

View Natural Resources Board Member information, meeting agendas, meeting minutes and related materials online at: <http://dnr.wi.gov/about/nrb/index.html>

NATURAL RESOURCES BOARD

MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday, May 23, 2012 in Room G09, State Natural Resources Building (GEF 2), Madison, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-7. The meeting adjourned at 2:35 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 May 23, 2012

Secretary Stepp requested the Gerald E. Tarman, Joel March Wildlife Area (File Number - WM 60172) acquisition of 41.06 acres in Polk County be removed from 2.A. – Real Estate Transactions and added to the agenda as a separate action item, 2.B. Real Estate Transactions – Gerald E. Tarman, Joel March Wildlife Area (File Number - WM 60172) acquisition of 41.06 acres in Polk County.

The reason for this change is to address the letter the department received from the Town of Beaver “...opposing any further incursion of the State infringing on private land in the Town of Beaver.”

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

1.C. Approval of minutes from March 28, 2012

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

2B. Real Estate Transaction – Gerald E. Tarman, Joel March Wildlife Area (File Number WM 60172) acquisition of 41.06 acres in Polk County (Added during 1.B. Agenda Approval)

Discussion followed on the heavy use of this area; on what grounds the township was opposed; whether the department was taking this land out of agriculture production; whether the Board could direct the department to leave a portion of the parcel as agriculture land; and property rights concerns.

Dr. Thomas MOVED approval, seconded by Ms. Wiley.

Mr. Hilgenberg MOVED to amend, seconded by Dr. Thomas, so that agriculture use be provided on the 30 acres of hay land for a period of up to five (5) years, provided there is an agriculture user.

Discussion continued on whether a buffer should be created by the wetland area and whether the Board is micromanaging the department on property management.

Chair Clausen called the question.

The motion to amend carried 6 - 1.

William Bruins – yes	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – no
Terry Hilgenberg – yes	David Clausen – yes
Greg Kazmierski – yes	

Discussion continued on the department’s scoring of land acquisitions and whether this land will be open for hunting.

The original motion as amended carried unanimously.

3. Action Items

3.A. Air, Waste, Water, and Enforcement
None

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

3.B.1 Request approval on the use of trail cameras on department managed lands

Scott Loomans, Wildlife Regulations Specialist, provided background information to the Board. He stated that this is a department policy and it is not a detailed administrative rule. He surveyed the County Forest Administrators and asked whether cameras are allowed on their lands. The counties that responded do allow them but do not have ordinances or specific restrictions in place. The program attorney had advised him to promulgate a rule after approval to true up department policy. They now have a WI Conservation Congress statewide vote that is informational on how the public feels on the issue. He requested the Board approve the use of trail cameras on department managed lands.

Discussion followed on whether any warden time would be spent on policing stolen cameras and whether a member of the public could use personal property left on a wildlife property (e.g. canoe or boat) or whether permission would be needed from the owner.

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

3.B.2 Land Acquisition and Project Boundary Modification - Chippewa Moraine State Recreation Area - Chippewa County

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

3.B.3 Land Acquisition - Pershing Wildlife Area - Taylor County

Discussion followed on whether the department should purchase agricultural land; how many acres of this acquisition are tillable; what the past use of the property was; whether the department could work with a farmer to keep a portion of the property in agriculture production; whether there are examples of past restrictions on acquisitions; and whether the Board has access to the management plan of each department parcel.

Mr. Hilgenberg requested that any future purchases be presented to the Board with property management for agriculture land.

Discussion followed on whether the department will keep or sell off the improvements.

Ms. Wiley MOVED approval, seconded by Mr. Cole. The motion carried on a voice vote of 6 - 1.

3.B.4 Land Acquisition - Statewide Public Access - Walworth County

Discussion followed on where the public access was located on Lake Beulah.

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

Discussion followed as to the disparity of values on page 3 of the agenda package; whether the department will continue to use the second appraiser; whether there was any local buy-in; whether the department has had discussions with the town about participating on this acquisition; whether the seller would delay acquisition for an additional month should this item be tabled; whether the lake freezes over winter due to its depth; concern that the public cannot enjoy Army Lake since there is no access; whether the Board should table this item and request the department explore having the local government go through the Stewardship process; that Army Lake is not a mudhole and should be accessible by the public; and the timing of going back to the jurisdiction for acquisition.

Chair Clausen called the question.

The motion to approve carried 4 - 3.

William Bruins – no	Preston Cole – yes
Christine Thomas – yes	Jane Wiley – no
Terry Hilgenberg – no	David Clausen – yes
Greg Kazmierski – yes	

3.B.5 Land Acquisition - Turtle Flambeau Scenic Waters Area - Iron County

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

3.B.6 Land Acquisition and Sale - White River Fishery Area - Bayfield County

Mr. Bruins MOVED approval, seconded by Ms. Wiley.

Discussion followed on what will happen to the funds from the sale of the residence and 7.6 acres.

The motion carried unanimously.

3.B.7 Land Donation - Glacial Habitat Restoration Area - Winnebago County

Dr. Thomas MOVED approval and to acknowledge the donation, seconded by Ms. Wiley.

Discussion followed on whether it is the department's plan to maintain the integrity of the ditching system.

Tim Andryk, Legal Services Bureau Director, stated that should this property be part of a drainage district, the department would need to maintain the ditching system.

Discussion followed on whether this land is part of a drainage district; whether there is a management plan in place to manage this property; whether the department is open to sharecropping on this parcel; and why the department is interested in the west stand-alone parcel.

The motion carried unanimously.

3.B.8 Land Donation - New Auburn Wildlife Area - Barron County

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

3.B.9 Easement Acquisition – Forest Legacy Program – Douglas, Washburn, Burnett, and Bayfield Counties
(PowerPoint)

Richard Steffes, Real Estate Director presented the history of these parcels. **Paul DeLong**, Forestry Administrator, presented the department's strategy and approach for working forest conservation. This was a complex easement for which they recognized the good work by staff. Staff worked with 1,500 blocks of 40 acres which is a lot of work. They also recognized the Conservation Fund who worked with the owner to make this easement acquisition possible.

Public Appearances:

1. **George Meyer**, Madison, representing Wisconsin Wildlife Federation (WWF) as Executive Director. He spoke in strong support of this acquisition and thanked Secretary Stepp and department staff for their hard work and efforts. This purchase is a huge benefit for all WI citizens. The long-term protection of forest blocks in the state is critical to maintaining the forest products industry and the many secondary businesses and employment that are based on it in WI. The WWF is thrilled at knowing that broad-based hunting, fishing, and trapping will continue in perpetuity on these lands. (Handout)
2. **Matt Dallman**, Minocqua, representing The Nature Conservancy (TNC) spoke in support of this acquisition and project. This site is located in the headwaters region of the Brule and St. Croix Rivers. This property plays a central role in sustaining the regions forest and tourism industries, provides wildlife habitat, and drinking water protection for several local communities. Over the past decade, WI lost over 250,000 acres of industrial land as well as the jobs that were connected. He sees a lot of similarities between what is happening with the northwoods timber industry and farming – expansion of recreational development and housing. This project ensures we have a place to manage timber and habitat. This working forest easement is a win for WI.
3. **Mike Carlson**, Madison, representing Gathering Waters Conservancy as Government Relations Director spoke in support of this easement acquisition which will protect the working forests and pine barrens. Bud Jordahl articulated that pine barrens should be one of the top priorities for protection. Bud would be very pleased with this project if he was with us today. This easement is an important example of collaboration and public/private partnerships. He applauded the department, Lyme Timber, and The Conservation fund in putting this acquisition together. This easement acquisition will provide critical habitat for several threatened/endangered species. The land trust community is interested in working with the state and sporting communities in the future.
4. **Ed Steigerwaldt**, Tomahawk, representing Lyme St. Croix Forest Company as a consulting forester spoke in support of the Brule-St. Croix Legacy Forest Easement. He stated that Steigerwaldt Land Services manages about 325,000 acres of timberland in the state of WI, including three lands that were acquired with conservation easements on them. It has been their experience that easements are favorable and work well. He stated this acquisition will mean these lands will continue to be open to the public and it will stop the parcelization on 67,347 acres. He then stated that this is a working forest conservation easement which means the land has to be managed sustainably out of the principles of good forestry with a written forest management plan that has to be adhered to. This easement acquisition will insure fiber for the forest industry and will benefit the area in jobs creation.

Discussion followed on how many people are employed by Steigerwaldt Land Services; whether they contract out the forestry work; and whether game habitat is part of the management plan.

5. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress as Chair spoke in support of the acquisition. He was first approached by Kurt Thiede last week and was immediately excited. He stated this unique public-private partnership between the DNR and private industrial forests demonstrates how both long term protections for our land and the environment while also preserving the forestry based economy, jobs and tourism that defines northern Wisconsin can be achieved. At the same time, this purchase assures continued access to the public and protects thousands of acres of wildlife and fish habitat. It is 67,000 acres of prime northern Wisconsin lands and natural resources that will be permanently opened and available for all to enjoy for hunting, fishing, trapping, hiking, bird-watching, and other recreational pursuits

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

Discussion followed on who retains the mineral rights on the parcels; what would happen should the owner would want to begin mining; whether the parcels would continue to be in MFL (managed forest law); whether the department has any influence on wildlife habitat management; and whether mineral rights are bundled with the conservation easement.

Mr. Cole requested that the communication strategy include ecological values, social values, and job creation. The department should be talking about this once it is approved. DNR is doing the business of the people. This is an opportunity where we got it right.

Discussion followed on whether the department has a marketing program.

Secretary Stepp applauded staff for their heroic work on these easements which had legal difficulties and real estate challenges. Lots of man hours had gone into this for a really long time. It is one of those great opportunities to tie the bow. She thanked Lyme for their stewardship, continued commitment to the state, wanting to do things right, and for their partnership with the department. They are already talking with communication staff. This is how to do it right. There is so much opportunity here to use this as a poster child example of what Stewardship is all about. It is a win-win for everyone on all sides – economic, ecological, and sociological as well.

Mr. Hilgenberg had a first class tour of the properties. He applauded the long work involved of looking at projects like this which are fantastic. Large projects of this scope and fill-in projects are very appropriate for the department to be pursuing with a high level of intensity. He then stated he was asked from a development perspective as to how this works. Everyone should be aware that development is not a bad word. There are appropriate opportunities that the department should be looking at. He has had conversations with Dick Steffes and Paul DeLong about where are some of the properties that maybe do not fit in the department's plan over the years. He asked this be on record that this is not a non-development attack. This is a pro-legacy program which is very appropriate.

The motion carried unanimously.

3.C. Scope Statements

3.C.1 Request approval of the statement of scope for Emergency Board Order WM-02-12(E) related to establishing the 2012 migratory bird hunting season framework

Kent Van Horn, Migratory Bird Specialist, stated that this is an annual rule that will be consistent with a federal framework and is not a change from past policies. Migratory game bird hunting is regulated by the United States Fish & Wildlife Service (USFWS), in 50 CFR part. 20, who will offer a final season framework to Wisconsin on approximately August 1, 2012. The State of Wisconsin's season proposal will be based on the federal framework and local conditions. Wisconsin also will not be more restrictive than the federal bag limit framework except that we will propose one less hen mallard in the bag limit if the federal framework allows two or more, consistent with existing Wisconsin rules. This rule may relax the prohibition on hunting waterfowl in open water for holders of permits for hunters with disabilities and lift a sunset of special migratory bird hunting regulations at the Mead and Zeloski Marsh Wildlife Management Areas. He requested the Board approve the statement of scope for emergency Board Order WM-02-12(E).

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

3.C.2 Request approval of the statement of scope for Board Order WM-08-12 and Emergency Board Order WM-09-12(E) related to establishing wolf hunting and trapping regulations and a depredation program

Kurt Thiede spoke in place of **Bill Vander Zouwen**, Wildlife Ecology Section Chief. He stated that the proposed rulemaking will establish wolf harvest zones and the process for modifying those zones in the future. This rulemaking may establish that the number of wolf harvest permits to be issued will be based on annual population estimates in relation to the statewide population goal and hunter and trapper success rates. Regulations will be established to guide the issuance of wolf harvest permits as well as collect information on harvested animals and enforce harvest limits. This proposal will establish trapping regulations that provide for the humane capture of wolves and avoidance of non-target species. The proposal may establish regulations on the size, type, placement, and times for use of traps and cable restraints. Statute currently establishes conditions and authorities for the removal of wild animals causing damage and the department has established rules. This rule proposal will add wolves to rules the department has already promulgated for other species. This proposal will not affect current rules

which allow a landowner to kill a wolf that is in the act of killing, wounding or biting a domestic animal. The department will investigate and propose rules that outline the process for submitting a wolf depredation claim and a payment schedule. The department already has a similar process for agricultural damage caused by deer, bear, geese and turkeys. He then reviewed the timeline of the proposed rule. He requested that the Board approve the statement of scope for Board Order WM-08-12 and emergency Board Order WM-09-12(E)

Discussion followed as to whether a hunting license can be sold since they can be transferred; whether hunters could use dogs at the end of the 9 day gun-deer season during the muzzleloader season; and whether wolf depredation funds would come out of the deer damage funds that come from selling tags.

Attorney Andryk stated that deer damage funds would not be used for wolf depredation.

Discussion continued on whether the hunting fees for wolves has been set and whether it would cover depredation losses; clarification on the clear role of the Board on wolf hunt rulemaking; that neither the Board nor the public will have any input on fees, season dates, and methods of take; that the legislature has been very prescriptive and is in the drivers' seat of this rule; who had determined the policy for this rule; whether the scope statement addresses the training of dogs and whether wolves could be chased and disrupted by dogs at any time; dates and locations of public hearings; that the legislative directive does not absolve the department from coming up with a good product and that there should be public and staff involvement; whether the department has authority to close the season by emergency closure; how much of the application fee goes into the depredation fund; that wolf pups grow to the stage of being hungry and looking to eat livestock which creates the need for urgency to control the wolf population, whether the department has any estimates of number of license applications; and whether the department has ultimate control of how many wolves will be harvested.

Public Appearances:

1. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation as Wildlife Committee Chair stated that they strongly support state management of WI's wolf population and that they strongly supported WI Act 169 that authorizes a wolf hunting and trapping season in WI. He then stated that hunters have been deprived the opportunity to hunt coyotes in northern WI for many years during the nine-day gun deer season in order to support the re-establishment of a wolf population. He requested the Board incorporate the reopening of the coyote season during the nine-day gun deer season into the rulemaking process. The time is now. **(Handout)**
2. **Jodi Habush Sinykin**, Milwaukee, representing Midwest Environmental Advocates, communicated three primary points of concern on this statement of scope and Act 169. Rules under consideration by the Board should have a strong foundation in sound science and ecology and the time, public accountability, and careful thought required to accomplish it. The prematurely aggressive scope of Act 169 comes off as financially and ethically irresponsible. The DNR should draft rules that provide for a closely monitored and highly controlled hunt consistent with the geographically limited, livestock depredation-focused approach recommended by our state's long-time wolf experts, including Adrian Treves, Dick Thiele, Tim Van Deelan and others.

Act 169 requires stringent regulations be put in place by DNR in order to limit public opposition, including that of mainstream Wisconsin hunters, who view the statutory provisions concerning nighttime hunting, use of electronic predator calls, use of bait and leg-hold traps, and the extraordinary length of the season, to be inconsistent with "fair chase values" of Wisconsin hunting tradition.

Without proper care in rulemaking, litigation and prosecution will be certain to arise out of Act 169's sanctioning the use of dogs to hunt wolves, a practice clearly at cross purposes with WI animal cruelty law, specifically Wis. Stat. 951.08, which prohibits instigation of animal fighting. Accordingly, DNR should craft regulations that, at the least: (i) are based on peer-reviewed research and scientific data; (ii) prohibit clubbing of trapped wolves; (iii) require trappers to post warning signs whenever traps are placed on public lands; (iv) prohibit use of predator calls that involve howling; (v) curtail use of hunting dogs; and (vi) ban hunting and trapping in core wolf habitat and in all National Forests. **(Handout)**

Discussion followed on WI's animal cruelty law; whether hunting as covered under statute 29 and 169 is given a pass as far as the humane laws of the state, whether Ms. Habush Sinykin would authorize wolf hunting should she be queen for a day; whether she is advocating that hunting any species with dogs should not be

allowed; whether other states use sight hounds for hunting wolves; and whether there would be negative public connotations for allowing hunting dogs/sight hounds to run an animal down and shred limb by limb. **(Handout)**

3. **Bob Welch**, Redgranite, representing WI Hunter Rights Coalition stated they strongly support the creation of a Wolf Harvest Season, per Act 169, beginning in 2012. He stated that the department will determine the number of tags and the quota based on the count and an estimate of the hunter success rate. The department will be able to close the season immediately when the quota is reached in order to maintain a sustainable population. Wolves need to be managed just like any other species that co-exists with humans. Alongside biological carrying capacity we need to consider social carrying capacity. Clearly today the wolf population has exceeded its social carrying capacity in the north. Merely eliminating depredating wolves will not solve this problem. Only a harvest season can effectively manage the wolf population.

And in order to be successful, we need to utilize all our harvest tools. Trapping and hunting with dogs are two very well established means of harvesting predators (like bobcats and coyotes in this state). Both are carried out under regulations that assure a humane outcome. Opponents of hunting with dogs or trapping are merely trying to stop the wolf harvest altogether. To set aside refuges or to ban certain types of harvest methods is trying to manage based on emotions not science.

He addressed the broad statements made earlier on the issue with hunting with dogs. There are many people in this room today who think that if the dog does not sleep on the couch with you, you do not love your dog. That is ludicrous, ridiculous, and false. A dog out chasing a wolf, bear, or coyote is a happier dog than one sitting on a couch watching reruns of Lassie. He stated that when a dog is trained on wolves, it is not going to hunt deer. When the wolf stops, the dogs stop. **(Handout)**

Discussion followed on whether there would be time to train dogs prior to the 2012 season; clarification on what kind of dogs Mr. Welch was referring to that would be used in WI; clarification on whether there was a big group in attendance when the bill was before the Senate Natural Resources Committee; clarification that the public did not have much input at the committee hearing; and in reference to dog training, whether captive wildlife statutes prohibit the possession of wolves and wolf hybrids.

4. **Alyson Bodai**, Madison, the Humane Society of the United States – WI (HSUS-WI) as WI State Director, State Affairs. She spoke in opposition to the irresponsible practices in the law, on behalf of their 256,000 members and supporters in Wisconsin. She stated that the gray wolf in Wisconsin was driven to the brink of extinction and placed on the Endangered Species List, largely due to aggressive hunting, state bounties, and persecution of the species at the hands of humans.

The State's principal goal now should be the resolution of wolf conflicts with farmers and not the hunting and trapping of wolves. As long as wolves remain delisted, the state can authorize owners of livestock and domestic animals to address bona fide incidents of depredation. The USDA Wildlife Services (USDA-WS) and the DNR have been developing non-lethal techniques to discourage wolves from depredating on livestock. HSUS-WI strongly urges the state to integrate these approaches into the wolf management plan and to continue the compensation program for farmers that lose livestock to wolves. These Best Management Practices (non-lethal controls) include guard animals, fladry lines, and flashing lights on the 17 farms that have experienced chronic depredations – loss of 2 or more animals over 5 years. The actual number of depredations is very small. USDA-WS has the most authoritative numbers and estimates that there are approximately 7,000 farms in the state that produced. Depredations occurred on 47 farms in 2010 and 40 farms in 2011.

They believe that hunting and trapping could undermine the long term survival of the wolf in WI, and may actually result in an increase in livestock losses due to social and behavior changes that are known to occur when wolf populations are subject to arbitrary, non-selective conflict management regimes. The law as written includes many irresponsible practices, which specifically include: allowing hunting in all zones (even zones with no depredation), wolves being hunted with packs of dogs, permitting the use of cable restraints, allowing trapped wolves to be killed with clubs, as well as unsportsmanlike practices that violate the ethics of fair chase, such as night hunting and the use of animal scents. The wolf is an iconic species beloved by many residents of the state. We all must take care of this precious natural resource. **(Handout)**

Discussion followed on whether guard dogs have conflicts with wolves and whether the Humane Society has worked at all with farmers to provide those types of dogs.

5. **Rob Bohmann**, Racine, representing Wisconsin Conservation Congress (WCC) as Chair spoke in support of the scope statement. He stated that a few years ago, the WCC asked about a management plan. He believed that question did pass in all 72 counties. Their wolf committee will be meeting with department staff on June 9 at the Mead Wildlife Area. Al Brown, wolf committee chair, was asked to invite some of the other stakeholder groups and to get their input from their organizations. They are happy this is being moved forward. It is a great opportunity. WCC definitely supports this effort.

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

Chair Clausen moved the meeting to Item 5 – Board Members Matters.

5. Board Members' Matters

Dr. Thomas requested the department explore extending the turkey season each year through Memorial Day.

Mr. Hilgenberg expressed his appreciation to staff on the Legacy Forest Project in the Spooner area. It was a privilege touring the property with Bill Smith, Northern Region Land Leader, and Richard Steffes, Real Estate Director, and that of the new northern region headquarters. The mapping for the Legacy Forest Project included detailed mapping that entailed a lot of GIS and legal work. He applauded staff on doing a great job.

6. Special Committees' Reports
None

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Jon C. Brand

7.A.2 Vera Starch

7.A.3 David G. Wyman

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

7.B. Donations

7.B.1 Operating Engineers Local 139 Training Center will donate time and equipment for design and earthwork for renovations to the Wautoma Public Shooting Range, at a value greater than \$15,000

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

Chair Clausen moved the meeting to Item 7.B.3.

7.B.3 The Ruffed Grouse Society will donate \$29,540 to support ruffed grouse and woodcock habitat projects on Wisconsin Department of Natural Resources properties

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

7.B.4 Safari Club International will donate \$25,000 to DNR Science Services to support Wisconsin's white-tailed deer research program

Secretary Stepp thanked SCI for the donation and presented Mr. Hammill with an acknowledgement plaque.

Public Appearances:

1. **Jim Hammill**, Crystal Falls, Michigan, representing president of the Northwoods Chapter of

SCI and the sub-chair for North American programs for SCI Foundation. He stated their 51,000 members worldwide are ardent believers that sound science should be the guide to wildlife decision making. Currently, he is the vice-chair for their conservation committee and the chair of their North American programs for SCIF. Yearly, they invest about \$1 million dollars into wildlife projects around the world. SCIF is a 501(c)(3) organization. Their conservation committee's focus for the past five years has been in predator/prey interactions in North America. Currently, they have ongoing projects: woodland caribou in Newfoundland, elk in Montana, moose in Wyoming, mule deer in Arizona, and white tail deer in both Michigan and in Wisconsin which is why he is at the meeting today. The western Great Lakes deer population today survived among a full suite of predators and new disease threats. Therefore, quality data for decision making in deer management is more critical than ever. They will be able to make better and better decisions on deer management as time goes forward. This donation will be used for equipment, travel, and limited term employee salaries. Monies raised by SCI are used for these types of services, both providing funding for wildlife projects like this, protecting our freedoms to hunt, and the promotion of sound wildlife science in decision making. He presented the check in the amount of \$25,000 to the department. They look forward to a continued strong relationship.

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

Chair Clausen moved the meeting to Item 8.B.1.

8. Information Items

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

8.B.1 Spring Hearing/Meeting Wildlife Management Advisory Question Results

Scott Loomans, Wildlife Regulations Specialist, he stated the spring hearings process was different this year than in the past. He reviewed the background of the spring hearings process and then summarized the voting at the 2012 spring fish & wildlife hearings and anticipated future actions on three wildlife-related and one Natural Resources Board advisory questions.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Chair Clausen then returned the meeting to Item 7. – Secretary's Matters.

7. Department Secretary's Matters

Secretary Stepp announced that the Friends of Wisconsin State Parks (FWSP) has announced the Affinity Naturalist Grant awards given to local Friends groups around the state. The number of awards that FWSP Board of Directors has made possible is twice the number from last year. There are 21 awards ranging from \$300 to \$1,000 for naturalist programs, education, activities, exhibits, and interpretative signage. The grant awards total \$19,071 along with the Friends group matches of \$30,721 will equal \$49,792 for these projects. These applicants have submitted proposals for different activities, programs, education or materials that they need to support these activities in WI state parks, forests, trails, and nature centers around the state. She congratulated all of these Friends groups. Hats off to them and congratulations to the award winners.

She noted that Green Bay Packer Donald Driver won the Dancing with the Stars competition last night and publicly thanked him.

She then read a proclamation from Governor Walker to proclaim June 2012 as Great Outdoors Month: Whereas; WI's natural heritage is scenic and diverse, ranging from forests and lakes to prairies, rivers, wetlands and coastal beaches that provide places for year-round outdoor recreation and discovery; and Whereas; WI's vast natural and cultural resources provide citizens and visitors opportunities to hike, bike, fish, camp, swim, learn about nature and enjoy numerous other outdoor activities on public and private lands, in urban green spaces and suburban backyards; and Whereas; playing and exploring outdoors gives children and their families time to connect with nature, engage in exercise and healthy activities, and have fun; and Whereas; WI has a history of natural resource stewardship and our citizens remain committed to protecting and appreciating these valuable resources; and Whereas; Great Outdoors Month is an opportunity to celebrate and experience the many outdoor activities that WI has to offer and to renew our commitment to conserving air, water and land.

Chair Clausen then moved the meeting to item 8.B.2.

8. Information Items

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

8.B.2 Spring Hearing/Meeting Fisheries Management Advisory Question Results

Kate Strom Hiorns, Fisheries Policy Specialist, gave an overview of the 23 advisory questions that were brought to the spring hearings in April, such as motor trolling and an upcoming WI Fishing smart phone application. They noted they had some pretty broad questions which were mostly to gather citizen input to provide guidance on future proposed rule changes as well as starting discussions among staff, WCC, and meeting attendees. The department will use the results to provide better access to information and to improve fishing opportunities. The approximate 30 regulation change proposals submitted in 2011 will go to the spring hearings in 2013. **(PowerPoint)**

Discussion followed on how many megabytes will the smart phone application be; whether there will be a cost for the phone application download; and that each program within the department should have a phone application.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Chair Clausen returned the meeting to item 7.B. – Donations.

7.B. Donations

7.B.2.a. Wisconsin State Parks Concession Program Update

Peter Biermeier, Recreation, Planning, and Development Section Chief and **John Darrow**, Devil's Lake Concession Corporation President, gave a joint presentation. They stated that Wisconsin State Parks has had concession services provided since the system opened in 1900. With the CCC construction of new concession buildings in the 1930's, state parks were able to expand concession opportunities in providing food and services. The system today is large and flourishing. Potential concessionaires are reviewed for capability and financial strength and contracts are written that reflect the needs and protection of both sides. There are currently 98 concession contracts in the Wisconsin State Park System. Of these 52 are with Friends Groups and 46 are with not-for-profit or for-profit organizations. Services offered include vendors for: firewood (44), food, merchandise and camp supplies (30), recreational equipment rentals (18), outdoor theater venues (2), and one each of golf course, ski area and marina. Concessions range from very small to very large. Small might be a vendor selling firewood out of his pick-up truck. Large would be concessions such as Granite Peak Ski Hill and The Chateau at Devil's Lake State Park.

They then spoke about Devil's Lake State Park. They showed a chart of revenue growth for the period of 1950 to 2011. The growth has been dramatic since the most recent upgrades at the Chateau in 2010, with the concessionaire having their largest revenue year ever in 2011. They then provided background on the longstanding working relationship between the Concession Corporation and the Park dating back to 1949. Since that time period, the Corporation has provided over \$2 million dollars to the Park and the State of Wisconsin. They then reviewed the most recent improvements to include a complete interior renovation with new coolers, retail areas and counter service. Since the Friday night fish fries have been so successful they are now going to sell barbeque pork dinners on Saturday night. A new point-of-sale computerized sales and inventory system was recently installed and is a tremendous business asset. The upgrades, in total, were \$164,583, which the Concession Corporation is now donating to the department.

They closed with comments about future growth areas for concessions in Wisconsin, such as rental bikes, boats, canoes, paddle boats, golf, camping packages, GPS units, and anything people can use as equipment. **(PowerPoint)**

Secretary Stepp took an opportunity to brag about Peter Biermeier and Dan Schuller in the Parks Bureau, and for all the latest and most innovative things the department can be doing to make sure we have revenues coming in which is sustainability for the state parks. These two clearly lead the way. She is thankful for their vision and guidance.

Ms. Wiley commented that the ski hill at Rib Mountain now called Granite Peak has always been operated by a concessionaire. It is the second oldest continuously operating ski hill in the U.S. Stowe, VT had been operated one year longer.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

7.B.2.b. Devil's Lake Concession Corporation will donate \$164,583 to remodel the Chateau at Devil's Lake State Park

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

Secretary Stepp presented the donation acknowledgement to John Darrow, Devil's Lake Concession Corporation President.

Dr. Clausen requested a motion to go into Executive Session under the authority of s.19.85(1)(e) Wisconsin Statutes, for the purpose of discussing litigation matters.

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

The motion carried unanimously on a roll call vote.

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

Dr. Clausen reconvened the meeting at 1:00 p.m. Chair Clausen reported that during the Executive Session no action was taken.

4. Citizen Participation

4.A. Comeback Champs – Kirtland's Warbler

Secretary Stepp, presented the Comeback Champ award to Ron Refsnider of Coon Rapids, Minnesota. Joel Trick, U.S. Fish and Wildlife Service (USFWS) accepted the award on Mr. Refsnider's behalf. She stated that Ron's lifelong commitment to bird conservation represents the best of natural resource professionals who volunteer their time, skills, and knowledge after retirement to conservation programs. Since 2008, Ron had made multiple trips a year, sometimes at a moment's notice, from Minnesota to central, northeastern, and northern Wisconsin where Kirtland's Warblers occur. Ron heeds the call to mark lone birds with colored bands that distinguish the individual from the rest of the population. He brings his own equipment and handles the birds with great skill and speed so they can quickly resume their breeding activities unharmed.

Ron's banding efforts has made it possible for the DNR and the U.S. Fish and Wildlife Service to track movements of the banded Kirtland's Warblers, and to measure their population growth. It was documented that at least 43 nesting attempts by Kirtland's Warblers in Wisconsin in the five years that Ron has been marking birds. From these nests, as many as 57 to 75 young successfully fledged. It also was learned that these tiny birds annually fly to the Bahamas for the winter and navigate their way back in the spring to the same site in central Wisconsin.

For all his work to help the Kirtland's Warbler in our jack pine forests, Ron Refsnider has been recognized by Governor Scott Walker as the Wisconsin Department of Natural Resources' May 2012 "Comeback Champ."

Joel Trick, USFWS, stated that Ron sends his regrets for not being able to attend. He is a very dedicated volunteer and bird bander. He was currently out assisting his son-in-law in a golden-winged warbler study. Birds are on their own schedule and Ron has to follow that. He sends his thanks and appreciation for this recognition. He figures it is a great honor. Ron also remarked that in his tenure in their Twin Cities regional office, he worked with people throughout the region. He always felt that working with the WI DNR was one of the top DNR's he had worked with. He will present the plaque to Ron in the field next Tuesday.

4.B. Public Appearances

1. Kimberlee Wright, Madison, representing Midwest Environmental Advocates

Topic: Concern for public health and environment from decrease in enforcement and request for action on sand mining

She stated that the infusion of politics into science-based decision-making began with the abolishment of an independent DNR secretary and the loss of the public interveners. The recent rapid decline in all levels of enforcement calls for an immediate response by the Board. There has been a shift of enforcement in monitoring of environmental laws. It is pretty serious. The burden lands squarely on the backs of the citizens of WI. She

referred to the recent Herr Environmental case. There is a need for a policy framework that prevents that kind of thing happening again. She hopes the Board considers looking at a policy framework that would protect the autonomy and integrity of the professional staff making science-based decisions under the law. Some of the men and women within the department are really struggling. They need to be insulated from any outside undue pressure whether from lobbyists or political pressure. It appears this would be within the Board's authority to consider looking at such a policy framework that could prevent this from happening in the future. Access that regular people have to this agency is shrinking.

She then discussed the silica study and the notation that the department would consider an environmental assessment when things got bigger. Mining has gone from 5 mines and 5 processing sites two years ago to 63 mines and 36 processing sites. It is the Wild West out there. People are afraid for their health. WI needs some sort of cumulative impact study looking at all aspects of environmental degradation of public health concerns. **(Handout)**

Discussion followed on whether Ms. Wright was aware of any fast tracking of permits; whether there is a way for people to let someone know of enforcement issues; clarification on whether Ms. Wright's comments referenced a decline in oversight and enforcement to DOJ or referenced a decline in all aspects of enforcement; and that it is the responsibility of the Board to listen to all sides.

Chair Clausen moved the meeting to Item 8.A.1.

8. Information Items

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

8.A.1 Update on Regulatory and wetland reform legislation

Liesa Lehmann, Waterways and Wetlands Section Chief, and **Suzanne Bangert**, Air and Waste Division Deputy Director, gave a joint presentation. They reviewed Wetland Legislation Wisconsin Act 118, which will be effect July 1, 2012, and summarized legislative sponsor's goals of general permits for small activities; individual permit review for larger projects or sensitive wetlands; more certainty in the permit process; mitigation to offset impacts; and to balance environment and economy. They then discussed additional enforcement authority, increased waterway/wetland permit fees, two permanent department staff positions for wetland mitigation, and implementation.

They then reviewed Regulatory Reform Wisconsin Act 167 which will take effect August 1, 2012, including process changes for waterway general and individual permits; standards changes for waterway GPs, grading, boathouses, piers, and municipal bridges and culverts; electronic noticing; permit deadlines, and air permitting. They then discussed implementation; permit deadlines; and Internet notices and web information. **(PowerPoint)**

Discussion followed on the status of hiring vacancies and whether there will be a standard method of issuing permits that permeates the entire department so that one region of the state does not come to a different conclusion than another region.

Secretary Stepp stated that the line authority structure within the department will help with permit consistency. They are making sure everyone has the same set of rules and accountability. The department has great leadership on this issue. Liesa Lehmann has done an outstanding job.

Discussion followed on whether the department now instead of the Board decides on the criteria for general policies, whether there will be a legislative review on general permits; concern that this reform bypasses the Board and possibly public input; whether a permit would be granted if the department asks for additional information and the applicant does not submit the additional information within 30 days (whether the permit is automatically approved after 30 days of receipt); whether the public can request they be put on an email notification list for information on a particular permit; and whether fugitive dust is dealt with at a local or state level.

Mr. Cole requested the department clarify on the department's website as to what DNR's role is on fugitive dust vs. what local jurisdictions have in terms of monitoring and control (include burn barrels, etc.). He had received lots of phone calls last year.

Discussion followed on how sites are monitored for air quality after the permit has been issued and whether the routine for inspections have changed in the last few years.

Dr. Thomas thanked Liesa Lehmann and Suzanne Bangert for a very nice job.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.3 Wisconsin Conservation Congress (WCC) 2012 Advisory Question Summary and Annual Convention Report

Rob Bohmann, WCC Chair, reviewed the results of the WCC annual convention. The 2012 Executive Committee remains the same. He thanked each of the councilors from the 2011-2012 that will not be returning this year for their dedication and hard work. He then congratulated and welcomed those that had been elected and re-elected. WCC has three new Executive Councilors. The list of the 2012-2013 was included in the Board packet.

At the 2012 spring hearings, the public voted on 91 advisory questions. The delegation reviewed the results of the questions that appeared as department advisory questions. At their convention, the Wildlife and Fisheries programs reviewed the results summaries with the delegation and discussed the future possibilities for each idea given the citizen feedback.

The WCC endorsed the statewide vote on 50 of the 52 WCC advisory questions. Of the 48 questions that received a positive statewide vote, the Congress supported 47 for advancement and rejected one (question 63). Question 42 relating to the consolidation of jurisdictions for wetland management regulations was not approved by a statewide vote (1692 yes, 1867 no), but was approved by 35 counties, rejected by 35 counties and tied in two counties. It was advanced by the floor of the Congress for further consideration by the Department.

WCC requests that the Department consider these 48 supported proposals as they work with the legislature and draft rule change proposals for the 2013 spring hearings.

He noted that **Kent Van Horn**, Wildlife Biologist received an award for his exceptional achievements in wildlife management, his dedication to enhancing opportunities for waterfowl hunters, and his commitment to working cooperatively with the citizens of WI. Retired fisheries supervisor **Paul Peters** received WCC's fisheries award for his exceptional leadership and dedication to improving WI's world class Lake Michigan fishery. **Darrell Waldera**, Law Enforcement Training Director, was recognized as WCC's law enforcement officer of the year for his dedication to the protection of WI's citizens and natural resources, and his commitment to providing exceptional law enforcement training to warden recruits. Warden **Mike Nice**, Richmond County, was honored as waterfowl officer of the year for his outstanding efforts in waterfowl education and wetland protection. They also honored their congress delegate of the year, **Dale Maas**, Dodge County, for his exceptional service, his unwavering dedication to conservation and for selflessly giving of his time and knowledge.

He thanked Board Member Jane Wiley for her presentation at the annual convention and for her commitment to the role of the congress as an advisory body to the Natural Resources Board. He also thanked Board Member Greg Kazmierski and Secretary Stepp for their involvement at the annual convention.

Discussion followed as to when the annual convention will be located in 2012.

Mr. Bruins asked that Dale Maas contact the newly forming charter school in Fox Lake called the School of Agriculture and Environmental studies to offer his services.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.4 Wisconsin Conservation Congress (WCC) outline for participation in a formal strategic planning process

Rob Bohmann, WCC Chair, reviewed the background of the strategic planning process. He thanked outreach committee member Laurie Groskopf for suggesting WCC contact Art Lersch for a full review of the long-term strategic plan that would provide for a full review of the WCC organizational structure and operations. He then summarized the proposed timeline, funding for the strategic planning process, formation of the strategic planning committee, and the next steps. **(Handout)**

Chair Clausen congratulated Rob Bohmann and the Congress in forming this planning process, digging down, and showing their commitment in locating funding for this process.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

MAY 23, 2012

Mr. Cole and **Secretary Stepp** introduced Southeast Regional Director Eric Nitschke to the Board.

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

The meeting adjourned at 2:35 p.m.

The Natural Resources Board and Department of Natural Resources are committed to serving people with disabilities. If you need Board information in an alternative format, please contact:

Natural Resources Board Liaison: Laurie Ross at 608-267-7420 or laurie.ross@wisconsin.gov

NOTE: Each Natural Resources Board meeting is recorded. Tapes of each meeting are available for purchase by contacting the Natural Resources Board Liaison at 608-267-7420. The following resources are also available: Agenda Item Packets (green sheets), supporting documents, and public comment.