
2017 FINAL GUIDANCE REGARDING WORK PLANS, RESCHEDULING OF PLAN REVISION, AND FIVE YEAR PLAN REVIEWS

Introduction

This Final Guidance, which is effective on January 1, 2017, replaces the following documents:

1. *Interim Criteria for Recommending Approval of Land and Water Resource Management Plans Including Requirements to Secure 10-Year Approvals and 5-Year Extensions*, adopted February 2, 2016, and discontinued as of December 31, 2016.
2. *The County-Prepared Checklist to determine compliance with additional criteria for an LWCB recommendation for a 10-year approval and 5-year extension*, discontinued as of February 2, 2016.
3. *The October 1, 2013 Procedures for rescheduling or extending LWRM plans*, including the forms necessary to request formal extensions, which was discontinued as of December 31, 2016.

This *2017 Final Guidance* covers Land and Water Resource Management (LWRM) plan requirements (including work plan requirements), management of expiring LWRM plans, and LWCB five year reviews of LWRM plans approved for 10 years.

A. LWRM Plan Requirements (including Work Plans)

I. Ten year LWRM plan approvals

1. In making the transition from 5 to 10 year plan approvals, DATCP and the LWCB intended to develop a rational and cohesive system for plan development and implementation review. Ten year LWRM plan approvals are critical to this process. By their nature, LWRM plans are strategic plans and should cover the same 10 year period as Farmland Preservation Plans, Comprehensive Plans and other strategic plans. Through annual work plans, counties have the flexibility to adjust their LWRM plans to address changing priorities and activities. By including review of LWRM plans every five years, the LWCB can work with the counties to assess their implementation activities and create opportunities for mid-course adjustments in plan implementation. To ensure consistent planning and timely review of plan implementation, every county should be held to same standards, which begins with plans approved for a 10 year period. Also, it is neither efficient nor cost-effective to prepare and approve LWRM plans at intervals of less than 10 years.
2. In preparing revised LWRM plans for 10 year approval, counties will be expected to make a reasonable attempt to: (i) develop recommendations with a local advisory committee for a 10 year period, (ii) identify and analyze resource needs for a period of at least 10 years into the future, (iii) forecast applicable trends 10 years into the future, (iv) set short- and long-term priorities, with the understanding that changes are likely within

the 10 year planning period, and (v) describe the process for monitoring, evaluating and adjusting planned activities during the 10 year approval period.

3. DATCP will evaluate county plan revisions to determine if they meet the requirements for 10 year plan approval, including planning over a 10 year horizon, and take actions to ensure that all plan revisions include required components.
4. If a revised plan fails to meet the requirements for a 10 year approval, the LWCB will require the county to address the items not meeting the requirements, and direct the county to reschedule its appearance before the LWCB when its plan is revised.

II. Priority farm strategy

1. A DATCP-completed LWRM plan review checklist provides the assurance that the county has met the requirements for its priority farm strategy.

III. Work plan procedures and standards

1. Counties will be required to submit annual work plans that meet requirements identified in the grant applications. These requirements include use of a standardized format (including a limit on page length), identification of priority activities only, benchmarking of activities for performance outcomes, and estimation of costs. These requirements mesh with those spelled out in the May 2014 LWRM plan review checklist developed by DATCP.
2. A DATCP-completed LWRM plan review checklist, combined with the annual submission of work plans, now provides assurance that counties are engaged in meaningful work planning including benchmarking for activities to measure performance.
3. Counties will satisfy the requirement in s. ATCP 50.12(2)(i) for submission of a multi-year work plan with their LWRM plan revisions by (i) submitting their most current annual work plan at the time of their plan revision, and (ii) continuing to submit annual work plans that meet planning requirements during the life of their approved LWRM plan.
4. Counties may use annual work plan updates to capture changes in planned activities within the goals and objective defined in their LWRM plans. For example, a work plan update could account for participation in a multi-discharger variance effort designed to reduce phosphorus.

IV. Requirements for work plan submission related to LWRM plan revisions

1. Counties may rely on their annual work plans in lieu of submitting more extensive work plans at the time of a LWRM plan revision.
2. As part of their LWRM plan revision, counties may expand on their required annual work plans to include additional goals, objectives and planned activities. Additional activities do not need to have performance benchmarks.
3. By preparing an annual work plan, a county will satisfy the requirement for LWRM plan approval in ATCP 50.12(2)(j) related to “measurable annual and multi-year benchmarks” as long as the county submits an annual work plan with measurable benchmarks each year during which DATCP has approved the LWRM plan.

B. MANAGEMENT OF EXPIRING LWRM PLANS

I. Procedure to reschedule a LWCB presentation of LWRM plan revisions

1. A county may request that its LWCB appearance be delayed for some months, but no later than February of the year after plan expiration.

Note: Rescheduling changes the date of a county's appearance from one Board meeting to another, generally within the same year. Rescheduling does not change the expiration date of a county's plan. In certain cases, when a county reschedules its plan presentation, the county's existing plan approval may expire before the county receives a new order approving its revised LWRM plan. Until a new plan approval order is issued, the county is technically not eligible to receive new grant funding from DATCP.

2. The county will submit a request to reschedule to the LWRM planner (currently Lisa Trumble, Lisa.Trumble@wisconsin.gov) as soon as it becomes apparent that the LWRM plan will not be completed and reviewed prior to the scheduled meeting.
3. The county may request this rescheduling without completing and submitting a separate form.
4. The LWRM planner checks the LWCB calendar, and coordinates the decision with the internal staff and LWCB chair as needed.
5. The LWRM planner reschedules the appearance and notifies the county, LWCB, and DATCP staff of new date.

II. No extension requests for expiring LWRM plans

1. DATCP and LWCB have discontinued a formal process for requesting extensions related to expiring LWRM plans. With the completion of the transition to 10 year plan approvals, a formal extension process serves no purpose since DATCP is precluded by rule from extending plans approved for 10 years.
2. Exceptions, if requested, will be reviewed on a case-by-case basis, and DATCP will not approve an extension if it determines that the waiver of Ch. ATCP 50 is not appropriate, or the county has the opportunity to reschedule under B.I.

C. Five-Year Review of LWRM plans approved for 10 years

As part of its 5-year review of a county's LWRM plan, the LWCB:

I. Will require that counties meet the following reporting obligations:

1. Discuss the reasons for setting the resource management outcomes identified in its LWRM plan.
2. Explain the relationship between benchmarked activities in annual work plans and the resource management outcomes identified in a county's LWRM plan.
3. Provide a report describing county progress in meeting the specific, measurable benchmarks for the relevant activities over the last five years.

4. Describe how the county carried out its priority farm strategy and the effectiveness of its actions implementing the performance standards and conservation practices on farms.
5. Describe the county's evaluation process used to assess implementation of its plan and mechanisms to make adjustments that account for unanticipated conditions.
6. Discuss budgetary, staffing and other considerations that have affected or will affect implementation of planned activities.
7. Discuss possible changes in planned activities and benchmarks that would enhance capacity to make progress in accomplishing desired natural resource outcomes.

II. Will perform the following functions as part of the Board's review process:

1. Assess the validity of the county's benchmarking process in light of the conservation and other resource outcomes identified in county's LWRM plan and the resources available to the county.
2. Assess the effectiveness of the county's priority farm strategy in implementing the performance standards and conservation practices on farms.
3. Assess the adequacy of the county's progress implementing benchmarked and other activities over the last five years, including the effectiveness of the county's strategy in implementing the performance standards and conservation practices on farms.
4. Compare benchmarked activities and county implementation efforts in a systematic manner to assess overall performance.
5. Review the strengths and weaknesses of the county evaluation process used to assess the county's implementation of its plan and to make adjustments to account for unanticipated conditions.
6. Ensure that the county is actively managing its work plan to account for changes in conditions.
7. Consider the extent to which DATCP provided reasonable feedback and support to a county to identify implementation issues and prepare the county for its five year review.

III. May take the following additional actions as part of Board's review:

- a. As part of a peer review process, assign another county or other conservation professional to help evaluate the performance of the county whose plan is up for review ("planning county").
- b. Require the planning county to re-evaluate its planning process for setting outcomes and benchmarking activities.
- c. Require the planning county, if appropriate, to prepare written revisions to parts of their planning documents to reflect the results of the review and better account for changed conditions.
- d. Require the planning county to present follow-up reports after the scheduled five year review to the LWCB if needed to address unresolved concerns.

