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WISCONSIN NATURAL RESOURCES BOARD

BRIEF OF ACTION

Wednesday, August 11, 2021

The regular meeting of the Wisconsin Natural Resources Board was held in-person on Wednesday, August 11, 2021 at DNR Southeast Headquarters in the Milwaukee Harbor Room 107, 1027 W. St. Paul Avenue, Milwaukee, Wisconsin. The meeting was called to order at 8:30 a.m. for action on items 1-4 and 7-8. The meeting adjourned at 2:47 p.m.

There are two recordings for the August meeting: morning session (0:00:05 – 3:44:01) and afternoon session (0:00:03 – 1:41:11).

Morning Session:

ORDER OF BUSINESS

1. ORGANIZATIONAL MATTERS (0:00:05- 0:04:48)

A. Calling the roll (0:02:35 – 0:02:49)

William Bruins – present

Marcy West – present

Sharon Adams – present

William Smith – present

Terry Hilgenberg – present

Dr. Frederick Prehn – present

Greg Kazmierski – present

B. Approval of agenda for August 11, 2021 (0:02:50 – 0:04:48)

Chair Prehn moved item 6.A. to follow item 2-Consent Agenda due to schedule conflicts.

At 0:3:55, Mr. Smith MOVED approval of the amended meeting agenda, seconded by Mr. Hilgenberg. The motion carried unanimously.

2. CONSENT (0:04:49 – 0:05:23)

A. Approval of brief of action from June 23, 2021

B. Mark and Sandy Tibbits will donate \$23,000 to Wyalusing State Park to enhance the experience of all park visitors (DNR Secretary Preston Cole)

- C. 1. Land Donation – Big Swamp Wildlife Area – Buffalo County;
2. Land Donation – New Munster Wildlife Area – Kenosha County;
3. Land Donation – Rush Creek Natural Area – Crawford County; and
4. Land Donation – Rush Creek Natural Area and Rush Creek Streambank
– Protection Area – Crawford County MOVED to item 3.
(Jim Lemke, Real Estate Section Chief)
- ~~D. Request that the Board authorize a preliminary public hearing and comment period for the Statement of Scope for Board Order WY-21-20, for proposed rules affecting chapter NR 102 related to site-specific phosphorus criteria for Lac Courte Oreilles~~
(Marcia Willhite, Water Evaluation Section Chief)

Chair Prehn, at 0:04:49, moved items 2.C.3., 2.C.4., and 2.D. at the request of Board Members to item 3 for discussion and possible action.

At 0:05:16, Mr. Hilgenberg MOVED, seconded by Mr. Kazmierski, approval of consent agenda items 2.A., 2.B., 2.C.1, and 2.C.2., to move items 2.C.3., 2.C.4., and 2.D. to item 3., and to acknowledge the donations. The motion carried unanimously.

3. DISCUSSION AND POSSIBLE ACTION CONCERNING ITEMS REMOVED FROM THE CONSENT AGENDA (0:05:24 – 0:11:15)

- C. 3. Land Donation – Rush Creek Natural Area – Crawford County; and
4. Land Donation – Rush Creek Natural Area and Rush Creek Streambank
– Protection Area – Crawford County (0:05:24 – 0:06:56)
(Jim Lemke, Real Estate Section Chief)

At 0:06:48, Mr. Smith MOVED, seconded by Mr. Hilgenberg, approval and to acknowledge the donations. The motion carried unanimously.

- D. Request that the Board authorize a preliminary public hearing and comment period for the Statement of Scope for Board Order WY-21-20, for proposed rules affecting chapter NR 102 related to site-specific phosphorus criteria for Lac Courte Oreilles (0:06:57 – 0:11:15)
(Marcia Willhite, Water Evaluation Section Chief)

At 0:11:04, Mr. Smith MOVED, seconded by Ms. West, approval of the request. The motion carried a voice vote of 6-1, with Mr. Bruins opposed.

Chair Prehn, at 0:11:16, moved the meeting to item 6.A.

6. INFORMATION ITEMS (Written Comment Welcome)

- A. Great Lakes Commercial Fishing Update (0:11:19 – 0:25:07)
PowerPoint presentation by Bradley Eggold, Great Lakes District Fisheries Supervisor, Charlie Henriksen, Lake Michigan Commercial Fishing Board Chair, ~~and Craig Hoopman, Lake Superior Commercial Fishing Board Chair~~ (Mr. Hoopman could not attend)

INFORMATION ONLY – NO ACTION

Chair Prehn, at 0:25:08, moved the meeting to item 4.A.

4. ACTION ITEMS (morning session 0:25:11 – 1:14:40; 1:20:31 – 3:44:01; and afternoon session 0:00:03 - 1:24:22)

ADOPTION (0:25:11 – 0:46:37)

A. Presentation of the 2020 Shikar Safari Club International Wildlife Officer of the Year Award (0:25:11 – 0:37:23)

PowerPoint presentation by Casey Krueger, Chief Conservation Warden, and Shikar Safari Representative Janis Bohner

Lieutenant Andy Lundin was awarded the 2020 Shikar Safari Club International Wildlife Officer of the Year.

Lieutenant Lundin, at 0:31:36, spoke to his award. [He received a standing ovation.]

Ms. Bohner, at 0:36:51, recognized Deputy Chief Warden Jeremy Peery as recipient of the 2019 Shikar Safari Club International Wildlife Officer of the Year.

INFORMATION ITEM – NO ACTION WAS TAKEN

B. Request adoption of Board Order FH-08-21(E), proposed rules affecting chapter NR 20 related to Minocqua Chain walleye harvest regulations (0:37:24 – 0:39:01)

PowerPoint presentation by John Kubisiak, Treaty Unit fisheries team supervisor

At 0:38:51, Mr. Bruins MOVED, seconded by Mr. Hilgenberg, approval of the department's recommendation. The motion carried unanimously.

C. Request adoption of Board Order WT-09-19, proposed rules revising chapter NR 216 related to storm water pollutant discharge elimination permits (0:39:02 – 0:46:37)

PowerPoint presentation by Shannon Haydin, Chief, Storm Water Section

At 0:45:47, Mr. Hilgenberg MOVED, seconded by Ms. West, approval of the department's recommendation.

At 0:46:36, the motion carried unanimously.

SCOPE STATEMENTS (0:46:38 – 1:12:13)

D. Request that the Board approve the Statement of Scope for Board Order WM-06-21 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 19 related to wild rice harvesting (0:46:38 – 0:49:48)

Staff presentation by Scott Karel via Zoom, Wildlife Policy Specialist

At 0:49:39, Mr. Hilgenberg MOVED, seconded by Mr. Smith, approval of the department's recommendation. The motion carried unanimously.

- E. Request that the Board approve the Statement of Scope for Board Order WY-13-20 and conditionally approve the public hearing notice and notice of submittal of proposed rules to the Legislative Council Rules Clearinghouse, for proposed rules affecting chapters NR 102, 106, 205, and 207, and other related regulations for the purpose of updating Wisconsin's water quality antidegradation policy and procedures (0:49:49 – 0:54:25)
Staff presentation via Zoom by Marcia Willhite, Water Evaluation Section Chief

At 0:54:15, Mr. Smith MOVED, seconded by Mr. Hilgenberg, approval of the department's recommendation. The motion carried unanimously.

- F. Request that the Board approve the Statement of Scope for Board Order FH-04-20 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 20 related to sturgeon spearing harvest regulations and gear use (0:54:26 – 1:12:13)
PowerPoint presentation by Todd Kalish, Fisheries Management Deputy Bureau Director

At 1:03:29, Mr. Smith MOVED, seconded by Mr. Hilgenberg, approval of the department's recommendation.

Public Appearance (1:06:47 – 1:10:23):

1. Stuart Muche, Fond du Lac, representing self

At 1:12:08, the motion carried on a voice vote of 6-1, with Mr. Kazmierski opposed.

MISCELLANEOUS (morning session 1:12:14 – 1:14:40; 1:20:31 – 3:44:01; and afternoon session 0:00:03 - 1:27:44)

- G. Land Acquisition and Expansion of Project Boundary – Green Bay West Shores Wildlife Area – Oconto County (1:12:14 – 1:14:40)
Staff presentation by Jim Lemke, Real Estate Section Chief

At 1:14:15, Mr. Kazmierski MOVED, seconded by Mr. Hilgenberg, approval of the department's recommendation. The motion carried unanimously.

Chair Prehn, at 1:14:41, moved the meeting to item 5-Open Forum.

5. OPEN FORUM (1:14:43 – 1:20:30)

Public Appearances (1:15:05 – 1:20:30):

1. Bob Wincek, New Berlin, representing ~~WI Federation of Great Lakes Sport Fishing Clubs and Great Lakes Sport Fishermen Foundation~~ Removed per Mr. Wincek request.
2. Nicholas Christianson, Madison, representing self
3. Paul Collins, Stoughton, representing self
4. Elizabeth Ward, Fitchburg, representing Sierra Club of Wisconsin

Chair Prehn, at 1:20:31, moved the meeting to item 4.H.

H. Request approval of the fall 2021 wolf season harvest quota (morning session 1:20:31 – 3:44:01; afternoon session 0:00:03 – 1:24:22)

Opening presentation by Todd Ambs, DNR Deputy Secretary, then staff presentation by Keith Warnke, Fish Wildlife and Parks Division Administrator

Written Comment: 1006 received

Public Appearances (1:34:05 – 3:43:40):

1. **John Johnson, Sr.**, Lac du Flambeau, representing Lac du Flambeau Band as President *and* Voigt Intertribal Task Force as Chairman (**Handout**)
2. **Rob Bohmann**, Racine, representing self
3. **Tina Brown**, Black River Falls, representing Ho-Chunk Nation as Department of Natural Resources Executive Director
4. **Al Lobner**, Milladore, representing self
5. **Kendall Durham**, Neillsville, representing self
6. **Laurie Groskopf**, Tomahawk, representing self (**Handout**)
7. **Trish Marie**, Grand Blanc, MI, representing self
8. **Gloriann Klein**, Greendale, representing self (**Handout**) *She was not in attendance on Zoom.*
9. **Penny Warner**, Mequon, representing self
10. **Melissa Smith**, Madison, representing Friends of the WI Wolf & Wildlife (**Handout**)
11. **Kelli Villis**, Waukesha, representing self (**Handout**)
12. **Tyler Wenzlaff**, Stoughton, representing Wisconsin Farm Bureau Federation (**Handout**)
13. **Lois Lehmann**, DeForest, representing Wisconsin Wildlife Advocates
14. **Lindsey Dalton**, Middleton, representing self
15. **Elizabeth Ward**, Fitchburg, representing Sierra Club of Wisconsin
16. **Linda Hendrix**, New Richmond, representing self (**Handout**)
17. **Lori Fuchs**, Pewaukee, representing self (**Handout**)
18. **Paul Collins**, Stoughton, representing Animal Wellness Action (**Handout**)
19. **Dawn Sabin**, Madison, representing self (**Handout**)
20. **Adrian Wydeven**, Cable, representing Wisconsin's Green Fire (**Handout**)
21. **Jeff Widell**, Shorewood, representing self
22. **Debra Taylor**, Denver, CO, representing self and family
23. **Cynthia Samels**, Iron River, representing self
24. **Marva Bradley**, Milwaukee, representing self (**Handout**)
25. **Judith Aughey**, Madison, representing self (**Handout**)
26. **Mary Falk**, Grantsburg, representing self (**Handout**) *She was not in attendance on Zoom.*
27. **Carolyn Forde**, Wausau, representing self (**Handout**)
28. **Sara Andrews**, Madison, representing self (**Handout**)
29. **Mark LaBarbera**, Hazel Green, representing Wisconsin Wildlife Federation
30. **Erik Schyvinck**, Junction City, representing Hunters for Wolves
31. **Pamela Saulnier**, Town of Vandenbroek, representing self *She was not in attendance on Zoom.*

32. Gary Feest, Madison, representing self **(Handout)** *He was not in attendance on Zoom.*
33. Sarah Bergstrom, Town of Eagle Point, representing self **(Handout)** *She was on Zoom but had technical issues.*
34. Francesca Moore Colver, Waunakee, representing self *She was not in attendance on Zoom.*
35. Diana Miller, Gillette, representing self
36. Jodi Habush Sinykin, Whitefish Bay, representing self
37. Amy Mueller, Dousman, representing self
38. Megan Nicholson, Madison, representing The Humane Society of the United States **(Handout)**
39. Collette Adkins, Minneapolis, MN, representing Center for Biological Diversity
40. Wendy Kraly, Mequon, representing self **(Handout)**
41. Carl Schoettel, Neosho, representing Wisconsin Bear Hunters Association **(Handout)**
42. Lucas Withrow, Brodhead, representing Wisconsin Association of Sporting Dogs
43. Mikii Opahle, Baraboo, Great Lakes Wildlife Alliance
44. Stephanie Farac, Fish Creek, representing self
45. Susan Roberts, Kenosha, representing self **(Handout)**
46. Pat Clark, Beaver Dam, representing Lewiston Outing Club
47. Mike Brust, Wausau, representing self **(Handout)**
48. Dan Trawicki, Waukesha, representing Safari Club International Wisconsin Chapters *He was not in attendance on Zoom.*
49. Chris Albert, Lebanon Junction, KY, representing self
50. Justin Loehrke, Neenah, representing self
51. Mike Ruzich, Ely, MN, representing self **(Handout)**
52. Luke Hilgemann, Marshfield, representing Hunter Nation as President and CEO
53. Kristin Schrank, Milwaukee, representing self
54. Adrian Treves, Madison, representing self
55. Tony Blattler, Phillips, representing Wisconsin Conservation Congress (WCC) as Chair **(Handout)**

Chair Prehn, at 3:43:41, gave a summary of this item at this point in the meeting and recessed for lunch.

Afternoon Session:

Chair Prehn, at 0:00:03, gaveled the August meeting back into session for discussion on item 4.H.

At 0:00:28, Mr. Kazmierski MOVED to amend the department's recommendation to a non-reservation quota of 504.

At 0:00:46, Mr. Kazmierski withdrew his motion to amend.

At 0:00:58, Mr. Smith MOVED, seconded by Mr. Kazmierski to approve the department's recommendation.

At 0:25:47, Mr. Kazmierski MOVED, seconded by Mr. Bruins, to amend the department's recommendation to a quota on non-reservation lands of 504. The number of harvest permits to be issued to state hunters is 10 times the non-tribal quota. Any administrative action by the Department to adjust the quota as the results of the February 2021 hunt must be approved by the Board.

At 1:04:06, Mr. Bruins called the question, seconded by Ms. Adams.

At 1:04:32, the motion to call the question passed on a vote of 5-2.

William Bruins – yes	Marcy West – no
Sharon Adams – yes	William Smith – no
Terry Hilgenberg – yes	Dr. Frederick Prehn – yes
Greg Kazmierski – yes	

At 1:04:32, the motion to amend failed on a roll call vote of 3-4.

William Bruins – yes	Marcy West – no
Sharon Adams – no	William Smith – no
Terry Hilgenberg – no	Dr. Frederick Prehn – yes
Greg Kazmierski – yes	

At 1:05:38, Mr. Hilgenberg MOVED to amend the department's recommendation to a quota on non-reservation lands of 275. The number of harvest permits to be issued to state hunters is 10 times the non-tribal quota. Any administrative action by the Department to adjust the quota as the results of the February 2021 hunt must be approved by the Board. The motion to amend failed due to lack of a second.

At 1:08:40, Mr. Kazmierski MOVED, seconded by Mr. Bruins, to amend the department's recommendation to a quota on non-reservation lands of 350. The number of harvest permits to be issued to state hunters is 10 times the non-tribal quota. Any administrative action by the Department to adjust the quota as the results of the February 2021 hunt must be approved by the Board.

At 1:16:47, the motion to amend failed on a roll call vote of 3-4.

William Bruins – yes	Marcy West – no
Sharon Adams – no	William Smith – no
Terry Hilgenberg – no	Dr. Frederick Prehn – yes
Greg Kazmierski – yes	

At 1:17:21, Mr. Hilgenberg MOVED, seconded by Mr. Bruins, to amend the department's recommendation to a quota on non-reservation lands of 300. The number of harvest permits to be issued to state hunters is 10 times the non-tribal quota. Any administrative action by the Department to adjust the quota as the results of the February 2021 hunt must be approved by the Board.

General Counsel Cheryl Heilman, at 1:17:36, requested a point of order. She spoke to the motion with respect to the harvest permits not being part of the public notice and agenda item.

At 1:19:57, the motioner and seconder agreed to change their motion to amend the department's recommendation to a quota of 300. Any administrative action by the Department to adjust the quota as the results of the February 2021 hunt must be approved by the Board.

Ms. Adams, at 1:20:05, requested a point of order and asked for clarification on the quota of 300 amendment.

At 1:20:26, the motion to amend carried on a roll call vote of 4-3.

William Bruins – yes	Marcy West – no
Sharon Adams – no	William Smith – no
Terry Hilgenberg – yes	Dr. Frederick Prehn – yes
Greg Kazmierski – yes	

Chair Prehn, at 1:20:50, requested NRB Liaison Ross read the motion into the record as amended.

NRB Liaison Ross, at 1:21:17, read into the record “That the Board approve the fall 2021 wolf season harvest quota of 300. Any administrative action by the department to adjust the quota as the results of the February 2021 hunt must be approved by the Board.”

At 121:38, the original motion as amended carried on a roll call vote of 5-2.

William Bruins – yes	Marcy West – no
Sharon Adams – yes	William Smith – no
Terry Hilgenberg – yes	Dr. Frederick Prehn – yes
Greg Kazmierski – yes	

Chair Prehn, at 1:22:00, requested verification from General Counsel Heilman on whether Mr. Kazmierski's second motion listed on the sheet he distributed was posted properly for the Board to act on: “To extend the 2021 fall wolf hunting application deadline until September 10 or 10 days after any administrative adjustments are made to the quota and approved by the Board.”

General Counsel Heilman, at 1:22:12, responded she did not believe so.

Chair Prehn, at 1:23:19, requested the final vote from NRB Liaison Ross in response to DNR Secretary Cole's comments.

NRB Liaison Ross, at 1:23:22, responded 5-2.

At 1:23:36, Mr. Hilgenberg MOVED to personal privilege and requested the Board get back on the agenda.

Ms. Adams, at 1:23:48, requested a point of clarification on the recent motion regarding opportunity for administrative action based on information that will come out of February 2021.

Mr. Hilgenberg, at 1:24:03, stated yes.

Ms. Adams, at 1:24:05, spoke to that being very important.

Ms. West, at 1:24:16, responded it would not be here in time.

- I. Ratify the department's determination that a firearm restriction is necessary to protect public safety on land purchased with Knowles-Nelson Stewardship funds in the Town of Merton in Waukesha County. (1:24:23 – 1:27:44)
Staff Presentation by James W. Lemke, Real Estate Section Chief

At 1:26:14, Mr. Hilgenberg MOVED, seconded by Mr. Smith, approval of the department's recommendation.

At 1:27:41, the motion carried unanimously.

[Note: Item 6.A. was before the Board during the morning session from 0:11:19 – 0:25:07; and Item 5 was before the Board during the morning session from 1:14:43 – 1:20:30.]

7. DEPARTMENT SECRETARY'S MATTERS (1:27:45 – 1:38:10)
A. RETIREMENT RECOGNITION (1:27:45 – 1:28:16)
1. Cole P. Couvillion, Forestry, 30 years
2. Todd A. Naas, Wildlife Management, 30 years
3. Steven L. Sisbach, Law Enforcement, 38 years

At 1:28:11, Mr. Hilgenberg MOVED, seconded by Mr. Smith, recognition of the department's retirees. The motion carried unanimously.

- B. DEPARTMENT SECRETARY'S MATTERS - Informational
1. Acts of the Department Secretary – Real Estate Transactions (1:28:17 – 1:28:25)

INFORMATION ITEM – NO ACTION WAS TAKEN

2. Department Secretary's Matters (1:28:26 – 1:38:10)

DNR Secretary Cole, at 1:28:26, asked nominated Board Member Sandra Dee Naas to the podium and gave her an opportunity to address the Board.

Ms. Naas, at 1:28:33, addressed the Board on how she is preparing to represent the north.

INFORMATION ITEM – NO ACTION WAS TAKEN

3. Planning Status Update - None

8. BOARD MEMBERS' MATTERS (1:38:11 – 1:40:56)
 - A. Proposed revision to NRB Manual Code section III.A. regarding election of officers
(1:38:11 – 1:38:42)
Presentation by Marcy West

At 1:38:20, Mr. Kazmierski MOVED, seconded by Mr. Bruins to table. The motion carried.

- B. Board Members' Matters (1:38:43 – 1:40:56)

Mr. Kazmierski, at 1:38:58, spoke to his concern that wolf tags were due at the end of July without an established quota. He asked in the name of good customer service to look at this in the future.

Ms. West, at 1:40:12, spoke to her hopes this Board gets back to a level of respect.

At 1:41:03, Mr. Bruins MOVED, seconded by Mr. Smith, to adjourn. The motion carried unanimously.

The meeting adjourned at 2:47 p.m.

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