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NATURAL RESOURCES BOARD

MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday, March 28, 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 1:30 p.m.

ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

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| William Bruins – present | Preston Cole – present (via conference call) |
| Christine Thomas – present | Jane Wiley – present |
| Terry Hilgenberg – present | David Clausen – present |
| Greg Kazmierski – present | |

1.B. Approval of agenda for March 28, 2012

Secretary Stepp requested the agenda be amended to remove item 3B8 – Land Acquisition, Project Boundary modification, and Partial Donation of Value – Tichigan Wildlife Area from the March agenda and moved to the April 25, 2012 agenda

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

1.C. Approval of minutes from February 21-22, 2012

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

2. Ratification of Acts of the Department Secretary

2.A. Real Estate Transactions

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

3. Action Items

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

3.A.1 Presentation of the 2012 Registered Laboratory of the Year Awards

Camille Turcotte, Environment Science Services Section Chief, stated that while there are many outstanding labs in the program – these stand out above the pack. They go above and beyond and make their laboratories a priority even with all the other responsibilities they have. Although many teams have great quarterbacks only a few of them have the ability and drive to be recognized as the MVP. The Lab of the Year award recognizes labs that are leaders among their peers.

There were 235 registered labs eligible to win this year so it's quite an honor to be recognized. Each year we look forward to this chance to recognize the exceptional efforts made by these laboratories and others like them. This is the 17th year we've been able recognize outstanding labs in our program.

The winner of the 2012 SMALL registered lab of the year was: Village of Saukville, Wastewater Treatment Facility

In attendance to receive the award from the Village of Saukville WWTF were Barbara Dickmann, Village President, Gerald Dickmann – Utility Superintendent, and Ray Hartmann – Lead Operator. Also in attendance were Dale Kropidowski, Kyle Miller, Eric Paulus, Bob Hamann, Dawn Wagner, and Roy Wilhelm.

The winner of the 2012 large registered lab of the year was: City of Whitewater Wastewater Treatment Plant

In attendance to receive the award from the city of Whitewater WWTF were Dean Fischer, Director of Public Works, Tim Reel, Wastewater Superintendent and Melody Wunderlin, Laboratory Technician/Primary Operator in the Lab, and Sam Thammahong, Laboratory Assistant.

- 3.A.2 Request approval of the FY 2013 Laboratory Certification and Registration Program Fee Adjustment
Camille Turcotte, Environment Science Services Section Chief stated that for FY 2013, the proposed fees represent a modest 4.6% increase to participating laboratories. Even with this modest increase fees will be lower than they were two years ago. Two-thirds of this fee increase results solely from a decrease in the number of relative value units (RVU), the basis for distributing necessary fee revenue to offset expenditures. The number of laboratories (and number of accreditations each lab holds) in the program continues to gradually decline, most recently due to economic pressures. For FY 2013, the program is distributing costs among 388 laboratories, 7 fewer (1.8%) than in FY 2012.

The number of RVUs available for FY 2013 is 9,846, representing a decrease of 281 (2.8%) units. The cost per RVU proposed for FY 2013 is \$56.50, which is \$2.50 (4.6%) more than the RVU cost in FY 2012 but 50 cents less than 2011. This fee increase means that an average municipal lab will pay \$43 more for accreditation. The average commercial lab will pay an additional \$188. Fees for very large laboratories are capped so that maximum is \$250. The budget is supported by the Laboratory Certification Standards Review Council. She requested the Board approve the FY 2013 fee package as proposed.

Discussion followed on whether labs are consolidating, the differentiation of the cost of travel expenses between in-state out-of-state audits; whether there is a backlog of audits; usage of out-of-state labs; and whether the state anticipates losing additional labs due to the fee increase.

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

- 3.B. Land Management, Recreation, Fisheries, and Wildlife
3.B.1 Request Adoption of Emergency Board Order CF-26-11(E), revisions to ch. NR 64 to establish a trail-route combination for all-terrain vehicles (ATVs)

Diane Conklin, Snowmobile and All-terrain Vehicle Grant Manager, stated that the department proposes to revise ch. NR 64, Wis. Adm. Code, to create a new trail + route category eligible for ATV grant funding called a hybrid trail but commonly referred to as a "troute". This Emergency Rule defines a trail connector, amends signage requirements for ATV routes to include hybrid trails, adds hybrid trails to signage requirements for ATV routes, describes the maintenance grant funding available for ATV hybrid trails, and amends reimbursement for trail rehabilitation to include hybrid trails. She requested the Board adopt Emergency Board Order CF-26-11(E).

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

- 3.B.2 Ratification of Department determination that prohibitions of nature-based outdoor activities (NBOA) are necessary: Oconomowoc, Waukesha County; Madison, Dane County; Natural Heritage Land Trust, Dane and Sauk Counties; and Mount Pleasant, Racine County

Lavane Hessler, Stewardship Local Assistance Grant Manager, spoke on each of the following grant projects: Project 1 – The City of Oconomowoc proposes to prohibit hunting and trapping on a 0.302 acre parcel which will expand City Beach Park. The City's development plans for this parcel include a boat launch, picnic area, shoreline fishing, and restroom facilities. The Department reviewed and determined that the prohibition on hunting and trapping is necessary for public safety due to the following factors: the primary purpose of the project, a city ordinance prohibiting the discharging or carrying of dangerous weapons, user conflicts, the size of the parcel, the proximity to homes, structures, and roads, and the recreational use of the adjoining lands. The nature-based outdoor activities of fishing, hiking, and cross-country skiing will be allowed.

Discussion followed on why the department is paying back money already spent on property acquired in 2010; whether the request was submitted prior to the transaction; whether the department was involved in the appraisal process; and who picks the appraiser.

Public Appearances:

1. **John Kelliher**, Oconomowoc, representing City of Oconomowoc as Director of Parks, Recreation and Forestry spoke in support of the prohibition. The City Common Council, Parks & Recreation Board and the residents of Oconomowoc have displayed great support for this project as it will create a wonderful community gathering place in the heart of the city. The city will secure land acquisition of 0.3 acres on the shore of Lac La Belle. This acquisition will allow us to expand our existing public park allowing additional public access to Lac La Belle. Immediately to the west of this land acquisition we have the sole boat launch to Lac La Belle, a public beach, and band shell. The city is in the process of constructing a new community center immediately to the south.

Dr. Thomas MOVED to ratify, seconded by Ms. Wiley, the City of Oconomowoc, Waukesha County NBOA prohibitions. The motion carried unanimously.

Project 2 – The city of Madison proposes to prohibit hunting on a 0.68 acre parcel which will expand Esther Beach Park. This parcel will provide access to Lake Monona and the city’s future development plans include constructing a picnic shelter, parking lot, and landscaping. The Department reviewed and determined that the prohibition on hunting is necessary for public safety due to the following factors: the primary purpose of the parcel, an ordinance prohibiting discharging or carrying a dangerous weapon, user conflicts, the size of the parcel, the proximity to homes and roads, and the recreational use of the adjacent properties. The nature-based outdoor activities of trapping, fishing, hiking, and cross-country skiing will be allowed.

Public Appearances:

1. **Kay Rutledge**, Middleton, representing city of Madison as Parks Planning and Development Manager stated this park is in an entirely urban setting. It is surrounded by single family homes and extremely close to an urban street. The expansion of the park will increase opportunities for public outdoor and water based recreation. It will preserve and enhance lake shoreline habitat, increase opportunities for bicycle and water trails, and the expansion is in accordance with several adopted local plans. An existing boat launch on the parcel will allow the city to provide a public non-motorized launch for canoes and kayaks as well as improve access to the lake for cross-country skiing, snowshoeing, and ice skating in the winter. This project is supported by several adopted local and regional plans.

Ms. Wiley MOVED to ratify, seconded by Mr. Cole, the City of Madison, Dane County NBOA prohibitions. The motion carried unanimously.

Project 3 – The Natural Heritage Land Trust will acquire a 5.8 acre parcel adjacent to Cherokee Marsh. The parcel will be donated to the city of Madison who proposes to prohibit hunting and trapping on the property. The property will become part of the Cherokee Marsh Conservation Park project. Future development will include trails and wildlife viewing areas. The Department reviewed and determined that the prohibition on hunting and trapping is necessary for public safety due to the following factors: the primary purpose of the project, an ordinance prohibiting the discharging or carrying a firearm or bow in the park, the proximity of a school, user conflicts, the size of the parcel, and the proximity to homes, and roads. The nature-based outdoor activities of hiking and cross-country skiing will be allowed. There is no water on the project site.

Discussion followed on which fund this grant comes from; whether this is a buildable parcel; concerns on cost per acre; and whether the department reviews appraisals on grants.

Chair Clausen stated that the appraisal process is beyond the scope of the Board’s purview today and stated the Board can revisit the appraisal process at some point in the future.

Mr. Hilgenberg requested an information item at the next Board meeting on the Stewardship Grant appraisal process.

Discussion followed on whether hunting would be allowed near the conservation area, how deer are controlled in this area, and whether the department can be held harmless for damage done by deer.

Tim Andryk, Legal Services Bureau Director stated the department is not held responsible for damage done by deer unless specifically authorized by legislation. The department does not pay for claims in urban situations.

Discussion followed on whether a local municipality could allow archery.

Ms. Wiley MOVED to ratify, seconded by Mr. Cole, the Natural Heritage Land Trust, City of Madison, Dane County NBOA prohibitions.

Public Appearances:

1. Jim Welsh, Madison, representing Natural Heritage Land Trust as Executive Director did not testify.
(Handout)
2. Muriel Simms, Madison, representing Friends of Cherokee Marsh did not testify.
3. Anita Weier, Madison, representing Madison Common Council did not testify.

The motion carried unanimously.

Project 4 – The Natural Heritage Land Trust will acquire a 17.0 acre parcel located within the Kingsley Bend Mound Group area. The parcel will be transferred to the Ho Chunk Nation who will prohibit gun hunting and trapping upon receipt. However, the Ho Chunk Nation will allow public archery hunting on the property. This project will protect the effigy and mounds within the Kingsley Bend Mound Group while providing recreational opportunities including hiking, cross-country skiing, snowshoeing, bird and wildlife watching, photography, and the enjoyment of the scenic views. The Department reviewed and determined that the prohibition on gun hunting and trapping was necessary for public safety due to the following factors: the primary purpose of the project, a tribal ordinance prohibiting gun hunting and trapping near housing areas, user conflicts, the size of the parcels, the limited acreage due to dwellings in the area, and the proximity of homes. The nature-based outdoor activities of hiking and cross-country skiing will be allowed. There is no water on the site.

Discussion followed on why the department would pay for land for another nation.

Public Appearances:

1. Sara Hatleli, Black River Falls, representing Ho-Chunk Nation as Manager and Robert Mann, Black River Falls, representing Ho-Chunk Nation was in attendance to answer questions and did not testify.

Mr. Bruins MOVED to ratify, seconded by Mr. Kazmierski, the Natural Heritage Land Trust, Town of Newport, Columbia County NBOA prohibitions. The motion carried unanimously.

Project 5 – The Village of Mount Pleasant proposes to prohibit hunting on 88.6 acres acquisition project which will complete the Pike River Recreational Corridor Area. The village will restore native vegetation on the narrow parcels along the Pike River while protecting 1.5 miles of shoreline. Future development plans include constructing a multi-purpose recreational trail within the corridor boundary. The Department reviewed and determined that the prohibition on hunting was necessary for public safety due to the following factors: the primary purpose of the project; a village ordinance prohibiting discharging or carrying weapons, user conflicts, the size of parcel, the narrow shape of the parcel, the surrounding urban area with a population of approximately 130,000 people, and the proximity to homes, roads, and other structures. The nature-based outdoor activities of trapping, fishing, hiking, and cross-country skiing will be allowed.

Public Appearances:

1. Tony Beyer, Village of Mount Pleasant in Racine County was in attendance to answer questions and did not testify.

Mr. Hilgenberg MOVED to ratify, seconded by Ms. Wiley, the Village of Mount Pleasant, Racine County NBOA prohibitions.

Discussion followed on whether hunting was prohibited on the farmland that surrounds this parcel on either side, whether there are prohibitions of using a bow on the property which would include carp; and whether the city/municipality can grant permits to bow hunt on the property.

Attorney Andryk stated that the Board is approving grantees authorization to prevent access. This does not mean the owner has to. They can decide later on to authorize bow hunters and sharpshooters. It would not take a Board action to allow the activity.

Discussion followed on whether the municipality would be responsive to allowing the activity in the future; whether a current prohibition on trapping existed; whether bow hunting is currently allowed by permit; and whether the WI Conservation Congress Chair should look into current usage.

Mr. Kazmierski MOVED to table until the April meeting, seconded by Mr. Bruins, ratification of the Village of Mount Pleasant, Racine County NBOA prohibitions.

Mr. Kazmierski requested that the department report back, after consulting with the Chairman of the WCC, as to whether permitted archery hunting is taking place on the adjoining properties.

Chair Clausen requested a roll-call vote.

The motion to table passed 4 – 3 on a roll call vote.

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

Dr. Thomas requested that the Department include in their presentation whether anyone has waterfowl hunted, bowhunted, and/or trapped on these parcels in the last three years. She would like clarification as to land use prior to this request.

3.B.3 Land Acquisition - Northern Highland / American Legion State Forest - Oneida County

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

3.B.4 Land Acquisition – Turtle Valley Wildlife Area – Walworth County

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

3.B.5 Land Acquisition - Ice Age Trail - Columbia County

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

3.B.6 Land Acquisition - Holzhueter Farm State Park - Jefferson County

Discussion followed on whether there are plans for a parking lot on this property.

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

3.B.7 Land Acquisition - Spread Eagle Barrens Natural Area - Florence County

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

3.B.8 Land Acquisition, Project Boundary Modification, and Partial Donation of Value – Tichigan Wildlife Area – Racine County MOVED TO APRIL MEETING

3.B.9 Land Transfer & Project Boundary Modification - South Shore Lake Superior Fish and Wildlife Area - Bayfield County - ADDED

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

3.C. Scope Statements

3.C.1 Request approval of the statement of scope for Board Order ER-27-11 related to the Wisconsin Endangered/Threatened Species List

Kurt Thiede, Land Division Administrator, gave an overview of the revision process of 3,000 plants and animals by biologists, the recommendations for the 346 species refined, and further analysis of 138 species. He then reviewed the animals and plants proposed for delisting and the species proposed for listing. The department's next steps include outreach, to develop an Economic Impact Analysis, and obtaining Board authorization for public hearings. He requested the Board approve the statement of scope for Board Order ER-27-11. **(PowerPoint and Handout)**

Public Appearances:

1. **Thomas Eddy**, Green Lake, representing Botanical Club of Wisconsin as President was not in attendance due to a scheduling conflict. **(Handout)**
2. **George Meyer**, Madison, representing WI Wildlife Federation as Executive Director requested the department delay approval of the scope statement and the board request staff to expand their review in close consultation with the great number of external scientists with species specific expertise. The Wildlife Federation endorsed the position of the Botanical Club of Wisconsin. While the department does have significant expertise regarding the rarity of animal species, the vast number of non-game animal experts reside outside the agency. Historically, the department has convened "species expert groups" at the beginning of the process in order to have the best possible information on listing species before it initiates the rulemaking process. **(Handout)**

Discussion followed on who was consulted in the scope statement process, the concern of getting new species on the list through the rule process, and funding concerns.

Mr. Thiede will provide list of externals involved in the process.

Discussion followed on whether there is an opportunity to recommend species to add to the list.

Mr. Andryk stated the Board has two options: 1) to amend the scope statement to add new species to the list and start over or 2) follow-up with another rule proposal to add species to the list which could be started at the end of this process.

Discussion followed on the timeline of the proposed scope statement, concern over waiting until the end of this rule process to begin another rule, whether there were any plants to be added to the list, initiating future rules, and whether the Board could request the department move forward as a separate process after the public hearing process in adding plants to the list.

Mr. Thiede responded to the Board that the Department does not have pamphlets of rare plants and landowner guides to rare plants. This information is available on the DNR website at <http://dnr.wi.gov/org/land/er/wlist/>.

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

3.C.2 Request approval of the statement of scope for Board Order FH-01-12 regarding fishing tournament rules in NR 20.40, Wis. Admin. Code

Jonathan Hansen, Fishing Tournament Program Coordinator, gave an overview of the issues and components of the tournament rule. He then reviewed the following proposed changes: definition of culling, permit exemption for season-long events, adjust lower bounds of prize value, specify that live well requirements apply to open water tournaments only, explicitly add authority to recognize MN permits, remove the open application period and replace with first-come first-served, simplify and automate permitting process for GL salmon and trout tournaments and small tournaments, increase ice fishing capacity limits on small lakes, and to exclude tournaments of less than 20 boats from capacity calculations. He requested the Board approve the statement of scope for Board Order FH-01-12. **(PowerPoint and Handout)**

Discussion followed on concerns with limiting ice fishing, user conflicts, and the culling process.

Public Appearances:

1. **Dan Brovarney**, Wauwatosa, representing The Wisconsin Bass Federation Nation stated that he hoped that bringing the knowledge gained from participation in the previous rule changing will help the Board clearly identify the pitfalls in the process resulting in clear guidelines which will allow the development of rules that will not require the process be repeated in a few years.

This go round is better than in previous ones. For the first time ever, people want a permit and not because they are required to get one. He represents 60 bass clubs at eight tournaments each year. If each one applied for a permit, that would be around 4,800 permits/year. Cost is an issue. More importantly, you need to realize there are two tournament anglers, social and monetarily competitive. He is hoping the permitting season will be reworked to do a two level permit to allow both the social aspect and the competitive angler. Mr. Hanson pointed out today the 30 fish limit. Out of 225 odd bass tournaments each year, that is 179 permits that could be done much easier and with less cost. The only thing that would need to change is the limit.

Secondly, he asked the Board to look at the 3 fish limit during July and August rule. When the fishing tournament advisory committee put together the information for the last package, they were against those limits.

Discussion followed on whether 2 or 3 fish limit in July and August is beyond this scope statement.

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

- 3.C.3 Request approval of the statement of scope for Board Order WT-06-12 related to ch. NR 115 which establishes the statewide minimum standards for shoreland zoning

Russ Rasmussen, Water Division Deputy Administrator, stated that although the rule was recently revised in 2009, some of the provisions relating to the impervious surface limits, nonconforming structure provisions, vegetation standards and administrative procedures would be difficult for counties to implement and enforce. The proposed revisions would reduce the difficulties associated with implementing the rule. The current proposal is to clarify and modify certain sections of the rule to address these concerns so that counties can implement the state minimum shoreland standards efficiently and effectively. He requested the Board approve the statement of scope for Board Order WT-06-12.

Discussion followed on the impact of run-off within 300 feet of shore, impervious surface limits, whether there are standards for how infiltration will take place, and concerns that previous rulemaking compromises and tradeoffs are not being taken into consideration.

Secretary Stepp stated that when they came into office they were contacted by the County Code Administrators around the state. While they appreciate the process that happened, they realized with implementation and enforcement that there were provisions of this that made it very cumbersome and sometimes impractical. They saw discrepancies, problems, glitches, and funding issues. The County Code Administrators have been clear that they want the highest water quality on their lakes and waters as well. This was a mechanics issue for them as well as fixing up guidance for better definition in the rule.

Discussion continued on the past compromises as being more from of a watershed approach and the limitations of this scope statement as far as what can be modified after the comment period.

Attorney Andryk stated there is some flexibility. There is an ability to make modifications along the lines of what is included in the scope statement. If you add an issue outside the scope statement, that action would be beyond the scope of what you are approving.

Discussion followed as to whether the WI Realtors Association comments proposing other changes would be beyond the scope statement.

Attorney Andryk stated there is some opportunity to make modifications on those issues identified within the scope statement. In terms of adding other issues, that would be outside of the scope.

Discussion followed on whether modifications would be made after the public hearings, the need to take a proactive role and focus on what the issues are to maximize the protection of those resources, and whether there are provisions remaining for vegetative removal.

Public Appearances:

1. **Helen Sarakinos**, Madison, representing River Alliance of Wisconsin as Director of River Restoration Programs stated their opposition to reopening the rule as well as the scope of the proposed rule changes. There was considerable give and take and compromise on all sides, but the final package won broad support. They worked closely with the WI Association of Lakes, the WI Realtors Association, the WI Builders Association, representatives of the WI Code Administrators, and department staff to craft a package that balances protection of the environment with increased flexibility for property owners.

She noted four changes in the scope statement of particular concern: 1) Restricting the area of application of impervious surface limits to just riparian lots, which will often be much less than the 300' margin in the current rule. 2) Allowing the impervious surface cap of 30% to be exceeded. 3) Allowing for lateral expansion of nonconforming structures. 4) Removing county oversight for maintenance of vegetation near the shore. All of these issues were resolved through compromise; now the department proposed to unravel the deal. **(Handout)**

Discussion followed on tabling this item for one month.

Dr. Clausen requested a handout on NR 115 with the areas being changed highlighted.

Attorney Andryk, cautioned that staff are prohibited from drafting rule language until the Board approves the scope statement.

Discussion followed on the rules process timeline and what level of agreement was there from the task force that these issues should come forward in the rule making process.

Secretary Stepp stated this was a carefully thought out culmination of concerns they heard around the state over the last year. These concerns came in after people had time to digest the rule and implementation. They are asking the department to fix the glitches and to help them prioritize the workload to get the best environmental benefit out of enforcement that they do. Statements have been made alluding to try to open up the whole rule. No one at the department wants to do that. We have great respect for the process.

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

Ms. Wiley requested a roll call vote.

The motion to approve passed 5 – 2 on a roll call vote.

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

3.C.4 Request approval of the statement of scope for Emergency Board Order WM-03-12(E), related to establishing the 2012 bobcat hunting and trapping season Framework

Scott Loomans, Wildlife Regulations Specialist, reviewed the background of the issue. He then stated the department also was working on the permanent rule. The department may, if the economic analysis is completed in time and if voters are supportive at spring hearings, also request hearing authorization on those with the adoption request of this rule. He then reviewed the finding of emergency and stated that two years is not enough time to review harvest, conduct surveys, and write a new rule, even under the previous timeline. Emergency rules are the department's only alternative for continuity of service with the split season framework in 2012. They are hesitant to sunset-back because there appears to be public support, and people will be frustrated if we go back when there's no significant management purpose. It would be a loss of opportunity for people who have been waiting 5 or more years to draw a permit. This rule protects public welfare by preserving a valued recreational opportunity. He requested the Board approve the statement of scope for Emergency Board Order WM-03-12(E).

Public Appearances:

1. **George Meyer**, Madison, representing WI Wildlife Federation as Executive Director spoke in support of the rule. He appreciates that the department and Board are looking at an emergency rule to do this. This is a well regulated season that protects the population and continuity.

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

3.C.5 Request approval of the statement of scope for Emergency Board Order WM-05-12(E) related to re-establishing an antlerless-only, October firearm deer season in the CWD Management Zone
Tom Hauge, Wildlife Management Bureau Director, stated that this emergency rule proposal would re-establish the annual October, antlerless-only, four day firearm deer season that has been held in the chronic wasting disease management zone. Since 2002, the department has held an October firearm deer season to provide hunting opportunity and for herd management and disease control purposes in the chronic wasting disease management zone. Deer population reduction is the available disease control method most likely to be effective in controlling CWD in free-ranging deer. Over the past 50 years, regulated hunting has been shown to be an ecologically sound, socially beneficial, and fiscally responsible method of managing deer populations. Hunter harvest in the CWD Management Zone during the past eight years appears to have reduced the deer population in this region, although it has not been sufficient to cause substantial, widespread population decline. An October season helps maintain a consistent hunting-season structure that improves hunter understanding of regulations and enhances both compliance and enforcement of those regulations. A consistent season framework also makes it easier to evaluate management efforts. He requested the Board approve the statement of scope for Emergency Board Order WM-05-12(E).

Discussion followed on whether this is antlerless only.

Mr. Kazmierski handed out and discussed 2011 Wisconsin Act 50.

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

Discussion followed on whether this constitutes an emergency, reasoning why the department wants to continue with an antlerless hunt with a harvest rate of 1.7 females/square mile, whether more hunter participation would be gained by working with the hunting community, whether a significant portion of the harvest that occurs during the four-day window could be possibly made up with the archery harvest that would occur during that four-day, whether there is a lesser weapon for the four-day October hunt, that 20% prevalence of CWD in adult bucks is too high, whether this hunt is the only tool left in the toolbox, and what the prevalence is of CWD in some of the western states where they have done nothing.

Mr. Kazmierski MOVED to table and to include harvest data of the entire CWD management zone and harvest data for the ten years prior to establishment of the CWD management zone

Discussion followed on whether there was enough time to table to April 25 and have the rule in place for October 2012.

Attorney Andryk stated that the department cannot draft the rule until the Board approves the scope statement. The scope statement must be approved at a separate meeting than adoption of the emergency rule. If scope approval was delayed until the April Board meeting, then a special meeting would need to be called one week later for emergency rule adoption.

Discussion followed on the CWD rules process from 2002.

The motion to table was seconded by Mr. Bruins.

Ms. Wiley requested a roll call vote.

The motion to table failed 2 - 5 on a roll call vote.
William Bruins – yes **Preston Cole – no**
Christine Thomas – no **Jane Wiley – no**
Terry Hilgenberg – no **David Clausen – no**
Greg Kazmierski – yes

Discussion followed on the frustration of hunters and the need for a more comprehensive plan to deal with CWD.

Chair Clausen called the question.

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

Mr. Cole excused himself from the remainder of the meeting.

4. Citizen Participation – 1:00 p.m.

4.A. Citizen Participation
None

4.B. Citizen Recognition

4.B.1 Comeback Champs – Citizen Monitoring

Secretary Stepp, presented the Comeback Champ award to North Lakeland Discovery Center, Mercer High School, and Hurley High School. These students and their advisors are great examples of how citizens, particularly young people, are helping protect and sustain the world they will inherit. They are helping department and partners collect valuable information about the American Marten that we hope will one day enable us to take this animal off the endangered and threatened species list. The marten is Wisconsin's only endangered mammal, and it is one of the original 15 species placed on the list in 1972.

Our recovery efforts so far have helped grow the population from zero in 1925 to 300 today. But the recovery is still underway and North Lakeland Discovery Center is playing a central role in helping get them across that goal line. They have built strong partnerships with county, tribal, and state natural resources agencies and have trained more than 75 adult and high school student volunteers to help monitor the marten population. Students from Mercer and Hurley High Schools have been volunteering their time to conduct tracking, hair snare, trail camera, and radio telemetry surveys of martens. It's been a great education and a great service to the state and to this species.

For all their work to help bring American marten back to Wisconsin's Northwoods, North Lakeland Discovery Center, Mercer High School, and Hurley High School have been commended by Governor Scott Walker as the Wisconsin Department of Natural Resources' March 2012 "Comeback Champs". She then presented plaques as follows:

Representing Mercer School: Teacher: Sheri Kopka; Students: D'kota Engler, Nikki Kempf, Matt Weber, Brandon Cassiani, John Michael Klopatek, Lucas Huybrecht, Mandy Scheels, Tim Wurlitzer, Andrew Lu, Kyle Bianga, and Kassie Wiedower.

Representing Hurley School: Teacher: Diane O'Krongley; Students: Reilly Manzer, Jordan Smoczyk, Donnie Scherre, Lynda Waldros, and Lauren Vinopal.

Representing the North Lakeland Discovery Center: Project Leader for Woods 'N Waters Project: Zach Wilson, Director: Sarah Johnson.

5. Board Members' Matters

Dr. Thomas requested an information item at an upcoming Board meeting which outlines regulatory reform legislation and how that changes the Board's responsibilities in various areas.

Mr. Hilgenberg requested an information item on pier registration and the wetland reform legislation and whether this had changed with new legislation.

Mr. Kazmierski requested the Department form a stakeholder group consisting of hunting groups to address a crossbow season for deer.

Mr. Kazmierski then requested the Department look into limiting per acre prices on land grants.

Mr. Hilgenberg stated this request piggybacks on his request at item 3.B.2. Both requests could be expanded to include the process for approving Stewardship grant applications for LUG's and NCO's and how the Stewardship funds are divided up into the various programs.

Mr. Kazmierski agreed.

Secretary Stepp added that the Department also will layer in the differences in Stewardship grants and the processes for each, and what the appropriations are in the various Stewardship programs.

Ms. Wiley recognized the effort and amount of work by staff that went into the DNR Research Scientist Wage Evaluation report. She appreciates this information and hopes it will bring results to staff on the disparity of salaries.

Dr. Clausen echoed Ms. Wiley's comments. The report highlights that the Department has really talented people working very hard.

6. Special Committees' Reports
None

7. Department Secretary's Matters

Secretary Stepp updated the Board on the Turkey Management Plan. She stated the department is kicking off the review of the state's turkey management plan this Spring and wanted the Board to know early on so they could be involved if they are interested. The department is initiating a process to update our 14-year old Turkey Management Plan. Public meetings will take place in each of the turkey management zones as well as an online survey. The department will be asking for input on everything from the permit selection process to hunting regulations to priorities for use of turkey stamp funds. The planning process will kick off with meetings in late April and May, with the goal of bringing the new plan to the Board next Winter or Spring. Information cards will be handout out at the Madison Deer and Turkey Expo that let people know about the meetings and survey.

She then updated the Board on the Wildlife Partner Recognition Report. She stated that each month we recognize contributions of partners and citizens who go the extra mile and contribute with donations of various means at our board meetings. However, the department realizes these are just the tip of the ice berg. The department has also heard the Board loud and clear that you want us to engage citizens to assist in these effort since funding and staff are limited. The department mission is too big to accomplish by ourselves. Further, without buy in from the public, accomplishing our mission becomes difficult. We want to show our appreciation to these partners by highlighting the contributions of some of them in this *Wildlife Partner Recognition Report*. The department plans to do another wildlife partner report later this year that focuses on many field project partnerships. **(Handout)**

7.A. Retirement Resolutions

- 7.A.1 Leland D. Archiquette
- 7.A.2 Beverly Bakka
- 7.A.3 Ronald H. Campbell
- 7.A.4 William H. Eldred
- 7.A.5 Randal V. Falstad
- 7.A.6 Dan Fields
- 7.A.7 Jenny L. Gibson
- 7.A.8 Mark A. Martin

Mr. Hilgenberg MOVED approval, seconded by Dr. Thomas of the retirement resolutions. The motion carried 6 - 0. Mr. Cole excused himself from the remainder of the meeting.

7.B. Donations

- 7.B.1 Ducks Unlimited will donate \$20,000 in support of the duck research study "Evaluating Factors Limiting Blue-winged Teal Production and Survival in the Great Lakes Region"

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

8. Information Items

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

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

8.B.1 America's Great Outdoor Initiative

Dan Schuller, Parks and Recreation Bureau Director, and **Jeff Prey**, Senior Planner, gave a joint presentation. They reviewed the background of this initiative which creates a 21st century strategy for conservation in America's outdoors. The initiative has three distinct themes: 1) Connection and enhancement to public lands and waters. 2) Conservation and restoration to both rural lands and waterways. 3) Working together in partnerships. They then reviewed the following: how Wisconsin relates to AGO, the seven (7) elements of the Statewide Comprehensive Outdoor Recreation Plan (SCORP), and how SCORP aligns with AGO. They then reviewed the process of how the projects were selected from each state and followed up with a briefing on Wisconsin's two AGO state projects: Baraboo Hills/Ice Age National Scenic Trail and the Lake Michigan Water Trail. (**PowerPoint**)

Dr. Thomas thanked Mr. Schuller and Mr. Prey for their presentation. This is a very exciting initiative.

INFORMATIONAL ITEM – NO ACTION WAS TAKEN

Mr. Hilgenberg noted that his company has participated in the Milwaukee Sport Show every year since 1976. This year he took the time to visit the department's booth. It was very impressive and staff were very helpful. He asked staff to introduce themselves. The newer staff had been with the department for about three years and senior staff had been with the department for about 30 years. They do a very good job for all of us which we should be proud of.

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

The meeting adjourned at 1:30 p.m.

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