

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

**Jefferson County Highway Committee Room ~ 1425 Wisconsin Dr, Jefferson, WI 53549-1701**

**Wednesday, March 15, 2023 @ 8:30 am**

Join Zoom Meeting ~ <https://us06web.zoom.us/j/81594414745>  
Meeting ID: 815 9441 4745# ~ Dial by your location: +1 312 626 6799

**Committee Members: Matt Foelker (Chair) (UW), Walt Christensen (Vice-Chair), Dan Herbst (UW), Cassie Richardson, Meg Turville-Heitz, Kirsten Jurcek (FSA), and Margaret Burlingham (PACE)**

1. Call to Order
2. Roll Call (Establish a Quorum)
3. Certification of Compliance with the Open Meetings Law
4. Review of the March Agenda
5. Approval of the February 15, 2023 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) March 2023 Report
8. Discussion on Natural Resources Conservation Service (NRCS) Report
9. Introduction of Sam Peterson, the New Jefferson County Resource Conservationist
10. Discussion on Departmental Updates
11. Discussion and Possible Action on Resolution for an Intergovernmental Agreement with the City of Watertown to Provide Water Quality Trading Technical Services
12. Discussion on Multi-Discharger Variance Funding and Conservation Practice Implementation
13. Discussion and Possible Action on Offering Water Testing at the Jefferson County Fair
14. Discussion on Producer-Led Groups: Jefferson County Soil Builders & Rock River Regenerative Graziers
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. Discussion and Possible Action on Participation in the Fourth Grade Farm Tour
18. Discussion and Possible Action on Purchase of Agriculture Conservation Easement (PACE) Applications & Baseline Documentation
19. Discussion and Possible Action on Funding for PACE from the Sale of County-Owned Farmland
20. Review of the Monthly Financial Report (January)
21. Discussion on Items for the Next Agenda
  - Next Scheduled Meeting April 19, 2023 @ 8:30 am in the Highway Committee Room
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

## February 15, 2023

### 1. Call to Order:

The monthly meeting was called to order by Matt Foelker at 8:30 am. Committee Members Matt Foelker (Chair) (UW), Walt Christensen (Vice-Chair), Dan Herbst (UW), Cassie Richardson (via Zoom), Meg Turville-Heitz (via Zoom), Kirsten Jurcek (FSA) (via Zoom), and Margaret Burlingham (PACE), were present. Also in attendance were Patricia Cicero, Director, Land & Water Conservation Department (LWCD); Kim Liakopoulos, LWCD; Joe Strupp, LWCD; and Dave Terrall, USDA Wildlife Services.

- Others in Attendance: Dean Weichmann, Jefferson County Soil Builders, and Anita Marttin

### 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 February Agenda:

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

### 5. Approval of the December 21, 2022 Meeting Minutes:

Burlingham made a motion to approve the December 21, 2022 meeting minutes as written, Herbst seconded. Motion passed 7/0.

### 6. Approval of the January 30, 2023 Joint Committee Meeting Minutes:

Christensen made a motion to approve the January 30, 2023 meeting minutes as written, Herbst seconded. Motion passed 7/0.

### 7. Public Comment:

Anita Martin gave public comment on an item that is not on the agenda regarding offering the public water screening for nitrates at the County Fair.

### 8. Communications:

- Department of Agriculture, Trade & Consumer Protection January & February 2023 Reports.
- Appointments to Committee working on Stormwater and Erosion Control - Matt Foelker. Foelker appointed himself, Burlingham and Richardson to serve on the storm water and erosion control committee.

### 9. Discussion and Possible Action on 2022 Claims for the Wildlife Damage Abatement & Claims Program - Dave Terrall, USDA Wildlife Services:

Terrall gave an overview of the program and discussed the claim that was submitted. Christensen made a motion to accept the claim, Burlingham seconded. Motion passed 7/0.

### 10. Natural Resources Conservation Service (NRCS) Report:

NRCS did not attend the meeting therefore a report was unavailable.

### 11. Discussion on Departmental Updates:

LWCD offered two Nutrient Management Plan update classes. A Resource Conservationist has been hired. Staff attended a phosphorus workshop. LWCD is assisting in a groundwater study and meeting with UW

Stevens Point to discuss well selection and recruitment. Staff have been conducting research on a variety of topics brought up during discussions of Concentrated Animal Feeding Operations (CAFO). Staff is attending meetings and creating a presentation. Cicero submitted 2022 matching time for the Regional Conservation Partnership Program (RCPP) grant. The annual tree sale is almost sold out. Marisa Wieder submitted 2022 financials for the Lake Monitoring & Protection Network (LMPN) grant for reimbursement. The 2023 LMPN grant has been received. Wieder has also submitted the 2023 Healthy Lakes Grant and is working on updating Lower Spring Lake's Aquatic Plant Management Plan.

- 12. Discussion on Producer-Led Groups: Jefferson County Soil Builders (JCSB) & Rock River Regenerative Graziers (R3G):** JCSB shop talk in January was well attended. Weichmann & Cicero are working on a JCSB annual report to submit to DATCP. JCSB will use The Natures Conservancy contribution for additional cover crop cost sharing among other things. R3G is currently working on 2023 programming. They also received a contribution from The Natures Conservancy.
- 13. Discussion and Possible Action on Notices of Noncompliance - Farmland Preservation Program (FPP):**  
There were no notices.
- 14. Discussion and Possible Action on Cancellation of Notices of Noncompliance - FPP:**  
There were no cancellations.
- 15. Discussion and Possible Action on Participation in the Fourth Grade Farm Tour:**  
Burlingham outlined the tour for the committee. Burlingham will not be able to attend this year and is looking for volunteers. Christensen and Turville-Heitz showed interest. More information will be available in the spring. The tour is usually the first week of May.
- 16. Discussion and Possible Action on Purchase of Agriculture Conservation Easement (PACE) Applications & Baseline Documentation:** The Cummings application is progressing and looking forward to completion within the year. The Rollefson application is in the process of getting funding from the American Farmland Trust RCPP grant.
- 17. Review of the Monthly Financial Report (December):**  
The most recent statement of revenues and expenditures was distributed.
- 18. Discussion on Items for the Next Agenda:**  
Possible agenda items include: Money from the sale of county farmland to the PACE program, 4<sup>th</sup> grade farm tour, water screening at the County Fair, Stormwater and Erosion Control Committee.
  - **Next Scheduled Meeting:** March 15, 2023 @ 8:30 in the Highway Committee Room.
- 19. Adjournment:**  
Herbst made a motion to adjourn at 9:30 am, Christensen seconded. Motion passed 7/0.

Committee member Kirsten Jurcek has been appointed to serve on this committee due to her status as the designated Farm Service Agency committee member. All her opinions and votes are as a member of the public and as a producer/farmer, not as a representative of the Farm Service Agency, United States Department of Agriculture, or Federal Government.

*Kim Liakopoulos*  
Administrative Specialist I ~ LWCD



**DATCP REPORT**  
**Bureau of Land and Water Resources**  
**March 2023**

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### **Soil and Water Resources Management Grants**

- The [2024 SWRM Application](#) is available on the webpage and is due to [DATCPSWRM@wisconsin.gov](mailto:DATCPSWRM@wisconsin.gov) by Monday, April 17.
- This year, the focus for Innovation Grant awards will be the Mississippi River Basin on projects related to managing nutrient application and reducing runoff. This focus is to align with available federal funds we will be able to use to supplement Innovation Awards within the Mississippi River Basin which could be used to support an intern or other project-level staffing need. If your county is not in the Mississippi River Basin you can still apply but will not be eligible for the possible staffing support.

### **County Annual Reports**

- The deadline for counties to submit their annual reports is March 17. Thanks to the 30 counties that have already completed their reporting. Counties received an email from the department at the end of December with a link to the annual report questions. If you didn't receive the email, please email [Coreen.Fallat@wisconsin.gov](mailto:Coreen.Fallat@wisconsin.gov).
- Also – if you have any good photos of conservation practices or events that you are willing to share, please send them to [Coreen.Fallat@wisconsin.gov](mailto:Coreen.Fallat@wisconsin.gov).

### **Nutrient Management News**

- The 2024 Nutrient Management Farmer Education Grant Application is available via the [NMFE Webpage](#). Applications will be Due April 15<sup>th</sup>, 2023, to [andrea.topper@wisconsin.gov](mailto:andrea.topper@wisconsin.gov). There is a new option within the Tier 2 Grant for Nutrient Management Plan Implementation Reviews. More information regarding the new option will be found in the RFA.
- Open office hours with NMP and FP Staff: ***Nutrient Management Farmer Education Grant Tier 2 Options Update - March 20th, 10 am – 11 am:*** Join us to hear more about the new offerings allowed within the Nutrient Management Farmer Education Grants. We will be chatting about what Nutrient Management Plan Implementation Reviews look like and how to bring farmer and plan writers to the table. If you have any NMFE related questions you may submit them in advance to [andrea.topper@wisconsin.gov](mailto:andrea.topper@wisconsin.gov) or ask them during the session. To join the meeting, please click the following link: [Zoom Meeting Link](#)
- Upcoming Nutrient Management Trainings:
  - 2023 Online Nutrient Management Farmer Education Trainings- More information available here: [DATCP Home Nutrient Management Trainings \(wi.gov\)](#)
  - 2023 Nutrient Management Helpline-More information available here: [NPMHelpline.pdf \(wi.gov\)](#)
- If you haven't yet requested any Runoff Risk Advisory Forecast magnets or keychains, send a request to Andrea Topper ([andrea.topper@wisconsin.gov](mailto:andrea.topper@wisconsin.gov)) with the amount you'd like.

### **Conservation Engineering**

- **Funding Opportunity:** DATCP will again be offering Engineering Reserve Funds in 2023. These funds are intended for engineered conservation projects that address a farm discharge(s) and need additional funding to get completed.

Farm discharge projects will be prioritized, but other engineered conservation practices that address nutrients and/or erosion will also be considered. Deadline for project consideration is **March 31<sup>st</sup>**. Questions can be directed to your DATCP area engineering contact.

- NRCS recently updated their website and as part of that process the location of design tools such as standard drawings, design spreadsheets and manuals/handbooks can now be found on the Field Office Technical Guide (FOTG) website linked [here](#). These tools are found in the navigation pane on the left side of the webpage under:
  - Section 1 – General Resource References => Engineering Resources

### **Livestock Facility Siting**

- The Livestock Facility Siting Technical Expert Committee will meet again on March 6th to review the Waste Storage (ATCP 51.18) and Runoff Management Standards (ATCP 51.20). Interested parties are encouraged to subscribe to email updates for the Technical Expert Committee via [Gov Delivery](#).

### **Land and Water Conservation Board-LWRM Plans**

- The LWCB launched the first annual Land and Water Conservation Board Stakeholder Survey. The survey seeks to gather expertise and input from stakeholders regarding research and outreach needs related to agricultural soil & water resources. If you received an invitation to participate, please **complete the survey by Sunday March 26**. Our gratitude to those that have already completed the survey, thank you. The survey is expected to take about 5 minutes to complete.
  - Contact Zach Zopp at [zach.zopp@wisconsin.gov](mailto:zach.zopp@wisconsin.gov) with any questions on the survey. Stay up-to-date with the survey by subscribing to the *Land and Water Conservation Board* updates through [GovDelivery notifications](#)
- The Land and Water Conservation Board meeting on April 4<sup>th</sup> will be a hybrid meeting. Grant and Burnett counties will present a 5-year review of their LWRM Plan.
- Reminder to counties that the deadline for submitting their 2023 annual workplan is Monday April 17<sup>th</sup>.
- The Advisory Committee on Research (“Committee”) will meet virtually on March 7<sup>th</sup> from 9 - 10am. Parties that wish to address the Committee at future meetings should contact Zach Zopp ([zach.zopp@wisconsin.gov](mailto:zach.zopp@wisconsin.gov)) in advance to schedule the appropriate agenda item.

### **Farmland Preservation Program and Agricultural Enterprise Areas (AEA)**

- A new *Conservation Compliance for Farmland Preservation Program Participants* publication is ready and available [here](#). This publication can be a useful tool to help potential or existing participants or new county staff understand the compliance requirements for FPP. Direct questions regarding conservation compliance to Cody Calkins @ [cody.calkins@wisconsin.gov](mailto:cody.calkins@wisconsin.gov).
- The new Farmland Preservation Agreement application and FAQ for Prospective Agreement Holders are available [here](#). All new applications should be submitted using this new form.
- Counties should submit updates to their DOR Spreadsheets for farmland preservation participants in Tax Year 2022 to [DATCPWorkingLands@wisconsin.gov](mailto:DATCPWorkingLands@wisconsin.gov).
- The 2023 AEA Petition cycle to designate new or modify existing AEAs is now open through July 28, 2023. Petition materials are available [here](#). If you are planning to petition for an AEA in 2023, please contact Wednesday Coye ([wednesday.coye@wisconsin.gov](mailto:wednesday.coye@wisconsin.gov)) to schedule your interview.
- Farmland Preservation Program staff will work with counties to craft outreach initiatives focused on areas of

interest for renewable energy projects that are eligible for, or enrolled in, FP. Contact [DATCPWorkingLands@wisconsin.gov](mailto:DATCPWorkingLands@wisconsin.gov) to discuss needs or examples.

### **Conservation Reserve Enhancement Program (CREP)**

- [Annual Summary Reports for Counties 2022](#): DATCP emailed out the annual summary reports for counties on January 5, 2023. Please review the records for your county to ensure that the state CREP records match the county CREP records. Also please share these summaries with your local FSA office to compare enrollment numbers for the year. If you find a discrepancy or have questions please let DATCP CREP staff know.
- FSA announced it will hold General CRP Signup 60 from February 27 – April 7, 2023. Here is the link for more details: [USDA Announces Conservation Reserve Program Signup for 2023](#).

### **Agricultural Impact Statement (AIS) Program**

- The AIS program published AIS #4482 for the Madison Metropolitan Sewerage District's proposed Pump Station 17 Force Main Relief project in the Town of Verona, Dane County, WI. Access [AIS #4482](#) and [AIS #4482 Appendices](#) at the provided links or visit [agimpact.wi.gov](http://agimpact.wi.gov) for more information.
- Curious about what the AIS program is and does? Check out the [Intro to the AIS program](#) video at [agimpact.wi.gov](http://agimpact.wi.gov). Do you have questions about the AIS program? Check out our [Frequently Asked Questions](#) page that addresses many of your top AIS questions. You can also contact [zach.zopp@wisconsin.gov](mailto:zach.zopp@wisconsin.gov) for questions regarding any active AIS statement or the AIS program.

### **Producer-Led Watershed Protection Grant (PLWPG) Program**

- Annual Reports are in and being analyzed, results will be shared when they become available. If you have questions or want to learn more, please email [randy.zogbaum@wisconsin.gov](mailto:randy.zogbaum@wisconsin.gov)

### **Nitrogen Optimization Pilot Program**

- Thirty one applications were received for this new program. The requests totaled over \$2 million. The grant applications have been scored and awards should be announced in mid-March.

**INTERGOVERNMENTAL AGREEMENT BETWEEN JEFFERSON COUNTY AND  
THE CITY OF WATERTOWN REGARDING TECHNICAL SERVICES FOR WATER QUALITY TRADING**

This Agreement is made and entered into as of the 18<sup>th</sup> day of April, 2023, by and between the County of Jefferson, Wisconsin, (the County) and the City of Watertown, Wisconsin, (the City), to establish terms and conditions related to technical services assistance for water quality trading.

**RECITALS**

WHEREAS, The City has committed to Water Quality Trading to fulfill its Phosphorus and Total Suspended Solids (“TSS”) compliance obligations under its Wisconsin Pollution Discharge Elimination System (“WPDES”) Municipal Separate Storm Sewer System (MS4) permit and the Rock River Total Maximum Daily Load study; and

WHEREAS, The County provides planning and technical assistance to municipalities such as the City, agricultural landowners and producers for the implementation of conservation practices that reduce sediment and nutrients (including phosphorous) from entering waterways as well as distributing financial payments to agricultural landowners for the implementation of conservation practices; and

WHEREAS, The City desires to obtain assistance from the County to implement Water Quality Trading projects.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, the City and the County (hereinafter referred to collectively as “Parties”) do hereby covenant and agree as follows:

- 1. Authority.** This Agreement is entered into pursuant to § 66.0301, Wis. Stats., regarding intergovernmental cooperation and, therefore, should be liberally construed to accomplish its intended purposes. In addition, the undersigned representatives of the City and the County represent that they have been duly authorized by their respective governing bodies to execute this Agreement.
- 2. Definitions.**
  - A. “HUC 12” shall mean the 12-digit Hydrologic Unit Code subbasin.
  - B. “Project Sites” shall mean locations where conservation practices or engineered solutions can be implemented to achieve Phosphorus and TSS reductions within the Department of Natural Resources (DNR) approved TMDL subwatershed.
  - C. “Projects” shall mean conservation practices or engineered solutions that are implemented at Project Sites to achieve Phosphorus and TSS reductions within the DNR approved TMDL subwatershed.

- D. "MS4 Permit" shall mean the Municipal Separate Storm Sewer System Permit received by the City of Watertown with the most recent effective date of May 1, 2019 and as that permit may be renewed or amended to comply with the requirements of the Wisconsin Department of Natural Resources ("DNR").
  - E. "Practice Plans" shall mean plans approved by the DNR that explain how a Project will be implemented and maintained by landowners to reduce Phosphorus and TSS at the identified Project Site.
  - F. "TMDL" shall mean the Rock River Total Maximum Daily Load study approved September 28, 2011 by United States Environmental Protection Agency.
  - G. "TSS" shall mean Total Suspended Solids.
- 3. Phosphorus Reduction Goal.** The goal of the Agreement is to identify and install Projects in the Rock River Total Maximum Daily Load Subwatersheds 28 and 29 within Jefferson County that result in Phosphorus and Total Suspended Solids (TSS) reductions, as calculated using SNAP Plus or other models agreed to by the City, the County and DNR, by an amount approved by the City of Watertown Public Work's Commission to comply with the City's MS4 Permit. The City reserves the right to adjust the 5-year goal amount to focus on and ensure compliance with Phosphorus discharge limits in the City's MS4 permit.
- 4. Roles and Responsibilities of the County.** The County will provide the following services:
- A. Identify Project Sites that will enable achievement of the Phosphorus and TSS Reduction Goal and provide a list of such Project Sites to the City for evaluation for water quality trading for MS4 permit compliance.
  - B. Work with landowners to develop Practice Plans and submit such Practice Plans to the City for review and approval.
  - C. Draft agreements between the City and landowners for the Projects approved by the City to be installed and maintained. These agreements shall state the Phosphorus and TSS reductions generated by each Project and the number of credits available for use by the City to comply with its WPDES permit.
  - D. Attend agreement signing between the City and landowners in order to answer any questions related to the practice, installation, and maintenance.
  - E. Provide technical assistance and oversight on installation and maintenance of approved Projects.
  - F. Complete final inspection of installed projects. Complete Management Practice Registration form based on final inspection and submit to the City within 15 days of completion of inspection.



- G. Calculate modeled Phosphorus and TSS reductions for Projects based on SNAP Plus or other agreed upon models.
- H. Verify the status of installed Projects by conducting annual visits at Project Sites for the life of the Project and documenting such visits, including through photographic evidence of the Project where practicable. Communicate any maintenance needs to landowner and City.
- I. Provide an annual report to the City by February 15 of each year throughout the term of this Agreement summarizing activities conducted in the previous year, including the locations of installed Projects, the type of practices installed at each Project Site, inspections, site visits, any required or completed maintenance and other relevant information necessary for Project verification.

**5. Roles and Responsibilities of the City.** The City will:

- A. Review Project Sites identified by the County and determine whether to pursue identified Projects for WPDES permit compliance.
- B. Submit Management Practice Registration to DNR for final approval.
- C. Sign agreements with landowners. The agreements shall be recorded in accordance with Section 4(B) to ensure maintenance of the practices for the duration of the agreement. Written documentation of these agreements shall be submitted to the DNR as part of the Management Practice Registration.
- D. Record trade agreements between the City and landowners as a deed restriction. The agreements will be recorded with the Jefferson County Register of Deeds. Each trade agreement shall be for a term of at least 5 years and no more than 15 years.
- E. Compensate landowners for the Projects that have approved trade agreements according to the terms of each trade agreement.
- F. Compensate the County for the services identified in Section 4 according to the terms in Section 6 of this agreement.

**6. Compensation for Projects, Staff Support and Related Expenses.** The City shall compensate the County for services performed under this Agreement. Compensation under this Agreement shall be calculated on a time and materials basis. The County shall submit an invoice to the City quarterly.

The preliminary fee to be paid to Jefferson County is estimated not to exceed \$12,000 in the first year of the program. Future program costs will be estimated based on project work and past expenses. Actual fee will be determined by final Project costs.

7. **Performance.** Unless otherwise agreed to in writing, the County shall furnish all services, supplies, tools, and equipment to accomplish the services established in Section 4 in a professional manner.
8. **Permits, Laws, Regulations, and Public Ordinances.** The County shall obtain and comply with all federal, state, and local statutes, rules, regulations, and ordinances related to the County's performance of its services under Section 4 of this Agreement. The landowners will be required to obtain any necessary permits for installation, implementation, and maintenance of Projects in accordance with the terms of their trade agreements.
9. **Severability.** The invalidity, illegality or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way affect the validity or enforceability of any other provision of this Agreement. Any void provision shall be deemed severed from this Agreement and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision deemed to be void. The parties agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of essence to this Agreement be deemed void.
10. **Challenge to Agreement.** In the event of cause of action by a third party challenging the validity or enforceability of this Agreement or any of its provisions, the County and the City shall cooperate fully to vigorously defend the Agreement. No settlement of any such action shall be permitted without the written approval of both parties. This Agreement is for the exclusive benefit of the parties and their successors and shall not be deemed to give any legal or equitable right, remedy, or claim to any other person or entity. The enforceability of this Agreement shall not be affected by changes in elected officials.
11. **Assignment.** No party shall assign any rights or responsibilities under this Agreement to a third party without the prior written consent of the other party.
12. **Termination Notice.** Either party may initiate termination of this agreement by providing notice to the other party on or before June 1 of a given year. Within 30 days of June 1 after a termination notice has been provided, the County will provide a status of all pending applications that have not resulted in a Recorded Practice Plan to the City. The County's obligations contained in Section 4 will cease upon the City's receipt of the Status update.
13. **Term.** This Agreement shall remain in effect from the date of execution until the last annual inspection has been completed for a trade agreement that was developed under the term of this Agreement.
14. **Giving Notice.** Whenever any provision of this Agreement requires the giving of written notice, it shall be deemed to have been validly given if delivered in person to or if delivered at or sent by registered or certified mail postage prepaid to:

For the City: Stormwater Project Manager, City of Watertown, 106 Jones St., P.O. Box 477, Watertown, Wisconsin 53094-0477.

For Jefferson County: Director, Jefferson County Land and Water Conservation Department, 311 S. Center Ave., Jefferson, Wisconsin 53549.

**15. Complete Agreement and Future Amendments.** This document is a complete and final Agreement and supersedes any oral agreements or other negotiations which may conflict with the terms of this Agreement. Either party may request a modification of this Agreement at any time. Any modification of the terms of this Agreement shall be in writing in the form of an Addendum to this Agreement and approved by both the City and the County.

**IN WITNESS WHEREOF**, the Parties have caused their properly authorized representatives to execute and seal this Agreement on the date as set forth above.

**CITY OF WATERTOWN**

**COUNTY OF JEFFERSON**

By: \_\_\_\_\_  
Emily McFarland, Mayor

By: \_\_\_\_\_  
Benjamin Wehmeier, County Administrator

ATTEST:

By: \_\_\_\_\_  
Megan Dunneisen, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Steven T. Chesebro, City Attorney

I hereby certify that there are sufficient funds available to pay the liability incurred by the City of Watertown pursuant to this agreement.

By: \_\_\_\_\_  
Mark Stevens, City Treasurer

## RESOLUTION NO. 2022-\_\_\_

### **Entering into an Intergovernmental Agreement with the City of Watertown for Water Quality Trading Technical Services**

#### Executive Summary

Water quality trading is an approach that is used in Wisconsin as a means for municipalities and industries to be compliant with water quality-based permit limits regulated by the Wisconsin Department of Natural Resources. Trading enables a municipality or industry facing high pollutant reduction costs to compensate another party to implement less costly pollutant reductions. The trade results in overall water quality benefits and the pollutant reductions are typically more than what is required. The City of Watertown has committed to water quality trading to fulfill its phosphorus and total suspended solids (sediment) compliance obligations for the City's Department of Natural Resources' stormwater permit. The City will implement stormwater management practices that will achieve a portion of the required phosphorus and sediment reductions. To meet the permit obligations, additional reductions will be needed in agricultural areas within two watersheds in Jefferson County.

The Jefferson County Land and Water Conservation Department routinely works with agricultural producers on implementing conservation practices that reduce phosphorus and sediment delivery to waterways. As such, the Land and Water Conservation Department can provide its planning and technical expertise to identify and implement practices that will benefit both agricultural landowners and the City of Watertown.

This resolution includes the adoption of the Intergovernmental Agreement and a budget amendment for the 2023 Land and Water Conservation Department budget. The Intergovernmental Agreement covers roles and responsibilities of both the County and the City for the water quality trading program. It also details that the City will compensate the County for the work performed based on time and material costs for implementing the program.

The Land and Water Conservation Committee, the Executive Committee, and the Finance Committee considered this resolution and the draft Intergovernmental Agreement at their meetings on March 15, 2023, March 29, 2023, and April 12, 2023 respectively, and recommended forwarding to the County Board for approval.

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WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the City of Watertown and the Jefferson County Land and Water Conservation Department drafted an Intergovernmental Agreement to detail work on a water quality trading program for the City's stormwater permit with the Department of Natural Resources, and

WHEREAS, the Jefferson County Land and Water Conservation Department will provide conservation practice implementation work and charge the City of Watertown for time

and materials during the term of the contract and any extensions, and

WHEREAS, the Jefferson County Land and Water Conservation Department 2023 Budget needs to be amended to account for \$12,000 of income and expenditures related to this project.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby authorizes the County Administrator to enter into an Intergovernmental Agreement with the City of Watertown for water quality trading technical services.

BE IT FURTHER RESOLVED, that the Jefferson County Board of Supervisors hereby approves the amendment of the 2023 Land and Water Conservation Department budget to include \$12,000 for the implementation of the water quality trading program.

*Fiscal Note: This is a budget amendment that increases revenue by \$12,000 and will offset existing staff time and expenses. County Board approval requires a two-thirds vote of the entire membership of the County Board (20 members of the 30-member County Board must vote in favor of the budget amendment).*

Ayes:\_\_\_\_\_ Noes:\_\_\_\_\_ Abstain:\_\_\_\_\_ Absent:\_\_\_\_\_ Vacant:\_\_\_\_\_

Referred By  
Land and Water Conservation Committee  
Executive Committee  
Finance Committee

04-18-2023

REVIEWED: Corporation Counsel:\_\_\_\_\_; Finance Director:\_\_\_\_\_

## Multi-Discharger Variance Program Plan – 2023 Update

Jefferson County receives funds from municipal and industrial point sources who have a variance from the Department of Natural Resources on the timing associated with meeting their phosphorus discharge limits.

Funds must be used in the same watershed (Upper or Lower Rock River) on conservation practices that reduce phosphorus discharges. Jefferson County LWCD selected cover crops and pasture establishment as the practices to implement. Cover crop mentors are also being cost-shared to help ensure the success of the practice. Cover crops have many benefits: erosion control, adding fertility and organic matter to soil, improving soil tilth, increasing infiltration and aeration of the soil, and improving overall soil health. Establishing pastures on cropland is a way to provide cover on the land and assist grazers. Both practices will be effective in reducing phosphorus runoff from farm fields. LWCD staff are working on developing a harvestable buffer program in 2023.

The Department of Natural Resources requires that the funds be used in the highest phosphorus loading areas. Therefore, smaller watersheds in the Upper and Lower Rock River Basins were ranked by the LWCD according to the phosphorus loading for each watershed based on DNR modelling. Please see the map.

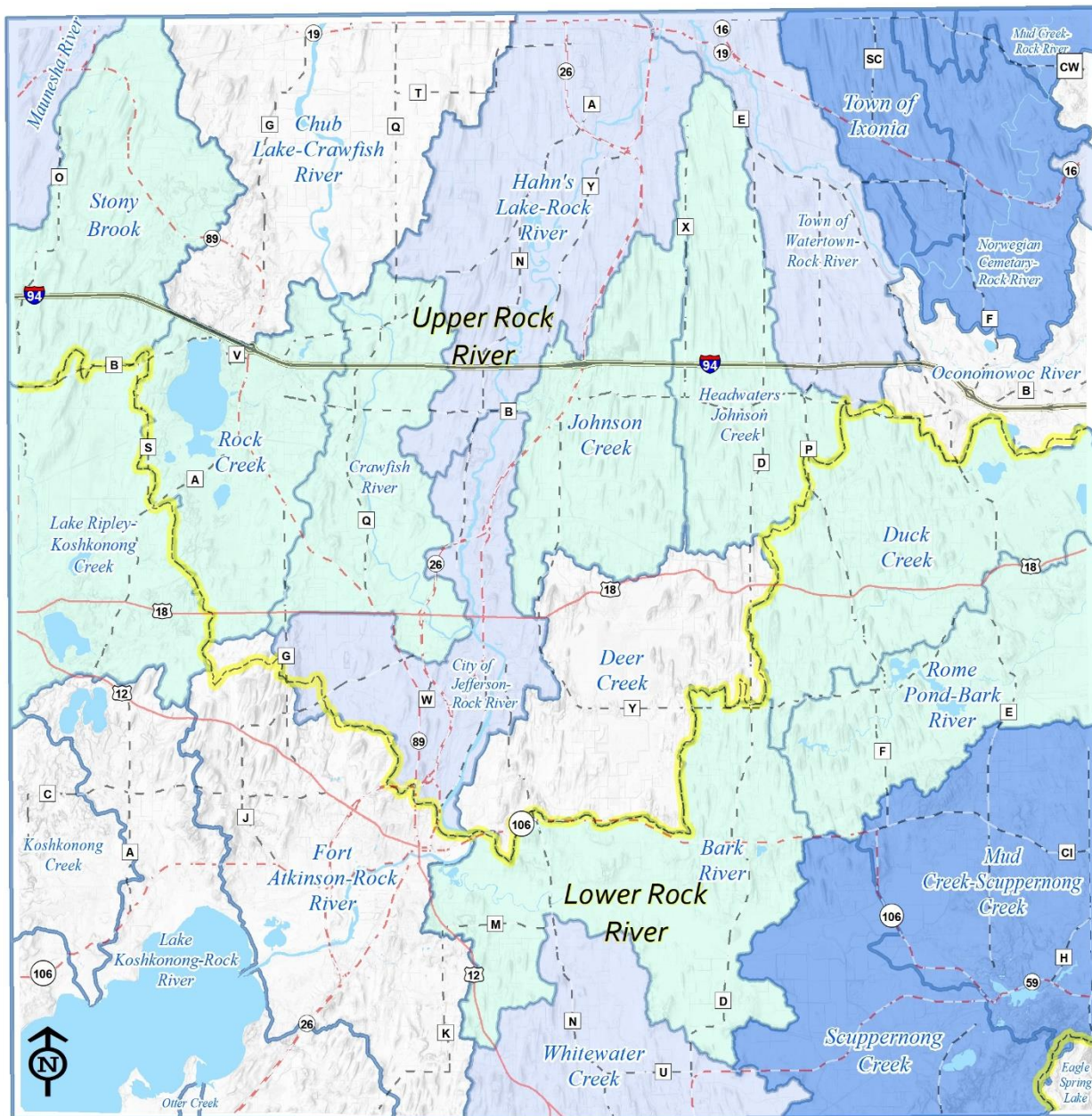
Applications for cost-sharing are ranked to make sure that the funds are spent on land that will result in the most likely reduction of phosphorus. The tables show the progress to date:

Upper Rock River Watershed				
Year	\$ Received	\$ Used	Cover Crop Acres Installed	Pasture Installed
2020	\$11,129.20			
2021	\$18,586.75	\$5,562.50	218.5 acres	
2022	\$8,269.59	\$14,450	578 acres	
2023	\$7061.21			
<b>Totals</b>	<b>\$45,046.75</b>	<b>\$20,012.50</b>		

Lower Rock River Watershed				
Year	\$ Received	\$ Used	Cover Crop Acres Installed	Pasture Installed
2021	\$2,690.27*	\$2,690.00	99.6 acres	
2022	\$59,090.19	\$16,000	470.50 acres	33.9 acres
2023	\$60,665.21**			
<b>Totals</b>	<b>\$122,445.68</b>	<b>\$18,690</b>		

\*Includes \$500 citizen donation

\*\*2023 funds listed are total expected. To date, we have received \$45,859.79.



### Jefferson County Watershed Prioritization for MDV Funding

**Priority Ranking**

- High
- Medium
- Low
- No Ranking
- Upper/Lower Rock River Watersheds



Map produced by Jefferson County Land & Water Conservation Department.  
Map sources: WIDNR Watershed Database; Jefferson County LIO  
Date: 12/9/2021

**RESOLUTION NO. 2008-15**

**Resolution establishing mechanism to fund purchase of farmland conservation easements**

WHEREAS, preserving working farmland will help maintain Jefferson County's economic base as agriculture contributes over \$440 million to county income and employs over 10,000 county residents, and

WHEREAS, over 99% of county farmland is owned by individuals, families, or family organizations and these owners pay over \$40 million in taxes, and

WHEREAS, preserving farmland also retains rural character and "small town" atmosphere, along with the County's landscape for all to enjoy, and farmers maintain many natural areas and wildlife habitats, and

WHEREAS, preserving farmland enhances the environment by recharging groundwater and protects water quality in streams, rivers, and lakes from excessive runoff, and

WHEREAS, for the Farmland Conservation Easement Commission to robustly pursue the stated goal of agricultural land preservation as set forth in the County's Land Use Plan, it is necessary for the Commission to have a source of revenue, and

WHEREAS, proceeds from the sale of county owned farmland would provide a flow of income without requiring an additional tax burden on current and future taxpayers,

NOW, THEREFORE, BE IT RESOLVED that the County Board directs the Finance Committee, on a case by case basis, to recommend to the Board allocation of the proceeds from sale of county-owned farmland to possibly increase the acreage of farmland permanently protected from development, and to leverage state and federal funds for the acquisition of conservation easements to protect farmland.

*Fiscal Note: This resolution has no current fiscal impact.*

AYES   21    
NOES    5    (Imrie, Kuhlman, Burow,  
Kannard, Torres)  
ABSENT    4     
ABSTAIN    0   

Requested by  
Farmland Conservation Easement Commission

05-13-08

Jim Mode and  
Philip C. Ristow: 03-10-08; 03-24-08



**Agricultural Land Sales: Land without Buildings and Improvements** (data from Wisconsin Agricultural Statistics)

Date	Agricultural land continuing in agricultural use			Agricultural land being diverted to other uses			Range of land continuing in ag use	
	# of transactions	Acres sold	\$/acre	# of transactions	Acres sold	\$/acre	Lowest Price	Highest Price
2021	18	956	\$6,676	2	58	\$8,726	\$4,000	\$10,000
2020	15	803	\$7,525	1	27	\$4,500	\$4,404	\$15,250
2019	14	797	\$6,686				\$5,051	\$15,000

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FROM 2023 01 TO 2023 01

ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
100 General Fund							
<b>12401 Land Conservation</b>							
12401 411100 General Property Taxes	-396,583	0	-396,583	.00	.00	-396,582.87	.0%
12401 421001 State Aid	-197,272	0	-197,272	.00	.00	-197,272.00	.0%
12401 432099 Other Permits	-150	0	-150	.00	.00	-150.00	.0%
12401 451020 Other Fees	-250	0	-250	-20.00	.00	-230.00	8.0%
12401 451421 Crep Cancellation Fee	-250	0	-250	.00	.00	-250.00	.0%
12401 458001 Tree Sales	-8,050	0	-8,050	-744.00	.00	-7,306.00	9.2%
12401 458005 Ag & Horti Supply Revenue	-50	0	-50	.00	.00	-50.00	.0%
12401 458009 Livestock Siting App Review F	-1,500	0	-1,500	.00	.00	-1,500.00	.0%
12401 458013 Farmland Cert Fee	-16,100	0	-16,100	-1,100.00	.00	-15,000.00	6.8%
12401 511110 Salary-Permanent Regular	96,281	0	96,281	7,946.21	.00	88,334.55	8.3%
12401 511210 Wages-Regular	316,691	0	316,691	21,895.99	.00	294,795.39	6.9%
12401 511220 Wages-Overtime	5	0	5	.00	.00	5.34	.0%
12401 511330 Wages-Longevity Pay	354	0	354	.00	.00	353.75	.0%
12401 512141 Social Security	29,301	0	29,301	2,125.29	.00	27,175.95	7.3%
12401 512142 Retirement (Employer)	28,107	0	28,107	1,991.63	.00	26,114.90	7.1%
12401 512144 Health Insurance	99,363	0	99,363	6,528.14	.00	92,834.89	6.6%
12401 512145 Life Insurance	52	0	52	3.59	.00	48.25	6.9%
12401 512173 Dental Insurance	5,448	0	5,448	499.09	.00	4,948.91	9.2%
12401 531100 Permits Purchased	31	0	31	.00	.00	31.00	.0%
12401 531301 Office Equipment	100	0	100	.00	.00	100.00	.0%
12401 531303 Computer Equipmt & Software	100	0	100	.00	.00	100.00	.0%
12401 531311 Postage & Box Rent	1,200	0	1,200	.00	.00	1,200.00	.0%
12401 531312 Office Supplies	350	0	350	50.90	.00	299.10	14.5%
12401 531313 Printing & Duplicating	400	0	400	1.44	.00	398.56	.4%
12401 531314 Small Items Of Equipment	250	0	250	.00	.00	250.00	.0%
12401 531324 Membership Dues	1,995	0	1,995	.00	.00	1,995.00	.0%
12401 531341 Agricultural & Horti Suppli	5,800	0	5,800	.00	.00	5,800.00	.0%
12401 531348 Educational Supplies	50	0	50	.00	.00	50.00	.0%
12401 531351 Gas/Diesel	1,450	0	1,450	.00	.00	1,450.00	.0%
12401 532325 Registration	1,600	0	1,600	721.00	.00	879.00	45.1%
12401 532332 Mileage	20	0	20	.00	.00	20.00	.0%
12401 532335 Meals	130	0	130	.00	.00	130.00	.0%
12401 532336 Lodging	750	0	750	.00	.00	750.00	.0%
12401 533225 Telephone & Fax	325	0	325	.00	.00	325.00	.0%
12401 533236 Wireless Internet	1,050	0	1,050	84.14	.00	965.86	8.0%
12401 535242 Maintain Machinery & Equip	450	0	450	.00	.00	450.00	.0%
12401 535259 Tree Planter Service	50	0	50	.00	.00	50.00	.0%
12401 535349 Other Supplies	80	0	80	28.62	.00	51.38	35.8%

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ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
100 General Fund							
<b>12401</b>							
571004 IP Telephony Allocation	637	0	637	.00	.00	637.00	.0%
571005 Duplicating Allocation	515	0	515	.00	.00	515.00	.0%
571009 MIS PC Group Allocation	14,417	0	14,417	.00	.00	14,417.00	.0%
571010 MIS Systems Grp Alloc(ISIS)	4,525	0	4,525	.00	.00	4,525.00	.0%
571020 Fleet Allocation	2,600	0	2,600	.00	.00	2,600.00	.0%
591519 Other Insurance	5,728	0	5,728	.00	.00	5,728.00	.0%
<b>12402 wildlife Crop Damage</b>							
421001 State Aid	-20,000	0	-20,000	.00	.00	-20,000.00	.0%
529299 Purchase Care & Services	20,000	0	20,000	5,646.33	.00	14,353.67	28.2%
<b>12404 Local Cost Share Program</b>							
421001 24403 State Aid	-3,300	0	-3,300	.00	.00	-3,300.00	.0%
421001 24406 State Aid	-1,303	0	-1,303	.00	.00	-1,303.00	.0%
472337 24404 Municipal Grant Revenue	-40,000	0	-40,000	.00	.00	-40,000.00	.0%
529299 24403 Purchase Care & Service	3,300	0	3,300	.00	.00	3,300.00	.0%
529299 24404 Purchase Care & Service	55,000	0	55,000	3,602.50	.00	51,397.50	6.6%
529299 24406 Purchase Care & Service	1,303	0	1,303	.00	.00	1,303.00	.0%
594950 24404 Operating Reserve	21,514	0	21,514	.00	.00	21,513.51	.0%
594950 24406 Operating Reserve	122	0	122	.00	.00	122.00	.0%
699700 24404 Resv Applied Operating	-36,514	0	-36,514	.00	.00	-36,513.51	.0%
699700 24406 Resv Applied operating	-122	0	-122	.00	.00	-122.00	.0%
<b>12405 DATCP Cost Share</b>							
421003 State Aid GPR	-12,000	0	-12,000	.00	.00	-12,000.00	.0%
421004 State Aid Bonded	-35,000	0	-35,000	.00	.00	-35,000.00	.0%
529299 24405 Purchase Care & Service	0	0	0	1,500.00	.00	-1,500.00	.0%
531343 24405 Food	0	0	0	270.91	.00	-270.91	.0%
593701 Cost Share Payment	47,000	0	47,000	.00	.00	47,000.00	.0%
<b>12406 Non-Metallic Mining</b>							
411100 General Property Taxes	13,475	0	13,475	.00	.00	13,475.00	.0%
432004 Non-Metallic Permit Fee	-900	0	-900	.00	.00	-900.00	.0%
432005 Non-Metallic Annual Fee	-11,390	0	-11,390	.00	.00	-11,390.00	.0%

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ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
100 General Fund							
12406 474175 Highway Billed	-1,925	0	-1,925	.00	.00	-1,925.00	.0%
12406 531311 Postage & Box Rent	50	0	50	.00	.00	50.00	.0%
12406 531312 Office Supplies	50	0	50	.00	.00	50.00	.0%
12406 531351 Gas/Diesel	60	0	60	.00	.00	60.00	.0%
12406 532325 Registration	260	0	260	.00	.00	260.00	.0%
12406 532335 Meals	40	0	40	.00	.00	40.00	.0%
12406 532336 Lodging	280	0	280	.00	.00	280.00	.0%
<b>12407 Farmland Easement</b>							
12407 424001 Federal Grants	-80,000	0	-80,000	.00	.00	-80,000.00	.0%
12407 458003 Farmland Easement Fee	-750	0	-750	.00	.00	-750.00	.0%
12407 481001 Interest & Dividends	-3,000	0	-3,000	-662.74	.00	-2,337.26	22.1%
12407 521219 Other Professional Serv	3,000	0	3,000	.00	.00	3,000.00	.0%
12407 531311 Postage & Box Rent	20	0	20	.00	.00	20.00	.0%
12407 531312 Office Supplies	25	0	25	.00	.00	25.00	.0%
12407 531313 Printing & Duplicating	30	0	30	.00	.00	30.00	.0%
12407 594816 Capital Conserve Easement	120,000	0	120,000	.00	.00	120,000.00	.0%
12407 594960 Capital Reserve	94,372	0	94,372	.00	.00	94,372.49	.0%
12407 699800 Resv Applied Capital	-133,697	0	-133,697	.00	.00	-133,697.49	.0%
<b>12408 County Farm</b>							
12408 411100 General Property Taxes	96,455	0	96,455	.00	.00	96,455.16	.0%
12408 482003 County Farm Land Rent	-100,427	0	-100,427	.00	.00	-100,427.00	.0%
12408 529170 Grounds Keeping Charges	1,972	0	1,972	.00	.00	1,971.84	.0%
12408 535249 Sundry Repair	2,000	0	2,000	.00	.00	2,000.00	.0%
<b>12409 Farm Drainage Board</b>							
12409 411100 General Property Taxes	-10,000	0	-10,000	.00	.00	-10,000.00	.0%
12409 514151 Per Diem	4,000	0	4,000	.00	.00	4,000.00	.0%
12409 521212 Legal	1,650	0	1,650	.00	.00	1,650.00	.0%
12409 531312 Office Supplies	250	0	250	.00	.00	250.00	.0%
12409 531313 Printing & Duplicating	150	0	150	.00	.00	150.00	.0%
12409 531324 Membership Dues	100	0	100	.00	.00	100.00	.0%
12409 531349 Other Operating Expenses	100	0	100	.00	.00	100.00	.0%
12409 532325 Registration	100	0	100	.00	.00	100.00	.0%
12409 532332 Mileage	2,150	0	2,150	.00	.00	2,150.00	.0%

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ACCOUNTS FOR:  
100 General Fund

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
12409 591513 Drainage Board Insurance	1,500	0	1,500	.00	.00	1,500.00	.0%

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	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	0	0	0	50,369.04	.00	-50,369.04	.0%