

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE FEBRUARY 12, 2009, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, February 12, 2009, at the Kratochwill Memorial Building 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 Ron Leys, Melody Moore and 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 Jerry Dorscheid, seconded by Fred Madison. **MOTION CARRIED.** Don Greenwood asked about the legality of teleconferencing for board meetings. Cupp said legal counsel from the Department of Agricultural, Trade and Consumer Protection has told the Land and Water Conservation Board that teleconferencing is permissible if properly noticed and with public participation made available. A motion to approve the minutes of the January 8, 2009, meeting was made by Madison, seconded by Nick Nice. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg who reviewed correspondence. The public hearing on the Crystal/Fish/Mud Lake District pumping project held in the Town of West Point on January 22, 2009, was discussed. Lundberg noted Cupp, Madison and Greenwood were in attendance. Cupp said the public informational meeting and public hearing were well attended. Cupp said he testified and stated the board's position as indicated in the previous memorandum to Lloyd Eagan, Department of Natural Resources (DNR) South Central Region (SCR) Director, in December of 2008. Greenwood said the crowd seemed to be about 50/50 split in regard to those favoring the pumping proposal and those opposed. He said it was a clear division between landowner concerns and river concerns. Madison said Cupp did an excellent job in providing testimony. Cupp said he was impressed with the many retired DNR employees who testified and expressed concerns about the project. Madison there are serious questions about the process and whether everything has been done appropriately. Cupp said there has been no new information since the public hearing regarding the status of the DNR permit. He said the LWSRB will consider a permit, if necessary, after the formal LWSRB application and plans have been received.

The proposal to create a drainage district and large ditch in the Spring Green-Lone Rock area to address flooding of farm fields was discussed. Cupp said Greg Greenheck had requested the opportunity to make a presentation to the board on the topic. Greenheck said he and Greenwood would do a joint presentation in March. Greenwood said the latest development is that the drainage district originally established by the Sauk County judiciary was vacated at the request of drainage district proponents. The paperwork has been re-submitted to assure legalities with formation of the district have been achieved.

Lundberg noted Cupp sent a letter of support for a grant application submitted by Dave Marshall for oxbow lake study of Dane County sloughs. Cupp said he proceeded with letter because the board had previously approved letters of support for similar studies done by Marshall elsewhere in the Riverway.

Cupp said an article in the Wisconsin State Journal highlighted a proposed 756 kv transmission line from Iowa to Madison and locations to the east. The intent is to bring electricity produced by wind turbines to points east. Cupp said he was concerned that the new line would traverse the Riverway and would require a large new right of way and exceedingly tall structures. The line would be twice as large as anything currently in Wisconsin. Cupp requested authority to send a letter to the Public Service Commission and the company proposing the endeavor to express the board's concerns and urging the line to follow a route that does not impact the Riverway. A draft of the letter was reviewed. Greenwood made a motion, seconded by Madison, to send the letter. **MOTION CARRIED.**

Cupp said he attended a Year of the Riverway event in Spring Green co-sponsored by Friends of the Lower Wisconsin (FLOW) and the Spring Green Film Club. The documentary "Gather Like the Waters" produced by Dave Erickson in 1994 was shown. Cupp said the event was well-attended and said it was nice to see the documentary on the

big screen. He noted Erickson is considering production of another documentary on the Riverway. Greenwood suggested sending a letter of support for Erickson's efforts. Zumm noted Erickson won't be able to use any of his old footage due to the advent of digital technology so everything will have to be shot anew. Cupp also reported that planning continues for speakers and special events associated with the Year of the Riverway. August 2nd will be the date of the official ceremony marking the 20 year anniversary of the signing of the legislation that created the Riverway project and Riverway Board. The event will be held at the Muscoda Victoria Riverside Park.

In conjunction with the Year of the Riverway, Matt Zine DNR SCR State Natural Areas (SNA) Manager gave a presentation on the natural areas program in Wisconsin. Zine discussed historic landscapes of Wisconsin and noted development and invasive species are threats to the remaining intact native plant communities. He said SNAs are refugia for rare plants and animals. He said there are 590 SNA sites in Wisconsin encompassing over 323,000 acres. Zine said the first SNA in the Riverway was the designation of the Wyalusing Hardwoods SNA in 1952. Brad Hutnik, DNR Riverway Forester, asked if climate change is a concern of the SNA program. Zine said climate change could have a dramatic impact on species that will flourish or disappear in the region. He said one of the advantages of the Riverway project is to manage on a landscape scale rather than an isolated SNA compromising a small area.

The Operations Committee report was presented by Chairman Dorscheid. 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. Dorscheid then asked Zine to provide an overview of SNA activities in the Riverway.

The permit extensions 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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, 2011. 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 Madison. **MOTION CARRIED.**

Zine and Dan Goltz, DNR Wildlife Biologist, then gave presentations regarding management activities on other state owned lands in the Riverway. The activities involve vegetative management to enhance the native plant community and improve wildlife habitat. The areas involved include the following:

- Millville Uplands:*** Town of Millville, Grant County
- Knapp Creek Unit:*** Town of Richwood, Richland County
- Merwin Tract:*** Town of Marietta, Crawford County
- Hull Tract:*** Town of Marietta, Crawford County
- Lenzendorf Tract:*** Town of Marietta, Crawford County
- Curtis Tract:*** Town of Marietta, Crawford County
- Seeley Tract:*** Town of Wauzeka, Crawford County
- Wellington Tract:*** Town of Wauzeka, Crawford County
- Tubbs Tract:*** Town of Wyalusing, Grant County

A motion to approve management permits with the standard conditions for two-year periods for each of the sites was made by Dorscheid, seconded by Madison. **MOTION CARRIED.**

Management activities on state owned lands managed by Becky Roth, DNR Wildlife Biologist, were considered. Cupp said plans call for management of vegetation to enhance the native plant community and improve wildlife habitat. Hutnik described the activities at the Zerwick tract in the Town of Mazomanie, Dane County, and the WP&L tract in the Town of Pulaski, Iowa County. He said vegetative management at the Zerwick tract is designed to address beaver damage and control adverse impacts on native flora and wildlife. He said the activities at the WP&L tract will enhance the existing prairie remnant. A motion to approve management permits with the standard conditions for two-year periods for each of the sites was made by Dorscheid, seconded by Madison. **MOTION CARRIED.**

The permit request of Joe and Rita Klinzing for management activities on a parcel in the Town of Marion, Grant County, was considered. Dorscheid noted a field inspection was conducted by Cupp on January 30, 2009. Mr. and Mrs. Klinzing also were present for the field inspection. Cupp said additional review has been provided by Cindy Kohles, DNR Forester/Ranger. Ms. Kohles assisted with development of the management plan for the parcel and has determined the activity is appropriate for the site. Plans call for selected understory removal to foster crop tree release, to enhance the existing native plant community and to improve wildlife habitat. Ironwood, white birch and miscellaneous other species will be removed. Thinning will occur on two small pine plantations. Portions of the site are visible from the Wisconsin River during leaf-on conditions. No new roads will be constructed. The existing road network will be utilized. No structures become visible from the river as a result of the activity.

Dorscheid made a motion, seconded by Madison, to approve issuance of a two-year permit for the activity with the following standard conditions:

- No existing structures 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 applicant shall notify the LWSRB upon initiation and completion of the activity.

MOTION CARRIED.

Cupp said he had issued several permits since the last meeting. The following permits were issued:

- >Quackenbush/Maly (timber)(Town of Troy, Sauk County)
- >Zadrazil (general/timber)(Towns of Pulaski & Clyde, Iowa County)
- >Mirk (management extension)(Town of Millville, Grant County)
- >Wightman (general/timber)(Town of Muscoda, Grant County)
- >McCoy (general/timber extension)(Town of Bridgeport, Crawford County)
- >McCoy/Gilbertson (general/timber)(Town of Bridgeport, Crawford County)
- >DNR/Flansburgh (management/amendment)(Town of Richwood, Richland County)
- >Yeomans (general/timber/extension)(Town of Bridgeport, Crawford County)
- >DNR/Hutnik (management)(Town of Spring Green, Sauk County).

The Budget & Office Committee report was presented by Chairman Nice who reviewed the status of the FY 09 budget. Cupp reported that the Executive budget proposal offered by Governor Jim Doyle had been delayed until the federal stimulus package is finalized.

There was no report from the Personnel Committee.

The Executive Director's report was presented by Cupp who reviewed the materials in the board members' packets. Cupp said efforts to designate STH 60 from Lodi to Prairie du Chien as a Wisconsin Scenic Byway continue. He said an event to recognize the designation is slated for April 27th. Cupp said Cultural Landscape Legacies will share a booth at Canoecopia on March 13th-15th with the LWSRB and FLOW. Cupp reported he had been re-elected Chair of the Land & Water Conservation Board and thanked the LWSRB for allowing him to serve in that capacity.

There were no items to report under board members' business.

The DNR report was given by Brian Hefty, Acting DNR Riverway Manager, who said scenic easements had been acquired in the Town of Mazomanie, Dane County, and Town of Watterstown, Grant County. He said fee title acquisitions had occurred in the Town of Troy, Sauk County, and Town of Buena Vista, Richland County. Hutnik reported the firewood program continues to be popular. He said there has been no new activity to report regarding timber harvesting on state owned lands.

There were no comments during the public comment session.

A motion to adjourn until March 12th when the meeting will be held in Muscoda was made by Madison, seconded by Greenheck. **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