

Badger Oversight Management Commission
Meeting Recap
June 20, 2013

The Badger Oversight Management Commission (BOMC) convened at the Sauk County West Square Building, Baraboo, for a regular meeting on Thursday, June 20, 2013.

Chair Wenzel called the meeting to order at 6:03 p.m. Staff affirmed compliance with Open Meetings Law.

Attendance:

Commission Member	Commission Representative	Present
Ho-Chunk Nation	John Holst	Yes
	Randy Poelma	Yes
Wisconsin DNR	Steve Schmelzer	No
	Ryder Will	Yes
Sauk County	Bill Wenzel	Yes
Town of Merrimac	Richard Grant	Yes
	Judy Ashford	Yes
Town of Sumpter	Peter Mullen	No
Stakeholder Interest	Stakeholder Rep	
Badger History Group	Michael Goc	Yes
Citizens for Safe Water around Badger	Laura Olah	No
	Donna Schmitz	Yes
UW-Baraboo	Ann Vogl	No
Baraboo School District	David Haseley	No
Bluffview Sanitary District	Jeff Little	No
City of Baraboo	Eugene Robkin	Yes
Sauk Prairie Cons. Alliance	Dave Tremble	Yes
Sauk Prairie School District	Teresa Kreutzmann	No
Wisconsin Wildlife Federation	Don Hammes	Yes
The Village of Sauk City	Bill Stehling	Yes
Commission Liaison	Liaison Representative	
USDA-DFRC	Rick Walgenbach	No
	Lori Bocher	Yes
U.S. Army	Joan Kenney	No

Others present. Diane Brusoe, Donna Schmitz, Gail Lamberty, Mike Carignan, Tim Lins, Curt Meine

Motion by Grant, seconded by Ryder, to adopt the agenda for the June 20, 2013 meeting. **Motion Carried.** Grant stated he is unclear of the exact procedure to have an agenda item placed on agenda. Wenzel explains the long-standing process where in staff solicits agenda items prior to deadline for agenda.

Motion Ryder, seconded by Grant, to adopt the minutes from the May 16, 2013 meeting. **Motion Carried.**

Public Comment: Grant stated that Tim Healy from the Merrimac Town board is in attendance. Grant asked the Healy be allowed to speak during the discussion on shooting ranges.

Grant to move to suspend Robert's Rules of Order to allow Healy to share with the group his observations during a DNR presentation on the possible establishment of a shooting range. Poelma seconded. All in favor.

Hammes stated that it is not appropriate for Schmelzer or Woody Meyer to not be present to present their reports.

Donna Stehling stated that the Audubon Society put out a list of grassland birds in serious decline. Some species are at Badger. Stehling stated that DNR is supposed to take care of threatened and endangered species and that they should be part of solution?

New Business – Commissioner Reports:

1. Wisconsin Department of Natural Resources. It was noted that a meeting will be held on June 26th from 6-7:30 p.m. at the Ruth Culver library to answer questions about the removal of soil from the settling ponds.

Healy spoke about a meeting sponsored by the DNR to discuss a proposed shooting range. Healy stated he was contacted one week by phone before the meeting. The president of the Sauk County Sportsman's Alliance was able to notify other clubs of meeting. Healy recalled five people from the DNR at the meeting, including; Steve Schmelzer, Mark Aquino, Keith Warneke, Diane Brusoe and one other gentleman. The meeting centered around the proposal to build a rifle/pistol range on parcel M. At the meeting the DNR stated there will be a public meeting later this summer to get input. The reason for this meeting is that the DNR wanted to first see if there were any concerns or objections. Healy indicated that the clubs did have a concern because they use their own ranges as a means gain membership. The proposal by the DNR is that it will be a rifle/pistol range- 200 yards to 400 yards for rifles and 25 feet to 75 feet for pistols. The DNR has money to build the range which is part of a larger program to build more ranges throughout Wisconsin. The DNR does not have funds to manage ranges and are looking for a partner to manage this range. The DNR said they would come back this summer with proposals. Healy stated that there has been no follow-up by the DNR since the meeting. Brusoe said there were probably 5 or 6 clubs in attendance. Hammes asked if it was stated at the meeting that there is \$600,000 available. Brusoe stated she is not sure as this is Warneke's program. Robkin asked if the \$600,000 is for a statewide program or for this project. Hammes stated that \$600,000 is in the budget bill to build shooting ranges around the state. Ryder indicated that most of funding comes from Pittman-Roberson fund.

Tremble asked Healy if he could recall if there was discussion as to why parcel M was selected. Healy stated that parcel M would not interfere with other activities on other DNR land. Tremble asked if there was any mention of the Reuse Plan. Healy stated that the Reuse Plan did not come up during the discussion.

Wenzel asked if it would be appropriate for representatives of the clubs to attend a PLU meeting. Brusoe stated that she will get a list of people who attended.

Robkin asked if there has been discussion regarding shooting noise by Dairy Forage herds. Walgenbach said that they have discussed their concerns. Robkin asked that this information be shared with BOMC. Tremble asked Brusoe if the DNR has taken steps to analyze or asses what external impacts long range shooting would have on surrounding landscapes, wildlife, etc. Brusoe said that this is Werneke's area of expertise. DNR did not put much effort into the study because they don't know what kind of support there is for a shooting range. An environmental assessment will be done before the use is implemented. The DNR will also conduct its own assessment and will also need to meet NEPA (park service) level requirements.

Grant stated he raised the question a year ago to meet with potential user groups to see if there is interest. Stehling stated that neighbors immediately south of fence that will hear the range. Hammes asked the DNR if they would put together a summary detailing the meeting. Brusoe said she would fill the request. The group asked what happened at the meeting, why it was called and why the BOMC was not notified. Hammes suggested that the first place this should be discussed is by the BOMC and then the clubs. Brusoe stated that from her perspective the BOMC suggested DNR go out to the clubs and ask them what they think about it.

It was noted that if a shooting range is established, that it would have a separate entrance.

Tremble asked if the DNR would proceed with a shooting range if there is not support. The only mention of support Tremble heard is that there might be an advantage to 1 or 2 clubs and that there is not general support by other clubs.

Grant attended a land use meeting at the Town of Merrimac. Grant felt that there is a lot of disinformation about the shooting range and the best way to inform the BOMC was to invite Healy to speak at the BOMC meeting.

Donna Stehling spoke about the DNR having a partner, someone on-site who has the authority to make sure people are using the facility properly. Ryder stated that there is no general requirement to supervise. Brusoe said safety and having a top notch facility is key.

Wenzel asked about state's indemnity regarding uses on state land. Ryder spoke about recreational immunity law.

Robkin asked Brusoe to look into the grassland bird species decline and send the report to staff for distribution.

Grant spoke about state run shooting ranges as examples that are located in Arizona and Nevada. Portions of these facilities are vendored out.

Ryder reported that seasonal LTE workers are completing brush work and posting boundaries at the SE part of property. Hammes spoke about three different standards for contamination. One of the standards is for industrial use, cleanup is lower, a second standard is for recreation and the third standard is for residential use. What standard will be met when soil is removed from settling ponds? Ryder suggested that Woody Myer draft a letter answering this question. Hammes asked when alternatives will be released. Brusoe's hopes to have public meeting before the August Natural Resources Board tour.

Tremble asked if the alternatives will be subject to an environmental analysis. Brusoe stated not formally.

Tremble asked if this group would send a formal letter to the chair of the Natural Resources Board to not only tour the proposed SPRA but also other areas of Badger and for the BOMC to offer the insights related to the values of the property. Robkin suggested that the SPCA invite the Natural Resources Board to a workday.

2. Town of Merrimac. Grant spoke about the minutes from the last PLU meeting and said that his quotes are his personal opinion and do not represent the Town of Merrimac. Grant spoke about a resolution from the town regarding IOMC and that the resolution has been tabled. Grant spoke about his presentation to the County Conservation, Planning and Zoning (CPZ) Committee and gave the history of groups involved in badger. Grant suggested that BOMC form a new organization with a new mission, bylaws and understanding of what this group aims to accomplish. Grant stressed that BOMC is still interim.

Wenzel asked what the difference would be between this group and the next group? Grant stated that this group needs to dissolve and reform. There is a pattern of past group dissolving and reforming. Grant, stated that next group should form and needs an exceptionally strong mission statement that tells the group what they are doing. Grant spoke about opportunities to find some funding to allow this next group to engage consultants, lobbyists, etc. There is a lot of opportunity, but there needs to be a reformation to take advantage of these opportunities. Hammes stated that he heard a lot of rumors about what Grant is saying and doing. Hammes stated that before Grant reported to the group he heard that Grant would like to see the stakeholder groups leave BOMC and he would like to see a new BOMC that just has government officials and that the best thing that could happen to BOMC is that it dissolves because it has no purpose. Grant stated that he went before the Merrimac Town Board and CPZ Committee and in his presentation he said that the new group should be formed and be comprised of those persons who presently serve on the IOMC. Hammes asked why Grant did not talk about this with the BOMC before going to the CPZ Committee. Grant stated that the next time he will. Tremble stated that if this is a matter of changing changing IOMC to OMC to get over legal issues, that is ok. Until transfers of land are complete, then this group is still interim. Tremble took issue with the fact that this group does not have a mission/purpose and reiterated the purposes of the BOMC. Tremble stated that there may be a benefit to reviewing the purpose of BOMC, but not now. Tremble noted that it is the

BOMC's job to implement the Reuse Plan and that this discussion needs to be left behind. Grant warned the group to not be at ease now- there are enemies out there.

Robkin stated that this group works because there are provisions in the bylaws that allow both stakeholders and commission members to contribute. Grant noted that BOMC is not the voice of the Sauk County Board. Robkin stated that the BOMC or any other organization cannot be the only voice of Sauk County. The Sauk County Board is the voice of Sauk County. Grant stated that his sole intent with going to the CPZ Committee was to inform them that they should be looking forward to the coming of the master plan and change the mission of the group to continue to support the Reuse Plan after the adoption of the master plan.

Lamberty suggested specific actions. 1. Offer comments to staff to distribute to the group 2. Send bylaws out to everyone Lamberty turned in an e-mail indicating who signed the MOU. Robkin asked Wenzel to ask Todd Liebman to file for a freedom of information act to get all documents related to the MOU. Grant believes the group will at some point need in- house staff that is not connected otherwise (i.e. non-county).

3. Town of Sumpter. No report

4. Bluffview Sanitary District. No report

5. Sauk County. Wenzel discussed staffing and budget matter with the Ho-Chunk for BOMC and that BOMC is looking to be able to pay for BOMC staff.

6. Ho-Chunk. Holst stated that his elected official term ends July 1st. Holst planned on having David Greendeer fill in for him. Greendeer was newly elected to replace Holst. Holst thanked the group for the opportunity to serve as a commissioner. Tremble asked if there is any legal representation with the Tribe that is familiar with the Reuse Plan. Holst said that familiarity was limited but that the BIA will help them fill in gaps. Holst offered to ask Ho-Chunk legal council to come to a future meeting to discuss the status of the land transfer to Ho-Chunk. Poelma stated that the legislative council is familiar with the MOU, but their main focus is to make sure that the land gets transferred to the Nation.

New Business – Committee Reports:

1. Executive and Finance. No Report.

2. Planning and Land Use. Poelma referred to minutes from the June 6, 2013 PLU meeting and gave a summary of the discussion that took place. Tremble read the DNR's decision on cleanup of settling ponds and all six isomers of DNT do not need to be analyzed Poelma noted that until the EPA issues their memorandum, the state has nothing to work off of to evaluate toxicity levels.

3. Education and Outreach. Donna Stehling spoke about a display at Sauk City library and Badger.

4. Ad Hoc Committees. No Report.

New Business – Stakeholder Reports:

CSWAB. No Report

Sauk Prairie Conservation Alliance. Tremble sent out a recent communication regarding a response to an article published in the Wisconsin Natural Resources Magazine. The basic concern is that in recent discussions there has not been mention of the Badger Reuse Plan.

Badger History Group. Tremble stated that a museum will be called Badger Army Ammunition Plant. Goc stated the WHOLE history will still be told.

Wisconsin Wildlife Federation. Hammes stated: 1. He is still concerned about mercury in Gruber' Grove Bay. 2. There are three plumes of chemicals going into the Wisconsin River 3. Setting ponds and level of contamination, loss of wetlands, loss of seed bank, hydrology due to loss of soil. 4. Shooting range and off road vehicles as an alternative. 5. Master planning process itself- concerned about the level of and opportunities for public participation- would be interested in multiple public hearings.

New Business – Liaison Reports:

1. Army. No Report.

2. USDA. Walgenbach. In spite of a press release, the DFRC has not signed a petition for municipal water. Discussion included wanting to know how shooting ranges and ATV trails may impact DFRC operations.

Curt Meine asked that any time a DNR representative speaks about the SPRA that they talk about the Reuse Plan. Because of the people in this room and the Reuse Plan, the DNR has this opportunity.

Other New Business Items:

1. Discussion and possible action on a request for 60 day comment period for WDNR release of vision and master plan.

Tremble asked DNR if a 60-day review period is a possibility. The 60-day comment period starts from the day the proposals are released to the public. To give BOMC adequate time to evaluate proposals to assure consistency with Reuse Plan, that 60 days is not enough time. The SPCA would like the BOMC to make this a formal request. Suggestion for 60 days comes from Aquino's quote of a 30 – 60 day time period. Brusoe stated that the Natural Resources Board can take action on this. Brusoe said they don't need to take public comment at this phase. Brusoe indicated that the review period will be 45 days. The group reach consensus to make the 60-day request via letter sent from BOMC.

2. Discussion and possible action on OMC and WDNR board communications.

Previously discussed regarding the Natural Resources Board tour.

3. Discussion and possible action on BOMC-IOMC nomenclature.

Previously discussed. The Bylaws are the only document that references Interim. The Executive and Finance Committee will meet to determine final nomenclature.

4. Next meeting date. July 25, 2013

5. Public Comment. None

Motion to adjourn by consensus. **Motion Carried.**

Meeting adjourned at 9:38.

Respectfully submitted, Judy Ashford