

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE JUNE 12, 2008, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, June 12, 2008, at the Rhinelander Cabin in the Town of Mazomanie, Dane County, 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 Greg Greenheck, Nick Nice, Don Greenwood and Fred Madison. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Jerry Dorscheid, seconded by Ritchie Brown. **MOTION CARRIED.** The minutes of the May 8, 2008, meeting then were considered. A motion to approve was made by Ron Leys, seconded by Melody Moore. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg. Correspondence was reviewed. Lundberg noted State Representative Steve Hilgenberg had responded to the board's letter regarding conversion of the Mazomanie to Prairie du Sac rail line to a recreational trail. Hilgenberg expressed support for the concept but noted the obstacles that must be addressed.

Lundberg said a letter to Terry Askevold from the Iowa County Zoning Department regarding property in the Town of Arena had been received. Cupp said he provided a copy of the letter for informational purposes. No LWSRB action is required. The letter requires Mr. Askevold to cease using the property along the river as a campground due to floodplain issues and the lack of proper permits.

Cupp also distributed a copy of an e-mail from Jean Unmuth, Department of Natural Resources Water Resources Management Specialist. The message provided information on the discovery of VHS, a fish disease, in a muskellunge in the Ohio River. The discovery is of concern since the Ohio River is part of the Mississippi River watershed that also includes the Wisconsin River. The disease has not yet been found in the Wisconsin River.

Cupp also noted that invitations had been sent to local officials regarding the voyageur canoe trips that will begin in July. A press release also will be published in the local papers. Evening trips will be offered for the first time this year.

Cupp reported that he had met with Kevin Isenring, State Representative Sheryl Albers, and DNR personnel Lloyd Eagen, Mark Aquino and Brad Hutnik to discuss boundary issues between the Black Hawk Unit and the Isenring property. Cupp said progress was made toward resolving outstanding issues. The first step in the process will be a new survey.

The proposed expansion of a hog farm owned by AV Roth in the Town of Wauzeka, Crawford County, was discussed. Leys noted the Livestock Siting Review Board had reversed its earlier decision and indicated that the expansion would be approved. Leys said the matter could end up in court.

Cupp said he and Brad Hutnik, DNR Riverway Forester, would meet with an engineering consultant to discuss the proposed construction of a cell tower in the Town of Wyalusing, Grant County. The cell tower would be constructed on a bluff on Borah Ridge Road near the intersection of CTH C and Hwy. 18. The base of the tower would be outside the Riverway boundary. Dr. Jay Toth, Ho-Chunk Nation Archeologist, had asked Cupp to assess the aesthetic impact of the tower on the river and on

neighboring cultural sites, specifically, effigy mound sites. Brown noted that an environmental impact assessment often is conducted to determine viewshed impacts for cultural resources. Cupp noted Hutnik was asked to provide technical assistance to measure heights of trees.

The Operations Committee report was presented by Chairman Dorscheid. A permit request from Dave Jones for a timber harvest in the Town of Wauzeka, Crawford County, was considered. Jerry Howell is the consultant. Dorscheid said a field inspection was conducted by Cupp on May 19, 2008. Mr. Howell and Brad Hutnik also were present for the field inspection. Field inspection revealed portions of the harvest area are visible from the Wisconsin River during leaf-on conditions. The harvest area includes the Bluff Zone, Riverview Zone and Resource Management Zone. Plans call for the selective harvest of merchantable hardwoods; including oak, walnut, maple, hickory and miscellaneous other species. The trees slated for harvest have not been marked. No new roads will be constructed. The timber harvest will occur when the ground is frozen or dry and after the crops on the ridge have been harvested. The property is adjacent to state owned lands and the Wauzeka quarry.

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

- The harvest shall comply with the basal area limits for the residual stand in the Bluff Zone and Riverview Zone, as detailed in Chapter NR 37, Wisconsin Administrative Code;
- In the Bluff Zone and Riverview Zone, the harvest shall be limited to the times when the ground is frozen or dry and the leaves are off the deciduous trees;
- The LWSRB shall approve of the location and design of all small regeneration cuts or shelterwood cuts, if any, in the Riverview Zone;
- The LWSRB shall approve the location and design of all new logging roads, if any, in the Bluff Zone and Riverview Zone;
- The new logging roads, if any, shall comply with the applicable performance standards regarding grade and erosion control and shall be re-seeded upon completion of the harvest;
- If necessary, the Bluff Zone, Riverview Zone and Resource Management Zone shall be delineated prior to initiation of the harvest;
- All trees selected for harvest in the Bluff Zone and Riverview Zone shall be appropriately marked and approved by the LWSRB prior to initiation of the harvest;
- The landowner or his/her agent shall notify the LWSRB within 10 working days upon completion of the harvest and the LWSRB shall conduct a post-harvest field inspection; and,
- The LWSRB shall review modifications to the plans, as submitted, for compliance with the applicable regulations.

MOTION CARRIED.

A permit request from James Ringlestetter, for a timber harvest in the Town of Toy, Sauk County, was considered. Paul Bader is the consultant. Dorscheid said that a field inspection was conducted by Cupp on December 17, 2007. Mr. Ringlestetter, Mr. Bader, and Brad Hutnik also were present for the field inspection. Portions of the harvest area are visible from the Wisconsin River during leaf-on conditions. The harvest area includes the Bluff Zone, Riverview Zone and Resource Management Zone. Plans call for the selective harvest of merchantable hardwoods and aspen regeneration cuts pursuant to a Managed Forest Law (MFL) plan for the property. The trees slated for harvest have been marked and the small regeneration cuts have been identified. Construction of new roads will be required. The roads will be constructed in accordance with the Best Management Practices (BMP) Handbook. Road location and design has been approved by Hutnik. A field inspection is expected to be conducted by the Operations

Committee prior to initiation of the harvest.

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

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- In the Bluff Zone and Riverview Zone, the harvest shall be limited to the times when the ground is frozen or dry and the leaves are off the deciduous trees;
- The LWSRB shall approve of the location and design of all small regeneration cuts or shelterwood cuts, if any, in the Riverview Zone;
- The LWSRB shall approve the location and design of all new logging roads, if any, in the Bluff Zone and Riverview Zone;
- The new logging roads, if any, shall comply with the applicable performance standards regarding grade and erosion control and shall be re-seeded upon completion of the harvest;
- If necessary, the Bluff Zone, Riverview Zone and Resource Management Zone shall be delineated prior to initiation of the harvest;
- All trees selected for harvest in the Bluff Zone and Riverview Zone shall be appropriately marked and approved by the LWSRB prior to initiation of the harvest;
- The landowner or his/her agent shall notify the LWSRB within 10 working days upon completion of the harvest and the LWSRB shall conduct a post-harvest field inspection; and,
- The LWSRB shall review modifications to the plans, as submitted, for compliance with the applicable regulations.

MOTION CARRIED.

The permit request of Greg Hilden for construction of a storage shed in the Town of Buena Vista, Richland County, was considered. Dorscheid said he and Cupp had conducted a field inspection on May 8, 2008. Field inspections also have been conducted by the Operations Committee in conjunction with previous activity at the site. Plans call for construction of a new house and storage shed at the site. The site is visible from the Wisconsin River during leaf-on conditions. Some removal of trees and grading of the land will be required to prepare the site for construction. The establishment of additional screening vegetation may be required. Construction of a new house at the site will occur at a later date. The dimensions of the storage shed will be 30 ft. x 45 ft. x 22 ft. (height). The side walls will be beige and the roof will be a charcoal gray. Cupp showed the board members the colors for the structure. He noted an assessment of the adequacy of the screening vegetation would be conducted upon completion of the structure. Development of a planting plan to provide additional screening vegetation may be required.

Cupp said the Richland County Board of Adjustment granted two variances to Mr. Hilden. The requirement of a 40 foot setback from the lot line was reduced to 10 feet and the requirement that a primary structure be located on the premise before construction of a secondary structure was waived. Therefore, the existing old farmhouse will be razed and the new shed will be built in that area.

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

- 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 22 feet;

Hilden 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;
- There shall be a limited amount of glass or other reflective material;
- A planting plan may be required following an assessment of the visibility of structure when viewed from the river following completion and, if necessary, the planting plan shall be developed in consultation with the DNR Riverway Forester and shall be approved by the LWSRB;
- 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 completion of the project; and,
- The activity shall comply with all other federal, state and local regulations.

MOTION CARRIED.

The Crystal/Fish/Mud Lake District pumping project was discussed. John DiFulvio, DNR Parks & Recreation Specialist, reported that the tilling of the test cell hadn't occurred due to precipitation events. He said the Lake District has requested a 90 day extension to the pilot project to collect additional data. He noted lake levels are very high with homes and roads flooded.

DiFulvio also reported that the project to address erosion in a ravine adjacent to the Dingman mound group in the Town of Eagle, Richland County, would be completed this year. He said the RFPs are due on June 27th.

Cupp noted he and Hutnik had met with a representative of Westbrook Engineering to review the bridge project on River Road in the Town of Arena, Iowa County. The vegetative removal necessary to accommodate the new bridge was evaluated. Cupp said a large swamp white oak will be retained and efforts will be made to save a large cottonwood tree. An on-site meeting with the contractor will occur prior to initiation of construction. Cupp said there will minimal, if any, visual impact when viewed from the river during leaf-on conditions.

Permits issued by the Executive Director were reviewed. Cupp said he had issued an extension to a management permit to Dan Goltz, on behalf of the Department of Natural Resources, for removal of vegetation at the Knapp Creek Unit in the Town of Richwood, Richland County. Also, a permit was issued to Brent Bauers, on behalf of the Wisconsin Badger Camp, for the relocation of a storage shed in the Town of Millville, Grant County.

The Budget & Office Committee report was presented by Cupp who reviewed the status of the FY 08 budget. Cupp said the committee had approved purchase of a digital camera and camcorder. The total cost will be in the \$1200-\$1300 range.

The Personnel Committee report was presented by Chairwoman Moore who said the Nominating Committee had met to develop a slate of officers for consideration by the board. Moore said the committee recommended retaining the current suite of officers including Bill Lundberg as Chair, Melody Moore as Vice-Chair and Nick Nice as Secretary. She said no other board members had expressed interest in an officer position.

The office of Chair was considered. Moore nominated Bill Lundberg, seconded by Dorscheid, for the office of Chair and then thrice called for nominations from the floor. There were no nominations from the floor so a vote on the motion was taken. **MOTION CARRIED.** The office of Vice-Chair was considered. Moore turned the committee chair over to Brown. Brown nominated Melody Moore for the office of Vice-Chair, seconded by Lundberg. Brown then thrice called for nominations from the floor. There were no nominations from the floor so a vote on the motion was taken. **MOTION CARRIED.** The office of Secretary was considered. Moore resumed the committee chair. Moore nominated Nick Nice for the office of Secretary, seconded by Brown. Moore thrice called for nominations from the floor. There were no nominations from the floor so a vote on the motion was taken. **MOTION CARRIED.** Lundberg noted committee appointments would be considered at the July meeting. Cupp thanked the re-elected officers for their leadership to the board.

Moore said the committee also had met to consider issuance of a discretionary compensation award (DCA) to Cupp for his performance as Executive Director. She said the committee met via conference call with Lee Isaacson from the Department of Administration to discuss the award. Moore said the committee recommended Cupp receive a two step increase effective July 6th, the first pay period of the new fiscal year and made a motion to that effect, seconded by Dorscheid. **MOTION CARRIED.**

The Executive Director's report was given by Cupp who reviewed the materials in the board members' packets. Cupp noted he spoke to the Milwaukee River Working Group regarding the Riverway and possible use of elements of the Riverway performance standards for protection of the Milwaukee River watershed. Cupp said a proposed condominium development had spurred the group's interest in the Riverway model. He said the presentation was well attended. Leys asked how much of the river would be considered for protection. Cupp said it was too early to tell but said the group seemed to be focused on the portion of the river within the city.

Cupp reviewed the river flow chart for the past month and noted the unusually high flows for June. Cupp also said the progress continues on the proposed designation of STH 60 as a Wisconsin Scenic Byway. A meeting was held in Spring Green in May and another is slated for July 16th in Boscobel. Cupp said he hopes to have the corridor management plan finalized at the July 16th meeting.

Under board business, Leys said that the flooding this year in Gays Mills was worse than last August with the flood levels being a foot higher than last year. He said the village will be having a community meeting to consider re-location similar to that done by Soldiers Grove 30+ years ago. Leys said Steuben also was hit hard but Wauzeka had been alright so far. Cupp noted Avoca and Spring Green were other communities having flooding problems. He noted LWSRB member Greg Greenheck was having flooding problems at his Richland County farm. Moore said the LWSRB website should be updated and suggested a new photograph of Chairman Lundberg be added. Leys noted that two fellows are attempting to set a speed record for paddling the length of the Wisconsin River from Lac Vieux Desert to the Mississippi River. Leys said he did the trip once but took 30 days.

The DNR report was presented by John DiFulvio, DNR Parks & Recreation Specialist, who said there had been no major damage to DNR managed properties in the Riverway due to flooding. He introduced Dana White-Quam who will be acting in Steve Colden's position as Riverway Manager on an interim basis. White-Quam noted there was some damage at Wyalusing State Park due to the heavy rains. Dorscheid asked if the trails that were closed in August of 2007 had been re-opened. White-Quam said some trails had been re-opened but not the trails on the hillside.

There were no comments made during the public comment session.

A motion to adjourn until July 10th when the meeting will be held in Gotham was made by Leys, seconded by Dorscheid. **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:

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