

# LOWER WISCONSIN STATE RIVERWAY BOARD

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## MINUTES OF THE OCTOBER 10, 2013, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, October 10, 2013, at the Wauzeka Village Hall to conduct a regular monthly business meeting. The meeting was called to order at 5:00 p.m. by Chair Don Greenwood. All members were present with the exceptions of George Arimond and Ron Leys. 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 Melody Moore. **MOTION CARRIED.** A motion to approve the minutes of the August 22, 2013, special meeting was made by Dorscheid, seconded by Ritchie Brown. **MOTION CARRIED.** A motion to approve the minutes of the September 12, 2013, meeting was made by Bob Cary, seconded by Dave Martin. **MOTION CARRIED.**

The Operations Committee report was presented by Chairman Dorscheid. Two permit applications submitted by Department of Natural Resources (DNR) Riverway Forester Nick Morehouse were considered. Both applications are for the former Burns tract, now owned by DNR, in the Town of Orion, Richland County. A PowerPoint presentation was shown. Morehouse explained the activities involve a timber stand improvement (TSI) project and a commercial timber harvest. Both activities are designed to encourage oak regeneration at the site. Shelterwood cuts are slated for several areas. Road location and design has not been determined. Dorscheid made a motion, seconded by Cary, to approve a management permit and a timber harvest permit for the activities. Conditions of the management 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.

Conditions of the timber harvest permit are as follows:

- 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 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 shelterwood or small regeneration cuts, if any, in the Riverview Zone to assure compliance with the applicable performance standards;
- 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.**

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Cupp then provided information on several non-decision items. He said the warning for Matt Gibson for the tree mortality at Wintergreen had been completed by DNR Conservation Warden David Youngquist. Cupp and Morehouse will continue marking timber harvest zones at the Joel Fait property in the Town of Wyoming, Iowa County. Cupp noted the Operations Committee met with Taliesin representatives to discuss vegetative management strategies. Cupp and Morehouse marked the River Edge Zone and Riverview Zone boundaries at the Doug Caves property in the Town of Wyoming, Iowa County, in anticipation of a timber harvest and TSI project. Cupp said he is waiting for a permit application from Harold Gies for a timber harvest in the Town of Clyde, Iowa County. The project may include a challenging new road on the hillside facing the river. A PowerPoint presentation was shown regarding the Crystal/Fish/Mud Lake District discharge site on the Wisconsin River in the Town of Roxbury, Dane County. The Operations Committee will visit the site before determining if additional action will be required. Cupp said he and Greenwood attending a meeting with DOT, DNR, Sauk County, and consultants regarding the STH 130 Bridge near Lone Rock. A public meeting will be held later in October. There are no immediate plans for bridge replacement. Cupp said he had received correspondence from DOT regarding the STH 60 project between Muscoda and Gotham. DOT would like to eliminate driveway accesses west of Riverview Ridge Road by creating a new town road on the hillside. Cupp said an onsite visit with DOT officials will be needed to review the plans. Cupp said he had issued a utility permit extension to American Transmission Company for replacement of poles that will be taller than existing poles by a few feet. The poles are not visible from the river during leaf-on conditions.

The Budget & Office Committee report was presented by Chairman Cary who reviewed the FY 14 budget.

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.

There were no comments under board members' business.

The DNR report was given by Matt Seguin, DNR Riverway Manager, who said work on signage continues, pheasants will be stocked on state lands and end of season work is in full swing. He said prescribed burns may be undertaken near Arena and Mazomanie. Seguin noted DNR cooperated with Scott Teuber on a triathlon near Boscobel and will be working with another group for an activity at the Blackhawk Unit. Cupp asked about the illegal dumping west of Muscoda. Seguin said it was cleaned up and he hopes to have an article in the local paper.

During the public comment session, Jack Knight of the Allamakee County Protectors said Pattison Sand Company has attracted the attention of the National Audubon Society due to the potential harmful effects of frac sand mining on birds. Ethel Drengberg of Wauzeka thanked the board for denying the frac sand mining permit requests in the Town of Bridgeport, Crawford County, and noted activity had been initiated on the Marfilius property. Kathy Byrne, Crawford Stewardship Project Co-Coordinator, thanked the board for allowing public input during the permit application review process. Ardith Stark of Bagley also thanked the board for denial of the permits and noted air quality in Bagley is poor due to the operations at the Pattison facility across the river.

The Executive Committee report was presented by Chairman Greenwood who noted the board's strategic planning session will be held on Friday, November 8<sup>th</sup>, at the Mazomanie Town Hall. He reminded the board to complete their homework assignment and return it the facilitator by October 18<sup>th</sup>. Greenwood said the biennial report had been completed by Cupp. A motion to approve the report was made by Madison, seconded by Brown. **MOTION CARRIED.** Greenwood noted a petition for judicial review had been filed in Crawford County by Peter Conrad, Pattison Sand Company's attorney, regarding the board's action to deny the frac sand mining permits. He said the board would meet with Assistant Attorney General Mark Bromley in closed session later in the evening.

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The board then recessed for 15 minutes. Upon Mr. Bromley's arrival, a motion to convene in closed session was made by Madison, seconded by Moore. **MOTION CARRIED.** At the conclusion of the closed session, a motion to convene in open session was made by Dorscheid, seconded by Brown. **MOTION CARRIED.**

A motion to adjourn was made by Fred Madison, seconded by Dorscheid. **MOTION CARRIED.**

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