

**MINUTES
LAND AND WATER CONSERVATION BOARD MEETING**

**December 7, 2021
Microsoft Teams Meeting**

Item #1 Call to Order—pledge of allegiance, open meeting notice, approval of agenda, approval of October 5, 2021 LWCB meeting minutes.

Call to Order

The Land and Water Conservation Board (Board) met via videoconference on **December 7, 2021**. The meeting was preceded by public notice as required by Wis. Stat. § 19.84. The meeting was called to order by Chairman Mark Cupp at **9:00 am** and the pledge of allegiance was conducted.

Members and Advisors Present

Members: Mark Cupp, Eric Birschbach, Bobbie Webster, Ron Grasshoff, Andrew Buttles, Mike Hofberger, Monte Osterman, Brian Weigel, Andrew Potts, Bob Mott and Sara Walling. A quorum was present.

Advisors: John Exo (Division of Extension – UW Madison), Angela Biggs (NRCS), Ian Krauss (FSA) and Matt Krueger (WI Land + Water)

Approval of Agenda

Motion

Mott motioned to approve the agenda as presented, seconded by Potts, and the motion carried unanimously.

Approval of Minutes

Motion

Webster motioned to amend the draft October 5, 2021 meeting minutes by revising the recorded second for the motion under item #11 to “Grasshoff” and correcting a typo within the WI Land + Water Agency Report, seconded by Hofberger, and the motion carried unanimously.

Motion

Webster motioned to approve the October 5, 2021 meeting minutes as amended, seconded by Hofberger, and the motion carried unanimously. The approved minutes shall be posted as the official meeting record for publication on the LWCB website.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Recommendation for Approval of Land and Water Resource Management Plan Revision for Waushara County

Ed Hernandez, County Conservationist and Josh Saykally, Specialist, Waushara County LCD and Mark Piechowski, Land, Water and Education Committee Chair, made a formal presentation in support of a 10-year approval of the County's LWRM plan. A copy of their presentation is available on the LWCB's website lwcb.wi.gov.

DATCP's review of the plan, using the LWRM Plan Review Checklist, found that the plan complies with all requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

The County provided written answers to the Board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website: lwcb.wi.gov).

Motion

After a discussion between the Board and County representatives, Hofberger motioned to recommend approval of Waushara County's LWRM plan revision for a period of 10 years, seconded by Grasshoff, and the motion carried unanimously.

Item #4 Video Series: Examples of Urban Nonpoint Management

The *Managing Stormwater with Green Infrastructure in Greendale, WI* and *Kinnickinnic River: Pulaski Park Transformation* videos, both of which were published by the Milwaukee Metropolitan Sewerage District, were presented to the Board. These videos are available online at LWCB's website lwcb.wi.gov under 2021 Meetings for December 7, 2021.

Item #5 Recommendation for Approval of Land and Water Resource Management Plan Revision for Milwaukee County

Tim Detzer, Principal Environmental Engineer, Milwaukee County Environmental Services; Felesia A. Martin, Milwaukee County Board Supervisor (7th District) and Brian Russart, Milwaukee County Parks Natural Areas Supervisor, made a formal presentation in support of a 10-year approval of the County's LWRM plan. A copy of their presentation is available on the LWCB's website lwcb.wi.gov.

DATCP's review of the plan, using the LWRM Plan Review Checklist, found that the plan complies with all requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

The County provided written answers to the Board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website: lwcb.wi.gov).

During the discussion between the Board and County representatives, Biggs speaking on behalf of the NRCS, announced the new NRCS Office of Urban Agriculture would be willing to assist Milwaukee County in matters related to urban agriculture. Milwaukee County representatives accepted the invitation.

Motion

After a discussion between the Board and County representatives, Osterman motioned to recommend approval of Milwaukee County's LWRM plan revision for a period of 10 years pending the following conditions 1) the County correct an LCD staff funding error within the 2021 Annual Work Plan and 2) respond to the Board's question on the absence of public outreach within the 2021 Annual Work Plan, seconded by Mott, and the motion carried unanimously.

Post Meeting Note: on December 16, 2021 Milwaukee County completed the pending Board requests denoted in the above motion.

Item #6 5-Minute Break

Item #7 Update on FSA Representation on County LCCs; Review of Board Powers and Duties under s. 92.04, Wis. Stats.

At the August 3rd Board meeting, the Board requested Department staff consult agency legal counsel regarding Farm Service Agency (FSA) representation on county Land Conservation Committees (LCCs). Responding to the Board's request, Lacey Cochart, DATCP presented a memo that outlined the Board authorities under Wis. Ch. 92 and the Department's response. Cochart informed the Board their August 3rd request falls outside of the statutory scope of the Board's duties under Wis. Ch. 92, therefore the Department may not intervene or provide guidance to the Board on this matter. The memo is available online at the LWCB website within the December 7, 2021 [meeting packet](#).

In addition to the memo, Cochart noted DATCP has commenced a program evaluation for the Land and Water Planning program and will continue to update land and water planning documents. Staff may reach out to LWCB members to gather feedback before the process concludes in April 2022.

During a discussion with agency representatives, Potts agreed to fulfill the Board request to have DOA attorneys review the situation with FSA representation on LCCs. Krueger, stated WI Land + Water could remove FSA designations from the WI Land + Water Members Directory. Krauss, stated he would inform FSA about the matters discussed here and report back to the LWCB at a later date.

Item #8 Recommendation for Approval of Land and Water Resource Management Plan Revision for Waukesha County

Alan Barrows, Land Resources Division Manager, Waukesha County Department of Parks and Land Use and Bill Mitchell, Land Use Parks & Environment Committee Chair, made a formal presentation in support of a 10-year approval of the County's LWRM plan. A copy of their presentation is available on the LWCB's website lwcb.wi.gov.

DATCP's review of the plan, using the LWRM Plan Review Checklist, found that the plan complies with all requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

The County provided written answers to the Board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website: lwcb.wi.gov).

Motion

After a discussion between the Board and County representatives, Osterman motioned to recommend approval of Waukesha County's LWRM plan revision for a period of 10 years, seconded by Hofberger, and the motion carried unanimously.

Item #9 Approval of Revisions to the LWRM Plan 5-Year Review Form & Plan Revision Guidance Document

Lisa Trumble, DATCP, presented to the Board revised copies of the LWRM Plan 5 Year Review Form and the Plan Revision Reference Document (previously known as the Plan Revision Guidance Document) for approval and implementation beginning in 2022. A memo summarizing the situation and copies of the revised documents are available online at the LWCB website within the December 7, 2021 [meeting packet](#).

Motion

After discussion with agency representatives, Potts motioned to approve the revised LWRM Plan 5-Year Review Form & Plan Revision Reference Document, seconded by Webster, and the motion carried unanimously.

Item #10 Approval of Proposed 2022 LWCB Annual Agenda

Mark Cupp, LWCB and Zach Zopp, DATCP, presented to the Board the proposed 2022 LWCB Annual Agenda for approval. The 2022 annual agenda is comprised of six meetings, which occur on the first Tuesday of February, April, June, August, October, and December. A copy of the proposed agenda and cover memo are available online at the LWCB website within the December 7, 2021 [meeting packet](#).

Motion

After a discussion between the Board and agency representatives, Mott motioned to approve the 2022 LWCB Annual Agenda as presented, seconded by Birschbach, and the motion carried unanimously.

Item #11 Agency Reports

FSA- Ian Krauss submitted a written report that is available online at the Land and Water Conservation Board website within the December 7, 2021 [meeting packet](#).

NRCS – Angela Biggs submitted a written report that is available online at the Land and Water Conservation Board website within the December 7, 2021 [meeting packet](#).

UW CALs & UW Ext - John Exo reported: the creation of the new Agricultural Water Quality Program that will focus on outreach; the [Wisconsin Agribusiness Classic](#) will be held from January 11 -13; general UW-CALs and UW-Extension staffing updates. In addition to the verbal report, Exo offered to continually collect input on soil and water research needs in order to facilitate a future internal discussion on the Board.

WI Land + Water- Matt Krueger reported: the annual WI Land + Water Conference will be held March 2-4 in-person; the County Conservation virtual meeting will be held December 16 & 17; summarized the status of conservation training programming, training volume and the ratio of in-person and virtual training; general WI Land + Water staffing updates.

DOA – Andrew Potts reported: DOA is reviewing the Federal infrastructure bill; working to implement items that were removed from the Governor’s Budget with Federal funding.

DATCP – Sara Walling submitted a written report that is available online at the Land and Water Conservation Board website within the December 7, 2021 [meeting packet](#). In addition to the written report, Walling reported: the scope statement of ATCP 50 was approved by the DATCP Board and DATCP is currently collecting feedback on the scope statement; general DATCP staffing updates.

DNR – Brian Weigel submitted a written report that is available online at the Land and Water Conservation Board website within the December 7, 2021 [meeting packet](#). In addition to the written report, Weigel reported: DNR program highlights are available on the [DNR Story Map](#) website; the DNR has concluded work on the Targeted Performance Nitrate Standard and will no longer seek to create a new rule.

Member Reports – Cupp reported that he would work with DATCP to draft a letter reminding Adams County of the need to report to the LWCB for a LWRM plan checkup.

Item #12 Planning for the February 2022 LWCB meeting

The Board should expect the following at the next LWCB meeting:

- One LWRM plan revision (Florence County)
- One LWRM 5-year plan review (Washburn County)
- CREP Program Update
- An update from the Chair on input from stakeholders and public on nonpoint funding
- Election of LWCB 2022 Officers

Item #13 Adjourn

Motion

Birschbach motioned to adjourn, seconded by Walling, and the motion carried unanimously. The meeting was adjourned at 1:03pm.

Respectfully submitted,



2/03/2022

Bobbie Webster, Secretary

Date

Recorder: ZZ, DATCP