

MINUTES
LAND AND WATER CONSERVATION BOARD MEETING

February 2, 2021
Microsoft Teams Meeting

Item #1 Call to Order—pledge of allegiance, open meeting notice, approval of agenda, approval of December 1st, 2020 LWCB meeting minutes.

The meeting was called to order by Chairman Mark Cupp at 9:00 a.m.

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

Advisors present: Ian Krauss (FSA), Angela Biggs (NRCS) and Francisco Arriaga (UW-CALS)

Department staff present: Lisa Trumble, Katy Smith, Lacey Cochart, Jennifer Heaton-Amrhein, Alex Elias, Kim Carlson, Susan Mockert, and Zach Zopp (DATCP).

Zopp confirmed that the meeting was publicly noticed.

The pledge of allegiance was conducted.

Mott moved to approve the agenda as presented, seconded by Webster, and the motion carried unanimously.

Hofberger made a motion to approve the December 1st, 2020 meeting minutes as written, seconded by Grasshoff, and the motion carried unanimously.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Election of 2021 Officers

The Board conducted an election of officers from the floor in the following order:

Grasshoff nominated Bobbie Webster as Secretary, seconded by Hofberger. Potts moved to close nominations, seconded by Weigel. The LWCB Chair closed nominations. Bobbie Webster was elected to serve as 2021 LWCB Secretary by a unanimous voice vote.

Walling nominated Eric Birschbach as Vice Chair, seconded by Webster. Hofberger moved to close nominations, seconded by Mott. The LWCB Chair closed nominations. Eric Birschbach was elected to serve as 2021 LWCB Vice Chair by a unanimous voice vote.

Grasshoff nominated Mark Cupp as Chair, seconded by Osterman. Grasshoff moved to close nominations for Chair, seconded by Mott. The LWCB Chair closed nominations. Mark Cupp was elected to serve as 2021 LWCB Chair by a unanimous voice vote.

Item #4 Board Authority and Duties (Required and Recommended Actions)

Katy Smith and Zach Zopp DATCP, presented to the Board a memo reviewing the LWCB authorities and duties as established under Wis. Stats chp. 92 and ATCP 50. A copy of the Board authorities and duties memo is available online at the Land and Water Conservation Board website within the February 2nd, 2021 [meeting packet](#).

The Board discussed the following: the process DATCP uses to review county Land and Water Resource Management (LWRM) plans prior to consulting with the Board; the LWRM Plan Review Checklist used by DATCP; how LWRM plan deficiencies are addressed between DATCP and counties prior to the Board's review.

Item #5 Recommendation for approval of Land and Water Resource Management Plan revision for Jefferson County

Patricia Cicero, Director, Jefferson County LWCD and Matt Foelker, Land and Water Conservation Committee Chair, made a formal presentation in support of a 10-year approval of the county's LWRM plan.

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.

Jefferson County Land and Water Conservation Department 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).

The Board and county representatives discussed the following: community support for the farmland preservation program and causation for recent decreasing participation; historic memorandum of understanding (MOU) with the WI DNR regarding implementation of NR 151 and renewal of the MOU; nitrate contamination within private drinking water wells; availability of county staff, staff duties, and adequacy of staffing levels; funding for future conservation easements; efforts to address climate change resiliency within the LWRM plan; improvements to the farmland preservation program (i.e increase the tax credit) in order to increase participation; reaching agricultural landowners not currently enrolled within farmland preservation in order to increase compliance with erosion and nutrient standards.

Hofberger moved to recommend approval of Jefferson County's plan revision for a period of 10 years, seconded by Webster, and the motion carried unanimously.

Item #6 Recommendation for approval of Land and Water Resource Management Plan revision for Marathon County

Paul Daigle, Land and Water Program Director, Marathon County Conservation, Planning and Zoning Department and Jacob Langenhahn, Environmental Resources Committee Chair, made a formal presentation in support of a 10-year approval of the county's LWRM plan.

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.

Marathon County Conservation, Planning and Zoning Department 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).

The Board and county representatives discussed the following: livestock facility licensing in the county and the county’s livestock facility siting ordinance; the county’s reliance on the WI DNR to oversee CAFO permit compliance; status of ginseng farming in the county; reviewing private septic systems and ensuring they are maintained and in compliance; Marathon County’s ability to meet phosphorus limitations under DNR TMDL regulations and farms achieving a phosphorus index (PI) under 2.5; percent of agricultural land within nutrient management plans; the county’s community engagement programs (Eau Pleine Partnership for Integrated Conservation “EPPIC”, producer led, government led, private groups etc.), program logistics pre & post COVID pandemic; soil health initiative and managed grazing; how the City of Wausau is engaged with construction permits to reduce sediment losses; the county’s response to metallic mining state law changes.

Mott moved to recommend approval of Marathon County’s plan revision for a period of 10 years, seconded by Osterman, and the motion carried unanimously.

Item #7 Recommendation for approval of Land and Water Resource Management Plan revision for Marinette County

Tim Oestreich, Assistant Land Information Director, and Sarah Topp, County Conservationist, Marinette County LWCD and Ted Sauve, Land Information Council Development Committee Chair, made a formal presentation in support of a 10-year approval of the county’s LWRM plan.

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.

Marinette County Land and Water Conservation Department 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).

The Board and county representatives discussed the following: outreach and public education approaches utilized by the county for nutrient management and soil health; winter spreading of manure and the county’s manure spreading ordinance; county staffing and adequacy of staffing levels; outreach to county Lake Associations; the county’s groundwater sampling program, potential to work with the University of Wisconsin-Stevens Point to increase the county’s water quality dataset and working with county public health department to map and build well logs; the county’s efforts to work with agricultural producers to understand and comply with NR 151; impacts to air and water from the 53 permitted gravel pit and or sand mines in the county; predation in rotational grazing systems from wolves or other carnivores; outreach and education strategy for nutrient management in 2021 and beyond.

Weigel moved to recommend approval of Marinette County’s plan revision for a period of 10 years, seconded by Birschbach, and the motion carried unanimously.

Item #8 Approval of a Soil and Water Resource Management Program Waiver for Oneida County

Jenni Heaton-Amrhein, DATCP presented to the Board a request from Oneida County for a one-year waiver of ATCP 50.34 (6)(a)4., Wis. Adm. Code, which limits extending funding for the same contract to one additional year. The memo addressing the Oneida County request is available online at the LWCB website within the February 2nd, 2021 [meeting packet](#).

Jenni Heaton-Amrhein stated DATCP received only one waiver request this year (i.e Oneida County). Oneida County is requesting three waivers for the full contract amount for two separate stream bank restoration projects and the remnant costs of a third contract. If the waivers are approved, Oneida County would install the projects in spring 2021.

Mott motioned to approve three one-year waivers to Oneida County from ATCP 50.34 (6)(a)4 for the requested projects, Webster seconded and the motion carried unanimously.

Item #9 Gathering input from stakeholders and public on nonpoint funding

Cupp, LWCB Chair requested to delay this item till the April meeting so that the Board could evaluate items that are included in the state budget.

Item #10 Increasing Public Awareness of LWRM Plan Renewal Approvals

Hofberger, LWCB, discussed scaling back the original intent to increase the public awareness of Land and Water Resource Management Plans. Hofberger proposed that the LWCB consider having the LWCB Chair send a letter of recognition to County Board and Land Conservation Committee Chairs to congratulate them on LWRM plan revision approvals.

The Board discussed the following: options for press releases; the complexity of press releases; how the complexity of a press release may hinder timeliness of a press release; increased efforts required for DATCP staff to produce press releases; sending a letter to the state legislature.

The Board stated a general agreement to support sending a letter of recognition to County Board and Land Conservation Committee Chairs. Cupp, stated he would further discuss proposed actions with DATCP staff and report back in the April meeting.

Item #11 Climate Change Resiliency and LWRM Plans Discussion

Katy Smith, Lisa Trumble and Zach Zopp, DATCP presented to the Board a memo that outlined conflicts that have arisen with the Board's December 2020 motion to include the two questions submitted by a WI Land + Water committee of county conservationists in an [October 28, 2020 memo](#). The WI Land + Water committee was convened, at the request of the Board, to evaluate recommendations for incorporating climate change resiliency into Land and Water Resource Management (LWRM) Plans. In order to resolve the conflicts with the December 2020 motion, DATCP staff recommended the Board consider rescinding the motion related to Climate Change Resiliency and LWRM Plans Discussion dated December 1, 2020 and then adopt a new motion. The DATCP staff memo is available online at the LWCB website within the February 2nd, 2021 [meeting packet](#).

The Board discussed the following: options to keep new questions voluntary; possibility of tailoring the new questions to each county or using standardized questions; retaining a reference to the WI Land + Water Committee memo; clarifying the use of the LWRM Plan Review Checklist as an internal document for the purposes of DATCP and the Board; prioritizing the climate change resiliency questions for full plan revisions over five year reviews; support to amend statutes and/or administrative

rule to consider climate change within a county's LWRM Plan; LWCB Chair to send a thank you letter to WI Land + Water.

Grasshoff motioned to rescind the December 1, 2020 climate change resiliency motion and add a voluntary question using the language presented by DATCP at the February 2, 2021 LWCB meeting, including a reference to the WI Land + WI Committee memo, to the Board's Review of LWRM Plan Revision Questionnaire. Mott, seconded the motion and the motion carried unanimously.

Item #12 Agency Reports

FSA- Ian Krauss submitted a written report that is available online at the Land and Water Conservation Board website within the February 2nd, 2021 [meeting packet](#). In addition to the written report, Ian also reported: the Conservation Reserve Program (CRP) 56th general enrollment period runs from January 6 – Feb 12, 2021; forest management incentive announced for eligible CRP participants; FSA is accepting applications for Corona Virus Assistance Program Jan 19- Feb 15, 2021.

NRCS – Angela Biggs submitted a written report that is available online at the Land and Water Conservation Board website within the February 2nd, 2021 [meeting packet](#). In addition to the written report, Angela also reported: The NRCS hired Jennifer Smith as the new state soil scientist and she will start March 14; the NRCS will be advertising for state Conservation Innovation Grant (CIG) opportunities.

UW CALs, UW Ext- Dr. Arriaga reported: The UW System and UW programming has received substantial budget cuts as a result of budget loses from the COVID pandemic; UW-Madison campus is allowing persons to come on campus if the person has tested negative for COVID within the past eight days; WI cover crops conference will be held virtually this year; UW-Madison is collaborating with the DNR and NRCS to create a nitrate leaching index.

WI Land + Water- Osterman reported: the 68th annual WI Land+Water conference will be held virtually from March 2 - March 5 and registration is now open; WI Land+Water is looking for long term private and government sponsorships, anyone with suggestions for sponsorships is asked to please contact Mike Hofberger, LWCB or Matt Krueger, WI Land+Water Advisor.

DOA – Andrew Potts reported: the budget will be out on February 16th and the budget contains a lot of content related to Land and Water Issues.

DATCP – Sara Walling submitted a written report that is available online at the Land and Water Conservation Board website within the February 2nd, 2021 [meeting packet](#). In addition to the written report, Sara reported: DATCP will be recruiting for an Nutrient Management Specialist to replace Ryan Erisman whom resigned in February; the Agricultural Enterprise Area (AEA) program is accepting petitions for new AEA through August 2, 2021; the Airborne Electromagnetic (AEM) survey project is active and flying over northeastern WI, for more information [click this link](#); the Surface and Groundwater Monitoring Unit has produced materials related to field edge monitoring and sampling.

DNR – Brian Weigel submitted a written report that is available online at the Land and Water Conservation Board website within the February 2nd, 2021 [meeting packet](#). In addition to the written report, Brian reported: the DNR reported a record high number of construction site applications for stormwater in 2020 despite the COVID pandemic; CAFO workshops are taking place virtually; Non-Point Source (NPS) grants are due April 15th 2021 for the 2022 grant cycle.

Member Reports - Webster reported the [Growing Stronger](#) conference is being held February 22 – 27

Item #13 Planning for April 2021 LWCB meeting

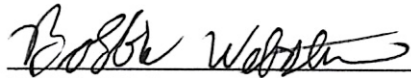
In addition to the items identified in the proposed 2021 annual agenda, the Board should expect the following at the April meeting:

- Four LWRM plan five year reviews (Dunn, Crawford, Sawyer and Shawano Counties)
- Budget Report
- Approval of the Supplemental Allocation
- February 2021 LWCB agenda items #9, #10 and #11 have been carried over to April 2021

Item #14 Adjourn

Mott moved to adjourn, seconded by Potts, and the motion carried unanimously. The meeting was adjourned at 12:59 pm.

Respectfully submitted,



Bobbie Webster, Secretary

4/6/2021
Date

Recorder: ZZ, DATCP