision to approve emergency rules to enable the Lake Superior Fishing Agreement.

At 0:07:06 Ms. Anderson MOVED, seconded by Mr. Kazmierski that the Board convene into Closed Session under the authority of s.19.85(1)(g) Wisconsin Statutes to confer with legal counsel regarding potential litigation issues arising out of the Board's pending decision to approve emergency rules to enable the Lake Superior Fishing Agreement. The motion carried on a roll call vote.

William Bruins – yes Gary Zimmer – yes
Julie Anderson – yes Fred Clark – yes
Terry Hilgenberg – yes Dr. Prehn – yes
Greg Kazmierski – yes

Chair Prehn at 0:07:35 reconvened the meeting and reported that during the closed session, no action was taken.

2. Action Items

2.AA. Land Management, Recreation, Fisheries, and Wildlife

- 2.AA.1. Request that the Board take from the table and consider Emergency Board Order FH-01-18(E), proposed rules affecting NR chapters 20 and 25 related to harvest management regulations in the Lake Superior fishery (0:08:04 - 1:12:30)
 (Brad Ray, Lake Superior Fisheries Supervisor in place of Scott Loomans, Fish, Wildlife and Parks Division Administrator)

At 0:10:45 Mr. Bruins MOVED, seconded by Mr. Hilgenberg, to take from the table and to reconsider for discussion and a vote on Board Order FH-01-18(E). The motion carried unanimously.

Public Appearances (0:10:55 – 0:29:39):

ASHLAND (Remote)

1. **Jeff Williams**, Ashland, representing North Wisconsin Rod & Gun Club (**Handout**)
2. **Scott Bretting**, Ashland, representing River Rock Inn & Bait Shop, and Apostle Island Sport Fishermen Association
3. **Darryl Fenner**, Washburn, representing D's Superior Fishing Charters (**Handout**)

MADISON

4. **George Meyer**, Madison, representing Wisconsin Wildlife Federation (**Handout**)

Chair Prehn at 0:29:40 called Brad Ray to the podium for his presentation.

Mr. Zimmer at 0:43:06 asked to be noted for the record research findings and recommendations regarding science and conservation regulation of the white fish fishery.

Mr. Bruins at 0:52:44 requested updates on the department’s fish mortality/by-catch study, evaluation, and recording of data on the Lake Superior fishery.

At 1:01:01 Mr. Zimmer MOVED, seconded by Mr. Bruins, to amend Board Order FH-01-18(E) to eliminate the October whitefish season for non-tribal commercial fishers. The motion to amend carried unanimously.

Chair Prehn at 1:03:07, stated that the motion before the Board is to approve Board Order FH-01-18(E) as amended.

Mr. Hilgenberg at 1:03:10 read into the record regarding the process, Board frustrations, and expectations.

Chair Prehn at 1:06:46 stated that the matter before the Board is the emergency rule, not a permanent rule. If the emergency rule is approved, the Department will have the opportunity to discuss with the Tribes the Board’s concerns before a permanent rule is proposed.

At 1:07:55 the original motion as amended carried on a roll call vote.

William Bruins – yes	Gary Zimmer – yes
Julie Anderson – yes	Fred Clark – yes
Terry Hilgenberg – yes	Dr. Prehn – no
Greg Kazmierski – no	

Chair Prehn at 1:08:22 read into the record the Board’s concerns 1) safety of small boats; 2) assurances that if there is an adverse impact that could jeopardize the sustainability of the Lake Superior Fishery that the Department and tribes shall meet to discuss impact of those actions to ensure the sustainability of this resource.

Secretary-Nominee Cole at 1:10:24 noted the Board’s concerns and responded.

Chair Prehn at 1:12:35 introduced Todd Ambs, newly appointed DNR Assistant Deputy Secretary.

Todd Ambs at 1:12:55 shared information about himself.

- 2.A. Air, Waste, Water, and Enforcement
- 2.A.1. Request that the Board authorize a preliminary public hearing and comment period for the Statement of Scope for Board Order AM-20-18, proposed rules affecting chapter NR 422, related to implementing reasonably available control technology for volatile organic compound emissions from miscellaneous metal and plastic parts coatings and miscellaneous industrial adhesives (1:14:10 – 1:16:10):
(David Bizot, Air Quality Planning and Standards Section Chief)

At 1:15:57 Mr. Zimmer MOVED, seconded by Ms. Anderson, approval of the department's recommendations. The motion carried unanimously.

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

- 2.B.1. Friends of Horicon Marsh International Education Center will donate \$30,548.65 to be used to support the Horicon Marsh Education and Visitor Center (1:16:11 – 1:20:14)
(DNR Secretary-Nominee Preston Cole)

Public Appearance (1:16:57):

1. Chrissy Oelke, Horicon, representing Friends of the Horicon Marsh Education & Visitors Center

At 1:20:08 Mr. Hilgenberg MOVED, seconded by Ms. Anderson, approval of the department's recommendations and to acknowledge the donation from the Friends of Horicon Marsh International Education Center. The motion carried unanimously.

Dr. Prehn at 1:20:15 called for a 10-minute recess.

- 2.B.2. Request approval of the Northwest Lowlands Regional Master Plan (1:20:21 – 1:28:56)
(Diane Brusoe, Property Planning Section Chief) **PowerPoint**

At 1:28:46 Mr. Hilgenberg MOVED, seconded by Mr. Zimmer, approval of the department's recommendations. The motion carried unanimously.

- 2.B.3. Request approval of the Northwest Sands Regional Master Plan (1:28:57 – 1:43:06)
(Diane Brusoe, Property Planning Section Chief) **PowerPoint**

At 1:35:04 Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg approval of the department's recommendations.

At 1:41:37 Mr. Zimmer MOVED, seconded by Ms. Anderson to amend the master plan to incorporate the department's proposed changes regarding management and harvesting of wild rice by adding under Property Management: 1) "Where feasible, manage high-quality rice beds for wildlife habitat and human harvest"; and 2) "Continue to work with partners, such as Burnett County, the St. Croix Tribe, and the Clam Lake Association, to promote wild rice management through cooperative efforts." The motion to amend carried unanimously.

At 1:42:57 the original motion as amended carried unanimously.

- 2.B.4. Request approval of the Superior Coastal Plain Regional Master Plan (1:43:07 – 1:54:35)
(Diane Brusoe, Property Planning Section Chief) **PowerPoint**

At 1:48:08 Mr. Hilgenberg MOVED, seconded by Mr. Clark approval of the department's recommendations.

At 1:48:16 Mr. Zimmer MOVED, seconded by Ms. Anderson to amend the master plan to incorporate the department's proposed changes regarding wild rice management and harvesting to the St. Louis River Stream Bank Protection Area: 1) add "wild rice harvesting" to day-use-only recreational opportunities; and 2) add to the list of compatible, low impact recreation: "Continue to work with partners and neighboring landowners to implement practices that improve habitat and water quality, restore wild rice where feasible, and move towards wholistic watershed management." The motion to amend carried unanimously.

At 1:54:10 the original motion as amended carried unanimously.

- 2.B.5. a. Land Exchange – Statewide Natural Areas (Muehl Springs State Natural Area) – Sheboygan County; b. Land Sale – Tomorrow River State Trail – Waupaca County; c. Land Exchange – Bearskin State Trail – Oneida County (1:54:36 – 2:01:23)
(James W. Lemke, Real Estate Section Chief)

At 1:59:40 Ms. Anderson MOVED, seconded by Mr. Zimmer, approval of the department's recommendations.

At 2:01:16 the motion carried unanimously.

Chair Prehn at 2:01:24 approved Jim Lemke's request to combine items 2B6 and 2B7.

- 2.B.6. Land Acquisition and Partial Donation – Crex Meadows Wildlife Area – Burnett County (Marek Estate, Melquist, Rusdil) and
2.B.7. Land Acquisition and Partial Donation – Crex Meadows Wildlife Area – Burnett County (Friends of Crex, Inc.) (2:01:43 – 2:11:06)
(James W. Lemke, Real Estate Section Chief)

Public Appearance (2:06:14):

1. **Jerry McNally**, Grantsburg, representing Friends of Crex Meadows (*He spoke on items 2.B.6 .and 2.B.7.*) **(Handout)**

At 2:10:09 Ms. Anderson MOVED, seconded by Mr. Zimmer, approval of the department's recommendations and to acknowledge partial donation for 2.B.6. – Land Acquisition and Partial Donation – Crex Meadows Wildlife Area – Burnett County (Marek Estate, Melquist, Rusdil) and 2.B.7. – Land Acquisition and Partial Donation – Crex Meadows Wildlife Area – Burnett County (Friends of Crex, Inc.).

At 2:11:01 the motion carried unanimously.

- 2.B.8. Easement Purchase – Forest Legacy Program – Iron County (2:11:07 – 2:41:25)
(James W. Lemke, Real Estate Section Chief) **PowerPoint**

Public Appearances (2:21:34):

1. **Brian Glodowski**, Ironwood, MI, representing Keweenaw Land Association, Limited **(Handout)**

2. **George Meyer**, Madison, representing Wisconsin Wildlife Federation

Mr. Hilgenberg at 2:32:27 gave a background of the Forest Legacy Program.

At 2:41:13 Mr. Bruins MOVED, seconded by Mr. Hilgenberg, approval of the department's recommendations. The motion carried unanimously.

Dr. Prehn at 2:41:26 noted item 3.A. will be before the Board following item 2.B.9.

2.B.9. Land Exchange – Ahnapee State Trail – Kewaunee County (2:41:40 – 2:46:13)
(James W. Lemke, Real Estate Section Chief)

At 2:45:47 Mr. Hilgenberg MOVED, seconded by Mr. Zimmer, approval of the department's recommendations.

The motion carried unanimously. (2:46:11)

Chair Prehn moved the meeting to item 3.A. at 2:46:14.

3. Citizen Participation – at approximately 11:30 a.m.

3.A. Citizen Appearances (2:46:15 – 2:55:51):

1. **Mikii Opahle**, Baraboo, representing self (**Handout**)
Topic: Wildlife killing contests

2. **Pamela Saulnier**, Vandebroek, representing self
Topic: Wolf management

Chair Prehn at 2:55:52 moved the meeting to 2.C.

2.C. Scope Statements

2.C.1. Request approval of the Statement of Scope for Board Order FH-23-18 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting NR chapters 20 to 26 related to minor revisions to fishing regulations on inland, outlying and boundary waters (2:55:54 – 2:58:03)
(Meredith Penthorn, Fisheries Management Policy Specialist)

At 2:56:54 Mr. Hilgenberg MOVED, seconded by Ms. Anderson, approval of the department's recommendations.

At 2:58:00 the motion carried unanimously.

2.C.2. Request approval of the Statement of Scope for Board Order EA-14-18 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting NR Chapters 130, 131, 132, and 182 related to nonferrous metallic mining activities
(Ann Kipper, External Services Deputy Administrator) PowerPoint (2:58:04 – 3:01:05)

At 3:00:53 Ms. Anderson MOVED, seconded by Mr. Kazmierski, approval of the department's recommendations. The motion carried unanimously.

2.D. Department Wide – None

3.B. Citizen Recognition - None

Dr. Prehn recessed for lunch at 3:01:12

4. Information Items

4.A. Air, Waste, Water, and Enforcement - None

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

4.B.1. Southwest Wisconsin CWD, Deer, and Predator Study Update (3:01:39 – 3:33:55)
(Nathan Roberts, Furbearer & Carnivore Research Scientist, and Dan Storm, Deer & Elk Research Scientist) **PowerPoint**

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

4.C. Department-Wide – None

5. Department Secretary's Matters (3:33:56 – 3:35:49)

5.A. Retirement Recognition

5.A.1. Thomas W. Bernthal, Water Quality, 28 years

5.A.2. Bryce Blaser, Drinking Water and Groundwater, 28 years

5.A.3. Kim McCutcheon, Watershed Management, 38 years

5.A.4. Richard Mealy, Environmental Analysis & Sustainability, 26 years

5.A.5. Roger Pronschinske, Parks & Recreation, 8 years

At 3:34:27 Mr. Zimmer MOVED, seconded by Ms. Anderson, recognition of the department retirees. The motion carried unanimously.

5.B. Department Secretary's Matters

5.B.1. Acts of the Department Secretary – Real Estate Transactions

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

5.B.2. Department Secretary's Matters

5.B.3. Planning Status Update

5.B.3.a. Blue Mound Master Plan Revision Update

www.dnr.wi.gov/topic/lands/propertyplanning/BlueMound

6. Board Members' Matters (3:35:50 – 3:47:32)

6.A. Board Members' Matters

None

6.B. Selection of Issue Coordinators (Chair Prehn)

Chair Prehn at 3:37:05 reappointed Bill Bruins as the Air, Waste, Water, and Enforcement Issue Coordinator.

Mr. Bruins at 3:37:15 agreed.

Chair Prehn at 3:37:50 appointed Greg Kazmierski as the Land Management, Recreation, Fisheries, and Wildlife Issue Co-Coordinator [to work with Co-Coordinator Gary Zimmer.].

Mr. Kazmierski at 3:38:04 agreed.

6.C. Crossbow and deer hunting (Chair Prehn)

Chair Prehn at 3:38:06 read the following statement into the record:

“To say the Board has had contact from the public on this issue would be an understatement. To put into perspective why we are even talking about this I want to reference Act 61 passed in 2013 by our colleges across the street declaring a cross bow season for all citizens and not just limited to disabled and individuals over 65. They passed this statute with a section that reads as follows:

“(b) A crossbow season established by the department under section 29.014 (1m) (b) of the statutes, as affected by this act, for hunting deer, elk, small game, wild turkey, or bear shall run concurrently with the bow and arrow season for hunting the respective animal. The requirement under this subsection that the crossbow season and the bow and arrow season run concurrently applies only for the period beginning with the 2014–15 hunting season and ending with the 2015–16 hunting season.”

They knew in their debate this was a potential hot button issue. They knew by this language that it is best for the department to watch over and evaluate this change. It is in our area and it is our concern.

To be clear, this issue is not some rogue board member self-serving agenda and I take great exception to that accusation, as all members of this Board do. This is a responsibility of this Board and department staff to constantly research and evaluate, especially with Act 61 telling us to. Shame on us for not starting this process in 2017. It is always our responsibility to constantly look into matters of our natural resources. And no one will debate that Wisconsin big game is a very important part of that ongoing evaluation.

The seven (7) suggestions to the Board leading up to the pending scope statement that turned into a de facto survey was way premature by department staff. I am putting the pause button on this scope statement with Board Members approval. To be clear, there are no changes on big game seasons at this time.

However, I would like to the department to begin a lengthy engagement and data gathering process over the next few months with our stakeholders and report to us no later than August 2019 on our big game season. Including all aspects, paying particular attention to our statutory obligations of Act 61. Then if any monumental changes are proposed, other stakeholders including the Conservation congress and others, will have a clear opportunity to weigh in as

well. This decision is not going to be changed by one lobby or another and it cannot be swayed by emotion. But be based on science and fact and the will of the people.

- This issue is clearly a very emotional and high priority for many deer hunters. We are going to need a lot more information first before we can move forward with any big game changes and any consideration of a scope statement at that time must be truly comprehensive.
- This issue is far more involved than cross bows in general. We all know seasons change, traditions adapt slowly if at all sometimes. But to what level are we forcing possible unwanted modifications into our big game pursuit.
- Let's start with some social science. Human dimensions work could tell us:
 1. Are we pushing people to being single license buyers?
 2. We should find out what really are the drivers behind people's weapon-type choices.
- We can tease a lot out of license data but there is more that we can ask people. WE need to do a better job at interpretation of data from license sales. Graphs need to show consistent and reproducible baselines.
 1. Is there more survey data that staff already have and can share some light on this process?
 2. I think all parties need to understand why people hunt.
- We also need to know more about what other states are doing with big game and what the impacts have been. There is more to it than just, "are they a crossbow state or not?"
 1. Are season frameworks really comparable?
 2. What unique season features have other states tested and what was their experience?
 3. How long have crossbows been legal in other states.
 4. Let's think outside of the box. IS our multiple licenses confusing, can it be simplified while still giving all parties the same experience? Do we have an obligation to share the resource with all parties as fair as we can? So many people wrote to us with ideas, let's flesh them out.
- Are there other things that we as resource managers should be aware of? It should be looked into it further.
- Now, there are so many things we get right in big game hunting and management. I am not professing to throw the baby out with the bath water so to speak, but here before us is an opportunity to really dig into the details of big game.

Mr. Secretary, are you and the department up for such a challenge?

Secretary-Designee Cole at 3:44:54 responded.

Mr. Kazmierski at 3:45:25 requested the department consider another weapon type during this process for air bows and air guns.

Mr. Bruins at 3:47:02 requested the word get out that there will be no change to this year's season.

At 3:47:33 Ms. Anderson MOVED, seconded by Mr. Kazmierski, to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 1:12 p.m.

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