

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 SEPTEMBER 8, 2011 RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, September 8, 2011, at Wyalusing State Park 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 exceptions of Don Greenwood, Ritchie Brown, Greg Greenheck 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 Gerald Dorscheid, seconded by Melody Moore. **MOTION CARRIED.** The minutes of the August 11, 2011, meeting then were considered. A motion to approve the minutes was made by Ron Leys, seconded by Dorscheid. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg. Lundberg noted the Rythm of the River documentary will be shown on Wisconsin Public Television on September 8th at 7:00 p.m. and September 15th at 10:00 p.m. Lundberg said Cupp had appeared on Wisconsin Public Radio to promote the documentary. Cupp noted the documentary will be shown in conjunction with the Driftless Area Film Festival at locations around southwestern Wisconsin.

Lundberg said Cupp has sent a letter to Terry Askevold regarding a parcel in the Town of Mazomanie, Dane County, which Askevold is interested in purchasing. The property would be used for a commercial venture. The letter from Cupp outlined the Riverway regulations pursuant to Askevold's request.

The Operations Committee report was presented by Chairman Dorscheid. The permit request of George Ramsden for a timber harvest in the Town of Clyde, Iowa County was discussed. Dorscheid noted the consultant is Jeff Foley. A field inspection was conducted by Cupp in conjunction with previous permit activity at the property. Cupp received information that a timber harvest was being conducted on the property and contacted the landowner who referred him to Mr. Foley. Cupp contacted Mr. Foley who completed a permit application at the LWSRB office on August 18, 2011.

A field inspection was conducted by Brad Hutnik, DNR Riverway Forester, on August 22, 2011. Mr. Foley also was present for the field inspection. Hutnik confirmed timber harvest activity was occurring at the site without a valid LWSRB permit. Cupp and Hutnik met with DNR Conservation Warden Joe Frost on September 1, 2011, and a written warning was issued to Mr. Foley for failure to have a permit. Cupp issued a general permit for harvesting on lands not visible from the river. Cupp and Hutnik conducted a field inspection at the site on September 6, 2011. Mr. Foley was present for the field inspection. The field inspection revealed a small portion of the completed harvest was visible from the Wisconsin River during leaf-on conditions. A permit should be issued "after the fact" to achieve compliance with the Riverway law.

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

- 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;
- The LWSRB shall review the location and design of oak wilt treatment areas and the associated prescription designated by the DNR Riverway Forester in the Bluff Zone and Riverview Zone;
- The Bluff Zone and Riverview Zone shall be delineated prior to initiation of the harvest, if necessary;
- 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.

The request of Dwight Cruickshank for a timber harvest in the Town of Orion, Richland County was considered. The consultant is Joe Bagnowski of Meister Lumber. Dorscheid said a field inspection was conducted by Cupp on August 16, 2011. Brad Hutnik, DNR Riverway Forester, and Mr. Bagnowski were present for the field inspection. Field inspection revealed portions of the harvest area are visible from the Wisconsin River during leaf-on conditions. Plans call for a diameter limit harvest of walnut. The trees are scattered throughout approximately 25 acres. The trees slated for harvest have been marked and reviewed by Hutnik and Cupp. No new roads will be constructed. The harvest will occur during leaf-off conditions.

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

- 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;
- The LWSRB shall review the location and design of oak wilt treatment areas and the associated prescription designated by the DNR Riverway Forester in the Bluff Zone and Riverview Zone;
- The Bluff Zone and Riverview Zone shall be delineated prior to initiation of the harvest, if necessary;
- 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 noted the oak wilt pockets on the Eric Rapp property in the Town of Clyde, Iowa County, had been delineated by Hutnik and the consultant, Mark Berg of Nelson Hardwoods. The harvest will continue on lands visible from the river when leaf-off conditions arrive.

The Crystal/Fish/Mud Lake District pumping project in the Town of Roxbury, Dane County, was discussed. Cupp said he had been informed of an agreement between the Lake District and FLOW that would avoid the contested case hearing previously scheduled. The agreement will require the intake for the pump to be moved from Mud Lake to Fish Lake and will provide for installation of high capacity wells to be pumped from the Crystal Lake area to Roxbury Creek.

Proposed changes to STH 60 from Muscoda to Gotham in Richland County were discussed. Cupp said he had met with DOT and DNR officials earlier in the day. The DOT design engineer indicated a desire to incorporate 6-foot paved shoulders in the area between Bogus Bluff and Riverview Hills Canoe Rental (Bremmer). Cupp said this is a major change from previous proposals. DOT will conduct seismic studies of the rock in the area to determine options available. Design proposals are expected next spring or late winter.

Dorscheid noted Cupp had issued general permits for timber harvests on lands not visible from the river to George Ramsden for a parcel in the Town of Clyde, Iowa County, and to Mark Ramsden for a parcel in the Town of Clyde, Iowa County. Cupp said he also had issued a permit for minor modification of an existing structure owned by Doug and Sherry Caves in the Town of Spring Green, Sauk County.

The Budget Committee report was presented by Chairman Nice who reviewed the status of the FY 12 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. He noted the Cultural Landscape Legacies annual tour will be held on Aztalan on October 8th. He said he would speak at the Wisconsin Archeological Society annual meeting at Wyalusing on October 1st. He also noted the Lower Wisconsin River Road project will soon publish the next generation of the Hwy. 60 brochure.

Under board members' business, Nice expressed concern about the dredging project at the Boscobel boat landing. Leys expressed concern about invasive species (Asian carp) in the Wisconsin and Mississippi rivers.

The DNR report was presented by DNR Riverway Manager Brian Hefty who reviewed DNR activities in the project area. He reviewed re-organization ongoing within the department. Hutnik said the Forest Guild will meet at Badger Camp on September 23rd. Cupp will give a presentation on Riverway regulations at the meeting.

There were no comments during the public comment session.

A motion to adjourn until October 13th when the meeting will be held at the Wauzeka Village Hall was made by Moore, 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: