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## NATURAL RESOURCES BOARD

### BRIEF OF ACTION

The regular meeting of the Natural Resources Board was held on Wednesday, May 28, 2014 at Tundra Lodge and Conference Center, 865 Lombardi Avenue, Green Bay, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-3 and 6-7. The meeting adjourned at 2:01 p.m.

### ORDER OF BUSINESS

1. Organizational Matters

1.A. Calling the roll

William Bruins – present      Gary Zimmer – present  
Christine Thomas – present    Jane Wiley – present  
Terry Hilgenberg – present    Preston Cole – present  
Greg Kazmierski – arrived late/present

1.B. Approval of agenda for May 27-29, 2014

**Mr. Hilgenberg MOVED approval of the May 27-29, 2014 agenda, seconded by Ms. Wiley. The motion carried unanimously.**

1.C. Approval of Brief of Action from March 19, 2014

**Dr. Thomas MOVED approval of the March 19, 2014 Brief of Action, seconded by Mr. Zimmer. The motion carried unanimously.**

1.D. Approval of Brief of Action from April 9, 2014

**Ms. Wiley MOVED approval of the April 9, 2014 Brief of Action, seconded by Mr. Hilgenberg. The motion carried unanimously.**

**Chair Cole** thanked the Wisconsin Conservation Congress (WCC) Executive Council for meeting with the Board last night. He asked those in attendance to stand and be recognized. He reaffirmed their commitment to each other and in how the Board and Congress work together.

He then thanked Regional Director Jean Romback-Bartels, Krista Lutzke, and regional staff for coordinating the logistics and informative presentations and tours that the Board will receive on Thursday.

2. Ratification of Acts of the Department Secretary
- 2.A. Real Estate Transactions

**Mr. Bruins MOVED approval, seconded by Mr. Kazmierski of the Real Estate Transactions. The motion carried unanimously.**

**Chair Cole** recognized and thanked Wisconsin State Senator Cowles, District 2, for being in the audience today.

3. Action Items
- 3.A. Air, Waste, Water, and Enforcement
- 3.A.1. Presentation of the Shikar Safari Club International Officer of the Year Award

**Todd Schaller**, Chief Warden, announced the Award recipient was Administrative Warden Pete Dunn. Warden Dunn always walks in the room with a smile, laugh, and desire to find common ground

**Janis Bohner**, Shikar Safari Club, presented a background of the Shikar Safari Club and their program and then formally presented the Award to Warden Dunn.

**Warden Dunn** stated he was blessed to have great advisors and works with wonderful people. He thanked his parents, wife, and two children for their guidance and patience.

#### **AWARD PRESENTATION - NO ACTION TAKEN**

- 3.A.2. Request adoption of Board Order WA-14-13, proposed rules affecting chs. NR 103, 123, 130, 131, 132, 135, 140, 182, 213, 214, 350, 406, 500, 502, 503, 504, 506, 507, 508, 509, 510, 512, 514, 516, 518, 520, 524, 526, 528, 538, 700, 812, and 815, Wis. Adm. Code, relating to proposed changes as required by Section 103 of 2013 Wisconsin Act 1, the ferrous mining law

**Dr. Thomas MOVED approval, seconded by Ms. Wiley of the department's recommendations. The motion carried unanimously.**

- 3.B. Land Management, Recreation, Fisheries, and Wildlife
- 3.B.1. Request adoption of Board Order FH-34-13, proposed rules affecting chapters NR 20 related to trolling regulations on inland waters of Wisconsin **PowerPoint**

#### **Public Appearances:**

1. **John Dettloff**, Couderay, representing Indian Trail Resort. He spoke in opposition to the proposed rule. **(Handout)**
2. **Jim McComas**, Springstead/Park Falls, representing self. He spoke in opposition to the proposed rule. **(Handout)**

3. **Anne McComas**, Springstead/Park Falls, representing self . She spoke in opposition to the proposed rule. (Handout)
4. **Anthony Rizzo**, Star Lake, representing self. He spoke in opposition to the proposed rule. (Handout)
5. **John Aschenbrenner**, Laona, representing self. He spoke in support of the proposed rule.
6. **Rich Reinert**, Woodruff, representing self/fishing guide. He spoke in opposition to the proposed rule. He invited the Board and Secretary to spend a day fishing with him
7. **Art Long**, Arbor Vitae, representing self. He spoke in opposition to the proposed rule. (Handout)

**Chair Cole** requested Rob Bohmann, WCC Executive Director, to the podium and asked for WCC's position.

**Mr. Bohmann** stated WCC supports the rule proposal with statewide results.

Discussion followed on whether an attendee at the spring hearings could vote no on Question 1 – allow trolling statewide and whether this question could be read at the meeting.

**Tim Simonson**, Fisheries Staff Specialist, read Question 1: “Do you favor this compromise trolling proposal, which would allow trolling with 1 “line” (i.e. hook, bait, or lure) per angler in the 17 counties listed above (except the 31 waters already open to trolling) and would allow trolling with 3 “lines” per angler in the other 55 counties?”

Discussion followed on the 11 counties that did not support this proposal and that the way the questions were constructed is a continuing issue. Questions need to be very distinct in the future; and not include two or three items.

Discussion followed on fish population and impact on the body of water relative to the rule, whether there is a negative impact of approving the proposed rule excluding Vilas and Iron counties, whether this is a local vs. statewide issue, and what the Board's options are for action on this item.

**Tim Andryk**, Chief Legal Counsel, stated that the Board has the following options for action: 1) approve as recommended; 2) approve with modifications such as excluding counties; and 3) not approve. He stated another option is to take another proposal out to hearing.

Discussion followed on the department's data collection for trolling, and that this is a social issue.

**Mr. Bohmann** offered a five year sunset as a compromise.

Discussion followed on the concerns brought up by a number of speakers of the potential number of lines per boat and whether this should be restricted per boat such as four lines per boat and one line per person.

**Mr. Hilgenberg MOVED to amend the proposed rule to exclude Vilas and Oneida counties from trolling. The motion failed due to the lack of a second.**

Discussion followed on whether the WCC fisheries committee should discuss trolling at their district meeting.

**Secretary Stepp** stated this is a very interesting process and that there is a need to be mindful to the public. Going only with biological is not always the right way to go.

**Mr. Bruins MOVED, seconded by Mr. Kazmierski to sunset the rule in three years (May 2017 2018). The motion to sunset the rule passed unanimously.**

**Mr. Kazmierski MOVED to restrict the lines per boat to three, seconded by Mr. Bruins. The motion failed on a roll call vote of 2 – 5.**

<b>William Bruins – yes</b>	<b>Gary Zimmer – no</b>
<b>Christine Thomas – no</b>	<b>Jane Wiley – no</b>
<b>Terry Hilgenberg – no</b>	<b>Preston Cole – no</b>
<b>Greg Kazmierski - yes</b>	

Discussion followed on whether the lines per person and per boat should be reduced and how many years it will take the department to complete the study.

**Ms. Wiley MOVED to limit trolling to 2 lines per boat for all waters that currently have 1 line, seconded by Mr. Hilgenberg. Dr. Thomas asked the authors to add to their motion to limit trolling to 1 line per person. Ms. Wiley and Mr. Hilgenberg agreed. The motion to amend the lines per person and per boat carried unanimously.**

Discussion followed on whether an amendment should be brought forward exempting Vilas and Iron counties from the pilot [no] and that the rules process is about getting input through WCC and about working out compromises. This is how the system is supposed to work.

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

**Chair Cole** clarified that the rule goes into effect in 2015 and that the sunset would be May 2018. In addition, it is the intent of the authors of the rule that no more than one hook, bait, or lure per line be used.

**The Board** agreed.

**Chief Warden Todd Schaller** asked to clarify that if a boater has three lines, he/she can fast cast with two and have one being used for trolling.  
**The Board** agreed.

- 3.B.2. Request adoption of Emergency Board Order ER-31-13(E) and Board Order ER-30-13, proposed rules affecting chapters NR 10, 16, 19, 21, 22, and 27 related to the addition of the Blanding's turtle to the State's Protected Wild Animal list, possession exemptions, and turtle seasons and limits and to updating scientific and common names and federal listing status

**Dr. Thomas MOVED approval, seconded by Mr. Kazmierski of the department's recommendations.**

Discussion followed on whether this rule would affect construction projects [no].

**The motion carried unanimously.**

- 3.B.3. Request approval of department recommendations for the 2014 deer hunting season structure including antlerless quotas, antlerless permit levels, and configuration of the CWD affected area

Discussion followed on how Marinette County with a split forest would be managed, how that compares to last year's quotas in forest areas, and the breakdown of damage; the status of formulating county committees; and farmland zone tags.

**Mr. Bohmann** stated that the Big Game Committee met and voted in support of the proposal.

**Public Appearances:**

1. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation. He spoke in support of "0" antlerless quota in 19 counties, and addressed concerns of private/public lands permits and that the proposed regulations do little to control the spread of CWD in the state. **(Handout)**
2. **Mike Brust**, Wausau, representing Wisconsin Bowhunters Association (WBA). He stated that WBA strongly supports "0" antlerless in the north this year. He also had concerns about tracking the wounded onto public/private lands. He asked that law-abiding hunters not be put in a position they do not want to be in.

**Chair Cole** asked Chief Warden Schaller and Kevin Wallenfang to the podium to respond to the tracking of wounded deer concern.

**Mr. Wallenfang**, Big Game Specialist, stated this is not a new situation. Having a private land deer tag does not give a hunter a free ticket to hunt on private lands.

You must have permission to retrieve deer. The landowner has the right to say no.

**Chief Warden Schaller** stated they would get the message out to hunters. Their primary focus is education of the rule change and to understand that people need to understand. He has confidence they will do so.

Discussion followed on how this would work on Managed Forest Land (MFL), and whether the department's atlas is updated.

**Secretary Stepp** stated that people should still verify and reach out to prospective landowners.

Discussion followed on the burden of proof a hunter needs to have where the deer was shot and downed for tagging.

**Secretary Stepp** recognized Kurt Thiede, Tom Hauge, Kevin Wallenfang, and team and thanked them for the professionalism of their team and to the public that responded.

**Mr. Kazmierski MOVED approval, seconded by Mr. Zimmer of the department's recommendations. The motion carried unanimously.**

3.B.4. Request approval to name the Dedric W. Bergstrom III Waterfowl Complex

**Jeff Pritzl**, Natural Resources Regional Program Manager, corrected the acreage listed in the package from 411 acres to 481 acres for the entire parcel. He apologized for the typo.

**Ms. Wiley MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

3.B.5. Land donation – Crex Meadows Wildlife Area – Burnett County

**Mr. Zimmer MOVED approval, seconded by Ms. Wiley of the department's recommendations.**

Discussion followed on who was responsible for property management.

**The motion carried unanimously.**

3.B.6. Land acquisition – White River Fishery Area – Bayfield County

**Ms. Wiley MOVED approval, seconded by Dr. Thomas of the department's recommendations. The motion carried unanimously.**

3.B.7. Land acquisition – Avon Bottoms Wildlife Area – Rock County

**Mr. Zimmer MOVED approval, seconded by Dr. Thomas of the department's recommendations. The motion carried unanimously.**

3.B.8. Land acquisition – Northern Highland State Forest – Iron County

**Dr. Thomas MOVED approval, seconded by Mr. Zimmer of the department's recommendations. The motion carried unanimously.**

3.B.9. Land acquisition – Governor Knowles State Forest, 120 acres – Burnett County (Hermansen)

**Dr. Thomas MOVED approval, seconded by Mr. Kazmierski of the department's recommendations.**

Discussion followed on the challenge in negotiating future parcels.

**The motion carried unanimously.**

3.B.10. Land acquisition – Governor Knowles State Forest, 185 acres – Burnett County (Bell Lumber)

Discussion followed on the more challenging appraisals and a discount that affected the property.

**Mr. Kazmierski MOVED approval, seconded by Mr. Hilgenberg of the department's recommendations. The motion carried unanimously.**

3.B.11. Land acquisition – New Munster Wildlife Area – Kenosha County

**Mr. Zimmer MOVED approval, seconded by Mr. Hilgenberg of the department's recommendations and to acknowledge the generous donation.**

Discussion followed on the department's good due-diligence on the agriculture farmland section.

**The motion carried unanimously.**

3.B.12. Land acquisition – Central Wisconsin Grasslands – Portage County

3.B.13. Land acquisition – Buena Vista Wildlife Area – Portage County

**Dr. Thomas MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

~~3.B.14. Easement acquisition – Forest Legacy Program – Douglas County~~

3.B.15. Easement acquisition – Forest Legacy Program – Iron County

**Public Appearances:**

1. **Bethany Olmsstead**, Hillsborough, NC, representing The Conservation Fund as Upper Midwest Program Coordinator spoke in support of the proposed easement acquisition.

Discussion followed on Ms. Olmsstead's experience with selling with an easement.

**Ms. Wiley MOVED approval, seconded by Mr. Kazmierski of the department's recommendations.**

**Mr. Hilgenberg** stated he was pleased to hear department action in further embellishing issues of access. When roads need maintenance, the endowment has be to structured correctly. He requested he receive the easement and endowment contracts.

**Chair Cole** requested that this information be shared with the full Board.

**The motion carried unanimously.**

3.B.16. Request that the Board adopt Emergency Board Order FH-03-14(E), proposed rules affecting NR 20 and 23 related to modifications in fish daily bag limits and minimum size limits in response to harvest

**Public Appearances:**

1. **Chris McGeshick**, Chairman, Mole Lake Band of Lake Superior Chippewa. He provided information to educate the Board on protection of the resource and harvest of the resource on the tribal side of it. He asked the Board not to support this emergency rule.

He then invited the Board to the Strawberry Moon Pow-Wow that is coming up in June. He also congratulated Warden Pete Dunn on his award.

Discussion followed on how the formula works, the public's expectation to start seeing an increase in bag limits stemming from the Walleye Initiate, McGeshick's concern with DNR biologists, and the need to look at better science.

**Mr. Kazmierski MOVED approval, seconded by Mr. Bruin of the department's recommendations. The motion carried unanimously.**

3.C. Scope Statements

3.C.1. Request approval of the Statement of Scope for Board Order LE-01-14 and conditionally approve the public hearing notice and notice of submittal of

proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting Chapter NR 5 related to Boat Rules and Regulation

**Dr. Thomas MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

- 3.C.2. Request approval of the Statement of Scope for Board Order WM-06-14 and emergency Board Order WM-05-14(E) and conditionally approve the permanent rule hearing notice and notice of submittal to the Legislative Council Rules Clearinghouse for proposed rules affecting Chapters NR 10, 12, and 45 related to establishing deer hunting seasons during which the use of crossbows is allowed

**Dr. Thomas MOVED approval, seconded by Mr. Kazmierski of the department's recommendations. The motion carried unanimously.**

- 3.C.3. Request approval of the Statement of Scope for Board Order WM-04-14(E) for proposed rules affecting Chapter NR 10 related to establishing the 2014 migratory bird hunting seasons

**Dr. Thomas MOVED approval, seconded by Ms. Wiley of the department's recommendations. The motion carried unanimously.**

**Chair Cole** moved the meeting to agenda item 5.A.1.

5. Information Items  
5.A. Air, Waste, Water, and Enforcement  
5.A.1. Shooting range guidance document for range development considerations on department lands

Discussion followed on whether public shooting ranges are open to all types of weapons including hand guns and automatic rifles.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

**Chair Cole** moved the meeting to agenda item 5.B.1.

- 5.B. Land Management, Recreation, Fisheries, and Wildlife  
5.B.1. Payment in Lieu of Taxes **PowerPoint**

Discussion followed that if the legislature was asked for the additional money each year to cover the additional cost of \$48 million each year whether this would increase the department's budget [yes], whether the land values on properties acquired prior to 1992 should be adjusted, whether the Association of Towns and Villages is in a better place to work with the legislature, whether there are any reports available that show access to properties are limited, whether a fact sheet should be created and give to towns and villages, whether a joint letter to the

legislature should be drafted for Secretary Stepp and Chair Cole's signature, and whether there is a breakdown of acres purchased since 1992.

**Secretary Stepp** stated that feedback from communities on Stewardship purchases would be a good tool.

**Kurt Thiede**, Land Administrator, offered to create an FAQ on PILT.

Discussion followed in what state lands bring to a community. It is important to remember these purchases are not 100% of a burden.

**Chair Cole** asked staff to look into whether this topic shows up on the lobby group's radar. He cautioned the Board to be careful.

#### **INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

**Chair Cole** moved the meeting to agenda item 4.A.

#### 4. Citizen Participation

#### 4.A. Public Appearances

1. **Ralph Fritsch**, Townsend, representing Wisconsin Wildlife Federation  
*Topic: Keeping Wildlife Wild.* He thanked Secretary Stepp, Wildlife Management, Law Enforcement, and public outreach staff for their major efforts to implement this program. WWF remains a good resource to assist in getting the word out to citizens and visitors. (Handout)
2. **Bill Atkinson**, Suamico, representing self. No testimony was given as he was not in attendance.  
*Topic: Green Bay West Shore Wildlife Area; renaming Little Tail Unit*

**Chair Cole** moved the meeting to agenda item 5.B.2.

#### 5.B.2. Wildlife Management Bureau 2014 Spring Hearings advisory question results

**Chair Cole** requested the department simplify questions going forward and to capture the author's wishes in plain English. Less is more.

**Secretary Stepp** offered staff assistance to WCC to simplify language.

#### **INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

#### 5.B.3. Fisheries Management Bureau 2014 Spring Hearings advisory question Results **PowerPoint**

Discussion followed on whether a concern of a constituent that catch and release is to be blamed for the decrease in trout fishers, and how the department accommodates the one side that catches and releases larger fish and the other side that wants to harvest them.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

5.B.4. Congress Matters: 2014 Conservation Congress Advisory Question Summary and Convention Report **PowerPoint**

**Rob Bohmann**, Wisconsin Conservation Congress (WCC) Chair, reviewed the 2014 question summary and **Larry Bonde**, WCC Vice-Chair reviewed the convention report and follow-up of the strategic plan.

**Mr. Kazmierski** stated he has been attending the hearings for decades. He applauded Mr. Bohmann and Mr. Bonde for more interest and engagement at the hearings and convention.

**INFORMATIONAL ITEM – NO ACTION WAS TAKEN**

6. Department Secretary's Matters

6.A. Retirement Resolutions

6.A.1. Carl Mesman

6.A.2. William Miller

6.A.3. John Nielsen

6.A.4. Debby Roszak

6.A.5. Terry Trapp

6.A.6. Garry Vincent

6.A.7. Annette Weissbach

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

6.B. Donations

None

**Secretary Stepp** highlighted the Midwest Outdoor Heritage Education Expo held at the MacKenzie Center on May 15 and 16 and thanked Mark LeBarbara for spearheading this. People came together in the Conservation field like never before. She thanked everyone who was involved. **(PowerPoint)** She also discussed the New Program Plan at MacKenzie and international visitors.

She gave an update regarding the Northern Long-Eared Bat. She stated that the department understands the challenges that the U.S. Fish and Wildlife Service faces in coordinating the input of all the affected states and has offered to coordinate the formation of a technical team with national representation to develop conservation measures, and other implementation tools such as a species status assessment, an interim HCP or state specific conservation strategies.

**Dr. Thomas** stated that she has asked to have this issue added to the Wildlife and Hunting Heritage Conservation Council agenda.

**Secretary Stepp** was pleased to announce that the department has secured the Healthy Forest Restoration Act (HFRA) designation for Chequamegon-Nicolet National Forest. She thanked the Wisconsin Council on Forestry who was consulted and then recommended the designation of these areas.

She asked the Board to review the Field Guide to Wisconsin Streams that was just distributed to them. She gave a shout out to Michael Miller, Katie Songer, and Ron Dolen.

She then addressed “Keeping Wildlife Wild” and doing everything the department can do to get the right message out.

Secretary Stepp reviewed the department’s assistance that is being provided to DWD during their recent fire at GEF 1.

She then played the department’s Mission-Vision-Values video and thanked all that participated.

Her last highlight was on the Free Fish, Free Access weekend of June 6-8, 2014.

7. **Board Members’ Matters**

**Mr. Kazmierski** stated that during the WCC convention, he talked to some of the youth delegates and asked what their friends and peers think of them hunting. Some interesting things came out from their youthful perspective. Up north was more tolerant. In the south and particularly with girls, it was intolerant. We have not done a good job of getting the message out for decades or even longer on this whole concept. They are taught that hunting was the reason why the buffalo almost disappeared when it was recreational hunting that saved the bison and down the line. To follow that up, they spoke with some teachers that were at the convention. They suggested the department look into the 4<sup>th</sup> grade school history curriculum on Aldo Leopold to get that message out on the conservation circle. He was not sure where to go with this.

**Chair Cole** responded to Mr. Kazmierski that we have the right people in the room so this is a great place to start.

**Dr. Thomas** stated that the department should be proud. On May 3, 2014, former employee Clifford Germain, was inducted into the Conservation Hall of Fame.

**Mr. Kazmierski MOVED, seconded by Mr. Zimmer to adjourn the meeting. The motion carried unanimously.**

\*\*\*The meeting adjourned at 2:01 p.m.\*\*\*

MAY 28, 2014

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