

**MINUTES
STATE PRESERVES ADVISORY BOARD
APRIL 1, 2005**

BOARD MEMBERS PRESENT

Neil Bernstein, Chair
Robin Fortney
Cindy Peterson
Liz Christiansen
Scott Moats
Timothy Sproul
Laura Jackson

STAFF PRESENT

John Pearson
Daryl Howell

ADVISORS PRESENT

Bob McKay

CALL TO ORDER

Chairperson Neil Bernstein called the meeting to order at 8:45 AM on April 1, 2005 at the Kennedy Memorial Park Shelter House in Fort Dodge, Iowa.

APPROVAL OF AGENDA

Add: 8a – Crossman Prairie Letter
 8b – Recognition of Tim Sproul's service to the board
 8c – Project update
 8d – IDOT research
 8e – Follow-up on geological tour

Motion was made by Liz Christiansen to approve the agenda as amended. Seconded by Robin Fortney. Motion carried unanimously.

APPROVAL OF MINUTES

Motion was made by Tim Sproul to approve the January 27, 2005 minutes as presented. Seconded by Liz Christiansen. Motion carried unanimously.

REVISION OF SEED HARVEST POLICY

John Pearson asked to postpone this item until the next meeting.

EUREKA (BANISTER-MCGREGOR) WOODS

The draft management plan was approved at the January 2005 meeting. A press release was distributed and a notice was posted on the DNR website soliciting public comments concerning the potential preserve. Copies of the comments were distributed to the board members for review.

John Pearson presented the history on the proposed establishment of Eureka Woods State Preserve.

Eureka Woods is located between the towns of Jefferson and Scranton, the proposed 106-acre preserve consists of three parcels of land owned by two landowners, Bruce Banister and John McGregor, in the vicinity of the Eureka Bridge over the North Raccoon River along County Road E53.

Topography in the proposed preserve is primarily river bottomland and steep upland slopes. Biologically, the area contains mature forest characterized by a mixture of white oaks, red oak, basswood, and black maple on the steep upland slopes with silver maple, cottonwood, elm and other bottomland tree species along the floodplain. A total of 182 plant species occur in the proposed preserve, of which 159 are native. No plant or animal species on the federal list of threatened and endangered species or on the state list of endangered, threatened, or special concern species are found on the area, but Narrow-leaved Spleenwort, a fern usually found in eastern Iowa along the Mississippi River, occurs in the proposed preserve. An active nest of Cooper's Hawks and a small colony of Great Blue Herons were found here during surveys in 2003.

In April 2002, the owners expressed interest in establishing a state nature preserve on their property. The State Preserves Advisory Board visited the site in June 2002 and also expressed interest in the proposal. Subsequently, an ecologist with the Iowa Department of Natural Resources investigated the site and recommended that the Board consider a 90-acre parcel for dedication. In 2003, further studies were conducted of plants by a consulting botanist (Jacobs and Associates) and of birds, frogs, and toads by zoologists from the Iowa Department of Natural Resources. At the request of the Preserves Board, the owners submitted a plan (prepared by Jacobs and Associates) detailing the boundaries, content, and intended management of the proposed preserve. The plan identified three parcels for potential inclusion in the preserve:

Parcel A (originally identified by DNR ecologist), a 90-acre area along the river south of Highway E53, containing upland forest, bottomland forest, and river channel,

Parcel B (added at the owner's request), a 2-acre woodlot on the north (or west) side of Highway E53 containing a dry forest community on a hilltop dominated by white oak, and

Parcel C (added at the owner's request), a 14-acre floodplain area north of Highway E53 containing a segment of river channel and bottomland forest dominated by silver maple.

John Pearson presented charts on the number of plant species, floristic quality index, biological surveys, etc. found at Eureka Woods in comparison with other state preserves.

Neil Bernstein said that he read and sorted the comment letters received during the public comment period. There were 22 letters in favor of the preserve and 22 letters against the preserve and 15 letters stated that they would like to see the road issues resolved first.

Motion was made by Laura Jackson to approve Eureka Woods as a state preserve. Seconded by Robin Fortney.

Laura Jackson and Liz Christiansen both agreed with Neil on the categorization of the comment letters.

Liz Christiansen said that she has not visited the area and expressed her desire to do so before making a decision. Liz would also like to hear the historical, natural, social and archeological aspects of Eureka Woods.

Cindy Peterson said that only a small portion of the land was surveyed. There is a historic mill, though not significant from the national register standpoint. More sites on the property are yet to be investigated.

Robin Fortney said that the preserves decision could impact the road and bridge safety. The bridge is not included in the preserve but parcel B and C restrict any road improvements to the existing bridge and right-of-way.

Tim Sproul said that his biggest concern has been separating the road issue and whether or not the property meets the preserve criteria. There should be some compromise. Though I do believe in protecting high quality natural areas, this land does not meet the level of uniqueness in my mind that it should be included in the preserve system. It's wonderful that the Banisters-McGregors want to move forward with this but there are other ways of protecting high quality areas that do not meet preserve status.

Neil Bernstein said that this preserve falls in conjunction with other woodland areas. There are some features about this woodland that deserve protection and preservation in some way.

Scott Moats agreed with Tim Sproul's comments. Since the highway issue appears to have gone on for quite some time I'm concerned that we will not reach a compromise that will please both the Banisters-McGregors and the highway committee.

Laura Jackson said that one of the letters suggested that there could be a nature preserve that included a historic bridge in curve of the road together as a package if the road were moved.

Neil Bernstein said that we need to look at the holistic picture. The area is located on the banks of the Raccoon River, no erosion problems like we see in other places, it provides river and upland habitat, there are slopes and springbed areas, etc. There are not many acreages like this in the state preserves system right now.

PUBLIC PARTICIPATION

JOYCE AUSBERGER, with the Lincoln Highway Association said an agreeable compromise can be reached. There are a variety of ways to upgrade the highway and extend Eureka bridge. I commend the Banisters-McGregors for approaching the preserves board. The road can be widened and the bridge can be extended. Historically, it has been extended once. State Historic Preservation Office (SHPO) has said that it can be extended once again. I think this is an ideal combination of the preserve and Lincoln highway, and you won't have to go into the preserve area.

BILL RANEY, Greene County Supervisor said that we are in the process of studying all alternatives to upgrade the road. I would like to request postponing a decision until we have a better proposal for an alternative route. Approving this preserve will box us in from making even slight road improvements. I respectfully ask you to decline moving forward with your decision to preserve Eureka Woods at this time.

BRUCE BANISTER, from Jefferson said that this issue was fought in court fourteen years ago. Bill McGregor and his wife were involved at this time. There is a permanent injunction against a project that the county wanted to do at that time, which has stood for fourteen years and has not been challenged. Since then the county has done nothing to improve the road. I suggested putting a stop light at each end of the bridge to make it one way, it would slow down traffic and eliminate accidents. Within the last year, the county authorized the engineer to do a \$60,000 study, that proposed a couple of things. Two of the roads would go through the proposed preserve. I think you should consider the ecological damage that would be done. Iowa does not have many lands like this. Land that is not a preserve, will not be protected.

WADE WEISS, Greene County Engineer said that we have not done anything with the injunctive action that you just heard about. We've been trying to work on reaching a compromise. I attended a meeting with representative from the State Historical Protection Office, Department of Transportation and FHVA. They are generating a programmatic agreement for the Lincoln Highway. The programmatic agreement is to be used for federal funds. The study that was discussed is under the Section 106 guidelines. Section 106 is a permitting process through the federal government. This needs to be done in order to use federal funds along anything historic. It is not the full Section 106 requirements, we were trying to meet the best practices possible. We did not start this study to antagonize anyone. Our attempt is to bring in an outside firm to look at what road improvements can be done. There are a number of options being considered. Safety is a concern. We have had accidents in this section of the highway near Eureka bridge. We are trying to come up with a solution to move forward.

A public informational hearing will be held at 7:00 PM on April 12th at the Jefferson County Courthouse to discuss the road improvements and options available. Engineers will propose the best route(s). Environmental impacts will also be addressed. No decisions will be made at this time.

We have no timeline for a final decision about the direction of the road.

BILL MCGREGOR, from Jefferson said that we want preserve status because it is the best way to preserve the land. Some of the comment letters you received are duplicated letters signed by other people. There is no guarantee that funding is available for roadway improvements. For years and years, the school system ran school buses with 40-50 children on this road and there hasn't been one accident or fatality. The county can do anything they want to the road as long as they don't destroy the preserve. The bridge can be widened just as it was once before. We are not in the business of trying to kill people.

John Pearson said that any road work done within the existing roadway would not affect the preserve. The proposed preserve would be affected if the roadway went off of the original road alignment.

BRUCE BANISTER, from Jefferson said that the County made an effort to get citizens to write letters, we did nothing. We would like to see the road and bridge fixed, it is not on the preserve. We don't want to see the new road running through the center of this woodland, it's worth preserving. The County has known about the road concerns for the past 20 years and hasn't done anything, why the noise now?

WADE WEISS, Greene County Engineer said that minor maintenance to the road has been done over the years. The County needs to generate funding for

road improvements. This does not happen overnight. It could cost \$7 million for 15 miles of road.

JOYCE OSBERGER, Lincoln Highway Association said that this is one road that great significance. This was the first road to go across the country from New York to San Francisco. I think a compromise can be reached. I think the State Preserves Board needs to make the decision rather than waiting for another group to step in.

BILL RANEY, Greene County Conservation Board has been very active in establishing and maintaining our county parks.

BOB OSBERGER, from Jefferson said that the south route is a possibility.

CAROLA WICENTI, from Jefferson said that cutting trees of a certain size in Germany is illegal. Why should people be allowed to cut down trees in order to speed? The word preserve means protecting trees and nature.

Laura Jackson asked how long we would have to delay our decision? Can we impose a deadline? The board has gone on record for not wanting a road to be adjacent with Rock Island preserve.

Neil Bernstein stated the difference between Rock Island and Eureka Woods. If we were to make Eureka Woods a preserve, there is already an existing two lane highway. In the case of Rock Island, there was no existing road. They were proposing a four lane highway which would carry a lot more traffic.

Laura Jackson retracted her original motion and made a new motion to delay the board's decision until more information is received from the April 12th public meeting and develop a timeline for a final decision. Seconded by Liz Christiansen.

Scott Moats said that he understands the intent of the motion but would not want to see a reactionary vote by the board based on the information given at the April 12th meeting. I worry about compromising the integrity of the board.

Robin Fortney said that she would feel comfortable voting today if it only included Parcel A, since that is where the highest quality woodland is. The land is worthy of protection.

The Board agreed to make the final decision at the July meeting in order to allow board members a chance to visit the site.

Tim Sproul believes the delaying the decision will compromise the integrity of this board. We should separate the land and the road. Does this land meet the requirements for the highest level of protection?

Motion failed.

Motion was made by Robin Fortney to revise the management plan by including only Parcel A for preserve status. Seconded by Laura Jackson.

Scott Moats said that Parcel B has some species that are not included in Parcel A.

Laura Jackson said that properties can always be added at a later date.

Neil Bernstein said that recognition should be given to the private owners for coming to the board and wanting their land to become a preserve.

Motion failed.

Tim Sproul said that if we deny or take no action on the current proposal, this does not mean the Banister/McGregors cannot come back with another proposal.

Motion was made by Liz Christiansen to delay our vote until the next meeting in July. Seconded by Laura Jackson. Motion carried.

Laura Jackson suggested that a board member address the public at the April 12th hearing on what a preserve is, what is required of it and background on the Banister-McGregor site.

John Pearson and Daryl Howell will work together on what the board needs to do next.

FOSSIL AND PRAIRIE PARK

The Floyd County Conservation Board has nominated the Fossil and Prairie Park for preserve dedication. The final draft management plan was approved at the January 2005 meeting. A press release was distributed and a notice was posted on the DNR website soliciting public comments concerning the potential preserve. Copies of the comments were distributed to the board members for review.

Motion was made by Liz Christiansen to approve the Fossil and Prairie Park as a preserve. Seconded by Robin Fortney. Motion carried unanimously.

PROPOSAL SELECTION FOR FISCAL YEAR 2006

Copies of the proposals and the scoring information were distributed for review.

Scoring was based on the following criteria:

1. Benefit of proposed study to state preserves or preserve system. Higher scores will be assigned to proposals which provide information pertinent to the management of individual preserves, contribute to solving management problems that affect several preserves, aid in identifying potential preserves, or otherwise yield information which can be used to improve the protection and management of preserves.
2. Feasibility of proposed study. Are the goals and objectives of the study clearly stated and achievable? Is the requested funding commensurate with the effort required? Are the personnel qualified to perform the study?
3. Soundness of methodology. Are the methods suited to the goals and objectives? Will the study have unacceptable impacts to the study sites? Are the number, size, and distribution of samples or observations sufficient? Are the analytical methods appropriate?

This information indicates the 9 project proposals that were chosen for funding. (17 applied)

Proposal	Cost
Watson/hill prairies	\$5040
Healy & Tiffany	\$620
Norris, Watson, Farrar	\$5344
Alex	\$2891
Watson/Roberts Creek	\$4969
Stone	\$2544
Peer	\$5456
Watson/Turkey River	\$667
Selby	\$6750

CASEY'S PAHA

The Black Hawk County Conservation Board is working on plans to construct a siltation pond in the preserve to protect Casey Lake from siltation and improve water quality. Plans call for an earthen dam designed to hold storm flow for a longer than normal time to reduce nutrients from entering the lake. Mary Skopec, DNR is planning an intensive water monitoring program to determine the effectiveness of this approach and serve as a demonstration project.

Construction of pond was approved at the time of dedication. Funding has been secured from NRCS, DNR and EPA.

Construction is anticipated to begin this summer.

Informational Only

OPEN DISCUSSION

A - Crossman Prairie

Neil Bernstein said that he drafted a letter to the neighboring landowner addressing the Crossman Prairie damage due to intrusion for tile repair. Such action is in violation of the Iowa Code and we are charged with the responsibility to protect nature habitats.

B - Recognition

The board recognized and presented a plaque to Tim Sproul for his 6 years of dedicated service to the Preserves Board.

C - I-DOT Research

Neil Bernstein said that we have a received a request from Kelly Poole of the Department of Transportation requesting permission to use Doolittle Prairie as a reference site for assessing wetland mitigation. The Iowa Natural History Association and IDOT were awarded an EPA grant to assess wetland mitigation projects associates with road projects.

Laura Jackson expressed her concern that we should restrict taking wildlife for habitat collecting unless it is absolutely needed for research or identification.

Motion was made by Tim Sproul to approve the research with little impact to the preserve and wildlife. Seconded by Liz Christiansen. Motion carried unanimously.

Neil Bernstein abstained from voting.

D - Rock Island

John Pearson said that he received the document from Tom Madsen's plant survey from to the Linn County Conservation Board.

Neil Bernstein said the latest update on the website indicated that the County Supervisor wants to purchase the 3 donated parcels that have been suggested as preserves to the County Conservation Board. They had a meeting regarding this topic last night but no decision was made.

Daryl Howell passed out a letter regarding nitrogen fertilizer and carbon sequestration. Hayden Prairie was used as a natural system to compare with agricultural fields and practices.

E - Follow up on the Geological survey

Neil Bernstein thanked Bob McKay for the tours yesterday.

The Board did agree that the sites would be valuable additions to the preserve system.

The next step is to arrange an informational meeting on the preserve system with the City of Fort Dodge.

An article will be published in the Fort Dodge Messenger Sunday paper (two weeks from now) regarding the geological sites visited yesterday.

Other Items

John Pearson passed out a study/research paper written by Nancy Wilson on the discovery of new lichen species in Iowa from state preserves.

Bob McKay said that last year the board granted money to Mark Minger of the USDA Natural Resources Conservation Service to study PSA alluvium at Steele Prairie. He has provided me with a draft to make comments.

Cindy Peterson suggested having a two paragraph non-technical update on the proposals that are funded with public monies on the website.

Liz Christiansen said that Tim Sproul's position will be filled by the next meeting in July.

NEXT MEETING

July 8th, 2005 – Mason City

ADJOURNMENT

With no further business to come before the State Preserves Advisory Board, Chairperson Neil Bernstein adjourned the meeting at 1:15 PM on April 1, 2005.

Motion was made by Robin Fortney to adjourn the meeting. Seconded by Liz Christiansen. Motion carried unanimously.

A

Adjournment, 11
Approval of agenda, 1
Approval of Minutes, 1
Ausberger, Joyce, 4

B

Banister, Bruce, 4
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Board Members Present, 1

C

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Casey's paha, 9

F

Fossil and prairie park, 8

M

McGregor, Bill, 5

N

Next Meeting, 10

O

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Osberger, Bob, 6

P

Proposal selection, 8
Public participation, 4

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Raney, Bill, 4
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S

staff present, 1

W

Weiss, Wade, 5
Wicenti, Carola, 6

