

LOWER WISCONSIN STATE RIVERWAY BOARD

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MINUTES OF THE APRIL 13, 2006, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, April 13, 2006, at the Public Library in Sauk City 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 Nick Nice and Ritchie Brown. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda with the addition of a report on the Frank Lloyd Wright Visitor Center planting plan was made by Jerry Dorscheid, seconded by Fred Madison. **MOTION CARRIED.** A motion to approve the minutes of the March 9, 2006, meeting was made by Ron Leys, seconded by Dorscheid. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg. Lundberg acknowledged the Friends of the Lower Wisconsin (FLOW) for being recognized as a "River Champion" by the River Alliance of Wisconsin. Timm Zumm, FLOW Co-Chair, said it was a group effort and that he was pleased it was the group, not just an individual, which received the honor. Cupp noted Melody Moore will represent the board at the awards ceremony on April 22nd.

Under correspondence, Cupp reported that a letter to the editor written by Jerry Stram of rural Prairie du Chien had appeared in several weekly newspapers and at least one daily newspaper. The letter called for Cupp's dismissal. Lundberg said it was unfortunate.

Cupp noted correspondence had been sent to Bob Swartz at the Department of Transportation expressing the board's support for the vegetative plan for the proposed walls along STH 133 west of Woodman. Cupp said a copy of the memorandum would be forwarded to board members.

Cupp said he had been contacted by Ruth Bender of Sauk City who complained that the process for revising the LWSRB strategic plan did not allow for adequate time for public comment. Cupp said Bender told him members of the Private Landowners of Wisconsin (PLOW) were unhappy about it and felt all landowners should have received individual notification that the strategic plan was being reviewed. Cupp said he explained the process to Bender and felt it was open and fair and allowed for public comment. He said copies of the previous strategic plan and the revised plan along with all meeting notices, minutes and press releases related to the strategic plan were sent to Bender.

Cupp said he was contacted by Kevin Isenring of Mazomanie regarding noise regulations. Isenring told Cupp he had heard that the LWSRB was trying to outlaw airboats on the river. Cupp explained that the Department of Natural Resources (DNR) regulates airboats but that the board had recommended enforcement of the 86 decibel limit currently on the books. He said Isenring felt the board was discriminating against airboats and hovercraft. At Isenring's request, Cupp sent him the board meeting minutes for the past twelve months.

The Operations Committee report was presented by Chairman Dorscheid. The request of Aaron Stagman (for Rosella Stagman) for a timber harvest in the Town of Wyalusing, Grant County, was considered. Dorscheid noted the consultant is Tom Wachter. Maps of the area were reviewed. Dorscheid said a field inspection was conducted by Cupp on April 5, 2006. Brad Hutnik, DNR Riverway Forester, and Mr. Wachter also were present for the field inspection. The field inspection revealed portions of the harvest area are visible from the Wisconsin River during leaf-on conditions. The Bluff Zone and Riverview Zone were delineated by Cupp and Hutnik. No new roads will be constructed. The existing network of roads will be utilized. Plans call for the selective harvest of trees greater than 18 inches in diameter. A variety of species will be harvested. The trees slated for harvest have not yet been marked. Based on the conversation with the logger, compliance with the basal area standards for the Bluff Zone and Riverview Zone should be readily achieved.

Dorscheid made a motion, seconded by Madison, to approve issuance of a 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, 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 small regeneration cuts, if any, in the Riverview Zone for compliance with the applicable performance standards;
- 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;
- If necessary, the Bluff Zone, Riverview Zone and Resource Management Zone shall be delineated prior to initiation of the harvest;
- 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;
- 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 Operations Committee report was presented by Chairman Dorscheid. The request of Byron and Joan Hillberry for a timber harvest in the Towns of Eagle and Richwood, Richland County, was considered. Dorscheid noted the consultant is Jacob Frazier. Maps of the area were reviewed. Dorscheid said a field inspection was conducted Cupp on March 30, 2006. Mr. Frazier also was present for the field inspection. The field inspection revealed portions of the harvest area are visible from the Wisconsin River during leaf-on conditions. The Riverview Zone and River Edge Zone were delineated by Cupp. No new roads will be constructed. The existing network of roads will be utilized. Plans call for the selective harvest of trees greater than 18 inches in diameter. A variety of species will be harvested, including oak and soft maple. The trees slated for harvest have been marked and compliance with the applicable basal area standards was determined by Cupp. A general permit was issued by Cupp to allow harvesting in the Resources Management Zone (lands not visible from the river during leaf-on conditions).

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

- The harvest shall comply with the basal area limits for the residual stand in the Riverview Zone and River Edge Zone as detailed in Chapter NR 37, Wisconsin Administrative Code;
- In the Riverview Zone and River Edge 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 small regeneration cuts, if any, in the Riverview Zone for compliance with the applicable performance standards;
- The LWSRB shall review the location and design of all new logging roads, if any, in the Riverview Zone and River Edge 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;

Hillberry continued:

- If necessary, the Riverview Zone, River Edge Zone and Resource Management Zone shall be delineated prior to initiation of the harvest;
- 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;
- 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.

Activities on DNR State Natural Areas (SNA) in the Riverway were discussed. Cupp explained that extensions to a portion of management permits issued to DNR for SNA activities were considered each year with the SNA permits divided equally between odd and even numbered years. Matt Zine, DNR SNA Manager, discussed the activities at the SNA units under consideration for the meeting. He said little activity has occurred at the Arena Jack Pines SNA in the past and no major activities are planned in the immediate future. At Smith Slough SNA, prescribed burning is anticipated but concerns regarding the Blanding's turtle may delay that activity. At Mazomanie Barrens SNA, black oak is densely populating the area and will require treatment. Buckthorn also is an issue. Some interior pine removal may occur and burning will remain part of the regimen. At Gotham Sands SNA, black locust treatment is the focus of the SNA crew's efforts. The site is managed in partnership with the adjacent private landowner, Monica Groenert. At Blue River Bluffs SNA, there was a 200 acre burn on the Ellenbolt prairie and adjacent woodlands. Work at the Chezik prairie will include vegetative management and burning. At the Bakken's Pond SNA, work continues to restore the prairie and oak barrens with burning to occur on a periodic basis. Cupp noted that the board will consider extensions to SNA permits at the February meetings starting next year to avoid imposing on Zine's time during burn season.

A motion to approve issuance of a two-year extension to the SNA permits was made by Dorscheid, seconded by Greenwood. **MOTION CARRIED.**

A proposed prescribed burn at the Ferry Bluff SNA was discussed. A power point presentation with maps of the site was shown. Zine discussed the proposed burn and the techniques to be employed. He noted the LWSRB's concern regarding tree mortality should be addressed by using a back fire, as opposed to a head fire, which also may result in greater brush control, an objective of the burn. Cupp noted the Operations Committee had met with Zine at the site earlier in the day and said he appreciated the effort to communicate in detail the strategy for the site and the cognizance of the board's concern regarding tree mortality. Lundberg asked if a head fire would be used to burn through the dogwood patch on Ferry Bluff and said he was concerned about potential adverse impacts on the white oak. Zine said he planned to burn from the top first and then use a head fire only if the back burn didn't work, which should protect the white oaks from adverse effects of the fire. Zine said he hoped to do the burn within weeks, if not days.

Cupp then gave a power presentation on the Mike and Skippy Leibfried property in the Town of Woodman, Grant County. He said this was an informational item and noted decision making on the item would occur in May. Cupp said a permit was issued to the Leibfrieds for construction of a new house overlooking the Wisconsin River on a bluff near the Big Green boat landing west of Woodman. A condition of the permit required retention of the existing screening vegetation and replacement if damaged or destroyed. Some of the trees that provide screening have succumbed to a disease, insect infestation or other environmental factors. Therefore, a planting plan to replace the trees will be required. Cupp said he and Hutnik had met with the landowner to discuss the situation and said another meeting with a forest pathologist will occur in an attempt to determine the cause of the tree mortality. The matter will be discussed at the May meeting.

The remedy ordered by the board to address the illegal tree cutting at the Frank Lloyd Wright Visitor Center in the Town of Wyoming, Iowa County, was discussed. Cupp said he and Hutnik had met with Tom Green and Doug Hadley of the Taliesin Preservation Commission (TPC) to discuss the requirements of the planting plan and to discuss a long term management strategy for the area between CTH C and the river. He noted Dorscheid had joined the group at the site as well. Cupp said the discussion was fruitful and said the planting will transpire before June 1, 2006. He said Hutnik will meet with Hadley and other TPC officials to develop a long term vegetative management plan for the site.

A member of the public, Lester Procknow-Black Hawk, asked if the DNR allowed firewood cutting on state lands. Hutnik said firewood cutting is allowed under a permit system with a nominal fee. Procknow asked if the policy had been abused. Hutnik said there was a recent incident where someone cut some trees that were not marked for removal.

Cupp noted the board would discuss the proposed expansion of the Boscobel Airport at the May meeting. He said plans call for tree removal near the river. A more complete discussion will occur at the May 11th and the Operations Committee will visit the site.

Enforcement of noise regulations for motorized watercraft was discussed. Greenwood said the DNR will be going to public hearing with a revised administrative rule. He said the new rule would require testing of airboats and hovercraft at a distance of at least 300 feet while other watercraft are testing at a distance of 50 feet. Greenwood said this appears to create an exemption or exception for airboats and hovercraft; an exemption to which he is opposed. More information on the revised rule and hearings will be presented at the May meeting.

Permits issued by the Executive Director were reviewed. Cupp said he had issued three permits to Steve Colden, DNR Riverway Manager, for activities on lands not visible from the river during leaf-on conditions. A general permit was issued to Colden for vegetative removal on the High Bank Road west of Muscoda to enhance safety and create pull-offs for fire control vehicles. A general permit was issued to Colden for vegetation removal associated with reclamation of a dump site on the former Wilson property in the Town of Eagle, Richland County. A general permit was issued to Colden for vegetative removal associated with demolition of the former McKichan cabin at Woodman Lake. Cupp said he also issued a general permit to Byron and Joan Hillberry and consultant Jacob Frazier in conjunction with the timber harvest at the Hillberry property in the Towns of Eagle and Richwood, Richland County. The general permit was issued in advance of the regular timber harvest permit issued by the board to allow the harvest to begin under dry and leaf-off conditions. The general permit applied only to lands not visible from the river.

The Budget & Office Committee report was presented by Acting Chairman Madison who reviewed the status of the FY 06 budget. Cupp said budget projections have been done and requested authorization for the Budget & Office Committee to approve expenditures for purchase of new equipment prior to the next meeting. A motion to authorize the committee to make those decisions was made by Greenwood, seconded by Greg Greenheck. **MOTION CARRIED.**

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. He said the lectures given by Dr. Robert Salzer and him at Canoecopia were well-received with standing room only at both lectures. Cupp said Cultural Landscape Legacies also will give a tour of mound sites to the Natural Resources Foundation on May 13th and will participate in the Muscoda Morel Mushroom Festival on May 20-21 with lectures and tours.

The DNR report was presented by Colden and Hutnik. Colden said the DNR had purchased the McKichan cabin at Woodman Lake in Grant County and had purchased an easement on 20 acres in the Town of Buena Vista, Richland County. He said his crew is gearing up for the summer use season. Hutnik said the harvest season for state

owned lands in the Riverway likely is complete. He noted there was a problem with apparent timber theft at the former Lemanski tract in the Town of Pulaski, Iowa County. Hutnik said he continues to work on mitigation of the roads at the former Mathews tract in the Town of Clyde, Iowa County.

During the public comment period, Timm Zumm, FLOW Co-Chair, said National River Clean-up week will held in May with local events slated for May 13th and May 20th.

A motion to adjourn was made by Madison, seconded by Moore. **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