MINUTES
LAND AND WATER CONSERVATION BOARD MEETING

February 3, 2015

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, roll call, appointment of a Secretary for the meeting, approval of agenda, approval of December 2014 LWCB meeting minutes.

The meeting was called to order by Chairman Mark Cupp at 9:01 a.m. Members Eric Birschbach, Lynn Harrison, Dale Hood, George Mika, MaryAnne Lowndes, John Petty, and Dave Solin were in attendance, with Robin Leary participating via teleconference. Advisors Jim VandenBrook and Curt Calkins (WI Land + Water) were present. Richard Castelnuovo and Lisa Trumble also were present for DATCP.

Trumble confirmed that the meeting was publicly noticed, as required. Cupp appointed Birschbach to serve as Secretary for the meeting.

Regarding the meeting agenda, Petty requested that item 9 be moved to the next meeting if time does not allow discussion at today's meeting. Harrison moved to approve the agenda as presented. Petty seconded. The motion carried. Leary moved to accept the December 2, 2014 meeting minutes as presented. Petty seconded. The motion carried.

It was noted that Hood and Solin were administered their Oaths of Office.

The LWCB and DATCP recognized the service of former board member Chuck Wagner.

The appointment status of board members was reviewed. The governor initiates new and continuing appointments to the Board. Anyone interested in the matter can go on line and fill out a form at governor's website.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Elections

The board conducted an election of officers, in the following order:

Motion by Petty, second by Leary to nominate Cupp as Chair. Motion by Petty, second by Solin to close nominations and cast a unanimous ballot for Cupp. Motion carried.

Motion by Petty, second by Birschbach to nominate Harrison as Vice Chair. Motion by Petty, second by Hood to close nominations and cast a unanimous ballot for Harrison. Motion carried. Motion by Petty, second by Leary to nominate Birschbach as Secretary. Motion by Petty, second by Harrison to close nominations and cast a unanimous ballot for Birschbach. Motion carried.

Item #4 Waiver of ATCP 50 rule provision

Castelnuovo began by presenting background on this waiver, which is intended to implement the recommendations of a Lean Six Sigma project initiated by DATCP to analyze the processing of staffing grant reimbursement requests. The project recommendations include improving efficiency and redesigning the payment system to encourage counties to submit only one reimbursement request, instead of two each year. A key step in the redesign is to delay the deadline for submitting the first reimbursement request to November 1 of the grant year.

Discussion of the proposal focused on the advantages of this change and did not disclose any problems with counties switching to one reimbursement request for staffing. The Board recommends sending a notice out to counties once the waiver has been signed. Lowndes added additional information about the Lean Six process. Leary moved to endorse the waiver, seconded by Birschbach, and the motion carried.

Item #5 DNR Funding Sources/AIS Grants

Lowndes summarized the item and introduced Carroll Schall, a section chief at DNR, who reviewed the handout material. In the last four years, 28 counties have received $4.25 million in AIS grants. Funding comes from an excise tax on motor boat gasoline. Counties, as well as RC&Ds, can receive up to $150,000. Grants are competitive and a 25% match is required. Applications are due in December and applicants are notified in January. In 2015 there were 8 county applicants with 30 projects. 15 projects were funded.

Castelnuovo asked if LWRM plans are looked at, and was informed that this factor is considered. Comment was made that Farm Bureau did recognize that invasive species impacts agriculture.

Item # 6 LWRM and Nine Key Element Plans

Andrew Craig, who is assigned by DNR to work with counties and others to develop nine key element plans, explained how these plans fit within our state framework related to LWRM plans and NR 151 implementation. These plans can address impaired waters (including TMDLs) and protect high quality waters. Craig reviewed the nine key elements for watershed plans, and noted that LWRM planning requirements are similar to those needed to develop nine key element plans. EPA developed these elements to create focused plans in watersheds. These requirements build on the priority watershed program that ended in 2008. UWEX and DNR have published support documents and tools. Counties may want to consider DNR Healthy Watershed Assessment to set priorities. ATCP 50 and LWRM plan checklists are aligned to promote nine key element plans, but counties do not need to develop nine key element plans to have the LWRM plan approved. Funding opportunities such as s. EPA s. 319 grants are now tied to nine key element plans. Craig discussed changes in s. 319 funding and its impact on DNR program activities to qualify for the funding.

In Wisconsin, EPA has approved plans for a few HUC 12 watersheds as meeting the nine key elements. Counties may need to dedicate 100 hours for these plans. Eau Claire, Outagamie (Duck and Lower Fox), Marathon, and Marinette Counties received funding to write plans.

Trumble explained how DATCP will work to coordinate LWRM plans and nine key element planning, and distributed a revised list of upcoming plans. The Legislative Committee at WI Land + Water will take up the issue of what can work best for counties. Multi-county approaches may have value. DNR TRM funding will still be available to counties without nine key element plans, but new points have been added to the scoring system to reward counties with nine key element plans. Counties can piggyback on TMDL areas with implementation plans that address nine key elements. GLRI now conditions funding on having a nine key element plan. Tom Davenport is the contact for GLRI.

Item #7 Lafayette County LWRM plan revision

Terry Loeffelholz, Lafayette County, and Troy Maggied, Planner with the Southwest Wisconsin Regional Planning Commission presented the county's revised 10 year LWRM plan. Loeffelholz reviewed the 2008-2013 accomplishments highlighting the following:

- NRCS conservation planning and farmland preservation spot checks.
- Assistance provided 1520 farmers with Working Lands.
- SNAP plus training (167 attended).
- Establishment of two AEAs in Lafayette County.
- Prevention of notices of discharges through cost-sharing with producers.

Maggied discussed the planning elements of the new plan, explaining the focus on soil erosion control given the county's erosion rates. The County no longer conducts the Transect survey, and used a new model (EVAL) to identify, by parcels, farms that have highly eroded lands in impaired waters (825 farms). The county will target 8 sub-watersheds beginning with the Yellowstone. It also will pursue a nine key element plan and will add it as an appendix.

In 2013 the department was merged with Planning & Zoning. There are currently two and a half field staff. Loeffelholz was questioned about farmers' participation and compliance with nutrient management plans. He stated there is more buy-in when farmers write their own SNAP+ plans. With larger farms, contour strips are being replaced with no-till on the contour. Some are going to 90 foot contours. Adaptive management and nutrient trading are included in the LWRM plan anticipating need for such implementation. The county was questioned about the lack of a full-time county conservationist, and responded that the current arrangement is expected to continue.

Mika moved to recommend approval of the Lafayette County LWRM Plan revision, Birschbach seconded, motion carried.

Item #8 Wood County LWRM plan revision

Jerry Storke, County Conservationist, presented Wood County's 10 year LWRM plan revision. The southern part of the county is primarily sand and the northern part is clay and loam. Cranberry production (5,451 acres under cultivation makes Wood the top producing county in the state) is carried out in sandy areas.

The LCD budget of $470,442 (County $255,420 DATCP $215,022) supports 4 conservation staff. From 2009-2013, the county installed the following: 21 barnyards,40 roof systems, 23 waste storage structures, 31 transfer systems, closed 10 waste storage structures, completed 39 NM plans, and closed 25 wells. The county issued 83 non-metallic mine permits and 14 frac sand mine permits. The county has been working with the RC&D on various invasive species projects. The tree sale program sold to 1,278 landowners.

Currently the department is reviewing the Saratoga Dairy manure storage permit application and will issue a permit shortly. The CAFO is located in the sandy timber area of the county. The project has been hotly contested, and from the opposition an Ad hoc committee regarding spray irrigation of manure has been formed on the county level.

Wood County will retain goals from the previous plan. Soil erosion and waste/nutrient management are the most time-consuming goals.

Mika moved to recommend approval the Wood County LWRM Plan revision, Solin seconded, motion carried.

Item #9 Member Contributions led by John Petty

Cupp represents interests of river protection. Beyond that, his interests are in protecting natural resources. He has deep roots with agriculture, having grown up on a farm.

Harrison has experience with pork industry on the environmental committee, and is interested in protection of land and water.

Birschbach is the public representative on the board. He is a certified crop consultant and his clients are very interested in the rules.

Lowndes as the DNR representative has an interest in grants, and water quality and other related initiatives.

Mika, a 3rd generation farmer, is passing on his farm to his son. Grazing is an interest and wants to show that we can go back to smaller farms and be sustainable. A large hog operation is moving into Bayfield County which brings many challenges.

Solin is a tree farmer with 1600 acres of woodlands he is a state tree farm winner and has a Class A trout stream on his property. He has installed many conservation practices, and has knowledge of natural resources.

Hood is the county representative. Grant County is bordered by the Mississippi and Wisconsin rivers and is diversified. He hopes to offer useful ideas.

Item #10 Agency Reports

WI Land+Water: VandenBrook gave an update on the following: RCPP grants from USDA; registrations for the March 9-11 annual conference can be done online; Dodge County has passed a resolution regarding liquid manure and is asking the state to look into the ramifications; revised

NRCS 590 standard will come out for broad review in a few months; SOC has adopted the permeable pavement standard; Phosphorus management is an emerging issue, and communities will be looking to farmers for help with reductions. LWRM plans will reflect tools such as adaptive management; recent court cases involving farmers have concluded that manure is a pollutant if it gets into groundwater.

DATCP: Petty informed the board that DATCP and other multi-state partners did not receive a RCPP grant. WI contributed extensively to this proposal including a high match. DATCP may consider pursuing a single grant applicant in the future. DNR and DATCP are responding to the Dodge County resolution and suggesting that they approach the legislature to create study group. Budget document will be available at the time of the Governor's speech. DATCP shared changes in the staffing grant formula for the 2016 grant application.

DNR: Lowndes does not have further insight into the budget but is hopeful. The 2015 grant application is out and includes a new credit in the TRM grant for nine key element plans. In February, CAFO workshops are being held around the state. The nonpoint source handbook for adaptive management and water quality trading will be issued soon. SOC is soliciting a vegetated swale team and will focus on peak flow and TSS, and will engage DOT.

Chairman Cupp handed out the Wisconsin River 5th Annual Water Quality Improvement Symposium brochure. It will be held March 19th 2015 in Stevens Point.

Item #11 Invasive Species Presentation on Amynthas spp ("Crazy Worms")

Bernie Williams, DNR, presented a brief video and PowerPoint on Crazy Worms. This worm is classified as invasive and restricted under NR 40. It is a fast-reproducing species that thrives in various environments and compromises soil quality. Currently I&E is the main tool and is targeted at many audiences and messages including mulch on site, don't dump bait in water, and don't share plants. Multiple infestations in Dane, Jefferson, Waukesha, and Outagamie Counties. Tea seed meal in fertilizer may be effective on killing them. We do not know the impact of the worm on agricultural operations.

Item #12 Planning for April 2015 Meeting

The following items will be on the agenda: LWRM checklist presentation; LWRM Plan Extension requests.

Mika moved to adjourn, Harrison seconded, meeting adjourned at 12:50 p.m.

Respectfully Submitted:

E D Birschbach 5/5/15

Eric Birschbach, Secretary Date
Recorded by LKT