

**MINUTES
LAND AND WATER CONSERVATION BOARD MEETING**

**August 7, 2018
DATCP Board Room
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 June 5, 2018 LWCB meeting minutes.

The meeting was called to order by Chairman Mark Cupp at 9:00 a.m. Members Eric Birschbach, Lynn Harrison, Dave Solin, Pat Laughrin, Keith Foye, and Mary Anne Lowndes were in attendance. A quorum was present. Advisor Angela Biggs (NRCS) also was present. Others present included Laurie Elwell, Wisconsin Master Naturalist Volunteer; Ann Kirekatur, DNR; Richard Castelnuovo, Lisa Trumble, Coreen Fallat, and Chris Clayton, DATCP.

Clayton confirmed that the meeting was publicly noticed.

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

Solin moved to approve the June 5th meeting minutes as presented, seconded by Harrison, and the motion carried.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Review of Richland County Land and Water Resource Management Plan

Cupp provided background for the county's appearance before the Board: while recommending approval of the county's 5-year review at the August 2017 meeting, the Board expressed concern about the level of support shown by the county LCC and county board; the Board conditioned approval on a return to the Board in one year to review the county's annual work plan; DATCP staff have visited with county LCD staff to discuss implementation of the LWRM Plan.

Cathy Cooper, Richland County, and Steve Williamson, Land Conservation Committee Chair, reported on the following: changes in the membership of the LCC; efforts to communicate with the LCC about LWRM Plan implementation; efforts to train and educate new LCC members; increased acreage under nutrient management plans, in part due to the Farmland Preservation Program; work with DATCP to do NMP trainings; work with sewage treatment utilities implementing agricultural and streambank BMPs to comply with the phosphorus standard; ongoing work to decommission private wells; communicating with well drillers to build awareness of well contamination risks and issues.

The Board discussed the following: actions to address ground water contamination issues in the county; suggestions for making the county's workplan goals much clearer to facilitate more conservation work in the county; using the Farmland Preservation Program and windshield surveys as means to make progress in implementing state performance standards.

Birschbach moved to find that the Richland County has satisfactorily made improvements to address the Board's concerns, seconded by Harrison and the motion carried.

Item #4 Presentation on riparian property owner’s guide to a healthy river

Elwell reported on a guide she developed for private property owners to communicate a variety of actions to help protect the health of the river. The guide targets property owners along the Lower Wisconsin River, and Elwell mailed a hard copy to those individuals. Elwell is communicating with several people and institutions to discuss implementing the actions laid out in the guide. Elwell replicated this work with the UW Arboretum, creating a guide for nearby property owners to help protect the health of the Lake Wingra Watershed.

The Board discussed ways of approaching private landowners to engage on the issue of taking personal actions to protect waterways and messaging to private landowners. Birschbach requested DATCP staff to make electronic versions of both guides available to the Board for sharing.

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

Ellen Denzer, Liz Osborne, and Kyle Kulow, St. Croix County, and Dan Hansen, Community 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.

St. Croix County Community Development 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).

Board members and county representatives discussed the following: scenic amenities in the county, and in particular in the St. Croix River Valley; residential growth in the rural landscape; planning efforts to address concerns surrounding rapid growth and development of agricultural land; addressing new septic systems and wells; the county’s new position dedicated to FPP, erosion control and construction site standards implementation and follow-up work; enforcement through a MOU with DNR delegating enforcement authority related to the state’s performance standards, FPP certification, and monitoring of manure storage permits; ground water contamination issues; results from a county workgroup that investigated ways to address and make progress on ground water contamination issues, including ways the state and possibly the LWCB can assist; use of both nitrate and pathogen data to identify ground water problems; correlation between areas of highest nitrate contamination and areas of highest concentrations of animal agriculture; outcomes of merging departments several years ago.

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

Item #6 Report on 2019 Joint Preliminary Allocation Plan

Castelnuovo compared staffing grant levels per county to the last allocation of funds, and he reported that bond funds decreased due mostly to less carry-over of funds and few counties have applied for the maximum amount of SEG funds for nutrient management. Castelnuovo confirmed for the Board that the state’s nonpoint funding account is carrying a high debt load.

Hirekatur reported on the requests made for funding through Targeted Runoff Management Grants. The total amount requested was similar to the last round of TRM Grant funding, though an increased

number of requests were made to fund large-scale projects. Twenty-five requests were made to fund projects under Urban Nonpoint Source and Storm Water Management grants.

The Board discussed the following: pending decisions for funding urban nonpoint source and storm water grant requests; issues with the nonpoint fund account as described in the Environmental Assessment; staffing grant allocations and the statutory goal to fully fund three positions per county; flipping the funding equation around to have the county's third position – the technician position – funded as the 95% conservation position, and how would that might change the funding results.

Item #7 Scores and ranked lists of Targeted Runoff Management and Urban Nonpoint Source and Storm Water Grant projects for CY 2019

Hirekatur reported on the rankings of proposed projects for TRM and UNPS & SW Grants as part of her report on agenda Item #6.

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

Lynda Schweikert and Erik Heagle, Grant County, and Mike Lieurance, Conservation, Sanitation, and Zoning Committee member, 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.

Grant County Conservation, Sanitation, 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: https://datcp.wi.gov/Pages/About_Us/LandWaterConservationBoard.aspx).

Board members and county representatives discussed the following: notification of FPP certification and compliance with the performance standards; contacting private well owners to conduct a ground water study; the county well decommissioning program; promotion of programs using local media; testing methods for sampling ground water; county board commitment to land conservation including \$20,000 budgeted from the county for cost share; outcomes of having merged departments within the county; possibly starting a producer led watershed group in the county.

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

Item #10 Report on 2017 program accomplishments by counties

Fallat reviewed the 2017 WI Land and Water Conservation Annual Report and reported on the following: outreach related to the report including dissemination of the report to state legislators; the use of funds and time spent to support land and water conservation work in 2017; success stories from different counties; methods used to estimate soil and phosphorus loss reductions; a state effort to develop a BMP and pollutant reduction tracking tool; data demonstrating achievement of goals and targets related to land and water conservation and future directions.

Item #11 Agency Reports

NRCS – The agency will start filling vacancies again. Funding for EQIP will increase by \$10 million from last year. There is a backlog of interest for programs. A new Farm Bill is being discussed.

NRCS is streamlining the application process for multiple programs and making changes to the agency's evaluation of applications.

DATCP – Applications for the next round of Producer Led Watershed Grants are due September 17. There is an appeal before the Livestock Facility Siting Review Board from a farm in Brown County that was denied a siting permit. DATCP has hired a nutrient management specialist.

DNR – Guidance on how to define a significant discharge is out for comment. Many counties are already training on this. NR 154, defining technical standards for DNR cost sharing, is being updated. NR 153 may be applied in a way to help implement targeted performance standards. Regarding WPDES permits, the targeted performance standards will be implemented as permits are renewed. In the meantime, CAFOs adding a farm field to their operation will need to immediately implement the targeted performance standards on that field.

LWCB Chair – Birschbach has questioned the expiration of his term on the Board. Harrison is looking for a replacement following the end of his term.

Item #12 Planning for October 2, 2018 LWCB Meeting

- Final allocation plan
- Two plan revisions and one county revisit
- Food, Land and Water Project goals endorsement

Item #13 Adjourn

Harrison moved to adjourn, seconded by Birschbach, and the motion carried. The meeting was adjourned at 1:33pm.

Respectfully submitted,



Eric Birschbach, Secretary

10/2/18

Date

Recorder: CC, DATCP