

Jefferson County Land & Water Conservation Committee Agenda
"Working Together to Protect & Enhance the Environment"

Jefferson County Courthouse
311 S Center Ave, Rm 112
Jefferson, WI 53549-1701

Wednesday, February 21, 2018 @ 8:00 am

Committee Members: Matthew Foelker (Chair), Ed Morse (Vice Chair), Peter Hartz (Secretary), Gregg Patrick (Member), Lloyd Zastrow (Member), Frank Anfang (FSA Rep), and Margaret Burlingham (Public Member)

1. Call to Order
2. Roll Call (Establish a Quorum)
3. Certification of Compliance with the Open Meetings Law
4. Review of the February Agenda
5. Approval of the December 20, 2017 Meeting Minutes
6. Public Comment (members of the public who wish to address the Committee on specific agenda items must register their request at this time)
7. Communications
 - Department of Agriculture, Trade & Consumer Protection (DATCP) January & February 2018 Report
8. Discussion and Possible Action on Animal Damage Claims & Harvest Exemptions - Dave Terrall
9. Natural Resources Conservation Service (NRCS) Report
10. Discussion on Glacierland Resource Conservation & Development - Kirsten Jurcek
11. Discussion on LWCD January & February 2018 Directors Report
12. Discussion and Possible Action on DNR Health Lakes Grant
13. Discussion on 2017 Non-Metallic Mining Report
14. Discussion and Possible Action on 2018 Land & Water Conservation Board Elections & Annual Conference
15. Discussion and Possible Action on Notices of Noncompliance - Farmland Preservation Program (FPP)
16. Discussion and Possible Action on Cancellation of Notices of Noncompliance - FPP
17. Review of the Monthly Financial Report (Preliminary December)
18. Discussion and Possible Action on Purchase of Agriculture Conservation Easements (PACE) Applications
19. Discussion on Jefferson County Land & Water Conservation Report on Baseline Documentation for Easements
20. Discussion on Items for the Next Agenda
21. Next Scheduled Meeting:
 - March 21, 2018 @ 8:00 am in Room 112
22. Adjournment

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at this meeting should contact the County Administrator 24 hours prior to the meeting at (920) 674-7101 so appropriate arrangements can be made.

Land & Water Conservation Committee Minutes

December 20, 2017

1. Call to Order:

The monthly meeting was called to order by Matt Foelker at 8:00 am. Committee members Matthew Foelker (Chair), Ed Morse (Vice Chair), Peter Hartz (Secretary) (@ 8:04), Gregg Patrick (Member) (@ 8:03), Lloyd Zastrow (Member), and Frank Anfang (FSA Rep) were present. Also in attendance were Mark Watkins, Director, Land & Water Conservation Department (LWCD); Kim Liakopoulos, LWCD; Gerry Kokkonen, LWCD; and Kathy Turner, Natural Resource Conservation Service (NRCS). Margaret Burlingham (Public Member) was absent.

2. Roll Call (Establish a Quorum):

A quorum was established.

3. Certification of Compliance with the Open Meetings Law:

It was determined that the committee was in compliance with the Open Meetings Law.

4. Review of the December Agenda:

The December agenda was reviewed by the committee members. No changes were proposed.

5. Approval of the November 15, 2017 Meeting Minutes:

Frank Anfang made a motion to approve the November 15, 2017 meeting minutes as written, Ed Morse seconded. Motion carried 4/0.

6. Public Comment:

Comment on Item #7 - Conservation Engineering and Drainage - Revised NRCS 313 Standard.

Comment on Item #10 - Animal Waste - Manure Discharge/Complaint.

7. Communications:

- Department of Agriculture, Trade & Consumer Protection (DATCP) December 2017 Report. See attached. Kathy Turner discussed the revised 313 Standard. NRCS is still being trained on this standard. When more information is available it will be distributed.

8. Discussion on Rock Lake Improvement Association (RLIA) - Hope Oostdik:

Hope Oostdik, Chairperson for the Town of Lake Mills, spoke to the Committee in regard to all of the great work Patricia Cicero (LWCD) has done with RLIA; for example the Clean Boats, Clean Waters program and the 2017 RLIA survey.

9. Discussion on Glacierland Resource Conservation & Development (RC&D) - Kirsten Jurcek:

Kirsten Jurcek, per correspondence with Mark Watkins, postponed the discussion until further notice.

10. Discussion on LWCD Director's December 2017 Report:

Mark Watkins discussed the report. See attached. An Animal Waste - Manure Discharge/Complaint was submitted. Pond Hill Dairy was investigated and no violation was found.

11. Natural Resources Conservation Service (NRCS) Report:

Kathy Turner discussed the Natural Resources Conservation Service (NRCS). Kathy Turner has been spending most of her time in Dodge County due to a staff shortage. Kathy Turner informed the Committee that Cody Calkins and Zack Thayer have been talking care of the clients in Jefferson County and doing an excellent job. This year's EQIP sign ups have been high. NRCS will be promoting Conservation Innovation Grants (CIG) in 2018.

12. Discussion on Hoard's Dairyman Facility:

Mark Watkins updated the Committee on Hoard's Facility. Construction is complete and Hoard's is currently using the new pit as of 12/10/17. No issues have been reported.

13. Discussion and Possible Action on Notice of Noncompliance - Farmland Preservation Program (FPP): Jon A Witkins, Badger Bank c/o A Herdendorf

Lloyd Zastrow made a motion to accept the notice, Frank Anfang seconded. Motion carried 6/0.

14. Discussion and Possible Action on Cancellation of Notice of Noncompliance - FPP:

Dinah Wallace - Wallace Trust

Gregg Patrick made a motion to accept the notice, Pete Hartz seconded. Motion carried 6/0.

15. Review of the Monthly Financial Report (October):

The most recent statement of revenues and expenditures (October) was distributed. See attached. 2016 Cost Share Contract carry overs have been completed. 4, 2017 Cost Share Contracts have been carried over into 2018 with DATCP. The County Farm Lease bid has been accepted by the County Board for a lease cycle of 3 years. The State has approved the 2018 Grant Allocation Funds.

16. Discussion and Possible Action on Purchase of Agriculture Conservation Easements (PACE)

Applications: Gerry Kokkonen sent out two applications to interested parties. Both parties have gotten additional information. One of which submitted an interest form. Gerry Kokkonen will continue to follow up with these possible applications.

17. Discussion on Jefferson County Land & Water Conservation Report on Baseline Documentation for Easements: Baseline Documentation has been completed for the year.

18. Discussion on Items for the Next Agenda:

Possible agenda items include: Items #9 - 11, 13 - 17

19. Schedule Next Meeting:

As a cost saving measure for the County, Gregg Patrick made a motion to postpone the LWCC meeting until February 21, 2018, Pete Hartz seconded. Motion carried 6/0.

- February 21, 2018 @ 8:00 in Room 112.

20. Adjournment:

Frank Anfang made a motion to adjourn at 8:50 am, Gregg Patrick seconded. Motion carried 6/0.

Jefferson County Land and Water Conservation Department

January 2018 Director's Report

Reporting/Activity:

- Begin prepping DATCP annual report.
- Initial meeting and application prep for new PACE participant.
- Monthly Deposits (December) - \$22,336.59.
- Attended additional MUNIS training.
- No monthly meeting in January approved by the LWCC.
- Maintenance and brake replacement on department vehicle.
- Finalized 2017 carryover requests and submitted to Finance.
- Met with interim Zoning Commissioner to discuss future endeavors.

Farmland Preservation Program (FPP):

- Annual Certification mailing sent to Farmland Preservation Participants.
- Completed FPP newsletter and sent along with annual certification mailing.
- Issued 5 Certificates of Compliance.
- Began final transition to new FPP & NR151 software package.
- Completed 11 conservation plan revisions.
- Issued 3 Cancellations of Non-compliance.

Nutrient Management /Cost Share:

- Completed 2017 to 2018 contract carryovers with DATCP.
- Reviewed 3 NMPs for compliance.
- Complete first Farmer Training class with 5 students.
- Calibrated 2 manure spreaders for proper waste dispersal.
- Mailed 40 reminders to grant recipients with a continuing compliance obligation.

GIS:

- Live testing of FPP database.
- PACE documentation prep.
- Zoning affidavit updates.
- Garmin mapping/Parks.
- Web mapping - rebuild.

Livestock Siting Application Reviews:

- Communicated with Daybreak Foods regarding plans at the Creekwood facility to expand. Talked to the Department of Ag to double check some requirements for their application. Staff attended the Town of Lake Mills Planning Commission meeting for the Creekwood presentation of their plans and the public input. Reviewed their 1st submission that included the application, worksheets, maps, and environmental incident response plan. Sent Daybreak and their engineer a letter on the items that need more attention.

Animal Waste – Manure Discharge/Complaints:

- Talked to a citizen who reported manure in a road right-of-way and manure spreading activities for Tag Lane Dairy. Talked to Kevin Griswold of TAG Lane Farms about the manure complaint. Communicated incident to the DNR. Confirmed that the Dairy was doing everything according to their plan: liquid manure was surface applied and then chisel plowed into the field.

Tree Program:

- Receiving new & entering new orders for this season's sales.

Miscellaneous

- Monthly staff meeting completed.
- Reviewed and approved monthly P-Card Purchases online.
- Reconciled Nov/Dec financials.
- Day to day office activities.
- Tasked staff to County Clerk's office for emergency help.
- All staff at or below the 8 hour vacation carry over threshold.

Lakes & Streams:

Lakes/Rivers/Water Resources

- Assisted a citizen with information on wetlands and DNR wetland permits.

Lake Ripley

- Communicated with the District manager regarding the hiring plans for the manager position. Agreed to assist with reviewing the applications. Reviewed applications and met with 3 District members to rank the resumes and recommend candidates for an interview.

Lower Spring Lake

- Communicated with the District President regarding water drawdown information obtained from experts and next steps with the aquatic plant management plan.

Rock Lake

- Attended the Joint Rock Lake Committee meeting.
- Attended the Rock Lake Improvement Association meeting to talk about the management plan and the Knickerbocker Ice Festival event on ice safety.
- Worked on the Rock Lake Management Plan: checked & analyzed aquatic plant data; compiled and edited final report; obtained cost estimates for printing; shared final draft to the RLIA and made edits.

Rock River Coalition

- Attended the Rock River Coalition meeting.

Jefferson County Land and Water Conservation Department

February 2018 Director's Report

Reporting/Activity:

- Begin prepping DATCP 2019 Staffing & Operations Grant Application.
- New PACE participant sent in for Federal ranking.
- Prepare and submitted 2017 carry over requests to finance.
- Attend Compensation Study kick off meeting.
- Fully executed county farm cropland rental lease.
- Monthly Deposits (January) - \$12,998.90.
- Full go live with New Farmland Preservation Tracking Software.
- Completed department head job study and submitted to Administration.
- Reviewed and submitted staff job questionnaires to Human Resources.
- Completed 2017 carryover requests and submitted to Finance Committee.
- Continued meeting with Interim Zoning Commissioner.
- Reissue 22 active Non-Metallic Mining Permits.
- Developed 2018 maintenance schedule for the Potter's Field.
- Completed Department Chemical Inventory and submitted.
- Completed Department Trips & Slips Hazzard report and submitted.
- Began compiling DATCP annual plan of Work.

Farmland Preservation Program (FPP):

- Began entry of 590 checklists into 2018 tracking.
- Issued 1 Voluntary Non-Compliance.
- Issued 7 Certificates of Compliance.
- Enrolled 2 new FPP Participants.
- Completed 4 conservation plan revisions.
- Began fielding numerous calls regarding Annual Certification Process.

Nutrient Management /Cost Share:

- Submitted 3 completed BMP contracts to DATCP for payment.
- Reviewed 8 NMPs for compliance.
- Complete first Farmer Training class with 5 students.
- Drafted guidance for adding Pastures to SNAP Plus Database.
- Prepared for February 1st NMP training class.

GIS:

- GPS snowmobile trails for Park's Dept.
- Attend Drone user group meeting.
- Compile Live Stock Siting Maps
- Final Non-Metallic Mining Permits.
- Final FPP database beta test.
- Installed first customized FPP Tracking Software Update.

Livestock Siting Application Reviews:

- Reviewed materials from Daybreak/Creekwood regarding their purposed expansion. Communicated to the farm, their engineer, their crop consultant, LWCD staff, DNR, and DATCP regarding their plans. Communicated with the Zoning Committee/Department to let them know that the application will be submitted as complete at the Feb 9th Zoning Committee meeting.

Animal Waste – Manure Discharge/Complaints

- None Reported.

Tree Program

- Collected tree orders, put order information into the Access database, printed off paid invoice, attached species identifying stickers to order form, filed alphabetically, and deposited payments.

Miscellaneous

- Monthly staff meeting completed.
- Reviewed and approved monthly P-Card Purchases in MUNIS.
- Reconciled Dec/Jan financials in MUNIS.
- Day to day office activities.
- Carried allowable staff vacation time into 2018.

Lakes & Streams:

Lakes/Rivers/Water Resources

- Assisted a citizen with their questions having to do with piers.
- Talked to an anonymous citizen regarding a stream that was dredged and the fill material placed on wetlands. Contacted the DNR Conservation Warden to report the possible violations.
- Talked to a citizen regarding the area that drains to a pond on her property and sent her maps of the local watersheds.

Lake Ripley

- Communicated with the new lake manager.

Lower Spring Lake

- Communicated to Lower Spring Lake District president and DNR regarding updates to Aquatic Plant Management Plan. Worked on updating plan. Communicated with Gerry regarding the need for maps for the plan.
- Attended the District meeting to talk about the 2017 treatment and the aquatic plant management plan.

Rock Lake

- Communicated with Gerry regarding needs for maps for the Rock Lake management plan.
- Met with a committee of the RLIA to plan activities (including a workshop) to educate people about shoreland issues and promote the planting of native plants.
- Completed the permit application and all necessary materials for a DNR permit to install fish habitat on Rock Lake at a City of Lake Mills park. Communicated with the City to submit the permit. Communicated with others involved in the implementation of the project.

DATCP REPORT

January 2018

SWRM Grants

- Effective December 7, 2017, DATCP and DNR signed the joint final allocation plan for 2018.
- In late January, the 2019 Joint DATCP/DNR Nonpoint Source Grant Application will be available for counties and other project cooperators on the SWRM grants website. A notice will be sent out when the application is posted to the website.

ATCP 50

- A final version of the revised ATCP 50 was referred to the Legislative Reference Bureau in early January which means that the rule could become effective on February 1, 2018. Once the department is informed of the rule's status in the LRB, we will reach out to counties to clarify the effective date.
- Until the rule becomes effective, counties cannot require compliance with the 2015 590 NM Standard. However if a farmer chose to extend their NMP cost-share contract from 2017 into 2018 to meet the new standard and receive the increased cost-share rate, counties need to ensure the plan complies with the new standard and that a 2015 590 NM checklist is submitted with the reimbursement request.
- Nutrient management plans developed for programs that were not tied to cost-sharing should be given latitude if they prepared their 2018 crop year NMP plan prior to the rule becoming effective.

Nutrient Management

- SnapPlus 17 Beta Release is now available and includes a number of improvements for usability and the programmable parameters to demonstrate compliance with the 2015 590 NM Standard. SnapPlus 17 and SnapMaps is available for free download. Visit the [SnapPlus website](#).¹
- SnapPlus Training Opportunities:
 - One-on-one trainings: Sue Porter (sue.porter@wi.gov), Mark Jenks (mark.jenks@wi.gov) and Stephanie Schneider are also available for one-on-one trainings.
 - Training will be available at the WI Agribusiness Classic on Tuesday, January 9th.
 - A robust set of training videos are available on the [YouTube page](#).²

Annual Reporting

- The link to the annual reporting questions was sent out to all counties the last week of December. If your county did not receive the link, please email Coreen.Fallat@wisconsin.gov. We are always looking for projects and successes to highlight, so please consider submitting an idea for a story. The earlier you submit the idea, the easier it is for us to write the story up for inclusion in the report.

Producer-Led Watershed Protection Grants (PLWPG)

- A [press release](#)³ announcing the PLWPG awards was released on January 5th. Congratulations to all successful groups and a big thank you to all of the counties that have stepped in to help these groups in their efforts.
- Looking for upcoming events sponsored by producer-led groups? Check out our [website](#).⁴

Livestock Facility Siting and Manure Storage Ordinances

- The LFSRB heard an appeal on January 5, 2018 against Walworth County that raised issues similar to the recent Matsche case in Shawano County. Information about the cases and the review board can be found on our [webpage](#).

¹ <https://snapplus.wisc.edu/downloads/download-snapplus-17-beta/>

² <https://snapplus.wisc.edu/news-help/how-to-videos/>

³ https://datcp.wi.gov/Pages/News_Media/ProducerLedRecipients2018.aspx

⁴ https://datcp.wi.gov/Pages/Programs_Services/ProducerLedProjects.aspx

Land and Water Conservation Board (LWCB) and Land and Water Resource Management (LWRM) Plans

- LWRM plan revisions and reviews have been scheduled for LWCB presentations in 2018 and 2019. If you would like assistance with your plan revisions please, contact Lisa Trumble to set up a meeting. Lisa.Trumble@wisconsin.gov 608-224-4617.

Conservation Engineering and Drainage

- DATCP and NRCS will be switching to a new procedure and format for maintaining the NRCS Engineering Job Approval Authority (EJAA) and DATCP Certification programs. These forms will now be separate and will be maintained in Microsoft Access databases instead of a joint Excel spreadsheet. Although the databases will be maintained separately, the intent is that DATCP and NRCS Area engineers that administer the Certification and EJAA will still discuss and agree on the level of approvals granted. More information will be forthcoming, but in the meantime, your Area Engineering staff will be working with you to get your latest Excel version of your Certification as this will assist us in entering the current levels into the new database.
- The Governor signed Senate Bill 177 creating state and local permit exemptions for dredging and other maintenance activities in drainage districts. DATCP will share a summary of the new statute provisions with counties, soon.

Farmland Preservation Program (FPP)

- The materials to petition for an Agricultural Enterprise Area are available on our DATCP website⁵. Petitions are due on June 8, 2018.
- Farmland Preservation Plan Amendments were approved for Brown, Dane, Iowa and Manitowoc Counties.
- Farmland Preservation Zoning Ordinances were approved for the Village of Waunakee ETZ area (Town of Westport) in Dane County, the City of Berlin ETZ area (Town of Berlin) in Green Lake County, the City of Mineral Point ETZ area (Town of Mineral Point) in Iowa County and the Towns of Christiana and Viroqua in Vernon County.
- A Farmland Preservation Zoning Ordinance Text Amendment was approved for the Town of Montpelier in Kewaunee County.

Conservation Reserve Enhancement Program (CREP)

- A new CREP SFTP site is available for submitting CREP agreement applications. There are now two options available for submitting CREP agreement applications to the CREP SFTP site. Counties can choose to use either 1) SFTP client software program such as WinSCP or 2) Web browser such as Internet Explorer (no download necessary). All new CREP 15 year agreement applications now must be submitted electronically via the SFTP site. If you have any questions or need assistance with using the new CREP SFTP submittal site please feel free to contact Brian Loeffelholz (Brian.Loeffelholz@wisconsin.gov, 608 224-4632) or Melissa Gilmore (Melissa.Gilmore@wisconsin.gov, 608 224-4633).
- Be sure to track your time and other costs related to implementing CREP in your county. Your county's contribution to CREP counts toward the required State/County match for Federal CREP funding needed to maintain the program. Report county contributions each fall on the County CREP annual reporting form.⁶
- An updated CREP Perpetual Easement Application Form (LWR-209) is now available on the CREP "For Counties" website. Counties and landowners should use the updated version moving forward. An instruction sheet for completing the easement application was also created and available on the CREP website.

⁵ https://datcp.wi.gov/Pages/Programs_Services/AgriculturalEnterpriseAreas.aspx

⁶ https://datcp.wi.gov/Pages/Programs_Services/CREP.aspx

DATCP REPORT

February 2018

SWRM Grants

- A reminder that reimbursement requests for 2017 SWRM grant allocations are due **February 15, 2018**.
- The 2019 Joint DATCP/DNR Nonpoint Source Grant Application is available on the DATCP website. Email applications to datcpswrm@wisconsin.gov by **April 16, 2018**.
- The changes to ATCP 50 noted in the next section will prohibit using DATCP cost-share dollars to bring a permittee into compliance with standards required under a WPDES permit, and update many technical standards used for cost-sharing conservation practices except for NRCS standards for manure storage and vegetated treatment areas.

ATCP 50

- The final version of the revised ATCP 50¹ was published in the Administrative Register and became effective on February 1, 2018.

Nutrient Management

- On February 27 and 28, the second annual Runoff Risk Advisory Forecast multi-state meeting will be held on the campus of UW-Madison. Representatives from agricultural agencies in Michigan, Minnesota, Ohio and Wisconsin will be in attendance along with staff from the National Weather Service, and researchers from the various state universities. Planned discussions include continued refinement of the models used to generate the daily forecast in each state, educational needs, expansion to additional states and possible future use of a national water model.

Annual Reporting

- The link to the annual reporting questions² is available. If your county did not receive the link, please email Coreen.Fallat@wisconsin.gov. Please complete your responses by **March 21, 2018**. Thanks to the counties who have already sent their reports in – we are at 14% complete already!
- We are always looking for projects and successes to highlight, so please consider submitting an idea for a story. The earlier you submit the idea, the easier it is for us to write the story up for inclusion in the report.

Livestock Facility Siting and Manure Storage Ordinances

- The Livestock Facility Siting Review Board reversed a decision made by Walworth County to grant a siting permit to an expanding dairy farm. The county needs to address issues identified by the Board before granting the permit.
- ATCP 51 draft rule has not been rescheduled to be presented to the ATCP Board.

Land and Water Conservation Board (LWCB) and Land and Water Resource Management (LWRM) Plans

- Just a reminder that the 2018 work plans were sent to all counties. The work plan are due back on **April 16th** when the grant applications are due.
- There will be no February LWCB meeting. The next meeting is scheduled for April 3, 2018.

Conservation Reserve Enhancement Program (CREP)

- The CREP annual report for 2017 was submitted to FSA in January. Almost 500 agreements (196 new, 295 reenrolls) were completed in federal fiscal year 2017, plus another 243 by the end of the calendar year 2017. This is the busiest we have been in a decade and thanks to everyone for all your work on CREP in 2017. The 2017 annual report can be found on the DATCP CREP website.³

¹ http://docs.legis.wisconsin.gov/code/admin_code/atcp/020/50.pdf

² <https://www.surveymonkey.com/r/2017LandWaterReport>

³ https://datcp.wi.gov/Pages/Programs_Services/CREP.aspx

Producer-led Watershed Grant Program

- We will be hosting a webinar for recipients of Producer-Led grants on Wednesday, February 14 from 11:30 am to 12:30 pm. This webinar intended for grant recipients to learn more about program logistics including grant requirements and the reimbursement process. The webinar will be recorded and posted to the DATCP webpage. Register by emailing Rachel at Rachel.Rushmann@wisconsin.gov.

Conservation Engineering and Drainage

- ATCP 50 changes likely to be effective on February 1st includes new recertification requirements for conservation engineering practitioners under ATCP 50.46 (3) (c) including nonrenewal based on failure to complete education requirements (PDHs).
- DATCP will be sharing an update on the new drainage law (2017 Act 2015) that explains the new permit exemptions and other changes.

Farmland Preservation Program (FPP)

- DATCP will be hosting a webinar on Tuesday, February 13 from 9:30AM-10:30AM on the AEA petition process. Access the website from this [link](#).⁴
- The materials to petition for an Agricultural Enterprise Area are available on our [DATCP website](#).⁵ Petitions are due on June 8, 2018.
- The list of zoning jurisdictions with farmland preservation certification for [TY2017](#)⁶ is now available. Please contact DATCPWorkingLands@wisconsin.gov if you are interested in pursuing certification for a new zoning jurisdiction for 2018.
- Please submit any updates to your county's Certificate of Compliance spreadsheet as you make them. Updated spreadsheets should be emailed to Alison.volk@wisconsin.gov. Please contact Alison at 608-224-4634 with any questions.

Other

- The agency is currently drafting an emergency administrative rule to allow the department to implement the necessary provisions to launch an industrial hemp pilot research program in the state. This emergency rule is to be completed by March 2 and will remain in effect until we can produce a "permanent rule" through a much more lengthy process. More details on this topic are available in the attached document.

⁴ <https://datcp-wi.adobeconnect.com/aeas2018/>

⁵ https://datcp.wi.gov/Pages/Programs_Services/AgriculturalEnterpriseAreas.aspx

⁶ <https://datcp.wi.gov/Documents/FPTaxCredZoning.pdf>

Update: Wisconsin's Industrial Hemp Pilot Research Program

December 29, 2017

As you know, the Wisconsin Legislature and Governor Walker have enacted a law allowing production of industrial hemp with low THC content. This is based on provisions in the most recent U.S. farm bill, Agriculture Act 2014. The new state law directs the Wisconsin Department of Agriculture, Trade and Consumer Protection to write an administrative rule by March 2.

If you are unfamiliar with administrative rules, they basically fill in the details for the laws passed by the Legislature. The law said there will be a pilot research program, but did not describe how it would all work. So, this administrative rule will lay out licensing procedures and fees, establish exactly what growers' and our responsibilities will be, and explain how to meet those responsibilities.

That's why we don't have a lot of answers just yet. We'll answer questions as we work out the details. With these thoughts in mind, here is what we can tell you so far:

The rule process

We are working on an "emergency rule," which allows the department to implement the necessary provisions to launch the program more quickly. This emergency rule will remain in effect until we can produce a "permanent rule" through a much more lengthy process. We are drawing on the experiences of other states to write the emergency rule, and we hope it will build a sound program, so that the permanent rule process will be a matter of tweaking.

Because the emergency rule process expedites things, it doesn't provide for public hearings or a formal comment period. However, if you have ideas you would like us to consider as we write the emergency rule, feel free to send comments to DATCPIndustrialHemp@wi.gov by February 1. During the permanent rule process, there will be public hearings and a formal comment process.

Participation levels

The law calls for maximizing opportunities, so we do not plan to limit the number of licenses allowed under the pilot research program. If you can meet the licensing requirements, you can participate.

Obtaining seed

We are applying for the necessary U.S. Drug Enforcement Agency registration to import certified seed as an agency, as one way to legally import hemp seed into the state. This process has taken 6 months or longer in other states. If you do not already have seed or a source for seed, this could prevent you from planting for the next growing season.

Bear in mind that the law protects you from prosecution for THC levels that exceed .3 percent only if you plant certified seed. Regardless of where you obtain your seed, you need documentation that it is certified to produce THC levels at .3 percent or lower. We cannot guarantee that you won't face legal consequences if you bring seed across state lines.

Agronomic, marketing and business development information

Our role in the industrial hemp program is regulatory. We will provide the legal framework for you to grow hemp. We don't have the expertise to offer you agronomic information about how to grow hemp, or information to process or sell the crop you produce. Remember that this is a pilot *research* program; the intent is to gather this type of data from the program participants.

Other states with established programs often have information on their websites about agronomy, processing and marketing, or direct you to information about those topics. Please check out these resources.

If you have business development questions, your county or regional economic development agency may be able to help. You can find economic development information at these sites:

Regional agencies: <http://www.forwardwisconsin.com/map.php>

County agencies: <http://www.wicounties.org/counties.iml> (links you to county websites, where you'll find business development info for your county)

Business development help from state agencies: <http://www.wisconsin.gov/Pages/business.aspx>

Business development services from UW-Extension: <http://www.uwex.edu/Business-and-Entrepreneurship>

Considerations in your planning

Remember, this is a pilot research program to gather data about what it takes to successfully grow and market industrial hemp in Wisconsin. If you decide to grow industrial hemp, you need a license to do so and you will be required to provide information to us. Keep in mind:

- Can you pass the required background check?
- What is your research plan?
- Are you prepared to keep records and file research reports with us?
- Do you have a contract for certified seed?
- How will you harvest your crop?
- How will you process your crop?
- Do you have a contract to market the hemp you produce?

Website

We have created an industrial hemp webpage for Wisconsin information only:

https://datcp.wi.gov/Pages/Programs_Services/IndustrialHemp.aspx. We will update and add to the page as more information becomes available. Thanks for your patience as we work out the details of a complex program in a short time frame.



**2018 WISCONSIN
LAND+WATER ELECTION
BALLOT**

**LAND AND WATER
CONSERVATION BOARD**

As the WI Land+Water LWCB Election Policy states, each county is allowed one ballot. The Chair of the Land Conservation Committee or their designee must complete the ballot. To be considered a complete ballot, three candidates must be selected and the name of the voter's county must appear on the ballot.

Vote for three candidates. *The ballot clerk will discard ballots with less than three votes.*

_____ Carl T. Chenoweth, Dane County Land Conservation Committee,
Southern Area Association

_____ Michael J. Hofberger, Calumet County P&Z/Land and Water Conservation
Committee, Lake Winnebago Area Association

_____ Brad Matson, Iron County Land Conservation Committee,
Northwestern Area Association

_____ Monte G. Osterman, Racine County Land Conservation Committee,
Southeastern Area Association

_____ Russell Rindsig, Barron County Land Conservation Committee,
West Central Area Association

_____ David Solin, Langlade County Land Conservation Committee,
North Central Area Association

Signature of Land Conservation Committee Chair or designee

County

**Jefferson County Land & Water Conservation Department
Authorizing Resolution for the 2018 Health Lakes Grant**

WHEREAS, the Jefferson County Land and Water Conservation Department (LWCD) is interested in obtaining a cost-share grant for \$1,000 from the Wisconsin Department of Natural Resources for the purpose of implementing Healthy Lakes practices on the shores of Rock Lake;

WHEREAS, the Jefferson County LWCD attests to the validity and veracity of the statements and representations contained in the grant application;

WHEREAS, a grant agreement is requested to carry out the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Jefferson County LWCD will meet the financial obligations necessary to fully satisfactorily complete the project and hereby authorizes and empowers the following officials or employees to submit the following documents to the Wisconsin Department of Natural Resources for financial assistance that may be available:

Task	Title of Authorized Representative
Sign and submit a grant application	County Conservationist
Enter into a grant agreement with the DNR	County Conservationist
Submit quarterly and/or final reports to the DNR to satisfy the grant agreement, as appropriate	County Conservationist
Submit reimbursement requests(s) to the DNR no later than the date specified in the grant agreement	County Conservationist

BE IT FURTHER RESOLVED that the Jefferson County LWCD will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

Adopted on February 21, 2018.

I hereby certify that the foregoing resolution was duly adopted by the Jefferson County Land and Water Conservation Committee at a legal meeting held on February 21, 2018.

Authorized Signature

Date Certified

Title

Fiscal Impact: LWCD staff time will be used to implement this project. No LWCD funds other than staff time will be used.

Wisconsin Land and Water Conservation Association

LWCB ELECTION POLICY: 2018

As described in Chapter 92 of Wisconsin State Statutes, WI Land+Water is responsible for electing three Land Conservation Committee members to serve on the state Land and Water Conservation Board (LWCB). The following policies and procedures have been adopted by the WI Land+Water Board of Directors for the 2018 LWCB elections:

1. In November of odd-numbered years, WI Land+Water staff will distribute the bylaws of LWCB and this document to all Land Conservation Committee (LCC) Chairs and Departments (LCD).
2. WI Land+Water Bylaws request each WI Land+Water Area Association to nominate one candidate to serve on the LWCB for a two-year term.
3. Each LWCB candidate nominated by an Area Association shall submit his or her name and a one page biography or resume to the WI Land+Water office by January 31, 2018. By February 9, 2018, WI Land+Water staff will distribute an election ballot and a copy of each candidate's biography to every LCC Chair and LCD office included on the WI Land+Water listserv. Each county is responsible for local distribution of the information and coordinating the LCC votes. If the LCC Chair does not have email, the LCD office shall be responsible for local distribution.
4. The election ballot shall contain a list of LWCB nominees and lines for county name, signature of the LCC representative or their designee, and the date signed.
5. WI Land+Water Bylaws dictate that every county is allowed one vote for LWCB elections, which may be cast by an LCC representative or their designee.
 - a. All ballots shall be filled out completely or will be discarded. To be considered complete, a ballot shall include votes for three LWCB candidates, the name of the county, a signature of the LCC designee and the date signed.
 - b. Votes can be cast during the 2018 annual conference or by absentee ballot. Elections close at 6:00 pm on Thursday of the annual conference.
 - c. All absentee ballots shall be received at the WI Land+Water office by FAX, email or US mail time-stamped or postmarked by March 2, 2018, using the contact information listed at the bottom of this document.
6. A copy of all absentee ballots shall be verified by the WI Land+Water Executive Director and be brought to the convention in a sealed box and will remain sealed until counting occurs.
7. All LWCB candidates will have an equal opportunity to address those in attendance during a general session at the annual conference.
8. The WI Land+Water President will appoint two ballot clerks to oversee the vote counting.
 - a. The candidates with the three highest vote counts shall be declared the LCC representatives to the LWCB.
 - b. The candidates with the fourth and fifth highest vote counts shall be declared alternate LCC representatives to the LWCB in respective order.

9. Election results will be announced at the annual business meeting, and posted on the WI Land+Water Membership listservs and website by the following Friday. Copies of all completed ballots will be maintained at the WI Land+Water office until the following election.

Send absentee ballots time-stamped or postmarked by March 2, 2018 to:
WI Land+Water, 131 W. Wilson St., #601, Madison, WI 53703
FAX: 608-441-2676
Email: chris@wisconsinlandwater.org

Approved by the WI Land+Water Board of Directors October 22, 2015.



Carl T. Chenoweth, P.E.
Civil Engineering Consultant
409 Garfield Street
Stoughton, WI 53589

Office: (608)-873-4483
Cell: (608)-444-9893

Email: ctchenoweth@charter.net
Chenoweth.Carl@countyofdane.com

AREA OF EXPERTISE:

Over 40 years of experience as a Civil/Environmental/Construction Engineer in the planning, engineering and construction of Agricultural, Commercial & Industrial land development and building site improvement projects. Along with land use planning and environmental site remediation experience, I have specific civil/environmental engineering and construction management expertise in identifying defective site grading, drainage and erosion control practices; implementing stormwater management best management practices; providing wetland determination and mitigation strategies; investigation and resolution of EPA water quality standard compliance disputes.

As part of various environmental leadership appointments on the Dane County Board of Supervisors, I am currently serving a 2-year term on the WI State Land & Water Conservation Board; representing the Wisconsin Land & Water Conservation Association.

EDUCATION:

BS Civil Engineering - 1975
Purdue University
West Lafayette, Indiana

Masters of Business Administration - 2004
Edgewood College
Madison, Wisconsin

PROFESSIONAL ASSOCIATIONS:

National Society of Professional Engineers
American Society of Civil Engineering
ASCE Construction Institute
American Concrete Institute
NA Stormwater & Erosion Control Association

CERTIFICATIONS:

Registered Professional Engineer
State of Wisconsin State of Illinois
State of Iowa State of Indiana
State of Minnesota State of Michigan

COMMUNITY SERVICE:

Dane County Board of Supervisors
Personnel & Finance Committee - Secretary
Land Conservation Committee - Chair
WI State Land & Water Conservation Board
Dane Co. Healthy Farms/Healthy Lakes Task Force



Michael J. Hofberger

W4424 Schluchter Rd. Chilton, WI 53014

(920) 418-5432 hofberger.mike@co.calumet.wi.us

Calumet County Land & Water Conservation Committee

EDUCATION

Raised on a dairy farm near Winchester, WI. Participated in all phases of dairy farming

- 1966** Graduate of Winneconne High School, Winneconne, WI
- 1970** Graduate of University of Wisconsin Stevens Point, Bachelor of Science Degree, Resource Management
- 1988** Graduate Command and General Staff Officer Course, U. S. Army, Fort Leavenworth, Kansas

EMPLOYMENT

- 1971** Soil Conservation Aid, Soil Conservation Service, Oshkosh, WI, assisted landowners with the implementation of conservation practices
- 1972-1980** County Director, Trempealeau County Agricultural Stabilization and Conservation Service (ASCS)
Supervised staff implementing Department of Agriculture practices including cost sharing for conservation practices, loans, and crop subsidies. Worked for a committee elected by farmers within the county.
- 1981-1990** County Director, Calumet County ASCS, Chilton, WI
Responsibilities same as above
- 1991-2007** District Director, WI State Farm Service Agency, (formerly ASCS) Madison, WI
Supervised County Directors in 14 counties serving as advisor to each committee
Evaluated work practices for effectiveness, efficiency and economy
- 2009-2011** Clerk, Town of Stockbridge
Payroll, record keeping, recycling, preparing meeting agenda and minutes, town elections and state and federal reporting.

ADDITIONAL EXPERIENCE

- 1970-1996** United States Army Reserve, attained the rank of Lieutenant Colonel
- Feb -Aug 2007** Agricultural Advisor to the Commander of the Provincial Reconstruction Team in Jalalabad, Afghanistan, 100 miles east of Kabul
- 2007-2018** Calumet County Planning and Zoning Committee
- 2013-2018** Glacierland Resource Conservation & Development Council Board of Directors
A non-profit organization that addresses social, economic and environmental issues to preserve natural resources
- 1980-2018** Elder, past President and Vice President of St. Martin Lutheran Church, Chilton, WI
- 2016-2018** Calumet County Board Supervisor, Committees: Land and Water Conservation Committee, Planning, Zoning and Farmland Preservation Committee, University of Wisconsin Extension Committee, Glacierland Resource Conservation and Development Board, Chilton Library Board

FORMER MEMBER

4-H, FFA, Lions Club, Optimist Club, Farm Progress Executive Committee, Food and Agriculture Officer U.S. Army Reserve, AFS Host Family, Big Brother, USDA Trainer of New Directors

REASONS TO VOTE FOR MIKE HOFBERGER FOR WI LAND AND WATER BOARD OF DIRECTORS

- Longtime advocate for Land and Water Conservation
- Extensive experience working at town, county, state and federal level
- Positive promoter of environmental standards
- Consensus builder, well suited for committee work
- Currently has the time and interest for required study



Brad Matson, of Springstead, is a member of the Iron County Board of Supervisors, and chair of the county's Land and Water Conservation committee. Active in his community, Brad serves with local Fire and EMS departments, is involved in Town and County government, and volunteers with youth in the area.

Brad studied Biology and Ecology and UW-River Falls and has worked for Wisconsin DNR in fisheries management and habitat improvement, as well as for the YMCA in environmental education and wilderness camping. Currently, Brad provides home improvement and maintenance services to "Up North" property owners, advising them on best management practices for forests and shoreland homes. When not working or volunteering, Brad is usually found, and sometimes lost, outdoors. Gardening and managing his homestead for plant and wildlife diversity, as well as foraging and sharing the bounty with others, bring him contentment.

I see conservation, protection, and enhancement of the land and water and all their components as our greatest responsibility. We are an integral part of the system and must do our best to care for it. We need to look toward the future with clarity. We need to learn from the past, right wrongs, and avoid repeating or continuing mistakes. To paraphrase Aldo Leopold, "a thing is right when it maintains balance in the system and wrong when it upsets that balance".

I believe my role in Land and Water Conservation is two-fold. Number one is to form coalitions to accomplish goals. In my experience, the greatest and longest lasting success' come from a team approach. Owners, producers, managers, and consumers working together can achieve balance and accomplish much toward common interests even with seemingly disparate agendas. Number two is education. Education on all planes is crucial for society's understanding and caring about the system in which they are a part. Education of youth in all aspects of land, water, plant, and animal systems is needed. Outreach to people at all levels of age, interest, and understanding is imperative to engage everyone in the sustainability of the earth's resources. Simply put, if they don't know, they won't care, and if they don't care, they won't change.

I look forward to the future of conservation. There is much to be done, and many challenges to be met. Success and balance can be achieved through a caring, understanding population that is willing to work at all levels, and with all interests toward the goals of prosperity and sustainability for all in a clean, balanced, and diverse world. I will strive to bring understanding to as many people and groups as possible and then bring them together to face challenges and resolve issues in our complex, changing system of natural resources and human interests.



MONTE G. OSTERMAN
Racine County Supervisor, 3rd District
2900 N. Wisconsin St.
RACINE, WI 53402
Ph 262- 308-2766
E-mail Monte.Osterman@racinecounty.com

December 1, 2017

Dear Fellow Conservationists,

I am writing to seek your consideration for a position on the Wisconsin Land and Water Conservation Board. I have many years of experience working with conservation issues, some outlined below, and feel this leadership can help move conservation issues forward in the next few years. My understanding of conservation issues while living in an urban atmosphere will give the Board a unique viewpoint. Please consider a few recent highlights:

- County Supervisor, District 3, Racine County
- Economic Development and Land Use, Planning, Zoning Committee
- Land Conservation Committee; authored and passed numerous environmental related resolutions
- Public Works Committee
- Racine Zoo Board – Operational Oversight; secured funding for major Zoo conservation project
- Founding Chairman – Youth In Governance Committee, Racine County Youth Advocate Award
- WLWCA (Wisconsin Land and Water Conservation Association) Outstanding Supervisor of the Year
- WLWCA Legislative Committee
- WLWCA State Board of Directors; Southeast Area LCC member
- County Ambassador to State Legislature, WCA appointment
- Successful effort to restore state conservation funding
- NACD (National Association of Conservation Districts) Wisconsin Representative
- NACD Urban and Community Conservation and Agriculture; Resource Policy Group
- Root River Council, Founding Chairman
- Led RootWorks urban corridor redevelopment plan; received nationally recognized planning award
- Led effort to create area brownfield study and condensation report
- Greater Racine Water Council, Steering Committee
- Active build of numerous rain garden initiatives
- Root River Watershed Restoration Plan committee; 200 sq. mile watershed initiative; 9-point EPA plan
- Led initiative to create PACE (Property Assessed Clean Energy) funding tool for green development
- Built and preserved numerous park projects
- Currently protecting environmental and constituent's interests during major Foxconn negotiations
- Self-employed in numerous disciplines for over 30 years; created several professional training curriculums

My wife Mary and I live in the City of Racine right next to Lake Michigan. We raised children here, and now have a beautiful toddler granddaughter. Our legacy for our family and yours will be told after we are gone, and it is my firm and steadfast intention to leave an impressive vestige of environmental stewardship that will make my family proud. I offer to stand in leadership of this effort. I have been self-employed my entire adult life, using those experiences to blend business concerns with environmental initiatives and my unique background around development programs will lend this Board valuable perspective. I appreciate your attention to this letter. Please feel free to contact me with any questions or comments, I would enjoy the opportunity to expound upon these focal points.

Thank you,

Monte G. Osterman
Racine County Board Supervisor, District 3

Russell Rindsig, Candidate for Land and Water Association Board

Rindsig has a B.S. (Dairy Science), M.S. (Dairy Science) and PhD's (Nutritional Sciences/Dairy Science) from the University of Wisconsin – Madison. He was a professor in the Dairy Science Department at the University of Illinois. Rindsig is a member of the American Dairy Science Association; local, state and national Holstein Associations and a past member of the Wisconsin Agricultural and Life Sciences Alumni Association Board and the UW Department of Dairy Science Advisory Board. He has over 40 publications in Scientific and Educational Journals.

Currently Rindsig is on the Barron County Board of Supervisors where he is a member of the Executive, Extension/Land Conservation, Property, Strategic Planning, and Commission on Agriculture Committees. He represents the county on the West Central Committee of the Wisconsin Land and Water Association. He is the West Central District LCC representative on the Wisconsin L and W Association Board. He is , also, chairman of the Town of Oak Grove (Barron Co.) Plan Commission.

Formerly a livestock producer (registered Holsteins and registered Suffolk sheep), Rindsig now cash crops, raising corn, soybeans and hay. Vertical tillage and no-till are used on all cropped acres. He is in his 7th year in the Conservation Stewardship Program.

An Army veteran, Rindsig is an active member and officer in the local American Legion post. He is, also, a Barron Co. Fair Board officer and a member of the Wisconsin Association of Fairs legislative committee. He is a county fair judge and a certified lay speaker in the United Methodist Church.

David (Dave) Solin

Conservationist, Business Owner, Farmer, and Public Officer
Biography for Land and Water Conservation Board (LWCB) Nomination



I am seeking the nomination for the **Wisconsin Land Water Conservation Board**. I believe the formal education, experience, and skills that I have gained over the past years will make me an excellent board candidate to represent the benefits of county-led conservation. I am currently serving on the board.

A lifelong resident of **Langlade County**, our farm lies on the edge of the terminal moraine of the Wisconsin glaciations, North of Antigo. My interest in land and water conservation goes as far back as my childhood, spending much time in the fields and forests. I grew up living the dream of working the land that is so precious to all of us.

Following high school, I **attended UW – Stevens Point**. I was then offered a job with the **City of Antigo** as a **wastewater operator** and then at the water treatment facility. Working in these positions made me realize I would like to develop a water testing business of my own. In 1987, I **started Lab-Tech Service**, a laboratory that analyzes wastewater. In 1998, I added a **drinking water laboratory**. I have continued to operate this business for 33 years, continuing the support of municipal and private efforts to protect our precious water resources.

During these years, my brother and I went into business together to form **Solin Brothers Forest Products**. In our many years of **logging and tree farming**, we have **sustainably managed our lands**, which consist of forestland, ponds, lakes, and a Class 1 Trout Stream. We have been recognized with numerous awards for good conservation practices. In 1993, we were named **Wisconsin Tree Farm of the Year** and were runner up for the **National Tree Farm of the Year** in 1995.

After 30 years of Solin Brothers Forest Products, I decided to step away to let the next generation take over. I recently started **Solin's Woodland Ranch**, where I raise and sell grass-fed cattle, pigs, and other livestock. The farm also produced maple syrup, Christmas trees, and we are developing a minnow and fish farm operation. I am proud to say that the farm is a part of the **Antigo Flats Agricultural Enterprise Area**.

Now, I find myself in public service and am currently the **Chair for the Town of Neva** and the **Chair of the Langlade County Board of Supervisors**. I also chair the **County Land Conservation Committee** along with the Executive Committee. I represent Langlade County as the **Vice-president of Lumberjack RC&D**, and **President of the North Central Wisconsin Land and Water Conservation Association**. I serve as the vice president for the **Wisconsin Land+Water Board of Directors**. I am also the state representative to the **National Association of Conservation Districts**.

Serving on the board has made me realize that we need a strong voice to stand up for our timberlands. My experience as a forest owner and past forest and timber manager will give me the board an added perspective from the timber industry and its need for awareness as I serve as that strong voice.

Over the years I have developed a deep knowledge of conservation and have implemented and followed conservation practices. I want to educate other people about the need for conservation and ways to care for the land. For these reasons, I believe I am an excellent candidate for the Land and Water Conservation Board.

Sincerely,

David J. Solin