

Wisconsin Conservation Congress
Air, Waste and Water Study Committee
Agenda
Saturday, August 14, 2010, 12:30pm

Organizational Matters 12:30 PM

- A. Call to Order
- B. Roll Call
- C. Review Committee Mission Statement

Discussion and Action Items

- A. Department action plan for reducing lead in the environment
 - Presentations by DNR Staff
 - Questions and Answers
 - Committee Discussion
- B. Citizen Resolutions
 - 040310** Lead Reduction in Fishing Tackle Revisited
 - 040710** Multiple Lake Fishing Tournaments & AIS Spread

Member Matters

Adjourn ~4:30 PM

Air, Waste and Water Study Committee
MEETING MINUTES

Saturday, August 14, 2010, 12:30pm
Phipps Library, Eau Claire

A. Call to Order @ 12:37 pm

B. Roll Call

AWW Attendance		(Present	Absent)
RACINE	D11	MIKE WITKIEWICZ	p
BAYFIELD	D1	JIM BRAKKEN	p
BARRON	D2	DALE CRISLER	p
BROWN	D8	RON VANDERLOOP	p
KEWAUNEE	D8	RON FASSBENDER	a
LA CROSSE	D5	MARC SCHULTZ	p
POLK	D2	ERIC WOJCHIK	p
PORTAGE	D6	GENE REINEKING	p
ROCK	D10	LARRY MEYER	a
VERNON	D5	MARTY GROSSE	a
WALWORTH	D10	KEN BALISTRIERI	a

DNR Liaison TOM KRSNICH represented by Stephan Fabian, DNR Special Investigator

DNR Liaison GREG PILS absent

OTHERS ATTENDING

Ed Harvey, WCC Chairman

Tami Ryan **DNR Wildlife Health Section Chief**

Sean Strom, **DNR Wildlife Toxicologist**

Dr. Dave Clausen **Natural Resources Board**

Amery

C. Review Committee Mission Statement

Chairman read Mission Statement.

Motion by Dale Crisler to continue using present Mission Statement language.

2nd by Ron Vander Loop

Question Called. Unanimously carried.

A. Department action plan for reducing lead in the environment

- Presentation by Sean Strom, DNR: Department's Lead Outreach report. [see attached]
One item in the report dealt w/ the discovery of trace lead in Food Pantry goose meat that came from local harvest. Due to this trace lead issue, the goose meat is no longer considered safe for consumption and is no longer provided to the food pantry program.
- Ed Harvey: Question re: lead traces in muscle tissue vs in liver, blood.
- Marc Schultz: Is this urban or rural goose population?
- Sean: Urban but mixing does occur.
- Mike Witkiewicz: Was the study general or specific in nature?
- Sean: General.
- Ron Vander Loop: Were these geese banded?
- Sean: Some.
- Mike Witkiewicz: Would a high lead level in one goose result in a rise in the average lead level in the lot sampled. Answer: Yes, but unlikely due to large number of separate surveys.
- Marc Schultz: Are there other states doing this research? No, not known.
- Mike Witkiewicz: Is raw data available.
- Sean: Yes
- Mike recommended a sampling and survey technique.
- Sean Strom: Understood, but, considering this situation, the present process is adequate.
- Mike Witkiewicz: Alternative method will provide better results less likely to be controverted by those opposed.

- Sean: Purpose of survey is advisory, not requiring such strict standards.
- Stephan Fabian: Supported Sean's statement.
- Marc Schultz: What are we expecting from this? What are the measurable results.
- Mike Witkiewicz: Need reasonable comparison studies.
- Marc Schultz: Use of Social media use will be very important in education of public on the need for this change. Also work with a variety of groups including Boy scouts, 4H and others.
- Mike Witkiewicz: Concerned that we utilize best technological input and best available knowledge as stated in AWW mission statement. Cannot risk putting out bad data. Referenced risk analysis; Probability of occurrence.
- Marc Schultz: Need to reference measurable changes such as the change in percent of lead in environment.
- Jim Brakken: Referenced a pending lawsuit filed against the EPA to protect wildlife by eliminating use of lead shot, fish tackle and bullets. Noted that if the State doesn't initiate a shift in the way sportsmen use lead, we are likely to see some other outside group force this on Wisconsin sportsmen, likely embarrassing the Congress and Department. We need to be proactive. If we don't do this, others will force it on the sportsmen we represent.
- Dave Clausen: Cited several facts noted in his letter to AWW. 33 million ounces at one pheasant preserve, annually, as example. If any industry deposited that much lead in the environment it would result in statewide outrage.
- Committee concurred.
- Dave Clausen: Explained that, as a veterinarian he has a long history with this issue. Emphasized the extent of the suffering experienced by animals exposed to lead poisoning. Hunters and others who have respect for animals, wildlife, would not support continued use of lead if they saw results of this poisoning. 2. Sportsmen should bring this forward. 3. Also noted that industrial lead discharge is very small compared to sporting use. 4. Asked if letter was circulated to AWW Comm
- Jim Brakken: Sent letter to Chairman.
- Mike: The Dave Clausen letter will be forwarded to Kari, then sent on to balance of AWW Comm.
- Mike Witkiewicz: There is no argument w/ lead toxicity, just need to have the best data
- Jim Brakken noted that the Department's Action Plan to Reduce Lead in the Environment contained education components and 'in house' changes but did not reference a termination of use of lead on state-owned lands. Questioned Sean Strom: 'Does the plan call for a ban on use of lead shot on state lands?'
- Sean: Referred to Tami Ryan.
- Tami Ryan: Focus of this work is on education. Again noted there is no DNR intent to prohibit use on state owned lands.
- Jim Brakken: Then, 1. Because lead is well known to be a toxic substance and the curtailment of lead shot use will benefit wildlife; 2. Because this change is inevitable; 3. Because if the State doesn't initiate this we are likely to see some other outside group force this on Wisconsin sportsmen, then AWW should support this education effort.
- Tami Ryan: Referenced that 16 percent of necropsies of deceased eagles died from lead poisoning.

- Mike Witkiewicz: Pointed out that this fact, although important, will be challenged with the fact that 1. lead use has risen and 2. eagle population has risen so others will ask where is the problem? MW offered example: Driving age is 16, car accidents kill 16 yr olds. We have not changed driving age. We have changed other regs affecting 16 yr old drivers. The public is willing to tolerate some loss of life of 16-year-old drivers in trade for allowing them to drive. Related this example to ammo sales, firearms rights. Some groups will claim this is the first step to an erosion of hunter's rights, firearms rights, etc.
- Ron VanderLoop: Read excerpt from Pat Durken article about the EPA attempt to ban shot and tackle in 95.
- Ed Harvey: The [Phase out of toxic fishing tackle] Resolution that the AWW Comm drafted last year was well thought out, well done. A similar resolution would help guide the Exec Comm and Exec Council.
- Dave Clausen: Regarding Pat Durken's article: In 1994, a group asked to have warning label placed on lead products. EPA went further, cited appropriate research and was approaching restrictions on lead use. Sen. Harken authored regs that stopped the process cold. EPA had the science, couldn't act.
- Mike Witkiewicz: Must combine in the message a combination of science and politics. 2. The Department proposal has many gaps, needs more attention to several areas, timelines, budgetary adjustments, but is a good start.
- Dale Crisler: Public acceptance will be easier if this is done step by step. Comparison to smoking bans done slowly over time and are now the norm for most people.
- Marc Schultz: Some will be strongly opposed, others strongly in favor. We need to find middle ground through compromise and come to a successful common agreement. 2. Department's proposed program incomplete. Needs fleshing out.
- Mike Witkiewicz: Commented on spending proposed in Department's proposed budget for this program. Questioned if this is the best possible use of the funds. Referenced some in-house items that could be handled without expense and that money could be better used for other lead toxicity education efforts.
- Tami Ryan: Plan is designed to educate and get DNR's own house in order first. Budget items came from Pittman Robertson grant funds that are segregated, not able to transfer.
- Dave Clausen: Noted that in New Jersey there was a study of the equivalent cost of materials that showed approx 4 cents per round difference between lead and non-lead practice bullets. Also noted that we want our enforcement people to be using the best possible equipment and supplies.
- Phase in use of non-toxic shot on all state-owned property for upland game
- Marc Schultz: compared lead shot w/ steel prices, noting that steel shot prices and lead shot prices, once quite different are now similarly priced.
- Mike Witkiewicz: Re: budgetary issues in Plan, it is important to get the biggest bang for buck and that is not apparent in plan as written.
- Gene Reinken: Hunter safety field day should include a switch to non-toxic shot. 2. Education will be very important to sell public on this
- In support but need more answers. Important that we continue research
- Ron VanderLoop: Clubs could participate such as TU, DU, other sports clubs. 2. Cons Lobby day, don't go it alone. Get to know legislators better.

- Mike Witkiewicz: Money needs to be spent correctly to educate public. Important to not over sell. Could take a 'here's what you can do to protect yourself from lead toxicity issues' approach to get public support. 2. Look toward longer term: Must be sure that what we present on behalf of Conservation Congress is well crafted, well thought out. We need to encourage the Department to 1. identify, 2. inventory, 3. prioritize each step in overall lead issue. Must generate specific science for each of these three.
- Jim Brakken: We need to see something that will not just be accepted by the public but, rather, be welcomed. Make it public driven.
- **Motion by Brakken to support the Department goal as stated in pg 2 of the July 2010 DNR Action Plan for Reducing Lead Impacts in WI.**
- 2nd by Dale Crisler.
- **Discussion:** Gene Reineking: Education key to success; Marc Schultz: I support w/ reservation. Many components missing in plan; Mike Witkiewicz: I support goals but report is clearly missing several specifics. Needs critical fine tuning. Some timelines missing other missing information; Marc Schultz: I support the plan in concept only.
- **Question called.** Unanimously carried.

- **Motion: by Jim Brakken to 1. encourage continued research on lead shot and tackle toxicity and 2. Develop and disseminate educational information to the public regarding lead use by sportsmen.**
- 2nd by Mark Schultz
- **Discussion:** Mike Witkiewicz: Recommend DNR evaluate proposed plan to determine how sportsmen use lead now, then tailor the studies to fit present use patterns; Marc Schultz: Be specific when developing info for public distribution; Mike W: Place the priority on education of the hazards of lead and just how the public can protect themselves as well as the wildlife we value by changing our use of lead. 2. Need a refined, holistic approach; Jim Brakken: We could later create an Ad hoc committee to dev the language needed; Ed Harvey: Public acceptance of this needs to be considered. The motion, as stated, covers that. Method used to develop last year's resolution was successful and could be used again. [i.e.: electronic and phone communication followed by committee approval.]
- **Question called.** Unanimously carried.

- **Motion by Schultz to develop guidance to be used by WCC Exec Comm, Exec Council and Chair to advise DNR and NRB on the development of lead action plan.**
- 2nd: Brakken.
- **Question called.** Unanimously carried.

- **Motion by Brakken to create ad hoc committee develop the language referred to in the above motion.**
- 2nd Marc Schultz
- Discussion: Jim Brakken noted that Mike Witkiewicz's interest, experience and training in this area indicate that he should, perhaps, create an outline of appropriate issues and items related to this issue, then pass on to others for consideration and comment. Chair

called for ad hoc committee volunteers: Gene Reineking, Mike Witkiewicz, Marc Schultz.

- **Question called.** Unanimously carried.

B. Citizen Resolutions

040310 Lead Reduction in Fishing Tackle Revisited

Withdrawn per recommendation and request of the Author, Jim Brakken

040710 Multiple Lake Fishing Tournaments & AIS Spread

Chairman Witkiewicz read the resolution.

Jim Brakken, resolution author, was invited to present information that included reference to loopholes that could allow a multiple lake fishing tournament organizer to avoid applying for a permit and this could allow them to not be subject to conditions of permit such as AIS conditions. Also, multiple lake tournaments often result in many boats moving from AIS-contaminated lakes to clean lakes. An example tournament in NW WI has about 500 participants each paying \$60 or more, bringing in \$30,000. Monitoring of boat landings is difficult if many landings are used. Qualified monitors must be used, not un-trained laymen. Costs of monitors should be covered by tournament participants. Brakken emphasized that ‘we should not sacrifice the resource for the profit of a few tournament organizers.

Motion by Gene Reineking to accept.

2nd by Eric Wojchik

Discussion: Brakken noted that this is a statewide problem. 16 lakes in one tournament in Hayward area, also tournaments on Waupaca Chain of Lakes and many other areas; Marc Schultz: What is goal of this resolution? Brakken: To advise dept of the inability of the present Tournament regs to adequately prevent the spread of AIS by tournament participants and, 2, to result in changes in the tournament regs to close this loophole; Ed Harvey: This is an appropriate assignment for AWW; Eric Wojchik: The counties [Sheriff’s depts] have ability to enforce and have been doing so; Marc Schultz: This is an example of an unintended consequence not seen when the regs were written. Clear that there should be a change made to fix this; Eric Wojchik: Less landings very important. Lake groups will help but it is very important to limit the number of landings that they must be stationed at; Ron VanderLoop: Are these tournaments locally organized or is this an outside effort? Jim Brakken: It varies but even the nationwide groups such as BASS and Muskies Inc. put their local members in charge; Marc Schultz: The goal of the resolution is unclear and should be revised; Jim Brakken agreed and is willing to revise, then re-submit to AWW and to Warm Water who will hear this in December. Consensus was that this would be a good approach.

Question called. Unanimously rejected.

Motion by Schultz to return to author for revision.

2nd by Wojchik

Question called. Unanimously carried. Author (Brakken) will promptly revise and return to Chair.

Member Matters

Ron VanderLoop: Opposed to all tournaments, pointed out problems. 2. Pharmaceuticals in water. Turn-in programs in Brown Co. stopped due to FDA regs. 3. LCV will have it as a priority to legalize turn-in programs. AWW should be attentive to Conservation Lobby Day and other opportunities re: dealing w/ Pharmaceuticals in groundwater.

Eric Wojchik: Appointed to fill vacancy in Polk Co. He is an LWCD employee from Polk Co. Interested in AWW Committee efforts and interested in learning the ropes.

Gene Reineking: We need to work on burning barrels. 2. Rules on manure applications.

Marc Schultz: Hand cleaner's chemistry needs our attention. Chemicals in hand cleaners mix w/ chlorine in municipal waste treatment plants and sunlight to create dioxins. 2. Low Dissolved Oxygen in Mississippi due to zebra muss and other conditions are of great concern. 3. Moving forward on Asian Carp research. 4. Conservation Voter LCV listening session coming to your area soon. Good opportunity to share your ideas.

Jim Brakken: Proposed an increase in out of state fishing license fees to help offset the extreme costs of AIS control resulting from out of state boaters bringing in AIS from their states' waters to ours. Then they leave, leaving the expense of clean up and restoration to us.

Mike Witkiewicz: Burning barrel issues plus other blatant disregard for waste burning policies and regs needs attention. Costs of taking waste to municipal drop points drives people to burn their own, usually illegally.

Meeting adjourned at 4:47 p.m.

Jim Brakken, Bayfield Co