

Wisconsin Conservation Congress Endangered Resources Committee & Law Enforcement Committee

The regular meeting of the Wisconsin Conservation Congress Endangered Resources Committee & Law Enforcement Committee was held on Saturday, August 23, 2008, at the Elizabeth Inn & Convention Center, Plover, Wisconsin.

The meeting was called to order at 10:00 am by chair Ray Smith.

Committee members present: Ray Smith (chair), Jim Shurts (secretary), Dave Ferris, Henry Garn, Matt Jacowski, George King, Ron Krueger, Art Malin, Richard Swenson, Randy Symicek, Ken Thorpe, Tom Wilda

Committee members excused: Jim Heffner, Scott Strook, Chris Wegner

Committee members not excused: Ken Balistrieri, Mike Gruenhagen, Todd Schoen

DNR staff present: Randy Jurewicz, Kari Lee-Zimmermann, Dan Michels, Rori Paloski

Others present: Dan Cichantek, John Cumming, Lee Fahrney, Robert Schrank, Jeff Vaughter, Tom Widlake

Order of business:

Informational: *Randy Jurewicz, WI DNR*, gave an update on the status of the gray wolf in Wisconsin. Highlights of the presentation:

There was a slight drop in the gray wolf population in Wisconsin from the previous year. The good wolf habitat in Wisconsin is fairly saturated, and young males are ranging farther throughout the state as they are displaced. The projected carrying capacity in Wisconsin was 500 wolves. We are above that number but it is too early to tell if the wolf population will level off or drop down to around 500.

The federal delisting of gray wolves in the Midwest is going forward, albeit with lawsuits trying to stop the delisting. Once delisted, the state will have better control over wolf management.

Wisconsin Wolf Management Plan timetable. Fall 08 – spring 09 develop framework; summer of 09 NRB approval of the management and harvest framework; fall 09 – spring 10 update the initial Wolf Management Plan developed in 1999; summer 10 present the proposed wolf management plan update to the NRB.

Informational: *Rori Paloski, WI DNR*, gave an update on the Butler's garter snake.

Highlights of the presentation:

Background on the history of the endangered species listing; geographical range; cross-breeding with other garter snakes has created an area of hybrids. The DNR is looking at using genetics to determine "pure" Butler's.

There are areas where it may be possible to reintroduce the snake. Most likely it will be with juveniles, as they will imprint on the new habitat; adult snakes try to leave the new area.

Future plans: Complete the genetics research; update the conservation strategy; continue proactive conservation efforts.

Informational: *Randy Jurewicz, WI DNR*, gave an update on the status of the Kirtland's warbler in Wisconsin. Highlights of the presentation:

Gave background on the species, a jack pines specialist that winters in the Bahamas and Cuba.

In 2007 and 2008 there were projects to look for Kirtland's in all suitable habitat in Wisconsin, i.e., sandy soils and jack pines. In 2008 42 volunteers examined 65 sites in 11 counties. They located 7 singing males and found five nests of which 2 had cowbird eggs.

Bottom line, Kirtland's warblers seem to be slowly increasing in numbers in Wisconsin.

Informational: *Rori Paloski, WI DNR*, gave an update on the Endangered Resources Review Program (ERRP). Highlights of the presentation:

"The ER Review Program provides several services to other DNR programs and to external partners and customers. These services include endangered resources reviews of proposed projects, data sharing agreements for conservation, research, and planning purposes, and training and technical support. Recently, the program also began to coordinate review and issuance of Endangered and Threatened (E/T) Species permits." (text from Sarah Carter, WI DNR, via email to J. Shurts)

Ms. Carter is looking for a WCC representative in the stakeholders group. She can be contacted at:

e-mail: Sarah.Carter@wisconsin.gov

phone: 608-264-8968

fax: 608-266-2925

website: <http://dnr.wi.gov/org/land/er/review/>

Informational: *Randy Jurewicz, WI DNR*, presented miscellaneous information:

With the delisting of the bald eagle, the department is working on rules to implement the federal American and golden eagle law. They are also working on comments to the federal delisting and rules.

Wisconsin trumpeter swan and osprey management: Wisconsin is seeking comments on delisting both the species, removing them from endangered (swan) and threatened (osprey) and moving them to protected. A public hearing is being held on 10/20/08 and written comments will be accepted through 10/29/08.

Informational: *Dan Michels, WI DNR warden*, gave a brief update on law enforcement issues:

Wardens are spending more time on environmental issues.

There are 10 new "water wardens".

There are more vacancies in the warden ranks than there are new wardens in the current class.

Action items:

A) Approval of Committee Mission Statement

Chairman Smith distributed the proposed mission statement:

"The Mission Statement of the Endangered Resources Committee and Law Enforcement Committee of the Wisconsin Conservation Congress is to provide input from the public through county delegates assembled from all areas of the State of Wisconsin making up that committee and addressing issues where public input is deemed appropriate on matters of protecting endangered resources and addressing natural resources law enforcement policies.

"These issues include but are not limited to:

- 1) Designated listings of flora and fauna (watch, endangered, threatened...)
- 2) Public education
- 3) New laws and restrictions on natural resources
 - a. Season framework
 - b. Weapons and equipment restrictions
 - c. Environmental practices
 - d. Review and modification of laws and restrictions presently in place
- 4) Law enforcement training
- 5) Any other business that would come before the Committee

“The charge of the Endangered Resources Committee and Law Enforcement Committee is to ensure that the resources of Wisconsin are fully protected with every effort taken to enhance and upgrade their status whenever and wherever possible. The Committee will also assist, with public input, the agencies that are involved in enforcing natural resource laws and regulations.”

There was minimal discussion on the mission statement. Some concern was expressed that the various issues listed in the statement were beyond the control of the WCC. It was agreed, however, that it was important for the WCC to have input and comments about all aspects listed.

Motion to accept mission statement as presented, by Krueger, seconded by Symicek.
Motion passed 12 – 0

B) Motion in conjunction with the report on the trumpeter swan and osprey delisting.

“The Endangered Resources Committee and Law Enforcement Committee supports the Bureau of Endangered Resources efforts to have the trumpeter swan and osprey moved from the endangered and threatened listings (respectively) to protected status.”

Motion by King, seconded by Malin. Passed 12 – 0

The secretary will write a letter for the committee chair’s signature to be forwarded to the executive committee.

Randy Jurewicz and Rori Paloski left the meeting at this time.

C) Resolutions

140108 Create a "Lesser Weapon" Statute **Rejected**

One committee member reported that he received a letter from a citizen requesting support of this resolution. Dan Michels, DNR warden, said that such a change would require legislative action. General consensus that the only real effect of such a change would be to allow bows during gun season. Motion to reject by King, seconded by Wilda. Passed 12 – 0

150708 Use of Dogs to Retrieve Downed Game **Rejected**

Author wishes to be able to use a dog without a leash and with a hunter in possession of a firearm to track wounded turkeys or deer. Dan Michels, DNR warden, stated that it

is law enforcement's current interpretation of the law that you may use a leashed dog, while not carrying a firearm, to track wounded turkeys or deer. Committee members felt that such a rule would allow hunting deer or turkeys with dogs. Motion to reject by Garn, seconded by Malin. Passed 12 – 0

Later in the afternoon the author of the resolution, Robert Schrank, appeared to speak on this resolution. Chairman Smith reported that he had told Mr. Schrank to appear at approximately 1:00 pm and had forgot that when the committee acted on the resolution. Motion to reconsider by Ferris, seconded by Malin. Passed 12 – 0

Mr. Schrank spoke and explained his reasons for the resolution. His main concern was turkey hunting. He is a guide and if a client wounds a bird and they track it with a dog, the dog must be on a leash and the client may not have a shotgun. This makes it difficult to retrieve a wounded turkey, as they can be intimidating to a dog. Committee pointed out that there are areas where dogs can be used for fall turkey hunting. This may be expanded state-wide and it may be best to wait and see. Motion to reject by Shurts, seconded by King. Passed 12 – 0

160308 Statewide Youth Turkey Hunt Proposal Rejected

Author wants youth turkey hunters during the youth turkey hunt to be “within touching distance” of the mentor rather than the current “within sight and sound”. Kari Lee-Zimmermann, WI DNR, reported that the Turkey Committee has discussed this and recommended “within reach” as the standard. The committee had a discussion about the differences between “accompany” and “within touching distance”. Dan Michels, DNR warden, reported that this has not been a law enforcement issue or problem. Motion to reject by Shurts, seconded by Jacowski. Passed 11 – 1

190208 Legalize Magnifying Scopes on Muzzleloaders Rejected

420208 Allow Scopes on Muzzleloaders Rejected

640208 Allow the Use of Magnifying Scopes on Muzzleloaders Rejected

The chair asked that we consider all three resolutions at this time as they are very similar in intent. All wish to allow scopes with magnification; current law allows scopes but with no magnification, i.e., x1. The ensuing discussion basically centered on how far is what was originally a primitive hunt going to evolve into a modern hunt. The consensus was that the 10-day muzzleloader hunt should remain somewhat primitive.

190208 – motion to reject by Krueger, seconded by Symicek. Passed 12 – 0

420208 – motion to reject by King, seconded by Malin. Passed 12 – 0

640208 – motion to reject by Malin, seconded by Symicek. Passed 12 – 0

220408 Discontinue Shooting Antlered Deer Under the Ag. Damage Program

Approved as amended

Lee Fahrney spoke in favor of this resolution. He stated that there is great concern about the trophy hunting of bucks still in velvet using Ag Damage Program permits. There was a discussion about the potential adverse effects on CWD control by limiting the harvest to does only. Motion to approve by Malin, seconded by King. Motion to amend the resolution by King, seconded by Thorpe. The committee amended the pertinent portions of the resolution to the following:

Be it resolved... recommends that the Department of Natural Resources revise its policy and discontinue the shooting of antlered deer in the CWD Management Zone through the Ag Damage Program.

Passed 12 – 0

360108 Reclassification of Woodchucks **Approved as amended**

Dan Cichantek, author of the resolution, spoke in support of the resolution. He is in the pest control business and states that it can be difficult to get the appropriate permission to remove nuisance woodchucks for landowners. Mr. Cichantek's original resolution called for the woodchuck to be listed as an unprotected species. The committee felt that this was not appropriate and suggested listing the woodchuck as a game animal. This would give the DNR more leeway in regulating harvest and rules. Mr. Cichantek agreed and amended the pertinent portion of his resolution to read:

Be it resolved... recommends that the Department of Natural Resources take action to remove the woodchuck from protected status and list it as a game animal.

Motion to approve as amended by author by Ferris, seconded by Jacowski. Passed 11 – 1

360208 Eliminate Backtags for Bowhunting **Rejected**

The primary concern of the committee was that if backtags are not required, it will be difficult for landowners to determine the identity of a hunter who may be trespassing on the landowner's land. Motion to reject by Wilda, seconded by Garn. Passed 11 – 1

460208 Simplify Hunting and Fishing Regulations **Rejected**

John Cumming, author of the resolution, spoke in support of the resolution. He said that it was his intent to figure out a way to reduce the complexity of the hunting and fishing regulations. Discussion ensued, with some committee members pointing out, in their

opinion, that in some parts of the state more regulations are needed to help the fishery. Another mentioned that complexity was needed to regulate the diverse resources. It was also mentioned that the department is fully aware of the concern over complex regulations and the department was working towards a simpler end. Motion to reject by Thorpe, seconded by Garn. Passed 12 – 0

500108 Issue Multiple Backtags **Approved**

Jeff Vaughter, the author, spoke and provided a demonstration in support of the resolution. Mr. Vaughter showed the committee all the various types of deer hunting outerwear that he used depending on the season and weather. His concern was about forgetting to transfer a back tag to the next garment worn, including putting on raingear out in the field. His suggestion was to have the service and license center equipment be programmed such that additional backtags could be purchased at the time of the initial license purchase. This would allow a deer hunter to have multiple backtags and would generate more income for the department. Motion to accept by Shurts, seconded by Malin. Passed 12 – 0

710308 No Ag Tags Issued from January – April **Rejected**

Tom Widlake, the author, spoke in favor of the resolution. From his discussion it seemed that his main concern was trespassing of hunters. He also stated that he did not believe that the ag permits were needed in the spring. One committee member spoke against that, stating that deer were very destructive in spring hay fields. It was recommended to the author that he contact the local sheriff on the trespassing issues. Motion to reject by Jacowski, seconded by Ferris. Passed 10 – 2

D) Member matters

Committee member Art Malin asked that the committee vote to support resolution 580408, Treat Small Mouth and Large Mouth Bass as Separate Species. This resolution is before the Warm Water Committee. Malin believes that the average angler can tell the difference between a large mouth bass and a small mouth bass. Separating the species will allow for better regulation of the species. Motion to support resolution 580408 by King, seconded by Symicek. Passed 12 – 0

Motion to adjourn by Malin, seconded by Garn. Meeting adjourned at 3:00 pm

Respectfully submitted by Jim Shurts