

Appendix I

Lease

(U.S. DOI – City of Winona, MN)

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

LEASE

THIS LEASE, made and entered into this the 27^m day of March, 2018, between CITY OF WINONA, MINNESOTA, hereinafter called the "Lessor", and the UNITED STATES OF AMERICA, acting by and through the U.S. Fish and Wildlife Service or its authorized representative, on behalf of the Department of the Interior, hereinafter called the "Lessee"

WITNESSETH:

WHEREAS, Section 3 of the Fish and Wildlife Act (48 Stat. 401 as amended by 60 Stat. 1080 and 72 Stat. 563; 16 U.S.C. § 661 et seq.) and the Upper Mississippi River National Wildlife and Fish Refuge Act (16 U.S.C. § 721 et seq.), both as amended, authorize the Secretary of the Interior to acquire an interest in land and water suitable for use as wildlife habitat and wildlife oriented education, recreation and public outreach; and

WHEREAS, the Lessor has the power to enter into Leases as a Home Rule city, pursuant to Sections 1.02 and 1.03 of the City Charter; and

WHEREAS, the Lessor is dedicated to providing a variety of outdoor recreational opportunities to its residents and visitors; and

WHEREAS, the Upper Mississippi River National Wildlife and Fish Refuge was established by Public Law No. 268, 68th Congress on June 7, 1924; and

WHEREAS, the land and water described in Exhibit "A" as tracts City of Winona (1014M) and (1014M1) and as further illustrated in Exhibit "B", are known as the City's *Aghaming Park: A John Latsch Preserve*, hereinafter called the "Premises;" and

WHEREAS, these 1,139.00 acres of mature floodplain forest, marshes, open sloughs and backwaters are within the approved boundary of the Upper Mississippi River National Wildlife and Fish Refuge. The designated acres were classified as the highest value fish and wildlife habitat and are considered unique and irreplaceable on a national basis, within the ecoregion, and in the Refuge's 2006 Comprehensive Conservation Plan; and

WHEREAS, these unique habitats provide one of the nation's premier migratory bird corridors and have been designated an Important Bird Area by the National Audubon Society; and

WHEREAS, these areas of the Mississippi River have been designated as a Ramsar "Wetland of International Importance" under the Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (often referred to as the Convention on Wetlands or the Ramsar Convention, Ramsar, Iran in 1971); and

WHEREAS, these unique habitats have the potential to provide habitat for numerous species designated as endangered, threatened and/or of special concern; and

WHEREAS, the current infrastructure of abandoned highways and natural levees within the Premises provides one of a few floodplain areas accessible by a mode of transportation other than boat in the Upper Mississippi River National Wildlife and Fish Refuge; and

WHEREAS, the Premises represents a historical connection to the Upper Mississippi River National Wildlife and Fish Refuge due to its connection with philanthropist John Latsch, and conservationist Will Dilg, who were instrumental in creating both public areas;

NOW THEREFORE, in consideration of the mutual covenants hereinafter and the benefits to such lands to be derived from their use pursuant to this lease, the Lessor hereby leases to the United States, upon the terms and conditions hereinafter set forth, the lands, tenements, and hereditaments, together with all the rights, easements, and appurtenances thereunto belonging, owned by it and situated in Trempealeau County, Wisconsin and Buffalo County, Wisconsin, containing 1,139.00 acres, more or less, and more particularly described as follows:

The following described tract of land is located in Wisconsin, Trempealeau County, approximately 2.5 miles south of Marshland, Wisconsin, being part of the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated April 11, 1928, and recorded in Volume 82 of Deeds Page 323, in the records of Trempealeau County, described according to the public land surveys:

Township Eighteen (18) North, Range Ten (10) West, Fourth Principal Meridian: All that part of Government Lots Two (2), Three (3), and Four (4), lying south of the Right of Way of the Chicago, Burlington & Quincy Railway Company, in Section Fifteen (15), containing Seventy-four (74) acres more or less, according to the government survey.

And also:

The following described tract of land is located in Wisconsin, Buffalo County, approximately 2.5 miles southwest of Marshland, Wisconsin, being part of the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated November 5, 1921, and recorded in Volume 69 of Deeds Page 456, and also being part of land described in a Warranty Deed from LaCrosse Dredging Company, a corporation organized and existing under the laws of the State of Wisconsin to the City of Winona, a Municipal Cooperation of the State of Minnesota dated February 24, 1928, and recorded in Volume 74 of Deeds Page 377, and also being the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated April 11, 1928, and recorded in Volume 74 of Deeds Page 378, and also being part of land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated December 21, 1933, and recorded in Volume

77 of Deeds Page 224, in the records of Buffalo County, described according to the public land surveys:

Township Eighteen (18) North, Range Ten (10) West, Fourth Principal Meridian:

All that part of Government Lot Six (6) in Section Six (6) that lies east of the right of way of the John A. Latch Wagon Bridge and the High Wagon Bridge Road (aka. Concrete Road); and,

All that part of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Six (6), lying south of the right of way of the Chicago, Burlington & Quincy Railway and that portion that lies east of the right of way of the High Wagon Bridge Road (aka. Concrete Road), and all that part of Government Lot Four (4) in said Section Six (6) lying south of the right of way of the Chicago, Burlington & Quincy Railway, excepting therefrom such portions as were heretofore sold to the County of Buffalo in the State of Wisconsin for highway purposes; and,

All that portion of the following described parcels of land, to-wit: Government Lots Five (5), Seven (7), Eight (8), and Nine (9) in Section Six (6); and all that part of Government Lot Six (6) in Section Five (5), and Government Lots One (1), Two (2), and Three (3) in Section Eight (8) which lie south and west of the Chicago, Burlington & Quincy Railroad Company's right of way across said premises, amounting in all to 308 acres of land, more or less, according to government survey, subject, however to existing rights of way, if any of the Green Bay and Western and of the Winona Bridge Railway Companies, and reserving, however, unto John A. Latch, for himself, his heirs and assigns, and the public generally, an easement of ingress and egress across said premises upon any right of way or road as existed on April 11, 1928 and located thereon leading from public highway at the westerly end of the tract of land herein conveyed to other lands lying north and east of the tract herein conveyed. John A. Latch further reserves unto himself, his heirs and assigns, the right in and to all minerals, including petroleum and oil, on said premises; and,

All of Government Lot Four (4) in Section Eight (8), excepting and subject to the winter road right of way belonging to the Chicago, Burlington and Quincy Railway Company; and,

All that part of Government Lots Two (2) and Ten (10) of Section Nine (9), which lies south of the right of way of the Chicago, Burlington and Quincy Railway Company; and,

The Northeast Quarter of the Northwest Quarter (NE1/4NW1/4), and all of Government Lots Two (2), Three (3), Four (4), Five (5), Six (6), and Seven (7), and all that part of Government Lot One (1) which lies south of the right of way of the Chicago, Burlington & Quincy Railway Company, all in Section Sixteen (16); and,

All of Government Lots Six (6), Seven (7), and Eight (8), and all that part of Government Lot Five (5) which lies south of the right of way of the Chicago, Burlington & Quincy Railway Company, all in Section Fifteen (15); and,

All that part of Government Lots One (1) and Two (2) in Section Six (6), lying south of the right of way of the Chicago, Burlington & Quincy Railway Company.

Excluding, however, that portion of Section 16 designated as the “Abandoned Personal Property Area” on the official Tract Map on file with the Realty Division, U.S. Fish and Wildlife Service, Region 3, and the City of Winona for as long as the abandoned personal property remains. Once the abandoned personal property is removed, the “Abandoned Personal Property Area” shall be included for management with the rest of the above-described lands.

The Lessor agrees to lease the Premises to the Lessee for the purpose of managing the unique fish and wildlife habitats within *Aghaming Park: A John Latsch Preserve* for the purposes set forth herein and subject to the conditions herein.

1. To have and to hold the said Premises with their appurtenances for a period of Twenty-Five (25) years from the day and year first above written, with the right of the Lessee to automatically renew the lease for an additional Twenty-Five (25) years, subject to the provisions of Paragraph 2, hereof.
2. This Lease may be terminated in whole, or in part, under the following circumstances: by written mutual agreement of Lessor and Lessee; OR, at the option of either party for any reason whatsoever upon One (1) year written notice to the other. Such termination agreement or notice shall be recorded in the same place as this Lease.
3. The premises are a public resource that currently provides an assortment of year-round historically significant and culturally valued outdoor recreational and educational activities. The Lessee will manage the premises for fish and wildlife and wildlife-compatible uses including hunting, fishing, environmental education, wildlife photography, wildlife observation, and interpretation.
4. The Lessor and Lessee shall work cooperatively with the Aghaming Park Committee to develop an updated Management Plan within 3-5 years of execution of this Lease for utilizing and managing the Premises. The plan will focus on preserving and enhancing fish and wildlife populations and the important habitats found on the premises. The plan will also include public-use, environmental education and interpretation components. The Lessee and the Lessor shall jointly seek funding for implementation of the plan.
5. This Lease does not mandate financial participation by the Lessor or the Lessee but rather encourages joint participation in management activities as funding allows.
6. The Lessor shall not charge the Lessee for use and occupation of said Premises and the Lessee’s management activities on the premises shall be without cost or expense to the Lessor.
7. Neither the Lessor nor the Lessee shall remove from the Premises any merchantable

timber, minerals, or other products, or things having commercial value except by mutual, written agreement or as agreed upon in the Management Plan.

8. The Lessor shall retain the rights and responsibilities of ownership. Title will not transfer to the Lessee under this Lease nor does the Lessee gain any interest in the underlying title of the Lessor's lands subject to this Lease. Nothing herein shall be read to convey to the Lessee any right, title, or interest in the Premises, other than as stated in this Lease.
9. Fixtures, equipment, facilities, or other property of the Lessor constructed or maintained on the said Premises is, and shall remain, the property of the Lessor, and may be removed at any time. Such fixtures, equipment, facilities, or other property of the Lessor may be removed by the Lessee after written agreement from the Lessor.
10. The Lessor shall retain the right to acquire, dispose of, develop, operate, manage, and maintain the Lessor-owned lands adjacent to the Premises as permitted by State and Federal law.
11. Within the premises, the Lessee shall be allowed to cooperatively perform mutually agreed upon fish and wildlife habitat management activities, monitoring/research, and other activities the Lessee deems necessary for the protection and management of fish and wildlife populations, their associated habitats and public-use components; provided, however, that such activities are not adverse to the Lessor's mission. Activities that may be performed by the Lessee include but are not limited to rehabilitation of shoreline, exotic species management practices, management of wetlands and floodplain forest, and fish and wildlife habitat management practices.
12. The Lessee may erect and maintain boundary signs and identification and directional signs on the Premises. The cost of erecting and maintaining said signs would be borne in whole by the Lessee. A sign signifying the cooperation of the Lessor and the Lessee will also be designed and erected at the entrance to the Premises.
13. The Lessee shall allow vehicular access on the River Road during the winter period (frozen ground) starting on or around December 1st of each year, and extending no later than February 28th, or a shorter period dictated by either thawing or any evidence that accessing the area is causing physical or habitat damage. However, motorized access will be prohibited if the Lessee determines motorized access presents risk to visitors or is negatively affecting the fragile habitat of the Premises. Upon the request of the Lessee, the Lessor shall provide and install vehicular access barricades for River Road.
14. During the term of the lease and all subsequent renewal periods, the Lessor shall remain responsible for all maintenance and repair activities and financial obligations associated with the John A. Latsch Wagon Bridge and the High Wagon Bridge Road (aka Concrete Road).
15. The Lessee shall provide a level of law enforcement coverage of the Premises as is provided on the surrounding Refuge lands, consistent with its jurisdiction.

16. Fixtures, equipment, facilities, or other property of the Lessee constructed or maintained on the said Premises shall be and remains the property of the Lessee, and may be removed at any time prior to the expiration or termination of this Lease or within 180 days after the expiration of the Lease.
17. The Lessee does not assume any liability for any fines, claims, damages, losses, judgments, and expenses arising out of or resulting from the existence of hazardous materials on the property, or any act, omission, or activity by the Lessor in connection with the activities undertaken on the described real property. The Lessor does not assume any liability for any fines, claims, damages, losses, judgments, and expenses arising out of or resulting from any act, omission, or activity by the Lessee in connection with the activities undertaken on the described real property. Each party agrees that it will be responsible for its own acts and the results therein to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. The Lessee's liability shall be governed by the provisions of the Federal Tort Claim Act (28 U.S.C., Section 2671, et seq.). The United States is "self-insured" and to the extent authorized by applicable law, including the Federal Tort Claims Act (FTCA), the Lessee will assume the risks and liability on behalf of itself, its agencies and employees, for injuries to persons or property resulting from its activities under this Lease in accordance with the FTCA. The FTCA provides that the United States shall be liable for personal injury, death or loss of property caused by the negligent or wrongful act or omission of a Lessee employee acting within the scope of his or her Federal employment. Liability of the Lessee is to be determined in the same manner and to the same extent as liability of a private individual under like circumstances under state law. See 28 U.S.C. §§ 2672 and 2674. This provision shall survive the expiration or termination of this Lease.
18. Amendments or changes to this Lease may be proposed by either party at any time, and will become effective upon written ratification by both. This Lease shall become effective upon ratification by both parties and shall remain in full force and effect until cancelled, revoked, or terminated as provided herein.
19. In the event of a dispute, the Regional Chief of Refuges and a designated representative of the Lessor shall attempt to negotiate an amicable solution. If an issue cannot be resolved definitively, the Regional Chief of Refuges and a designated representative of the Lessor can either mutually agree to third party mediation or individually elect to withdraw from the Lease and terminate it.
20. This Lease may not be assigned by either party without the written consent of the other party.
21. The parties shall abide by all Federal, State and local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to this Lease.
22. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this Lease, or to any benefit to arise there from, separate and apart from

any benefit accruing to the general public.

23. Pursuant to Section 22, Title 41, United States Code, it is further mutually agreed that no Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified and during his continuance in office, shall be admitted to any share or part of this contract or agreement, or to any benefit to arise thereupon. Nothing, however, herein contained shall be construed to extend to any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company.
24. The Lessee shall conduct a Level 1 Environmental Site Assessment Survey of the Premises prior to accepting authority granted under this Lease.

The principal contact for the U.S. Fish and Wildlife Service concerning this lease shall be:

Mary Stefanski, Winona District Manager (or her successor)
51 East 4th Street, Room 203
Winona, Minnesota 55987
(507) 494-6229
E-mail: Mary_Stefanski@fws.gov

The principal contact for the City of Winona concerning this Lease will be:

Stephen Sarvi, City Manager (or his successor)
Winona City Hall
207 Lafayette Street
Winona, Minnesota 55987
(507) 457-8234
E-mail: ssarvi@ci.winona.mn.us

The parties each represent and warrant to the other that (1) the persons signing this Lease are authorized signatories for the entities represented, and (2) no further approvals, actions, or ratifications are needed.

This Lease shall be deemed to have been made and accepted in Winona County, Minnesota, and the laws of the State of Minnesota shall govern except where preempted or prohibited by Federal law.

The City of Winona acknowledges that this Lease is subject to the requirements of Minnesota's Government Data Practices Act, Minnesota Statutes, Section 13.01 et seq. The Service, as a Federal Agency, is not subject to the Minnesota Data Practices Act. Requests for information from the Service related to this Lease may be made via a Freedom of Information Act request.

Buffalo County, WI
City of Winona (1014M)

EXHIBIT "A"

The following described tract of land is located in Wisconsin, Buffalo County, approximately 2.5 miles southwest of Marshland, Wisconsin, being part of the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated November 5, 1921, and recorded in Volume 69 of Deeds Page 456, and also being part of land described in a Warranty Deed from LaCrosse Dredging Company, a corporation organized and existing under the laws of the State of Wisconsin to the City of Winona, a Municipal Cooperation of the State of Minnesota dated February 24, 1928, and recorded in Volume 74 of Deeds Page 377, and also being the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated April 11, 1928, and recorded in Volume 74 of Deeds Page 378, and also being part of land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated December 21, 1933, and recorded in Volume 77 of Deeds Page 224, in the records of Buffalo County, described according to the public land surveys:

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All that part of Government Lots One (1) and Two (2) in Section Six (6), lying south of the right of way of the Chicago, Burlington & Quincy Railway Company.

Trempealeau County, WI
City of Winona (1014M1)

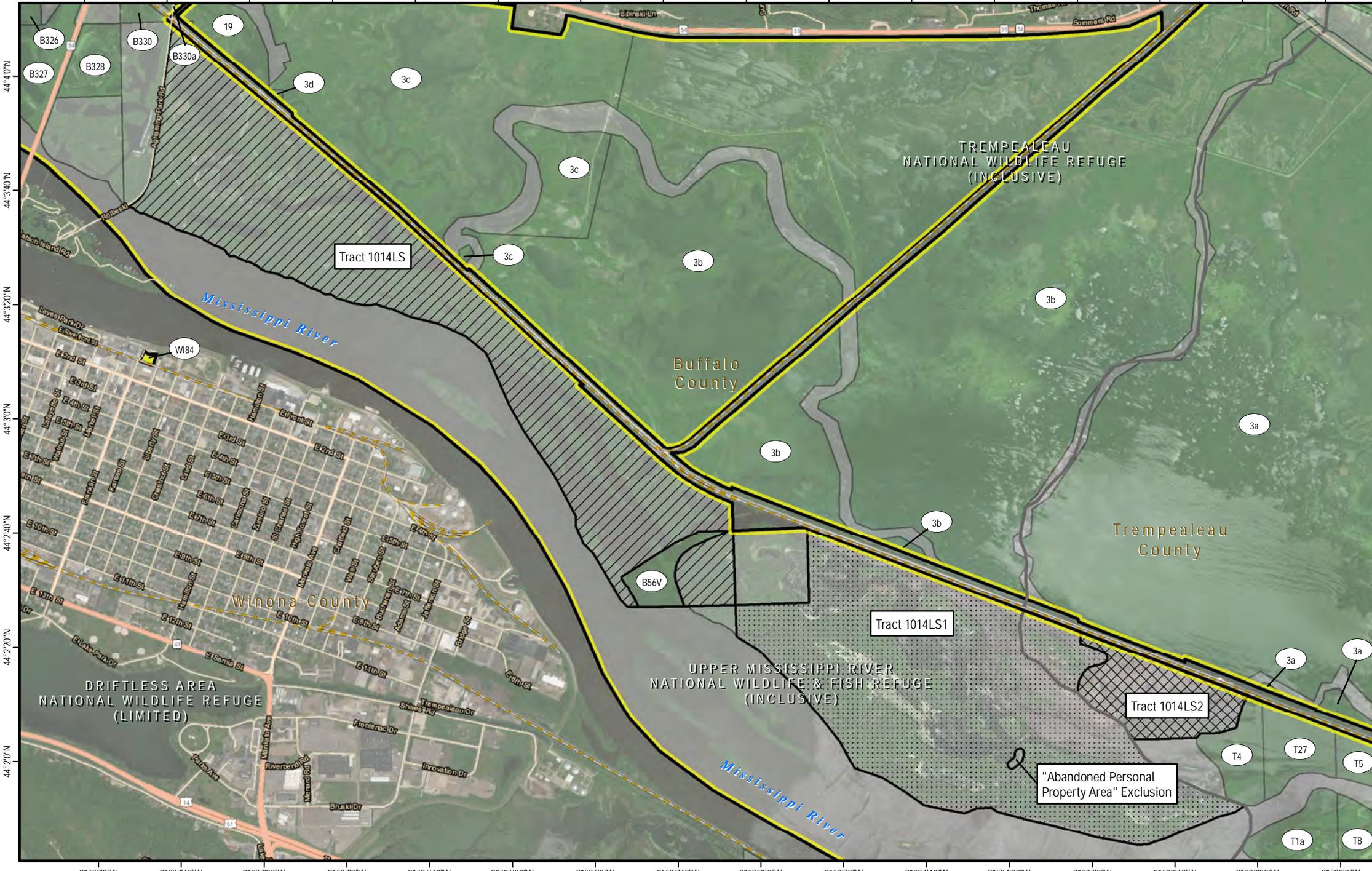
EXHIBIT "A"

The following described tract of land is located in Wisconsin, Trempealeau County, approximately 2.5 miles south of Marshland, Wisconsin, being part of the land described in a Warranty Deed from John A. Latch, a single man to the City of Winona, a Municipal Cooperation of the State of Minnesota dated April 11, 1928, and recorded in Volume 82 of Deeds Page 323, in the records of Trempealeau County, described according to the public land surveys:

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91°38'0"W 91°37'40"W 91°37'20"W 91°37'0"W 91°36'40"W 91°36'20"W 91°36'0"W 91°35'40"W 91°35'20"W 91°35'0"W 91°34'40"W 91°34'20"W 91°34'0"W 91°33'40"W 91°33'20"W 91°33'0"W



- Legend**
- FWS Approved Boundary
 - Inclusive Acquisition Authority
 - Limited Acquisition Authority
 - Agreement Area - Total Area: 1,139 ac.
 - Proposed Tract 1014LS, 530 +/- ac.
 - Proposed Tract 1014LS1, 535 +/- ac.
 - Proposed Tract 1014LS2, 74 +/- ac.
 - FWS Primary Interest Type
 - Other (Inholding)
 - Fee (Previously Acquired)

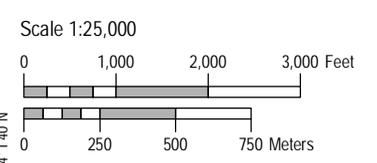
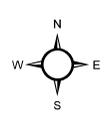
Notes:
 Projection: UTM Zone 15N
 Datum: NAD 1983
 Principal Meridian: 4th

Map Revised: January 15, 2018
 Produced in the Division of Realty,
 Bloomington, MN

Land Status Current to: January 15, 2018

Basemap Source: FWS Cadastral Database
 Imagery Source: Esri, DigitalGlobe, GeoEye,
 USDA, USGS

Midwest Region Locator

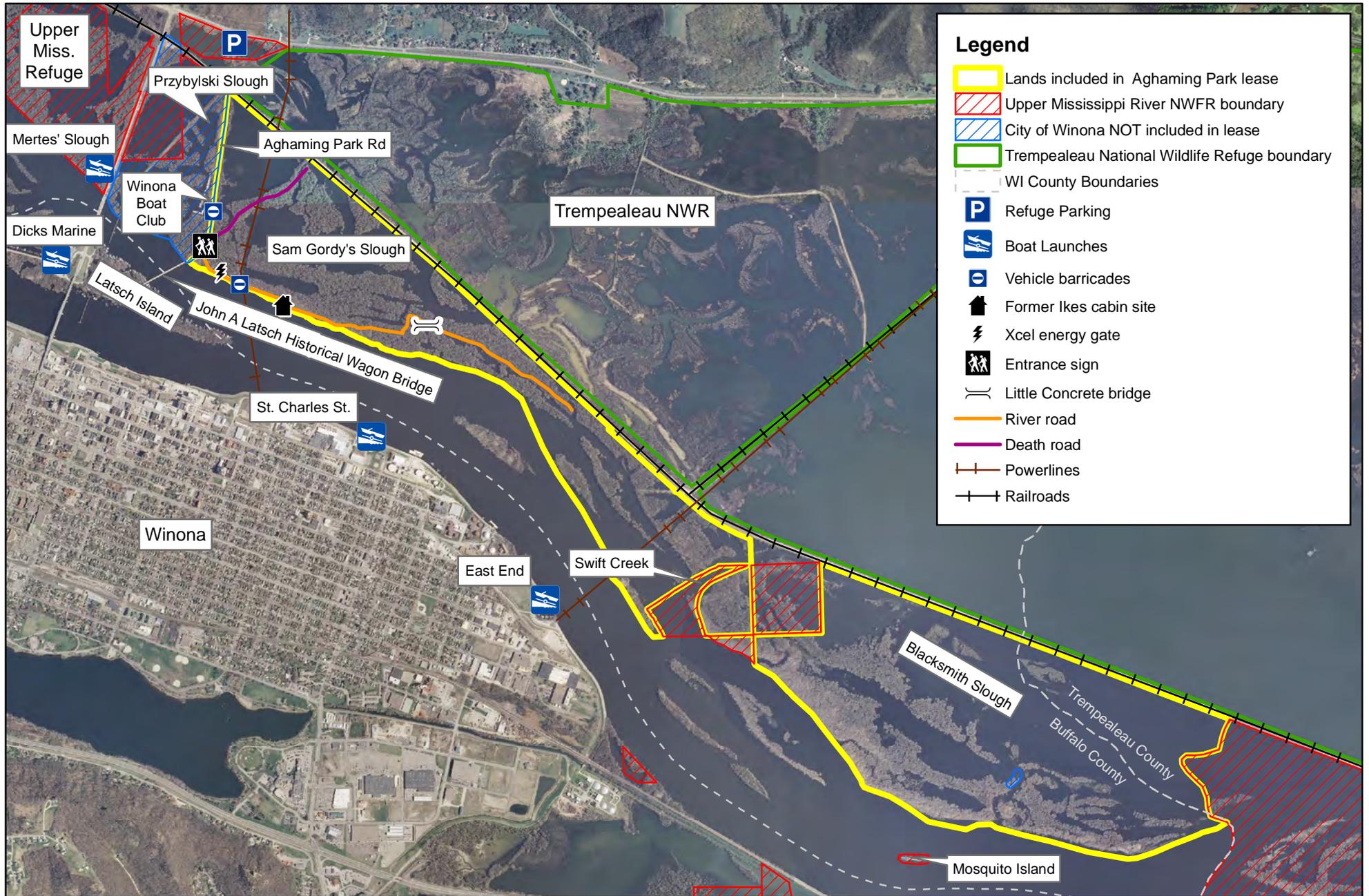


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Appendix II
Maps of Lease Area



Upper Mississippi River National Wildlife & Fish Refuge Pool 6



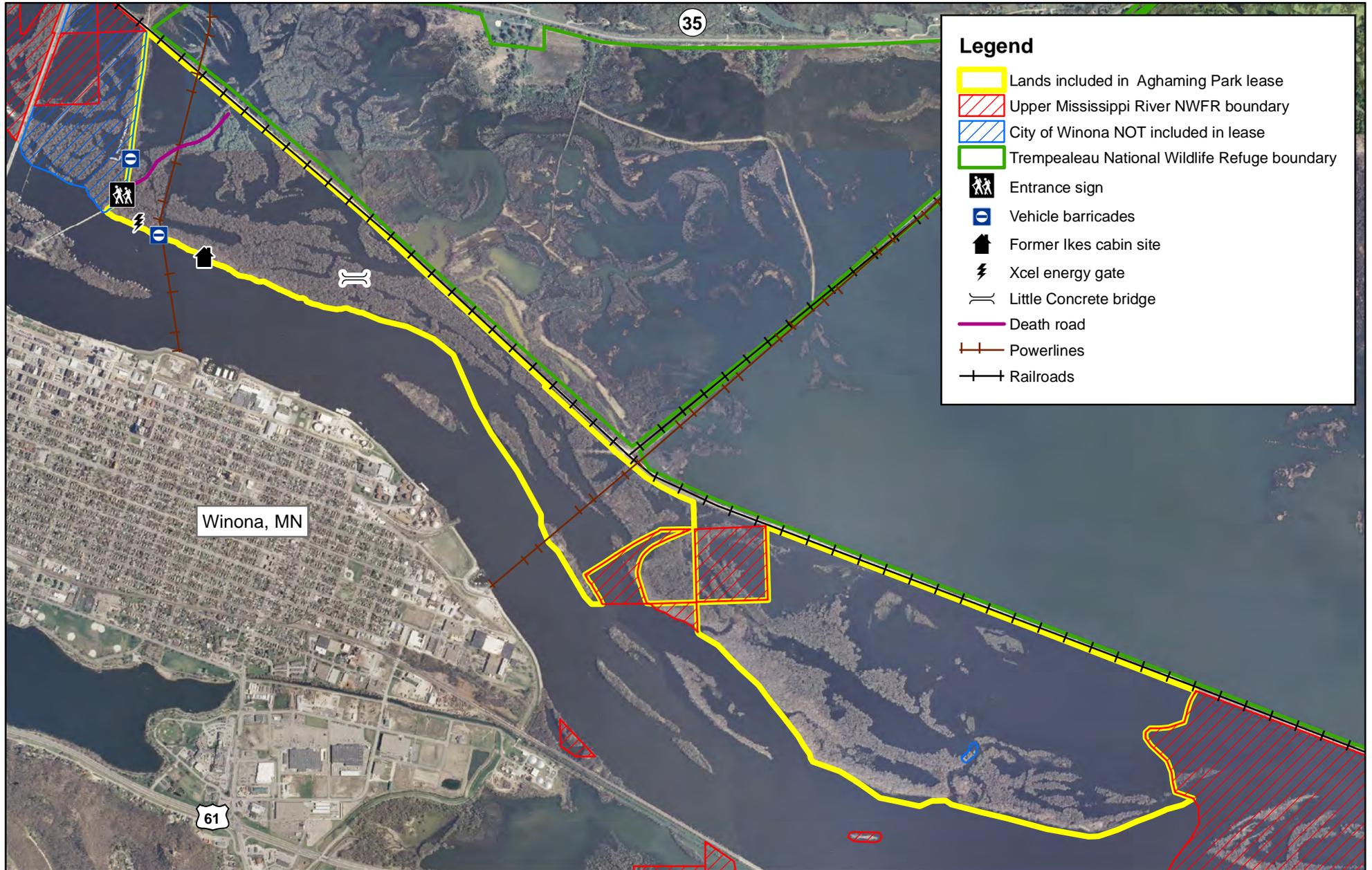
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0 0.3 0.6 1.2 1.8 2.4 Kilometers





Upper Mississippi River National Wildlife & Fish Refuge Pool 6



Legend

- Lands included in Aghaming Park lease
- Upper Mississippi River NWFR boundary
- City of Winona NOT included in lease
- Trempealeau National Wildlife Refuge boundary
- Entrance sign
- Vehicle barricades
- Former Ikes cabin site
- Xcel energy gate
- Little Concrete bridge
- Death road
- Powerlines
- Railroads

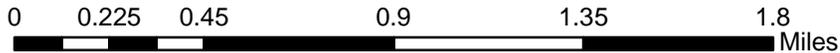
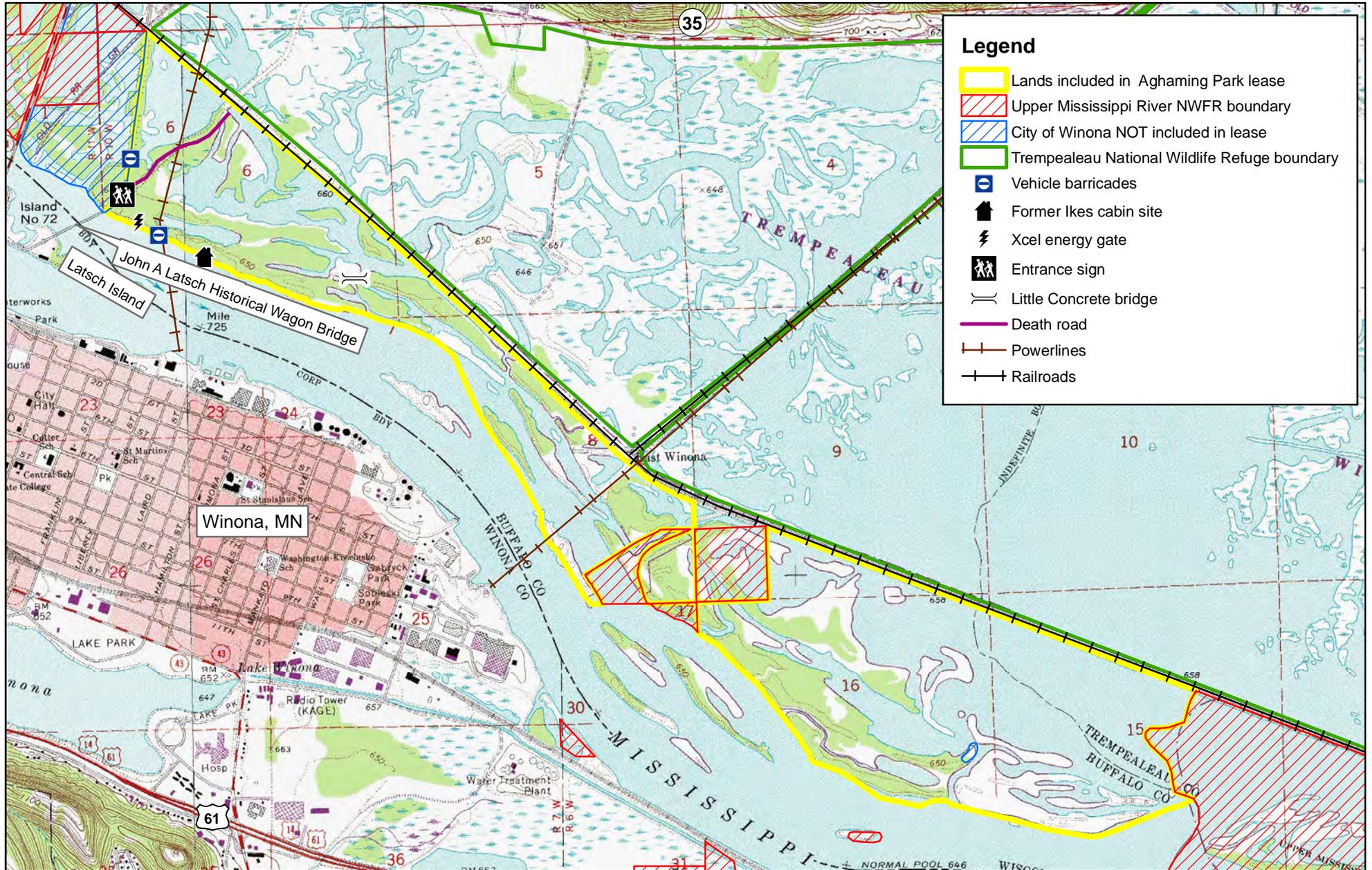
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0 0.3 0.6 1.2 1.8 2.4 Kilometers



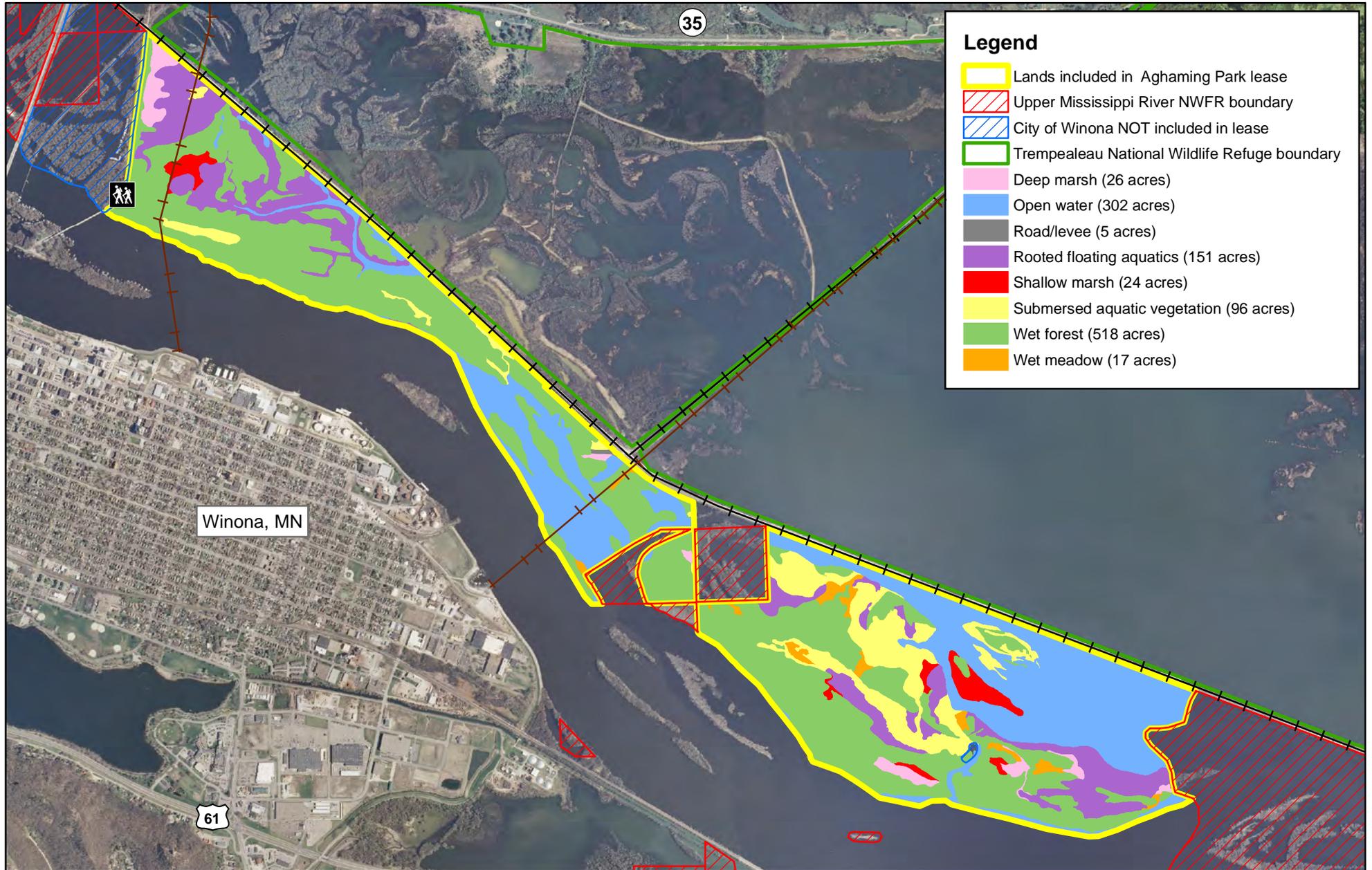


Upper Mississippi River National Wildlife & Fish Refuge Pool 6





Upper Mississippi River National Wildlife & Fish Refuge Pool 6



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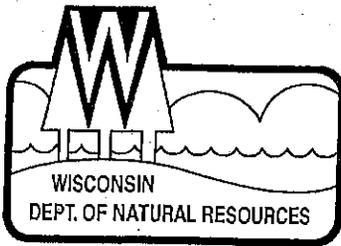
0 0.3 0.6 1.2 1.8 2.4 Kilometers



Appendix III

Wisconsin Department of Natural Resources letters

January 8, 2007 and May 8, 2009



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Scott Humrickhouse, Regional Director

West Central Region Headquarters
1300 W Clairemont
Box 4001
Eau Claire, Wisconsin 54702-4001
Telephone 715-839-3769
FAX 715-839-6076

January 8, 2007

INF-WC-2006-6-0036BT

Joe Barbeau
Assistant City Planner
City of Winona
207 Lafayette Street, PO Box 378
Winona, MN 55987

RE: Aghaming Park Wetland Delineation Report

Dear Mr. Barbeau:

We have received and reviewed the wetland delineation prepared for this site by Barr Engineering Company. The property is located in Section 6, T18N, R10W, Buffalo County. This letter is to inform you that the wetland boundary as shown on the map submitted January 5, 2006 that was included with the report "Aghaming Park Road Wetland Delineation" is not acceptable.

We observed a high quality floodplain forest community dominated by silver maple, cottonwood and green ash. Other tree species included hackberry, river birch and elm are present. The shrub layer was dominated by poison ivy with some sandbar willow, false indigo and rose. Ground vegetation was sparse (normal for this community at this time of year) but species observed included starry solomon's plume, cursed crowfoot, annual bedstraw, switch grass and sedges. Some exotic species were observed: common buckthorn, moneywort, mulberry and daylily, but they were relatively confined and non-dominant in the area.

Standing water covered much of the area but high drier spots were also present interspersed among the wetter areas. Wetland plant species were observed dominating almost all the area we walked except for the lack of vegetation on most of the roadway and more upland species in an area of an old house which has since been removed. It appeared that the roadway was maintained through deposition of sand. We also observed an area of wood chip fill which we determined to be a violation of s. 404, CWA, s. 281.17(10), Stats. and NR 299.04, Adm. Code.

Soils observed were sandy with redoximorphic features within 6" of the soil surface. Higher areas did not exhibit redoximorphic features, however all of the soils in the area may be hydric by definition, depending on the extent and duration of flooding.

The consultant's wetland delineation report did not identify wetlands in areas where we observed them. One major problem with the report is that the sampling is inadequate with only 5 data points taken to characterize a 9.44 acre site. The data points ran the length of the existing access road and should have included data points perpendicular to the road. Other problems with the report include: conducting field work on 9/22/05 (a drought year) and not considering seasonal hydrology, incorrect plant indicator status, not identifying plants to species level and incorrect determination of hydric soils (not considering hydric soils by definition). Based upon the inaccuracies in the report, marked upland plots (SB1, SB2 and SB5) are likely to be within wetlands.

Based upon our field observations, wetlands occurred throughout the area with isolated high areas which may or may not be wetland. Mississippi River flood data, site elevations and plant community observations later in the growing season will help to establish more precise wetland boundaries. More accurate wetland delineation work will be required to determine the extent of wetlands on the site and the potential impacts to these areas which are likely to result from this project.

The floodplain forest community we observed was very high quality and largely intact. This plant community is considered rare or uncommon in Wisconsin (NHI Working List) and is a high priority for restoration (Wisconsin Biodiversity Report, 1995). Intact high quality floodplain forest communities are especially significant. They perform critical ecosystem services such as floodwater storage. They also provide critical habitat for many animals, many of which are rare, such as the state threatened Red-shouldered Hawks which nest within the project site. Even small canopy openings can have serious negative impacts upon sensitive nesting birds. Canopy openings often lead to the invasion of exotic plant species such as reed canary grass. Once introduced, this species is very difficult to eradicate. This wetland should be preserved with the least amount of disturbance to the maximum extent practicable.

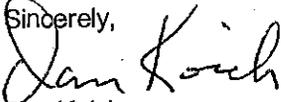
If the City wishes to proceed with any development proposal within the floodplain wetland, there are several permits required. The Buffalo County Floodplain and Shoreland ordinances will require permits for filling and grading and several other activities. The US Army Corps of Engineers will require permits for filling any wetland or activity below the ordinary high watermark of the Mississippi River. The US Army Corps permits are not valid until the Wisconsin DNR issues Water Quality Certification and issues any permits that may be required under Chapter 30 of the Wisconsin Statutes.

Our review of the proposals to develop a trail and extensive bridge and roadway system through the wetland complex leads us to a preliminary determination that we would not be likely to grant permits for these activities. There may be limited activities that could be permitted, but the presence of the endangered resources and largely unbroken tract of forest community means that any development would have to consider these features and be very minimal in nature and scope. A thorough and complete wetland delineation report would be required as a beginning to any development.

The placement of bollards along the edge of Wagon Bridge Road would not be a regulated activity. We certainly concur that they should be placed to prevent vehicular intrusions into the floodplain/wetland forest.

Within the next few days, I will be reassigned a new work territory which will not include Buffalo County. At this time I believe my replacement will be Water Management Specialist Jason Gazdecki with assistance from his supervisor Dan Helsel. Both Jason and Dan's offices are in Black River Falls and can be reached by calling 715-284-1424 for Jason and 715-284-1431 for Dan. Dan also has an office in LaCrosse and can be reached at 608-785-9014. My file on this issued will be sent to Dan Helsel.

Sincerely,



Dan Koich

Water Management Specialist

cc: Bruce Norton, U.S. Army Corps of Engineers
Paul Van Eijl, Buffalo County Zoning Administrator
Mark Wilson, Barr Engineering
Pat Trochlell
Dan Helsel
Jason Gazdecki
Dave Pericak
Jim Thompson



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Scott Humrickhouse, Regional Director

La Crosse Service Center
3550 Mormon Coulee Road
La Crosse, Wisconsin 54601
Telephone 608-785-9000
FAX 608-785-9990
TTY Access via relay - 711

May 8, 2009

Keith Nelson
City of Winona Public Works
P.O. Box 378
Winona, Mn 55987

Subject: Wetland Damage from Vehicles at Aghaming Park, Town of Buffalo, Buffalo County

Dear Mr. Nelson:

Thank you for meeting with me on April 30, 2009 to discuss the issues related to vehicle traffic on and adjacent to River Road in Aghaming Park. I visited the site earlier that morning and observed and documented the adverse affects vehicles are having on wetlands and waterways. This included substantial rutting, which has resulted in damage to the soils and plants. The damage is occurring on River Road itself and in areas adjacent to the road where vehicles intentionally leave the road to traverse the landscape. At the end of the road near the Sam Gordy Slough Bridge vehicles are also driving off the road to the north.

We appreciate the steps the City has already taken to limit vehicle access onto river road by placing concrete barriers. I believe a more structured and enforced management plan for this road is needed to prevent further damage to resources.

Aghaming Park is a unique wetland, floodplain forest that has documented endangered and threatened species. This vehicle traffic exposes these species are to harm including the habitat they rely upon for existence. The land /wetland disturbing activity encourages the spread of exotics such as reed canary grass, garlic mustard and purple loosestrife. The vehicles that traverse these resources also transport the seeds of these exotics to other parts of the state as well as other states only to compound our problems of trying to stop the spread of exotics. A letter was previously sent to the City on October 10, 2005 regarding Wisconsin's Endangered Species Law (attached).

The River Road Trail is apparently intended to be managed by the City for winter public access to waters for ice fishing. You indicated that the plan is to have this road closed to vehicle traffic between March 1 and December 1 of each year. We support the use of this road for this activity provided the road is only used as it exists now and only during these winter months. The Department must approve any future modifications to this road since most of the road is actually wetland. The City must take actions to prevent vehicles from leaving this road which should include:

- Barriers at key points where vehicles are leaving the road (trees would be sufficient)
- Signs to instruct users regarding how the road should be used
- Enforcement in cases of non-compliance
- Installation of a permanent gate and management of the gate within the seasonal restrictions.

In cooperation with the Department of Justice we will pursue enforcement actions against property owners that promote and allow this type of off-road vehicle use that results in the degradation and destruction of our natural resources as well as those recreational enthusiasts directly responsible for the destruction of a natural resource.

Potentially, and depending on the exact fact situation, we are prepared to issue citations for violations of the following statutes, s. 23.095(1g) Damage or unreasonably waste Natural Resources, s. 29.604 Violation of protected endangered and threatened species, s. 30.19 Grade or remove topsoil from the bank of any navigable waterway where the grading or removal will exceed 10,000 square feet, s. 30.29 Operation of motor vehicles in waters prohibited, and s. 283.91(2) failure to implement and maintain construction site erosion control measures for land disturbance activities greater than 1 acre in size.

We would much rather work cooperatively to avoid the need for any enforcement action but will go there if we have to in order to prevent harm to our natural resources. We hope you can help us in resolving these unfortunate damages. Please keep me informed of your progress to address this issue. Should you have any question please contact me at 608-785-9108.

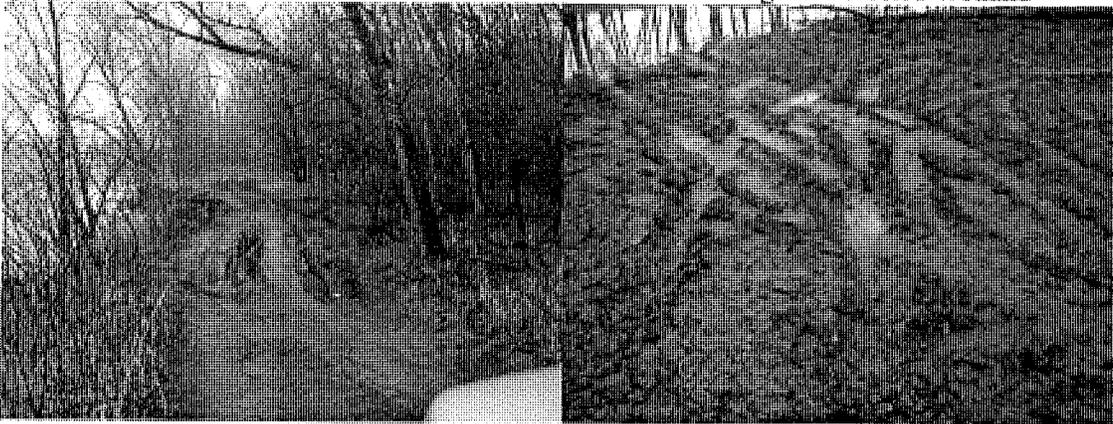
Sincerely,

Water Management Coordinator

Cc: Robert Jumbeck
Dan Helsel
Armund Bartz
Ritchie Swanson
Craig Thompson
Bruce Norton- USACOE

River Road Wetland

Slough in Forested Wetland



Appendix IV
Aghaming Park Advisory Committee
Meeting Minutes
June 10, 2009

AGHAMING PARK ADVISORY COMMITTEE MEETING MINUTES

DATE: June 10, 2009

TIME: 6:00 p.m.

PRESENT: Pat Woodworth, Barry Drazkowski, Cal Fremling, George Borzyskowski, and Cindy Samples

ABSENT: Len Cross, Jim Gromek, Jim Thompson and Wayne Valentine

STAFF PRESENT: City Planner, Mark Moeller

Call to Order

The meeting was called to order at 6:00 p.m. by Acting Chairperson Borzyskowski.

Approval of Minutes – April 8, 2009

The minutes from the Committee's meeting of April 8th were reviewed and upon motion made and duly seconded were approved as submitted.

Consideration of Wisconsin DNR Letter

Mark Moeller, City Planner, noted that he had included, in the Committee's agenda package, a letter from the Wisconsin DNR to the Public Works Director, Keith Nelson. In this letter, the DNR had outlined a number of concerns related to recent vandalism of Aghaming Park and had suggested that the City undertake a number of actions to prevent vehicular vandalism within the park. Through this letter, it was emphasized that if problems were not resolved, the DNR would undertake a number of actions forcing correction.

In consideration of the letter, it was noted that the barriers had been constructed on the River Road (easterly of the abandoned highway).

At this point Acting Chairperson Borzyskowski recognized Richie Swanson who noted that edges of the abandoned highway road are currently being mowed resulting in the expansion of garlic mustard in those areas. Since these plant species out compete native plants, discontinuing this maintenance activity would correct the problem. Acting Chairperson Borzyskowski stated that given recent budget reductions the problem may take care of itself. Additionally, although he was aware of the fact that the Public Works Department had intended to cut down trees for the purpose of preventing other avenues of vehicular access into the park, given restrictions to such activity, it was his understanding that other forms of resolving this problem are being considered. Acting Chairperson Borzyskowski stated, the City was attempting to take steps necessary to prevent additional problems. As such, he did not feel that additional discussion of the letter was needed.

AGHAMING PARK ADVISORY COMMITTEE MEETING MINUTES
JUNE 10, 2009
PAGE 2

Discuss Next Steps/Priorities

Following brief discussion, it was suggested that consideration be given to discussing park management issues with the US Fish & Wildlife Service. Through this idea, it was suggested that such an agency would be better positioned to manage the area as envisioned in the Aghaming Park Resources Plan, approved by Council a number of years ago.

Committee Member Drazkowski stated that he saw no harm in discussing such a concept at the Committee level and felt that it was appropriate that the Committee do so. He further suggested that Mary Stefanski, District Manager of the Upper Mississippi Wildlife Refuge be invited to a future meeting to discuss this formal concept.

Committee Member Sample noted that the U.S. Fish and Wildlife Service does manage a significant amount of land and that much of this is subject to overlay refuge cooperative agreements which provide for Fish and Wildlife Service management while at the same time continuing to permit ownership by others.

Following brief discussion, it was moved by Committee Member Fremling and seconded by Committee Member Drazkowski to invite Ms. Stefanski to attend the Committee's July meeting in order to discuss the overlay refuge concept. When the question was called, the vote of the Commission was unanimous to approve the motion.

Other Business

Committee Member Fremling noted that the Jersey Barriers constructed at the River Road had recently been sprayed with graffiti. He asked if these could be repainted to remove the graffiti. He further suggested that newly cut trees not be utilized to create vehicular barriers into the park.

At this point, Acting Chairperson Borzyskowski recognized Mr. Swanson. He again emphasized that the general public is more than interested in preserving and protecting Aghaming Park as a significant local natural resource. He further noted that any effort to open up the River Road during winter months for vehicular access to ice fishing should include protections designed to ensure that vehicles do not deviate from defined roadways. He suggested that one way to do this would be to plant trees along the roadway in patterns which discourage off road activities. He further noted that the location of future gates along this road or any other access point into the park would be critical and that if people feel that the City is making a good faith effort to control access, they will donate money for new gates.

Acting Chairperson Borzyskowski noted that previously adopted Council resolutions allow for vehicular access to the former Ikes cabin site at all times of the year, as well as access beyond this point to allow for access to ice fishing during winter months.

Committee Member Drazkowski stated that given his observation of the River Road, portions of it are close to eroding. He suggested that if the Wisconsin DNR will not permit improvements to this feature, future accessibility issues may result.

**AGHAMING PARK ADVISORY COMMITTEE MEETING MINUTES
JUNE 10, 2009
PAGE 3**

At this point, Acting Chairperson Borzyskowski recognized Mike Kennedy who stated that Aghaming Park is, by nature of its present environmental setting, visited by persons of all parts of the world. As a unique natural setting, he felt it should be promoted as such. He further noted that although problems exist with enforcement, enforcement is 90% visibility, little of which currently exists.

In response to a question by Committee Member Woodworth, Committee Member Sample noted that, as opposed to many parts of the Upper Mississippi Wildlife, Aghaming Park is easily accessible. She also stated that, given the parks location between the Eagle Center in Wabasha and the Owl Center in Houston, it could offer an additional educational opportunity to all, if promoted properly. He further echoed Mr. Kennedy's thoughts that the Park offers an enormous amount of potential relative to the tourism element.

Acting Chairperson Borzyskowski again emphasized that any future use of the Park needs to be consistent with John Latsch objectives.

Committee Member Drazkowski suggested that a series of small signs, located throughout the Park, would be more effective in defining restrictions than a single large sign.

Acting Chairperson Borzyskowski recognized Mr. Swanson who concurred with Mr. Drazkowski comments and suggested that if vehicular access beyond the Ikes site is promoted, signs in this area could help to control the off road vehicle problem. He then noted that the Wisconsin DNR has provided a number of ideas in this area, and that the City needs to follow through with these ideas.

There being no further business to come before the Committee, the meeting was adjourned.

Mark Moeller
City Planner

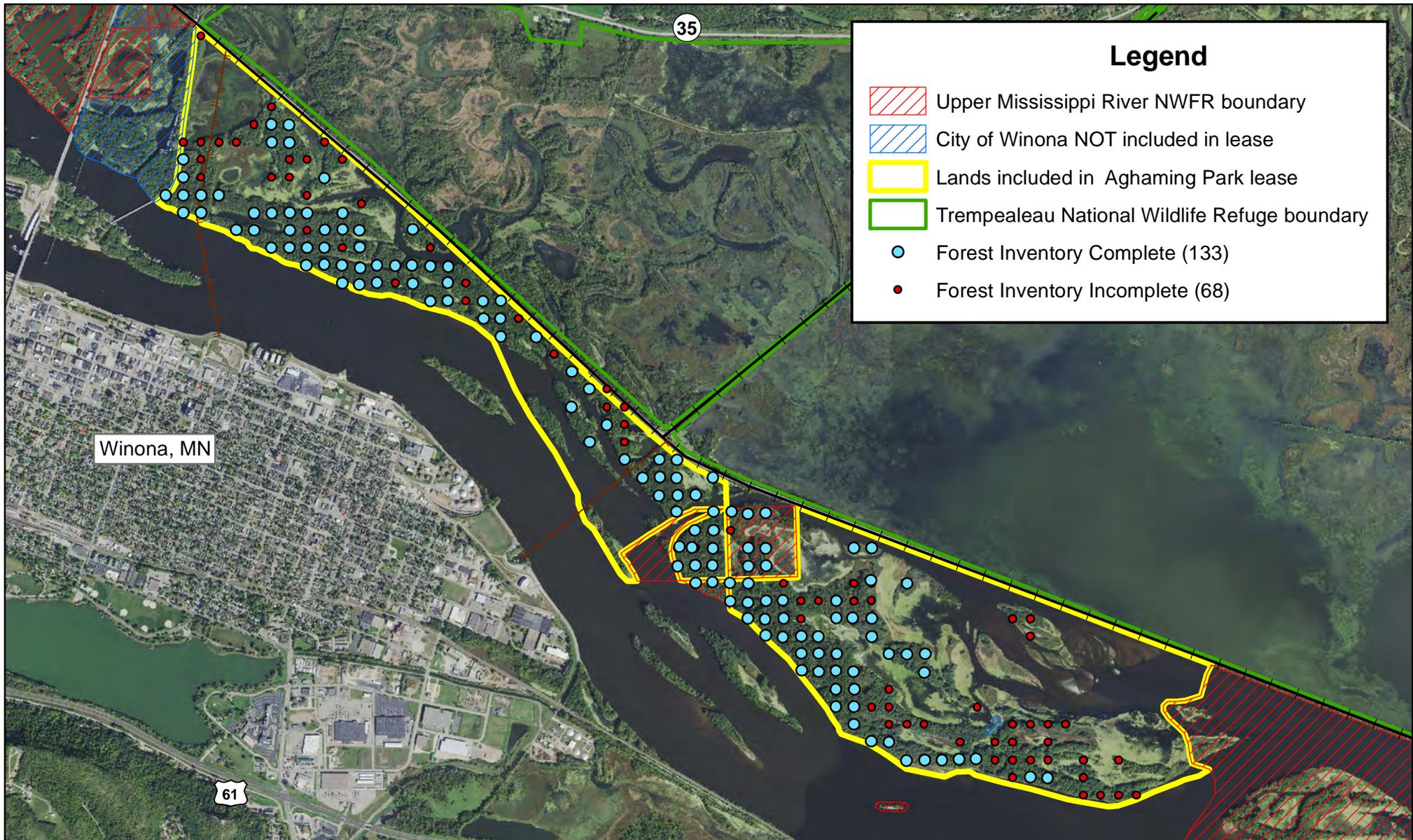
Appendix V

Habitat Monitoring and Management



Upper Mississippi River National Wildlife & Fish Refuge

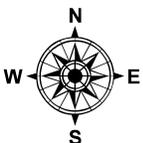
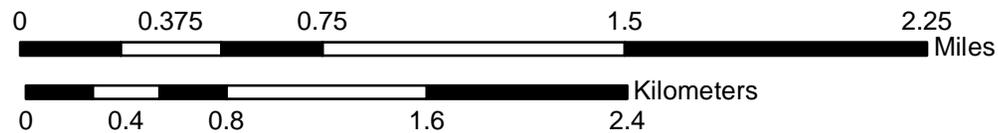
Pool 6



Legend

- Upper Mississippi River NWFR boundary
- City of Winona NOT included in lease
- Lands included in Aghaming Park lease
- Trempealeau National Wildlife Refuge boundary
- Forest Inventory Complete (133)
- Forest Inventory Incomplete (68)

Map Created: 08/26/2019
By: Biologist J. Froehly
Project Saved as H:/MichelleTurton H Drive/Documents/
Aghaming/Aghaming Park Agreement 2018.mxd
Base Map: 2015 Aerial Photography



Red-shouldered Hawk (*Buteo lineatus*) Species Guidance

Family: Accipitridae – the hawks, kites, and eagles

State Status: [Threatened](#) (1979)

State Rank: [S3S4B](#), [S1N](#)

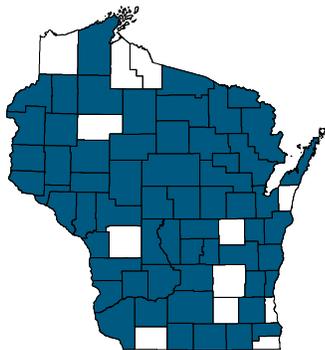
Federal Status: [None](#)

Global Rank: [G5](#)

Wildlife Action Plan

Mean Risk Score: [2.7](#)

Wildlife Action Plan Area of Importance Score: [2](#)



Counties with documented locations of Red-shouldered Hawk breeding or breeding evidence in Wisconsin. Source: Natural Heritage Inventory Database, October 2018.



Photo by Gene Jacobs

Species Information

General Description: Red-shouldered Hawks are medium-sized forest raptors. Adult wingspans are 81-112cm (32-44 in) and body lengths 43-58cm (17-23 in) for males and 48-61cm (19-24 in) for females (Dykstra et al. 2008). Males and females are similarly marked but exhibit slight sexual dimorphism, with females larger than males (Jacobs and Jacobs 2002). Adults have a tan or rust colored underside with whitish horizontal barring that becomes progressively thicker lower on the belly. The underside of the tail has wide, white bands that accent the dark tail (Dykstra et al. 2008). The head, back, and dorsal side of the wings are darker and browner than the front side and become progressively darker toward the tail. The reddish or tan shoulder patches, for which the hawk is named, are only visible at close range. Full adult plumage and the reddish shoulder patches do not begin to develop until the second year (Bent 1937). Sexual maturity occurs at around two years, but year-old birds do sometimes breed (Dykstra et al. 2008). Nestlings are covered with long, thick down that is much lighter-colored than adults.

Two vocalizations are common among Red-shouldered Hawks; one is a ‘kee-aah’ during breeding season (which can be heard here: http://www.allaboutbirds.org/guide/Red-shouldered_Hawk/sounds/ac). The second is a single or repeated ‘kip’ given by a male when delivering prey to the nest (Jacobs and Jacobs 2002).

Definitive Identification: When Red-shouldered Hawks are soaring (especially on sunny days), a translucent crescent-shaped patch is visible at the “wrist” area of the wings (Dykstra et al. 2008). This wing patch, the territorial call (i.e., kee-aah), and more than two visible white tail bars are the best diagnostic characteristics.

Similar Species: Two other species – Broad-winged Hawks (*Buteo platypterus*) and, to a lesser extent, Red-tailed Hawks (*Buteo jamaicensis*) – closely resemble Red-shouldered Hawks. The Broad-winged Hawk has a reddish barring pattern across the chest and belly that is very similar to the Red-shouldered Hawk, and usually only one or two white tail bands are visible. The territorial call of the Broad-winged Hawk, a soft whistle, is very distinct from that of Red-shouldered Hawks. Red-tailed Hawks are a much larger and broader member of the Buteo group with a solid red tail, pale chest, and a dark band across the belly. The territorial call of the Red-tailed Hawk is also different from that of the Red-shouldered Hawk. Red-shouldered Hawks can also be confused with juvenile Northern Goshawks (*Accipiter gentilis*; National Geographic Society 1999), but Red-shouldered Hawks have more rounded wings, pale crescents in the wing, and a shorter tail with distinctive tail bands (Sauer et al. 2008).

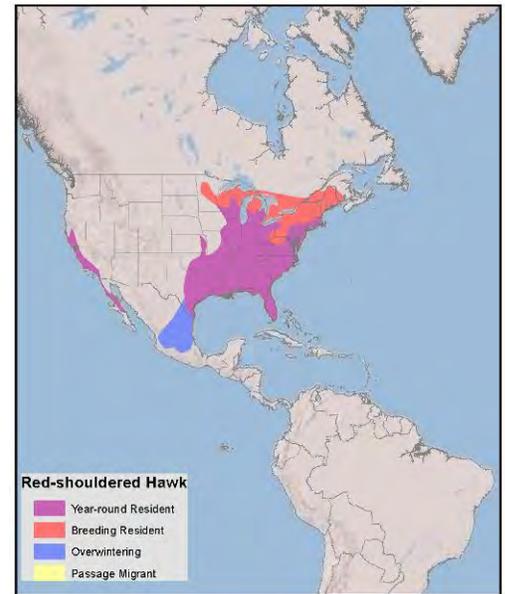
Associated Species: Barred Owls (*Strix varia*), Pileated Woodpeckers (*Dryocopus pileatus*), and Northern Goshawks (*Accipiter gentilis*) are just a few of the many bird species that are also associated with preferred Red-shouldered Hawk habitat (i.e., mature, contiguous forests). These species tolerate each other and have used the same nest trees and nesting areas in different years (J. Woodford pers. obs.).

State Distribution and Abundance: Red-shouldered Hawks are a widely distributed but uncommon hawk in Wisconsin (Jacobs 2006). Recent breeding records exist for 60 of 72 counties in Wisconsin, and most records are near the major river systems and tributaries, including the Peshtigo, Wolf, Wisconsin, Chippewa, Mississippi, and St. Croix (Jacobs 2006). More recently, Red-shouldered Hawks have been reported nesting in woodlots developed into residential and suburban areas (Dykstra et al. 2008; J. Woodford, unpublished data). The Red-shouldered Hawk is a short-distance migrant that occasionally overwinters in Wisconsin, but it generally spends winters in southern Illinois or further south. Peak fall migration for Red-shouldered Hawks in Wisconsin occurs

from late October to mid-November (Mueller et al. 1997), and hawks return between early March and mid-April (Jacobs 2006). The individuals that overwinter in Wisconsin occupy a much broader array of habitats in winter than during summer, including woodland edges, highway right-of ways, parks, and residential areas (Jacobs and Jacobs 2002). Distribution information for this species may not reflect its full extent in Wisconsin because many areas of the state have not been thoroughly surveyed.

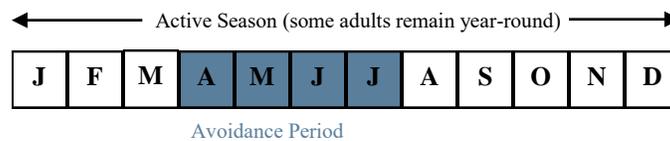
Global Distribution and Abundance: The Red-shouldered Hawk is classified into numerous subspecies across North America. The eastern subspecies (*B. lineatus lineatus*, *alleni*, *texanus* and *extimus*) presently occur in the U.S. from central Minnesota eastward to Maine and from southern Canada south to Florida, the Gulf Coast, Texas, and eastern Mexico (Dykstra et al. 2008). The western subspecies (*B. lineatus elegans*) occurs in the U.S. from southwestern Oregon south to northern Baja California, and Mexico (Jacobs and Jacobs 2002, Dykstra et al. 2008).

Diet: The Red-shouldered Hawk’s diet is broad and includes mammals, reptiles, fish, amphibians, birds and invertebrates. In Wisconsin, prey brought to the nest includes chipmunks, mice, voles, moles, snakes, frogs, fish, earthworms, and crayfish (Welch 1987, Jacobs and Jacobs 2002, J. Woodford, unpublished data). Red-shouldered Hawks normally hunt from a perch that overhangs shallow water or wetland (Jacobs and Jacobs 2002).



Global range map for Red-shouldered Hawk. (NatureServe 2013)

Reproductive Cycle: Red-shouldered Hawks return from migration between late February and mid-April and immediately begin copulating. Copulation continues several times a day until females lay and begin incubating eggs (Jacobs and Jacobs 2002). Eggs are laid from early April to May, and incubation lasts 28-32 days. The female incubates most of the time and the male supplies food to the female and later to the hatchlings (Jacobs and Jacobs 2002). Chicks remain in the nest for 40-45 days while they develop flight feathers and muscles. Adult Red-shouldered Hawks are very secretive around their nests during incubation and nestling periods because nests with young are vulnerable to predation by larger avian and mammal predators including raccoons (*Procyon lotor*), fishers (*Martes pennanti*), and Great-horned Owls (*Bubo virginianus*; Jacobs and Jacobs 2002). Young fledge at about 45 days (mid-June through July) and immediately hunt their own food but will rely on food from adults for another 30-50 days (Jacobs 2006). Breeding begins at two years; however, some one-year-old females have occupied nests (Dykstra et al. 2008).



Ecology:

Nests

Nests are constructed from sticks and twigs and are usually lined with conifer sprigs during the courtship and incubation periods. After eggs hatch, live sprigs from both coniferous and deciduous trees (i.e., “greens”) are used to line the nest. Nests are approximately 65cm (25.5 in) wide by 35cm (14 in) high and are generally built in a lower fork of a large, mature deciduous tree (Jacobs 2006). Studies have reported Red-shouldered Hawks nesting in over 43 different tree species; the most common nest trees reported in Wisconsin were, in declining order of frequency, oaks (*Quercus* spp.), birch (*Betula* spp.), aspens (*Populus* spp.), maples (*Acer* spp.), American beech (*Fagus grandifolia*), and pines (*Pinus* spp.; Jacobs and Jacobs 2002, Woodford et al. 2008, King 2008).

Eggs

Eggs are white to buff-colored with faint reddish-brown specks, and a typical clutch size is two to four eggs (Palmer 1988, Jacobs and Jacobs 2002).

Natural Community Associations (WDNR 2005, WDNR 2009):

Significant: [ephemeral pond](#), [floodplain forest](#)

Moderate: northern dry-mesic forest, northern mesic forest, southern dry-mesic forest, southern mesic forest, white pine-red maple swamp

Minimal: none



Figure 1. a) Lower stem of a Red-shouldered Hawk nest tree with surrounding forest. Rich Staffen, Wisconsin DNR; b) Red-shouldered Hawk nest located near the top of a tree. © Gene Jacobs; and c) a nest tree located near an ephemeral pond in Sheboygan County. Rich Staffen, Wisconsin DNR

Habitat: Red-shouldered Hawks depend on wetlands and other shallow water habitats for prey, and on large trees for nesting. Preferred breeding habitat is characterized by large tracts of contiguous, mature forests with interspersed open wetlands (McLeod et al. 2000, Naylor et al. 2004, Woodford et al. 2008). Suitable habitats range from mature bottomland hardwoods, riparian areas, deciduous swamps, to mixed deciduous-coniferous upland forests (Dykstra et al. 2008). Recent studies have reported Red-shouldered Hawks nesting in areas where residential development is interspersed with native woodlands (Dykstra et al. 2008). It is unclear if this phenomenon is an indication that the species is adapting to these habitats or if they are merely hanging on temporarily in increasingly developed landscapes. Generally, forest condition and structure (Morris and Lemon 1983, Dykstra et al. 2000, McLeod et al. 2000) and proximity to habitat with abundant prey appear more important to this species than specific forest type (Woodford et al. 2008, King 2008).

Threats: The Red-shouldered Hawk was reportedly one of Wisconsin's most common hawks before the 20th century (Kumlien and Hollister 1903), but a dramatic, range-wide population decline in the first half of the 20th century through the 1960s and 1970s prompted the species' listing as a rare or endangered species in many Midwestern states. Region-wide population declines appear to coincide with the widespread loss of nesting and foraging habitat. Unsustainable timber harvesting and wetland draining eliminated substantial amounts of suitable nesting habitat during the first half of the 20th century and aided in the widespread decline of this species (Jacobs and Jacobs 2002). Availability of suitable nesting habitat now appears to be the biggest limiting factor for this species in Wisconsin (Jacobs 2006).

Climate Change Impacts: Red-shouldered Hawks in Wisconsin are at or near the northern edge of their continental breeding distribution. Warmer temperatures would therefore likely improve conditions for this species. Model simulations based on climate projections (<http://www.nrs.fs.fed.us/atlas/bird/RFbirdmod_3390.html>) suggest a northward shift in Red-shouldered Hawk distribution, and increased abundance in Wisconsin. Adult birds may more often take up year-round residency, rather than migrating south during winter.

Survey Guidelines: Persons handling Red-shouldered Hawks must possess a valid [Endangered and Threatened Species Permit](#). If surveys are being conducted for regulatory purposes, survey protocols and surveyor qualifications must first be approved by the Endangered Resources Review Program (see *Contact Information*).

Territory Surveys: Broadcast surveys of conspecific calls are effective for territorial Red-shouldered Hawks during spring (McLeod and Andersen 1998, Woodford et al. 2008, King 2008). Adults respond to broadcasted calls up to one mile from their occupied nest tree (J. Woodford, unpublished data), and therefore systematic surveys along roads and forest trails are efficient methods to determine presence, breeding activity, and nest tree locations.

Conduct broadcast surveys in Wisconsin between 6am and 10am from March 15 to May 1 in southern Wisconsin, and from April 1 to May 15 north of Highway 64. Run surveys under weather conditions used for other breeding bird surveys: wind speeds < 10 mph and no constant precipitation. Play recorded calls on any commercially available broadcasting product or game caller, as long as the volume exceeds 90 decibels, measured at 1 meter from the source. A detailed protocol is described by Woodford et al. (2008) and King (2008).

Summarize results, including survey dates, times, weather conditions, number of detections, detection locations, and behavioral data and submit via the WDNR online report: <<http://dnr.wi.gov>, keyword "rare animal field report form">.

Inventory, Monitoring and Research Needs:

Red-shouldered Hawks are a secretive, forest interior species that have not been surveyed very well with general bird survey techniques. Therefore, future inventory projects in Wisconsin should focus on identifying suitable habitat and conducting focused surveys using previously described broadcast survey methods (Woodford et al. 2008, King 2008) or other appropriate survey

techniques. These types of inventories are occurring during the planning stages for all forest harvesting activities within the Chequamegon-Nicolet National Forest (USFS 2004), for some state-managed forests during or after property plans have been developed (e.g., Lower Chippewa River State Master Plan), and on some county forests (e.g., Marinette and Wood County Forests). At the very least, forest stands in or near known Red-shouldered Hawk nesting areas should be inventoried for nesting pairs before timber harvesting activities begin.

Other general research needs include investigating (1) direct and indirect impacts of forest habitat fragmentation, (2) determining minimum forest patch size for successful nesting, (3) assessing the effects of human disturbance on productivity, and (4) quantifying differences in habitat, diet, and reproductive success between birds living in suburban habitats and those in more remote heavily forested (Jacobs and Jacobs 2002, Dykstra et al. 2008). Based upon recent research in this region, a statewide volunteer-based survey has potential to provide meaningful results that would aid in assessing their status in Wisconsin (King 2008).

Management Guidelines

The following guidelines typically describe actions that will help maintain or enhance habitat for the species. These actions are not mandatory unless required by a permit, authorization or approval.

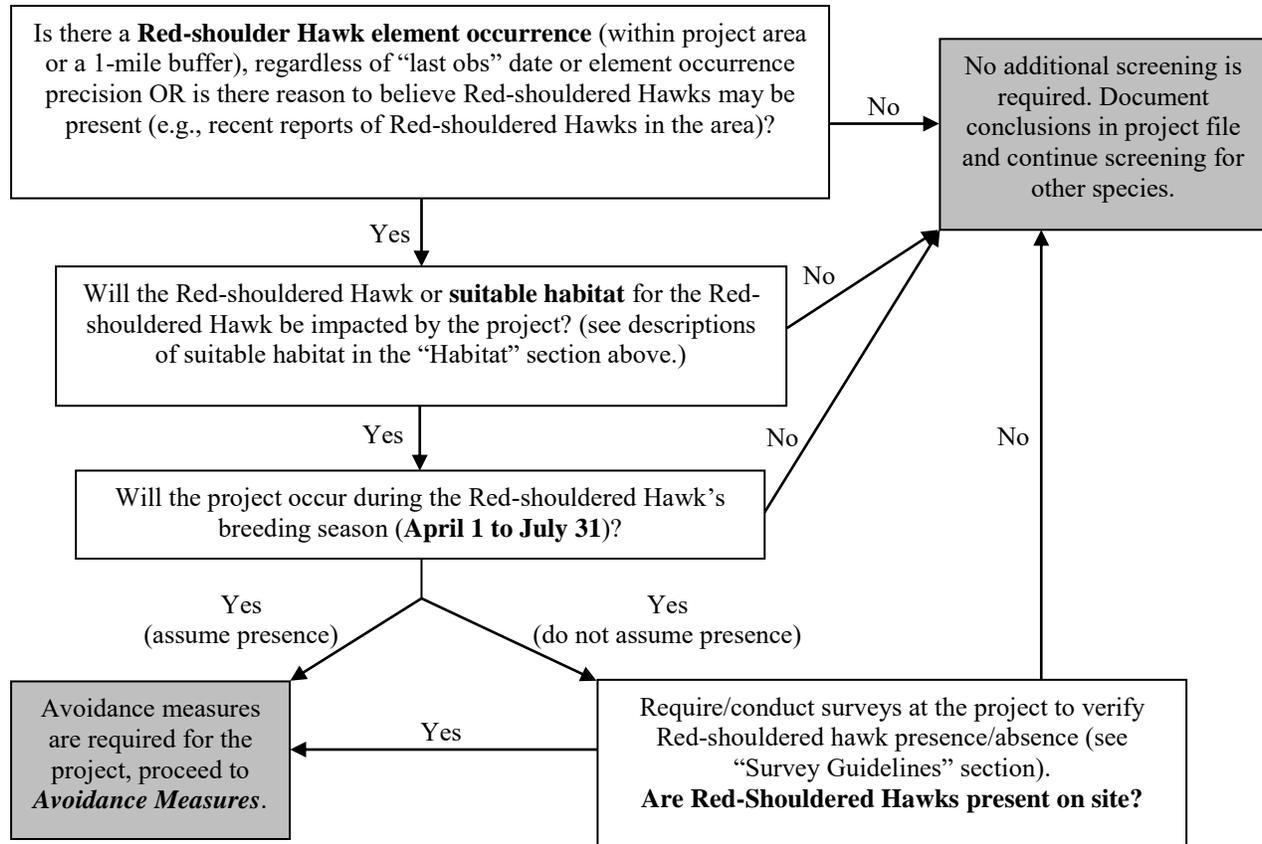
Availability of suitable nesting habitat appears to limit breeding Red-shouldered Hawks in Wisconsin (Jacobs 2006). This constraint can be alleviated through proper nesting-habitat management. Practices that retain a minimum of 70% of pre-cut basal area and make efforts to maintain 70% canopy closure, retain a minimum of 15 live trees >38.1cm (15 in) in diameter per acre, and use small-gap and individual-tree-selection harvesting within suitable nesting habitat conserve breeding territories. In addition, forestry practices that increase tree species diversity and maintain or increase levels of downed woody debris benefit Red-shouldered Hawks (King 2008, King et al. 2011).

Red-shouldered Hawks are directly and indirectly affected by anthropogenic disturbances (e.g., timber harvesting, utility and transportation corridor construction, etc.) and prefer large blocks of unfragmented mature-forest habitat (Jacobs 2006, Woodford et al. 2008). Activities that disturb nesting adults or nestlings should not occur within 91.5m (300 ft) of a known nest tree from March 1 to July 31. Retaining and expanding additional large blocks of bottomland hardwoods with suitable nest trees >38.1cm (15 in) in diameter near wetlands, rivers, and streams, supports continued recovery of this species in Wisconsin.

Screening Procedures

The following procedures must be followed by DNR staff reviewing proposed projects for potential impacts to the species.

Follow this guidance to review projects for potential impacts to the Red-shouldered Hawk. For more information refer to the “Conducting Endangered Resources Reviews: A Step-by-Step Guide for Wisconsin DNR Staff” document (WDNR 2012).



Avoidance Measures

The following measures are specific actions required by DNR to avoid take (mortality) of state threatened or endangered species per Wisconsin’s Endangered Species law (s. 29.604, Wis. Stats.). These guidelines are typically not mandatory for non-listed species (e.g., special concern species) unless required by a permit, authorization or approval.

According to Wisconsin’s Endangered Species Law (s. 29.604, Wis. Stats.), it is illegal to take, transport, possess, process, or sell any wild animal on the Wisconsin Endangered and Threatened Species List (ch. NR 27, Wis. Admin. Code). Take of an animal is defined as shooting, shooting at, pursuing, hunting, catching or killing. Red-shouldered Hawks are further protected by the Federal Migratory Bird Treaty Act of 1918, which established a prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention... for the protection of migratory birds... or any part, nest, or egg of any such bird." (16 U.S.C. 703). Contact the US Fish and Wildlife Service directly for any permits related to the Federal Migratory Bird Treaty Act (see *Contact Information*).

If *Screening Procedures* above indicate that avoidance measures are required for a project, follow the measures below. If you have not yet read through *Screening Procedures*, please review them first to determine if *Avoidance Measures* are necessary for the project.

The following measures to protect existing nesting areas were developed for statewide use in forest stands with potential Red-shouldered Hawk habitat. These guidelines can be adjusted somewhat – in consultation with a species expert (see *Contact Information*) – to suit local conditions.

Avoidance Measures to protect Red-shouldered Hawks in known nesting areas:

Avoidance can generally be attained by scheduling activities so that they do not occur during the normal Red-shouldered Hawk breeding season (April 1 to July 31), and this is the avoidance measure for project areas where RSHA is confirmed by survey but where the nest tree location cannot be determined.

Where an occupied nest tree is confirmed, the occupied nest tree area (NTA) should be assumed to be a circular area approximately 37 acres in size (radius = 720ft), and these avoidance measures should be followed:

1. Seasonal Restrictions - no marking, harvesting, or trail building – all of which can cause the adults to leave the nest during the most sensitive periods and result in take of the young – within the NTA during the breeding season (April 1 to July 31).
2. Selective harvesting only allowed within the NTA if the following conditions are met:
 - retain 70% or more of pre-cut basal area following harvest, and
 - retain 15 or more live trees per acre >15 inches DBH; retain the largest diameter live trees available within the NTA, as well as the greatest possible level of tree species diversity; large (>20 inches DBH) yellow birch trees, if present, are highly desirable as reserve or leave trees during forest management activities.
- 3). Prohibit construction of permanent transportation and utility corridors within occupied NTAs (note: logging trails may be constructed within NTA, if trail width is <30 ft and seasonal restrictions [#1] are followed).

Strict adherence to these avoidance measures for Red-shouldered Hawk nesting areas should, in most cases, avoid take of breeding adults, nestlings, and eggs. For projects that cannot avoid Red-shouldered Hawk impacts, please contact a species expert or the Natural Heritage Conservation Incidental Take Coordinator (see *Contact Information*) to discuss other site-specific avoidance measures. If take is unavoidable, an [Incidental Take Permit or Authorization](#) is required from DNR, and the US Fish and Wildlife Service may require further permits (see *Contact Information*).

Additional Information

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Linked Websites:

- All About Birds, Cornell Lab of Ornithology: <http://www.allaboutbirds.org/guide/Red-Shouldered_Hawk>
- Chequamegon National Forest Bird Survey (NRRI) species account: <<http://www.nrri.umn.edu/mnbirds/accounts/RSHAa2.htm>>
- E-bird (Wisconsin): <<http://ebird.org/content/wi>>
- Forest Birds of the Western Great Lakes: <<http://www.nrri.umn.edu/mnbirds/>>
- Forest Raptor Online Field Guide: <<http://wiatri.net/inventory/Raptors/>>
- Natural Communities of Wisconsin: <<http://dnr.wi.gov>, key word "natural communities">
- North American Breeding Bird Survey: <<http://www.mbr-pwrc.usgs.gov/bbs/bbs.html>>
- Rare Animal Field Report Form: <<http://dnr.wi.gov>, key word "rare animal field report form">
- Wisconsin Breeding Bird Atlas: <<http://www.uwgb.edu/birds/wbba/>>
- Wisconsin All-Bird Conservation Plan, Wisconsin Bird Conservation Initiative: <<http://www.wisconsinbirds.org/plan/species/rsha.htm>>

- Wisconsin Initiative on Climate Change Impacts: <<http://www.wicci.wisc.edu/>>
- Wisconsin Endangered and Threatened Species: <<http://dnr.wi.gov>, key word “endangered resources”>
- Wisconsin Endangered and Threatened Species Permit: <<http://dnr.wi.gov>, key word “endangered species permit”>
- Wisconsin Natural Heritage Inventory Working List Key: <<http://dnr.wi.gov>, key word “Natural Heritage Working List”>
- Wisconsin’s Wildlife Action Plan: <<http://dnr.wi.gov>, key word “Wildlife Action Plan”>

Funding

- Natural Resources Foundation of Wisconsin: <<http://www.wisconservation.org/>>
- USFWS State Wildlife Grants Program: <<http://wsfiprograms.fws.gov/subpages/grantprograms/swg/swg.htm>>
- Wisconsin Natural Heritage Conservation Fund
- Wisconsin DNR Division of Forestry

Contact Information (Wisconsin DNR Species Expert for Red-shouldered Hawk)

- Refer to the Red-shouldered Hawk contact on the [Rare Species and Natural Community Expert List](#)

Contact Information (Federal Migratory Bird Treaty Permits or Questions)

- [Larry Harrison](#), U.S. Fish and Wildlife Service, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458 (612-713-5489, Larry_Harrison@fws.gov)
- See also <<http://www.fws.gov/migratorybirds/mbpermits.html>>

Endangered Resources Review Program Contacts

- General information (DNRERReview@wisconsin.gov)
- [Rori Paloski](#), Incidental Take Coordinator, Wisconsin DNR, Bureau of Natural Heritage Conservation (608-264-6040, rori.paloski@wi.gov)

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Developed by

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- Gregor W. Schuurman, primary editor

Wisconsin Department of Natural Resources
 Bureau of Natural Heritage Conservation
 PO Box 7921
 Madison, WI 53707-7921
<http://dnr.wi.gov>, keyword “ER”



Appendix VI
Refuge Public Use
And
Hunting Regulations

Upper Mississippi River

National Wildlife & Fish Refuge

Public Use Regulations



Upper Mississippi River National Wildlife & Fish Refuge
 Headquarters
 51 East Fourth Street, Room 101
 Winona, MN 55987

fws.gov/refuge/Upper_Mississippi_River/
 Email: UpperMississippiRiver@fws.gov
 507/452 4232

U.S. Fish & Wildlife Service
 1 800/344 WILD
 www.fws.gov/

People with hearing impairments may contact the refuge through the Federal Relay Number at 1 800/877 8339.



Winona District (Pools 4-6)
 507/454 7351

La Crosse District (Pools 7-8)
 608 779 2399

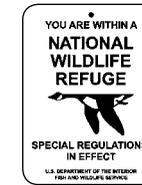
McGregor District (Pools 9-11)
 563/873 3423

Savanna District (Pools 12-14)
 815/273 2732

Refuge Signs - Know their Meaning!

Boundary Signs

These signs mark the refuge boundary or let you know you are in the refuge.



Electric Motor Areas

These signs identify an area which is closed year-round to all motorized vehicles and watercraft except watercraft powered by electric motors or non-motorized means. The possession of other watercraft motors is not prohibited, only their use. For example, anglers could switch to an electric trolling motor when entering these areas.



Slow, No-Wake Areas

In areas marked by these signs, watercraft must travel at slow, no-wake speed and no airboats or hovercraft are allowed from March 16 through October 31. Respective state definitions for what constitutes “slow, no-wake” speed or operation apply.

Special Regulation

Special regulation signs designate various area restrictions during hunting seasons. See the refuge hunting brochure for complete descriptions of special regulation areas.



Special Regulation Areas

Areas throughout the refuge are designated as closed or restricted use areas, usually autumn to spring, to protect migrating waterfowl or for public safety. These areas are marked with orange-topped “special regulation” signs and list the restrictions and effective dates or seasons. Please read and adhere to the regulations identified by these signs.

This is a listing of the most commonly referenced regulations. Additional regulations are published in the Code of Federal Regulations Title 50, Subchapter C, The National Wildlife Refuge System, and available at refuge offices or the refuge website.



Leave No Trace

- Plan Ahead and Prepare
- Travel and Camp on Durable Surfaces
- Dispose of Waste Properly
- Leave What You Find
- Minimize Campfire Impacts
- Respect Wildlife
- Be Considerate of Other Visitors

Special Designation Areas

These areas are closed year-round to all motorized vehicles and watercraft except watercraft powered by electric motors or non-motorized means. The possession of other watercraft motors is not prohibited, only their use. For example, anglers could switch from using an outboard motor to an electric trolling motor when entering these areas. These areas are: Island 42-Pool 5, Snyder Lake-Pool 5A, Mertes Slough-Pool 6, Browns Marsh-Pool 7, and Hoosier Lake-Pool 10.

From March 16 through October 31 in these areas, watercraft must travel at slow, no-wake speed. No airboats or hovercraft are allowed during same time period. Respective state definitions for what constitutes “slow, no-wake” speed or operation apply. These areas are: Nelson-Trevino-Pool 4, Denzers Slough-Pool 5A, Black River Bottoms-Pool 7, Blue/Target Lake-Pool 8, Root River-Pool 8, Reno Bottoms-Pool 9, Nine Mile Island-Pool 12, and Princeton-Pool 14.

Watercraft are required to travel at slow, no-wake speed at all times. Respective state definitions for what constitutes “slow, no-wake” speed or operation apply.

Electric Motor Areas

Slow, No-Wake Areas

Slow, No-Wake Zones

	Public Use Regulations								
	Welcome to the Upper Mississippi River National Wildlife and Fish Refuge. Established in 1924, the 240,000-acre refuge provides for the needs of fish, wildlife, and millions of annual visitors. To conserve this special place, and safeguard the experience for all, we ask you to observe these regulations.	<i>Dogs and other domestic animals</i>	disturbing, or molesting other visitors engaged in authorized activities on the refuge, is prohibited.	<i>Group Events</i>	A refuge permit is required to hold public meetings, assemblies, demonstrations, parties, organized group events, and other public gatherings.	<i>Camping</i>	Camping Regulations Camping is defined as erecting a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle or mooring or anchoring of a vessel, for the apparent purpose of overnight occupancy, or, occupying or leaving personal property, including boats or other craft, at a site anytime between the hours of 11 p.m. and 3 a.m.	<i>Campfires</i>	Fires are allowed only in conjunction with camping, day use activities, or on the ice while ice fishing using only dead wood on the ground, or materials brought onto the refuge such as charcoal or firewood (See Firewood Section). Any unused firewood brought onto the refuge must be removed upon departure due to threat of invasive insects. Building, attending, maintaining, or using any fire without sufficient clearance from flammable materials adequate to prevent its escape is not allowed. Building fires at any developed facility is prohibited. Developed facilities include, but are not limited to, structures, boat landings, access areas, parking lots, roads and trails. Burying live fires or hot coals is prohibited. Burning or attempting to burn any nonflammable materials or any materials that may produce toxic fumes or leave hazardous wastes is not allowed. These include, but are not limited to, metal cans, plastic containers, glass, fiberglass, treated wood products, wood containing nails or staples, wire, flotation materials, and other refuse.
<i>Alcohol</i>	Persons under 21 may not possess or use alcohol in accordance with state laws. Entering or remaining on the refuge when under the influence of alcohol, to a degree that may endanger oneself or other persons or property or unreasonably annoy persons in the vicinity, is prohibited. Providing alcohol to minors is prohibited. Use or possession of alcoholic beverages while hunting is prohibited.		No dogs are allowed to disturb or endanger wildlife or people while on the refuge. All dogs while on the refuge must be under the control of their owners/handlers at all times or on a leash. No dogs are allowed to roam. All dogs must be on a leash when on hiking trails, or other areas so posted. Working a dog in refuge waters by tossing a retrieval dummy or other object for out-and-back exercise is allowed. Owners/handlers of dogs are also responsible for disposal of dog droppings on refuge public use concentration areas such as trails, sandbars, and boat landings. Field trials or commercial/professional dog training activities and other unconfined domestic animals are prohibited on the refuge. Horses and all other domestic animals are prohibited unless confined in a vehicle, boat, trailer, kennel or other container.	<i>Hunting</i>	Portions of the refuge are open to hunting and trapping in accordance with federal, state, and local regulations with the most restrictive regulation applying on the refuge. Hunting is prohibited from March 16 through August 31, except spring wild turkey seasons, and, squirrel hunting on the Illinois portion of the refuge. See Hunting brochure.		Camping on land or on boats at any one site on the refuge for a period longer than 14 days during any 30-consecutive-day period is prohibited.		
<i>Artifacts</i>	Searching for or removing objects of antiquity, such as arrowheads, is prohibited.			<i>Private Structures</i>	The construction or storage of private structures is not allowed on the refuge without a special use permit. See Hunting brochure for regulations on temporary hunting blinds.		After 14 days, you must move all persons, property, equipment, and boats to a new site located at least 0.5 mile away from the previous site. Campsites must be occupied daily.		
<i>Boat Mooring</i>	Boats may not be moored, beached, or stored on the refuge without being used at least once every 24 hours. Mooring within 200 feet of refuge boat landings is prohibited. Boats moored in violation may be impounded at the owner's expense.	<i>Firearms</i>	We prohibit the discharging of firearms (including dog training pistols and dummy launchers), air guns, or any other weapons on the refuge, except by licensed hunters or trappers engaged in authorized activities during established seasons, in accordance with federal, state, and local regulations. Target practice is prohibited.	<i>Vegetation</i>	Cutting, removing, or damaging any tree or other vegetation is prohibited without a permit. Nails, screws, or other hardware may not be attached to trees. Cutting willow, up to a diameter of 2 inches, for trap stakes, commercial fishing gear, and hunting blinds on the refuge is allowed. Dead wood on the ground may be cut and used for campfires on the refuge.		Leaving tents, camping equipment, or other property unattended at any site for over 24 hours is prohibited.		
<i>Collecting</i>	Collecting for sale or barter is prohibited. Collecting edible fruits, nuts, mushrooms, or other plant parts for personal use is allowed with a limit of 2 gallons per person, per day. Wild rice harvest is prohibited. Cutting or removing plants or their parts for ornamental use is prohibited unless specifically authorized by permit. Collecting of plant and animal specimens, natural objects, rocks, stones or minerals is also prohibited. Shed deer antlers may be collected for personal use.	<i>Fireworks</i>	Possession or use of fireworks or explosives is not allowed on the refuge.	<i>Vehicles</i>	All vehicle use on or across refuge lands is prohibited, except on designated routes of travel, or on the ice over navigable waters accessed from boat landings. Parking beyond vehicle control barriers, or on grass or other vegetation is prohibited. Vehicles are not allowed to obstruct or impede any road, trail, fire lane, boat ramp, access gate, or other facility. Parking in a manner to create a safety hazard, or endanger any person, property, or environmental feature is prohibited. Any vehicles left parked in violation may be impounded at the owner's expense.		Any property left unattended in violation may be impounded at the owner's expense. If tables, fireplaces, or other facilities are erected, they must be removed before departure.	<i>Firewood</i>	Firewood pests such as emerald ash borer pose a threat to the river's forests! In cooperation with other agencies, firewood originating more than 50 miles from the refuge is not allowed unless certified as pest-free when purchased.
<i>Disturbing Behavior</i>	Unreasonably disturbing other visitors by the inconsiderate operation or use of any audio devices, power equipment, or lighting devices, or interfering with,	<i>Fishing</i>	Fishing is allowed in accordance with state and federal regulations. Ice fishing shelters may be placed and used in accordance with state regulations.				Camping within 200 feet of refuge boat landings, access areas, parking lots, structures, roads, trails, or other facilities is prohibited.	<i>Sanitation</i>	All refuge lands must be kept clean during the period of use or occupancy. All refuse, trash, and litter must be contained in bags or other suitable containers, and not left scattered on the ground or in the water at any time. Human solid waste and associated material must either be removed and properly disposed of off-refuge, or, be buried on site to a depth of 6-8 inches and at least 50 feet from water's edge. The burying or burning of all other refuse, trash, or litter is prohibited. All personal property, refuse, trash, and litter must be removed immediately upon vacating a site.
		<i>Glass Containers</i>	The use or possession of glass food and beverage containers on lands within				During waterfowl hunting seasons, camping is prohibited within areas posted Area Closed or No Hunting Zone, or on any sites not clearly visible from the main commercial navigation channel.		

Upper Mississippi River

National Wildlife & Fish Refuge

Hunting Regulations



Upper Mississippi River National Wildlife & Fish Refuge Headquarters 51 East Fourth Street, Room 101 Winona, MN 55987

fws.gov/refuge/Upper_Mississippi_River/ Email: UpperMississippiRiver@fws.gov 507/452 4232

U.S. Fish & Wildlife Service 1 800/344 WILD www.fws.gov/

People with hearing impairments may contact the refuge through the Federal Relay Number at 1 800/877 8339.



Winona District (Pools 4-6) 507/454 7351

La Crosse District (Pools 7-8) 608 779 2399

McGregor District (Pools 9-11) 563/873 3423

Savanna District (Pools 12-14) 815/273 2732

The Bertom-McCartney Closed Area in Pool 11 has no avoidance provision. The “no motor use” designation means the use of motors on watercraft is prohibited from October 15 through the end of the regular state duck hunting season, although possession of motors is allowed.

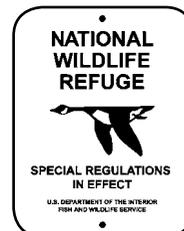


Electric Motor Areas These signs identify an area which is closed year-round to all motorized vehicles and watercraft except watercraft powered by electric motors or non-motorized means. The possession of other watercraft motors is not prohibited, only their use.



Slow, No-Wake Areas In areas marked by these signs, watercraft must travel at slow, no-wake speed and no airboats or hovercraft are allowed from March 16 through October 31. Respective state definitions for what constitutes “slow, no-wake” speed or operation apply.

Refuge Signs Look for these signs on the refuge. Buoys are also used for some areas.



These signs mark the refuge boundary or let you know you are in the refuge.



In addition to being closed to all migratory bird hunting, these areas are closed to all public entry as specified.



The area marked by these signs is closed to all migratory bird hunting. Other hunting and trapping is allowed beginning the day after the close of the state duck hunting season, until season closure or March 15, whichever occurs first, except spring turkey hunting is allowed during state seasons. Please avoid entering the area from October 15 to end of regular state duck hunting season to allow waterfowl to rest and feed. On Lake Onalaska, this avoidance provision is marked by buoys and ends in mid-November.

a manner creating a safety hazard, or endangering any person, property, or environmental feature, is prohibited. Any vehicles left parked in violation may be impounded at the owner’s expense.

All refuge lands must be kept clean during the period of use or occupancy. You must keep all refuse, trash, and litter contained in bags or other suitable containers, and not left scattered on the ground or in the water at any time. You must remove all personal property, refuse, trash, and litter immediately upon vacating a site. Animal carcasses and spent shells are considered litter.

This is a listing of the most commonly referenced regulations. Additional regulations are published in the Code of Federal Regulations Title 50, Subchapter C, The National Wildlife Refuge System, and available at refuge offices or the refuge website.

Special Regulation Areas

Areas throughout the refuge are designated as closed or restricted use areas, usually autumn to spring, to protect migrating waterfowl or for public safety. These areas are marked with orange topped “special regulation” signs (see next page) and list the restrictions and effective dates or seasons. Please read and heed these signs. Maps of these areas are available at refuge offices or the refuge website.

Littering

Additional Regulations

Hunting and trapping have a deep history and tradition on the refuge. Most hunting opportunities are in wetlands, on islands, and in floodplain forest accessible mainly by boat.

Portions of the refuge are open to hunting and trapping in accordance with federal, state, and local regulations with the most restrictive regulation applying on the refuge. All regulations should be checked before hunting. Local ordinances may restrict hunting near populated areas. Contact one of the refuge offices for information regarding special regulations that apply in your area of interest. Please be aware that individuals involved in other recreation on the refuge may not be aware of on-going hunting seasons.

General Hunting Regulations

Hunting is not allowed on the refuge from March 16 through August 31, except for wild turkey during the spring season and fox squirrel on the Illinois portion of the refuge.

Bag Limit

Only one bag limit of migratory game birds may be taken by a hunter in one day's time, even if the hunter hunts in two different states.

Blinds

The construction of permanent hunting blinds is prohibited.

Natural material may be used for seasonal blinds, with restrictions: You may gather grasses and marsh vegetation from the refuge for blind-building materials; however Phragmites (giant cane) may not be cut or brought onto the refuge. Tree or other plant parts, including dead wood on the ground, greater than 2 inches in diameter may not be gathered or brought onto or used for blind-building. Constructing hunting blinds from rocks placed for shoreline protection (rip rap) is prohibited. You are allowed to leave only seasonal blinds, made entirely of natural vegetation, and biodegradable

twine, on the refuge. All such blinds are considered public property and open to use by any person on a first-come basis.

Manmade material may be used for temporary blinds, with restrictions: No lumber, pipe, posts or timbers greater than 2 inches in diameter. At the end of each day's hunt, you must remove all manmade blind materials, including boat blinds. Any blinds containing manmade materials left on the refuge are subject to immediate removal and disposal. Manmade materials include, but are not limited to, wooden pallets, metal fence posts, wire, nails, staples, netting or tarps.

Invasive plants should not be brought onto the refuge or used for blind-building.

In the Illinois portion of Pools 12-14, waterfowl hunting parties must maintain a 200-yard spacing distance.

Game Retrieval



You must immediately make a reasonable attempt to retrieve downed waterfowl unless the bird lies in plain sight of you, is clearly dead, and there is no risk of the bird drifting off due to wind or current. Retrieving dead or wounded game birds from a Waterfowl Hunting Closed Area or a No Hunting Zone is allowed provided the hunter does not attempt to chase birds from the area. In areas also marked No Motor Use, you may not use a motor to retrieve game. Hunters may not retrieve birds or other game from No Entry Sanctuaries.

Pool 11 Open-water Hunting

Special open-water hunting regulations are in effect for a portion of Pool 11 (Grant County, Wisconsin) in accordance with general Wisconsin open-water hunting definitions. Refer to Pool Maps available at refuge offices or on refuge website.

Firearms

We prohibit the discharge of firearms (including dog training pistols and dummy launchers), air guns, or any other weapons on the refuge, except by licensed hunters or trappers engaged in authorized activities during established seasons, in accordance with federal, state, and local regulations. Target practice is prohibited.

Hunting Equipment (decoys, tree stands, boats, etc.)

Hunting equipment can only be set up the day of the hunt, and must be removed at the end of each day. Hunting equipment and decoys may be placed and left on the refuge only during the time 1 hour before the start of legal shooting hours until ½ hour after the close of legal shooting hours. The use of nails, wire, screws, or bolts to attach a stand to a tree, or hunting from a tree into which a metal object has been driven or screwed to support a hunter, is prohibited.

Hunt Methods

Shining a light to locate any animal is prohibited on the refuge except at the point of kill for species specified in respective state night or artificial light hunting regulations. Lights may also be used to find your way. The distribution of bait or feed and the hunting over bait or feed is prohibited. The use or possession of any drug on any arrow for bow hunting is prohibited. All other hunt method regulations of the respective state are in effect on the refuge.

License/Permits

Hunters must possess a hunting license valid in the state in which they are hunting. They must be in compliance with all applicable state and federal regulations and requirements. Hunting areas can not be reserved, except at Potter's Marsh Managed Hunt Area, Pool 13, near Thomson, IL.

Non-toxic Shot

Hunters may only use or possess approved non-toxic shot shells while in the field, including shot shells used for hunting wild turkey.

State Boundary

The main channel of the Mississippi River is not the state boundary line in all areas. For verification of the state boundary line, contact any one of the refuge District Offices, state Department of Natural Resource offices, or refer to Pool Maps available at refuge offices or on refuge website.

Furbearer Harvest

Portions of the refuge are open to trapping. State-licensed trappers must obtain a refuge Special Use Permit and refuge trap tags. Refuge trapping seasons may differ from state seasons. You may cut willow up to 2 inches in diameter for trap stakes. All trappers must submit a Fur Catch Report following the season. The Special Use Permit contains additional regulations.

Other Regulations

Use or possession of alcoholic beverages while hunting is prohibited.

Alcohol

Dogs



©Sandra Lines

Dogs may be used for hunting in accordance with State regulations. When dogs are not actively engaged in authorized hunting activities, the following conditions apply. No dogs are allowed to disturb or endanger wildlife or people while on the refuge. All dogs while on the refuge must be under the control of their owners/handlers at all times or on a leash. No dogs are allowed to roam. All dogs must be on a leash when on hiking trails, or other areas so posted. Working a dog in refuge waters by tossing a retrieval dummy or other object for out-and-back exercise is allowed. Owners/handlers of dogs are also responsible for disposal of dog droppings on refuge public use concentration areas such as trails, sandbars, and boat landings. Field trials or commercial/professional dog training are prohibited.

Camping

Camping is prohibited during waterfowl hunting seasons within areas posted Waterfowl Hunting Closed Area, No Hunting Zone, No Entry Sanctuary, or on any sites not clearly visible from the main commercial navigation channel. Claimed campsites must be occupied each night. Camping is defined as erecting a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle or mooring or anchoring of a vessel, for the apparent purpose of overnight occupancy, or, occupying or leaving personal property, including boats or other craft, at a site anytime between the hours of 11 p.m. and 3 a.m. on any given day.

Campfires

Campfires are allowed only in conjunction with camping, day use activities on beaches, or on the ice while ice fishing using only dead wood on the ground, or materials brought onto the refuge such as charcoal or firewood. Any unused firewood brought onto the refuge must be removed upon departure due to threat of invasive insects. See Public Use Regulations brochure for further regulations.

Warming Fires

The building or use of warming fires while hunting is prohibited.

Vegetation

Cutting, removing or damaging any tree or other vegetation except as allowed for blinds or by written permit is prohibited. For example, clearing shooting lanes or limbing trees for trees stands is prohibited.

Vehicles

All vehicles are prohibited on or across refuge lands at anytime, except on designated routes of travel, or on the ice over navigable waters accessed from boat landings. Parking beyond vehicle control barriers, or on grass or other vegetation is prohibited. Vehicles are not allowed to obstruct or impede any road, trail, fire lane, boat ramp, access gate, or other facility. Parking in

Appendix VII
Aghaming Canoe Trail
Map and Kiosk

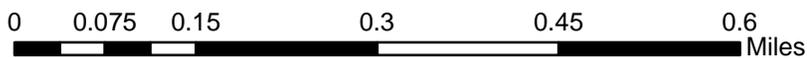


Upper Mississippi River National Wildlife & Fish Refuge Pool 6



Legend

- Entrance sign
- Aghaming canoe trail signs
- Aghaming canoe trail
- Powerlines
- Railroads
- Lands included in Aghaming Park lease
- City of Winona NOT included in lease
- Trempealeau National Wildlife Refuge boundary





Upper Mississippi River National Wildlife and Fish Refuge

Aghaming Unit

Water Trail



Explore...

Water Trail Safety Tips

- Wear your life jacket at ALL times.
- Check weather conditions before launching.
- If there is lightning, get off the water.
- Tell someone where you will go to, take out, and your return time.
- The current can be strong. Understand your limitations.
- During boating season, make yourself visible. Wear bright colors and put reflective tape on your paddle or vest.
- There are no restrictions to where licensed boats can travel on the river.

Regulations

Specific to the Aghaming Unit

- **Alcohol and other beverages:**
Kegs and glass containers are prohibited.
- **Camping and fires are prohibited.**
- **Pets must be leashed:**
Except when engaged in permitted hunting activities.
- **Motorized off-road vehicles are prohibited.**
All other vehicles must remain on the roadways.

Information
Upper Mississippi River National Wildlife and Fish Refuge
51 East 4th Street
Winnona, MN 55987
507-464-7281
www.fws.gov/nwr/uppermississippi/



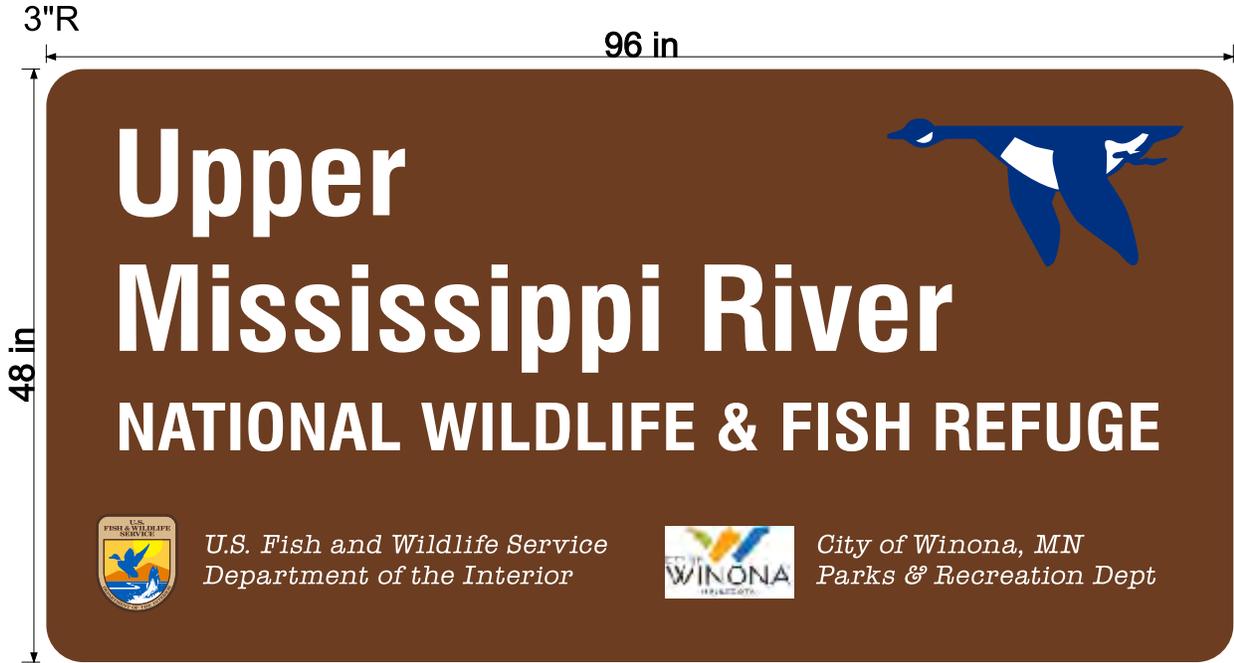
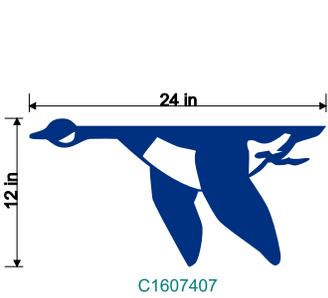
This project made possible in cooperation with
the City of Winnona, Minnesota



Appendix VIII
Infrastructure Projects

current sign design

version **B**



96"x48" HDO wood, 3" Rad Edges painted Brown
Sheeting: HIP White front, Vinyl Brown back



96"x12" HDO wood, 3" Rad Edges painted Brown
Sheeting: HIP White front, Vinyl Brown back

C1503833

Customer

Customer #

Sales order #

Sales person

File name .fs

By checking "Approves for Production" and signing below, customer agrees to purchase sign as it appears on this artwork proof. Once this approval is received by TAPCO production will begin and any changes and/or cancellations will not be possible.

Customer... ... approves for production

Customer... ... requests changes / additions (please describe below)