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NATURAL RESOURCES BOARD

BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, October 26, 2011 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 1:20 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 October 26, 2011

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

1.C. Approval of minutes from September 28, 2011

Mr. Bruins MOVED approval, seconded by Mr. Hilgenberg. 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.

3. Action Items

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

3.A.1 Request Adoption of Board Order WA-33-10, revisions to NR 500, 502, and 518 related to composting facilities

Mr. Cole MOVED approval, seconded by Dr. Thomas. A Department presentation was not requested.

Mr. Hilgenberg complimented all the people that submitted ideas, recommendations, and thoughts on the process. It is good to see people interested and engaged.

The motion carried unanimously.

3.A.2 Request authorization for public hearing for Board Order AM-08-11, proposed rules affecting NR 404 and 484 pertaining to adopting the National Ambient Air Quality Standards (NAAQS) for Sulfur Dioxide (SO₂) and Nitrogen Dioxide (NO₂)

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

- 3.B. Land Management, Recreation, Fisheries, and Wildlife
- 3.B.1 Request approval of the Master Plan for Sandhill, Wood County and Meadow Valley Wildlife Areas

Dr. Thomas noted that Grange’s Sandhill Game Farm had not only deer but birds. There is a great book on Wallace Grange titled “Live Arrival Guaranteed – A Sandhill Memoir” by Hazel Grange.

Dr. Clausen requested that the Board begin receiving notifications on the Master Planning process on each property from the start. By the time the Draft Master Plan is before the Board, the members will be well informed.

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

Mr. Hilgenberg MOVED to table approval until the December 2011 meeting, seconded by Mr. Kazmierski.

Dr. Clausen requested a roll call vote on the motion to table.

The motion to table approval until the December 2011 meeting passed on a roll call vote of 6-1.

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

The original motion to approve was not considered.

Mr. Cole suggested the Department look at the Board’s issues of staff time, the ability to manage these properties, and for spending Stewardship dollars.

Dr. Thomas observed a recurring theme that new Board members need to have more education on issues ahead of the meeting.

Mr. Cole encouraged the Department to use new solutions when addressing old problems. Unless the Department is going to grow the workforce by leaps and bounds, they may need to look to privatize some of these planned developments to get them to the point of preliminary access to the property to bring that backlog down, and then hire accordingly.

- 3.B.2 Land Acquisition – Statewide Natural Area – Jackson County

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

- 3.B.3 Land Acquisition – Governor Knowles State Forest – Polk County

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

- 3.B.4 Land Donation – Statewide Wildlife Habitat – Polk County

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

- 3.B.5 Land Donation & Project Boundary Modification – Chiwaukee Prairie – Kenosha County

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

3.B.6 Land Donation – Chiwaukee Prairie Natural Area – Kenosha County

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

3.B.7 Land Donation – Statewide Natural Area – Lafayette and Grant Counties

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

3.B.8 Request authorization for public hearings and to prepare an economic impact analysis on Board Order FH-25-11, relating to extending the whitefish commercial harvest season **ADDED**

Mike Staggs, Fisheries Habitat Bureau Director, stated that commercial fishing issues come up periodically and are often controversial. A few years ago they started briefing the Board – Commercial Fishing 101. He offered an opportunity at some point when the weather is good for Board Members to get out on Lake Michigan and be briefed on commercial fishing issues.

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

3.C. Scope Statements
None

Dr. Clausen moved the meeting to Agenda Item 5. – Board Members’ Matters.

5. Board Members’ Matters

Dr. Clausen asked for each Board Member to receive a spreadsheet prepared by staff that tracks Board Members’ Matters requests. They are all recorded on this list. Any time a Board Member makes a request, it goes on this list. At least once each month, he reviews this list with Laurie Ross. They look at what has been completed, which ones are still open, and try to determine when there is staff time to bring those forward and at which meeting is the best time to bring them forward. This is a dynamic, on-going process.

Mr. Bruins requested an update as to when the joint meeting with the Agriculture, Trade and Consumer Protection Board (ATCPB) will take place.

Dr. Clausen stated he would contact the ATCPB Chairman to discuss.

Mr. Hilgenberg complimented staff on the Board briefings yesterday. They had good discussions and staff was very receptive to the Board.

Mr. Kazmierski stated that he was recently contacted by constituents about a survey put out by the Department’s Bear Committee. He found that in the past from personal experience that internal committees have no outside groups involved with them except the Deer Committee, as far as he knows, has one member from WI Conservation Congress (WCC). The Turkey Committee has one member from the Turkey Federation. He believes outside input would eliminate a lot of hard feelings that occurred with this recent survey. He shared his own personal experience approximately four years back when he was asked by the WCC Chair to attend the Deer Committee meeting in Wausau. He showed up for the meeting and was asked to leave. He refused to leave since it was a public meeting. Subsequently, all Deer Committee members got up and left the room. He did not say this was going on now but he does think communication up front with outside input on these committees might solve a lot of the headaches. He questioned if the Department could do so in the future and whether this is something the Board wants to respond to.

Dr. Clausen requested the Department to look into this. He does not know much about this process whether these are scientific committees.

Dr. Thomas recalled that she used to sit in on the Bear Committee as an outsider, as did WCC. The committees make recommendations for harvest levels and that sort of thing.

Mr. Thiede stated that Board Member Thomas framed it correctly. We have a number of species, upland game, turkey, and bear. Basically what they are doing is developing recommendations, suggestions, proposals, harvest quotas which then get filtered up through the wildlife policy team and eventually before the Board as far as policy. Citizens do sit on some of the committees. This is something we will definitely take a look at as far as the make-up of the committees and will report back to the Board.

Dr. Clausen stated there is a slippery slope here about deciding who gets to be the citizen participant and which groups are represented. It is something that should be looked at.

Secretary Stepp stated the Department will look into this.

Ms. Wiley referred to the Board Members Matters listing previously handed out. She noted that there are legitimate reasons why some requests do not have due dates or comments. On item 4, the Board members requested those two questions on the spring hearing questionnaire. Not everything on this list has to have a response from staff.

Dr. Clausen offered two items. 1) He discussed this with Tom Hauge, Wildlife Management Bureau Director, yesterday. The new federal budget does not have any money in it for indemnity for depopulating infected deer farm deer herds. He is concerned that the fact there is no indemnity provided for that may drive this disease further underground. This may be another item to talk about when we meet with ATCPB. Regardless of that, the Department still has to deal with this issue. He requested an informational update on how this change impacts what we are doing and what we may do to try to mitigate this.

2) He then stated in August 2011, the Department received a letter from the U.S. EPA identifying that the Department has 75 deficiencies in the Water Program according to the U.S. EPA. He will say that these deficiencies were dated from 2010 and before. This has been going on for a long time. The Department was to respond to the U.S. EPA by October 15 and did so on October 14. He has concerns with the Department's response in that this is a huge issue. If our response does not fully satisfy EPA, there are a couple of dangers and we cannot predict how they are going to respond. They could pull the Department's ability to issue permits in Wisconsin which would be hugely expensive for our businesses to have to go to Chicago. He is also concerned that if we start issuing permits that are not compliant with the federal regulations, those permits have a fairly large degree of uncertainty. This is a policy issue. He requested that each Board Member get a copy of the original letter from the U.S. EPA, Department responses, and response from the Attorney General when it comes back. He will work with the Department to schedule a Board item on this whether it will be informational or if it has legal issues an Executive Session would be scheduled.

Scott Gunderson gave the requested information to Laurie Ross which was copied and then distributed at the meeting.

Mr. Hilgenberg offered his compliments on getting the Board Members Matters spreadsheet to the full Board

Dr. Clausen stated he did not know it existed until he became Board Chair. This is something that eases any apprehension about what is going on. It's a good thing.

6. Special Committees' Reports
None

7. Department Secretary's Matters

7.A. Retirement Resolutions

7.A.1 Nadene Cable

7.A.2 Jim Grafelman

7.A.3 Diane M. Johnson

7.A.4 Helen Kelly

7.A.5 Todd C. McCourt

7.A.6 Michael D. Reif

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7.A.7 Ken Schreiber

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

7.B. Donations

7.B.1 The Friends of the Kettle Moraine, Inc. will donate \$35,000 to the Kettle Moraine State Forest - Northern Unit for the construction of a trail shelter

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

7.B.2 Approve Cooperative Agreement with The Friends of Crex, Inc. to donate approximately \$68,200 on an annual basis for a permanent Wildlife Educator position (\$63,200) and education programming support (\$5,000) at the Crex Meadows Wildlife Education and Visitor Center

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

Dr. Clausen stated that it is Board policy not to take public testimony on Information Items.

8. Information Items

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

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

8.B.1 Wisconsin Department of Natural Resources White Nose Syndrome (WNS) Surveillance and Response Implementation Strategy

Dr. Thomas requested that literature cited in the Draft WNS Surveillance and Response Implementation Strategy regarding the effect of WNS on agriculture should be copied and sent to Mr. Bruins, if there are no copyright issues.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.2 Department and WI Conservation Congress (WCC) implementation of Act 21 and the Spring Hearing/rule making process

Mr. Bohmann invited all Board Members to attend the WCC Convention to be held in Manitowoc on May 10-12, 2012.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.B.3 Stewardship Acquisition Strategy – Land Acquisition Ranking and Priority Process

Ms. Wiley requested that the three new Board Members receive a copy of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) if they have not received one already.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

8.C. Budget

8.C.1 Update on the Department's Capital Development Program for FY 2011–2013
DELETED (moved to December 13-14, 2011 meeting)

Dr. Clausen requested a motion to go into Executive Session.

Dr. Thomas MOVED, seconded by Mr. Kazmierski that the Board convene into Executive Session under the authority of s.19.85(1)(e) Wisconsin Statutes, for the purpose of discussing potential real estate transactions. The motion was carried by 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.

Dr. Clausen then recognized Bill Zager, his friend and neighbor, who received the 2011 Friends of Wisconsin State Parks Hero Award for Outstanding Individual Friend. This is a well deserved award.

- 4. Citizen Participation – 1:00 p.m.
- 4.A. Citizen Recognition
- 4.A.1 Leopold Conservation Award

Brent Haglund, Sand County Foundation, announced that the Leopold Conservation Award recipient for Wisconsin was the Koepeke Family.

- 4.B. Citizen Participation
None

Mr. Thiede extended an invitation to the Board for a Sandhill Wildlife Area tour. Possible dates for the tour would be on either Wednesday, November 9 or Thursday, November 10.

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

The meeting adjourned at 1:20 p.m.

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