

# **Lower Wisconsin State Riverway Board**



## **Strategic Plan**

# LOWER WISCONSIN STATE RIVERWAY BOARD

## STRATEGIC PLAN

Adopted - 1991

Revised - 1993

Revised - 2006

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## LOWER WISCONSIN STATE RIVERWAY BOARD

William Lundberg (Chair)  
3630 Coach Lantern Road  
Wisconsin Rapids, WI 54494  
At-large member  
Appointed - 1990, 1993, 1996, 1999, 2005  
Term Expires May 1, 2008

Melody Moore (Vice Chair)  
6125 Mathewson Road  
Mazomanie, WI 53560  
Dane County representative  
Appointed - 2003  
Term Expires May 1, 2006

Lloyd B. "Nick" Nice (Secretary)  
1403 Wisconsin Avenue  
Boscobel, WI 53805  
Grant County representative  
Appointed – 1997, 2000, 2003  
Term Expires May 1, 2006

Ritchie Brown  
114 S. Red Pine Ct.  
Black River Falls, WI 54615  
At-large member  
Appointed – 2003  
Term Expires May 1, 2006

Greg Greenheck  
32398 Moss Hollow Drive  
Lone Rock, WI 53556  
Richland County representative  
Appointed – 2004  
Term Expires May 1, 2007

Gerald Dorscheid  
7060 Reimann Road  
Arena, WI 53503  
Iowa County Representative  
Appointed – 2004  
Term Expires May 1, 2007

Donald Greenwood  
PO Box 454  
Spring Green, WI 53588  
Sauk County Representative  
Appointed – 2005  
Term Expires May 1, 2008

Ron Leys  
44568 Belgian Lane  
Gays Mills, WI 54631  
Crawford County Representative  
Appointed – 2005  
Term Expires May 1, 2008

Fred Madison  
N1954 Unke Rd.  
Lodi, WI 53555  
At-large member  
Appointed – 2005  
Term Expires May 1, 2007

Mark E. Cupp, Executive Director  
202 N. Wisconsin Avenue  
P.O. Box 187  
Muscoda, WI 53573  
(608) 739-3188 or 1-800-221-3792  
FAX: (608) 739-4263  
Email: [mark.cupp@wisconsin.gov](mailto:mark.cupp@wisconsin.gov)  
Website: [www.lwr.state.wi.us](http://www.lwr.state.wi.us)

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(608) 739-3188 or 1-800-221-3792  
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## **COMMITTEES OF THE RIVERWAY BOARD**

**EXECUTIVE COMMITTEE:**

Bill Lundberg (Chair)  
Melody Moore (Vice-Chair)  
Nick Nice (Secretary)

**OPERATIONS COMMITTEE:**

Gerald Dorscheid (Chair)  
Ritchie Brown  
Ron Leys

**PERSONNEL COMMITTEE:**

Melody Moore (Chair)  
Don Greenwood  
Ritchie Brown

**BUDGET & OFFICE COMMITTEE:**

Nick Nice (Chair)  
Greg Greenheck  
Fred Madison

**FOREST HEALTH AD HOC CMTE: Bill Lundberg (Chair)**

Ritchie Brown  
Gerald Dorscheid  
Ron Leys

## **FORMER BOARD MEMBERS**

### **Crawford County**

Glen Beneker (1989-2005)

### **Dane County**

Judy Rendall (1989-1991)

James Amundson (1991-2004)

### **Grant County**

Robert Cary (1989-1997)

### **Iowa County**

Vincent Limmex (1989-1992)

Dean Putz (1992-1995)

Brad Glass (1995-2001)

Robert Zinck (2001-2004)

### **Richland County**

William Hazelton (1989-1995)

Todd Schwingle (1995-1998)

Dave Martin (1998-2004)

### **Sauk County**

James Staff (1989-2005)

### **At-large members**

James Tiefenthaler (1989-1992)

Kathleen Roelli (1989-1992)

Thomas Zignego (1992-1995)

C. Thomas Talbot (1992-1995)

Fred Clark (1995-1999)

Douglas Miyamoto (1998-2005)

## II. BACKGROUND:

Long before the Europeans became enlightened regarding the existence of the lower Wisconsin River, countless generations of indigenous people lived in the valley known today as the Lower Wisconsin State Riverway. The river served as an effective transportation route and was rich in fish. The bluffs, prairies and bottomlands provided an abundant supply of game and other food resources.

The journal of Father Marquette presents the first written description of the valley. While journeying down the river with Louis Joliet in 1673, Marquette wrote of the valley,

*“It is very wide; it has a sandy bottom, which forms various shoals that render its navigation very difficult. It is full of islands covered with vines. On the banks one sees fertile land, diversified with woods, prairies and hills...”*

Over three centuries later, Marquette’s portrait still applies to a large portion of the lower Wisconsin River valley.

In 1989, Governor Tommy Thompson signed Wisconsin Act 31 which created the Lower Wisconsin State Riverway. This historic action represented the culmination of years of planning and followed hundreds of hours of public meetings. The Riverway legislation was born from a compromise crafted by legislators from both political parties. The Riverway extends 92.3 miles from below the dam at Prairie du Sac to the confluence with the Mississippi River at Wyalusing State Park near Prairie du Chien. The project encompasses 79,275 acres. The Department of Natural Resources is responsible for administering a land acquisition program within the project boundaries.

A new state agency, the Lower Wisconsin State Riverway Board, was created to administer the unique and innovative law. The board is composed of nine members of which six must be local residents or local elected officials from the affected counties (Columbia, Crawford, Dane, Grant, Iowa, Richland and Sauk). The agency administers a system of “performance standards” which are designed to protect the aesthetic integrity of the Riverway. Permits are required for structures, timber harvesting, utility facilities and other activities. A number of activities are regulated or prohibited within the Riverway. Most activities associated with an agricultural operation are exempt from the regulations.

The Riverway Board office is located at 202 N. Wisconsin Avenue in Muscoda, the approximate mid-point of the Riverway. For information regarding the Riverway regulations, contact Mark E. Cupp, Executive Director, Lower Wisconsin State Riverway Board, P.O. Box 187, Muscoda, WI 53573; by phone 608-739-3188 or 1-800-221-3792; by fax 608-739-4263 or by e-mail at [mark.cupp@wisconsin.gov](mailto:mark.cupp@wisconsin.gov). Additional information also is available at the Lower Wisconsin State Riverway Board website at [www.lwr.state.wi.us](http://www.lwr.state.wi.us).

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### **III. MISSION STATEMENT:**

The mission of the Lower Wisconsin State Riverway Board is to protect and preserve the scenic beauty and natural character of the Lower Wisconsin State Riverway through administration of a program to control land use and development. In concert with the program to control land use and development, due consideration shall be given to the rights of landowners and the freedom to exercise the rights associated with land ownership.

The challenge facing the Lower Wisconsin State Riverway Board is to maintain the fragile and delicate balance between protection and preservation of the scenic beauty and natural character of the Lower Wisconsin State Riverway and protection and preservation of the rights of landowners and local residents within the boundaries of the Lower Wisconsin State Riverway.

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#### IV. GOALS AND OBJECTIVES:

1. To effectively administer the applicable sections of the Wisconsin Statutes and chapters of the Wisconsin Administrative Code in regard to the Lower Wisconsin State Riverway, henceforth, the “Riverway”;
2. To inform and/or advise counties, towns, incorporated municipalities and other units of government that have lands adjacent to or within the Riverway regarding the impact development of the land may have on the Riverway;
3. To advise, recommend or encourage counties, towns, incorporated municipalities and other units of government that have land adjacent to the Riverway to adopt ordinances or other rules or regulations which will preserve the scenic value of the land;
4. To report to the Legislature on the effectiveness of the performance standards, procedures, prohibitions and other regulations governing activities within the Riverway as detailed in the Wisconsin Statutes and the Wisconsin Administrative Code;
5. To recommend to the Legislature and/or Governor modifications to the Wisconsin Statutes or Wisconsin Administrative Code in order to enhance the effectiveness of the performance standards, procedures, prohibitions, or other regulations governing activities within the Riverway.
6. To advise the Department of Natural Resources on conflicts between recreational use in the Riverway and the applicable sections of the Wisconsin Statutes regarding the Riverway;
7. To coordinate the property management objectives of the Department of Natural Resources within the Riverway with the aesthetic protection objectives of the Lower Wisconsin State Riverway Board;
8. To monitor performance standard compliance;
9. To coordinate highway projects under the direction or supervision of the Department of Transportation with the aesthetic protection objectives of the Lower Wisconsin State Riverway Board;
10. To advise and/or assist landowners within the Riverway in regard to compliance with the Riverway rules and regulations for development or use of land;
11. To establish and implement, on a continuing basis, an education and information program for landowners, local residents, the general public and new board members regarding the intent of the Riverway designation by the Legislature and the mission, goals and objectives of the Lower Wisconsin State Riverway Board;
12. To assist local municipalities in efforts to preserve sites of historical, archeological or geological interest which contribute to the character of the Riverway;
13. To assist local municipalities in economic development efforts which are consistent with protection and preservation of the scenic quality and natural character of the Riverway;



#### **IV. GOALS AND OBJECTIVES (cont.):**

14. To retain status as an independent state agency while maintaining a cooperative relationship with the Legislature, Department of Natural Resources, Department of Transportation, other affected state agencies, and local units of government; and,
15. To provide technical assistance and information, as requested, regarding the experience of the Lower Wisconsin State Riverway Board in administering the regulatory system for the Riverway as detailed in the Wisconsin Statutes and the Wisconsin Administrative Code.

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## **V. STRATEGIES FOR IMPLEMENTATION OF GOALS & OBJECTIVES:**

1. To effectively administer the law, the LWSRB shall pursue literal interpretations of the applicable statutes and administrative codes. Legal counsel; either from the Department of Administration or from the DNR Bureau of Legal Services or, when necessary, the Department of Justice; shall be consulted in cases in which application of the law is vague or subject to different interpretations. Requests for waivers or variances shall be scrutinized carefully for compliance with the applicable rules and requirements for issuances of such requests. Executive Director authority to grant permits shall be restricted to those permit requests which are clearly in compliance with the Riverway law. Permit requests which do not clearly adhere to the appropriate performance standards must be reviewed by the LWSRB or an authorized committee of the LWSRB prior to issuance of the permit. Requests for waivers also shall be reviewed by the LWSRB. Authority to issue waivers shall not be delegated to the Executive Director, except for time extensions to previously issued waivers.
2. By meeting with community leaders and elected officials, the LWSRB will maintain open lines of communication with counties, towns and incorporated municipalities with lands adjacent to or within the Riverway. Through these lines of communication, the LWSRB will be able to offer advice to governmental units regarding minimization of the visual impact of development on lands within the municipality as related to the Riverway objectives.
3. After establishing a dialogue with the various Riverway communities, the LWSRB will be in a position to encourage local governments to adopt ordinances or other rules and regulations that will assure that the scenic values of the lands within the governmental unit are maintained. The LWSRB also shall offer technical assistance to local governments in regard to formulation of ordinances, rules or regulations similar to the performance standards cited in the Riverway law.
4. Through biennial reports, appearances at public/legislative hearings, and direct contact with individual legislators and appropriate committee chairpersons, the LWSRB shall assure that the Wisconsin Legislature is informed of the effectiveness of all aspects of the Riverway law. Emphasis shall be given to providing information to legislators with portions of their districts within the Riverway or to legislators who directly express an interest in the Riverway.
5. The LWSRB shall develop recommendations for changes to the statutes or administrative rules where deficiencies are identified in the existing performance standards, procedures, prohibitions, or other regulations governing activities within the Riverway. The LWSRB shall direct the Executive Director to provide the recommendations to the Governor and appropriate members of the Wisconsin Legislature. As requested by the Executive or Legislative branches of state government, the LWSRB and/or Executive Director shall assist in drafting of appropriate language for legislation and/or administrative rule revisions.
6. The DNR Riverway Manager serves as a liaison between the DNR and the LWSRB. Similarly, the LWSRB Executive Director serves as a liaison between the two agencies. By maintaining a strong cooperative relationship and dialogue between the two agencies, advice and/or information regarding conflicts between the recreational use in the Riverway and the Riverway performance standards shall be transmitted from the LWSRB to the DNR. Appearances before the Natural Resources Board or meetings with the DNR Secretary or his/her designee shall transpire as deemed necessary by the LWSRB or the DNR.

## **V. STRATEGIES FOR IMPLEMENTATION OF GOALS & OBJECTIVES (cont.):**

7. Coordination of DNR property management objectives for the Riverway with LWSRB aesthetic protection objectives shall be accomplished through inter-agency communication and knowledge of the respective objectives of the agencies. The flow of both communication and knowledge shall be facilitated through the existing liaison relationships of the DNR Riverway Manager and LWSRB Executive Director.
8. The monitoring of performance standard compliance shall occur through direct contact between the LWSRB and the DNR conservation wardens or local law enforcement personnel. Written correspondence regarding specific compliance matters and/or results of compliance investigations is preferable, although direct oral communication between the LWSRB Executive Director and the DNR conservation warden or local law enforcement officer may suffice under special circumstances. The LWSRB shall instruct DNR conservation wardens in their enforcement role consistent with the appropriate statutes and administrative rules. The LWSRB shall also coordinate maintenance of records and operations procedure.
9. To coordinate DOT activities in the Riverway with the aesthetic protection objectives of the LWSRB, the LWSRB shall establish a MOU with the DOT. The MOU shall detail the procedures for balancing concerns regarding highway safety and design standards with aesthetic protection. The MOU shall encourage LWSRB review of DOT plans at the earliest practical time and shall encourage timely action by the LWSRB in providing technical assistance to the DOT regarding techniques to be employed to minimize the visual impact of the activity to the extent it is economically and technically feasible.
10. A major aspect of the duties and responsibilities of the LWSRB shall be to provide information and technical assistance to Riverway landowners regarding the impact of the Riverway law on the operations or activities of landowners. The LWSRB shall provide advice and assistance to landowners through the Executive Director or through discourse at LWSRB meetings. All reasonable efforts shall be taken to assure a landowner may accomplish his/her goals and objectives within the constraints of the Riverway law. Technical assistance shall be provided through written correspondence, telephone contacts, on-site inspections, direct meetings between the landowner and the Executive Director and/or members of the LWSRB, or at regular business meetings of the LWSRB.
11. An education and information program shall be established by the LWSRB in order to transmit accurate information regarding the Riverway law to landowners, local residents and the general public. Presentations before civic organizations and other groups, appearances at local governmental meetings, contacts with schools, use of media outlets, direct mailings to landowners and the LWSRB website shall be tools used to implement the program. A separate orientation program shall be developed to inform new board members of the duties and responsibilities of the LWSRB and to provide background on the Riverway project. The Executive Director shall meet with new board members to demonstrate the use of performance standards in protecting the aesthetic integrity of the Riverway.
12. By participating in endeavors designed to protect and preserve sites of historical, archeological or geological interest, the LWSRB shall assist communities in preserving aspects of the natural character of the Riverway. Assistance may be provided regarding the impact of the preservation project on the Riverway or by the LWSRB serving as a conduit between the local group(s) and other state agencies.

## **V. STRATEGIES FOR IMPLEMENTATION OF GOALS & OBJECTIVES (cont.):**

13. The LWSRB shall provide assistance to counties, towns and incorporated municipalities that pursue economic development efforts consistent with protection and preservation of the scenic beauty and natural character of the Riverway. Assistance may take the form of participation in the project or through written/oral communications indicating the project is compatible with the scenic protection efforts in the Riverway.
14. Retention of the LWSRB's status as an independent state agency is a key aspect for the future success of the Riverway project. The independent status of the agency shall be maintained through effective administration of the law and through maintenance of positive and cooperative relationships with the Legislature, the Executive Office, the DNR, the DOT, other state agencies, local units of government, landowners, local residents and interest groups. Openness, accessibility, cooperation, high ethical standards and a firm commitment to assuring the success of the Riverway project will assist in achieving this goal. Fiscal restraint and prudent administration of the LWSRB budget shall also assure the LWSRB remains an independent state agency.
15. As requested, the LWSRB shall provide information regarding the experience of the LWSRB in administering the Riverway law. A position of advocacy for or opposition to any proposals not directly affecting the Riverway project shall not be taken by the LWSRB. All testimony delivered by the Executive Director or member of the LWSRB while acting as an agent of the LWSRB shall be for informational purposes only unless the LWSRB has requested action be taken.

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## **VI. STATEMENT OF GENERAL PHILOSOPHY:**

The LWSRB recognizes the final 92.3 miles and 79,275 acres of the lower Wisconsin River valley, known as the Lower Wisconsin State Riverway, beginning below the dam at Prairie du Sac and extending to the confluence with the Mississippi River at Wyalusing State Park near Prairie du Chien, is a place of remarkable scenic beauty. From the sparkling blue waters to the majestic bluffs, from the rich agricultural land to the heavily wooded bottomlands, from the sandbars to the backwater sloughs, the Riverway provides a variety of recreational opportunities to local residents and visitors alike.

The LWSRB further recognizes the pristine quality of the valley, protected for centuries by natural barriers to development and through responsible stewardship of the land, was in danger of destruction from unplanned and uncontrolled development until the legislation creating the Riverway was enacted. The LWSRB endorses and approves the program to control land use and to assure the scenic quality and aesthetic integrity of the valley remains undamaged.

The LWSRB also is committed to protection of the rights of landowners within the constraints of the Riverway law, many of whom have owned land in the valley for generations. The LWSRB will assist landowners in accomplishing as many goals and objectives as possible within the constraints of the law. The LWSRB shall provide on-site technical assistance to landowners wishing to choose a location for a new structure, shall assist landowners in delineating the various zones for timber harvesting, shall offer advice and shall offer oral or written explanations of specific aspects of the law. The LWSRB shall assume a cooperative posture with all landowners or interested parties.

The LWSRB shall be the administrators of a law designed to provide aesthetic protection of the lower Wisconsin River valley. The LWSRB shall seek to improve the law where it is flawed and shall seek to alter the project boundaries where necessary by recommending expansion of the boundaries where significant scenic values require protection and by recommending contraction of the boundaries where significant scenic values are absent. The success of the project is the priority of the LWSRB.

###

**LOWER WISCONSIN STATE RIVERWAY BOARD**

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