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NATURAL RESOURCES BOARD

MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday, September 22, 2010 at Hotel Mead, Wisconsin Rapids, Wisconsin. The meeting was called to order at 8:00 a.m. for action on items 1-7. The meeting adjourned at 4:15 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

David Clausen – present	Preston Cole – present
Jonathan Ela – present	Gary Rohde – present
John Welter – present	Christine Thomas – present
Jane Wiley – present	

1.B. Approval of agenda for September 21-22, 2010

Dr. Clausen MOVED approval, seconded by Mr. Welter. The motion carried unanimously.

1.C. Approval of minutes from August 10-11, 2010

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions **MODIFIED**

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

3. Action Items

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

3.A.1 Request authorization for public hearing for Board Order AM-34-05, proposed rules affecting NR 411 pertaining to the indirect source air permit program **ADDED**

Mike Friedlander, Program & Planning Analyst, stated that the proposed rule revision will allow a general construction permit option for most indirect sources, providing industry and the Department with a streamlined approach to permitting. The proposed general construction permit option will eliminate carbon monoxide modeling as a requirement for most indirect source permit applications and will eliminate the screening level analysis for roadway capacity expansion projects. Indirect sources may still request a standard indirect source permit with carbon monoxide modeling. The proposed rule revision will eliminate the requirement for indirect source operational permits and focus control measures toward diesel and particulate matter emissions. The basis for permit exemptions is proposed to change from total vehicle capacity to total impervious surface dedicated to parking and maneuver. The proposed rule revision includes an exemption option for sources that agree to adopt superior environmental performance through the Green Tier program. Green Tier is based on a collaborative system of contracts and charters crafted jointly by participating businesses and the DNR. These contracts and charters streamline environmental requirements while advancing new environmental technologies. He requested the Board authorize public hearings for Board Order AM-34-05.

Discussion followed on the transportation element of the proposed rule and if it applies to diesel.

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

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

3.B.1 Request approval of the Department's fifteen year plan for responding to Chronic Wasting Disease (CWD) in Wisconsin's free-ranging deer

Tom Hauge, Wildlife Management Bureau Director and **Davin Lopez**, CWD Coordinator, gave a joint presentation. They stated that his plan is not without controversy, but it uses the latest scientific knowledge on CWD and strikes the necessary balance between that science and social concerns. The plan establishes the following goal for the Department of Natural Resources response to CWD over the next 15 years: Minimize the area of Wisconsin where CWD occurs and the number of infected deer in the state. The key objectives of this response plan are to:

- Prevent new introductions of CWD in areas where disease is not currently believed to be present
- Monitor for and respond to new areas of CWD infection (new foci)
- Minimize geographic distribution and intensity of CWD
- Increase public recognition and understanding of CWD risks and participation in disease control efforts
- Address the needs of our customers
- Enhance the scientific information about CWD

The plan includes a number of specific management and monitoring actions that will be taken in order to achieve the overall goal and the individual objectives established. These key actions are detailed in the rule proposal. They requested the Board approve the Department's fifteen year plan for responding to CWD.

Dr. Clausen thanked Mr. Lopez for his hard work and for his responsiveness in drafting the plan.

Discussion followed on the human health aspects of consuming CWD positive meat, the potential breakthrough on development of a CWD vaccine out of Canada, the status of the Hall farm fencing and regulatory concerns, the extent of planned surveillance in 2010 in the CWD area and peripheral areas, whether the tribes had any concerns with this plan, and whether the Department had any documented escapes from CWD positive captive deer operations.

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

Public Appearances:

1. **Mike Riggie**, representing WI Conservation Congress (WCC) as Chair of CWD Committee spoke in support of the fifteen year plan with the exception of Section H which dealt with adding extra days of gun hunting and Section I which dealt with additional sharpshooting focused in high prevalence areas where populations were not being controlled by other means. Although this is a fifteen year plan, it is something that we must be able to change and adapt to new knowledge about the disease and new tools that become available to combat it. The information, purpose, and scope of the plan must be effectively communicated to those that it affects the most, the people living and hunting in the CWD zone. **(Handout)**
2. **Tony Grabski**, Blue Mounds, representing self. He stated that he and other hunters are disgusted with CWD policies. Few people think such drastic herd reduction measures are warranted by the evidence and impact of the disease. He reviewed publications from Gear et al and Holsman. In these publications, co-authored by DNR staff, it is stated that CWD is not density dependent. Excerpted from Gear, "generalized host reduction strategies may be ineffective in controlling CWD. As a result, CWD might not be eradicated without virtual elimination of deer." Additionally from Holsman, "if CWD is frequency dependent, reducing deer numbers may actually accelerate local extinctions without preventing spread of the disease." In addition, the plan does not have the imperative public support required for success. Instead, traditional gun, archery, and black powder deer seasons should be restored. **(Handout)**

- 3. Greg Kazmierski**, Waukesha, representing Safari Club International (SCI), Wisconsin Chapter stated SCI met with Vaccine and Infectious Disease Organization and International Vaccine Center (VIDO-Intervac) at the University of Saskatchewan, Canada and a non-profit organization named Pan Provincial Vaccine Incorporated (PREVENT) to discuss the development of a CWD vaccine for deer and elk. SCI plans on bringing the people they met from Saskatchewan to Madison on October 4 at 1:30 p.m. at the Inn on the Park for a press conference. SCI is also trying to organize meetings with the University of Wisconsin and DNR staff. He stated that PREVENT is looking at a four year window for vaccine availability rather than a ten year window. This can only occur with a good buy-in. Wisconsin may be a target area for this group to try to do some research. Nothing in the CWD Management Plan eliminates CWD from the landscape. This vaccine may be the only way to eliminate CWD. His request today was to get people on board to move this along.

Discussion followed on clarification of the October 4 event with VIDO-Intervac and interest in organizing a venue outside of a press conference with VIDO, DNR, and University representatives.

Secretary Frank stated he was not aware of the upcoming press conference. He offered an invitation to set up a meeting with VIDO and will extend an invitation to the University.

Discussion continued on whether any of the VIDO-Intervac researchers were involved in the International Prion Conference in Austria and made presentations to the world scientific community, and whether the spread of CWD is density dependent and/or frequency dependent.

Mr. Hauge reiterated Secretary Frank's comments on the CWD vaccine in that the Department is just as anxious as anyone to have another tool in their toolbox and are hopeful that something does come out of that line of research. The Department does try to stay in touch with all the research that is going on and will continue to stay plugged in to this. He then stated that the Department is not arguing about whether CWD is density or frequency dependent. Regardless of the spread of CWD, there is a hot fire burning where sparks are going out from there and the only way to deal with that is to reduce the size of the fire.

Discussion followed on whether the papers distributed by Dr. Grabski made a valid argument on controlling CWD or were focused on the human behavior of hunters related to CWD.

Secretary Frank stated there is a sentence in the Holsman paper that reports to be a scientific assertion based on a scientific study and he wants people to have a discussion on that.

Mr. Ela expressed his appreciation to the review panel, Department staff, and to Dr. Clausen for overseeing the review.

Discussion continued on whether the deer farm fencing issue will be in the Department's legislative package.

Mr. Welter requested that the Department works with the USDA to obtain and use any tool available to ensure the Hall Farm fence remains in place. This is really crucial to the people in central Wisconsin.

Discussion continued on whether state purchase of the Hall farm is one of the options being looked into by the Department.

The motion carried unanimously.

3.B.2 Request authorization for public hearing on Board Order PR-36-10, revisions to NR 1.29 and NR 45.10 relating to the management of Department lands purchased for the Ice Age and North Country Trails

Daniel Schuller, Parks & Recreation Bureau Director, and **Brigit Brown**, State Trails Coordinator gave a joint presentation. They stated this proposed rule would provide the Department with new authority for managing Department of Natural Resources-owned properties acquired for the Ice Age and North Country trails. These rules will allow certain identified management activities to take place on acquired properties prior to the completion of master planning and without special permission from Department administration. Currently, after acquisition of a parcel of land designated as Ice Age or North Country trail, the Department must request permission to perform vegetative management or facility development work, such as invasive species management and installation of the trail. The Department receives federal funds from the National Park Service for management work on these properties. Approving this rule will increase the Department's ability to expend these funds in an efficient and effective manner, and will increase the window of opportunity to initiate necessary work on these parcels. They requested the Board authorize public hearings on Board Order PR-36-10.

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

Discussion followed on site improvements and the timeline for developing the Master Plan.

Mr. Ela stated that when definitions are pinned to another part of the code, it is hard to follow without the use of notes. He requested that notes be used.

Mike Lutz, Legal Counsel, stated that the use of notes would be appropriate.

Discussion followed on the Department's partnerships.

Mr. Cole stated this proposed rule is smart and insightful.

The motion carried unanimously.

3.B.3 ~~Request authorization for public hearing on Board Order CF 28-09, amending ch. NR 51, Administration of Stewardship Grants~~ DELETED

3.B.4 Request approval of the Flambeau River State Forest Master Plan

Teague Prichard, State Forest Specialist, and **Jim Halvorson**, Flambeau River State Forest Superintendent, gave a joint presentation. They stated that the master plan spells out how the land will be managed, used and developed; how it will look; and what benefits it will provide. The plan provides a vision and framework for the use, development, management, and acquisition of the forest well into the future with an emphasis on the next 15 years. The Department worked actively with state and local governments, non-governmental organizations, tribes, citizens, and businesses over two and a half years to develop the plan. The master plan promotes diverse forest cover types and age classes; proposes enhanced recreational opportunities; maintains and expands protection of critical ecological communities; and increases the project boundary by approximately 49,100 acres. They requested the Department approve the Flambeau River State Forest Master Plan

Mr. Ela stated several Board members toured this property. He thanked Jim Halvorson and his wife for their hospitality.

Discussion followed on the success of their master planning process and the need for grammatical and writing edits in the Plan.

Mr. Welter requested the Board schedule their next regional meeting and tours in the Flambeau River State Forest area.

Dr. Clausen MOVED approval, seconded by Mr. Welter. The motion carried unanimously.

3.B.5 Land Acquisition – Statewide Public Access – Door County

Discussion followed on the definition of a safe harbor, whether the Department has a preliminary MOU with Door County for management of this parcel, whether the purchase price is appropriate, whether the current boat slips would be kept, expanded, or removed, and whether the Recreation Immunity Law would apply to this property if purchased by the state.

Mr. Lutz stated the Recreation Immunity Law would apply here.

Discussion continued on the length of time the Department has been working on this purchase, whether the Department had asked Door County and other groups to partner in this purchase or if they looked into alternative funding, how the price of this parcel compares to nearby frontage sales, what the Department's future plans are for the existing buildings on this property, the history of ownership on this property, what the implications of revenue collections are over the next five years, and the approximate cost of developing a boat ramp.

Secretary Frank stated there are many questions here to deal with. The owners asked for an October 31 closing. Out of respect for the Board, staff should look at deferring this item to another month and look into an extension to purchase. The Board needs more information on boat access and local comments on this purchase.

Discussion continued on whether there is a need for public access to this body of water, whether this is an appropriate use of money, whether the Department had a conversation with the owners to purchase an easement, whether there are other access points in this area, whether staff discussed this parcel with a regional recreation safety warden, and on what the possible outcomes would be of deferring this item to the October 2010 meeting.

Ms. Wiley MOVED to defer this item to October, seconded by Dr. Thomas. The motion carried unanimously.

3.B.6 Land Acquisition and Donation – Scattered Forest Lands – Ashland County

Mr. Welter MOVED approval, seconded by Dr. Thomas. The motion carried on a voice vote of 6-1.

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

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

3.B.8 Easement Purchase – North Branch Milwaukee River Wildlife and Farm Heritage Area – Sheboygan County

Discussion followed on whether hunting and trapping are allowed and whether funding from other sources were looked into.

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

3.B.9 Land Acquisition and Donation – Western Prairie Habitat Restoration Area – Polk County

Dr. Clausen stated he toured this property last week and was impressed with the great work and management that has been done. People in the area are supportive.

Dr. Clausen MOVED approval, seconded by Mr. Rohde. The motion carried unanimously.

- 3.B.10 Land Exchange – Statewide Wildlife Habitat Area and Land Transfer – Statewide Fishery Habitat Area – Brown County

Mr. Welter MOVED approval, seconded by Dr. Clausen. The motion carried unanimously.

- 3.B.11 Easement Donation – North Country National Scenic Trail – Douglas County

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

- 3.B.12 Request adoption of Emergency Board Order ER-37-10(E) and request authorization for public hearing on Board Order ER-35-10, revisions to Ch. 27, addition of Wisconsin cave bats to the endangered and threatened species list **ADDED**

Erin Crain, Ecological Inventory and Monitoring Section Chief, and **Dave Redell**, Bat Biologist, gave a joint presentation. They stated that the proposed emergency rule is related to the addition of Wisconsin's four cave bat species to the state's threatened species list. The four species include the little brown bat (*Myotis lucifugus*), big brown bat (*Eptesicus fuscus*), northern long-eared bat (*Myotis septentrionalis*), and eastern pipistrelle (*Perimyotis subflavus*).

The proposed rule change seeks to provide protection to Wisconsin cave bat species, which face the imminent threat of white-nose syndrome. White-nose syndrome has spread across 14 states and 2 Canadian provinces in the last 3 years, spreading up to 800 miles per year. Mortality rates of affected bat colonies reach 100%. The disease was located last spring within 225 miles of Wisconsin's southern border and 300 miles from the northern border. Because the known dispersal distance of the little brown bat is 280 miles, an affected cave is now located within the dispersal range of Wisconsin little brown bats. Based on the current location and known rate of spread of the disease, we anticipate the presence of white-nose syndrome in Wisconsin as early as January 2011.

Wisconsin has one of the highest concentrations of cave bat hibernacula in the Midwest and large numbers of cave bats from neighboring states hibernate in Wisconsin. Consequently, Wisconsin's cave bat population, and those of surrounding states, is threatened by this devastating disease. All Wisconsin bat species are among the species fatally affected by the white-nose syndrome. They requested the Board approve the Emergency Board Order ER-37-10(E) and authorize public hearings on the permanent Board Order ER-35-10.

Discussion followed on whether the U.S. Fish & Wildlife Service media release requesting caving activities to stop in WNS affected areas was successful, what the impacts were on broad incidental take on commercial cave operators and cavers, what the private cave owners' response has been to these measures, whether there are any selected sites the Department intends to do treatment on WNS, whether anything in this rule will keep bats alive in Wisconsin's future, how the rule affects private landowners, and whether the Department could require a private landowner to exclude bats from a cave.

Tim Andryk, Staff Attorney, stated that the Department would add this to the list of prohibited species under NR 40 which authorizes the Department to do monitoring and control activities on private lands with cooperation from the landowner. If the landowner is not willing to cooperate, the only way for the Department to get on that land is by getting a warrant from a judge. Absent the warrant, the Department cannot force their way on the land if the landowner does not give permission. The Department would rely on voluntary cooperation.

Discussion continued on the impact of the spread of WNS from uncooperative landowners, whether cave owners are liable for injured cavers on their property, and whether Europe (where WNS came from) has had any success in dealing with WNS.

Mr. Welter MOVED approval of the emergency order and public hearing authorization, seconded by Dr. Thomas. The motion carried unanimously.

3.B.13 Request adoption of Emergency Board Order IS-42-10(E) and request authorization for public hearing on Board Order IS-41-10, rule revisions to Ch. 40, addition of the fungus, Geomyces Destructans, as a prohibited invasive species in Wis. Admin. Code **ADDED**
Erin Crain, Ecological Inventory and Monitoring Section Chief, and Dave Redell, Bat Biologist, gave a joint presentation. They stated that the proposed changes to ch. NR 40, Wis. Adm. Code, will add the fungus, *Geomyces destructans*, to the list of prohibited invasive species, allowing the department to effectively manage its spread and limit human transport.

Existing rules ban the transportation (including importation), possession, transfer (including sale) and introduction of invasive species that are listed or identified as “prohibited”, with certain exceptions. Transportation, possession, transfer and introduction without a permit are exempt if the department determines that the transportation, possession, transfer or introduction was incidental or unknowing, and was not due to the person’s failure to take reasonable precautions. Existing rules authorize the department to enter property with the permission of the owner or person in control of the property and, if permission cannot be obtained, to seek an inspection warrant from the Circuit Court. Entry is only for the purpose of inspection, sampling or control of prohibited invasive species.

The current rules also allow the department to enter into consent orders with persons who own, control or manage property where prohibited invasive species are present to implement approved control measures, and to issue unilateral orders for control purposes unless the person was not responsible for the presence of the prohibited invasive species. If a control order is not complied with and the department undertakes control measures, the current rules allow for cost-recovery by the department for the expenses it incurred. They requested the Board approve the Emergency Board Order IS-42-10(E) and authorize public hearings on the permanent Board Order IS-41-10.

Ms. Crain noted an error on Page 5 of the Board Order: the “Deadline for written comments” should be **November 1** and not November 20. She also noted a typo on the Fiscal Estimate Administrative Rule Number which should read IS-42-10(E) and IS-41-10 (not ER-41-10 and ER-42-10(E)).

Mr. Welter MOVED approval of the emergency order and public hearing authorization, seconded by Dr. Clausen. The motion carried unanimously.

Secretary Frank stated his appreciation of the Board’s action and thanked the Bureau of Endangered Resources, Erin Crain, Dave Redell, and their team. He acknowledged and recognized Dave Redell for all that he brings to this effort and the tremendous job he has done and the great resource that he is to the Department. Dave is a national leader in bats, bat conservation, and White Nose Syndrome. He is an expert who is sought out around the country. We are very fortunate to have so many professional and competent people in our Department.

Mr. Ela thanked Ms. Crain and Mr. Redell for their very thorough and informative presentation.

Dr. Thomas added that their presentations were very well presented.

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

Dr. Clausen MOVED, seconded by Dr. Thomas that the Board convene into Executive Session under the authority of s.19.85(1)(g) Wisconsin Statutes for the purpose of discussing litigation matters. The motion was carried by a roll call vote of 7-0.

David Clausen – yes

Preston Cole – yes

Jonathan Ela – yes

Gary Rohde – yes

John Welter – yes

Christine Thomas – yes

Jane Wiley – yes

Mr. Ela reconvened the meeting at 1:40 p.m. Mr. Ela reported that during the Executive Session no action was taken.

Mr. Ela then thanked West Central Region for an extremely informative and interesting tour. He hoped that regional staff recognized the Board's appreciation.

Dr. Thomas stated that Hotel Mead did an exceptional job on the lodging and food.

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation

Public Appearances

1. **Barbara Eisenberg**, Milwaukee, representing Citizens United for Animals

Topic: Conservation Congress delegate vote, lack of representation, disenfranchisement of voters. She stated that judging by the questions in the hearing booklet, the Wisconsin Conservation Congress (WCC) is a hunting, fishing, and trapping lobby with the sole purpose of expanding opportunities in Wisconsin for those groups. The majority of Wisconsin citizens are not being heard. Many people are unaware of the election, uninformed about who WCC represents, or feel too intimidated to participate. The election is unfair and completely out-of-balance with regard to representation for all groups and individuals with an interest in our natural resources and in regard to numbers of delegates. Representation in the WCC is based solely on geography and nothing else. No matter what the population, each of the 72 counties in Wisconsin are allocated 5 delegates. This is not fair or equitable. She requested that WCC representation should be according to population and elections should take place during one of the current election cycles in spring or fall according to proper electoral procedure. **(Handout)**

Discussion followed regarding the Board's authority in this matter.

2. **Patricia Randolph**, Portage, representing Wildlife Ethic for a Living World

Topic: Creating Democratic Representation in the Wisconsin DNR for all citizens with a Living Wildlife fee and Biodiversity Congress elected under Wisconsin election law to vote Policy. She stated that biodiversity is in unprecedented crisis. According to the scientific community, humans are destroying 1% of all species every year. The main reasons for species extinction are pollution, farming, urban expansion, overfishing, and hunting. The Wisconsin Conservation Congress (WCC) is the sole advisory group to the Natural Resources Board and only represents fishing, hunters and trappers with very low attendance annually. Since the majority non-consumptive public has never been fairly represented and is unaware of the process, an alternate Biodiversity Congress to represent the wildlife watching public can be created to help address this crisis. Hunting licenses as the major internal funding mechanism of the Department would be replaced by a fair fee levied on all citizens and so equal pay would give equal say to all citizens. We are all citizens and have the right and responsibility to be involved in deciding policy to address the biodiversity crises and challenges of climate change. **(Handout)**

Discussion followed on Ms. Randolph's past experience with WCC and the Department.

Mr. Ela moved the meeting to 7 – Secretary's Matters at the request of Secretary Frank.

7. Department Secretary's Matters

Secretary Frank stated the U.S. Fish & Wildlife Service did print a public notice that they were going to consider several petitions to delist the wolf in Wisconsin and Minnesota. The Department believes there is evidence that strongly supports the delisting. The Department will keep the Board posted on developments as this issue continues. Another matter is the Waukesha Great Lakes Water Diversion application. The original application was deficient. Since then, the city supplemented the original information and clarified the city council represents the official position of the city. This week, he wrote a letter back to Waukesha indicating the Department will

begin the review process and noted there were still deficiencies in their submitted information. This letter will be forwarded to the Board. Staff will meet with city officials to address those deficiencies and work with them to get the application deemed complete. Once completed, the Department will do a thorough review and analysis.

- 7.A. Retirement Resolutions
- 7.A.1 David C. Bailey
- 7.A.2 Harry Sorenson
- 7.A.3 Patrick J. Brady
- 7.A.4 John C. Hagman
- 7.A.5 Christopher R. Wunrow

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

Mr. Ela returned the meeting to 4.B.

- 4.B. Citizen Recognition **ADDED**
- 1. Wisconsin Industrial Sands

Secretary Frank and **Laurie Osterndorf**, Land Administrator, presented awards of great appreciation to representatives from Wisconsin Industrial Sands Maiden Rock sand mine and to Wisconsin Specialty Sands Bay City mine in recognition of their commitment to managing and monitoring important bat hibernacula in the state of Wisconsin. They go to great lengths to not disturb bats while they are hibernating. Every time a bat wakes up it depletes one to two months worth of their fat stores. Accepting the awards were:

Michele Maxson - West Region Environmental Health & Safety Manager

Al Nelson - Maiden Rock Plant Manager

Mark Waters - Hager City/Bay City Plant Manager

Jenine Gigliotti - West Region Sustainable Development Coordinator

Discussion followed on the number of bats at each of these mines and how mine employees are educated and updated on the advancement of WNS and Redell's research study.

Mr. Welter stated mine employees have also worked on the Pine Creek stream bank and native prairie restoration projects. They have been hard-working partners and conservationists.

Mr. Ela moved the meeting to 3.C.1.

- 3.C. Budget
- 3.C.1 Request approval of the Department's 2011 – 2013 Biennial Budget, including Operating, Capital, and Environmental Improvement Fund Components

The Board received separate presentations and voted separately on the 2011-2013 Biennial Budget and the Capital Development Budget.

Joe Polasek, Management & Budget Bureau Director. He stated that this is a restrained budget package, reflecting the national economic climate and the Department of Administration's (DOA) policy guidance. The proposed two-year DNR budget is \$583.4 million for 2011-12 and \$583.2 million for 2012-13. Of these amounts, about \$214.4 million annually, or 37%, represents grant assistance and debt service costs. The remaining \$368.8 million annually, reflects Department costs to provide services. In total, the two-year budget includes an increase of \$37.1 million over the 2009-11 Biennial Budget. \$26.6 million of this two year increase represents standard cost to continue items as defined by DOA, which is primarily composed of the difference in amounts budgeted for salaries versus actual salary costs. When cost to continue is excluded, this budget reflects a 0.9% growth over base. There are no GPR increases in that amount. The growth that is included is primarily Conservation Fund financed. The increases will be used to maintain Park, Forest and Law Enforcement operations. He requested the Board approve the Department's 2011 – 2013 Biennial Budget.

Discussion followed on the dramatic drop in the budget for Wardens.

Dr. Thomas stated the Department's budget continues to decline. The state deserves to know this budget is not a happy face. We have fewer and fewer people to manage our resources. In fact, our declining budget means we are getting less. Less money means fewer people and fewer services.

Discussion continued on whether the approximately 70-90 vacant wildlife management and fisheries positions would be filled in this budget and whether a fee increase discussion took place.

Mr. Welter MOVED approval of the non-capital development portion of the 2011-2013 biennial budget and to authorize the Department Secretary to make technical adjustments as necessary, seconded by Dr. Clausen.

Discussion followed on the lack of a librarian at the Science Services library.

Ms. Wiley MOVED to amend the non-capital development portion of the 2011-2013 biennial budget to include funding in Science Services budget for a Librarian, seconded by Dr. Thomas.

Discussion continued on whether there was a request for an increase in GPR money or FTE in this budget, whether a new position could be created without taking another position (add one, lose one), and whether a librarian would be a high priority hire for Science Services.

Dave Siebert, Enforcement and Science Division Acting Administrator stated that their division may look at alternative funding for a librarian. He was not certain a librarian was next on the Division's priority list for hire. A librarian is a priority but possibly not the highest priority.

Discussion continued on how staff are utilizing the current library and/or if they are using the University's, and whether a librarian is a policy issue or if this is an administrative concern.

The amendment failed on a roll call vote of 3-4.

David Clausen – yes

Preston Cole – no

Jonathan Ela – yes

Gary Rohde – no

John Welter – no

Christine Thomas – no

Jane Wiley – yes

Discussion followed on priorities placed by the Department on the utilization of the library which is not being used at the level it should be.

The original motion carried on a voice vote of 6-1.

Steve Miller, Facilities and Lands Bureau Director discussed the external review and timeline of the Capital Development Budget. He gave an overview of the six-year facilities plan and then discussed capital budget issues and policies. The Department will continue its policy of considering repair and maintenance to be a higher priority than new facility development. He outlined the priority category system, the proposed project and funding summary by program, and then the major projects priority list. He requested the Board approve the Department's Capital Development Budget.

Discussion followed on how the Alternatives list on page 276 was decided, whether the Montello/Fox River Locks will be donated to the city or town once repairs have been made, and whether a fish passage will be included in the repairs to the Montello/Fox River Locks.

Ms. Wiley MOVED approval of the Capital Development Budget and to authorize the Department Secretary to make technical adjustments as necessary, seconded by Dr. Thomas.

Discussion followed on where the cutline might come.

The motion carried on a voice vote of 6-1.

- 5. Board Members' Matters
- 5.A. Approval of the 2011 Natural Resources Board Meeting Schedule

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

- 5.B. Clausen lead symposium proposal **ADDED**

Dr. Clausen distributed a proposal to the Board for a lead forum:
This would not be a decision or action forum. Instead it is intended for information presentation, concern gathering and dialogue to help frame the issue for the NRB. Information from the forum would be captured as an unofficial "White Paper" on the issue that could be used as a starting point for education and other actions associated with this issue.

Discussion followed whether this was possible to complete in an afternoon.

The Board agreed to Dr. Clausen's proposal for the Department to schedule a lead forum at a time and date to be determined

Mr. Ela continued the meeting with Board Members Matters.

Dr. Thomas requested at a future meeting for the Board revisit their role in land purchases and grants.

Mr. Welter requested a Board resolution or letter be drafted to the USDA on the importance of fencing regulations at the Hall farm and other deer farms.

Discussion followed on the process of moving this forward and the options the Department has explored and may explore to protect the state from the spread of CWD from infected farms.

Mr. Ela requested Mr. Welter work with Department staff to work on the USDA/deer fencing emergency issue.

Mr. Rohde requested an update on the trap net issue in Lake Michigan.

Mr. Cole and **Dr. Thomas** toured Lake Michigan in the area concerned. The Department is working on plausible recommendations for trap net safety.

Mr. Cole noted that the Clean Air Act turns 40 this month.

Ms. Wiley stated that when the Board and Department are discussing forums and special meetings to keep in mind winter weather driving conditions.

- 6. Special Committees' Reports
None

- 8. Information Items
- 8.A. Air, Waste, and Water/Enforcement
None

- 8.B. Land Management, Recreation, and Fisheries/Wildlife
- 8.B.1 DNR Land Acquisition Strategy for the Stewardship Program

Laurie Osterndorf, Land Division Administrator and **Paul Delong**, Forestry Division Administrator, gave a joint presentation. They stated that this strategy describes how the Department plans to apply Stewardship funds to achieve a range of conservation and recreation goals and objectives. It provides a vision of the desired outcomes and a framework from which to assess acquisitions.

The amount of land ultimately protected with Stewardship funds depends on many factors including the cost per acre, the success of partners to leverage Stewardship funds, the availability of federal matching funds and our ability to compete for them, and the degree to which the Department purchases different types of easements, rather than fee ownership, to provide public access and resource conservation. If the cost of land over the next ten years is similar to the last decade, then the Stewardship funding will allow the Department and partners to acquire approximately 100,000 to 150,000 acres by 2019.

This would be a considerable amount of land and would enable the Department to make significant progress towards meeting recreation and conservation goals. However, it would comprise less than one-quarter of the land the Department currently has authority to acquire within existing projects and does not include funding for new projects such as new state parks or easements on working forests. Identifying high priority needs in the state and providing clear objectives for the land acquisition program are essential for effective management of the Department's financial and human resources.

Discussion followed on whether the Department's proposed fund allocation would establish an amount or account for each property type and let the regions know this was available statewide to compete for.

The Department will conduct public meetings on the draft document and will return for Board approval at a later date.

Mr. Ela stated the strategy requires additional editing for grammatical concerns.

Mr. Welter requested additional information how the percentages differ for the last five years than in the proposed fund allocation.

Discussion followed on whether the maps included in the package capture the traditional patterns of where people pursue recreation.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Dr. Clausen MOVED, seconded by Mr. Rohde to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 4:15 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.