

# LOWER WISCONSIN STATE RIVERWAY BOARD

202 N. Wisconsin Avenue  
P.O. Box 187  
Muscodia, WI 53573  
(608) 739-3188 or 1-800-221-3792

## MINUTES OF THE FEBRUARY 8, 2007, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, February 8, 2007, at the village hall in Muscodia to conduct a regular monthly business meeting. The meeting was called to order at 5:00 p.m. by Chairman Bill Lundberg. All members were present with the exception of Ritchie Brown. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Ron Leys, seconded by Melody Moore. **MOTION CARRIED.** A motion to approve the minutes of the January 11, 2007, meeting was made by Don Greenwood, seconded by Fred Madison. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg who reviewed correspondence. Cupp reviewed the memorandum sent to Effigy Mounds National Monument (EMNM) regarding the planning process to direct development and management of the park for the next 15-20 years. Cupp noted the memorandum indicates the board's support of a modified version of Alternative B. He said the document included a statement favoring establishment of a mounds research facility, visitor center or other "outpost" of EMNM at Muscodia. The comments also requested EMNM staff assume a leadership role in creation of a new designation for the mounds building region, including the Riverway, such as a National Historic District or National Heritage Area. Greenwood noted the Park Service is taking additional comments so anyone who hasn't provided written comments may still do so.

Lundberg noted appointments of members Greg Greenheck, Jerry Dorscheid and Fred Madison would expire on May 1, 2007. He said the appointment of Ritchie Brown by Governor Doyle would be considered by the Senate Environmental Resources Committee on February 13<sup>th</sup>. Lundberg said Madison has been nominated for re-appointment by Governor Doyle. Greenheck has expressed interest in re-appointment as Richland County representative and Dorscheid has expressed interest in re-appointment as Iowa County representative.

The Operations Committee report was presented by Chairman Dorscheid. The permit request of Bob Calder for construction of a garage with attached carport in the Town of Spring Green, Sauk County, was considered. Dorscheid said a field inspection was conducted by Cupp on January 30, 2007. Previously, field inspections were conducted by Cupp and the Operations Committee on adjacent properties in conjunction with permit activities in 2006. Field inspection(s) revealed the site is visible from the Wisconsin River during leaf-on conditions. The site is located off Leone Road, east of STH 23/Peck's Landing, near Spring Green. A number of seasonal homes are on the riverfront. In 2006, permits for new structures were granted to landowners on adjoining lots upstream and downstream of the Calder parcel (Doherty and Levy). Plans call for construction of a new garage/storage shed with attached carport. The proposed garage dimensions are 24 ft. x 14 ft. x 20 ft. (height). The carport will be 24 ft. in length and 10 ft. in width. Adequate screening vegetation exists at the site. Mr. Calder has provided colorization samples for the siding, trim and roof color. The exterior colorization will harmonize with the natural surroundings during leaf-on conditions. There will be a limited use of glass or other reflective material. The structure will be located 240 ft. north of the highbank. The proposed 20 ft. height of the structure will comply with the applicable Riverway performance standard. A power point presentation was shown.

Cupp noted the site is located within the extraterritorial zoning (ETZ) district of the Village of Spring Green. There is a maximum height restriction of 18 feet so a variance from the ETZ authority will be needed. Mr. Calder is aware of the ETZ rules. Cupp recommended issuance of a permit with conditions, which was endorsed by the committee. Greenwood noted the neighboring property downstream (Doherty) is outside the ETZ district so the height restriction wasn't applicable. The Calder site is located within the ETZ district and a variance to exceed 18 feet would be required. He said the area is classified as a "seasonal recreational district" meaning no permanent residences are allowed.

Dorscheid made a motion, seconded by Leys, to approve issuance of a permit with the following conditions:

- The existing screening vegetation shall be maintained and replaced if damaged or destroyed;
- The height of the structure shall be limited so that the structure does not become visible from the Wisconsin River during leaf-on conditions and shall not exceed 20 feet;

**Calder permit conditions (cont.):**

- The exterior colorization of the structure (including roof color) shall harmonize with the natural surroundings during leaf-on conditions and shall be approved by the LWSRB prior to initiation of construction;
- Upon completion of construction, the LWSRB shall assess the visibility of the structure and may require establishment of additional screening vegetation to assure compliance with the applicable performance standard;
- There shall be a limited amount of glass or other reflective material;
- The LWSRB shall review any modifications to the plans, as submitted, for compliance with the applicable performance standards;
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the project; and,
- The activity shall comply with all other federal, state and local regulations.

**MOTION CARRIED.**

The annual review of half of the management permits for activities on State Natural Areas (SNA) managed by the Department of Natural Resources (DNR) was conducted. Cupp explained that the board reviews the permits for a portion of SNA properties each year and receives an update on activities on SNA lands throughout the Riverway. He noted extensions are needed for the eleven properties up for renewal and an amendment and extension to a permit for management activities at a site in the Town of Millville, Grant County, is required. Cupp said the Operations Committee has conducted field inspections at most of the SNA properties in the Riverway. Cupp then introduced Matt Zine, DNR SNA Manager, who provided an overview of SNA activities in the Riverway. Zine noted The Nature Conservancy recently had gifted a parcel known as "Hugo's Bluff" in the Town of Prairie du Sac, Sauk County, to the DNR. The parcel adds 80 acres to the Riverway public lands base and protects a highly visible bluff downstream from Ferry Bluff from development.

The permits under consideration and the associated permit conditions were reviewed. A description of each is detailed below.

***Adiantum Woods State Natural Area***

The site is located in the Town of Millville, Grant County. Activities include the following: invasive species control, removal of buckthorn, honeysuckle and garlic mustard. The site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Avoca Prairie Natural Area***

The site is located in the Town of Pulaski, Iowa County. Activities include the following: invasive species control (specifically, purple loosestrife); brush cutting; fire break development; and, prescribed burning. The site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Blue River Sand Barrens State Natural Area***

The site is located in the Town of Muscoda, Grant County. Activities include the following: invasive species control (black locust); Brush cutting; black oak thinning; firebreak development; and, prescribed burning. The site is not visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Ferry Bluff State Natural Area***

The site is located in the Town of Prairie du Sac, Sauk County. Activities include the following: invasive species control; brush cutting; fire break development; and, prescribed burning. The site is highly visible from the Wisconsin River. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Mazomanie Bottoms State Natural Area***

The site is located in the Town of Mazomanie, Dane County. Activities include the following: invasive species control (buckthorn, garlic mustard, purple loosestrife) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Richwood Bottoms State Natural Area***

The site is located in the Town of Richwood, Richland County. Activities include the following: invasive species control (buckthorn, garlic mustard, purple loosestrife) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Tower Hill Bottoms State Natural Area***

The site is located in the Town of Wyoming, Iowa County. Activities include the following: invasive species control (buckthorn, garlic mustard, purple loosestrife) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Wauzeka Bottoms State Natural Area***

The site is located in the Town of Wauzeka, Crawford County. Activities include the following: invasive species control (buckthorn, garlic mustard, purple loosestrife) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Woodman Sand Prairie and Dead Lake State Natural Area***

The site is located in the Town of Woodman, Grant County. Activities include the following: invasive species control; cutting of cedar and spruce; firebreak development; and, prescribed burning. The site is not visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

***Wyalusing Hardwood Forest State Natural Area***

The site is located in the Town of Wyalusing, Grant County. Activities include the following: invasive species control (buckthorn, honeysuckle, garlic mustard) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

*Wyalusing Walnut Forest State Natural Area*

The site is located in the Town of Wyalusing, Grant County. Activities include the following: invasive species control (buckthorn, honeysuckle, garlic mustard) and brush cutting. A portion of the site is visible from the Wisconsin River during leaf-on conditions. A permit previously was issued for the activity.

Executive Director recommends extension of the existing permit until April 15, 2009. Conditions of the permit include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

A motion to approve issuance of two-year extensions with retention of the original permit conditions for each site was made by Dorscheid, seconded by Greenwood. **MOTION CARRIED.**

Zine then described the proposed Millville Oak Woodlands SNA. He said plans call for oak savanna/woodland restoration. Activities include the following: red cedar removal, brush cutting, invasive species removal and development of fire breaks to facilitate prescribed burning. Several hundred acres are involved in the SNA. Portions would be visible from the Wisconsin River during leaf-on conditions. Cupp noted a permit for management activities at the site previously was issued to Paul Brandt, former DNR Wildlife Biologist. An extension was approved to Brandt's successor, Ron Lichtie. The permit expired in 2006. Cupp suggested the permit be extended until 2009 and be issued to the new wildlife biologist from the Boscobel office, Becky Roth. Conditions of the permit would include the following:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

A motion to approve amending the previously issued permit to name Roth as the permit holder and extending the permit until 2009 was made by Dorscheid, seconded by Leys. **MOTION CARRIED.**

An update on the Boscobel Airport project was given by Cupp. He said a meeting with interested parties was held on January 25, 2007. The latest proposal for vegetative removal greatly curtails the amount to be removed under the original proposal. Cupp said a re-vegetation plan would be required but it would not be as extensive as previously thought. The plan developed by Brad Hutnik, DNR Riverway Forester, would be implemented but on a smaller scale. The plan will require planting of low growing shrubs and trees to ameliorate the effects of tree removal.

The Crystal/Fish/Mud Lake District pumping project was discussed. Jeff Melville was present on behalf of the Lake District. He said the engineer's original infiltration plan simply didn't work. Melville said the new preliminary proposal would create 2 "ponds" or infiltration areas equally about 1 ½ acres, consistent with the original infiltration area proposal. However, the ponds would require removal of all vegetation and topsoil. He said the proposal would be submitted to DNR soon. Cupp noted the LWSRB would not act on a new proposal until DNR had approved the plan. Cupp said the area where the new plans call for development of infiltration ponds is not visible from the Wisconsin River during leaf-on conditions.

A proposal for creation of a mineral extraction site (sand pit) in the Town of Spring Green, Sauk County, was discussed. Cupp said a Sauk County Board supervisor had proposed that a sand pit be established in the Sauk County Community Forest east of Lone Rock near the intersection of USH 14 and Porter Road. Long term plans originally called for creation of a 30 acre pond, beach and housing development. Hutnik said it appears that FAA regulations would preclude development of a new body of water near the airport because of hazards created by waterfowl.

Permits issued by Cupp since the January – 2007 meeting were reviewed. Cupp said he had issued two timber harvest permits for a small number of walnut trees on parcels owned by David Jones and Al Zinkle in the Town of Marietta, Crawford

County. The logger is John Udelhoven. Plans call for the harvest of 6-8 walnut trees on the Jones parcel and 12-15 trees on the Zinkle parcel. Portions of the harvest area on each parcel are visible from the river during leaf-on conditions. Cupp said authority to proceed with issuance of the permits was provided by the Executive Committee.

The Budget & Office Committee report was presented by Chairman Nice who reviewed the status of the FY 07 budget. Marsha Nachtigal, LWSRB Office Associate, provided an update on recent changes to the telephone and computer system in the office. She said the old key system had malfunctioned requiring installation of either a new key system or new phone system. Nachtigal said, after researching the issue, it was determined that a less expensive alternative to a new or repaired key system would be to install a new Centrex two-line system. The new system is up and running and will result in annual cost savings over the key system. Nachtigal also reported that the LWSRB was the pilot agency for migration to a new server in Madison. She said there were some glitches with the migration but now the system is functioning properly.

The Personnel Committee report was given by Chairperson Moore who noted the annual performance evaluation of Executive Director Cupp completed in January included a second two-step pay increase proposal for Cupp based on exceptional performance and merit. Moore said the letter requesting the increase had been sent to the Department of Administration. The increase must be reviewed and approved by the Department of Employment Relations.

The Executive Director's report was presented by Cupp who reviewed the materials in the board members' packets. Cupp noted he had been elected Chair of the Land & Water Conservation Board at the February meeting. Madison said it was an honor for Cupp to be elected to the Chair position and noted there are many important tasks to attend to regarding soil and water conservation issues.

Under board members' business, Leys said he had heard about a proposed to designate Crawford County as a National Park. He said a person with the Wisconsin Counties Association had provided the information. Leys suggested Cupp investigate the matter and report to the LWSRB at the March meeting.

Greenwood noted the proposed revision of the administrative rule regarding noise regulation of watercraft had been forwarded the Legislature. He said a public hearing would be conducted by the Senate Environmental Resources Committee on February 13<sup>th</sup>. He and Cupp will attend to present testimony in favor of the rule revision.

The DNR report was presented by DNR Riverway Manager Steve Colden who responded to a question from a member of the public at the January meeting regarding the number of airboats registered in the Riverway area. Colden said 41 airboat/hovercraft registrations existed in the counties adjacent to the Riverway.

Hutnik provided a review of the Riverway Forest Health Ad Hoc Committee held earlier in the day. He said the committee heard about the status of the gypsy moth in Wisconsin and learned about the state's response to the Emerald Ash Borer (EAB) threat. Hutnik reviewed management strategies for state owned lands and said the "drying out" of the bottomlands is resulting in interesting successional trends that present new management options and challenges. He said, because of the EAB threat, one management strategy will be to lower the percentage of ash as a component of the bottomland forest. A member of the public, Kevin Isenring of Sauk City, asked about people bringing firewood into Wisconsin and what efforts were being made to dissuade the practice. Lundberg noted there are billboards about EAB and discouraging transfer of firewood. Hutnik said there is a concerted public information campaign that will discuss the EAB threat and the manner in which it is spread; i.e., firewood. Leys noted there is signage at boat landings.

During the public comment session, Timm Zumm of Spring Green thanked the LWSRB for creating the Forest Health Ad Hoc Committee and opening the meetings to landowners. He noted the River Valley Concerned Citizens had formalized the group following the organized opposition to the proposed Thuli/Jones Road sandpit. Zumm noted Spring Green will conduct a sesquicentennial celebration this year.

Kevin Isenring of Sauk City said a study of user numbers in the Riverway should be conducted. He said, with rapid population growth in the area, the saturation point or maximum capacity for recreational users should be studied. He said the LWSRB should recommend a study be done. Cupp noted he has long advocated for a new user study. Lundberg agreed that a

recreational user study would be useful and suggested long term monitoring of use be done as well. Colden said there is a possibility that the UW-Madison would do a study but added that it is expensive.

A motion to adjourn until March 8<sup>th</sup> when the meeting will be held in Muscoda was made by Madison, seconded by Nice. **MOTION CARRIED.**

END

For further information, corrections, additions or deletions to the minutes, contact Mark Cupp, Executive Director, at (608) 739-3188 or 1-800-221-3792.

Minutes submitted by:

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Mark E. Cupp, Executive Director  
Lower Wisconsin State Riverway Board