



Bayfield County Administrator

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Mark Abeles-Allison, *County Administrator*
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BAYFIELD COUNTY AD HOC CERVID STUDY COMMITTEE

Rob Lombard	Jon Gilbert	Fred Strand	Mike Amman
Sandra Naas	Tim Bratley	Jason Fischbach	Ben Dufford

Advisory Members: Rob Schierman, Planning & Zoning Administrator
Mark Abeles-Allison, County Administrator

Dear Committee Members:

This letter is written to inform you of the Bayfield County Ad Hoc Cervid Study Committee Meeting scheduled for Thursday November 1, 2018, 5:00pm, at the County Board Room, Bayfield County Annex Building, Washburn, WI. The agenda for this meeting is as follows:

Notice is hereby given that a majority of the Bayfield County Board may be present at the meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the Bayfield County Board pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W.2d 408(1993), and must be noticed as such, although the County Board will not take any formal action at this meeting.

AGENDA

- 1) Call to Order
- 2) Public Comment
- 3) Discussion and Possible Action regarding minutes of October 3, 2018 meeting.
- 4) Introduction of Dr. Bryan Richards: Fred Strand
- 5) Presentation by Dr. Bryan Richards, USGS-National Wildlife Health Center, CWD Project Leader
- 6) Questions and Answers.
- 7) Draft Work Plan Review: Jason Fischback and Fred Strand
- 8) Planning for December 6 meeting with Dr. Konkle, DATCP and Tami Ryan (or designee), DNR

9) Tentative Meeting dates in 2019.

- a. January 3
- b. Feb 7
- c. March 7

10) Logistics: per diems, etc.

11) Adjournment

Should you have any questions in the meantime, please contact me.

Sincerely,

Mark Abeles-Allison
Bayfield County Administrator

MAA/kak

Any person planning to attend a Bayfield County meeting that has a disability requiring special accommodations should contact 373-6100, 24-hours before the scheduled meeting, so appropriate arrangements can be made.

cc: Bayfield County Board of Supervisors
The Daily Press, via fax
The County Journal, via fax



Bayfield County Land & Water Conservation Department
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BAYFIELD COUNTY AD HOC CERVID STUDY COMMITTEE MINUTES October 3, 2018

Present: **Committee:** Fred Strand, Chair; Rob Lombard; Jon Gilbert; Mike Amman; Sandra Naas, Tim Bratley; Jason Fischbach; Ben Dufford; **Advisory Members:** Rob Schierman-Planning & Zoning Administrator; and Mark Abeles-Allison-County Administrator

- 1) **Call to order:** Meeting was called to order at 6:00 pm by Fred Strand
- 2) **Committee member introductions with brief bio:**

Committee members reviewed their backgrounds:

- Fred Strand, former DNR, current Bayfield County Board Member. Town of Oulu.
 - Tim Bratley, Bratley Funeral Home, part owner a Bayfield County deer farm
 - Sandy Naas, Agriculture and Natural Resource Teacher, Conservation Congress Member, Former County Conservationist.
 - Rob Lombard: Wisconsin Conservation Congress Delegate, Outdoor enthusiast, hunter, open minded to farm perspective. Town of Iron River resident.
 - Ben Dufford: County Conservationist, works with ag producers, limited work with Bayfield County's three deer farms, on CDAC Committee.
 - Mike Amman: Forester, CDAC Committee, land owner close to Oulu game farm, concern about well-balanced and healthy deer herd
 - Jason Fischbach, UWEX Agricultural agent for Ashland and Bayfield Counties.
 - Jon Gilbert; via phone. Town of Barksdale, deer hunter, Great Lakes Indian Tribal Commission Director of Biological Services, Environmental and Wildlife Biologist.
- 3) **Public Comment:** Strand reviewed public comment policy, three minutes per person with a maximum of 15 minutes, that can be extended with Committee approval. No public comment.
 - 4) **Election of Vice-Chair:** Strand opened nominations for Vice Chair. Naas made the motion to elect Amman as Vice Chair, seconded by Dufford. Motion carried.
 - 5) **Review Authorizing Ordinance(s):** Abeles-Allison reviewed the purpose of the committee as specified in the ordinance. This included both the final report and recommendations to be provided to the Bayfield County Board. The ordinance was signed in June of 2018 with a report required within 12 months.
 - 6) **Review Committee Purpose: issues/concerns/charge/deliverables:** Strand opened with a general CWD overview

CWD was first discovered in 1967 and first found in Wisconsin in 2002. Today CWD impacts 55 of 72 counties in Wisconsin. CWD has up to a 24-month incubation period, it is always fatal for the animals. Contagious amongst animals with no treatment or cure. No prevention or vaccinations available at this time. The Center for Disease Control advises against consumption of CWD meat. Earlier this year a new deer farm opened in Bayfield County in the Town of Oulu. This was followed by a positive CWD testing from the "source" herd in Washington County. The Department of Agriculture (DATCP) placed a quarantine on both the source and Bayfield County herds. The Bayfield County herd was de-populated. All but one deer was accounted for. Deer are an important natural resource to BC, impacting our history, food supply, economy and quality of life. The County Board's goal is to prevent spread of CWD in Bayfield County.

7) Review of Draft Work Plan: Jason Fischbach, Rob Schierman, Ben Dufford

Strand began the discussion of the draft program outline. Numerous comments were made:

- Support for Bryan Richards at the outset of the program
- Follow Large Scale Livestock format, General Understanding, Regulatory Background, then look at risks and gaps. Structure recommendations around gaps to include not just regulations but educational and other directions as well.
- This topic involves risk tolerance and benefit/cost analysis, what risks are we willing to assume?
- Suggest moving meeting 5 on regulatory considerations sooner.
- Address transparency issues associated with DATCP handling of specific cases. Need to know what is happening.
- Question regarding item 5:3 and whether Conservation Congress and CDAC should be included in regulatory discussion. Could also invite Conservation Congress President to speak, so it is not just a BC perspective. Larry Bonde. Sandy will speak with.
- Recommendation to invite new State Veterinarian. Jon has contact?
- Question about item 3:2b (Native American Culture) regarding nature and amount of time dedicated to this. Jon willing to help present along with a tribal representative.
- Question about items meeting 3 (Wild deer economics/Non-Economic Values) and 4. (Captive deer values) Are they in dispute? Is it worth our time to discuss?
- Meetings 3 and 4 were added to help justify potential committee outcomes, policy recommendations.
- General goal of fairness to all discussed, cooperation with Bayfield County to protect valued traditions.
- CWD includes many risk factors. Bryan Richards will hopefully highlight modes of transmission.
- Recommends Laurie Steel with Wisconsin Whitetails Association and Dave Claussen, retired Vet and former Chair of the Natural Resources Board.
- Mike: Bryan Richards, Dr. Mike Samuel CWD researcher, CWD forum, Dr. Lindsey Long, with DNR and Tami Ryan currently on the list.
- Multiple comments on consolidating sessions 2 and 3.
- There are those who think that CWD is blown out of perspective.
- General consensus is to delete 3 and 4 but to include data showing the economic importance impact of both wild and captive deer in the form of written reports.
- Recommendation to add to session 5 including cervid industry, hunters, wildlife viewers, etc. May need two meetings for this if Native American perspective is included here.
- Input on feeding/baiting bans, this could be included on item 5,
- Study needs to go beyond the scope of deer farms must consider other possible CWD transmittal sources such as scent, attractant products, etc.
- Should we limit study to captive deer farms? Alternatively are we talking about a communicable disease program for BC?
- Captive deer farms were a driving force in establishing this committee, but not the only part of this analysis.
- Other topics to consider in session 5. What is percent of CWD on game farms? Is the risk higher with a game farm?
- Economic impact of moratorium should be considered. What will this cost businesses?
- Consider what the committee has authority to do. Baiting, feeding, fencing issues.
- Recommendations may be made to the County Board. Recommendation may or may not be followed.

In Summary:

- Meeting 2 as proposed, Bryan Richards.
- Meeting 3 State Veterinarians and DNR Wildlife Health Specialist. (State Regulators), goal is to understand rules and regulations intended to manage cervids, wild and game.
- Meeting 4/5: To be held before or after meeting 3, focusing on perspectives from different groups on rules and regulations with Dave Claussen or representative AND captive game industry, hunter's wildlife viewing, Native Americans perspective gathering input about current regulations and the State CWD plan.
- Meeting 6: Other County Perspectives

- Meeting 7/8: Recommendations/Final Report/Public Meeting
- Jason will work with Fred on the draft workplan

10. Logistics; \$50 per meeting plus mileage.

11. meetings: Thursdays, 5pm first Thursday of month.

The Committee set up the meeting schedule for the first Thursday's of the month at 5pm in the County Board Room. The next meeting will be November 1 and December 6.

**12. MEETING AJOURNED:
730PM.**



Ordinance

No. 2018-10__

The Bayfield County Board of Supervisors ordain as follows:
That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is hereby amended as follows:

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §60.69(5)(e) authorizes the County Board to amend an ordinance; and

WHEREAS, Section 13-1-104 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Title 13, Chapter 1 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield to create Title 1, Chapter 1, Article D, Section 13-1-62A Code of Ordinances, Bayfield County, Wisconsin to create language regarding Moratorium on Importing Cervids and Permitting New Game Farms Housing Cervids in Bayfield County; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Section 13-1-62A [Moratorium on Importing Cervids to Bayfield County] and Permitting New Game Farms Housing Cervids in Bayfield County of Title 13 [Zoning Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby created to read as follows:

13-1-62A Moratorium on Importing Cervids to Bayfield County and Permitting New Game Farms Housing Cervids in Bayfield County.

- (a) Authority. This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 59.02(2) and 59.69.
- (b) Title and Purpose. The title of this ordinance is the Moratorium on Importing Cervids to Bayfield County and permitting new game farms housing cervids. The purpose of this ordinance is to allow Bayfield County to impose a moratorium providing adequate time to study, review, consider and determine whether amendments to the Zoning Ordinance or other ordinances of Bayfield County is required to protect public health or safety in Bayfield County in light of the unique environment and the key concerns identified in the Bayfield County Comprehensive Plan Update 2010. Further, the imposition of a moratorium will allow Bayfield County to determine whether it has adequate resources to enforce any new or existing regulations for captive cervids who may contract or spread communicable diseases.
- (c) Adoption. This ordinance, adopted by a majority vote of the Bayfield County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on any cervids being brought into Bayfield County that are to be housed in Bayfield County, and the permitting of any new game farms housing cervids. The moratorium does not apply to cervids

that have been brought into Bayfield County prior to the adoption of this ordinance.

- (d) **Moratorium Imposed.** The Bayfield County Board of Supervisors hereby imposes a moratorium on any cervids being brought into Bayfield County that are to be housed in Bayfield County ~~that are to be housed in Bayfield County~~, and the ~~permitting of any new game farms housing cervids~~. The moratorium does not apply to cervids that have been brought into Bayfield County prior to the adoption of this ordinance.
- (e) **Study Committee.** The Bayfield County Board of Supervisors hereby creates a 6 to 8 person special study committee which shall be known as the "Communicable Diseases In Cervids Study Committee" and which shall consist of five (5) elected officials or county employees, and one representative from the Great Lakes Indian Fish and Wildlife Commission and one to three (1)-(3) interested Bayfield County residents or property owner. The five (5) elected officials or employees on the Communicable Diseases In Cervids Study Committee shall be as follows:
- County Board Vice-Chairman Fred Strand, Chairman of the Communicable Diseases In Cervids Study Committee
 - Bayfield County Agriculture Agent Jason Fischbach
 - Bayfield County Conservationist Benjamin Dufford
 - Mike Amman, Forester
 - TBD (to be determined)

The Chairman shall receive applications from interested Bayfield County residents and property owners interested in being part of the Communicable Diseases In Cervids Study Committee. From those applications, the Chairman shall select at least one and no more than three (3) interested Bayfield County residents or property owners and the selected individual(s) shall become part of the Communicable Diseases In Cervids Study Committee.

The Communicable Diseases In Cervids Study Committee shall, during the course of the moratorium imposed by this ordinance, research, analyze and synthesize scientific literature regarding the impact of communicable diseases on cervids, both captive and wild, on other animals, on human beings, and on soil, specifically as those issues apply in Bayfield County. If funds are needed for such research, funds must be approved by a majority of the Bayfield County Board of Supervisors.

The Communicable Diseases In Cervids Study Committee shall report its recommendations on appropriate county-level regulatory approaches relative to the transport or housing of cervids within Bayfield County and the concerns regarding communicable diseases in cervids to the full Bayfield County Board of Supervisors at least 30 days prior to the end of the moratorium adopted pursuant to this ordinance or as soon as the Committee has developed recommendations based upon its research, whichever comes sooner.

- (f) **Duration of Moratorium.** This moratorium shall be in effect for a period of twelve months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date, or until the Action and Study contemplated by subsection (e) of this ordinance is complete and the County Board adopts amendments to the Bayfield County Code of Ordinances, creates new ordinances, or rescinds this moratorium. This moratorium may be extended for up to 12 more months by a majority vote of the Bayfield County Board of Supervisors, if necessary in order for the Communicable Diseases In Cervids Study Committee to complete its responsibilities under subsection (e).

Section 2.

Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3:

SEVERABILITY. If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4.

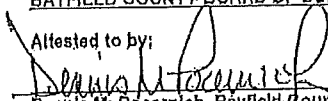
EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage.

The Bayfield County Board of Supervisors decision is:

- Be Approved
- Be Approved with modification
- Refer back to Planning and Zoning with directions as stated/noted and return for enactment or reelection
- Be Disapproved

By Action of the
BAYFIELD COUNTY BOARD OF SUPERVISORS

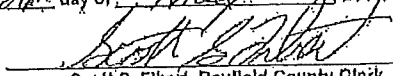
Attested to by:



 Dennis M. Poczernich, Bayfield County Chair

State of Wisconsin)
Bayfield County)

I, Scott S. Fibert, Bayfield County Clerk, hereby certify that the foregoing is a true and correct copy of Amending Ordinance No. 2018-____ of Volume _____, adopted by the Bayfield County Board of Supervisors at their meeting held on the _____ day of _____, 2018.



 Scott S. Fibert, Bayfield County Clerk

Map, Certified Mailing Receipts, & P & Z Committee Motions Attached

Date Published: 6/11/2018

~~Yellow highlighting are changes made at the Planning and Zoning Committee Meeting May 17, 2018~~