

**MINUTES
LAND AND WATER CONSERVATION BOARD MEETING**

**October 6, 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, approval of agenda, approval of August 4, 2015 LWCB meeting minutes.

The meeting was called to order by Chairman Mark Cupp at 9:00 a.m. Cupp, George Mika, Dave Solin, Eric Birschbach, Dale Hood, Lynn Harrison, John Petty, Caitlin Frederick, Mary Anne Lowndes were in attendance. A quorum was present. Advisors Kurt Calkins and Jim VandenBrook (WI Land + Water) were present. Others present included Greg Coulthurst, Door County SWCD; Christopher Ertman and Eric Fehlhaber, Sheboygan County LWCD; Heather Palmquist, Iron County LWCD; Greg Cleereman, Marinette County LWCD; Richard Castelnuovo, Lisa Schultz, Lisa Trumble, and Chris Clayton, DATCP; and Linda Talbot, DNR.

Clayton confirmed that the meeting was publicly noticed.

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

The Board suggested a couple minor edits to the August 4, 2015 meeting minutes. Harrison moved to accept the August 4, 2015 minutes with edits, Mika seconded, and the motion carried.

Cupp provided an update on board member status. Although she has served past her term, Robin Leary continues to represent a city with a population of 50,000 or more. The board member slot for a charitable association representative has been open for some time.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 2016 DATCP and DNR final joint allocation plan (Environmental Assessment and comments on the preliminary allocation)

Castelnuovo, DATCP, reported the preliminary allocation plan received no public comments, and DATCP made no changes to the final allocation plan.

Talbot, DNR, pointed out that Chart 1 of the final allocation plan summarizes requests and joint allocations for grant year 2016. She reported changes made to the allocation plan: DNR will request applications for the Urban Nonpoint Source and Storm Water Management grants every other year; in CY2016, DNR will offer urban construction grants, and in CY2017 DNR will offer urban planning grants; Table B showing the 2016 allocations to counties is complete; DNR is reserving \$1 million for Notice of Discharge grants and will request applications three times per year.

Castelnuovo reported that the withholding of \$218,000 from the DATCP total allocation amount is unresolved, but DATCP's preliminary and final allocation plans are identical. Potential resolutions were discussed.

The following was also discussed: the challenge to the counties to complete 9 key element plans; DNR giving ten points during the ranking of TRM grant applications, as a preference to projects occurring in watersheds with 9 key element plans; the challenge to counties developing 9 key element plans, given the extra workload required and lack of funding; WI Land + Water's interest in assessing resources needed to develop 9 key element plans; federal funding sources and TMDL implementation acting as drivers to developing 9 key element plans.

Hood moved to approve the 2016 DNR and DATCP Final Joint Allocation Plan as presented, Frederick seconded, and the motion carried.

Item #4 Recommendation for Approval of Crawford and Washburn Co. Requests to Extend Land and Water Resource Management Plan Expiration Dates

Trumble, DATCP, presented information in support of Crawford County's 1-year extension of its LWRM plan and Washburn County's 2-year extension of its LWRM plan.

Trumble reported on Crawford County's progress toward meeting its current plan goals and the county's updated work plan covering planned activities during the one-year extension period. She also reported on Washburn County's progress toward meeting its current plan goals and presented an updated work plan covering planned activities during the two-year extension period. Trumble presented the reasons both counties requested extensions to their LWRM Plans.

Solin moved to approve Crawford County's 1-year extension and Washburn County's 2-year extension requests as presented, Birschbach seconded, and the motion carried.

Item #5 Recommendation for approval of 5-year extension request for Door County Land and Water Resource Management Plan

Coulthurst made a presentation in support of Door County's 5-year extension of its LWRM plan. (The presentation can be accessed at: <http://datcp.wi.gov/uploads/Environment/pdf/LWCBDDoorCountyOct2015.pdf>)

Coulthurst highlighted the county's progress in meeting planned goals and activities, and addressed key benchmarked activities pursued by the county over the past five years.

Coulthurst reported that the county's current farm priority strategy is effective, and the county submitted an updated work plan that covers planned goals and activities during the five year extension period.

The following issues were discussed: the county's relative success in developing nutrient management plans despite a large amount of rented lands; invasive species control of Phragmites and Wild Parsnip; ideas for implementing targeted water quality standards in Door County; proper implementation of the revised NRCS 590 standard; communicating land and water conservation issues to state legislators each year with Kewaunee County; discussions happening

in the county about the liabilities related to spreading manure; focusing efforts to implementing nutrient management plans; manure contamination of several wells in the Jacksonport area resulting in serious public health incidents.

While the county laid out its overall strategy of working with each farm to achieve conservation compliance including numerical milestones and future targets, Harrison commented that he would like to see more numerical measures related to specific activities and outcomes in the work plan.

Birschbach moved to approve Door County's 5-year extension request as presented, Mika seconded, and the motion carried.

Item #6 Recommendation for approval of Land and Water Resource Management Plan Revision for Sheboygan County

Ertman made a presentation in support of Sheboygan County's LWRM plan revision. (The presentation can be accessed at:

<http://datcp.wi.gov/uploads/Environment/pdf/LWCBSheboyganCountyPresOct2015.pdf>)

Ertman reported that the DATCP staff reviewed the plan using the LWRM Plan Review Checklist and found that the plan complies with all requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

Ertman highlighted the county's ability to meet goals and activities in its previous 10-year plan, and addressed key benchmarked activities pursued by the county over the past five years. Ertman reported that the county's current farm priority strategy is effective, and he submitted an updated work plan that covers planned goals and activities during the five year extension period.

The following issues were discussed: implementing the first denitrifying bioreactor in the state; the county pursuing building a sand-iron filter to reduce dissolved phosphorus from tile drainage and possibly stormwater; dealing with the emerald ash borer; focusing cost-share on prioritized, core areas of the county. It was noted that the county's top priority is to hire an agronomist.

Solin moved to approve Sheboygan County's plan revision as presented, Hood seconded, and the motion carried.

Item #7 Recommendation for approval of 5-year extension request for Iron County Land and Water Resource Management Plan

Palmquist made a presentation in support of Iron County's 5-year extension of its LWRM plan. (The presentation can be accessed at:

<http://datcp.wi.gov/uploads/Environment/pdf/LWCBIronCountyOct2015.pdf>)

Palmquist highlighted the county's progress in meeting planned goals and activities, and addressed key benchmarked activities pursued by the county over the past five years.

Palmquist reported that the county's current farm priority strategy is effective, and she submitted an updated work plan that covers planned activities during the five year extension period.

The following issues were discussed: active partnerships with the Bad River Tribe and the Great Lakes Indian Fish and Wildlife Commission; culvert replacements to improve fish passage; successfully engaging the people of Iron County despite limited staff and resources.

Mika moved to approve Iron County's 5-year extension request as presented, Solin seconded, and the motion carried.

Item #9 Recommendation for approval of 5-year extension request for Marinette County Land and Water Resource Management Plan

Cleereman made a presentation in support of Marinette County's 5-year extension of its LWRM plan. (The presentation can be accessed at: <http://datcp.wi.gov/uploads/Environment/pdf/LWCBMarinetteCountyOct2015.pdf>)

Cleereman highlighted the county's progress in meeting planned goals and activities, and addressed key benchmarked activities pursued by the county over the past five years.

Cleereman reported that the county's current farm priority strategy is effective, and he submitted an updated work plan that covers planned activities during the five year extension period.

The county's effort to control aquatic invasive species in its lakes was discussed. It was noted that landowners in the county with manure storage permits are not allowed to winter spread their manure.

Hood moved to approve Marinette County's 5-year extension request as presented, Birschbach seconded, and the motion carried.

Item #10 Report on 2014 Program Accomplishments by Counties

Schultz, DATCP, presented on the 2014 report of Wisconsin land and water conservation accomplishments. (The presentation can be accessed at: <http://datcp.wi.gov/uploads/Environment/pdf/LandWaterAnnualReport2014.pdf>)

The board noted a marked improvement in the annual report over the years, and especially in the 2014 report, making it more widely accessible and efficient in communicating to legislators, constituents, and other stakeholders the tangible work of county land and water conservation departments.

Item #11 Agency Reports

WLWCA – Sand County Foundation selected Dave and Leslie Meuer to receive the 2015 Aldo Leopold Conservation Award for Wisconsin. Act 55 made major changes to shoreland zoning, and several counties are pushing to repeal the changes. A hearing on Senate Bill 239 is imminent. Under the proposed bill, permits for a high capacity wells would be held in perpetuity. Implementation of the multi-discharger variance, related to the phosphorus rules, is still being discussed. The first point source-nonpoint source phosphorus reduction agreements will be made in 2017. Counties will hear more about tracking and quantifying the effects of

practices on phosphorus reductions. During the October 8th of the Association's legislative committee meeting, DNR will discuss wetlands and Chapter 30 permitting.

DATCP – The Agricultural Enterprise Areas for 2015 were recently announced, bringing the total enrolled acreage to over 1 million. The final report of the Livestock Facility Siting Technical Expert Committee was delivered to Secretary Brancel. Because of recently passed legislation, suspended drainage districts will be forced to either be dissolved or reinstated.

DNR – Beginning June 1, 2016, DNR will enforce requiring wetland delineations be done prior to applying for permits. EPA has been present in Kewaunee County, and workgroups are being set up to make recommendations to address the specific conditions and groundwater issues in the county. Recommendations could include voluntary practices specific to defined geologic areas dominated by karst. Recommendations are unlikely to initiate the rule making process in the near future. EPA and DNR are working cooperatively on these efforts. One workgroup will also examine alternative technologies and treatments. Notice of public hearings on the permitting of non-metallic mining operations will occur soon.

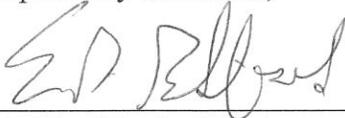
Item #12 Planning for December 2015 Meeting – Mark Cupp, LWCB

- Report and recommendations on the 2015 CREP spending authority.
- Six plan revisions from Adams, Columbia, Iowa, Manitowoc, Oconto, and Rusk Counties.
- Approval of proposed 2016 LWCB annual agenda.
- Prior to the December 2015 LWCB meeting, Cupp will discuss with Trumble and report back on better identifying the Board's responsibilities to review and recommend approvals.
- Harrison suggested that DATCP consider briefing the board on individual programs during future board meetings.

Item #13 Adjourn

Hood moved to adjourn, Solin seconded. The meeting was adjourned at 1:58 pm.

Respectfully submitted,



Eric Birschbach, Secretary

12/1/15

Date

Recorder: CRC, DATCP