

# LOWER WISCONSIN STATE RIVERWAY BOARD

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## MINUTES OF THE NOVEMBER 10, 2016, RIVERWAY BOARD MEETING

The Lower Wisconsin State Riverway Board (LWSRB) met on Thursday, November 10, 2016, at the Village Hall in Avoca to conduct a regular monthly business meeting. The meeting was called to order at 5:00 p.m. by Acting Chairman Jerry Dorscheid. All members were present with the exception of Fred Madison. (NOTE: One vacancy exists.) Acknowledgment that the meeting was properly noticed was provided by Mark E. Cupp, Executive Director. A motion to approve the agenda was made by Bob Cary, seconded by Ron Leys. **MOTION CARRIED.** A motion to approve the minutes of the October 13, 2016, meeting was made by Leys, seconded by Gigi LaBudde. **MOTION CARRIED.**

The Executive Committee report was presented by Acting Chairman Dorscheid who noted Governor Scott Walker was expected to name a new Richland County representative in the coming weeks. Dave Martin chose not to seek reappointment to the position. Martin was presented with a plaque thanking him for his years of service. He recalled his legislative career and accomplishments under Governor Gaylord Nelson and Governor Warren Knowles. He noted the work to protect our valuable Wisconsin natural resources is not done. He encouraged board members to be engaged with their local legislators and to remind them of the importance of the Riverway. Martin said environmental issues affect everyone and should be nonpartisan. Dorscheid, Cupp and other board members commended Martin for his service to the board and his leadership.

Cupp also reported that he continues to seek potential candidates to fill the vacancy created by the resignation of George Arimond. He encouraged board members to provide him with potential applicants. He will continue to reach out to his contacts as well.

The Operations Committee report was presented by Acting Chairman Leys. The request of Kathleen Santos and Kehli Mason to amend a previously issued structure permit to include construction of a shed in the Town of Clyde, Iowa County was considered. Cupp said that during an onsite meeting with the landowner it was determined that there was a new storage shed on the property. The shed is 10 ft. x 16 ft. x 8 ft. (height) and is not visible from the river during leaf-on conditions. The colorization harmonizes with the natural surroundings. Cupp recommended approval of an amendment to the existing permit to reflect the construction of the shed with retention of the original permit conditions for both the house and the shed.

Leys made a motion, seconded by Dick McFarlane, to amend the previous permit with retention of the following conditions:

- The existing screening vegetation shall be maintained and replaced if damaged or destroyed;
- Three trees with species and locations to be determined by the LWSRB Executive Director and DNR Forester, in consultation with the landowners, shall be planted to provide additional screening vegetation, with the trees to be a minimum of 8 feet in height at the time of planting. The trees shall be planted by May 31, 2017, and shall be replaced if damaged or destroyed;
- The height of the structure shall be limited so that the structure does not become visible from the Wisconsin River during leaf-on conditions and shall not exceed 24 feet;
- The exterior colorization of the structure shall harmonize with the natural surroundings during leaf-on conditions;
- The LWSRB shall review any modifications to the plans, as submitted, including exterior colorization, for compliance with the applicable performance standards;
- The landowner or his/her agent shall notify the LWSRB upon completion of the project; and,
- The activity shall comply with all other federal, state and local regulations.

## **MOTION CARRIED.**

Cupp then reported on the meeting with Ms. Santos regarding tree planting as required by the board. Cupp, LaBudde and DNR Forester Jason Sable met with her and determined the ball and burlap nursery stock may not be the best option. Sable explained that the survivability and difficulty with transplanting the larger 8 foot trees may not result in the desired screening vegetation. He suggested 4-6 ft. bare root whips would be a better option, both in terms of costs and tree survival. Cupp said the landowner has been given the responsibility to present the board with an alternative to the 8 foot trees (3) requirement currently stated as a condition of the permit.

The applications of Mary Burke for a timber harvest and management of a native plant community were considered. Leys noted the consultant is Jake Michaels of Quercus Land Stewardship Services. An initial field inspection was conducted by Cupp on October 28, 2016. Mr. Michaels and LWSRB member Gigi LaBudde also were present for the field inspection. The field inspection revealed portions of the property are visible from the Wisconsin River during leaf-on conditions. The LWSRB Operations Committee visited the site on November 10<sup>th</sup>. Cupp and Michaels also were present. Plans call for restoration of a prairie and oak woodland at the uplands site on Troy Village Road. Plans call for restoring of 4 acres of old field vegetation to prairie grasses and forbs. The existing oak and hickory woodland will be enhanced by removing invasive species and thinning native hardwoods. Some aspen may be commercially harvested or otherwise removed to enhance the transition from prairie to oak woodland. No existing structures will become visible from the river as a result of the activity.

LaBudde noted the project will be long term. The old agricultural field/prairie will require burning and seeding to restore the native prairie. The oak woodland will utilize periodic fire and invasive species control to restore that native plant community. She supported the efforts to restore the ecosystem but encouraged periodic evaluation to assess progress. Leys suggested the cover letter accompanying the permit request a voluntary color change of the house to better harmonize with the surroundings.

Leys made a motion, seconded by Cary, to approve issuance of a two-year management permit for the prairie restoration with the following standard permit conditions:

- No existing structure(s) shall become visible from the river as a result of the activity;
- The LWSRB shall approve of any modification to the plans, as submitted; and,
- The landowner or his/her agent shall notify the LWSRB upon initiation and completion of the activity.

## **MOTION CARRIED.**

Leys made a motion, seconded by Ritchie Brown, to approve issuance of a timber harvest 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 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.

**MOTION CARRIED.**

Leys then made a motion, seconded by Cary, directing Cupp to include language recommending (but not requiring) a change in exterior colorization of the house in the cover letter accompanying the permits. **MOTION CARRIED.**

The STH 130 bridges at Lone Rock were discussed. Cupp said he attended an agency coordination meeting on October 19<sup>th</sup>. Representatives of Sauk, Richland and Iowa county highway departments were present as were DNR and DOT officials and the DOT consultant. Cupp described the options ranging from maintenance only to removal to replacement. He noted there will be a project in 2018 to shore up the middle bridge. Martin asked about the cost of the band-aid. Cupp said \$400,000. Cupp said one of the options would require excavation of the rock wall back 330 feet from the end of the bridge. He informed DOT officials that the board likely would vigorously oppose that option. Cupp recommended the board go on record as supporting Option 1P as the preferred build option. The 1P option would construct two new bridges slightly downstream of the existing bridge. The rock wall on the Iowa County side would be avoided at that terminus addressing local concerns. The cost is similar to replacement along the existing alignment. Cupp noted the Operations Committee viewed the bridges prior to the board meeting. Leys made a motion, seconded by Brown, to approve Option 1P as the LWSRB's preferred build option. **MOTION CARRIED.**

The condition of the deteriorating railroad bridge Sauk City was considered. Digital images of the bridge were viewed. Cupp said the Operations Committee visited the site prior to the board meeting. He noted the bridge has shifted. The Wisconsin River Rail Transit Commission and DOT are reviewing options for removal or repair. High water levels have deterred efforts to gather more information on the condition of the pilings. Leys said it is clear that the bridge should come down but expressed concern about demolition and resulting debris. At the appropriate time, he said the board should convey strong concerns about the manner in which the demolition is carried out and the need for assurances that the debris will be removed. Leys said he didn't want to see debris scattered for miles downstream as happened during the previous span removal.

Cupp reported he has been in contact with two landowners for future permit activities but has not received an application from either. One is for timber harvest in Iowa County and the other is for a prairie restoration in Sauk County.

The Personnel Committee report was given by Chairman Brown. Brown made a motion, seconded by Cary, to convene in closed session pursuant to sec. 19.85(1)(c), Stats., for the purpose of considering employment, promotion, compensation or performance evaluation data of a public employee over which the LWSRB has jurisdiction or exercises responsibility. **MOTION CARRIED.** Discussion ensued in closed session. Brown made a motion to reconvene in open session, seconded by Cary. **MOTION CARRIED.** Brown made a motion, seconded by Leys, to reclassify the current Office Associate position to Program Assistant (Executive Assistant) 81-05 with a commensurate salary increase effective November 13, 2016. **MOTION CARRIED.**

The Budget Committee report was presented by Chairman Cary who reviewed the status of the FY 17 budget. Cary then said an amendment to 2017-2019 biennial budget request would be required to fund the increase in the FB 1 and FB 3 lines (permanent salaries and fringe benefits). A motion to increase the budget request by \$14,560/fiscal year was made by Cary, seconded by McFarlane. **MOTION CARRIED.**

The Executive Director's report was given by Cupp who reviewed the materials in the board members' packets. He noted river flows have been unusually high.

The DNR report was presented by Matt Seguin, DNR Riverway Manager, who said personnel have been working on pheasant stocking, deer season preparations and signage placement. Sable said he has been working on projects at Munz Lane in the Town of Millville, Grant County, and Racek Road in the Town of Mazomanie, Dane County.

During public comment, Meg Wyse of the Crawford Stewardship Project distributed the latest newsletter. Timm Zumm, President of the Friends of the Lower Wisconsin State Riverway (FLOW), thanked Martin for his service to the Riverway. He said Kids Don't Float program continues to be a great success. He said FLOW is working on a Riverway symposium for either 2017 or 2018. Details will be forthcoming. The FLOW annual meeting will be January 28<sup>th</sup> in Plain.

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