

**MINUTES  
LAND AND WATER CONSERVATION BOARD MEETING**

**April 2, 2019  
Boardroom 106  
Wisconsin Department of Agriculture, Trade and Consumer Protection  
2811 Agriculture Drive, Madison, Wisconsin**

**Item #1      Call to Order—pledge of allegiance, open meeting notice, approval of agenda, approval of February 5, 2019 LWCB meeting minutes.**

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The meeting was called to order by Chairman Mark Cupp at 10:02 a.m. Members Eric Birschbach, Brad Matson, Ron Grasshoff, Lynn Harrison, Dave Solin, Monte Osterman, Brian Weigel, Sara Walling, and Andrew Potts were in attendance. A quorum was present. Advisors Angela Biggs (NRCS) and Matt Krueger (WI Land + Water) also were present. Others present included DATCP Secretary Brad Pfaff, Mary Ann Lowndes, DNR; Richard Castelnuovo, Lisa Trumble, and Chris Clayton, DATCP.

Clayton confirmed that the meeting was publicly noticed.

The board made introductions, including new board members Brad Matson, Ron Grasshoff, Monte Osterman, and Brian Weigel.

Harrison moved to approve the agenda as presented, seconded by Solin, and the motion carried.

Potts moved to approve the February 5<sup>th</sup> meeting minutes as presented, seconded by Walling, and the motion carried.

DATCP Secretary Brad Pfaff spoke to the board, commenting on issues facing agriculture and the board's role in fostering public discussion on land and water conservation policy at the state level.

**Item #2      Public Appearances**

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No public appearance cards were submitted.

**Item #3      Rock County Groundwater Nitrate Work Group**

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Tom Sweeney, Rock County Conservationist, and Rick Wietersen, Rock County Public Health Department, presented on nitrate monitoring results from public and private drinking water wells and the county's efforts to identify methods to reduce nitrate levels in groundwater.

Board members and Rock County representatives discussed the following: staff time involved in working on this issue; potential human health risks due to elevated nitrate levels; potential health risks to livestock; the value of the nitrate work group in building awareness and support in the agricultural community for this work; the value of the Farmland Preservation Program in maintaining conservation practices and the decline in FPP participation in Rock County; groundwater quality is viewed as an issue needing to be addressed by the county's land conservation and health departments.

**Item #4      Recommendation for approval of Land and Water Resource Management Plan revision for Kewaunee County**

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Davina Bonness, Kewaunee County Land and Water Conservation Department, and Chuck Wagner, 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.

Kewaunee County Land Conservation Department provided written answers to the board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website: [https://datcp.wi.gov/Pages/About\\_Us/LandWaterConservationBoard.aspx](https://datcp.wi.gov/Pages/About_Us/LandWaterConservationBoard.aspx)).

Board members and Kewaunee County representatives discussed the following: county work to identify soil depth to bedrock in farm fields; using manure irrigation on growing crops as a means of fertilizing and reducing the risk of runoff; demonstration farms network in the county; conservation projects on different farms related to anaerobic digesters, manure separation, and water treatment technologies; county efforts to communicate with farmers and rural residents; the importance of documenting practice implementation and data results.

Birschbach moved to recommend approval of Kewaunee County's plan revision for a period of 10 years, seconded by Solin, and the motion carried.

**Item #5      Report on Governor's Proposed Budget for DNR and DATCP nonpoint programs  
(and potential board resolution)**

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Castelnuovo, DATCP, and Mary Anne Lowndes, DNR, reported on Governor Evers' proposed budget for conservation and nonpoint pollution control programs including proposed increases in grant funding for county staffing, nutrient management, producer led watershed groups, Targeted Runoff Management, and Notice of Discharge.

Following the presentation, the board took up a draft resolution that expressed support for the following: adequate technical assistance and cost-share funding for compliance with agricultural performance standards, efforts to ensure adequate resources available for counties to carry out their role in implementing the nonpoint source pollution control program, increases funding for conservation and other program proposed in the Governor's biennial budget. The resolution also requested that the DATCP Secretary study the viability of alternative dedicated funding sources to fully implement the state's conservation and nonpoint pollution control programs, and that DATCP provide a report on this study to the LWCB before February 1, 2020 in anticipation of the next biennial budget.

The board discussed the following: the structural deficit of the Nonpoint Account that provides the SEG funding for many key programs; the importance of identifying alternative funding sources for the state's conservation and nonpoint pollution control programs; whether to name specific alternative funding sources in the draft resolution; how the draft resolution relates to the Governor's proposed budget initiatives and agency processes for making budget requests; potential collaboration between the state agencies and the board on a report;

Grasshoff moved to adopt the draft resolution as presented, seconded by Birschbach, and discussion ensued.

Osterman moved to amend the second resolve clause to include the following: "...and promote efforts to ensure that adequate resources are available for counties to carry out their important role of support for rural, urban, and developing communities." The motion was seconded by Matson, and the amendment carried.

Harrison moved to delete the last two resolve clauses from the draft resolution, seconded by Solin. Following board discussion, the motion failed to pass

The board voted on the motion to adopt the draft resolution as presented with the amended language under the second clause, and the motion carried with abstentions from the DNR and DATCP agency representatives.

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**Item #6      Extension of DATCP projects from 2018 into 2019**

Castelnuovo, DATCP, reported on last year's projects extended into the current calendar year, totaling \$2.6 million in bond and SEG grant funding and \$195,000 in cooperator grant funding.

Harrison moved to recommend approval of extensions of DATCP projects from 2018 into 2019, seconded by Grasshoff, and the motion carried.

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**Item #8      Recommendation for approval of Land and Water Resource Management Plan revision for Price County**

Evan Lund, Price County Land Conservation Department, and Nicholas Trimner, Price County Administrator, 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.

Price County Land Conservation Department provided written answers to the board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website: [https://datcp.wi.gov/Pages/About\\_Us/LandWaterConservationBoard.aspx](https://datcp.wi.gov/Pages/About_Us/LandWaterConservationBoard.aspx)).

Board members and Price County representatives discussed the following: causes of impaired waters; Lake Management Planning Grant opportunities; work with municipalities to explore Adaptive Management implementation opportunities; general lack of support in the county for zoning and development of a manure storage ordinance; the county focus on maintaining existing water resources.

Matson moved to recommend approval of Price County's plan revision for a period of 10 years, seconded by Harrison, and the motion carried.

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**Item #9      Review of proposed DNR rule related to NR 154 cost-sharing standards for DNR programs**

Ann Hirekatur, DNR, summarized the proposed changes to NR 154, which identifies agricultural and urban best management practices eligible for funding under the state's nonpoint source pollution control grant programs and conditions for cost-sharing these practices. Hirekatur stated that the proposed rule changes are meant to keep NR 154 consistent with ATCP 50 and identify technical standards for new urban practices.

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**Item #10      CREP Status Update**

Brian Loeffelholz, DATCP, provided an update on the Conservation Reserve Enhancement Program, including eligibility for enrolling lands, conservation practices, contract options, financial incentives and payments, and program participation across the state.

**Item #11 Discussion of next steps following endorsement of surface water and groundwater quality goals**

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Cupp, LWCB Chair, recognized the surface water quality and groundwater quality goals of the Food, Land and Water Project, which were endorsed by the board. He reported that the board will continue to work toward achieving the goals, by bringing in relevant information to the board and taking information out to those who can assist in implementing the programs needed to achieve these goals. Watch for additional presentations on these topics at future board meetings.

**Item #12 Agency Reports**

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**NRCS** – Biggs reported that NRCS has not receive final appropriation numbers. EQIP is moving forward with obligating contracts. The deadline for the next round of EQIP funding and grant funding for competitive agreements is May 17<sup>th</sup>. Steve Becker will be the new state engineer, and NRCS is in the process of filling additional positions.

**DATCP** – Walling reported that DATCP is in the middle of partner meetings around the state with counties, DNR, and NRCS. The department along with DNR and DHS provided testimony to the Assembly Speaker’s water quality task force at the Capitol.

**DNR** – Weigel reported that the TRM and Urban Planning grants are due on April 15<sup>th</sup>. DNR is working through implementation of the targeted performance standards for areas with Silurian bedrock; for example, incorporating the prohibitions, restrictions, and requirements into CAFO permits.

**LWCB Chair** – Cupp reported on open board seats and asked board members to submit names of individuals who wish to represent the farming community and large municipalities.

**Item #13 Planning for June 2019 LWCB meeting**

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- The June LWCB meeting will take place in Chippewa County and include agenda items pertaining to groundwater quality.
- Three LWRM plan revisions (Burnett, Calumet, and Chippewa Counties).
- Meeting packet will include a written report on 2020 grant applications.
- Discussion on the mechanism by which a report will be generated by DATCP per the board’s resolution under Agenda Item #5.

**Item #14 Adjourn**

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The meeting was adjourned at 2:50pm.

Respectfully submitted,



Eric Birschbach, Secretary



Date

Recorder: CC, DATCP