

November 6, 2014

**DOUGLAS COUNTY LAND CONSERVATION COMMITTEE**  
**Tuesday, November 18, 2014, 10:00 a.m., Courthouse, Room 207C,**  
**1313 Belknap Street, Superior, Wisconsin**

Please call the Chair or County Clerk's Office (715-395-1569) if you are unable to attend.

MEMBERS: Mark Liebaert, Chair  
Mary Lou Bergman  
Amy Colby, FSA  
Sue Hendrickson, Vice Chair  
Larry Luostari

**A G E N D A**

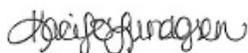
(Committee to maintain a two-hour meeting limit *or* take action to continue meeting beyond that time.)

1. Roll call.
2. Approval of minutes from the September 16, 2014, meeting (attached).
3. Action items:
  - a. Wildlife Damage and Abatement Program:
    - 1) Report; and
    - 2) Approval of 2014 claim prices.
  - b. Resolution approving WDNR Aquatic Invasive Species grant application (attached); and
  - c. Approval of Douglas County representative to the Lake Superior National Estuarine Research Reserve Advisory Board (attached).
4. Informational items:
  - a. Presentation: St. Louis River phragmites project by Farrah Wirtz, AIS coordinator.
  - b. Emergency Watershed Program projects;
  - c. Aquatic Invasive Species Program;
  - d. St. Croix Headwaters Watershed project;
  - e. Lake Superior Basin watershed wetland planning project;
  - f. Northwest Wisconsin Land and Water Conservation Association;
  - g. Agency reports; and
  - h. Staff report (attached).
5. Future agenda items.

cc: Andrew Lisak  
Cameron Bertsch  
County Board Supervisors  
Gary Haughn  
Matt Steiger  
Scott Peterson  
Sue O'Halloran  
Carrie Sanda  
Molly Wick  
Christine Ostern  
Sue Sandvick  
Roger Wilson  
Steve LaValley  
Nancy Larson  
Darienne McNamara  
Lisa Schultz  
DCALS  
Steve Rannenber  
Douglas County Website  
Paul LaLiberte  
Shelley Nelson (Telegram)  
Carl Beckman  
Jason Serck  
Farrah Wirtz  
Dave Schultz

NOTE: Attachments to agenda are available in County Clerk's Office for review or copying. Action may be taken on any item listed on the agenda. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request, depending on the amount of notice we receive.

Posted: Courthouse, Government Center, Telegram Copied



11-6-14

Name

Date

**DOUGLAS COUNTY LAND CONSERVATION COMMITTEE**  
**Tuesday, September 16, 2014, 10:00 a.m., Lake Superior NERR,**  
**14 Marine Drive, Superior, Wisconsin**

Meeting called to order by Chair Mark Liebaert.

**ROLL CALL:** Present – Mark Liebaert, Sue Hendrickson, Larry Luostari. Absent – Rae Ann Anderson, Amy Colby. Others present – Christine Ostern, Carrie Sanda, Gary Haughn, Farrah Wirtz, Terry White, David Schultz, Sue O'Halloran, Erika Washburn, Mike Friis, Kaci Lundgren, Committee Clerk.

**APPROVAL OF MINUTES:** Motion by Hendrickson, second Luostari, to approve minutes from the July 15, 2014, meeting. Motion carried.

**ACTION ITEMS:**

**Wildlife Damage and Abatement Program Report and Approval of Contracts and Budgets:** Included with agenda; reviewed.

**ACTION:** Motion by Hendrickson, second Luostari, to approve budget as presented. Motion carried.

**ACTION:** Motion by Luostari, second Hendrickson, to approve deer processing contract as presented. Motion carried.

**Establish 90% Crop Harvest Deadline:** Appraisal requests for damage to crops discussed.

**ACTION:** Motion by Luostari, second Hendrickson, to establish crop harvest deadline of November 10, 2014. Motion carried.

**Approval of 2015 Land Conservation Department Budget:** Included with agenda; reviewed.

**ACTION (REFERRAL):** Motion by Hendrickson, second Liebaert, to approve budget as presented and refer to Administration Committee. Motion carried.

**Approval of Source Location for Shafer Beach Piping Plover Habitat Enhancement Material:** Map included with agenda; locations discussed.

**ACTION:** Motion by Hendrickson, second Luostari, to use dredging units 16 and 17, with dredging units 13 and 14 as secondary locations. Motion carried.

**Resolution Approving WDNR River Protection Grant Application:** Included with agenda; reviewed.

**ACTION (RESOLUTION):** Motion by Hendrickson, second Luostari, to approve resolution as presented and refer to County Board. Motion carried unanimously.

**Emergency Watershed Protection Project, St. Louis River, Update and Approval to Contract with Eligible Landowners to Secure Landowner's Participation and Liability and Barr Engineering – Phase II Work Order:** Included with agenda; reviewed.

**ACTION (RESOLUTION):** Motion by Hendrickson, second Liebaert, to approve contracts as presented and refer to County Board. Motion carried.

**Approval of Revisions to the Wisconsin Coastal Management Program Project of Special Merit Grant for Watershed Wetland Planning:** Concerns of phase II leadership and changes in focus discussed. Difficulty with negotiations and concerns of decisions made for county by non-county representatives noted.

**ACTION:** Motion by Liebaert, second Hendrickson, to authorize Christine Ostern to act on Wisconsin Coastal Management Program Project upon consultation with Chair and Vice Chair of Land Conservation. Motion carried.

**INFORMATIONAL ITEMS:**

**Emergency Watershed Program Projects:** Discussed with above action item.

**St. Croix Headwaters Watershed Project:** New software implemented; shoreline incentives discussed.

**Northwest Wisconsin Land and Water Conservation Association:** Meeting and tour cancelled due to lack of interest.

**Environmental Reserve Fund:** Included with agenda; reviewed.

**Aquatic Invasive Species Program:** Lake monitoring complete; capstone project with UWS student will occur.

**Agency Reports:** NRCS report distributed; reviewed.

Motion by Hendrickson, second Luostari, to extend meeting beyond two-hour time limit. Motion carried.

**Staff Report:** Included with agenda; reviewed.

**FUTURE AGENDA ITEMS:** Minnesuing Park renovation update; Farmland Preservation Plan participants; Wildlife Damage Abatement Program claim prices.

**ADJOURNMENT:** Motion by Hendrickson, second Luostari, to adjourn. Motion carried. Meeting adjourned at 12:12 p.m.

Submitted by,

Kaci Lundgren  
Committee Clerk

**DRAFT**

**A RESOLUTION FROM SUPERVISORS OF THE DOUGLAS COUNTY LAND CONSERVATION COMMITTEE  
SUPPORTING A GRANT APPLICATION FOR WDNR AQUATIC INVASIVE SPECIES FUNDING**

**WHEREAS**, Douglas County water bodies are an important resource used by the public for recreation and enjoyment of natural beauty; and

**WHEREAS**, public use and enjoyment of Douglas County water bodies are best served by protection of these water bodies from infestation of aquatic invasive species; and

**WHEREAS**, we recognize the need to provide information or education about aquatic invasive species; and

**WHEREAS**, we are qualified to carry out the responsibilities of an aquatic invasive species control project.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Douglas County Board of Supervisors requests grant funding and assistance available from the Wisconsin Department of Natural Resources under the “Aquatic Invasive Species Control Grant Program” and hereby authorizes the Douglas County Conservationist to act on behalf of Douglas County to:

- submit an application to the State of Wisconsin for financial aid for aquatic invasive species control purposes;
- sign documents;
- take necessary action to undertake, direct, and complete an approved aquatic invasive species control grant; and
- submit reimbursement claims along with necessary supporting documentation within six months of project completion date.

**BE IT FURTHER RESOLVED THAT** Douglas County will meet the obligations of the aquatic invasive species control project including timely publication of the results and meet the financial obligations of an aquatic invasive species grant, including the prompt payment of our 25% commitment to aquatic invasive species control project costs.

**FISCAL NOTE: 25% MATCH TO BE PROVIDED BY IN-KIND SERVICES, DONATED TIME AND SERVICES, AND OUTSIDE FUNDING**

## Lake Superior National Estuarine Research Reserve

14 Marina Dr., P. O. Box 2000  
University of Wisconsin-Superior  
Superior, WI 54880  
(715) 392-3141  
(715) 392-3144 (fax)



October 3, 2014

Dear Administrator Lisak,

With this letter, I am seeking to confirm Douglas County's interest in remaining on the Lake Superior NERR's Reserve Advisory Board. Christine Ostern is currently serving as the County's Primary representative and Jane Anklam is identified as an Alternate.

### Purpose of the Reserve Advisory Board

As stated in the August 2010 MOU:

*"The Board shall act on behalf of the agencies/entities having jurisdiction over sites comprising the Reserve and/or an operational interest in the Reserve. Members of the Board will serve without compensation from the Reserve. In addition, the purpose of the Board is to advise UWEX regarding implementation of the Management Plan. The Board shall review the Plan every five (5) years and shall advise UWEX regarding modification of the Plan."*

### Representation and Voting Rights:

Each of the MOU signatories and new Board members may appoint one Primary and one Alternate representative to the Board. If both individuals are present at meetings, the Primary representative retains voting rights and if only the Alternate is present, that individual may exercise voting privileges on behalf of their organization.

### Participation in Committees:

Members may elect to serve or appoint appropriate staff to serve, in any of the standing or *ad hoc* LSNERR committees on behalf of their organization. The standing committees include the Advisory Committees for Research, Education, Coastal Training and Stewardship. Standing committees are required by NOAA to meet two to four times annually and members serve as advisors on program strategies.

### Board Meetings:

The Board will meet on a quarterly basis in Superior WI. On two of those occasions, the larger Lake Superior NERR partner community will be invited to attend the last half of each meeting to foster greater stakeholder involvement. Prior to each meeting, an agenda will be shared along with staff updates, a summary of significant accomplishments and other pertinent information.

### Terms of Service:

The current term of service is October 2013 to October 2016. At the end of each three year term, the Reserve Manager will contact each organization to confirm representation on the Board

If the County no longer wishes to serve on the Lake Superior NERR Reserve Advisory Board, or if you have changes to individuals serving as the Primary representative or Alternate, please respond to me by November 17, 2014. If you have any questions about the duties and obligations described herein, don't hesitate to contact me. I look forward to continuing to work with the County to successfully implement the Management Plan of the Lake Superior National Estuarine Research Reserve.

Sincerely,

A handwritten signature in cursive script that reads "Erika Washburn".

Erika Washburn, Ph.D.  
Reserve Manager

CC: Christine Ostern, Jane Anklam

**DC LWCD Staff Report**  
**For 11-18-14 LCC meeting**  
**Prepared by: Christine Ostern**

**LAKE SUPERIOR NATIONAL ESTUARINE RESEARCH RESERVE (LSNERR):** Project leadership and coordination of the grant-funded project to create a Lake Superior Basin watershed plan for wetland siting, aka the “Lake Superior Watershed Framework for Assessment of Wetland Services” has moved away from the LSNERR, along with project leader Sue O’Halloran, to the UWS-Lake Superior Research Institute. Jane Anklam attended the last LSNERR Advisory Board meeting in October as Christine’s alternate. Christine would like to resign as the County’s representative to the Advisory Board for these reasons: 1) reluctance of LSNERR to share budget and activity report information to Advisory Board members, and 2) refusal of Director to communicate with County’s representative. LSNERR has sent letters to all Advisory Board member organizations to update status of organization’s representative and alternate.

**PIPING PLOVER PROJECTS:**

Beach nourishment: The WDNR has requested that the USACE conduct a study at Shafer Beach for the feasibility of widening the beach to improve habitat by using groins and beach nourishment; that study has begun. Douglas County will play a major role in this project in the future as the potential local sponsor and property owner.

Grants: Douglas County has received additional funding from the USFWS for habitat improvements and management planning for piping plover. There is USACE funding available for the feasibility study described above.

Management Plan: Management planning is continuing through leadership by Amy Eliot.

**GRAZING PROGRAM:** All three grazing grants held by Douglas County expire at different times at the end of this year. Agency partners plan to continue discussions for keeping a grazing program available in Douglas County; many other counties around the state are facing a similar situation due to RC&D closures and the termination of the state grant program. A survey will be sent out through the Farmland Preservation Plan revision that will have some questions about grazing which should help guide landowner contact and future programming.

**NORTHWEST WISCONSIN LAND & WATER CONSERVATION ASSOCIATION (NWLWCA):** The next meeting of the NWLWCA will be held January 9<sup>th</sup>; the 2015 area speaking and poster contest will be held Feb. 6<sup>th</sup> in Spooner – please consider attending, ask Sue Hendrickson or Christine for details. The annual state-wide WLWCA conference is planned for March 9-11, 2015 in Appleton – details and registration is available at <http://wisconsinlandwater.org/events/annual-conference>.

**LAND & WATER RESOURCE MANAGEMENT PLAN EXTENSION:** The Douglas County Land & Water Resource Management Plan extension request was approved by the state Land and Water Conservation Board as presented by Christine at their meeting October 7<sup>th</sup>. Our plan was written as a 10-year plan (2010-2020); adopted in 2009, with the five-year extension required in 2014.

**NATIONAL FISH & WILDLIFE FEDERATION SAVE OUR GREAT LAKES GRANT TO RESTORE WILD RICE AND CONTROL INVASIVE SPECIES IN ALLOUEZ BAY:** The pre-proposal Christine submitted to fund wild rice restoration and invasive species control in Allouez Bay was accepted and Douglas County was invited to submit a full proposal. This was done in June. Meanwhile, Federation staff visited with project partners and saw the site in late May. We were notified recently that we have been awarded the grant. Also, a matching grant from the USFWS for \$35,000 has been awarded to Douglas County for the project. Because the notification came so late in the fall, we are postponing any seeding work until next year.

**ST. CROIX – EAU CLAIRE WATERSHED PROJECT:** Carrie Sanda, Watershed Coordinator, has been working on the deliverables of this grant-funded 2-year project this year. Carrie has attended many meetings, made many presentations, conducted lots of site visits, hosted a native plant sale and rain barrel/compost bin sale, drafted work plans, directly mailed a newsletter to households in priority areas, written and submitted many news releases and other updates... She also planned and hosted a series of three “Learn About Your Lakes” educational programs for kids and their families – last staff report you read the compilation of surveys from attendees. Carrie will give a brief report and answer questions at the LCC meeting.

## Ostern, Christine

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**From:** Ostern, Christine  
**Sent:** Wednesday, October 15, 2014 1:08 PM  
**To:** 'Olson, Travis R - DOA'; 'Friis, Michael J - DOA'  
**Cc:** Liebaert, Mark; Washburn, Erika (erika.washburn@ces.uwex.edu); Erin O'Brien (policy@wisconsinwetlands.org); Andy Robertson (AROBERTS@smumn.edu) (AROBERTS@smumn.edu); Lisak, Andy; Rannenber, Steve; 'O'Halloran, Susan L'; 'Friis, Michael J - DOA'  
**Subject:** RE: Project of Special Merit revisions

Travis,

Thank you for participating in our meeting with WDNR at our invitation and for taking the time to speak to Sue O'Halloran and I after the meeting.

As we discussed last week, the revisions I submitted did not change the scope of work, only the roles and responsibilities of the partners; and, the additional partners we proposed to bring to the project maintained or increased the overall diversity of partners.

We are declining to move forwards with the Project of Special Merit. We have made this decision based on the inability of WCMP and NOAA to meet Douglas County's terms for continued involvement.

We intend to secure alternative funding and move forwards with our project to meet the needs of Douglas County and our local stakeholders.

Respectfully, Christine

*Christine Ostern | County Conservotisionist | Douglas County LWCD | 1313 Belknap St., Rm. 206, Superior, WI 54880 | 715.395.1380*

**From:** Olson, Travis R - DOA [<mailto:Travis.Olson@wisconsin.gov>]  
**Sent:** Thursday, October 09, 2014 4:33 PM  
**To:** Ostern, Christine  
**Cc:** Liebaert, Mark; Washburn, Erika (erika.washburn@ces.uwex.edu); Erin O'Brien (policy@wisconsinwetlands.org); Andy Robertson (AROBERTS@smumn.edu) (AROBERTS@smumn.edu); Friis, Michael J - DOA  
**Subject:** Project of Special Merit revisions

Christine,

Thank you for taking the time after a very long day to speak with me Tuesday. Our discussion covered your latest proposed changes to the Project of Special Merit, which you submitted in an October 3 email. Here is a more complete WCMP response to that proposal.

### Background of the Project of Special Merit Grant:

At the request of, and with the full support of Douglas County, Lake Superior NERR, Wisconsin Wetlands Association, and St. Mary's University, the Wisconsin Coastal Management Program (WCMP) applied for, and received, a Project of Special Merit grant for \$133,456 from NOAA. This grant was to fund the next phase of the Douglas County watershed assessment/planning project. The PSM was awarded through a national competition, and any changes to the scope of work would have to be approved by NOAA. The scope of work currently includes grant-funded tasks by each of the project partners. WCMP would execute separate grant agreements with each of the partners, and would be responsible for tracking and reporting project progress to NOAA.

### Douglas County proposal:

You have proposed, through the Douglas County Land Conservation Committee, to modify the PSM scope of work such that Douglas County would receive \$33,000, St. Mary's University would receive \$15,000 for GIS services, and UW-Superior's Lake Superior

Research Institute would receive \$85,454 for project facilitation. You also propose to have Douglas County receive all of the grant funds, and distribute them using County subcontracts instead of grants administered by WCMP.

As we discussed yesterday, the NOAA PSM grant was awarded based on the strength and diversity of the current project partnership. Your proposed changes are not consistent with the original scope of work. While modifications to the relative involvement of partners, or shifting of responsibilities, might be acceptable, a wholesale removal of partners without the partners' consent is not. Given the County's desire to move forward on the project without the full involvement of the original PSM Grant partners, NOAA will not authorize the use of the PSM Grant for the Douglas County project.

Regardless, WCMP will continue to support the intention of Douglas County and its Towns to complete this project. Specifically, WCMP is available to facilitate the involvement of federal and state agencies, especially that of Army Corps of Engineers wetland regulatory program staff in their review of the final watershed plan(s) for consideration in mitigation siting proposals.