

MINUTES
LAND AND WATER CONSERVATION BOARD MEETING

April 6, 2021
Microsoft Teams Meeting

Item #1 Call to Order—pledge of allegiance, open meeting notice, approval of agenda, approval of February 2, 2021 LWCB meeting minutes.

The meeting was called to order by Chairman Mark Cupp at 9:00 a.m.

Members present: Mark Cupp, Eric Birschbach, Bobbie Webster, Ron Grasshoff, Andrew Buttles, Mike Hofberger, Bob Mott, Monte Osterman, Brian Weigel, Andrew Potts and Sara Walling. A quorum was present.

Advisors present: Ian Krauss (FSA), Angela Biggs (NRCS) and Matt Kruger (WI Land+Water)

Department staff present: Lisa Trumble, Lacey Cochart, Jennifer Heaton-Amrhein, Alex Elias, Kim Carlson, Susan Mockert, Coreen Fallat, Tim Jackson and Zach Zopp (DATCP), Kristin Teston (WI Land+Water).

Zopp confirmed that the meeting was publicly noticed.

The pledge of allegiance was conducted.

Mott moved to approve the agenda as presented, seconded by Walling, and the motion carried unanimously.

Osterman made a motion to approve the February 2, 2021 meeting minutes as written, seconded by Webster, and the motion carried unanimously.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Administrative Rule Revision Process and Upcoming ATCP 50 Revision

Coreen Fallat and Alex Elias, DATCP, presented to the Board an overview of the administrative rule revisions process and notified the Board of the Department's intention to revise Administrative Rules including: Agricultural, Trade and Consumer Protection (ATCP) 48 and ATCP 50. The presentation addressing the administrative rule revision process and potential ATCP 50 revision is available online on LWCB's website lwcb.wi.gov under 2021 Meetings for April 6.

The Board discussed the following: the current makeup of the ATCP board and roles of Department staff; the number of active drainage districts in Wisconsin; the timeline for technical standards to be completed (e.g the Silurian bedrock performance standard); the 2017 revision of state drainage law that triggered the need to revise ATCP 48.

Item #4 Correspondence Regarding Marathon County LWRM Plan Approval

Mark Cupp, LWCB, discussed a recent open letter to the Board from a resident of Marathon County, whom objected to the Board’s approval of Marathon County’s LWRM plan on February 2, 2021. Mark also stated his intention to respond to the letter on behalf of the Board.

The Board discussed the following: the legal basis of the Marathon County resident’s concern in relation to the approval of the Marathon County LWRM plan; the LWCB reaffirmed that Marathon County met the requirements of the LWRM plan revision approval process; the LWCB response to the Marathon County resident.

Item #5 Recommendation for approval of 5 year Land and Water Resource Management Plan review for Dunn County

Chase Cummings, County Conservationist, Dunn County LWCD and Thomas Quinn, LCC Chair, made a formal presentation in support of the 5-year review of the County’s LWRM plan.

Dunn County Land and Water Conservation Department provided written answers to the Board’s standardized questions, recent work plans and accomplishments, and other materials (available on LWCB’s website lwcb.wi.gov).

The Board and county representatives discussed the following: addressing well testing for nutrient (i.e nitrate) contamination; implementation of recommendations from the County’s water quality ad-hoc committee; the percentage of land (acres) in farmland preservation and increasing participation in Dunn County’s Agricultural Enterprise Area (AEA); 9 key element plan for the Red Cedar Watershed and the County’s economic development partnership with UW-Stout on the Red Cedar Watershed; popularity of the producer led watershed groups and preservation practices; cover cropping and the inherent problems and successes derived from cover cropping; how networking from the County’s demo farm has increased interest in cover cropping; how the County handles notice of intent to issue a notice of discharge (NOI) & notice of discharge (NOD) as well as how the County interacts & collaborates with the WI DNR to resolve NOI and NOD matters.

Walling moved to recommend approval of Dunn County’s 5-year LWRM plan review, seconded by Hofberger, and the motion carried unanimously.

Item #6 Recommendation for approval of 5 year Land and Water Resource Management Plan review for Crawford County

David Troester, County Conservationist, Crawford County LCD and David Olson, LCC Chair, made a formal presentation in support of the 5-year review of the County’s LWRM plan.

Crawford 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 lwcb.wi.gov).

The Board and County representatives discussed the following: Crawford County’s hesitation to act on certain conservation projects impacted by large scale rain events that may require additional technical assistance to implement; the County’s awareness that future state conservation standards may be more strict; progression of agriculture in Crawford County and the shift away from forage cropping

operations for animals, to row cropping operations; impacts on soil conservation from row cropping practices in the driftless area; producer led groups in the County; well water sampling, quality testing and closing old wells; the County's aerial cover crop pilot project; installation of grade stabilization projects requested by landowners and the funding for these projects from DATCP Soil and Water Resource Management (SWRM) Grants.

Birschbach moved to recommend approval of Crawford County's 5-year LWRM plan review, seconded by Grasshoff, and the motion carried unanimously.

Item #7 Recommendation for approval of 5 year Land and Water Resource Management Plan review for Sawyer County

Tim Seidl, Assistant Conservationist, Sawyer County LWCD and Bruce Paulson, Land, Water & Forest Resources Committee Chair, made a formal presentation in support of the 5-year review of the County's LWRM plan.

Sawyer County Land and Water Conservation Department provided written answers to the Board's standardized questions, recent work plans and accomplishments, and other materials (available on LWCB's website lwcb.wi.gov).

The Board and county representatives discussed the following: the paleoecological lake study; dynamics of agriculture in relation to forest and recreational land uses in Sawyer County, addressing aquatic invasive species (AIS) at road stream crossings and the impacts of AIS in forested road stream crossings; County conservation staff and forestry staff coordination.

Mott moved to recommend approval of Sawyer County's 5-year LWRM plan review, seconded by Potts, and the motion carried unanimously.

Item #8 Approval of SEG Innovation Grants

Jenni Heaton-Amrhein, DATCP presented to the Board the 2021 SEG Innovation Grants, as part of the Soil and Water Resource Management (SWRM) Grant program and the 2021 Allocation Plan for a recommendation of approval. The memo addressing the 2021 SEG Innovation Grants is available online at the LWCB website within the April 6, 2021 [meeting packet](#).

The Board discussed the following: scoring the SEG Innovation Grant project application, development of scoring/ranking system to select grants, and the timeline to develop scoring metrics in relation to the application deadline; availability of SEG Innovation Grant funding in future years; the makeup of the SEG Innovation Grant selection committee.

Hofberger motioned to approve the SEG Innovation Grants, seconded by Webster, and the motion carried unanimously.

Item #9 Extension of DATCP Projects from 2020 into 2021

Jenni Heaton-Amrhein and Susan Mockert, DATCP presented to the Board a request to recommend the extension of 2020 Bond and SEG grant funds for county cost-share projects into 2021. The memo addressing the extension of funds into 2021 is available online at the LWCB website within the April

6, 2021 [meeting packet](#). The presentation is available online on LWCB's website lwcb.wi.gov under 2021 Meetings for April 6.

The Board discussed the following: the maximum funding amount for a single grant; the difference in funding levels across grant recipients; the requirement for a county to have left unspent at least \$1 to extend a grant.

Weigel motioned to approve the extension of DATCP projects from 2020 into 2021, as described in the March 25, 2021 memo from DATCP, seconded by Osterman and the motion carried unanimously.

Item #10 Lunch

Item #11 Recommendation for approval of 5 year Land and Water Resource Management Plan review for Shawano County

Scott Frank, County Conservationist, Shawano County LCD and Arlyn Tober, LCC Chair, made a formal presentation in support of the 5-year review of the County's LWRM plan.

Shawano 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 lwcb.wi.gov).

The Board and County representatives discussed the following: percentage of cropland (acres) enrolled in nutrient management planning; how the County's livestock siting ordinance regulates livestock facilities with 500 or more animal units and specifically confined animal feeding operations (CAFO); regulating smaller farms (below 500 animal units) under the County's animal waste management ordinance; administering the farmland preservation program in the County, utilizing funding from multi-discharge variance permitting; observations of long term changes in agricultural practices in Shawano County.

Mott moved to recommend approval of Shawano County's 5-year LWRM plan review, seconded by Hofberger, and the motion carried unanimously.

Item #12 Report on Governor's Proposed Budget for DNR and DATCP nonpoint programs (and potential board resolution)

Brian Weigel, DNR; Sara Walling, DATCP, presented the Governor's 2021-2023 biennial budget for their respective agencies. The DNR and DATCP memo's addressing the Governor's proposed budget are available online at the LWCB website within the April 6, 2021 [meeting packet](#). The DATCP presentation is available online on LWCB's website lwcb.wi.gov under 2021 Meetings for April 6.

The Board and agency representatives discussed the following: an error on the DNR memo regarding the amount of funding for the Targeted Runoff Management (TRM) Bonding Program; the Federal stimulus funding for non-point projects from the American Rescue Plan (i.e SB 271); the Governor's power to distribute funds from the American Rescue Plan.

Hofberger motioned for the LWCB to send a letter of support to the Wisconsin Legislature for the executive budget proposal as it pertains to funding for programs overseen by the LWCB, seconded by Grasshoff and the motion carried unanimously.

Item #13 Increasing Public Awareness of LWRM Plan Renewal Approvals

Mark Cupp, LWCB and Zach Zopp, DATCP presented a draft template letter that recognizes the achievement of county LWRM plan renewals. The LWCB Chair will distribute the letter to individual county boards and Land Conservation Committee Chairs upon renewal of their respective county LWRM plan. The draft template letter of recognition is available online at the LWCB website within the April 6, 2021 [meeting packet](#).

The Board discussed the following: distributing the letter to county administration, county board chairs and county Land Conservation Committees; counties publishing the letter on social media or other forms of media; publishing a copy of the final letter within the June 1, 2021 meeting packet; including a new reoccurring LWCB agenda item to discuss/acknowledge LWCB communications such as letters of achievement; discussing updates to the LWCB website at the June 1, 2021 LWCB meeting.

**Item #14 Recommendation for Approval of Revised Board LWRM Plan Questionnaire:
Climate Change Resiliency Question**

Zach Zopp, DATCP, presented to the Board a revised LWRM Plan Review Questionnaire for approval and recommended implementing the revised questionnaire for counties no sooner than the December 7, 2021 LWCB meeting. The revised questionnaire contained proposed language for a new voluntary question to learn how county conservation staff are addressing changing weather patterns. The memo addressing the revised LWRM Plan Review Questionnaire is available online at the LWCB website within the April 6, 2021 [meeting packet](#).

The Board discussed the following: the decision process used to determine why the new question would be voluntary rather than required.

Grasshoff motioned to approve the revised questionnaire for counties, as written, no sooner than the December 7, 2021 LWCB meeting, seconded by Webster and the motion carried unanimously.

Item #15 Agency Reports

FSA- Ian Krauss submitted a written report that is available online at the Land and Water Conservation Board website within the April 6, 2021 [meeting packet](#).

NRCS – Angela Biggs reported: NRCS will begin to accept visitors at local offices by appointment only and will require screening prior to entry; NRCS is advertising for approximately 40 entry-level staff positions.

UW CALs, UW Ext- Dr. Arriaga and Dr. Genskow were both absent and did not submit a report.

WI Land + Water- Matt Kruger reported: WI Land+Water finished their March virtual conference, which over 400 people attended; WI Land+Water is planning to return to in-person county conservation meetings by December 2021; WI Land+Water is planning for an in-person conservation day in Vernon County for the farm family of the year; WI Land+Water has hired a new communication manager and will be rolling out a new website in the coming months; WI Land+Water has entered into a coalition with the Dairy Business Association focused on improving non-point and CAFO programs that can help improve water quality in Wisconsin.

DOA – Andrew Potts reported: The Governor’s proposed executive budget contains \$40 million in funding for the replacement of lead water service lines; the Joint Committee on Finance has started meeting as of April 6, 2021 and the Committee will hold a public hearing on the American Rescue Plan (SB 271) on April 7, 2021.

DATCP – Sara Walling submitted a written report that is available online at the Land and Water Conservation Board website within the April 6, 2021 [meeting packet](#).

DNR – Brian Weigel submitted a written report that is available online at the Land and Water Conservation Board website within the April 6, 2021 [meeting packet](#).

Member Reports – no LWCB member submitted a report

Item #16 Planning for June 2021 LWCB meeting

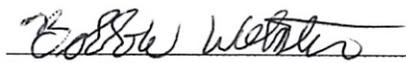
In addition to the items identified in the proposed 2021 annual agenda, the Board should expect the following at the June meeting:

- One LWRM plan revision (Green County)
- An overview of the LWCB website and discussion on potential revisions
- Approval of a LWCB letter of support for Governor’s proposed budget for programs overseen by the LWCB
- A presentation on the Hydrologic Unit Code (HUC) for numbering watersheds
- No April 2021 LWCB agenda items will be carried over to June 2021

Item #17 Adjourn

Webster moved to adjourn, seconded by Potts, and the motion carried unanimously. The meeting was adjourned at 2:48pm.

Respectfully submitted,

 6/14/21
Bobbie Webster, Secretary Date

Recorder: ZZ, DATCP