

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE NOVEMBER 13, 2008, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, November 13, 2008, at the Avoca village hall 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 Greg Greenheck, seconded by Fred Madison. **MOTION CARRIED.** The minutes of the October 9, 2008, meeting were considered. A motion to approve was made by Ron Leys, seconded by Don Greenwood. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg who reviewed correspondence. Lundberg noted a thank you note had been received from a UW-Madison graduate student group regarding a tour given by Cupp. Madison noted that the group had greatly enjoyed the tour and presentation at Frank's Hill. Lundberg said an article had appeared in Native Peoples magazine regarding effigy mounds and said a letter from the editor thanking Cupp for his contribution had been received. Lundberg said a proposal to establish a Fox-Wisconsin River National Heritage Corridor had surfaced. Cupp said he had participated in a conference call with Eric Fowle, Director of the East Central Regional Planning Commission and Larry Ward, Director of the Southwest Regional Planning Commission regarding the proposal. Cupp explained to the gentlemen that the LWSRB was not in a position to contribute monetarily to the project and would only be to contribute staff time on a limited basis. He said it was unclear whether the project would move forward. Lundberg said the annual Ho-Chunk Nation Bison Round-up would be held on December 1st at the bison ranch near Muscodia.

Cupp reported that the proposed designation of STH 60 as a Wisconsin Scenic Byway continues to progress. Cupp will give a presentation at a conference in LaCrosse sponsored by Citizens for a Scenic Wisconsin on December 4th. Cupp said Governor Doyle had proclaimed 2009 as the Year of the Lower Wisconsin State Riverway in recognition of the 20-year milestone of the project. Plans for special tours, lectures and presentations will take place over the course of the next twelve months.

The Operations Committee report was presented by Chairman Dorscheid who noted there were two requests from Mike Walsh of B & W Partnership. The first permit was for an extension to a previously issued permit for a timber harvest in the Town of Troy, Sauk County. He said the original field inspection for the timber harvest permit was conducted by Cupp, on July 5, 2007. Mr. Walsh, Jim Carlson, the consultant from Oakwood Forestry, and Brad Hutnik, DNR Riverway Forester, also were present for the field inspection. Other field inspections have been conducted by Cupp and the landowner in conjunction with previous permit activity at the site. Portions of the parcel are visible from the Wisconsin River during leaf-on conditions. The harvest area will include the Bluff, Riverview and Resource Management Zones. Plans call for the selective harvest of merchantable hardwoods to improve the quality of the woodlot. The harvest will be conducted pursuant to the Managed Forest Law (MFL) plan developed for the site. Several oak wilt pockets were delineated by Hutnik and will be cut. Existing logging roads will be utilized. Hutnik has determined that the basal area requirements for the Bluff Zone and Riverview Zone will be met. The trees slated for harvest have been marked. The harvest will occur during the times when the leaves are off the deciduous trees and the ground is frozen or dry.

Dorscheid reported that on November 5, 2008, Cupp and Hutnik met with Walsh, Carlson and John Withers (Riverside Sawmill) to review the proposed location and design of new logging roads. Hutnik determined the logging roads would comply with the applicable performance standards detailed in Chapter NR 37, Wisconsin Administrative Code. After reviewing additional marking of trees slated for harvest in the Bluff Zone, it was determined that Hutnik

would meet with the consultant to assure compliance with the basal area standards is achieved. Some trees slated for harvest may be “unmarked” to achieve compliance with the performance standards. The original permit has expired and an extension has been requested.

Greenwood made a motion, seconded by Madison, to approve issuance of an extension for a period of one year with retention of the following standard permit conditions:

- 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, all trees selected for harvest shall be appropriately marked and reviewed by the LWSRB for compliance with the applicable performance standards prior to initiation of the harvest;
- 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 review 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;
- The LWSRB shall review the location and design of all small regeneration cuts, if any, in the Riverview Zone to assure compliance with the applicable performance standards;
- If necessary, the various zones shall be delineated 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, if necessary, the LWSRB shall conduct a post-harvest field inspection; and,
- The LWSRB shall review modification of the plans, as submitted, for compliance with the applicable performance standards.

MOTION CARRIED.

Dorscheid stated that the second permit from Mike Walsh of B & W Partnership was for a management permit in the Town of Troy, Sauk County. A field inspection was conducted by Cupp on November 5, 2008, in conjunction with the timber harvest planned for the site. Hutnik, Walsh, Carlson, consultant; and Withers also were present for the field inspection. During the field inspection, it was determined that the marking of trees slated for harvest on an eastern point would not meet the basal area standards. However, if the trees slated for harvest were removed, restoration of a native plant community (oak woodland) could be achieved. Hutnik determined prairie species did exist at the site and indicated restoration of an oak woodland habitat would be appropriate. The site faces south and is visible from the river. No existing structures become visible from the river as a result of the activity. The activity complies with the applicable performance standards from the statutes and administrative code.

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

- The activity shall not result in an existing structure becoming visible from the Wisconsin River during leaf-on conditions;
- The activity shall be determined to be appropriate for the site by the DNR Riverway Forester;
- The LWSRB shall approve any modifications to the plans as submitted; and,
- The applicant or his/her agent shall notify the LWSRB upon initiation and completion of the project.

MOTION CARRIED.

Cupp said he and Hutnik had met with Larry Davis, a landowner in the Town of Spring Green, Sauk County, to review oak wilt pocket areas and proposed small regeneration cuts of aspen in conjunction with the timber harvest planned for the site. He said the activity will comply with the applicable performances.

Cupp provided an update on the USH 14 bridge project at Spring Green. He said the temporary causeways necessary for construction will be removed with the material then being used to create a new temporary causeway on the upstream side of the existing bridge to assist in demolition of the bridge. Cupp said the boat landing will be closed during the construction period, probably until October of 2009 at the earliest. Dana White-Quam, Acting Riverway Manager, said the boat landing was closed due to safety concerns. Alternative access sites were considered but a reasonable alternative was not found. Recreational users with motorized craft will be directed to Arena or Lone Rock (Otter Creek). Canoes may utilize Peck's Landing at Spring Green. Timm Zumm, Friends of the Lower Wisconsin (FLOW) Co-Chair, asked if Hwy. 14 landing would be rebuilt after the new bridge was constructed. White-Quam replied in the affirmative.

The Crystal/Fish/Mud Lake District pumping project was discussed. A power point presentation was shown regarding the proposed direct discharge to the Wisconsin River. Cupp said he met with Tim Astfalk, the Mead & Hunt consultant for the Lake District, to review the proposed location and design of the pipes and discharge site. White-Quam and Jean Unmuth, DNR Water Biologist, also were present for the field inspection. Various locations for discharge to the river were evaluated. It was determined that the existing location would be most appropriate in terms of minimizing the visual impact when viewed from the river. Other locations upstream and downstream of the present site would present erosion problems likely requiring extensive riprap and high visibility. The amount of vegetation is undetermined because the seasonal restrictions on pumping have not been determined. Pumping through the winter will require the pipes to be buried deeper in the ground which will require a wider swath to be cut to accommodate equipment. Seasonal restrictions for pumping from April to October would require less depth for burial and small equipment and a smaller swath.

White-Quam said the use of a level spreader at the discharge site was discussed. The level spreader would allow the water from the lakes to be pumped to a site near the river and then bubble up to the surface before discharging to the river. Greenwood noted there were problems with the system originally used near the discharge site adjacent to Clifton Drive. White-Quam said the seasonal restrictions are under review because of lake freezing in winter and effects on the pumping system. Dorscheid asked if the test seepage cell would be restored. White-Quam replied in the affirmative. Madison asked if the pump was currently operative. White-Quam said the pumps remain operative until December 15, 2008, when the emergency order expires. Madison said the hydrogeology model should be redone and said the pumping may not have the desired effect to lower water levels in Crystal Lake. Madison asked about the water quality sampling conducted by the Lake District. White-Quam said water quality monitoring is taking place and is reviewed by DNR.

Cupp said a permit from the Lake District has not been received so no board action is required at this time. He said a meeting organized by State Senator Mark Miller will be held on Monday, November 17th, at the West Point Town Hall. DNR officials will be in attendance. Cupp will represent the LWSRB per the Senator's request.

The Budget & Office Committee report was presented by Chairman Nice who reviewed the status of the FY 09 budget.

There was no report from the Personnel Committee.

The Executive Director's report was given by Cupp who reviewed the materials in the board members' packets.

Under board members' business, Dorscheid said he had attended an engineering conference and heard a presentation from a representative of ConTech, a national firm involved in shoreline stabilization projects. Dorscheid suggested a presentation from the company would be appropriate so board members could learn about methods other than traditional riprap for shoreline stabilization. Cupp will arrange for a company representative to attend a future meeting.

The DNR report was presented by David Youngquist, DNR Conservation Warden, who gave a presentation on enforcement activities for the Sauk City to Lone Rock segment that he patrols. Youngquist said the upper segment is more of a "party" stretch with larger groups often seen. He said he continues to write citations for violation of the glass

ban and for the fireworks prohibition. Youngquist said it unusual incident occurred on Labor Day weekend when an ultralight plan crashed after flying too low near the Mazomanie Beach.

Leys asked if Youngquist sensed a decrease in numbers of urban visitors to the Riverway. Youngquist speculated there seems to be fewer urban river users than in years past. Leys said a user study is needed to get a better handle on user numbers. Youngquist suggested an aerial survey done periodically during the summer would provide a snapshot of river use. Greenwood suggested that high fuel prices and June flooding could have resulted in a decrease in user numbers for 2008. Leys said he is concerned that general outdoor recreational use is decreasing. Lundberg noted an Oneida County study recently showed fewer numbers of hunters and anglers visiting the county. Cupp said he has repeatedly requested that DNR undertake a new user study to determine the number and type of Riverway users, both land and water based use. He said lack of funds and personnel are cited as the reasons for not doing a user study. Madison said that good data is needed and that money should be found to do a study. Leys said economic data is needed as well. Moore asked if volunteers could be used to help with a study. Youngquist said an aerial survey wouldn't cost too much, just the flight time. Greenheck asked if the Southwest Wisconsin Regional Planning Commission could assist. Cupp said Ed Nelson, DNR Bureau of Research, had set up the last user study from 15 years ago.

Cupp asked Youngquist about DNR enforcement presence on the other segments. Youngquist said Mike Nice, DNR Conservation Warden, Richland County, does patrol in that area. Greenwood asked if the channel and sandbars shifted much after the June flooding. Youngquist said he noticed a number of changes.

Hutnik provided an update on emerald ash borer (EAB). He said the isolated site at Newburg is where the bug was found. An infected nursery tree from Illinois was found in Kenosha. Hutnik said he expects logging to begin in the Helena Bottoms soon.

During the public comment session, Timm Zumm of Spring Green asked Youngquist if he noticed much debris on the river. Youngquist said there some debris from June flooding but not too much. Youngquist said overall, the amount of trash on the river has been reduced. Zumm said some of that is due to clean-up efforts from FLOW and other volunteers. Zumm said he assisted the man who floated in a pumpkin down the river as a fundraiser for a children's organization. He said the beauty of the river is remarkable and said the few number of structures visible makes it more enjoyable.

A motion to adjourn until December 11th 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:

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