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## NATURAL RESOURCES BOARD

### MINUTES

An informal meeting of the Natural Resources Board (NRB) and Agriculture, Trade and Consumer Protection Board (ATCPB) was held on Tuesday, February 21, 2012 in the Board Room at the Department of Agriculture, Trade and Consumer Protection, 2811 Agriculture Drive, Madison, WI. The meeting was called to order at 1:07 p.m. The meeting adjourned at 5:05 p.m.

#### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

NRB:

William Bruins – present

Christine Thomas – present

Terry Hilgenberg – present

Greg Kazmierski – present

Preston Cole – present

Jane Wiley – present

David Clausen – present

ATCPB:

Andy Diercks – present

Richard Cates, Jr. – present

Mike Dummer – present

Enrique Figueroa – absent

Pamela Garvey – present

John Koepke – present

Margaret Krome – present

Miranda Leis – present

Mark Schleitwiler – present

**Chronic Wasting Disease and Federal Funding.** Presentations were given by Dr. Bob Ehlenfeldt, DATCP State Veterinarian, and Tom Hauge, DNR Wildlife Management Bureau Director.

Discussion followed on the whether the lack of funding in the upcoming federal budget for indemnity and managing CWD on captive deer farms may drive the disease underground and adversely affect captive and wild deer; what portion of the WI Veterinary Diagnostic Labs \$26 fee was paid by federal funds; what are the efforts are to manage CWD in the wild herd and the protocol going forward; whether the prevalence level in the southern portion of Wisconsin is at a manageable level; whether the BSE connection is important; which year the DNR changed testing baseline for CWD prevalence primary tissues; whether testing lymph nodes for CWD changed the prevalence; whether there are any updates on a potential CWD vaccine from Saskatchewan, Canada; whether scrapie infection can jump from one species to another and cause CWD symptoms (scrapie's and Zoonoses handouts); whether the DNR has developed a protocol process by which they determine when and if CWD becomes endemic to Wisconsin; what the joint Board's can do to facilitate reducing the spread of CWD going forward; whether there are many deer farm fences scheduled to be removed in 2013; whether there is an established length of time prions stay in the soil, whether DATCP has a role in purchasing CWD contaminated farms; concerns with baiting and feeding spreading CWD; whether DATCP has a relationship with the Hall Farm in Portage County since it is no longer an active farm; whether DNR has a baiting and feeding resolution; and what DATCP's concerns with CWD are.

**Farmland Preservation.** Presentations were given by Richard Steffes, DNR Real Estate Director, and Keith Foye, DATCP Land Management Section Chief.

Discussion followed on tax credit considerations for hunting access; concerns for the possible loss of wildlife habitat on working lands coming out of CRP; concept of working with farms, working lands, and private landowners to accomplish mutual goals; concerns of dwindling funds in the federal farm bill; compliance requirements and participation; whether a portion of grasslands purchased by DNR can be leased back to farmers; partnering with adjoining neighbors; proper management of existing land holdings with limited funds; whether a joint resolution can

be created on working lands and natural resources protection; whether bordering lands located between environmental and agriculture corridors should be targeted for protection; managing properties from invasive weeds; what the definition of management is; the importance of friends groups; whether undeveloped natural areas or working lands are more expendable when energy corridors are being developed; and whether local input should take precedence on the location of energy corridors.

**Nutrient Management.** Presentations were given by Ken Johnson, DNR Water Administrator, and Jim Vandebrook, DATCP Section Chief.

- **Nutrient Management Planning.**

Discussion followed on the successes of nutrient management plans; whether there is a definition of nutrient management for pasture; phosphorus levels in pastures; and possible reasoning as to why there is not a wider adoption of nutrient management planning.

Secretary Stepp requested to receive the recommendations from the December 2011 UW-Extension and stakeholder meeting that ATCPB Member Krome attended. The Department is currently evaluating the way it is reviewing its process for nutrient management plans.

Secretary Brancel stated he attended a meeting with EPA regarding the hypoxic zone in the Gulf of Mexico and how it relates to nutrient management.

Discussion followed on Discovery Farms being a good tool in making baselines to agriculture contributions; building credibility in the eyes of constituents by using sound science; tillage practices; the length of time for a lake to clean up once phosphorus run off has been eliminated; the need to better control flooding events; clarification that county conservation staff's main function is to assist farmers through implementations and applying new practices; and the value of reducing run-off from barnyards.

- **Groundwater quality and quantity.**

Discussion followed on the current DNR process after the Lake Beulah decision for determination of high-capacity wells; whether high-capacity wells are impacting the central sands water table levels; whether the DNR should review high-capacity well applications on an accumulative perspective or individual perspective (current practice), the DNR's process for deciding on whether an impact is significant or not; whether the water tables levels around Madison and Milwaukee are maintaining, rising, or going down; the factors that affect groundwater levels; concerns related to the accumulated impact when reviewing individual high-capacity well applications; status on the water tables in southeast Wisconsin; whether there is consensus for the top reasons for the drawdown in the central sands; the connection between surface water and groundwater and that water policy has not caught up with what is currently known; whether there is anything actionable between the two agencies; whether the DNR as an enterprise agency can reduce bureaucracy and change regulations to get to the solution faster; possible actionables resulting from the Jersey Valley water quality research; fostering better conservation practices and use of resources; that the agencies need to be honest with each other on their future direction; the need to get rid of rules that do not have better outcomes and impacts; whether both Board's should advocate for legislative change to have science supported by law (referencing individual to accumulative high-capacity well application reviews); and the importance of both Board's reaching out to the communities for testimonials on how regulations impact farming, their way of life, forestry, riverways, etc.

Secretary Stepp stated that the DNR has concentrated on doing outreach to the agricultural community. Firstly, the ag community has to feel comfortable speaking before the Department which is something they are working on internally. It is the perspective of being talked at or ordered to instead of working with.

She appreciates the discussions on the DNR being an enterprise agency but said there are confines within which they need to work. They were given enterprise authority in certain areas. The DNR is creating milestones and markers to quantify their successes just like you have to do in business. It is good to have advocates like you and welcomes your support.

She then discussed the rules process. The DNR's challenge is that we are the state's workforce. We are the expertise that the decision makers can call upon to ask for technical

and professional advice. She has always had a problem with having a state agency coming against the decision makers. The DNR should not be in a position to advocate or give opinion.

Discussion continued are what the parameters are for establishing recommendations for legislation.

**Secretary Stepp** stated the Board directs the department's direction. The challenge for the DNR is to not be seen as trying to push an agenda that may be she or subsequent secretaries believe in. Their job is to manage the workforce of the DNR in the direction the Board has decided it should go or the direction the legislature or Governor have determined it should go. The Department keeps the Board informed on issues going on around the state.

Discussion continued on the complications of the rulemaking process; and the status of manure irrigation and what is allowable.

**Secretary Brancel** spoke on the topic of irrigation in that there are several areas – nutrient management, application management, and the pathogen question. He understood that Professor Larson at the University has now joined with the Ag Research Service (ARS) USDA in Marshfield in studying the pathogenic questions around the issue. In the information collected from various people that had done studies, it appears that a lot of the concerns deal around management i.e. article sizes, distribution, and weather related issues in relation to application. Somewhere there is a Best Management Practice (BMP). There are several farms in this state who are using the process. One has 5 ½ miles of pipe that run to multiple locations with center pivots. They can give feedback as to what their findings were as far as trouble times, when it seems to work best, and where results were improved with placement of nutrients at various stages of crop growth. Even though the issue has a lot of questions, there are some ideas and concepts that can be collected to build the idea of Best Management Practices.

There are several issues that will transpire over time. The timeframe and method of delivering the manure from the holding facility to the field. There may be a situation where some of the facilities are not conducive for center pivot application. For other facilities it could be used extensively. This is an ongoing issue that we are constantly trying to find research or additional information that others have generated.

Discussion followed on whether this is considered spray application.

**Secretary Brancel** stated this is not spray. In some cases it is applied through drip nozzles which have a different connotation of delivery. Most of the time when someone hears about center pivot, they are going back ten years and recall seeing the guns whipping water into the air and it drifts for a long time or as they drove by on the highway and it landed on their car. That is history. If you take a look at a lot of the applicators of just pure water, the systems have changed dramatically. They now have lowered the distribution point, changed nozzle sizes so the particles of manure have less chance of drift, and location placement is more defined. He does not see this as spray application. It is a directed application using a different methodology called center pivot.

Discussion followed on drop nozzles on the newer center pivots and the various sized heads that can be used to better define particle size; and whether a drop nozzle that is extended to the ground is classified as a surface application instead of an irrigation application.

**NRB Chair Clausen** thanked the ATCPB for hosting the meeting today and for a productive meeting.

**ATCPB Chair Diercks** thanked both Boards for attending.

**INFORMATIONAL ITEMS – NO ACTION WAS TAKEN**

\*\*\*The meeting recessed at 5:05 p.m.\*\*\*

The regular meeting of the Natural Resources Board was held on Wednesday, February 22, 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 1:05 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 February 22, 2012

**Cathy Stepp**, Department Secretary, requested the February 21-22, 2012 agenda be amended to have Item 3C1 – Scope Statement approval re NR 64 be moved to immediately follow Item 3B1 – Adoption of Board Order CF-16-11 re NR 50 and NR 64. Having these two items appear right after each other would help the Board deal with related issues at one time.

**Mr. Bruins MOVED approval of the agenda as amended, seconded by Ms. Wiley. The motion carried unanimously.**

1.C. Approval of minutes from December 13-14, 2011

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

1.D. Approval of minutes from January 24-25, 2012

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

**Ms. Wiley MOVED approval, seconded by Mr. Bruins. The motion 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 adoption of Board Order CF-16-11, revising chs. NR 50 (snowmobile grant program) and NR 64 (all-terrain vehicle grant program)

**Diane Conklin**, Snowmobile & All-Terrain Vehicle Grant Manager, reviewed the proposed main changes to NR 50 which will increase the bridge design load requirements to better accommodate the weight of modern trail grooming

equipment; to clarify the minimum length for easements or lease agreements between the grant recipient and owners of private land on which a bridge will be located if up to \$50,000 of snowmobile trail aids funds were used for either bridge construction or rehabilitation; to identify a process by which the Governor's Snowmobile Recreation Council can recommend higher minimum year length for easements or lease agreements if the cost of a bridge receiving grant funding is more than \$50,000; and to increase from \$130 per mile to \$150 per mile the minimum expenditure needed before a county is eligible to apply for a supplemental snowmobile trail maintenance grant.

She then reviewed the proposed main changes to NR 64 which will include first-ever guidelines for bridge design load requirements and modify method for calculating load conditions; include a minimum three-year length for easements or lease agreements between the grant recipient and owners of land on which a bridge will be located if ATV trail aids funds were used for either bridge construction or rehabilitation; increase per-mile ATV trail summer maintenance reimbursement rates from \$450 per mile to \$600 per mile; identify changes for seasonal signage.; and to create a new trail + route category eligible for ATV grant funding called a hybrid trail but commonly referred to as a "troute". She requested the Board adopt Board Order CF-16-11.

Discussion followed as to why this is not referred to as a "T"-route versus the confusing "troute" and whether there is adequate funding to handle the increased cost of maintaining the trails.

**Public Appearances:**

1. **Andrew Malecki**, Green Bay, representing the Infrastructure Committee of the Governor's Snowmobile Council, spoke in support of the revisions to NR 50. Their committee had worked on the bridge guidelines for the past five to six years and obtained input from various bridge manufacturers, private engineers, and Sanjay Olson from the DNR. They feel the revised guidelines are needed to accommodate the new modern power units and grooming equipment used on snowmobile trails.

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

**Chair Clausen** moved the meeting to Agenda Item 3.C.1.

3.C. Scope Statements

- 3.C.1 Request approval of the Statement of Scope and to proceed with drafting of Emergency Board Order CF-26-11(E), a proposal to revise ch. NR 64 to establish a trail-route combination for all-terrain vehicles (ATV)

**Diane Conklin**, Snowmobile and All-Terrain Vehicle Grant Manager stated that the proposed emergency rule will establish a new category of all-terrain vehicle (ATV) trails under ch. NR 64, Wis. Adm. Code, called a "troute" or a trail/route combination that provides a trail connector and allow grant funding for said troutes.

An emergency rule is needed to bridge the gap between the effective date of permanent revisions of ch. NR 64 now underway (CF-16-11) and the anticipated date of the next funding cycle. Having an emergency rule will mean that project sponsors do not lose a construction season and that troutes can be funded with ATV trail grants in July 2012. There also is a safety concern for not maintaining these troutes. There is no know controversy. She requested the Board approve the Statement of Scope and for the Department to proceed with drafting of Emergency Board Order CF-26-11(E).

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

- 3.B.2. Request adoption of Board Order FH-25-11, relating to the commercial whitefish season in Lake Michigan and Green Bay

**William Horns**, Great Lakes Fisheries Coordinator, stated this proposed rule adds six days to the commercial whitefish season by changing the closing date from October 25 to October 31. The season extension was recommended by the Commercial Fishing Board. This is identical to Emergency Board Order FH-22-11(E) extending the season in October of 2011.

Whitefish are the mainstay of a declining Lake Michigan commercial fishery. Harvest limits are not being reached, especially in Zone 2. The adult population seems to be growing but the size at age has declined

considerably. In a recent survey, catch rates have been steady. He then reviewed the rapidly growing recreational harvest and lake whitefish recruitment. He requested the Board adopt Board Order FH-25-11. **(PowerPoint)**

Discussion followed as to what the decline in size is due to, and whether the lake whitefish food supply is declining, and whether this is attributed to invasive species.

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

- 3.B.3. ~~Ratification of Department decision to issue a Stewardship grant to The Conservation Fund (TCF) in the Town of Chicog, Washburn County for more than 50% of the acquisition cost~~  
**DELETED** (Moved to March 28 agenda)

- 3.B.4. Land Acquisition and Project Boundary Modification - Chippewa Moraine State Recreation Area - Chippewa County

Discussion followed on the potential use of the property as a campground, whether this acquisition will provide additional access to reach other lands for hunting, whether it will be open to vehicle traffic, access concerns for phase 2, whether the department has any consideration of splitting phase 2, explanation of the current tax situation, and the potential number of campsites, occupancy rate, and the plan to get to that point.

**Public Appearances:**

1. **Mike Dahlby**, Chippewa Falls, representing Chippewa County Dept. of Land Conservation & Forest Management and the Chippewa County Tourism Council as County Forest Administrator and Public Liaison. He spoke in favor of the acquisition and boundary modification. His testimony was presented on behalf of the tourism industry and county forest program in Chippewa County. The proposed acquisition will provide many economic, environmental, and recreational benefits. He focused on three main factors that, from a local perspective, make this an opportunity that should not be missed. The proposed project will: 1. Meet the public's expectations for the Knowles Nelson Stewardship Program; 2. Benefit the tourism industry of Chippewa and neighboring counties; and 3. Increase county forest management efficiency.

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

- 3.B.5. Land Acquisition - Southwest Wisconsin Grassland & Stream Conservation Area - Dane County  
**Richard Steffes**, Real Estate Director, and **Eric Lobner**, Regional Program Manager, gave a joint presentation. They reviewed the project vision, SW grassland and stream partners, conceptual implementation plan, concept to on-the-ground action, and focus species of birds, fish/herptiles, and invertebrates. They requested the Board approve the land acquisition. **(PowerPoint)**

Discussion followed on how the department plans to work with the agriculture community on this entire project, whether some acres could be leased back to farmers for production, and whether there is a master plan of the project.

**Chair Clausen** requested the new Natural Resources Board members receive a copy of the Wisconsin Land Legacy Report and receive a briefing.

Discussion followed on the importance of keeping the private property perspective in place for these acquisitions and plans, and the importance of working with private/public partnerships and engaging neighbors.

**Public Appearances:**

1. **Tom Thrall**, Fitchburg, representing self spoke in support of the Sherven property acquisition. He was the NRCS representative on the original grassland project committee. Their idea was to be able to maintain or increase grassland bird numbers which were taking a major nosedive by

providing key grassland areas working within the agricultural landscape. This property is ideal because it is in a very important position in the landscape, has very highly erodible soils and is not suited for row crop production, is already established in grass and also has prairie remnants, has a willing seller, has multiple populations of grassland birds present, and is the headwater of a class II trout stream which has been improved.

If we miss this opportunity, due to very high grain prices, there will be attempts to put this land into row crop production when it comes out of the Conservation Reserve Program which much of the land is in now. This land is very hilly and steep and is the very kind of land the CRP was designed for. It should be kept in grass for obvious reasons. Another reality is that houses are popping up in the area. This property would very likely fall to housing developments with the resultant fragmentation of the grass fields and the loss of any opportunity to manage for birds.

2. **Doug Fendry**, McFarland, representing Pheasants Forever as regional wildlife biologist. He spoke in support of this acquisition. They are not just an advocacy group for this project but also a financial partner. The Southwest WI Grassland and Stream Conservation Area is one of the best areas in the state to provide for pheasants and other grassland wildlife. This is an amazing landscape.

Pheasants are a wildlife species that live in an agricultural landscape. When he was in college, they were referred to as a farmland wildlife species. Pheasants Forever understands the importance of farming for its economic importance as well as the real need to provide food. This area in Wisconsin has the topography and soils that allows for a mosaic of agriculture and grasslands. It took much work by DNR staff and the partners to obtain the overwhelming public and local government support for this project. This acquisition will have a great impact on wildlife in this part of Wisconsin.

3. **Steve Richter**, Madison, representing The Nature Conservancy as Director of Conservation, Agricultural Landscapes spoke in support of the Sherven parcel. He stated that prairies and grasslands provide habitat for many plant and animal species that are becoming harder to find in Wisconsin. Native prairie is one the most endangered habitats in America and grassland birds are suffering great declines due to the accelerating loss of grassland habitat. This acquisition provides recreational opportunities for hunting of deer, turkey and pheasant in a part of Wisconsin that has few public recreational opportunities.

Acquisition of key parcels to permanently protect habitat is a key role for the Department that will compliment the work of other conservation organizations working in the project area. Many of these partners provide resources to private landowners interested in restoring prairies, oaks savannas and stream habitat. The Department can work with landowners, like Mr. and Mrs. Sherven, who support the preservation of their land as grassland habitat for generations to come. Opportunities for neighboring farmers that also will help the Department manage the acquired grasslands through grazing, planting hay crops that can be cut after the birds nest, short-term rotations of corn and soybeans, and applications of manure to older stands of grass. They encourage the Department to work with the neighboring landowners in their project area to take part in these activities.

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

Discussion followed on whether the department should take on another project when it is facing substantial pressure to fund programs (if roof is leaking, you cannot afford to go out and buy a second home), whether the new scoring system could be used to go back and score existing properties, the multiple use concept which allows grazing, the need to purchase access in an area of the state that lacks this type of property, and the future plans for this property.

**The motion carried unanimously.**

- 3.B.6 Land Acquisitions and Project Boundary Modifications - Mountain Bay State Trail -Marathon County; Wild Goose State Trail - Fond du Lac County; and Newton Blackmour State Trail - Brown County

**Public Appearances:**

1. **Sam Tobias**, Fond du Lac, representing Fond du Lac County as Director of Planning and Parks. He spoke in support of the acquisition and boundary modifications. He stated that the recent extension of the Wild Goose State Park Trail was done with participation by the Department of Transportation's construction of a dedicated bike/pedestrian bridge over US 41. The Department of Natural Resources acquisition of the abandoned rail line is the most direct and cost effective path for connecting the Wild Goose Trail to paths in the City of Fond du Lac. The Wild Goose Trail was the first state/local partnership trail in Wisconsin. The partnership which began in 1985 helped develop a multiple use trail stretching 34 miles between Fond du Lac and Clyman Junction. The partnership includes the DNR along with Dodge and Fond du Lac Counties. In the MOU, the DNR agreed to purchase land for the trail. The counties agreed to develop, operate, and maintain the trail. The partnership has lasted for 26 years and continues today.

Trail uses include snowmobiling in the winter and running, walking, and bicycling during the spring, summer and fall. The trail generates customers that visit our hotels, restaurants, taverns, convenience stores, bicycle shops, specialty shops and gas stations. The DNR and Department of Tourism, as well as the county and local convention and visitors bureaus and associations of commerce, promote the Wild Goose State Park Trail.

**Ms. Wiley MOVED approval, seconded by Mr. Cole.**

Discussion followed on justification for the cost/value of the property, whether the City of Fond du Lac is contributing to the purchase with local dollars, the potential for heavy usage near a populated area, whether this acquisition is a good use of Stewardship funds, partnering with/recruiting volunteers to assist with maintenance on future projects, population within a 50 mile radius of this trail, and the department's plan for pedestrian access from urban neighborhoods to the Mountain Bay State Trail.

**Chair Clausen** called the question

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

3.B.7 Land Acquisition - Lower Chippewa River State Natural Area - Eau Claire County

Discussion followed as to whether the land south of this parcel is owned by the DNR.

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

3.B.8 Land Acquisition - Ice Age Trail - Sauk County

Discussion followed as to whether hunting is allowed, why Federal Lawcon funds were not used/available, and whether this land is currently in Managed Forest Law (MFL).

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

**Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg to amend approval to allow hunting during all seasons established in NR 10.01 according to NR 10.275(4)(c).**

**Dr. Thomas** commented that there will be a trail across this parcel. She requested there be leeway for staff for appropriate management where the trail is located.

Discussion followed as to whether the department has guidelines set for hunting along trails.

**The motion to amend carried unanimously.**

**The original motion as amended carried unanimously.**

3.B.9 Land Acquisition - Straight Lake Wildlife Area - Polk County

**Chair Clausen MOVED approval, seconded by Mr. Cole. The motion carried unanimously.**

3.B.10 Land Donation - Crex Meadows Wildlife Area - Burnett County

**Dr. Thomas MOVED approval and to acknowledge their gift, seconded by Mr. Hilgenberg. The motion carried unanimously.**

3.B.11 Land Donation and Project Boundary Modification - Willow River Fishery Area - Waushara County

**Mr. Bruins MOVED approval and to acknowledge their gift, seconded by Dr. Thomas.**

Discussion followed as to whether the department has authority to make an offer on a property rather than sticking to the appraisal price, and whether the department has the authority to condemn. Staff was requested to confirm support of the local unit of government for transfers of land to the department.

**The motion carried unanimously.**

4. Citizen Participation

4.A. Citizen Participation

None

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Recognition

4.A.1. LEED Certification

**Ted Crawford**, Facility Management Officer, DOA, Division of State Facilities, introduced the project team which included John Hunter, Louis Siller, Bureau of Facilities Management Building Maintenance Team & Paul Veltum, Leonardo Academy, Robin Zentner, Deputy Director of Bureau of Facilities Management, and Chris Schoenherr from the DOA Secretary's Office. This project started in February 2010 and the Gold LEED Certification was awarded to the Department of Administration 22 months later in November 2011. The goals were set by the team to work towards a Silver Certification similar to the agriculture building that was completed two years ago. With the hard work by the DOA building superintendent and the DNR tenants, the building earned 68 points for a Gold Certification which was only 12 points away from a Platinum Certification.

Highlights of the project included 54% of all waste diverted from landfills, all toilet valves were replaced and updated along with other end user devices which provided a 37% reduction in water use, implemented Green Cleaning Programs in which 75% of all cleaning products and chemicals are sustainable, and achieved an Energy Star Performance Rating of 94 points out of a possible 100 points exceeding the national average for similar sites by 49%. The team was pleasantly surprised by the willingness of DNR to take the alternative commuting transportation survey, with a response rate of 56% and with the high number of occupants using alternative transportation like bikes, walking, bus and van pools. With the LEED efforts the lighting changes produced a savings of approximately 5-7%. Approximately 40% of the furniture purchased was acquired through an equipment reuse program.

He then introduced Chris Schoenherr from the DOA Secretary's Office.

**Mr. Schoenherr** thanked the team and DNR for their involvement of the LEED project and earning a Gold LEED Certificate. He then presented the Gold LEED Certificate to the DNR Secretary Cathy Stepp.

**Secretary Stepp** thanked our partners at the Department of Administration. This is what it is all about. Who better to lead the way in state government than the DNR. She stated this was a great testimony to staff and all the people who work in this building. They really put their hands and feet behind what their actual beliefs are. Thank you for this recognition. This is a great day for the department.

4.B. Citizen Participation – 1:00 p.m.

None

5. Board Members' Matters

**Mr. Bruins** stated the Board received a great presentation from Pheasants Forever this morning on Item 3.B.5. People in his home community are concerned about reestablishing the pheasant population. He asked what the Department is doing in that regard. He would like to see the ring-neck pheasant population reestablished in Wisconsin.

**Dr. Thomas** stated that in another role she is the vice-chair of the Wildlife and Hunting Heritage and Conservation Council which is advisory to the secretaries of Interior and Agriculture. At their last meeting, they provided them with an interesting booklet that had projects in it that they are hoping to partner with states on the American Great Outdoors initiative. There were two projects in the booklet from Wisconsin. One was the Ice Age Trail near Baraboo and the other was Lake Michigan Water Trail. The council was told that those projects came from our Governors and that the Governors in cooperation with the lead staff of (assuming) the Departments of Natural Resources came up with these. It would be interesting if the Board to have a report at a meeting on those projects, how they were chosen, and where the department is intending to go with those as part of the America's Great Outdoors initiative.

**Mr. Hilgenberg** reiterated what he said yesterday during the joint board meeting with the Department of Agriculture, Trade and Consumer Protection. As an Enterprise agency, he would hope one of our initiatives is to review our rules and get rid of some that are no longer applicable and be serious about it. There are way too many rules. As long as we have the Enterprise designation, we should take it to the hilt.

**Mr. Kazmierski** stated that in light of the new deer report that will be presented today and some of the articles coming out, we do not make it easy for sportsmen to take on that task of hunting coyotes and those type of predators. He would like to see an aggressive effort to allow sportsmen be able to pick up road kill January through possibly March and utilize that to hunt coyotes rather than let them rot in the ditch or pay someone to pick them up.

**Mr. Cole** stated that any future joint meetings with the Agriculture, Trade and Consumer Protection Board should be field meetings.

**Dr. Clausen** distributed spreadsheets on Warden salaries and benefits for Wisconsin and other states. He called this to the attention of the Board because he would hate to see the department spend taxpayers money to train recruits, get them going, and then lose them to another state where they are paid more money.

He then stated he was remiss yesterday during the joint meeting. He should have brought up that forests also are working lands. We need to keep that in mind.

6. Special Committees' Reports

None

7. Department Secretary's Matters

- 7.A. Retirement Resolutions
- 7.A.1 Jim Baumann
- 7.A.2 Mark S. Randall
- 7.A.3 Richard J. Randall

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

- 7.B. Donations
- 7.B.1 Ducks Unlimited and Dow AgroSciences donated sunflower seed valued up to \$75,000 to provide increased hunting opportunities for bird hunters in Wisconsin

**Mr. Hilgenberg MOVED approval and to acknowledge their donation, seconded by Mr. Cole. The motion carried unanimously.**

- 7.B.2 The Paul E. Stry Foundation, Inc. will donate \$20,000 to the Bureau of Endangered Resources in support of the management of state natural areas in the LaCrosse area

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

Secretary Stepp then updated the Board on the following items.

Endangered Species Law 40 year anniversary. We have a lot to celebrate. Over the years we've restored eagles, trumpeter swans, osprey, and gray wolves to Wisconsin just to name a few and protected places for our children to enjoy as well. The Endangered Resources program worked with many different stakeholders and developed new cooperative approaches for on-the-ground conservation, has streamlined its regulatory processes, and increased access to the science and data we use. We will highlight our successes and the people behind them on our website and recognize at Board meetings a "Comeback Champ" – a citizen, group, or business that has played a key role in these success stories. We are teaming up with WI Public Radio to highlight those as well. Currently, cave bats are in the spot light. So far, our bats have a clean bill of health but the disease is getting close. We also will highlight some of the challenges we face which includes the need for citizen donations that accounts for 25% of the Endangered Resources program budget. We encourage citizens to make a voluntary contribution to the Endangered Resources Fund on their WI income tax fund. Every dollar donated is matched by a dollar from the state general fund. We want to work together to safeguard this important natural heritage and foundation for our future. She then recognized Laurie Osterndorf, Endangered Resources Bureau Director and Erin Crain, Ecological Inventory and Monitoring Section Chief, and their team for their commitment to streamlined efficiencies and for an outstandingly job well done.

Our first Comeback Champ honoree is Chuck Sindelar who is being recognized for playing a central role in bald eagle recovery as an early advocate for determining the statewide population through aerial surveys. He funded and secured grants from Wisconsin Society for Ornithology and Audubon Chapters the early aerial surveys to find, monitor and protect eagle nests. He led early efforts to learn more about the bald eagle's life history through banding of eaglets in nests. He continued to work on behalf of the bald eagle as the federal government provided funding for aerial flights and the DNR provided funding for eagle banding in an effort that ultimately banded more than 3,000 eagles over 25 years. Chuck also helped spark the national recovery through participating in Wisconsin's efforts to supply eaglets to 10 other states. Through all of these efforts across more than four decades Chuck Sindelar has played a leading role in helping eagle populations soar in Wisconsin, growing from 108 eagle pairs in 1973 to more than 1,200 breeding pairs today. She presented a certificate from Governor Walker and then recognized Mrs. Sindelar for her efforts and presented her with a bouquet of flowers.

Chuck Sindelar stated this was not a one man band operation. He had a lot of help from many people and cannot take all the credit. He considers himself to be a field biologist. He is proud to have been part of this. They put leg bands on approximately 3,000 young eagles over this time and have now gotten recoveries from many different states. It would be interested for many to see the map of these out-of-state recoveries. Young birds go a long way in their first migration to waterfowl refuges since they do not know how to survive the winters in Wisconsin. After

they become adults and have breeding territories, it appears as though they do not fly far. Most stay in Wisconsin for winter and adapt to different food sources such as road kill.

**Secretary Stepp** then continued her update to the Board.

Deer season. In our never-ending effort to improve how we communicate and involve WI deer hunters, wildlife staff around the state have organized 34 opportunities for the public to participate in what we are calling Deer Hunter Forums in March. Local wildlife biologists responsible for herd management will be on hand. We encourage the public to attend one of these forums. Staff are also creating a web-based Deer Hunter Forum opportunity for folks to learn about their favorite DMU as well as provide input and observations to the local biologist. Search for Deer Hunter Forum at <http://dnr.wi.gov/>. **(Handout)**

White tail deer study. This represents the first year results of a five year study. No conclusions can be drawn yet but our deer are generally in excellent health with high pregnancy rates in does and very low rates of exposure to common deer diseases. This is something to cheer about. This study represents the largest deer investment and research that we have ever undertaken as an agency. Over 400 volunteers have already participated in the study. After 150 years of deer management, we are still learning. **(Handout)**

Lean Six Sigma update. She stated that Deputy Secretary Matt Moroney went through the list of projects for each division on what types of projects can be used in the first phase of bringing this into the department. These projects are as follows:

1. Forestry Equipment Center Stockroom - Forestry
2. Phase 2 of the Master Planning Process - Land
3. Reducing Time Reporting Requirements from Volunteers Participating on Clean Boat Clean Water AIS Grant Projects - CAES & Water
4. Air Construction Permit Process - Air & Waste
5. Nutrient Management Plan - Water
6. Wild Game Serving Permit Process Improvement - Law Enforcement & Science
7. Streamlining, Centralized Reporting, and Updating of WDNR's Scientific Collector's Permits and Scientific Research Licenses - Law Enforcement & Science
8. Chapter NR 726 Closure Completeness Reviews - Air & Waste
9. Endangered Resources Review Assessment and Training - Land

She then thanked division administrators for taking this very seriously and engaging staff at all different levels of the department to find out from them where we can be more efficient. Who better to ask than the people who do the work every day. She appreciates input from staff and their commitment going forward. This is just the beginning.

8. Information Items

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

None

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

8.B.1 Wisconsin's Endangered and Threatened Species Law

**Kurt Thiede**, Land Division Administrator, recognized Tom Hauge, Wildlife Management Bureau Director, Kevin Wallenfang, Staff Specialist, and staff for creating the web based deer hunter forum. He then stated that because of the efforts of DNR's Facility Designer Kim Guthrie, who could not be in attendance today, the department received the LEED Certification. She made this award possible. He then gave an overview of the Endangered and Threatened Species Law presentation.

**Erin Crain**, Ecological Inventory and Monitoring Section Chief and **Rebecca Schroeder**, Natural Resources Program Manager, gave a joint presentation. Erin Crain discussed Wisconsin's Endangered Species Law, its regulatory impacts and how the law is implemented by the department. Rebecca Schroeder discussed how the Natural Heritage Inventory data is used and how the Endangered Species List is developed. **(PowerPoint)**

Discussion followed on the details of developer training,

**Secretary Stepp** stated there is more effort being focused now on building relationships with our customers and learning how we can serve them better.

Discussion continued on whether there are issues with the federal delisting process.

**Mr. Kazmierski** applauded staff for speeding up the permit process.

**INFORMATION ITEM – NO ACTION WAS TAKEN**

**Chair Clausen** requested a motion to go into Executive Session.

**Mr. Cole 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 and under the authority of s.19.85(1)(g) Wisconsin Statutes for purposes of discussing litigation matters. The motion was carried by a roll call vote.**

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

**Chair Clausen** reconvened the meeting at 1:02 p.m. He reported that during the Executive Session no action was taken.

**Mr. Cole MOVED, seconded by Dr. Thomas to adjourn the meeting. The motion carried unanimously.**

\*\*\*The meeting adjourned at 1:05 p.m.\*\*\*

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