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## Minutes

### FOURTH MEETING OF THE RECONSTITUTED TECHNICAL ADVISORY COMMITTEE FOR THE PROTECTION AND MANAGEMENT OF NATURAL AREAS IN SOUTHEASTERN WISCONSIN

March 8, 2010

Southeastern Wisconsin Regional Planning Commission  
W239 N1812 Rockwood Drive  
Waukesha, Wisconsin

#### Members Present

Dr. Susan E. Lewis, Chairperson	Professor of Biology, Carroll University
Dr. Donald M. Reed, Secretary	Chief Biologist, SEWRPC
Fay U. Amerson	Urban Conservation Specialist, Walworth County
Dr. Philip J. Arnholt	Professor of Science, Biology Dept. Concordia University
Brian Russart (representing Susan Black)	Natural Areas Coordinator Milwaukee County Parks/UWEX
Gerald H. Emmerich, Jr.	Member, Board of Directors, Land Trust of Walworth County
Shawn Graff	Executive Director, The Ozaukee Washington Land Trust
Duane Grimm	Manager, Waukesha County Park System
Andrew A. Holschbach	Director, Planning, Resources, and Land Management Department, Ozaukee County
B. Martinus Johnson	Wildlife Manager, Wisconsin Department of Natural Resources

Marlin P. Johnson	Associate Professor Emeritus, Field Station Manager, Department of Biological Sciences, University of Wisconsin Waukesha Center; Vice President, Waukesha County Land Conservancy
Stephen McCarthy	Milwaukee Metropolitan Sewerage District
Thomas Meyer	Conservation Biologist Wisconsin Department of Natural Resources; Bureau of Endangered Resources
Paul E. Mueller	Administrator, Land Use and Parks Department, Washington County
Andrew T. Struck	Director, Planning and Parks Dept., Ozaukee County
Marc White	Director, Research—Stewardship— Adult Education, Riveredge Nature Center
Dr. Joy J. Wolf	Associate Professor, Department of Geography, University of Wisconsin—Parkside

SEWRPC Staff

Dr. Lawrence A. Leitner	Principal Biologist
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The fourth meeting of the Southeastern Wisconsin Regional Planning Commission's reconstituted Technical Advisory Committee for the Protection and Management of Natural Areas in Southeastern Wisconsin was called to order by Dr. Susan E. Lewis, Chairman, at 1:34 p.m. Roll call was accomplished by circulating a sign-in sheet and a quorum was declared present.

## Review and Approval of the Minutes of the Meeting of 7 October 2008

Dr. Lewis asked the Committee if there were any additions or corrections to the minutes of the meeting of October 7, 2008. There being none, on a motion by Mr. Mueller, seconded by Dr. Wolf, and carried unanimously, the minutes were approved.

## Review of Public Hearing Record

Dr. Lewis asked that Dr. Reed review the Public Hearing Record of the Plan Amendment.

Dr. Reed explained that the Public Hearing Record reported verbal comments as well as written comments, and that although the Commission was somewhat disappointed with the generally low public turnout, that fact in itself may be an indication of the non-controversial nature of the natural areas plan. He also mentioned that among all the comments received, none were negative.

Mr. Emmerich, who attended two of the hearings, supported Dr. Reed's observation that there was no controversy, adding that he was impressed by the overall quality of the presentation.

Dr. Reed then distributed "Insert 1 to Section 9" (see Appendix A), which is the summary of comments on pages 3-10 of the Public Hearing Record. It will be inserted at the end of Section 9 on page 171 of the Plan Amendment, under the heading, "Public Reaction to the Preliminary Recommended Plan Update." However, because information was obtained by the SEWRPC staff as a result of, and subsequent to, the hearings that added three new natural areas and nine new critical species habitat areas to the regional inventory, an additional summary section will be added to the Plan Amendment. Thus, the name of Section 9 will be changed to "Pre-Public Meeting Plan Recommendations and Summary"; Section 10 will present the final summary information and be entitled "Recommended Plan."

Dr. Reed then stated that the ADID wetland portion went into effect 30 days after the last public hearing, so that these wetlands are now accordingly enforced.

## Consideration of the Draft Amendment to SEWRPC Planning Report No. 42, A Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, Sections 9-10

Dr. Lewis asked that Dr. Reed review Sections 9 and 10 of the Amendment.

### Section 9, Pre-Public Meeting Plan Recommendations and Summary

Dr. Reed reviewed Section 9 page by page, noting that this is the version that the Commission presented at the public hearings. Since this still a preliminary summary, the

countywide Maps 30-38 of natural areas and critical species habitat areas will be presented without identifying labels.

Referring to page 6, and the mention of 88 sites being “protected, insofar as it is possible, without protective ownership,” Dr. Wolf asked whether that phrase could be clarified, perhaps stating that these sites should be recommended to be protected in some other way. Dr. Reed replied that the Commission does not want to be too explicit, but instead would rather keep this category as general as possible.

Referring to Table 27, Mr. Emmerich noted that there is a need to explicitly state how many acres of natural areas changed from the original Planning Report Number 42 to the Plan Amendment. Dr. Leitner replied that specific, detailed information was presented in Tables 19-22 of Section 6. Mr. Emmerich then noted that some of the county and regional site totals do not add up.

[Secretary’s Note: Upon inspection of Table 27, the SEWRPC staff determined that the reason for these apparent discrepancies was that several sites crossed county boundaries; thus, while a given site would be counted for each county in question, the Regional total would count only one site. A note will be added to that effect in the table to clarify the situation.]

Also referring to Table 27, and those sites downgraded to non-natural area or critical species habitat area status, Dr. Wolf suggested that clarification of ‘X’ as given in the table would be helpful.

[Secretary’s Note: The footnote will be rewritten to read, “X refers to those sites formerly of natural area or critical species habitat area status that, because of disturbance or other factors, no longer meet the criteria for inclusion under the Plan Amendment.”]

Referring to the four acquisition priorities outlined on page 6, Mr. Emmerich questioned why priority number 4, dealing with large grassland and forest interiors, should be listed last. He suggested that priority number 3, dealing with critical species habitat areas, should actually be last. Dr. Reed explained that this went to the heart of the prioritization portion of the plan. Critical species habitat sites actually represent areas already in existence, and that are known to support rare species at present. Establishment of large grasslands and forest interiors, on the other hand, represent sites proposed to be established; i.e., they create something new. Also, if more priority categories were added, and the prioritization scheme became more complicated, it would become difficult to explain to non-scientists, such as members of the Commission. He added that the original form worked well in Planning Report Number 42, which was adopted very quickly.

Dr. Wolf noted that in proposing establishment of grassland and forest interiors, there was no mention of primary environmental corridors. Dr. Reed replied that these large tracts may not only include primary environmental corridors, but also secondary environmental corridors, isolated natural resource areas, and even agricultural lands. He

then reminded the committee that the object is not to re-write previous chapters, resulting in background information necessarily being left out of the summary.

Referring to item number 2 under “Geological Site Plan Element” on page 17, Mr. Emmerich stated that the “note” was superfluous and suggested it be eliminated. Dr. Reed agreed, stating that it would be removed in the final draft.

Dr. Lewis pointed out a typographical error on page 15, under item number 4, which said “in within.” Dr. Reed stated that this would be corrected in the final report.

Dr. Leitner then explained Table 28 in detail and the reason for its inclusion. Dr. Wolf and Mr. Emmerich stated that the title was somewhat confusing, and contained a misspelled word.

[Secretary’s Note: The title of Table 28 will be changed to read, “Natural Areas And Critical Species Habitat Areas Identified Since Planning Report Number 42 That Have Subsequently Been So Seriously Degraded As To Be Ineligible For Listing In The Recommended Plan.”]

Dr. Reed noted that at the end of Section 9, in the section dealing with plan implementation, several blank spaces had been left in the text, representing information that was still to be determined. Final figures will be given in Section 10.

Several committee members pointed out a number of spelling errors in Section 9, plus a paragraph that needed correct spacing. Dr. Reed stated that this merely a draft, and that these would be corrected in the final Plan Amendment.

Dr. Reed then completed discussion of Section 9 and asked if there were any further comments, corrections, or additions to the section. There being none, on a motion by Mr. Holschbach, seconded by Mr. Mueller, and carried unanimously, Section 9 was approved as amended.

#### Section 10, Recommended Plan

Dr. Reed stated that Section 10 presents all the changes made to the plan subsequent to the public hearings. He then reviewed Section 10 page by page.

Mr. White noted that the swamp metalmark, an endangered butterfly species of alkaline wetlands in Wisconsin, was observed at Riveredge Nature Center in Ozaukee County. He wanted to ensure that this habitat was included in the Commission’s natural area boundary. Dr. Reed requested that Mr. White send a precise location to the Commission; he also said that the Bureau of Endangered Resources would be notified.

Mr. Emmerich noted that the discussion previously referring to Table 27 in Section 9 should actually refer to Table 34 in Section 10, which is the final, revised version.

Dr. Reed then distributed two inserts to Section 10 that refer to other plan elements. Insert 1, dealing with Butlers gartersnake habitat sites (see Appendix B), will be placed at the end of the third plan priority on page 4. Dr. Wolf asked whether the 55 Tier 3 sites will be identified and listed in the Plan Amendment. Dr. Reed replied that they would not, since the precise 55 sites have yet to be chosen. He added that it would probably be best if that was left to the Bureau of Endangered Resources to handle as they saw fit. Mr. White suggested changing the wording slightly, in the interest of clarity. Dr. Reed agreed.

[Secretary's Note: Insert 1 of Section 10 will be changed to read "each located in the primary environmental corridor" instead of "all located in the primary environmental corridor"]

Insert 2, dealing with the Aquatic Natural Areas Plan Element and the ADID Wetland Plan Element (see Appendix C), will be placed immediately before the section "Plan Implementation" on page 6.

Referring to the Archaeological Plan Element, Dr. Reed noted that no new information had been made available to the Commission, and thus will remain as originally presented in Planning Report Number 42.

Dr. Reed next referred to the county maps of the final inventory of natural areas and critical species habitat areas (Maps 39-45). He said that these maps would be smaller versions of the maps displayed in the meeting room, and that instead of showing polygons for each site, dots would indicate these areas. As in the original Planning Report Number 42, each dot would have an associated site number referring to each individual county table of sites. Mr. Emmerich asked whether the site numbers would essentially be the same as in PR-42. Dr. Leitner replied that, except in a few cases, because of the addition of so many new sites, and the re-classification of others, the numbering system must be different.

Several committee members asked the reason the year 2008 was given in the titles of the tables and maps. Dr. Reed explained that this was a holdover from previous documents and earlier versions of the Plan Amendment, but could be changed to 2009 if the committee wished, as this would be more accurate and less confusing. On a motion by Dr. Wolf and seconded by Mr. White, the committee agreed to the change unanimously. Dr. Reed said that all tables and maps would be changed accordingly.

Referring to Table 36, Ms. Amerson noted how active the various land trusts had been in acquiring natural areas. She also asked how the sites were arranged in the table. Dr. Reed replied that they were arranged by natural area status. Several committee members pointed out typographical errors in the table; Dr. Leitner responded that these would be corrected for the final report. Ms. Amerson then asked whether the Commission prepares local inventories. Dr. Reed replied that the Commission does prepare plans detailing sites when requested by counties and local units of government.

Dr. Reed then referred to the lists of sites by county (Tables 37-43), and asked if there were any corrections or other changes to be made to the data presented.

Mr. B. Johnson noted that the Bain Station Railroad Prairie in Kenosha County was being actively managed by the owner, WE Energies, and therefore the site should be designated as being protected. Under ordinary circumstances, the Commission does not count public utilities such as WE Energies as being protective agencies, so that sites in the vicinity of the Oak Creek Power Plant in Milwaukee County, for example, are not considered as being protected. However, considering the unusual active management at Bain Station Railroad Prairie, the site will be listed as protected.

Mr. Holschbach asked whether Ulaow Swamp in Ozaukee County should be classed as NA-2, rather than NA-3 as presented in the report. Dr. Leitner replied that this area was listed as NA-3 in Planning Report Number 42, and that no new information concerning the quality of the site had been received by the Commission to warrant its being upgraded in status. Thus, it should remain NA-3.

Ms. Amerson asked whether, considering that it is now partially developed, Darien Oak Woods in Walworth County should remain in the inventory. Dr. Leitner replied, that, yes, it is still of natural area quality, especially considering its relatively large size, and should be retained. She also asked if the recommended ownership of Lake Lawn Wetlands should be either the Town of Delavan or a private conservancy organization, instead as the Delavan Lake District as listed. Dr. Reed replied that this was the recommendation of Mr. Morrissey when he determined that the Department of Natural Resources should not be listed as recommended owner, as in the original plan.

Mr. Struck asked if the recommended ownership of Five Corners Swamp in Ozaukee County should be the Town of Cedarburg instead of the county. Dr. Reed replied that this, also, was the recommendation of Mr. Morrissey when he determined that the Department of Natural Resources should not be listed, as in the original plan.

Several committee members pointed out corrections that should be made to the county natural area tables, primarily details concerning ownership and conservation easements. For several of these the committee members stated they would inform the Commission of specific details. These corrections will be incorporated into the appropriate tables.

Dr. Wolf asked if several ephemeral ponds on lands owned by the University of Wisconsin—Parkside should be included in the Plan Amendment. Without knowledge of the precise locations of these ponds, Dr. Leitner stated that he did not know if they were currently included in a site or not, but that simply by themselves they would not be of natural area or critical species habitat area status.

Mr. Russart related new locations of two critical species—hoptree and Henslow's Sparrow—in Whitnall Park and Bender Park, respectively, within the Milwaukee County Park system. He said he would send maps to the Commission show the precise locations of these species.

[Secretary's Note: Maps received from Mr. Russart show that these two species locations were outside of any currently proposed sites in the Plan Amendment. Due to the time constraints placed on the Commission to finalize the Plan Amendment, these two sites cannot be added to the current plan, but instead will be included in future updates.]

Referring to Table 62, Dr. Lewis noted that the Old World Wisconsin Marsh was listed, along with the owner—the Wisconsin Historical Society—and that the title of the table should be modified to reflect this.

[Secretary's Note: The title of Table 62 will be changed to read: "Summary of Sites Recommended for Acquisition and Management by the University of Wisconsin, the Wisconsin Department of Transportation, or Other State Agency"]

Mr. McCarthy asked whether each landowner had been notified that a portion of their lands were listed as natural areas. Dr. Reed replied that some may have been, but certainly not all. Mr. Holschbach added that Ozaukee County has attempted to do just that, with very positive results.

Dr. Reed then began a discussion of Table 44, dealing with proposed areas to create large tracts of grassland and forest interior habitat for nesting birds. Referring to Committee member Dr. Boyle's email message (see Appendix D), Mr. B. Johnson supported the suggestion that the proposed acreage at Bong Recreation Area be retained at 10,000 acres, as proposed in the original Planning Report Number 42. Dr. Reed agreed that the Bong grassland acreage would be retained, and that it would be restored to Table 44. Mr. Johnson further stated that the newly proposed Hack-ma-tack grassland in Kenosha and Walworth counties was being studied by the Department of Natural Resources, and that for now he thought a proposed joint Department of Natural Resources/U.S. Fish and Wildlife Service ownership would be appropriate. Dr. Reed stated that Tables 44, 46 and 63 would be amended to reflect this.

Dr. Boyle's message has also questioned the proposed forest interior to be established at Harrington Beach State Park, considering that this tract is currently open grassland. Dr. Reed stated that the original intent was to create a forest habitat contiguous with the current forest, which would then create a large block. Since then, however, the site has become a grassland, with a campground in it. He didn't know if there were any other appropriate sites. Dr. Reed then related that, via personal communication, Mr. Morrissey thought it best to leave the recommendation as is in the plan.

Dr. Wolf stated that even small tracts are important for bird use. Dr. Reed agreed, stating that migratory refuges are indeed important, but that for this particular attempt we were primarily considering nesting habitat.

[Secretary's Note: In addition to the topics mentioned above, Dr. Boyle also suggested changing the numbering/identification scheme for natural area sites.]



The numbering scheme as utilized in the Plan Amendment is a modification of the one originally used in Planning Report Number 42; for reasons outlined previously in the Plan Amendment, new numbers had to be assigned for most sites.]

Dr. Reed next discussed the section dealing with plan costs , mentioning that, although these costs as presented were the best estimate at present, and actually pretty realistic since they were based on Department of Natural Resources estimated costs for land, they may actually be an over-estimate, considering the current state of the economy.

Mr. Meyer asked if the amended plan was to be taken back to the seven counties to be adopted, as the original Planning Report Number 42 had been. Dr. Reed responded in the affirmative, adding that it would also be presented to the Natural Areas Preservation Council for their support. At present, there was no intent to take it to the Natural Resources Board, since the original PR-42 also had not. However, Mr. Meyer stated that it might a worthwhile idea, since the Natural resources Board has given its support to all recommended acquisitions. Dr. Reed stated he had no objection to that, and agreed that it would be a good idea; he added that he would pursue the subject further.

Referring to the second paragraph on page 7, Ms. Amerson asked whether the phrase “to be responsible for” should be re-considered. Dr. Reed stated that he would discuss this with the Commission.

Dr. Reed then began a discussion of future updates to the natural areas plan, considering the fact that changes will continue to be made to the Region’s natural resource base. He said it would be impossible to produce updates on a one-year or even a two-year basis, but that it would be possible to include changes in the county park and open space plans.

Dr. Reed then completed discussion of Section 10 and asked if there were any further comments, corrections, or additions to the section. There being none, on a motion by Mr. Emmerich, seconded by Mr. White, and carried unanimously, Section 10 was approved as amended.

#### Adoption of the Plan Amendment

On motion by Mr. Holschbach, seconded by Ms. Amerson, and carried unanimously, the Plan Amendment was approved as amended.

#### Adjournment

There being no further business, the meeting was adjourned at 4:25 p.m. on a motion by Mr. Graff, seconded by Mr. M. Johnson, and carried unanimously.

Respectively submitted,

Dr. Donald M. Reed, Secretary

