

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE FEBRUARY 11, 2016, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, February 11, 2016, 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 exceptions of George Arimond 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 Jerry Dorscheid, seconded by Bob Cary. **MOTION CARRIED.** A motion to approve the minutes of the January 14, 2016, meeting was made by Ron Leys, seconded by Dick McFarlane. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Greenwood. Cupp noted there will be guest speakers at meetings in March, April and May. Mark Guthmiller, Department of Natural Resources (DNR) Forest Health Specialist, will give an update on forest health issues at the March 10th meeting in Muscodia. Eric Carson, Geologist at the Wisconsin Geological Survey, will speak on the Wyalusing River at the April 14th meeting in Sauk City. Dan Goltz, DNR Wildlife Ecologist, will discuss wildlife project from Muscodia to Wyalusing at the May 12th meeting in Boscobel. Leys said he would like to see a speaker scheduled to discuss trends in outdoor recreational use, particularly looking at demographics of river users and user of “wild” areas.

Cupp then reviewed a memorandum to the board suggesting that lobbying efforts on legislation be limited to individual board members contacting their area legislators rather than the LWSRB taking a position for/against a bill. Cupp noted DNR and other agency staff have been directed to avoid testifying on legislation unless requested to do so by a standing committee or a legislator. Leys said he was disturbed by the apparent muzzling of opinions from boards and staff. McFarlane concurred with Cupp’s assessment that the board should refrain from taking formal positions on legislation. Dorscheid expressed concern that the aquaculture bill (SB 493) could adversely impact water quality in the Riverway. Cupp said the bill affects the Riverway by including “aquaculture” under the board’s definition of “agriculture” which provides exemptions to aspects of the Riverway law. Cupp said the change likely will not impact the board’s aesthetic protection mission but should be monitored as the legislative process ensues. Dave Martin said there are several problems with the bill including the rapidity of introduction followed by a public hearing in committee and then executive action by the committee all within a period of days. Martin said he has asked legislators to slow down the process. Cary noted bills are being introduced weekly and that none of the proposals are environmentally friendly. Martin agreed the board meetings should be used as a forum for learning about legislative initiatives and then individual board members can contact their legislators as they see fit. Greenwood said SB 493 is just one example of many pieces of legislation out there that take away from the public good and protection of natural resources. He expressed frustration with both the Executive and Legislative branches for repeated actions to weaken environmental protection regulations. Leys said he believes it is entirely appropriate for the board to weigh in on issues that may affect the Riverway and pointed to the aquaculture bill and proposed changes to shoreland zoning laws as two examples. Greenwood encouraged all members to take time to learn about the issues and contact their legislators to express an opinion for/against the proposals.

The Operations Committee report was presented by Chair Dorscheid. The permit request of Mississippi Valley Conservancy for a timber harvest in the Town of Boscobel, Grant County was considered. Dorscheid said a field inspection was conducted by Mark Cupp, Executive Director, in conjunction with previous permit activities at

the site. Plans call for group selection cuts in the Riverview Zone and Resource Management Zone pursuant to a Managed Forest Law (MFL) plan. The bulk of the harvest will occur outside of the Riverway boundary. There will be no new logging roads constructed. The harvest will occur when the ground is frozen or dry and the leaves are off the deciduous trees. In the Riverview Zone, one small regeneration cut will be 0.33 acres and the other will be 0.63 acres. In the Resource Management Zone, the small regeneration cut will be 0.59 acres some of which will be outside the Riverway boundary. Dorscheid made a motion, seconded by Ritchie Brown, to approve issuance of a timber permit with the following 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 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 prior to initiation of the harvest.

MOTION CARRIED.

Cupp introduced Nate Fayram, DNR Ecologist, who gave a presentation on State Natural Areas (SNA) in the Riverway. Each year, approximately half of the SNA permits for the DNR's SNAs are reviewed by the LWSRB. Work on the SNAs includes prescribed burning, brush removal and invasive species control. Fayram said invasive species control varies by site but includes reed canary grass, purple loosestrife, garlic mustard, crowned vetch, spotted knapweed, buckthorn, honeysuckle, red cedar, etc. A motion to approve two-year extensions for the following management permits was made by Dorscheid, seconded by Brown:

- Arena Pines SNA (Town of Arena, Iowa County)
- Smith Slough SNA (Town of Buena Vista, Richland County)
- Mazo Barrens SNA (Town of Mazomanie, Dane County)
- Gotham Sands SNA (Town of Buena Vista, Richland County)
- Blue River Bluffs SNA/Chezik (Town of Watterstown, Grant County)
- Blue River Bluffs SNA/Ellenbolt (Town of Watterstown, Grant County)
- Bakken's Pond SNA (Town of Spring Green, Sauk County)

MOTION CARRIED.

Cupp reported that he and Greenwood had met with Department of Transportation (DOT) officials in LaCrosse to discuss the STH 60 project between Gotham and Muscoda. The final design for the project has not been completed. DOT officials will make a presentation to the LWSRB at the October 13th meeting in Wauzeka.

Cupp said he had issued permit extensions to Jamey Wardell for timber harvesting and management activities on a parcel in the Town of Pulaski, Iowa County. He also issued a timber harvest permit to Judy Topol for lands not visible from the river. The parcel is located in the Town of Clyde, Iowa County.

The Budget Committee report was presented by Chairman Cary who reviewed the status of the FY 16 budget. Cupp said there will be a number of equipment and furnishings purchases in the coming months. Cupp reviewed the amount the agency will be charged to implement the STAR project over the next several fiscal years.

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 said he attended the Friends of the Lower Wisconsin River (FLOW) annual meeting and was privileged to present the 2016 Riverway Champion award to Ned Hodgson. Cupp said the proposed re-appointments of Arimond and Brown remain in committee and a hearing has not been scheduled. The terms of Dorscheid (Iowa County) and Martin (Richland County) will be up on May 1st.

Under board members business, Leys noted he saw swans near Wauzeka on his way to the meeting. Brown said he spoke at the rally in opposition in to AB 620 (changes to burial sites preservation law) at the Capitol in Madison in January. He said it was a cold day but seemed to be worth the effort as the bill appears to be dead for this session. Greenwood then informed the board he had tendered his resignation to Governor Scott Walker and will relinquish his position as LWSRB Sauk County representative and board chair as of May 1st. Greenwood said there are new demands on his time which required him to make the decision. Board members and staff thanked Greenwood for his service and leadership. Cupp said the board will acknowledge Greenwood's service to the board at the April 14th meeting in Sauk City.

During public comment session, Timm Zumm, FLOW Chair, discussed the FLOW annual meeting and said the FLOW board now stands at nine members. He said FLOW can be an advocate for issues in cases where the board is unable to do so. Zumm said he appreciated the appointment of McFarlane to the LWSRB and noted the many contributions McFarlane had made to FLOW and Riverway related projects. Leys noted the increased importance of FLOW and other groups to speak out on behalf of the Riverway.

Cupp introduced Jen Salt, an artist who is working on the Sixty West Project. She is painting the current look of STH 60 from Gotham to Muscoda before the 2020 construction project comes into play.

A motion to adjourn was made by Brown, seconded by Dorscheid. **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.