

LOWER WISCONSIN STATE RIVERWAY BOARD

202 N. Wisconsin Avenue
P.O. Box 187
Muscodia, WI 53573
(608) 739-3188 or 1-800-221-3792

MINUTES OF THE AUGUST 11, 2011, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, August 11, 2011, at Spring Green Public Library to conduct a regular monthly business meeting. The meeting was called to order at 5:00 p.m. by Chairman Bill Lundberg who recognized Iowa County resident Vince Limmex, first LWSRB Chair (1989-1992), who was in attendance. All members were present with the exceptions of Ritchie Brown. Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Fred Madison, seconded by Don Greenwood. **MOTION CARRIED.** The minutes of the July 14, 2011, meeting then were considered. A motion to approve the minutes was made by Ron Leys, seconded by Melody Moore. **MOTION CARRIED.**

The Executive Committee report was presented by Chairman Lundberg who introduced the guest speaker for the meeting; Bruce Brown, Senior Geologist with the Wisconsin Geological and Natural History Survey. Brown gave a presentation entitled, "Fracking for Oil and Natural Gas." He described the process by which fluid and sand are used to extract oil and natural gas from shale. He said the type of sand used in the process is very specialized with Wisconsin being one of the best places to obtain the material. Brown said the St. Peter sandstone found in the lower Wisconsin River valley could be a source of frack sand material in the future but he felt the more easily accessible material found in the central sands region of Wisconsin would be the initial focus of frack sand mining in the state. He noted mining companies particularly like to operate in unzoned towns with little regulation, which he termed as the "Wild West" for mining operations. Brown said the "sand boom" in Wisconsin took many by surprise but he expects the Gold Rush mentality to subside as operators establish their territory and a smooth flow of sand from Wisconsin to fracking areas is established.

Following the presentation, Lundberg asked Cupp to report on the voyageur canoe trips hosted by the LWSRB. Cupp said the guided trips have been popular again this year with most trips filled to capacity. The schedule included 12 trips in 18 days with about 150 people taking advantage of the opportunity to view the Riverway from the large, stable watercraft. Cupp then noted the new documentary on the Riverway produced by Dave Erickson and entitled "Rhythm of the River" will be shown in area theaters and other locales prior to the debut on Wisconsin Public Television in September or October. Lundberg noted Cupp has sent a letter of support for a grant proposal submitted by the Mississippi Valley Conservancy for acquisition of a parcel near Boscobel. Cupp said the acquisition is consistent with Riverway goals and objectives and will provide public access to the lands, if acquired. Lundberg said articles on fishing the Wisconsin River, which appeared in state newspapers, were included in the meeting packets.

The Operations Committee report was presented by Chairman Dorscheid. The permit request of Jeff Ramsden for a timber harvest in the Town of Clyde, Iowa County, was discussed. The consultant is Mark Berg of Nelson Hardwoods. A field inspection was conducted by Cupp and Berg on August 1, 2011. The field inspection revealed the site is not visible from the Wisconsin River during leaf-on conditions. Plans call for the selective harvest of merchantable hardwoods. No new roads will be constructed.

A motion to approve issuance of a permit with the following permit conditions was made by Dorscheid, seconded by Madison. Conditions of the permit include:

- 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;
- The LWSRB shall review modification of the plans, as submitted, for compliance with the applicable performance standards; and,
- The harvest shall comply with all other applicable federal, state and local regulations.

MOTION CARRIED.

The permit request of Ryder Will, on behalf of the Department of Natural Resources for modification of a public access in the Town of Prairie du Sac, Sauk County was considered. Dorscheid said a field inspection was conducted by Cupp in conjunction with previous permit activity at the site. An additional field inspection was conducted by the Operations Committee and Cupp on August 11, 2011. The field inspection revealed the site is visible from the Wisconsin River during leaf-on conditions. Plans call for removal of willow along the trail from the parking lot and brushing along the riverbank. The activity will not result in an existing structure becoming visible from the river and substantial willow will remain on the sandbar.

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

- All reasonable efforts shall be taken to minimize the visual impact of the utility facility;
- The LWSRB shall approve of any modifications to the plans, as submitted;
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity; and,
- The activity shall comply with all other federal, state and local regulations.

MOTION CARRIED.

Cupp noted the Sauk Prairie River PAL group will be removing buckthorn and other non-native invasive species on property owned by the Sauk Prairie Sewer Commission located east of the DNR boat landing in the Town of Prairie du Sac, Sauk County. Cupp said it appears the property is within the incorporated limits of the Village of Sauk City and would not be subject to the LWSRB permit requirements. The activity is consistent with the Riverway law and will not result in a structure becoming visible from the river, regardless of location within/out of the boundary.

The timber harvest on the Eric Rapp property in Town of Clyde, Iowa County, was discussed. Previously, permits have been issued for timber harvesting activities on the parcel. Dorscheid reported that the Operations Committee, Cupp and Brad Hutnik, DNR Riverway Forester, conducted a field inspection at the site on August 11, 2011. Mr. Rapp and the consultant, Mark Berg of Nelson Hardwoods, also were present for the field inspection. Cupp said he had marked the Bluff Zone on a portion of the property that is highly visible from the river. Oak wilt is present throughout the property, including on some visible bluff areas. A cabin is located on top of the bluff. The board had issued a permit for modification of the structure, including a permit condition requiring retention of screening vegetation.

Lundberg said the meeting with the landowner and consultant focused on the oak wilt problem and potential aspen regeneration cut near the cabin. He said a good balance was struck that will allow for some tree removal while assuring the aesthetic protection objective is met. Hutnik said he will meet with the consultant to GPS the oak wilt pockets and potential aspen regeneration cut areas. Leys said he was impressed with the process and the dialogue that occurred during the field inspection. Frequently, attaining a balance between competing interests is difficult but, in this case, the goal was achieved. Dorscheid agreed that the final agreement is sound and will achieve both landowner and scenic protection objectives.

The proposed construction of a grain storage and transfer facility by United Cooperative in the Town of Mazomanie, Dane County, was discussed. Moore said the site remains under review as alternative sites are explored.

The Crystal/Fish/Mud Lake District pumping project was discussed. At the July meeting, Leys had requested an update from DNR or the Lake District. Cupp said Dave Padley, Lake District Secretary, was unable to attend the meeting but had provided written comments indicating the pump had been shut down. Brian Hefty, DNR

Riverway Manager, said a contested case hearing has been postponed until September 30th as negotiations between the petitioners, the Lake District and DNR continue. He said options including moving the intake to Fish Lake and establishing high capacity wells to pump into Roxbury Creek. Madison cautioned against installing high capacity wells without proper studies and groundwater modeling. Timm Zumm, Chair of the Friends of the Lower Wisconsin Riverway (FLOW), said the petitioners hope to avoid a contested hearing and are hoping to arrive at a solution soon.

A proposed bank stabilization project on property owned by the Ho-Chunk Nation in the Town of Eagle, Richland County, was reviewed. Cupp said a meeting with interested parties was held, however, he was unable to attend due to a scheduling conflict. He asked Hefty to provide an update. Hefty said DNR had expressed concern with the US Army Corps of Engineers plan for stabilizing the bank, including adverse impacts on mussels and the proposed placement of fill into the river. He said DNR is working toward a reasonable compromise. Greenwood asked if the Ho-Chunk Nation was committed to the monetary match required for this type of funding. Hefty replied in the affirmative.

The implementation of a planting plan at the Boscobel Airport was reviewed. Hutnik developed the planting plan at the LWSRB's request in conjunction with the airport's project to clear trees to accommodate technical improvements for computer aided landings. Hutnik said the plantings look great and noted the large stock used has performed well.

Cupp reported a Department of Transportation (DOT) official contacted him regarding a possible change to plans for STH 60 between Gotham and Muscoda. The DOT official suggested bike lanes may be added to a portion previously not designated for bike lanes. Cupp said he would meet with DOT and DNR officials prior to the September board meeting to discuss the matter and noted he had already expressed concern to DOT regarding the proposed change and potential adverse aesthetic impact.

The board then reviewed aerial photographs that show "topographic anomalies" near Blue River as well as near Portage and Prairie du Chien. Cupp said there seem to be unusual forms indicated. He said groundtruthing and further investigation is required. Cupp and Hutnik will conduct a field inspection when other activities are identified in the area.

The Budget Committee report was presented by Chairman Nice. The FY 11 budget and FY 12 budget were reviewed.

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 he had a successful meeting with Department of Tourism Secretary Stephanie Klett. He said Secretary Klett is supportive of the Riverway project and offered assistance with the Scenic Byway project on STH 60. Cupp said a canoe trip with DNR and Natural Resources Board officials was held earlier in the week. The group paddled the voyageur replica canoes from Hwy. 14 to the Wisconsin Riverside Resort near Spring Green. High winds prevented the group from continuing to Otter Creek. Cupp said he spoke to the group about the success of the Riverway project and concerns about changes to the Stewardship Fund. He emphasized the need for a new Master Plan, boundary revisions and a comprehensive recreational user survey. Cupp said the Lower Wisconsin River Road Steering Committee continues to work toward incorporation as a 501(c)3 organization.

Under board members' business, Nice noted an accident occurred at the Boscobel boat landing but the rescue was successful and everyone was okay. He noted the need for safety improvements at the site.

The DNR report was presented by DNR Riverway Manager Brian Hefty who reviewed DNR activities in the Riverway including invasive species monitoring and control, wood duck and swan banding, planting of trees and prairie grasses, the Learn to Hunt program and the retirement of longtime wildlife technician Fletcher Flansburgh from Boscobel. Hefty said the Riverway crew continues to work on parking lots, roads, trash pick-up and other maintenance activities. Leys asked about the big head carp found near Prairie du Sac. Cupp said John Lyons, DNR Fisheries Biologist, is investigating the matter.

During the public comment session, Mike Birr of Spring Green expressed concern about nutrients causing algae blooms in fragile backwater slough systems. Timm Zumm, FLOW Chair, said the annual Rhythm on the River event will be held on August 27th. Nice the Boscobel Airport will host a fly-in/drive-in breakfast on September 25th.

Madison said it important for board members and the general public to recognize the level of cooperation shown between the LWSRB and the private sector. He noted the project is unique in the entire country and should be touted as a model around the world. Cupp noted the 22nd anniversary of the signing of the legislation by former Governor Tommy Thompson that created the river law was August 3rd.

A motion to adjourn until September 8th when the meeting will be held at the Peterson Shelter in Wyalusing State Park was made by Madison, seconded by Greenheck. **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