

**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, March 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 March Agenda
5. Approval of the February 21, 2018 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 2018 Report
8. Natural Resources Conservation Service (NRCS) Report
9. Discussion on LWCD March 2018 Directors Report
10. Discussion on Hoard's Dairyman Facility Update
11. Discussion and Possible Action on 2018 Wisconsin Turkey Donation Program
12. Discussion and Possible Action on Notices of Noncompliance - Farmland Preservation Program (FPP)
13. Discussion and Possible Action on Cancellation of Notices of Noncompliance - FPP
14. Review of the Monthly Financial Report (January & February)
15. Discussion and Possible Action on Purchase of Agriculture Conservation Easements (PACE) Applications
16. Discussion and Possible Action on Jefferson County Dairy Breakfast Donation
17. Discussion on Jefferson County Land & Water Conservation Report on Baseline Documentation for Easements
18. Discussion on Items for the Next Agenda
19. Next Scheduled Meeting:
 - Potential - April 18, 2018 @ 8:00 am in Room 112
20. 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.

Jefferson County Land and Water Conservation Department

March 2018 Director's Report

Reporting/Activity:

- DATCP 2019 Staffing & Operations Grant Application submitted.
- Provide training for FPP Tracking Software updates.
- Submitted 2017 Annual Report to DATCP.
- Met with Corp Council regarding potential property acquisition.
- Monthly Deposits (February) - \$ 6,291.00
- Began extracting 2017 year end reports from MUNIS.
- Completed Staff Evaluations.
- Investigated a flooding concern due to frozen soils, snow melt, and heavy rains.

Farmland Preservation Program (FPP):

- Issued 31 Certificates of Compliance.
- Issued 1 Voluntary Non-Compliance.
- Issued 7 Certificates of Compliance.
- Enrolled 2 new FPP Participants.
- Completed 10 Conservation Plan revisions.
- Fielded numerous calls regarding Annual Certification Process.

Nutrient Management /Cost Share:

- Submitted 3 completed BMP contracts to DATCP for payment.
- Reviewed 6 NMPs for compliance.
- Complete second Farmer Training class with 7 students.
- Completed 1 manure spreader calibration.

GIS:

- Shallow Bed Rock Mapping.
- Continued snowmobile mapping & trail GPS.
- Compiled Rock Lake Improvement Association mailing list.
- Updated customized FPP Tracking Software Update.

Livestock Siting Application Reviews:

- None at this time.

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.
- Scheduled department vehicle use for other departments.
- Used 2 weeks of vacation leave.
- Reviewed and approved monthly P-Card Purchases in MUNIS.
- Reconciled Jan/Feb financials in MUNIS.
- Day to day office activities.

Lakes & Streams:

Lake Ripley

- Met with the new lake manager for the Lake District to talk about the position and how we work together. Also introduced him to LWCD staff and people in other departments pertinent to his work.

Rock Lake

- Communicated with partners & volunteers on cancellation of the ice safety event.
- Attended the Joint Rock Lake Committee meeting to provide information on the Millpond Dredging Feasibility Report.
- Attended the Lake Mills City Council meeting to provide comments on the Sandy Beach study and the Millpond Dredging Feasibility report. I specifically talked about the proposed storm water control device, the proposed shore land erosion control practices, and the native plants and sensitive fish species found in the millpond.
- Communicated with partners regarding the fish sticks project. Wrote press release. Provided information to the US Army Corps of Engineers regarding the project for a nationwide permit.
- Attended the Rock Lake Improvement Association meeting to provide input on a variety of lake issues.
- Reviewed a draft memo for the city manager of Lake Mills to provide feedback on decisions that need to be made on the mill pond of Rock Lake.
- Attended a RLIA committee meeting to plan for a shore land workshop set in May.

Rock River Coalition

- Attended the Rock River Coalition meeting.

Stream Sampling Program with volunteers

- Attended a meeting with the Rock River Coalition stream monitoring team to plan for the November stream and lake monitoring conference that will be held in Whitewater.
- Attended a Rock River Coalition committee to discuss future priorities for the stream monitoring program.
- Nominated 2 stream monitors for a Wisconsin Stream Monitoring Award.

Aquatic Invasive Species

- Talked to a Farm Drainage Board member regarding aquatic invasive species that have been causing issues in dredged farm drains.
- Talked to a citizen about phragmites control.

Land & Water Conservation Committee Minutes

February 21, 2018

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), Gregg Patrick (Member), Lloyd Zastrow (Member), Frank Anfang (FSA Rep) (Anfang exited the meeting @ 8:30), and Margaret Burlingham (Public Member) were present. Also in attendance were Mark Watkins, Director, Land & Water Conservation Department (LWCD); Kim Liakopoulos, LWCD; Patricia Cicero, LWCD; Gerry Kokkonen, LWCD; Dave Terrall, USDA Wildlife Services; and Kirsten Jurcek, Glacierland Resource Conservation & Development.

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 20, 2017 Meeting Minutes:

Frank Anfang made a motion to approve the December 20, 2017 meeting minutes as written, Gregg Patrick seconded. Motion carried 7/0.

6. Public Comment:

There were no comments.

7. Communications:

- Department of Agriculture, Trade & Consumer Protection (DATCP) January & February 2018 Reports. See attached.
- Draft Resolution - Amending Land Information Plan to Include Unmanned Aircraft Systems Program. See attached.
- Blair Ward, Jefferson County Corporation Counsel, gave a short summary to inform the Committee of the offer to purchase land along Highway A. Since this is still in negotiation very little detail is available.

8. Discussion and Possible Action on Animal Damage Claims & Harvest Exemptions - Dave Terrall:

Dave Terrall discussed the Jefferson County Wildlife Damage Program 2017 Claim Summary. Gregg Patrick made a motion to accept the claim and the Harvest Waiver Exemption as recommended by Dave Terrall, Frank Anfang seconded. Motion carried 7/0.

9. Natural Resources Conservation Service (NRCS) Report:

Kathy Turner sent paperwork for the Jefferson County Conservation Stewardship Program and Cover Crops. See attached.

10. Discussion on Glacierland Resource Conservation & Development - Kirsten Jurcek:

Kristen Jurcek discussed grazing as a sustainable farming method. See attached. Gregg Patrick made a motion to allow LWCD staff to participate in field days and workshops to promote grazing as a sustainable farming method, Lloyd Zastrow seconded. Motion carried 7/0.

11. Discussion on LWCD January & February 2018 Directors Report:

Mark Watkins discussed the January & February 2018 Directors Reports. See Attached.

12. Discussion and Possible Action on DNR Healthy Lakes Grant:

Patricia Cicero discussed obtaining a cost share grant from the DNR for the purpose of implementing healthy lake practices on the shores of Rock Lake. See attached. Peter Hartz made a motion to authorize the Healthy Lakes Grant, Ed Morse seconded. Motion carried 6/0.

13. Discussion on 2017 Non-Metallic Mining Report:

Gerry Kokkonen outlined the 2017 Non-Metallic Mining Program. See attached.

14. Discussion and Possible Action on 2018 Land+Water Conservation Board Elections & Annual Conference:

The committee reviewed the Land+Water Conservation Board Candidate Bio's. After a committee discussion, Ed Morse made a motion to vote for Carl T. Chenoweth, Russell Rindsig, and David Solin, Margaret Burlingham seconded. Motion carried 6/0. The ballot will be submitted to the Land+Water Conservation Board at the 2018 Land+Water Conference in March.

15. Discussion and Possible Action on Notice of Noncompliance - Farmland Preservation Program (FPP):

Voluntary Notice - Roger & Ann Weilbacher

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

16. Discussion and Possible Action on Cancellation of Notices of Noncompliance - FPP:

There were no cancellations at this time.

17. Review of the Monthly Financial Report (Preliminary December):

The most recent statement of revenues and expenditures (Preliminary December) was discussed. The LWCD was under budget for 2017.

18. Discussion and Possible Action on Purchase of Agriculture Conservation Easements (PACE) Applications:

The Land & Water Conservation Department received one PACE application. See attached. Because of the Jefferson County application ranking score it would not be eligible for Federal funding.

19. Discussion on Jefferson County Land & Water Conservation Report on Baseline Documentation for Easements:

Nothing to report on baselines at this time.

20. Discussion on Items for the Next Agenda:

Possible agenda items include: Hoard's Dairyman Update

21. Next Scheduled Meeting:

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

22. Adjournment:

Lloyd Zastrow made a motion to adjourn at 9:25 am, Gregg Patrick seconded. Motion carried 6/0.

DATCP REPORT

March 2018

Annual Reporting

- Remember to complete the [annual reporting questions](#)¹ by **March 21, 2018**. Thanks to the counties who have already sent their reports in – we are at 28% complete!

SWRM Grants

- 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 [Working Manual](#)² is being revised to include an updated guidance on nutrient management cost-sharing (section 2.8), an electronically signed cost-share reimbursement form (Form 112) and other changes. Watch for emails from grants staff explaining the changes.

ATCP 50

- The rule revision became effective on February 1, 2018.
- A summary of changes in the revised [ATCP 50](#)³ is attached to this report.
- A letter sent to county conservationists and NM Plan writers describing how to transition to NMPs that follow the 2015 590 NM Standard is attached to this report.

2018 County Conservation/DATCP Update Meetings

- DATCP is hosting four meetings around the state this April. The purpose is to have an opportunity to talk through relevant program issues, such as manure storage ordinance updates, changes to the NM standard, livestock facility siting, and program changes due to new rules and technical standard updates. These meetings are open to conservation staff, members of the LCC, or anyone else who would like to attend. You can let us know you will be attending by visiting [the link](#).⁴ More details and an agenda will be available in March.
 - April 4 in Jefferson County UW-Extension, 864 Collins Rd, County Government Office, Jefferson
 - April 5 in Richland Center, Pippin Center, UW-Richland Center, Richland Center
 - April 10 in Town of Washington Town Hall, 5750 Old Town Hall Road, Eau Claire
 - April 17 at JP Coughlin Center, 625 E. County Road Y (Sunnyview Rd.) Oshkosh

Livestock Facility Siting and Manure Storage Ordinances

- The revision to ATCP 51 remains on hold. DATCP must start another four year review of the rule by the end of 2018.

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 plans are due back on **April 16th** when the grant applications are due.
- The next LWCB meeting is scheduled for April 3, 2018. Vilas County is scheduled for a five year review of its LWRM plan.

¹ <https://www.surveymonkey.com/r/2017LandWaterReport>

² https://datcp.wi.gov/Pages/Programs_Services/SWRMGrantProgramWorkingManual.aspx

³ http://docs.legis.wisconsin.gov/code/admin_code/atcp/020/50.pdf

⁴ <https://www.surveymonkey.com/r/2018UpdateMtgs>

Producer-led Watershed Grant Program

- [Assembly Bill 946](#)⁵ was introduced in the Legislature and proposes to increase the amount of grant funding available for producer-led groups for 2018 and 2019. If passed, the bill would increase available grant funds from \$250,000 per year to \$750,000 per year for two years.
- Interested in upcoming events hosted by producer-led watershed group? Visit our [website](#)⁶ and click on the “Upcoming 2018 Events” button.

Conservation Engineering and Drainage

- The [County Drainage Board Handbook](#)⁷ has been updated to account for new drainage legislation, including a summary of state and local permit exemptions that now apply to drainage districts.
- The revised ATCP 50 took effect on February 1, 2018. The rule establishes a clear process for the automatic renewal of a conservation engineering practitioner’s certification, unless certain conditions are not met. It also establishes a process to cancel certification if a practitioner is not employed by an entity with a supervisor who is authorized to sign the certification, fails to complete education requirements, fails to provide required information, or agrees to surrender the certification.

Farmland Preservation Program (FPP)

- The materials to petition for an Agricultural Enterprise Area are available on our [DATCP website](#).⁸ Petitions are due on June 8, 2018.
- The Rusk County Farmland Preservation Plan was approved.

Conservation Reserve Enhancement Program (CREP)

- Updated instruction forms for CREP 15-year agreements and perpetual easements are now available on the [CREP “For Counties” website](#). Updates include the new host name for the SFTP submittal site, and brief instructions on how to calculate the “length buffered” value in the Environmental Benefit Report. If only one side of a waterbody is being buffered, divide the length in half. If both sides are being buffered, then enter the full length of the waterbody being buffered.

Agricultural Impact Statements (AIS)

- AIS staff attended the Federal Highway Administration/Wisconsin Department of Transportation (WisDOT) interagency meeting.
- An AIS will be published for the proposed acquisition of farmland in Grant County by the Village of Montfort as part of the villages’ overall phosphorus reduction plan. The project will require the removal of the livestock and conversion of the barnyard to green space to reduce the phosphorus discharge to an adjacent stream.
- An AIS will be published for the proposed agricultural land acquisition by the WisDOT for the construction of a salt shed, park and ride lot, and additional road facilities near the interchange of USH 14 and CTH MM in Dane County. Construction is expected to start in the spring of 2020.

⁵ <http://docs.legis.wisconsin.gov/2017/proposals/ab946>

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

⁷ <https://datcp.wi.gov/Documents/DrainageHandbook.pdf>

⁸ https://datcp.wi.gov/Pages/Programs_Services/AgriculturalEnterpriseAreas.aspx

SUMMARY OF MAIN CHANGES IN THE NEW ATCP 50

FEBRUARY 2018

NUTRIENT MANAGEMENT

- ✓ Incorporates the 2015 Wisconsin 590 Nutrient Management Standard. The link to a detailed [summary](#) of the changes to this standard can be found on DATCP's website.¹
- ✓ Increases the associated nutrient management planning cost-sharing rate to \$10 per acre per year based on increased costs associated with soil tests and new spreading restrictions.
- ✓ Clarifies that farmers who already have an existing nutrient management plan may be required to comply with new and modified standards without receiving cost-sharing.
- ✓ Clarifies that a nutrient management plan developed to the 2015 590 standard demonstrates compliance with the phosphorus index performance standard.
- ✓ Requires a qualified nutrient management planner to complete the most current nutrient management checklist (6/22/17) for all nutrient management plans prepared under the rule. Requires the planner to retain reasonable documentation to substantiate each checklist response for the developed plans. Planners will need to make adjustments if plan meets a pre-2015 590 standard. The 2015 NM Checklist form can be found on [DATCP's NM website](#).²
- ✓ Requires manure storage facilities designed to be emptied annually or semi-annually to apply manure only to non-frozen soils in compliance with a nutrient management plan (the requirement for incorporated is removed).

FARMLAND PRESERVATION

- ✓ Allows existing farmland preservation participants to enter into a written performance schedule with a county land conservation committee to come into compliance with the 2015 590 standard while still collecting the tax credit.
- ✓ Requires a copy of a notice of non-compliance to be sent to the landowner and the Department of Agriculture, Trade and Consumer Protection, in addition to the Department of Revenue.

SOIL AND WATER RESOURCE MANAGEMENT GRANTS

- ✓ Changes the timeframe for submitting reimbursement requests for county staffing grants from July 1 to November 1 to enable counties to submit only one reimbursement request.
- ✓ Clarifies that cost-share grants may not be used to bring a permittee into compliance with requirements of their Wisconsin Pollution Discharge Elimination System permit. Cost-sharing also may not be used for activities related to nutrient trading, adaptive management, and multi-discharger variance if the result is compliance with a permit.
- ✓ Requires cost-sharing for a manure storage system to be based upon storage needs identified in a nutrient management plan.

¹ <https://datcp.wi.gov/Documents/NM590Summary2015.pdf>

² https://datcp.wi.gov/Pages/Programs_Services/NutrientManagement.aspx

COST-SHARED PRACTICES

- ✓ Updates many of the technical standard dates for cost-shared practices. Exceptions include the 2014 versions of NRCS 313 and NRCS 635.
- ✓ Landowners receiving cost-sharing may voluntarily agree to use newer standards for NRCS 313 and NRCS 635. Their agreement to do so must be captured in the cost-share contract signed with the counties. Section 3 of the cost-share contract can be used to document newer technical standards that apply to specific project.

LOCAL ORDINANCES

- ✓ Authorizes counties to require the annual submission of a nutrient management plan as part of their manure storage ordinances.

CONSERVATION ENGINEERING PRACTITIONER CERTIFICATION

- ✓ Establishes a clear process for the automatic renewal of a conservation engineering practitioner's certification, unless certain conditions are not met.
- ✓ Establishes a process to cancel certification if a practitioner is not employed by an entity with a supervisor who is authorized to sign the certification, fails to complete education requirements, fails to provide required information, or agrees to surrender the certification.



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Sheila E. Harsdorf, Secretary

Date: February 12, 2018

To: Certified Crop Advisors (CCA's), others preparing nutrient management (NM) plans for Wisconsin cropland owners and operators, and County Land Conservation Staff

From: Sara Walling
Chief, Nutrient Management & Water Quality Section
Bureau of Land & Water Resources

Subject: Transitioning to the 2015 WI NRCS 590 Conservation Practice Standard (Nutrient Management)

As of February 1, 2018 the 2015 version of the WI NRCS 590 conservation practice standard is now in effect for nutrient management plans prepared to meet the conservation compliance requirements of administrative rules ATCP 50 and NR 151. In particular this means that landowners, who have signed a nutrient management cost-share contract with their local land conservation department for the \$10/acre rate, must have a NM plan meeting the new standard for the 2018 crop year. To document compliance with the new standard, the updated 2015 NM Checklist should be submitted upon plan completion and can be found at: https://datcp.wi.gov/Pages/Programs_Services/NutrientManagement.aspx.

Many of the requirements for developing a nutrient management plan have remained unchanged including the need for current soil tests and following university recommendations for crop nutrients. The 2015 WI NRCS 590 Standard adds additional protections for groundwater and surface water resources while providing needed flexibility for actual plan implementation. Some of the new requirements include:

- Showing adequate acreage and a winter spreading plan for all farms with mechanically applied manure or organic by-products
- Prohibiting nutrient applications in areas within 50 feet of direct conduits to groundwater (exceptions for gleaning or pasturing animals and starter fertilizer for corn)
- When frozen or snow covered soils prevent incorporation:
 - Do not apply manure within 300 feet of direct conduits to groundwater
 - Do not apply liquid manure during February and March in areas where Silurian dolomite is within 60 inches of the soils surface or areas where DNR Well Compensation funds have provided replacement water supplies
 - Do not apply nutrients to fields with slopes over 6% unless the plan documents that no other fields are available and additional requirements are met

These new requirements and all other provisions of the 2015 NM Standard are being incorporated into the next release of SnapPlus. SnapPlus 17.0 and the accompanying SnapMaps will make it easier to develop NM plans meeting the 2015 Standard. As always, DATCP staff are available to help with SnapPlus training if requested.

We understand that many nutrient management plans for the 2018 crop year have already been prepared and many more are in process. It is highly encouraged that as plans are prepared, the new 2015 NM Checklist is used to document compliance even if a plan was prepared following the 2005 NM Standard. Using the 2015 NM Checklist will aid in the

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transition to the new standard and, hopefully promote discussion between plan preparer and client. If you have questions about implementing the new standard or specific requirements in your area, a good place to start is your local land conservation department. Contact information for all the land conservation offices in Wisconsin can be found here: <https://wisconsinlandwater.org/files/pdf/WILandWaterDirectory.pdf>

For additional information about nutrient management or if you have questions about SnapPlus or wish to schedule a SnapPlus training, feel free to contact any of the following DATCP staff:

Sara Walling, Chief
Nutrient Management & Water Quality Section
608-224-4501
sara.walling@wisconsin.gov

Sue Porter
Nutrient Management Specialist
608-224-4605
sue.porter@wisconsin.gov

Stephanie Schneider
Nutrient Management Specialist
715-832-6547 ext. 6019
stephanie.schneider@wisconsin.gov

Mark Jenks
Nutrient Management Specialist
608-224-4507
mark.jenks@wisconsin.gov

Thank You and Happy Planning!
Sara