



Land and Water Conservation Board
County Land and Water Resource Management Plan
Review of LWRM Plan Revisions

County: Jefferson

Implementation Covering Past Five Years and Future Directions

Answer these four questions in writing (not to exceed 4 pages)

1. Provide a representative number of accomplishments within the last five years that can be directly traced to activities identified in multiple work plans. For each accomplishment, explain how the planning process helped the county achieve its outcome, including planning adjustments that helped better target county activities.
Our accomplishments are such that they continue to implement the full range of programs and projects that have been in our Land and Water Resources Management Plan for years. Refinements or adjustments tend to be minor. As opportunities present themselves, and when program requirements change, the LWCD staff incorporates changes into our Work Plan to ensure we can continue to enhance and protect the County's land and water resources.

The Farmland Preservation Program has been implemented to protect County resources. The planning process helped determine timelines for how staff would work with landowners to maintain or achieve compliance with standards, including NR 151 standards. Jefferson County has a large number of FPP participants, so compliance checks take time. On-farm status reviews are conducted once every 4 years with a 1/4 of the County targeted each year.

It is important to be flexible with work plans as new programs or opportunities arise. The Healthy Lakes Program is a new program that staff started working on in 2017. This program is helping to protect surface water resources and habitat (Goal #2 of our plan). Five projects have been implemented with the Health Lakes Program, and staff will work to achieve more projects on more waterbodies, (including rivers).

One of the programs that has helped protect farmland is the Purchase of Agricultural Conservation Easement Program. Given that the future of this program is reliant on a likely one-time allotment of County funds that happened due to the sale of County-owned farmland, we decided to join the American Farmland Trust and other counties and nonprofit entities to apply for funding to expand our program over the next 10 years.

2. Identify any areas where the county was unable to make desired progress in implementing activities identified in recent work plans. For each area identified, explain the work plan adjustments that were made to refocus planned activities. If no areas are identified, explain how the county was able to make progress in all the areas planned.

One activity that has been in multiple updates of the Land and Water Resources Management Plan has been a Memorandum of Understanding with the Department of Natural Resources regarding enforcement responsibilities for the Agricultural Performance Standards. In the last few years, our efforts have concentrated on achieving compliance with the standards via our Farmland Preservation Program. Our efforts to achieve compliance with the standards will next turn to those farms that are not participating in the Farmland Preservation Program. As part of the Land and Water Resources Management Plan update process this last year, we have worked to re-engage our DNR nonpoint contacts.

As part our NR 151 implementation plan, we planned to develop a system to track compliance. Parcels that have nutrient management plans are tracked as well as barnyards that received site-visits to determine compliance. A tracking system hasn't been finalized yet as conservation staff have been concentrating their NR 151 compliance efforts on the Farmland Preservation Program. In the last 2 years, there have been staffing issues with the retirements of the long-time County Conservationist who retired in 2019. The result was the Land and Water Conservation Department is down one staff person and existing staff have picked up the additional work load.

3. Describe the county's approach to implementation of its priority farm strategy including outreach, farm inventories and making use of multiple funding sources. How has the county evaluated the effectiveness of its priority farm strategy and used this information to improve implementation of the agricultural performance standards and conservation practices on farms?

The Jefferson County LWCD has primarily concentrated on determining and achieving compliance with the Agricultural Performance Standards through ensuring that all farms enrolled in the Farmland Preservation Program are compliant. This was a requirement of that program and thus made sense to tackle first as we knew that participants would be motivated to become compliant because of the tax credit benefit. Outreach happened in many ways including newsletters to both participants and crop consultants, one-on-one conversations with farmers, as well as written communications regarding a participant's status of compliance. Please note that if any significant compliance problems arose on any farm, the issues were addressed by LWCD staff regardless of whether they were FPP participants, which followed our Priority Farm Strategy.

Now that compliance of all current FPP participants has been accomplished, the priority farm strategy was revisited during our planning process for the 2021-2030 Land and Water Resources Management Plan. We were able to revise the Priority Farm Strategy give the knowledge that we have gained in the last 10 years as well as through helpful input from the Department of Natural Resources. This revision will now enable us to prioritize our work on the agricultural areas that are not covered by the Farmland Preservation Program (approximately 1/3 of the farmland in the county).

4. Provide representative examples that show changes in direction in the county's LWRM plan and annual work plans, with specific examples provided showing adjustments in goals, objectives or planned activities.

In the last couple years, there has been more information and great examples of producer-led councils that work to achieve conservation. Though they were not able to meet as

often as they wanted to in 2020 due to Covid, there is now a group of agricultural producers in the county that plan to form a Jefferson County producer-led council. The Jefferson County LWCD has seen the conservation accomplishments of other groups and certainly wants to support these efforts where we can. As such, an objective and activities were added to the goal on educating and information the public (Goal #5). The LWCD Work Plan was expanded to include our support in the development of the group as well as providing assistance on future educational programming of the group.

The LWCD has performed education and implemented programs related to aquatic invasive species (AIS) for years. However, the amount of work performed in Jefferson County will increase starting in 2021 with the introduction of a grant/contract by the Department of Natural Resources for a specific allotment of funds for staff time on AIS work.

Another expansion of work planned will be in the realm of ground water. For years, the Jefferson County LWCD has prioritized cost sharing of well closures and has educated landowners about how to get their well tested. Due to both public interest in the County on the quality of our ground water, as well as successful work in other Wisconsin counties on ground water studies, the Work Plan was expanded. We want to achieve more ground water testing in general throughout the county and we want to devise a plan for implementing a ground water quality study in the county.

Annual Work Plans

Attach both of the following:

- a. The most current annual work plan, prepared in the current format from DATCP, and addresses all required items such as needed funding and staff hours.
- b. The work plan for the previous year that includes a column that identifies the progress in implementing the planned activities for that year.

Presentation Regarding County Resource Concerns

Prepare and present an 8-10 minute snapshot to the board regarding county resources and management issues. The county must prepare one of following as part of this brief presentation:

- a. A PowerPoint (showing what your county looks like, can include maps), or
- b. A hand out (2 page max)

Guidance on Board Review Process

The LWCB's review supplements, but does not replace compliance with the DATCP checklist for LWRM plan approval. This encourages and supports honest presentations from the county. The county is strongly encouraged to have the LCC chair or committee member be a part of the presentation to the Board to contribute policy and other insights to the discussion. The goal of the review is not to fail counties. The board recognizes the dynamic nature of the planning process. Board members are interested in how counties tackle priorities over time and how they respond to changing conditions in pursuing their priorities. The board will evaluate a county's planning and implementation based on how well the county balances and prioritizes the following: agricultural performance standards, other state priorities (impaired waters, FPP

checks), and local priorities. When needed, the Board will provide constructive support to counties to improve the quality of their planning.

Land Conservation Committee Notification

The LCC was provided a completed copy of this form (including attachments) on: December 16, 2020

Signature of Authorized Representative: _____ **Date:** _____
(e.g. County Conservationist, LCC chair)

Send completed form and attachments to:
Lisa.Trumble@wi.gov

Multi-Discharger Permit – 2021 Application

Total Funds Available to Jefferson County

- Upper Rock River Basin = \$18,994.33
- Lower Rock River Basin = \$6,675.63
- Total = \$25,669.96

Point Sources in 2021 Allocation:

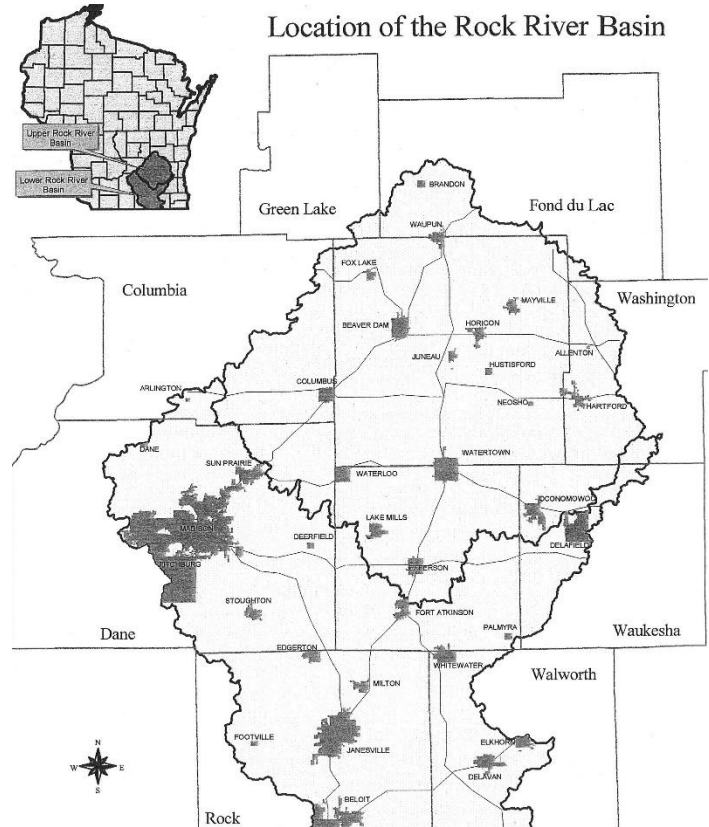
- Grande Cheese Co Brownsville
- Horicon WWTF
- Lebanon Sanitary District
- Lomira WWTF
- Randolph WWTF
- Clinton WWTF
- Sharon WWTF

Program Specifics

- Application Deadline January 1, 2021
- Check received by March 1, 2021
- Watershed plan required by March 1, 2022
- Annual reports required by May 1 starting in 2023

Fund Requirements

- Must be used in the designated watershed
- Must be targeted to the highest phosphorus loading areas
- At least 65% of funds must be used on practices = \$16,685.47
- Up to 35% can be used for staff, monitoring, modelling, demos = \$8,984.49



Multi-discharger Phosphorus Variance



ELIGIBLE POINT SOURCES:

A point source must meet all of the following to request a MDV:

- Must be an **existing facility**
- Requires a **major facility upgrade** to comply with their phosphorus WQBELs
- Meets the primary and secondary **substantial** indicators
- Agrees to **reduce its phosphorus load** during the variance time-line
- Implements a **watershed project** to help curb nonpoint source phosphorus pollution

An eligibility quiz is available online to help point sources make this determination.

ACRONYMS

DNR: Wisconsin Department of Natural Resources

DOA: Wisconsin Department of Administration

EIA: Economic Impact Analysis

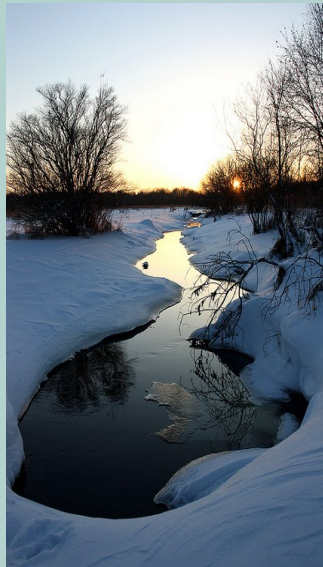
LCD: Land and Water Conservation Department

MDV: Multi-Discharger Variance

WPDES: Wisconsin Pollutant Discharge Elimination System

WQBEL: Water quality-based effluent limit

What is a multi-discharger variance?



A MULTIDISCHARGE VARIANCE (MDV) IS...

- A time extension for point sources facing restrictive phosphorus limits to comply with limits
- An opportunity for point sources to make meaningful strides towards water quality improvements in a more economically effective manner
- Approved on a case-by-case basis and implemented in a WPDES permit

A MDV IS NOT...

- An individual variance pursuant to s. 283.15
- A final compliance option for point sources
- Water quality trading or adaptive management
- Permanent

What the MDV requires:

A point source is responsible for evaluating its compliance options such as facility upgrades, water quality trading, adaptive management, and, potentially, a phosphorus MDV. If a facility meets the eligibility requirements and requests the MDV, the WPDES permit will, upon approval, be modified or reissued with the following requirements:

1. **Reductions of effluent phosphorus:** Point sources are required to reduce their phosphorus load each permit term. Interim limitations will be included in the permit based on current effluent quality, opportunities for optimization, and other site-specific considerations.
2. **Implement a watershed project:** Point sources must implement one of the following watershed project options to help reduce nonpoint source of phosphorus pollution:
 - Enter into an agreement with DNR to implement a project to offset the amount of phosphorus their discharge exceeds the target value.
 - Enter into a DNR-approved agreement with a third party to implement a project to offset the amount of phosphorus their discharge exceeds the target value.
 - Make payments to county LCDs of \$50 per pound times the number of pounds of phosphorus their discharge exceeds the target value.

The approval determination must be re-evaluated each permit reissuance of the MDV project timeline. The legal requirements of the MDV determination as well as general implementation procedures can be found in s. 283.16, Wis. Stat.

MDV APPROVAL & DURATION

EPA approved the MDV on February 6, 2017, which is effective until February 5, 2027. Permit terms and conditions that reflect the MDV cannot extend beyond the term of the variance expiration date. Several options are available to extend the current MDV approval to encompass the full time period allotted in s. 283.16, Wis. Stat., including:

- Seeking EPA approval on updated MDV packages, and
- Providing a compliance schedule after MDV expiration.

The Department will continue to work with EPA and stakeholders to pursue these options to maximize the duration of the MDV as necessary and appropriate. Section 283.16, Wis. Stat., authorized the DNR to seek MDV approval for up to 3 permit terms.

County Payment Option

ONLINE RESOURCES

- MDV Implementation Guidance
- Informational Webinars
- Application Materials
- County Resources
- Watershed Project Resources
- MDV Package Submitted to EPA
- Local contact information

It is voluntary for County LCDs to participate in the MDV. County LCDs should submit the “County Participation Form” to the DNR by January 1st of each year they wish to receive funding. At least 65% of MDV funds must be spent to bring farmers and other agricultural sources into compliance with NR 151 agricultural performance standards. The remaining funding may be spent on staffing, innovative projects, monitoring, modeling, demonstrations, etc. If a County chooses to participate, they will agree to:

- Develop a plan to use funds (due 1 year after funds received)
- Use the MDV funds appropriately
- Submit annual reports to the DNR until funds are used



A grass waterways is an example of an agricultural BMP that can be used as part of a watershed project.

Funds must be targeted to the highest phosphorus loading areas within the participating county. This may or may not be the same watershed the MDV funds were generated in. A “watershed plan” form has been created to help streamline the development and submittal of MDV watershed plans to DNR. Section 3.04 of the MDV Implementation Guidance is also designed to provide instructions to County LCDs on how to develop a successful MDV plan. Visit <http://dnr.wi.gov/>, search “statewide phosphorus variance” for more information.

Determining Substantial Impacts

A two-step process was used to determine if phosphorus standards compliance has a substantial impact to point source discharges. The purpose of the first step, commonly referred to as the “primary screener”, is to determine the phosphorus standards’ economic impact on dischargers in each category. The second step, referred to as the “secondary screener”, gauges the wider community’s socio-economic well-being and ability to adapt to changes that accompany implementation of phosphorus standards. In order to meet the “substantial determination” test, a facility must meet the primary screener and one or more secondary screeners. Permittees should review Appendices A-G of the MDV Implementation Guidance or the “eligibility quiz” at dnr.wi.gov, keywords “statewide phosphorus variance” for specific eligibility information:

Primary Screeners:

- Median household income (municipal WWTFs)
- Estimated compliance costs within the discharge category (industries)
- Estimated compliance costs within the county (industries)

Secondary Screeners:

- Median household income (industries only)
- Transfer receipts as a share of total personal income
- Jobs per square mile
- Population change
- Net earnings by place of residence
- Job growth
- Capital costs as a share of total wages

REVIEWING THE MDV

- In order to comply with federal requirements, DNR must triennially review new information to determine if revisions are needed to the MDV including the substantial and wide-spread socioeconomic determination.
- DNR will also review facility-specific applications of the MDV upon permit reissuance to re-evaluate the need for the variance and update permit terms and conditions associated with s. 283.16, Wis. Stat. and the EPA-approved MDV.
- DNR may request EPA approval of revised phosphorus MDV packages in the future based on new information gathered from these analyses. This may extend the duration of the MDV.

FOR MORE INFORMATION

- Visit the DNR website: <http://dnr.wi.gov/>, search “phosphorus”
- Send comments or questions to DNRphosphorus@wisconsin.gov



Fact sheet for information only
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Agriculture Enterprise Area

Preserve farmland. Protect the environment. Grow the economy.

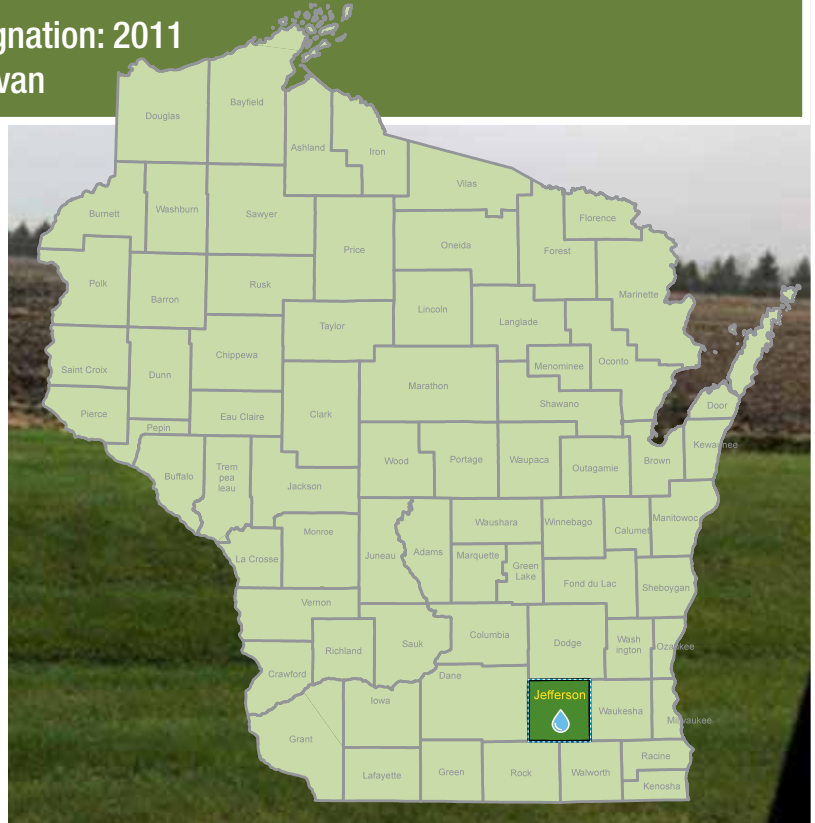
SNAPSHOT

Scuppernong

County: Jefferson Acres: 13,859 AEA Designation: 2011
Municipalities: Cold Spring, Hebron, Palmyra, Sullivan

Background

The Scuppernong agriculture enterprise area (AEA) was designated in southeastern Jefferson County through the state's first AEA petition cycle in 2011. The name comes from the [Glacial Scuppernong Lake](#) that used to cover the county long ago. The agricultural lands within the AEA are diverse from farm to farm and have been described by petitioners as a "microcosm of Wisconsin agriculture." These diverse operations include small family farms, large scale producers, conventional and specialty crop growers, large animal facilities, and small grazing operations, all working in harmony to support the local economy and provide food to the surrounding areas. Located close to Highway 59 and the Madison and Milwaukee metropolitan areas, the unique landscape of mixed agricultural use makes this a desirable location for agricultural development. The community boasts comprehensive zoning, conservation easements, nutrient management planning, and the Scuppernong AEA, all of which help support, protect, and preserve local agricultural resources.



Through its designation, the Scuppernong AEA community strives to meet the following goals:

- Preserve local farmland for future use
- Layer the AEA with farmland preservation zoning to increase farmland protection
- Promote clustering of farms to strengthen the local farm economy and agribusinesses
- Educate the community about the importance of local agriculture
- Protect the area's groundwater resources

 <p>5 LOCAL GOVERNMENTS</p>	 <p>2 AG CO-OPS & BUSINESSES</p>	 <p>6 PRODUCERS & LANDOWNERS</p>
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The AEA gives landowners the opportunity to sign a farmland preservation agreement and provides a path for landowners to create their own nutrient management plan and explore how new conservation practices can increase their environmental

Local Support

Long time farmers Margaret and Tom Bulingham own approximately 450 acres of farmland in Jefferson County. Within the Scuppernong AEA, they have a small 60-acre farm covered by a farmland preservation agreement. On this small farm, the Bulinghams try to keep roots in the ground 365 days a year in order to protect the heavy clay soils in these fields from erosion and promote soil health. "There is always something growing year round. We rotate corn, soybeans, and wheat. This year we had soybeans followed by wheat on the field. Once the wheat comes off, we are planting a 13-species mix with legumes, sunflowers, rye, oats, and other plants that break down over the winter," said Margaret. They work with organizations like the University of Wisconsin-Madison Division of Extension and several watershed protection programs to help educate other farmers on the benefits of cover crops and share innovative ideas with one another.



This AEA is supported by the following agriculture enterprises and businesses:

-  Egg producers
-  Milk producers
-  Retail food establishments
-  Grain dealer
-  Food processing
-  Aquaculture
-  Livestock dealer
-  Animal truckers
-  Horse farm
-  Grazing enterprises
-  Pasture, row, and forage crop enterprises
-  Multigenerational farms
-  Organic farms, organic businesses
-  Drumlin Area Land Trust
-  Kettle Moraine State Forest, Ice Age Trail
-  Prince's Point Wildlife Area

County Support

The Jefferson County Land and Water Conservation Department works with Scuppernong AEA landowners to explore soil health practices, including nutrient management planning, and to maximize the benefits of participating in the Farmland Preservation Program. Nutrient management planning is a foundation for producers to increase soil health by reducing nutrient loss and erosion, and promoting efficient use of all nutrients applied (like fertilizer and manure).

“We offer two types of classes a few times each year. One for new producers creating a plan for the first time and an update class to help those with experience writing their own plan to continue meeting their farm goals,” explained Nancy Lannert, Jefferson County resource conservationist. The small, personal classes offer hands-on training using a nutrient management planning software called SnapPlus. Landowners can work directly with the county to create a personalized plan that addresses their farm’s unique needs.

In order for a nutrient management plan to be effective, it must be implemented on the farm. Lannert works with Joe Strupp, another Jefferson County resource conservationist, to provide additional assistance to landowners on the farm. This ranges from help with maximizing nutrient inputs for a crop, incorporating a new practice like cover crops into their rotation, or integrating a new tillage practice into their cropping system. For many practices like planting cover crops, installing grassed waterways, or managing manure storage abandonment, the county can help offset costs with state cost share dollars and technical support. Regardless of the mechanism, Lannert and Strupp’s goal is to support farmers in the county who want to try new practices and achieve their farm sustainability goals.

Future Growth

Many landowners in the Scuppernong AEA use the farmland preservation tax credit offered through the county’s farmland preservation zoning district to help offset the cost of implementing their nutrient management plan or other new conservation practices. These landowners are also eligible to claim a higher income tax credit by signing a farmland preservation agreement. By signing an agreement, the landowner devotes the covered land to agriculture and agricultural accessory uses for 15 years while maintaining the land in accordance with state conservation standards. In return, the tax credit increases from \$7.50/acre to \$10/acre and the lands are further protected for future use. Agreements can also be layered with other conservation programs such as the Conservation Reserve and Enhancement Program (CREP) offered at both the federal level with the U.S. Department of Agriculture (USDA) Farm Service Agency and the state level with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). Taking these steps can further strengthen a landowners’ commitment to conservation agriculture within a diverse farming community.

Learn more at <https://farmlandpreservation.wi.gov>

To find out if your farmland is located in the Scuppernong AEA, to learn more about the nutrient management planning classes, to sign a farmland preservation agreement, or to learn more about conservation initiatives or resources in Jefferson County, contact the Jefferson County Land and Water Conservation Department at (920) 674-7110 or email nancy@jeffersoncountywi.gov.

To learn more about AEAs and the Farmland Preservation Program, visit: https://datcp.wi.gov/Pages/Programs_Services/AgriculturalEnterpriseAreas.aspx. To start or join a current AEA, contact the county land conservation department in the county where your land is located.

Preserving Local Agriculture



Farmland, open space, and agricultural heritage



Promote tax credits, farm and agribusiness viability



Protect the scenic beauty of the agricultural landscape

Protecting Natural Resources



Soil and water protections



Farmer-written nutrient management plans



Incentives for conservation practice implementation

“We are more than happy to go out and weigh anyone’s manure spreader.”

- Nancy Lannert, Jefferson County Land and Water Conservation Department talking about the additional support the conservation department can provide for landowners to know how much manure is being put on fields.