

LOWER WISCONSIN STATE RIVERWAY BOARD
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MINUTES OF THE MARCH 9, 2006, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, March 9, 2006, at the Kratochwill Memorial Building in Muscoda 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. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Melody Moore, seconded by Don Greenwood. **MOTION CARRIED.** A motion to approve the minutes of the February 9, 2006, regular board meeting was made by Nick Nice, seconded by Fred Madison. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg. Tracy Madison of River Arts, Inc. addressed the board to request support for an application to host a Smithsonian exhibit in the Sauk City – Prairie du Sac area. The exhibit is entitled “Between Fences” and support is needed for the River Arts, Inc. application. Madison listed a number of local organizations that have indicated their support for bringing the exhibit to Sauk-Prairie. Cupp said he felt the board should send a letter of support. A motion was made by Greenwood, seconded by Ritchie Brown, directing Cupp to send a letter of support for the application. **MOTION CARRIED.**

Correspondence was then considered. Cupp reviewed a letter from Harold “Bud” Jordahl regarding the biennial report. Cupp said it was encouraging to receive positive feedback on the report. Cupp also reviewed a letter sent to the Boscobel Airport Commission requesting information from the Department of Transportation regarding the proposed removal of trees to accommodate placement of a GPS system at the airport.

The Operations Committee report was presented by Chairman Dorscheid. The request of Brad Hutnik, Department of Natural Resources (DNR) Riverway Forester, for a timber harvest in the Town of Pulaski, Iowa County, was considered. Dorscheid said a field inspection was conducted by Cupp, Hutnik and him prior to the board meeting. He said the site is not visible from the Wisconsin River during leaf-on conditions. Hutnik said plans call for the thinning of a red pine plantation and the removal of a pine wind break on the west end of the property. The red pine plantation also is known as the “Red Pine Seed Orchard.” Dorscheid made a motion, seconded by Brown, to approve issuance of a permit with the following conditions:

- The harvest shall be limited to areas not visible from the Wisconsin River during leaf-on conditions;
- 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 permit request of Hutnik for a management permit for a site in the Town of Richwood, Richland County, was considered. Dorscheid stated the permit was for management of a native plant community and a known archeological site, the Wanek bird mound. The activity involved cutting of trees and woody vegetation. Dorscheid said a field inspection was conducted by Cupp and Hutnik on February 14, 2006. An additional field inspection was conducted by the Operations Committee, Cupp and Hutnik prior to the board meeting. The site of the activity is not visible from the Wisconsin River during leaf-on conditions. Hutnik said plans call for the removal of trees and brush on the old fence line to enhance agricultural practices of the neighboring landowner and to

enhance efforts to restore the native plant community at the site. In addition, brush and trees will be removed to maintain an existing bird effigy mound. Trees and brush to be removed include locust, ash and scattered elm. Dorscheid made a motion, seconded by Madison, to approve issuance of a permit with the following conditions:

- The activity shall not result in an existing structure becoming visible from the Wisconsin River during leaf-on conditions;
- The LWSRB shall review modifications to the plans, as submitted, for compliance with the applicable performance standards; and,
- The applicant or his/her agent shall notify the LWSRB upon initiation and completion of the project.

MOTION CARRIED.

A warning issued to the Taliesin Preservation Commission (TPC) for cutting of trees near the Frank Lloyd Visitor Center in the Town of Wyoming, Iowa County, was discussed. A power point presentation was shown. Cupp said one white pine tree and two cedar trees had been cut between CTH C and the Wisconsin River in front of the visitor center. Cupp said removal of the trees constituted a violation of s. 30.45, Stats., so he requested that a warning be issued by DNR Conservation Warden David Youngquist. The warning issued by Warden Youngquist required implementation of a remedy to be ordered by the LWSRB. Cupp recommended the board require additional trees to be planted to replace the trees that were removed. He said the planting plan would require 3 white pines and one white cedar to be established at the site. In addition, he recommended an on-site meeting with representatives of TPC occur to discuss vegetative management of the strip of land between the highway and river. Hutnik noted there were a number of dead elm trees that were authorized for removal by a private contractor. Dorscheid said he had met with Cupp, Hutnik, Youngquist and Tom Green, TPC Facilities Manager, prior to the board meeting. He said the Operations Committee had discussed the matter and recommended on a 2-1 vote that the remedy developed by Cupp and Hutnik be ordered. Dorscheid made a motion, seconded by Brown, to require implementation of the following plan:

Taliesin Visitors Center Planting Plan

Purpose: *To re-establish screening vegetation for the Taliesin Visitors Center.*

Species: *3 eastern white pines, 4-6'*
 1 eastern red cedar, 3-5'

Strategy: *Located on the north side of County Hwy C, the planting area is characterized by shallow soils with a rocky substrate. To replace the tallest northern white cedar removed, plant 3 eastern white pines (4-6') 8-10 feet apart in a triangular planting pattern. These trees should be planted where the tallest northern white cedar was removed. To replace the smallest northern white cedar, plant 1 eastern red cedar (3-5') where the smallest northern white cedar was removed. The trees should be planted so as to eventually mitigate the view of the Taliesin Visitor Center from the Wisconsin River.*

Note that per this mitigation plan,

- *The three white pines planted in this plan shall attain a minimum of 8 feet in height by October 1, 2008;*
- *The remedy ordered by the LWSRB requires replacement of trees which suffer mortality; and,*
- *The planting plan shall be implemented by June 1, 2006*

Greenwood said he would be interested in hearing the minority opinion from the Operations Committee. Ron Leys said he voted against the remedy because he felt that the tree cutting was a blatant violation that deserved a citation rather than warning. He said it is not enough to call it a misunderstanding and said the warning was only a slap on the wrist. Leys said the trees should not have been cut and the TPC managers should have known better. Leys said the warning and mitigation are too lenient. Cupp said he felt the enforcement response was appropriate and reviewed a number of enforcement actions taken by the board. Cupp said the action is consistent with previous enforcement actions and noted the aesthetic damage was minimal. He noted the site is located near a bridge, boat landing, large building (visitor center) and roadway and is not located in a "pristine" area. Greenwood asked about the contractor who did the cutting. Hutnik said the contractor was a certified arborist from Sauk City. Greenwood suggested area arborists be contacted to assure they are aware of the Riverway regulations. Leys reiterated his stance that the tree cutting represented a knowing violation of the law and that a citation should be issued.

A vote on the motion to order the remedy presented by Cupp and Hutnik was taken. The **MOTION CARRIED** on a vote of 8 "ayes" to 1 "nay."

Hutnik then gave a presentation on road mitigation to be implemented at the former Mathews tract, now state owned, in the Town of Pulaski, Iowa County. He said best management practices (BMPs) will be installed on logging roads and skid trails to address erosion concerns. Cupp noted there is a difference in the regulations between logging roads and skidder trails. He said it may be necessary to plan for location and design of skidder trails more carefully in the future, particularly, if the trails are to be heavily used. Madison noted a difference in soils is an important consideration. Greg Greenheck asked if the county would be involved in the erosion issue. Madison said it likely would be the Land Conservation Department. Hutnik said he wasn't sure of the county's role. Hutnik said the water bars and seeding should adequately address any erosion issues

Cupp then presented information on the vegetation management plan for the STH 133 walls proposed for the area west of Woodman. A power point presentation was given. Cupp noted the plan was developed by Bob Swartz, Department of Transportation (DOT) Environmental Coordinator for District 5 in LaCrosse. Cupp noted the vegetation to be established will include trees, shrubs, grasses, prairie plants and climbing vines. He said the aspect of the walls will dictate the type of planting to occur because some segments will be warmer and more exposed to the sun while other segments will be north facing, shaded and cooler. Cupp said Swartz suggested planting of hemlock in the cool, north facing area. Cupp noted Hutnik also had reviewed the plan and concurred with the proposal. A member of the public, Jerry Stram-Prairie du Chein, asked about the cost of the walls. Cupp said DOT had not provided any information regarding cost as of yet. Leys expressed concern about deer damage to the newly planted trees and noted the high deer populations in Crawford County. Hutnik said small cages to protect against browsing could be used if necessary. A motion to endorse the DOT plan was made by Greenwood, seconded by Madison. **MOTION CARRIED**

Cupp reviewed permits he had issued since the February meeting. He said a permit was issued to David Barrett for construction of a cabin on lands not visible from the river during leaf-on conditions in the Town of Richwood, Richland County.

The Budget & Office Committee report was presented by Chairman Nice who reviewed the status of the FY 06 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. Cupp noted the Mounds Maintenance Protocol Committee had met and reviewed a draft of protocols. He said the meeting was well attended and felt the final product will be useful to a variety of governmental units. Cupp said he would attend Canoeopia on March 11th & 12th and would give a presentation on the Riverway and mound groups on both Saturday and Sunday.

The DNR report was given by Steve Colden, DNR Riverway Manager, who noted the acquisition of 49 acres from William Wilson in the Town of Eagle, Richland County. He said the two vacant wildlife biologist positions at Boscobel and Spring Green had been filled. Colden said his summer staff would be on board soon and said he will have a law enforcement ranger available for 40 hours/week to assist with enforcement issues. Hutnik reported the removal of the pine windbreaks at the former Jonas property and the work at the former Lemanski tract would mark the end of the harvest season on state owned lands. He said the second annual bottomland ecology meeting was well attended and noted two employees have been working with forestry data collection on state owned lands. Hutnik then introduced Maggie Haas and Jacob Elder who will work on state owned lands in the Riverway and surrounding area for several months. Cupp commended Hutnik for his leadership on the bottomlands ecology meeting and noted the importance of bringing a variety of disciplines together to discuss issues affecting management of these areas.

During the public comment session, Dean Faber of Mazomanie noted the recent passing of Luna Leopold and read an excerpt from his obituary.

A motion to adjourn until April 13th when the meeting will be held in Sauk City was made by Greenwood, seconded by Madison. **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