



## LAND INFORMATION DEPARTMENT

John Lefebvre  
Director

Greg Cleereman  
Conservationist

Linda Christensen  
Property Lister

### MEETING OF THE LAND INFORMATION COMMITTEE MONDAY, NOVEMBER 8, 2010 COUNTY BOARD ROOM

**Members Present:** Ted Sauve, Alice Baumgarten, Larry Nichols, Joe Policello, John Fendryk, John Guarisco, and Jerry Pillath

**Others Present:** Greg Cleereman, LID-LWC; Aleta DiRienzo, LID-LWC; John Huff, WI-DNR; Dave Halfmann, WI-DNR; and the Peshtigo Times. Mike Cassidy, Bob Fraik, Scott Ruess, Mike Moroni, John Dobertz, Greg Reinhardt and the Eagle Herald were present for a portion of the meeting.

1. The meeting was called to order by Chairperson Sauve at 9:00 a.m.
2. APPROVAL OF AGENDA  
**MOTION** (Nichols/Guarisco) to approve the November 8, 2010 agenda, with the correction on item 10 changing the word September to October, and the addendum as presented. Motion carried no negative vote.
3. APPROVAL OF MINUTES  
**MOTION** (Buamgarten/Policello) to approve the October 11, 2010 minutes, with the correction on item 19, changing to (Nichols/Policello). Motion carried no negative vote.
4. PUBLIC COMMENT  
**MOTION** (Nichols/Pillath) to open the Public Comment Session. Motion carried no negative vote.

**Bob Fraik - Supervisor, Town of Peshtigo – District 19** was wondering why it took so long for the Coleman Lake Club dams to come before the committee and wants better presentation.

**Mike Cassidy – Supervisor, Town of Goodman – District 26** – Concerned about the WDNR issuing permits to replace dams on the Pike River, which is designated as a Wild River.

**Mike Moroni, AECOM - Project Manager** gave background history regarding the two dams that were replaced.

**Greg Reinhart - Town of Athelstane** was concerned about floodplain insurance becoming more expensive for Athelstane and Amberg Townships.

**MOTION** (Guarisco/Policello) to close the public comment session. Motion carried no negative vote.



5. QUESTIONS FOR WDNR CONCERNING THE COLEMAN LAKE CLUB DAMS

Committee requested that the Wisconsin Administrative Code Chapter NR 302.04 Wild Rivers Alteration be read out loud. *"(1) Dams. To preserve the free flowing state of wild rivers, no man-made dams or other man-made structures which impound water shall be permitted on such rivers with the exception of those projects, licensed by the federal energy regulatory commission, in existence prior to November 18, 1965."*

**Questions for Miles Winkler, WDNR**

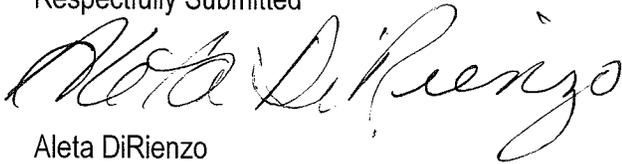
- a. Were the two Coleman Lake Club dams "grandfathered" in with the Wisconsin Administrative Code 302.04. Are these dams considered "Hydro" or "Retaining"?
- b. What are the consequences if the County Board or Land Information Committee do not approve or accept the Floodplain information?
- c. The letter from Wild Rivers should be incorporated into the list of questions for the DNR.
  1. Given that the Wild Rivers statute is clear that no dams, other than those licensed by the FERC, can be rebuilt in as state designated Wild River, how does DNR justify allowing the rebuilding of these two dams on the Pike River?
  2. Given that is what the law stated, will the DNR ask Coleman Lake Club to remove the dams?
  3. Under NR330, dam owners are required to provide a portage, defined by the rule as "a clear access route around the dam and its appurtenances, on which a boat and supplies can be carried without unreasonable obstruction . . . "Did the DNR require this of Coleman Lake Club? If so, has it been verified that they did so, and are there photographs or other documented evidence that shows the portages at these dams?
  4. If the DNR is not requiring Coleman Lake Club to remove these dams, pursuant to the Wild Rivers statute, what provisions is the agency making to ensure they are not repaired again, and indeed removed?
- d. Does the public have portage around the dams or do they have access if they are walking down the stream to go around the dam?
- e. What constituted allowing these dams to be replaced? In the 1970's a dam in the Town of Stephenson had to be removed, it couldn't be replaced and Huigen Lake ceased to exist and Squaw Lake went down a couple of feet. Now all the people that lived on Huigen Lake that used to have lake-front property – don't have lake-front property anymore. Need some explanation of how one dam has to be taken out and one dam gets to be replaced.
- f. Want to know if the WDNR is setting precedence with letting these dams be rebuilt.
- g. Back to the Wisconsin Administrative Code 302.04 is the Coleman Lake Club dams a licensed project (FERC) or a non licensed project. What is the WDNR basing their interpretation on?

6. VOTING PROXY FOR WISCONSIN LAND & WATER CONSERVATION ASSOCIATION ANNUAL CONFERENCE

**MOTION** (Policello/Baumgarten) to authorize the County Conservationist voting proxy for the Land Information Committee at the Wisconsin Land & Water Conservation Association Annual Business Meeting on Friday, December 11, 2010. Motion carried no negative vote.

7. 2010 WILDLIFE DAMAGE PROGRAM CROP PRICES  
**MOTION** (Guarisco/Fendryk) to approve the 2010 Wildlife Damage Program Crop prices. Motion carried no negative vote.
8. OCTOBER SCHEDULE OF INVOICES  
**MOTION** (Guarisco/Fendryk) to accept the October Schedule of Invoices (\$130,948.43). Motion carried no negative vote.
9. SCHEDULE NEXT MEETING  
Next meeting is scheduled for 1:00 p.m. Monday, December 13, 2010 at the Courthouse in the County Board Room.
10. ADJOURNMENT  
**MOTION** (Nichols/Pillath) to adjourn 10:20 a.m. Motion carried, no negative vote.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "Aleta DiRienzo".

Aleta DiRienzo  
Database Specialist/Program Assistant