

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE FEBRUARY 12, 2015, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, February 12, 2015, 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 Don Greenwood. All members were present with the exception of George Arimond. 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.** A motion to approve the minutes of the January 8, 2015, meeting was made by Melody Moore, seconded by Dave Martin. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Greenwood. A presentation was given by Dave Marshall, Vice-President, Friends of the Lower Wisconsin Riverway (FLOW). Marshall reported on activities of the FLOW Science Committee. The activities included studies of backwater areas and groundwater monitoring.

Cupp reported a hearing was held in Crawford County Circuit Court with Judge Craig Day presiding in regard to the Pattison Sand Company (PSC) case against the LWSRB. Cupp reviewed the actions taken in court and noted Judge Day affirmed the importance of the protecting the visual horizon where the trees meet the sky as viewed from the river. Greenwood noted Judge Day said the conditions of the permit conditions recommended by Cupp will stand. Greenwood said the main point of contention with PSC was the map indicating the areas of visual concern. Cupp said PSC attorney Peter Conrad will draft the order based on Judge Day's ruling. Assistant Attorney General Mark Bromley, Greenwood and Cupp will then review the draft order and offer changes as necessary.

The legislative update was given by Cupp who reviewed activities related the nonmetallic mining draft legislation and Senate Bill 21 (SB 21), the state budget proposed by Governor Scott Walker. Cupp said he and Greenwood had met with officials from the Kramer Company in Plain to discuss the proposed nonmetallic mining bill. The discussion was fruitful with the company suggesting a change in maximum size of an excavation from 5 acres to 20 acres. Cupp said he also had met with State Representatives Lee Nerison, Todd Novak and Travis Tranel. He met with a lobbyist for Wisconsin Manufacturers and Commerce (WMC) but noted the meeting did not result in WMC offering support for the proposal. Cupp also was in communication with an aide for Senator Howard Marklein. He said he would meet with Marty Lehman from Badger Mining Corporation in the coming days.

Cupp reported the state budget for the 2015-2017 biennium was offered by Governor Walker on February 3rd and included some changes affecting the LWSRB. The board would be fully funded pursuant to the agency budget request but would be transferred from the Department of Tourism to the Department of Natural Resources for administrative purposes. Cupp said the details are still being revealed as to the specific impacts on the board but, at this point, the board would retain autonomy and remain Agency 360. Cupp said errant reports after the budget release required him to send out a press release indicating the Governor's budget proposal did not transfer administrative authority to DNR. A significant change in the budget would freeze expenditures for land acquisition from the Stewardship Fund until 2028, which would mean no new land acquisition by the State of Wisconsin within the Riverway. Greenwood noted the League of Conservation Voters had provided information that the DNR Secretary would be authorized to sell state lands at will, which he considered to be a major concern.

The Operations Committee report was presented by Chairman Dorscheid. The permit requests of Nick Morehouse on behalf of the DNR for a timber harvests in Dane and Grant counties were discussed. All three sites are not visible from the Wisconsin River during leaf-on conditions. The harvest areas are near Amenda Road in the Town of Mazomanie, Dane County; near Racek Road, also in the Town of Mazomanie; and, near Paffenrath Lake in the

Town of Muscoda, Grant County. Ron Leys noted the decline of red pine due to climate change. Morehouse said a combination of climate change, drought and diseases are causing problems with red pine in this part of the state. Martin asked if there is a market for the pine. Morehouse said it will be harvested as pulpwood and trucked north but added the Riverway is on the outer edge of the market. Dorscheid made a motion, seconded by Cary to approve general permits with the standard conditions for all three sites. **MOTION CARRIED.**

Extensions to management plans for habitat work on state lands were considered. Invasive species control and habitat restoration will continue at sites in the Towns of Pulaski and Wyoming, Iowa County; the Town of Spring Green, Sauk County; and the Town of Buena Vista, Richland County. The permit holder will be Travis Anderson, DNR Wildlife Biologist at Tower Hill. A motion to approve two-year extensions with retention of the original permit conditions was made by Dorscheid, seconded by Cary. **MOTION CARRIED.**

Two proposed timber harvests of red pine plantation on adjoining private lands in the Town of Prairie du Sac, Sauk County, were considered. Robert Weiss and Dennis Weiss worked with Rick Livingston, DNR Sauk County Forester, regarding liquidation of the red pine and replanting with white pine. Cupp said he conducted a field inspection at the site on February 6th. Both properties are enrolled in the Managed Forest Law (MFL) program. A motion to approve a permit for Robert Weiss with the standard conditions was made by Dorscheid, seconded by Brown. **MOTION CARRIED.** A motion to approve a permit with standard conditions for Dennis Weiss was made by Dorscheid, seconded by Cary. **MOTION CARRIED.**

Two permit requests submitted by Mike Degen on behalf of the Frank Lloyd Wright Foundation for activities at Taliesin were considered. Cupp said he had met with Degen on January 20th to discuss a walnut harvest and other vegetative management activities. He noted the Operations Committee also visited the site prior to the board meeting. The field inspections revealed that the trees slated for removal near the main structure are not visible from the Wisconsin River during leaf-on conditions and will not make the structure more visible from the river. Walnut trees are targeted for removal for restoration of the native landscape and a small number of hackberry trees are requested to be removed for driveway maintenance purposes. Additional walnut will be harvested in the woodlot and other timber stand improvement (TSI) work will occur in the woodlot away from the structure. A motion to approve a management permit with standard conditions was made by Dorscheid, seconded by Madison. **MOTION CARRIED.** A motion to approve a timber harvest permit with standard conditions was made by Dorscheid, seconded by Cary. **MOTION CARRIED.**

The request of Joel Fait for a management permit to control invasive species and restore habitat on a parcel in the Town of Wyoming, Iowa County, was considered. DNR Iowa County Foresters Tom Hill and Jason Sable had recommended the actions to restore the grasslands. Field inspections were conducted by Cupp and the Operations Committee on multiple occasions in conjunction with previous permit activity at the site. Morehouse also has visited the site several times. Plans call for removal of autumn olive, barberry, and honeysuckle to restore native grasslands. The activity will take place on edge areas between former agricultural fields and the woods. The sites are not visible from the Wisconsin River during leaf-on conditions. The activity has been approved for the site by Sable. A motion to approve a management permit with the standard conditions was made by Dorscheid, seconded by Brown. **MOTION CARRIED.**

Cupp reported he had been contacted by landowners in the Town of Boscobel, Grant County, and Town of Bridgeport, Crawford County, regarding possible timber harvests but had not received further information. Cupp said he issued a general permit for a black locust harvest in the Town of Wyoming, Iowa County, to Colin O'Keefe. Morehouse noted a company near Viroqua uses the black locust trees in construction.

The Budget Committee report was presented by Chair Cary who reviewed the status of the FY 15 budget.

The Personnel Committee report was given by Chair Moore who said the Discretionary Merit Compensation (DMC) awards for Cupp and Marsha Curtis, LWSRB Office Associate, approved by the LWSRB had been rejected by the Office of State Employment Relations (OSER) pursuant to a directive from the Department of Administration to freeze all such awards until at least the end of the fiscal year. Moore suggested sending a letter to OSER indicated both employees are deserving of an award. Moore made a motion, seconded by Madison, to send a letter to the appropriate officials. **MOTION CARRIED.**

The Executive Director's report was presented by Cupp who reviewed the materials in the board members' packets. He thanked the Friends of the Lower Wisconsin Riverway (FLOW) for the recognition as the 2014 Riverway Champion.

Under board members' business, Leys asked if there had been any action taken regarding the dredging of the Boscobel boat landing. Matt Seguin, DNR Riverway Coordinator, said he had heard the City of Boscobel had purchased the landing from Grant County but knew nothing beyond that. Greenwood noted the Crawford Stewardship Project will be holding a Love of the Land fundraiser in Gays Mills.

Under DNR report, Seguin said staff are working on burn proposals, sharecrop agreements and beaver issues. He said ice fishing numbers in the Riverway are up. Seguin said the Master Plan revisions should be revealed in the summer. He said citations were issued for an illegal dump site in the Town of Muscoda, Grant County. Also, eagle/osprey aerial surveys are underway. Seguin said there will be a draw down at Long Lake (upstream) in May. He said there will be field trips at Ferry Bluff and the Mazomanie Barrens. Morehouse said he has accepted a new job as the DNR's Sauk County Forester and will be leaving the Riverway Forester position. LWSRB members and Cupp thanked Morehouse for his service.

Under public comment, Dave Marshall – FLOW VP commented on water management at the Fish Trap Flowage. Timm Zumm – FLOW President thanked Morehouse for his service as DNR Riverway Forester. He recognized Doug & Sherryl Jones for selling a conversation easement to protect the backwaters near their home in the Town of Spring Green, Sauk County. He also thanked Cupp for his efforts to protect the Riverway.

A motion to adjourn was made by 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.