



Land and Water Conservation Board Agenda

December 6, 2022

The Land and Water Conservation Board (LWCB) will meet on **December 6, 2022**. The board will hold its official business meeting at 9:00 am via Microsoft Teams with the option to attend in person. To attend the meeting remotely, join by telephone at +1 608-571-2209 with Conference ID 296 166 489# or click the following Teams [hyperlink](#). The agenda for the meeting is shown below.

AGENDA ITEMS AND TENTATIVE SCHEDULE:

- 1 Call the Meeting to Order – **Mark Cupp, LWCB Chair**
 - a. Roll Call
 - b. Pledge of allegiance
 - c. Open meeting notice
 - d. Introductions, Acknowledgements (Mike Hofberger)
 - e. Approval of agenda
 - f. Approval of October 4, 2022 meeting minutes

- 2 Public appearances*

**Each speaker is limited to 5 minutes or less. Each speaker must complete a Public Appearance Request Card and submit it to a DATCP representative before the start of the meeting*

- 3 Recommendation for approval of LWRM Plan revision for Eau Claire County
Chad Berge, County Conservationist, Heather DeLuka, LCC Member

- 4 Recommendation for approval of LWRM Plan revision for Richland County
Cathy Cooper, County Conservationist and Melissa Luck, Land + Zoning Standing Committee Chair

- 5 Recommendation for approval of LWRM Plan revision for Buffalo County -
Cale Severson, County Conservationist; Dwight Ruff, Land Conservation, Ag & Extension Committee Chair

- 6 Review of LWCB Bylaws
Mark Cupp, LWCB and Katy Smith, DATCP

- 7 **Lunch**

*Mark Cupp, Chair; Bobbie Webster, Vice-Chair;
Monte Osterman, Secretary*

*Members: Andrew Buttles; Ron Grasshoff; Mike Hofberger; Bob Thome ; Brian McGraw
Andrew Potts; Brian Weigel; Jill Schoen*

- 8 Introduction to Grassland 2.0
Randy Jackson, UW-Madison
- 9 Recommendation for approval of 5 year LWRM Plan review for Outagamie County
Greg Baneck, County Conservationist, Sarah Kussow, GIS Specialist/Watershed Planner, Debbie VanderHeiden, LCC Chair
- 10 LWCB Advisory Committee on Research - Committee Updates
Ron Grasshoff, LWCB and Zach Zopp, DATCP
- 11 Review of annual agenda
Katy Smith, DATCP
- 12 Agency reports
 - a. FSA
 - b. NRCS
 - c. UW-CALS
 - d. UW Madison - Extension
 - e. WI Land + Water
 - f. DOA
 - g. DATCP
 - h. DNR
 - i. Member Updates
- 13 Planning for February 2023 LWCB Meeting -
Mark Cupp, LWCB
- 14 Adjourn

**MINUTES
LAND AND WATER CONSERVATION BOARD MEETING**

**October 4, 2022
Microsoft Teams Meeting**

Item #1 Call to Order—pledge of allegiance, open meeting notice, approval of agenda, approval of August 2, 2022 LWCB meeting minutes.

Call to Order

The Land and Water Conservation Board (Board) met in person at 2811 Agriculture Drive, Madison WI 53718 and via videoconference on **October 4, 2022**. The meeting was preceded by public notice as required by Wis. Stat. § 19.84. The meeting was called to order by Chairman Mark Cupp at **9:00 am** and the pledge of allegiance was conducted.

Members and Advisors Present

Members: Mark Cupp, Bobbie Webster, Monte Osterman, Brian McGraw, Andrew Buttles, Ron Grasshoff, Mike Hofberger, Bob Thome, Brian Weigel, Andrew Potts, and Jill Schoen. A quorum was present.

Advisors: John Exo (Division of Extension – UW Madison), Francisco Arriaga (UW-CALS), Eric Allness (NRCS), and Ian Krauss (FSA).

Approval of Agenda

Motion

Grasshoff motioned to approve the agenda as presented, seconded by Potts, and the motion carried unanimously.

Approval of Minutes

Motion

Buttles motioned to approve the August 2, 2022 meeting minutes as presented, seconded by Webster, and the motion carried unanimously. The approved minutes shall be posted as the official meeting record for publication on the LWCB website.

Item #2 Public Appearances

No public appearance cards were submitted.

Item #3 Recommendation for approval of Land and Water Resource Management Plan Revision for Racine County

Chad Sampson, County Conservationist, Racine County Land Conservation Division, and Monte Osterman, Land Conservation Committee Chair, made a formal presentation in support of a 10-year

approval of the County's LWRM plan. A copy of their presentation is available on the LWCB's website lwcb.wi.gov.

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.

The County 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).

Motion

After a discussion between the Board and County representatives, Buttles motioned to recommend approval of Racine County's LWRM plan revision for a period of 10 years, seconded by Weigel, and the motion carried unanimously.

Item #4 Presentation of the 2023 Joint Allocation Plan

Jennifer Heaton-Amrhein, DATCP and Joanna Griffin, DNR presented to the Board the 2023 Joint Allocation Plan. The 2023 Joint Allocation Plan document is available online at the LWCB website within the October 4, 2022 [meeting packet](#).

Motion

After a discussion between the Board and agency representatives, Grasshoff motioned to recommend approval of the final 2023 Joint Final Allocation Plan as presented, seconded by McGraw, and the motion carried unanimously.

Item #5 DNR Presentation of Final Ranked Lists and Memos of Targeted Runoff Management (TRM) Projects for CY 2023

Joanna Griffin, DNR, presented to the Board the Scores and Rankings of Targeted Runoff Management (TRM) Applications for CY 2023. The memo describing the 2023 Scores and Rankings of TRM projects for CY 2023 is available within the October 4, 2022 [meeting packet](#).

Motion

After a discussion between the Board and agency representatives, Osterman moved to recommend approval the ranking of TRM projects for CY23 as presented, seconded by Buttles, and the motion carried unanimously.

Item #6 DNR Presentation of Final Ranked Lists and Memos of Urban Nonpoint Source and Storm Water Management Projects for CY 2023

Joanna Griffin, DNR, presented to the Board the Scores and Rankings of Urban Nonpoint Source and Storm Water Management Applications (UNPS) for CY 2023. The memo describing the 2023 Scores and Rankings of UNPS projects for CY 2023 is available within the October 4, 2022 [meeting packet](#).

Motion

After a discussion between the Board and agency representatives, Weigel moved to recommend approval the ranking of UNPS projects as presented, seconded by McGraw, and the motion carried unanimously.

Item #7 Recommendation for approval of Land and Water Resource Management Plan Revision for Dodge County

John Bohonek, County Conservationist, Dodge County Land and Water Conservation Department, and Larry Bischoff, Land and Water Conservation Committee Chair, made a formal presentation in support

of a 10-year approval of the County's LWRM plan. A copy of their presentation is available on the LWCB's website lwcb.wi.gov.

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.

The County 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).

Motion

After a discussion between the Board and County representatives, Hofberger motioned to recommend approval of Dodge County's LWRM plan revision for a period of 10 years, seconded by Weigel, and the motion carried unanimously.

Item #8 Recommendation for approval of 5-year Land and Water Resource Management Plan review for Fond du Lac County

Paul Tollard, County Conservationist, Fond du Lac County Land and Water Conservation Department and Dale Theel, Land Conservation Committee Chair, formally requested a recommendation of approval from the Board regarding the County's 5-year LWRM plan review.

The County 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).

Motion

After a discussion between the Board and County representatives, Buttles motioned to recommend approval of Fond du Lac County's 5-year LWRM plan review, seconded by Hofberger, and the motion carried unanimously.

Item #9 Introduction to the Nitrogen Optimization Pilot Program (NOPP)

Jennifer Heaton-Amrhein, DATCP, gave an introductory presentation on the Nitrogen Optimization Pilot Program.

Item #10 Break

The board observed a break.

Item #11 Updated on Land and Water Resource Management Program Evaluation

Tim Anderson, DATCP, delivered an update on the Land and Water Resource Management Program Evaluation. The Land and Water Resource Management Program evaluation will be paused while the Land and Water Resources Bureau works to initiate two new grant programs and continues work on the ATCP 50 Rule Revision.

Item #12 LWCB Advisory Committee on Research - Committee Updates

Ron Grasshoff and Zach Zopp, DATCP, presented to the Board on the meeting of the LWCB's Advisory Committee on Research. The cover memo submitted to the Board is available online at the LWCB website within the October 4, 2022 [meeting packet](#).

Item #13 Agency Reports

FSA- Ian Krauss submitted a written report that is available online at the Land and Water Conservation Board website within the October 4, 2022 [meeting packet](#).

NRCS – Eric Allness submitted a written report that is available online at the Land and Water Conservation Board website within the October 4, 2022 [meeting packet](#). In addition to the written report, Allness reported that the federal fiscal year just started and that the federal government is operating on a continuing resolution. Jeff Vander Wilt is still Acting State Conservationist while Angela Biggs is detailed to Washington D.C.

UW Extension & UW CALs- John Exo reported that Glenda Gillaspay is willing to meet with the LWCB. This may present an opportunity to work on details of advising the UW-System through the LWCB Committee on Research. Discovery Farms will host a winter conference in the Wisconsin Dells on December 14th.

WI Land+Water- Monte Osterman reported that WI Land + Water has cancelled the December County Conservationist Meeting. WI Land + Water has received a McKnight Foundation grant to fund its climate resiliency program over the next couple of years.

DOA – Andrew Potts reported that state agencies submitted budget requests for the next biennium by September 15th.

DATCP – Brian Weigel submitted a written report that is available online at the Land and Water Conservation Board website within the October 4, 2022 [meeting packet](#). In addition to the agency report, Weigel highlighted the new Cover Crop Insurance Premium Rebate Program.

DNR – Jill Schoen submitted a written report that is available online at the Land and Water Conservation Board website within the October 4, 2022 [meeting packet](#).

Member Updates- Andy Buttles reported that it has been a great fall for harvest thus far. Chairman Cupp requested that the feasibility to host a remote June 2023 meeting of the LWCB be evaluated by DATCP.

Item #14 Planning for the December 2022 LWCB meeting

The Board should expect the following at the next LWCB meeting:

- 5-year Review Outagamie County
- Plan Revision for Buffalo, Eau Claire, Richland Counties
- Report and Potential Recommendation on the 2023 CREP Spending Authority
- Approval of Proposed 2023 LWCB Annual Agenda Review of the LWCB Bylaws

Item #15 Adjourn

Motion

Osterman motioned to adjourn, seconded by Weigel, and the motion carried unanimously. The meeting was adjourned at 12: 50 pm.

Respectfully submitted,

Monte Osterman, Secretary

Date

Recorder: KS, DATCP

DRAFT

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 14, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: Lisa K. Trumble, DATCP *Lisa K. Trumble*
Resource Management Section,
Bureau of Land and Water Resources

SUBJECT: Recommendation for Approval of the *Eau Claire County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department has determined that the *Eau Claire County Land and Water Resource Management Plan* meets applicable statutory and rule requirements and requests that the LWCB make a recommendation regarding approval of the plan consistent with the Board's guidance.

Summary: The plan is written as a 10 year plan, and if approved, the plan would remain in effect through December 31, 2032, and would be subject to a five-year review prior to December 31, 2027.

DATCP staff reviewed the plan using the checklist and finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

To qualify for 10-year approval of its plan, Eau Claire County must submit an annual work plan meeting DATCP requirements during each year of its 10-year plan approval.

Eau Claire County held a public hearing on October 11, 2022, as part of its public input and review process. The Eau Claire County Land Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

Materials Provided:

- LWRM Plan Review Checklist
- Completed LWRM Plan Review form
- 2021 workplan with accomplishments and current 2022 workplan

Presenters: Chad Berge, Eau Claire County Conservationist
Heather DeLuka, Land Conservation Division Committee Member



Wisconsin Dept. of Agriculture, Trade and Consumer Protection
 Agricultural Resource Management Division
 2811 Agriculture Drive, PO Box 8911
 Madison WI 53708-8911
 Phone: (608) 224-4608

Land and Water Resource Management (LWRM)

LWRM Plan Review Checklist

Wis. Stats. § 92.10 & Wis. Adm. Code § ATCP 50.12.

County: EAU CLAIRE

Date Plan Submitted for Review: 8/15/2022

I. ADVISORY COMMITTEE	Yes	No	Page
1. Did the county convene a local advisory committee that included a broad spectrum of public interests and perspectives (such as affected landowners, partner organizations, government officials, educational institutions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,7

II. PUBLIC PARTICIPATION AND COUNTY BOARD APPROVAL	Date(s)
1. Provide the dates that the local advisory committee met to discuss the development of the LWRM plan and the county plan of work	4-12-22
2. Provide the date the county held a public hearing on the LWRM plan ¹	10-11-22
3. Provide the date of county board approval of the plan, or the date the county board is expected to approve the plan after the LWCB makes its recommendation. ²	Dec.

III. RESOURCE ASSESSMENT AND WATER QUALITY OBJECTIVES	Yes	No	Page
1. Does the plan include the following information as part of a county-wide resource assessment:			
a. Soil erosion conditions in the county ³ , including:			
i. identification of areas within county that have high erosion rates or other soil erosion problems that merit action within the next 10 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	28,29, 34,35, 45,51
b. Water quality conditions of watersheds in the county ³ , including:			
i. location of watershed areas, showing their geographic boundaries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13,14
ii. identification of the causes and sources of the water quality impairments and pollutant sources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12,19- 21

¹ Appropriate notice must be provided for the required public hearing. The public hearing notice serves to notify landowners and land users of the results of any determinations concerning soil erosion rates and nonpoint source water pollution, and provides an opportunity for landowners and land users input on the county's plan. Individual notice to landowners is required if the landowners are referenced directly in the LWRM plan. DATCP may request verification that appropriate notice was provided.

² The county board may approve the county LWRM plan after the department approves the plan. The plan approved by the county board must be the same plan approved by the department. If the department requires changes to a plan previously approved by the county board, the department's approval does not take effect until the county board approves the modified plan.

³ Counties should support their analysis of soil and water conditions by referencing relevant land use and natural resource information, including the distribution of major soil types and surface topographic features, and land use categories and their distribution. Sec. ATCP 50.12(3)(b) requires that a county assemble relevant data, including relevant land use, natural resource, water quality and soil data.

- | | | | |
|---|-------------------------------------|--------------------------|--------------|
| iii. identification of areas within the county that have water quality problems that merit action within the next 10 years. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12,23, 34,35 |
|---|-------------------------------------|--------------------------|--------------|

2. Does the LWRM plan address objectives by including the following:

- | | | | |
|---|-------------------------------------|--------------------------|-------------|
| a. specific water quality objectives identified for each watershed based upon the resource assessment, if available | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9,12, 19,35 |
| b. pollutant load reduction targets for the watersheds, if available | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9,12, 35 |

Other comments: _____

IV. DNR CONSULTATION

Yes No Page

- | | | | |
|--|-------------------------------------|--------------------------|-----|
| 1. Did the county consult with DNR ⁴ to obtain water quality assessments, if available; to identify key water quality problem areas; to determine water quality objectives; and to identify pollutant load reduction targets, if any; and to review NR 151 implementation | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3,7 |
|--|-------------------------------------|--------------------------|-----|

Other comments: Staff worked closely with NR-151 coordinator Liz Usborne

V. PLAN IMPLEMENTATION

Yes No Page

- | | | | |
|---|-------------------------------------|--------------------------|-------|
| 1. Does the LWRM plan include the following implementation components: : | | | |
| a. A voluntary implementation strategy to encourage adoption of farm conservation practices | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 44,47 |
| b. State and local regulations used to implement the plan | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8 |
| c. Compliance procedures that apply for failure to implement the conservation practices in ATCP 50, ch. NR 151 and related local regulations | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 47,48 |
| d. Relevant conservation practices to achieve compliance with performance standards and prohibitions and to address identified water quality and erosion problems | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 47,48 |
| e. A system for meeting county responsibilities to monitor the compliance of participants in the farmland preservation program | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 46,47 |
| 2. Does the LWRM plan (or accompanying work plan) estimate: | | | |
| a. expected costs of implementing the plan including cost-sharing for conservation practices needed to achieve plan objectives | <input checked="" type="checkbox"/> | <input type="checkbox"/> | W.P. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | W.P. |

⁴ While requirements for DNR consultation may be satisfied by including relevant DNR representatives on the advisory committee, counties may also need to interact with DNR staff in central or regional offices to meet all of the consultation requirements. DNR may point counties to other resources to obtain information including consultants who can calculate pollutant load reduction targets.

b. the staff time needed to provide technical assistance and education and outreach to implement the plan.

- | | | | |
|---|-------------------------------------|--------------------------|----|
| 3. Does the LWRM plan describe a priority farm strategy designed to make reasonable progress in implementing state performance standards and conservation practices on farms appropriately classified as a priority | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 45 |
|---|-------------------------------------|--------------------------|----|

Other comments: _____

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VI. OUTREACH AND PARTNERING	Yes	No	Page
1. Does the LWRM plan describe a strategy to provide information and education on soil and water resource management, conservation practices and available cost-share funding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	55-58
2. Does the LWRM plan describe coordination activities with local, state and federal agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	App D&G

Other comments: _

VII. WORK PLANNING AND PROGRESS MONITORING	Yes	No	Page
1. Does the county's most recent annual work plan ⁵ do both of the following:			
a. Provide measurable performance benchmarks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
b. Identify priorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
2. Does the LWRM plan describe a strategy and framework for monitoring county progress implementing its plan including methodology to track and measure progress in meeting performance benchmarks and plan objectives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	47,59

Other comments: _

VIII. EPA SECTION 319 CONSIDERATIONS
1. IS THE COUNTY WORKING WITH DNR TO SEEK EPA APPROVAL OF THIS PLAN AS MEETING THE REQUIREMENTS OF A 9 KEY ELEMENT PLAN UNDER SECTION 319 OF THE CLEAN WATER ACT: Currently have approved plans.

⁵ Counties must submit annual work plan by no later than April 15th of every year to meet the requirement in s. ATCP 50.12(2)(i) for counties to have multi-year work plans.



Land and Water Conservation Board
County Land and Water Resource Management Plan
Review of LWRM Plan Revisions

County: Eau Claire

Implementation Covering Past Five Years and Future Directions

Answer these four questions in writing (not to exceed 4 pages)

1. Provide a representative number of accomplishments within the last five years that can be directly traced to activities identified in multiple work plans. For each accomplishment, explain how the planning process helped the county achieve its outcome, including planning adjustments that helped better target county activities.

Over the last 5 years, 2017-2021, Eau Claire County has consistently identified nutrient management planning, allocation of SWRM bond funding to Best Management Practice (BMP) implementation and review and inspection of Stormwater and Erosion Control permits in the annual work plans.

The LCD has mainly utilized the Farmland Preservation Program (FPP) to work with county farmers to establish, implement and maintain nutrient management plans. The FPP is also the main strategy used to bring farms into compliance with NR 151. There have been approximately 270 program participants over this timeframe with the annual work plans indicating staff will review 60 plans per year. Due to staff turnover, the LCD has fallen short of this goal but still managed to review 40 or more plans most years. The LCD has maintained an active Nutrient Management Farmer Education Program holding 8 meetings a year with an average farmer attendance of 37 participants.

Eau Claire County has received an average of \$47,500 in SWRM bond funds to cost share voluntary landowner BMP installation. The LCD has consistently allocated the yearly funding which is used to cost -share projects as outlined in the annual work plans. The following practices have been installed with LCD involvement:

- *Grassed Waterways – 8*
- *Streambank Protection – 8*
- *Well Abandonment – 29*
- *Manure Storage Closure – 10*
- *Stream Crossings – 2*
- *Grade Stabilization Structures – 1*
- *Pasture Pump - 1*

A significant workload for LCD staff is implementing Title 17.05 Erosion Control and 17.06 Stormwater Management. The division averages 29 Erosion Control Permits and 7 stormwater permits per year which is consistent with the annual work plans. A

requirement of these programs is to complete inspections to ensure the permits are being followed and to ensure erosion and stormwater are being controlled.

2. Identify any areas where the county was unable to make desired progress in implementing activities identified in recent work plans. For each area identified, explain the work plan adjustments that were made to refocus planned activities. If no areas are identified, explain how the county was able to make progress in all the areas planned.

The LCD has fallen short in completing FPP 4 year on-farm site inspections. The planned progress has not been met mainly due to staff turnover. During this timeframe the LCD transitioned to the Ascent Permit Management Suite which has streamlined program management. The LCD is now fully staffed and is looking to add a summer intern to help with the inspections. Moving forward into the next plan it is anticipated the LCD can make up the backlog of inspections and meet the planned yearly requirement.

The LCD has not been able to expand Nutrient Management Planning outside of FPP. Over the next 10 years the LCD is planning to reach out to farms within the “priority farm” that have not participated in programs and work with these farmers to voluntarily implement a nutrient management program if they aren’t already. The LCD is also looking to initiate NMFEE workshops in the Augusta area to provide an opportunity for the Amish community to work with the Division.

3. Describe the county’s approach to implementation of its priority farm strategy including outreach, farm inventories and making use of multiple funding sources. How has the county evaluated the effectiveness of its priority farm strategy and used this information to improve implementation of the agricultural performance standards and conservation practices on farms?

The previous plan implemented a “Priority Watershed” with the new plan incorporating a “Priority Farm”. The updated Priority Farm has been altered to prioritize operations in the Lowes Creek/Chippewa River, Otter Creek, and Eau Claire River HUC 10 watersheds. These watersheds have the highest concentration of farms with several of the streams within these watersheds listed as 303d impairments. Eau Claire County has robust FPP participation with approximately 270 participants. The FPP is the primary outreach strategy utilized to bring farms voluntarily into compliance with the agricultural performance standards. The LCD actively promotes the program through the county’s website and during 1 on 1 interactions with landowners. The LCD plans to continue the Nutrient Management Farmer Education Program and is looking to grow the program by offering classes in the Augusta area to provide an opportunity for the Amish community to attend classes. See Page 45 for the Priority Farm Strategy and page 47 for the process when implementing state performance standards and prohibitions.

4. Provide representative examples that show changes in direction in the county’s LWRM plan and annual work plans, with specific examples provided showing adjustments in goals, objectives, or planned activities.
 - *In 2020 the LCD purchased a no-till drill and created the No-Till Drill Rental Program. See Pages 49 and 86.*
 - *In 2019 the LCD established a Water Quality Trading agreement with the City of Augusta to act as the Broker for the project. See Pages 49 and 84 LCD.*

- *In December of 2017 LCD entered into a Phosphorus Multi-Discharger Variance Agreement with the DNR. Page 49*
- *The LCD is looking to assist with the creation of a producer led group within the county. Page 56*
- *Adoption of the EPA Eau Claire River Watershed 9 Key Element Plan in 2017. See Appendix D, Page 83, LCD 2021 Annual Report for more information regarding the plan and the associated Large Scale Targeted Runoff Management Grant*

Please consider answering the following optional question (not to exceed 1 page)

1. The LWCB is interested in learning how county conservation staff are addressing changing weather patterns. To this end, the LWCB reached out to WI Land + Water for guidance, see the [WI Land+Water memo](#) dated for October 28, 2020. Your response to the following question will be appreciated.

Is climate change resiliency contained in your LWRM plan (Yes or No). If yes, indicate with page number(s) or statement(s) where within the LWRM plan it is located and please consider the factors below, as examples, in your answer.

- a. *Plants and natural communities (forests, wetlands, prairies, invasive species)*
- b. *Soil and agriculture*
- c. *Weather (growing season, seasonal temperatures, precipitation)*
- d. *Infrastructure*
- e. *Land owners (residents)*
- f. *Water resources (groundwater and surface water quality and quantity)*
- g. *Fisheries*
- h. *Wildlife*
- i. *Human health and recreation*

Answer Below

Page 49 – Best Management Practice Technical Assistance

Page 9 – Link to the Eau Claire County Climate Action & Resilience Plan

Annual Work Plans

Attach both of the following:

- a. The most current annual work plan, prepared in the current format from DATCP, and addresses all required items such as needed funding and staff hours.
- b. The work plan for the previous year that includes a column that identifies the progress in implementing the planned activities for that year.

Presentation Regarding County Resource Concerns

Prepare and present an 8-10 minute snapshot to the board regarding county resources and management issues. The county must prepare one of following as part of this brief presentation:

- a. A PowerPoint (showing what your county looks like, can include maps), or
- b. A hand out (2 page max)

Guidance on Board Review Process

The LWCB's review supplements but does not replace compliance with the DATCP checklist for LWRM plan approval. This encourages and supports honest presentations from the county. The county is strongly encouraged to have the LCC chair or committee member be a part of the presentation to the Board to contribute policy and other insights to the discussion. The goal of the review is not to fail counties. The board recognizes the dynamic nature of the planning process. Board members are interested in how counties tackle priorities over time and how they respond to changing conditions in pursuing their priorities. The board will evaluate a county's planning and implementation based on how well the county balances and prioritizes the following: agricultural performance standards, other state priorities (impaired waters, FPP checks), and local priorities. When needed, the Board will provide constructive support to counties to improve the quality of their planning.

Land Conservation Committee Notification

The LCC was provided a completed copy of this form (including attachments) on: October 11, 2022



Signature of Authorized Representative: _____ **Date:** 10/31/2022
(e.g. County Conservationist, LCC chair)

Send completed form and attachments to:
Lisa.Trumble@wi.gov

**Eau Claire County 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	Grassed waterways Cover crops with cost-share No-till planting through no-till drill rental program Convert 40 acres cropland to rotational grazing Provide additional local funding for practice installation	Install 7 grassed waterways – 8 acres Install 700 acres cover crops installation with cost-share – 249 ac 600 ac. no-till drill rental program – 1,022 ac Convert 40 acres cropland to rotational grazing Provided \$10,000.00 additional local funding for practice installation
	NMP with SEG cost-share NMP with NMFE cost-share NMP without cost-share Host nutrient management workshops One-on-one NMP update meetings with farmers Continuance of 42 acre Demo Farm	Plan 1,375 acres NMP with SEG cost-share – 1,612 ac Plan 1,500 acres NMP with NMFE cost-share – 235 ac Plan 22,125 acres NMP without cost-share – 25,520 ac Host 4 nutrient management workshops – 8 45 one-on-one NMP update meetings with farmers – 42 Continuance of 42 acre Demo Farm for cover crop and no-till practices
	FPP status reviews Operation and maintenance reviews of practices	50 FPP status reviews - 50 Operation and maintenance reviews on 5 practices
<ul style="list-style-type: none"> <i>Livestock</i> 		
Livestock	Barnyard runoff management system Animal waste storage facility closures Pasture pump/fencing systems Cattle stream crossings Livestock watering facility Cattle lane Rotational grazing plan Provide additional local funding for practice installation	Install one covered barnyard runoff management system Permit & inspect 4 animal waste storage facility closures - 3 Install one pasture pump/fencing systems Install two cattle stream crossings – 50’ Install one livestock watering facility – 1 Install 1,100 ft protected cattle lane – 1,375’ Develop one rotational grazing plan Provide additional local funding for practice installation - \$10,000
	Operation and maintenance reviews	Operation and maintenance reviews on 5 practices

**Eau Claire County 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Water quality

Water quality/quantity (other than activities already listed in other categories)	Streambank protection Access road stabilization Stream machinery crossing Streambank livestock exclusion In-stream habitat improvement Continue to provide additional local funding for practice installation	1,600 ft streambank protection – 586’ 1,000 feet access road stabilization 1 stream machinery crossing – 1 2,800 ft streambank livestock exclusion – 1,500’ fencing 1,175 ft in-stream habitat improvement Continue to provide additional local funding for practice installation - \$10,000.00
	Bathymetric/sediment lake survey Assist Public Health Department with phosphorous monitoring in local lakes Develop stream modeling and in-stream sedimentation monitoring program	Bathymetric/sediment lake survey Assist Public Health Department with phosphorous monitoring in local lakes Develop stream modeling and in-stream sedimentation monitoring program
	CREP	Review for possible renewal of 5 CREP contracts
	Groundwater	Continue implementation of the State of the Groundwater Report for Eau Claire County priority recommendations Continue Wellntel monitoring on 5 wells Provide local funding for 7 well abandonments – 3

• *Forestry*

Forestry	Management Plans	Refer requests to DNR private forester
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• *Invasive*

Invasive species	Management plans	Increase coordination with 5 county Lower Chippewa Invasives Partnership (LCIP) through agreement with Beaver Creek Reserve
	Control	Increase implementation of invasive species control in coordination with all other activities – Lake Monitoring & Protection Network Agreement with Beaver Creek Reserve

• *Wildlife*

Wildlife-Wetlands-Habitat (other than forestry or invasive species)	Wildlife damage program	Respond to Wildlife damage claims as needed Perform operation and maintenance reviews on 8 projects – 3
	Tree and plant sales	Sell 29,500 trees – 30,700 Sell 600 native plants – 768

**Eau Claire County 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

• *Urban*

Urban issues	Stormwater control	60 plan reviews and site visits/inspections 5 permits issued – 8
	Construction site erosion control	60 plan reviews and site visits/inspections - 40 permits issued – 31
	Education/Outreach	<i>Work with Rain to Rivers on developing Storm Water Education advertising and outreach. Develop Storm Water Trainings with Rain to Rivers through the assistance of a DNR Storm Water Grant. Provide MS4 Permit updates to County Board and LCC members.</i>

• *Watershed*

Watershed strategies	Eau Claire River 9-key element plan implementation	12 collaboration meetings attended - 12 12 planning/strategy meetings for specific programming 4 presentations given Collaborate with UW-Eau Claire on FFA education program <i>Continuation of Demonstration Farm for Soil Health and No-till BMPs</i>
	Water Quality Trading (WQT) Program	<i>Continue implementation of Water Quality Trading agreement with the City of Augusta with construction of BMPs (which are listed above in their appropriate categories)</i>
	Multi-Discharger Variance (MDV) Program	<i>Develop 3 Watershed Plans for MDV Program (BMP scheduled for construction listed above in their appropriate categories)</i>

• *Other*

Other	Non-metallic and frac sand mining	1 plan review 4 site visits/inspections Development of a 1 ac. seeding demonstration site for reclamation activities
	Land Stewardship	<i>Continue Land Stewardship program to provide long- term conservation/preservation for future generations</i>

**Eau Claire County 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits		
Manure storage construction and transfer systems	1	1 0
Manure storage closure	4	4 3
Livestock facility siting	0	
Nonmetallic/frac sand mining	1	1 0
Stormwater and construction site erosion control	45	45 39
Shoreland zoning		
Wetlands and waterways (Ch. 30)		
Certified Survey Maps (CSM) reviews	40	62

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	65 50
For FPP	60 50
For NR 151	5 0
Animal waste ordinance	5 3
Livestock facility siting	0
Stormwater and construction site erosion control	120
Nonmetallic mining	5 0

Table 4: Planned outreach and education activities

Activity	Number
Tours	3 1
Field days	3 1
Trainings/workshops	5 8
School-age programs (camps, field days, classroom)	4
On-air radio interviews	15 12
Social media posts	80
News release/story	3
Drone Videorecording flights of BMPs (before and after)	4 1

**Eau Claire County 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
Conservation Staff	9,866	\$402,520
Support Costs	n/a	\$58,557
Cost Sharing (can be combined)		
DATCP: Bonding, SEG, Supplemental SEG, NMFE	N/A	\$136,793
DNR: TRM-Large & Small Scale	N/A	\$256,445
MDV	N/A	\$14,220
WQT	N/A	\$165,775
Local funds (local tax levy, landowner funds)	N/A	\$155,750

**Eau Claire County 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	Practice Installation	<ul style="list-style-type: none"> Install 1,100 feet of grassed waterway Install 500 acres cover crops installation with cost-share Facilitate 1,500 acres no-till planting through no-till drill rental program Convert 40 acres cropland to rotational grazing Continue to provide additional local funding for practice installation
	NM planning and training	<ul style="list-style-type: none"> Plan 1,625 acres NMP with SEG cost-share Plan 1,250 acres NMP with NMFE cost-share Plan 30,000 acres NMP without cost-share Host 8 nutrient management workshops Conduct 50 one-on-one nutrient management update meetings with individual farmers Continuance of 42 acre Demo Farm for cover crop and no-till practices
	Landscape-scale surveys, inventories, and reviews	<ul style="list-style-type: none"> Conduct 50 FPP status reviews Perform operation and maintenance reviews on 5 practices
<ul style="list-style-type: none"> <i>Livestock</i> 		
Livestock	Practice installation	<ul style="list-style-type: none"> Install one covered barnyard runoff management system Permit & inspect two animal waste storage facility closures Install one pasture pump/fencing systems to limit livestock access to streambanks Develop one rotational grazing plan Continue to provide additional local funding for practice installation
	Landscape-scale surveys, inventories, and reviews	<ul style="list-style-type: none"> Perform operation and maintenance reviews on 5 practices

**Eau Claire County 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Water quality

Water quality/quantity (other than activities already listed in other categories)	Practice Installation	<ul style="list-style-type: none"> • 800 ft streambank protection • 850 feet access road stabilization • 1 stream machinery crossing • 250 ft in-stream habitat improvement • Continue to provide additional local funding for practice installation
	Landscape-scale surveys and/or inventories	<ul style="list-style-type: none"> • Bathymetric/sediment lake survey • Assist Public Health Department with phosphorous monitoring in local lakes • Develop stream modeling and in-stream sedimentation monitoring program
	CREP	<ul style="list-style-type: none"> • Review for possible renewal of 5 CREP contracts
	Groundwater	<ul style="list-style-type: none"> • Continue implementation of the State of the Groundwater Report for Eau Claire County priority recommendations • Continue WellIntel monitoring on 5 wells • Provide local funding for 7 well abandonments

• *Forestry*

Forestry	Management Plans	<ul style="list-style-type: none"> • Refer requests to DNR private forester
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• *Invasive*

Invasive species	Management plans	<ul style="list-style-type: none"> • Increase coordination with 5 county Lower Chippewa Invasives Partnership (LCIP) through agreement with Beaver Creek Reserve
	Control	<ul style="list-style-type: none"> • Increase implementation of invasive species control in coordination with all other activities

• *Wildlife*

Wildlife-Wetlands-Habitat (other than forestry or invasive species)	Wildlife damage program	<ul style="list-style-type: none"> • Respond to Wildlife damage claims as needed • Perform operation and maintenance reviews on 8 projects
	Tree and plant sales	<ul style="list-style-type: none"> • Sell 29,500 trees • Sell 600 native plants
	Pollinator Habitat	<ul style="list-style-type: none"> • Provide increased opportunities to include native prairie/pollinator plantings with No-till drill program

**Eau Claire County 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

• *Urban*

Urban issues	Stormwater control	<ul style="list-style-type: none"> • 60 plan reviews and site visits/inspections • 5 permits issued
	Construction site erosion control	<ul style="list-style-type: none"> • 60 plan reviews and site visits/inspections • 40 permits issued • Conduct 50 Certified Survey Map (CSM) reviews
	Education/Outreach	<ul style="list-style-type: none"> • Work with Rain to Rivers on developing Storm Water Education advertising and outreach. • Develop Storm Water Trainings with Rain to Rivers through the assistance of a DNR Storm Water Grant. • Provide MS4 Permit updates to County Board and LCC members.

• *Watershed*

Watershed strategies	Eau Claire River 9-key element plan implementation	<ul style="list-style-type: none"> • 12 collaboration meetings attended • 12 planning/strategy meetings for specific programming • 4 presentations given • Collaborate with UW-Eau Claire on FFA education program • Continuation of Demonstration Farm for Soil Health and No-till BMPs • Continue facilitating Eau Claire River Watershed Technical Committee • Assist local farmers in creation of Producer-Led Watershed group
	Water Quality Trading (WQT) Program	<ul style="list-style-type: none"> • Continue implementation of Water Quality Trading agreement with the City of Augusta with construction of BMPs (which are listed above in their appropriate categories)
	Multi-Discharger Variance (MDV) Program	<ul style="list-style-type: none"> • Develop 3 Watershed Plans for MDV Program (BMP scheduled for construction listed above in their appropriate categories)

• *Other*

Other	Non-metallic and frac sand mining	<ul style="list-style-type: none"> • 1 plan review as needed • 4 site visits/inspections • Development of a 1 ac. seeding demonstration site for reclamation activities
	Land Stewardship	<ul style="list-style-type: none"> • Continue Land Stewardship program to provide long-term conservation/preservation for future generations

**Eau Claire County 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits		
Manure storage construction and transfer systems	1	1
Manure storage closure	2	2
Livestock facility siting	0	
Nonmetallic/frac sand mining	1	1
Stormwater and construction site erosion control	45	45
Shoreland zoning		
Wetlands and waterways (Ch. 30)		
Certified Survey Maps (CSM) reviews	50	

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	65
For FPP	60
For NR 151	5
Animal waste ordinance	5
Livestock facility siting	0
Stormwater and construction site erosion control	120
Nonmetallic mining	5

**Eau Claire County 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 4: Planned outreach and education activities

Activity	Number
Tours	3
Field days	3
Trainings/workshops	5
School-age programs (camps, field days, classroom)	4
On-air radio interviews	15
Social media posts	80
News release/story	3
Drone Videorecording flights of BMPs (before and after)	2

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
Conservation Staff	9,918	\$465,492
Support Costs	n/a	\$55,463
Cost Sharing (can be combined)		
DATCP: Bonding, SEG, Supplemental SEG, NMFE	N/A	\$120,899
DNR: TRM-Large & Small Scale	N/A	\$256,445
MDV	N/A	\$16,337
WQT	N/A	\$102,546
Local funds (local tax levy, landowner funds)	N/A	\$128,500

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 18, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: Lisa K. Trumble, DATCP *Lisa K. Trumble*
Resource Management Section,
Bureau of Land and Water Resources

SUBJECT: Recommendation for Approval of the *Richland County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department has determined that the *Richland County Land and Water Resource Management Plan* meets applicable statutory and rule requirements and requests that the LWCB make a recommendation regarding approval of the plan consistent with the Board's guidance.

Summary: The plan is written as a 10 year plan, and if approved, the plan would remain in effect through December 31, 2032, and would be subject to a five-year review prior to December 31, 2027.

DATCP staff reviewed the plan using the checklist and finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

To qualify for 10-year approval of its plan, Richland County must submit an annual work plan meeting DATCP requirements during each year of its 10-year plan approval.

Richland County held a public hearing on October 3, 2022, as part of its public input and review process. The Richland County Land Conservation Committee presented the LWRM plan for County Board approval on October 25, 2022. The plan was approved.

Materials Provided:

- LWRM Plan Review Checklist
- Completed LWRM Plan Review form
- 2021 workplan with accomplishments and current 2022 workplan
- BMP Installation 2013-2021

Presenters: Cathy Cooper, Richland County Conservationist
Melissa Luck, Land + Zoning Standing Committee Chair



Wisconsin Dept. of Agriculture, Trade and Consumer Protection
 Agricultural Resource Management Division
 2811 Agriculture Drive, PO Box 8911
 Madison WI 53708-8911
 Phone: (608) 224-4608

Land and Water Resource Management (LWRM)

LWRM Plan Review Checklist

Wis. Stats. § 92.10 & Wis. Adm. Code § ATCP 50.12.

County: RICHLAND

Date Plan Submitted for Review: 9/6/2022

I. ADVISORY COMMITTEE	Yes	No	Page
1. Did the county convene a local advisory committee that included a broad spectrum of public interests and perspectives (such as affected landowners, partner organizations, government officials, educational institutions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3

II. PUBLIC PARTICIPATION AND COUNTY BOARD APPROVAL	Date(s)
1. Provide the dates that the local advisory committee met to discuss the development of the LWRM plan and the county plan of work	1-25-22
2. Provide the date the county held a public hearing on the LWRM plan ¹	10-3-22
3. Provide the date of county board approval of the plan, or the date the county board is expected to approve the plan after the LWCB makes its recommendation. ²	10-25-22

III. RESOURCE ASSESSMENT AND WATER QUALITY OBJECTIVES	Yes	No	Page
1. Does the plan include the following information as part of a county-wide resource assessment:			
a. Soil erosion conditions in the county ³ , including:			
i. identification of areas within county that have high erosion rates or other soil erosion problems that merit action within the next 10 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26-27 37-39
b. Water quality conditions of watersheds in the county ³ , including:			
i. location of watershed areas, showing their geographic boundaries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12
ii. identification of the causes and sources of the water quality impairments and pollutant sources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12-35

¹ Appropriate notice must be provided for the required public hearing. The public hearing notice serves to notify landowners and land users of the results of any determinations concerning soil erosion rates and nonpoint source water pollution, and provides an opportunity for landowners and land users input on the county's plan. Individual notice to landowners is required if the landowners are referenced directly in the LWRM plan. DATCP may request verification that appropriate notice was provided.

² The county board may approve the county LWRM plan after the department approves the plan. The plan approved by the county board must be the same plan approved by the department. If the department requires changes to a plan previously approved by the county board, the department's approval does not take effect until the county board approves the modified plan.

³ Counties should support their analysis of soil and water conditions by referencing relevant land use and natural resource information, including the distribution of major soil types and surface topographic features, and land use categories and their distribution. Sec. ATCP 50.12(3)(b) requires that a county assemble relevant data, including relevant land use, natural resource, water quality and soil data.

- | | | | |
|---|-------------------------------------|--------------------------|-------|
| iii. identification of areas within the county that have water quality problems that merit action within the next 10 years. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 26-35 |
|---|-------------------------------------|--------------------------|-------|

2. Does the LWRM plan address objectives by including the following:

- | | | | |
|---|-------------------------------------|--------------------------|-----------|
| a. specific water quality objectives identified for each watershed based upon the resource assessment, if available | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 25-31 |
| b. pollutant load reduction targets for the watersheds, if available | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 26,29, 31 |

Other comments: _____

IV. DNR CONSULTATION	Yes	No	Page
1. Did the county consult with DNR ⁴ to obtain water quality assessments, if available; to identify key water quality problem areas; to determine water quality objectives; and to identify pollutant load reduction targets, if any; and to review NR 151 implementation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

Other comments: DNR was included in initial meetings

V. PLAN IMPLEMENTATION	Yes	No	Page
1. Does the LWRM plan include the following implementation components: :			
a. A voluntary implementation strategy to encourage adoption of farm conservation practices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	53
b. State and local regulations used to implement the plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	53-57
c. Compliance procedures that apply for failure to implement the conservation practices in ATCP 50, ch. NR 151 and related local regulations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	55-56
d. Relevant conservation practices to achieve compliance with performance standards and prohibitions and to address identified water quality and erosion problems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	57
e. A system for meeting county responsibilities to monitor the compliance of participants in the farmland preservation program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	52,55, 59

⁴ While requirements for DNR consultation may be satisfied by including relevant DNR representatives on the advisory committee, counties may also need to interact with DNR staff in central or regional offices to meet all of the consultation requirements. DNR may point counties to other resources to obtain information including consultants who can calculate pollutant load reduction targets.

- | | | | |
|---|-------------------------------------|--------------------------|----|
| 2. Does the LWRM plan (or accompanying work plan) estimate: | | | |
| a. expected costs of implementing the plan including cost-sharing for conservation practices needed to achieve plan objectives | <input checked="" type="checkbox"/> | <input type="checkbox"/> | WP |
| b. the staff time needed to provide technical assistance and education and outreach to implement the plan. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | WP |
| 3. Does the LWRM plan describe a priority farm strategy designed to make reasonable progress in implementing state performance standards and conservation practices on farms appropriately classified as a priority | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 58 |

Other comments: _____

VI. OUTREACH AND PARTNERING	Yes	No	Page
1. Does the LWRM plan describe a strategy to provide information and education on soil and water resource management, conservation practices and available cost-share funding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	51
2. Does the LWRM plan describe coordination activities with local, state and federal agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	60-63

Other comments: _____

VII. WORK PLANNING AND PROGRESS MONITORING	Yes	No	Page
1. Does the county's most recent annual work plan ⁵ do both of the following:			
a. Provide measurable performance benchmarks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
b. Identify priorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
2. Does the LWRM plan describe a strategy and framework for monitoring county progress implementing its plan including methodology to track and measure progress in meeting performance benchmarks and plan objectives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	64

Other comments: _____

VIII. EPA SECTION 319 CONSIDERATIONS

1. IS THE COUNTY WORKING WITH DNR TO SEEK EPA APPROVAL OF THIS PLAN AS MEETING THE REQUIREMENTS OF A 9 KEY ELEMENT PLAN UNDER SECTION 319 OF THE CLEAN WATER ACT: No

⁵ Counties must submit annual work plan by no later than April 15th of every year to meet the requirement in s. ATCP 50.12(2)(i) for counties to have multi-year work plans.

STAFF RECOMMENDATION

Staff has reviewed the above-referenced county LWRM plan based on the criteria required in s. ATCP 50.12, Wis. Admin. Code, and s. 92.10, Stats., and has determined that the plan meets the criteria for DATCP approval of this plan. This checklist review is prepared to enable the LWCB to make recommendations regarding plan approval, and for DATCP to make its final decision regarding plan approval.

Staff Signature: *Lisa K. Trumble*

Date: 11-11-22



Land and Water Conservation Board
County Land and Water Resource Management Plan
Review of LWRM Plan Revisions

County: Richland

Implementation Covering Past Five Years and Future Directions

Answer these four questions in writing (not to exceed 4 pages)

1. Provide a representative number of accomplishments within the last five years that can be directly traced to activities identified in multiple work plans. For each accomplishment, explain how the planning process helped the county achieve its outcome, including planning adjustments that helped better target county activities.

The following activities have been identified in both the 2012-2021 LWRM plan and the last 5 work plans.

Richland County included assisting with well abandonment in the 2012-2021 plan. Since 2017, 33 wells have been properly abandoned in Richland County. There are 2 well drillers/pump installers that have been really active in promoting this to their customers. Protecting groundwater was one of the goals in that plan. Cost sharing properly abandoning wells was one of the activities. In 2020 and 2021, Richland, Crawford and Vernon counties held 2 well testing events.

Nutrient management was one of the goals identified with holding nutrient management classes. We have held 5 classes with the help of DATCP and Extension.

Controlling invasive species was a goal and activity identified in our workplan. We worked with the former Southwest Badger RC & D to identify sites of Japanese Knotweed and phragmites and assisted them with control. In 2021, we applied for the Lake Monitoring and Protection Network grant. Through this we have conducted a few Clean Boats, Clean water inspections, have done some survey work looking for invasives, replaced some signs, had some educational material available at the county fair, and have built 2 boot brush stations. We will continue this work and look to recruit more volunteers and host more educational events.

Protecting and improving surface water quality is also one of the goals. We worked with the City of Richland Center Wastewater Treatment plant and the Hub-Rock Sanitary Districts to identify stream bank sites that have high phosphorus loading. Several sites along the Pine River directly above the City of Richland Center were rippedraped to prevent further erosion. 4 sites above the Hub-Rock facility have been identified and are waiting to be protected.

2. Identify any areas where the county was unable to make desired progress in implementing activities identified in recent work plans. For each area identified, explain

the work plan adjustments that were made to refocus planned activities. If no areas are identified, explain how the county was able to make progress in all the areas planned.

We have identified installation of contour strips and contour buffer strips as needed practices. With the increasing size of planting and harvesting equipment, some producers are reluctant to install these practices. Another reason is the renters are reluctant to install on cropland they may not be renting in a couple of years. Future work plans will include working with cash grain producers encouraging more cover crops and looking into a cover crop field day.

New acres of nutrient management plans have been up and down the past 5 years. It has been difficult to get producers to apply for the cost-sharing. We will continue having nutrient management classes in the work plans and some one-on-one assistance for those that have gone through classes in the past. We will also include promoting and working with Southwest Wisconsin Technical college classes.

3. Describe the county's approach to implementation of its priority farm strategy including outreach, farm inventories and making use of multiple funding sources. How has the county evaluated the effectiveness of its priority farm strategy and used this information to improve implementation of the agricultural performance standards and conservation practices on farms?

Our first priority is with new landowners interested in Farmland Preservation to come into compliance and to work with existing Farmland Preservation participants especially with nutrient management planning. Another priority are those producers interested in manure storage to make sure all of their parcels are in compliance with performance standards before issuing a permit.

Dealing with complaints are an important priority for compliance with performance standards. If it has to do with manure runoff, we have and will continue to work with DNR and DATCP personnel to remedy the problem.

We have not gone out and done inventories on a watershed basis. If time, staff, and money allows, we want to do more of that, especially in impaired watersheds, it is one of our priorities in this plan.

We will continue to evaluate our strategies and see where improvements can be made. We have just moved offices and are now co-located with Zoning. Having better access to the county mapping system may help us make improvements in tracking and targeting. Also, we have a new staff member that may see things in a different way and come up with new ways of targeting parcels.

4. Provide representative examples that show changes in direction in the county's LWRM plan and annual work plans, with specific examples provided showing adjustments in goals, objectives or planned activities.

In our recent work plans, more emphasis has been put on well abandonments, stream crossing and animal trails and walkways for livestock use, and holding nutrient management classes. We have added well testing, addressing aquatic invasive species and streambank protection work with sanitary districts to reduce phosphorus loading.

In the new plan, we have added more well test studies; aquatic invasive work including clean boats clean water, monitoring for invasives, education; working with sanitary districts to reduce phosphorus loading; more emphasis in goals and objectives on NR 151 performance standards implementation.

Please consider answering the following optional question (not to exceed 1 page)

1. The LWCB is interested in learning how county conservation staff are addressing changing weather patterns. To this end, the LWCB reached out to WI Land+Water for guidance, see the [WI Land+Water memo](#) dated for October 28, 2020. Your response to the following question will be appreciated.

Is climate change resiliency contained in your LWRM plan (Yes or No). If yes, indicate with page number(s) or statement(s) where within the LWRM plan it is located and please consider the factors below, as examples, in your answer.

- a. *Plants and natural communities (forests, wetlands, prairies, invasive species)*
- b. *Soil and agriculture*
- c. *Weather (growing season, seasonal temperatures, precipitation)*
- d. *Infrastructure*
- e. *Land owners (residents)*
- f. *Water resources (groundwater and surface water quality and quantity)*
- g. *Fisheries*
- h. *Wildlife*
- i. *Human health and recreation*

Answer Below

Pages 40-42 we discuss climate change in general and where we can look to find methods to encourage climate resiliency

Page 17 and page 41 we discuss a stream restoration project to return the lower end of Fancy creek from an manmade ditch back to it's own meanders and floodplain.

Page 40 we talk about changes to forests due to human influence

Annual Work Plans

Attach both of the following:

- a. The most current annual work plan, prepared in the current format from DATCP, and addresses all required items such as needed funding and staff hours.
- b. The work plan for the previous year that includes a column that identifies the progress in implementing the planned activities for that year.

Presentation Regarding County Resource Concerns

Prepare and present an 8-10 minute snapshot to the board regarding county resources and management issues. The county must prepare one of following as part of this brief presentation:

- a. A PowerPoint (showing what your county looks like, can include maps), or
- b. A hand out (2 page max)

Guidance on Board Review Process

The LWCB's review supplements, but does not replace compliance with the DATCP checklist for LWRM plan approval. This encourages and supports honest presentations from the county. The county is strongly encouraged to have the LCC chair or committee member be a part of the presentation to the Board to contribute policy and other insights to the discussion. The goal of the review is not to fail counties. The board recognizes the dynamic nature of the planning process. Board members are interested in how counties tackle priorities over time and how they respond to changing conditions in pursuing their priorities. The board will evaluate a county's planning and implementation based on how well the county balances and prioritizes the following: agricultural performance standards, other state priorities (impaired waters, FPP checks), and local priorities. When needed, the Board will provide constructive support to counties to improve the quality of their planning.

Land Conservation Committee Notification

The LCC was provided a completed copy of this form (including attachments) on:

Signature of Authorized Representative: Cathy Cooper **Date:** 11-7-22
(e.g. County Conservationist, LCC chair)

Send completed form and attachments to:

Lisa.Trumble@wi.gov

**Richland 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS
<ul style="list-style-type: none"> • <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	<i>Practice installation</i> <i>NM planning and training</i>	<i>1 Grade Stabilization Structure</i> 1 Structure <i>\$8000 of cost-share dollars spent</i> <i>30 ac of Contour Strips</i> 47 acres <i>Provide assistance with 15 producers to update or complete new nutrient management plans one-on-one</i> 20 producers <i>500 acres of new nutrient management plans</i> 481 new ac <i># acres of cropland in compliance with a performance standard</i> 16933 acres
<ul style="list-style-type: none"> • <i>Livestock</i> 		
Livestock	<i>Practice installation</i> <i>Performance standard inspections</i>	<i>Abandonment of 1 manure storage structure</i> 2 <i>\$10000 of cost-share dollars spent</i> <i>2 of livestock facilities in compliance with a performance standard</i>
<ul style="list-style-type: none"> • <i>Water quality</i> 		
Water quality/quantity (other than activities already listed in other categories)	<i>Practice installation</i> <i>CREP</i> <i>Groundwater testing</i>	<i>2000 ft of streambank protection</i> 4210 feet <i>5 well abandonment</i> 12 <i>\$36000 of cost-share dollars spent</i> <i>5 Acres of CREP</i> 38.91 ac <i>Reducing 10 lbs of N, 8 lbs P, 20 lbs sediment</i> 114.21 lbs N, 202.2 lbs P2O5, 96056 lbs sediment <i>Provide well testing to 80 rural residents</i> 68 wells tested <i>Conduct well study with Crawford and Vernon Counties</i>
<ul style="list-style-type: none"> • <i>Forestry</i> 		
Forestry		
<ul style="list-style-type: none"> • <i>Invasive</i> 		
Invasive species	<i>Clean Boats, Clean Water</i> <i>Early Detection</i> <i>Education</i>	<i>Train volunteers and conduct 3 events (30 hours)</i> No volunteers 3 events <i>Train volunteers and conduct surveys (85 hours)</i> No Volunteers 3 surveys done <i>4 Social media posts</i> 4 media posts <i>Information at County Fair booth</i> 24 hours spent at fair <i>1 outdoor events</i> 0 outdoor events <i>(65 hours for education)</i>

**Richland 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

- *Wildlife*

Wildlife-Wetlands-Habitat (other than forestry or invasive species)	<i>Wildlife damage program Tree and plant sales</i>	<i>Assist 8 producers with Wildlife damage 2 with claims 800 trees sold 1100 trees</i>
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- *Urban*

Urban issues		
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- *Watershed*

Watershed strategies		
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- *Other*

Other	<i>PL 566 Non-metallic mining</i>	<i>8 dams inspected 8 dams inspected Repair 1 inlet pipe repaired 1 inlet pipe 4 inspections 5 inspections</i>
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Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits	0	0
Manure storage construction and transfer systems	1	1 1
Manure storage closure	1	1 2
Livestock facility siting	0	0
Nonmetallic/frac sand mining	0	0
Stormwater and construction site erosion control	0	0
Shoreland zoning	0	0
Wetlands and waterways (Ch. 30)	0	0
Other		

**Richland 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	72
For FPP	70
For NR 151	2
Animal waste ordinance	0
Livestock facility siting	0
Stormwater and construction site erosion control	0
Nonmetallic mining	4 5

Table 4: Planned outreach and education activities

Activity	Number
Tours	0
Field days	0
Trainings/workshops	15 one-on-one 20
School-age programs (camps, field days, classroom)	2 0
Newsletters	0
Social media posts	5 10
News release/story	2 1

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
<i>Ex. County Conservationist</i>	1820	\$82,000
<i>Ex. Technician</i>	3640	\$113,000
<i>Ex. Support Costs</i>	1820	\$57,000
Cost Sharing (can be combined)		
<i>Ex. Bonding</i>	N/A	\$57,000
<i>Ex. SEG</i>	N/A	\$20,000
<i>Ex. MDV</i>	N/A	0

**Richland 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	<i>Grad Stabilization Structures</i> <i>NM planning and training</i> <i>Contour strips</i>	2 <i>1000 new acres, 5000 acres Existing with farmer training, 1 training session</i> <i>100 acres</i>
<ul style="list-style-type: none"> <i>Livestock</i> 		
Livestock	<i>Trails and walkways</i> <i>Manure storage closer</i> <i>Manure storage installation</i> <i>Stream Crossings</i> <i>Covered barnyard</i> <i>Milkhouse center wastewater</i> <i>Barnyard runoff control</i>	<i>750 feet</i> 2 1 <i>150 feet</i> 1 2 1
<ul style="list-style-type: none"> <i>Water quality</i> 		
Water quality/quantity (other than activities already listed in other categories)	<i>Streambank/shoreline Protection</i> <i>Well decommissioning</i> <i>CREP</i>	<i>1830 feet with 66 lbs of phosphorus</i> <i>4 wells</i> <i>5 acres</i>
<ul style="list-style-type: none"> <i>Forestry</i> 		
Forestry		
<ul style="list-style-type: none"> <i>Invasive</i> 		
Invasive species	<i>Surveys</i>	<i>10 surveys</i>
<ul style="list-style-type: none"> <i>Wildlife</i> 		
Wildlife-Wetlands-Habitat (other than forestry or invasive species)	<i>Wildlife damage program</i>	<i>Work with contractor to complete program</i>
<ul style="list-style-type: none"> <i>Urban</i> 		
Urban issues		
<ul style="list-style-type: none"> <i>Watershed</i> 		
Watershed strategies	<i>Water Quality Trading</i>	<i>Assist Hub-Rock, Cazenovia and Boaz sanitary districts to reduce Phosphorus including practice design and assisting finding landowners</i>

**Richland 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

<ul style="list-style-type: none"> • <i>Other</i> 		
Other	<i>PL 566 Non-metallic and frac sand mining</i>	<i>8 dams inspected 1 inspection</i>

Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits		
Manure storage construction and transfer systems	1	1
Manure storage closure	2	1
Livestock facility siting		
Nonmetallic/frac sand mining		
Stormwater and construction site erosion control		
Shoreland zoning		
Wetlands and waterways (Ch. 30)		
Other		

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	83
For FPP	80
For NR 151	3
Animal waste ordinance	1
Livestock facility siting	
Stormwater and construction site erosion control	
Nonmetallic mining	1

**Richland 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 4: Planned outreach and education activities

Activity	Number
Tours	
Field days	
Trainings/workshops	
School-age programs (camps, field days, classroom)	1
Newsletters	
Social media posts	
News release/story	

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
<i>Ex. County Conservationist</i>	1820	\$79500
<i>Ex. Technician</i>	3640	\$112000
<i>Ex. Support Costs</i>	1638	\$49000
Cost Sharing (can be combined)		
<i>Ex. Bonding</i>	<i>N/A</i>	\$65000
<i>Ex. SEG</i>	<i>N/A</i>	\$20,000
<i>Ex. MDV</i>	<i>N/A</i>	

Activity	2013	2014	2015	2016	2017	2018	2019	2020	2021
New Certificates of Compliance	0	0	39	39	120	23	21	15	
Self certification letters *	455	494	494	494	494		414	365	
Status reviews	100	103	103	103	75	80	75	98	
Nutrient management acres	734	9935	12036	14509	21213	24268	25764	17026	16933
Contour & Buffer strips		264/30 acs	251/314 ac	0	64 acres	0	0	0	47
Comprehensive Nutrient Management Plans	0	1	0	0	0	0	0	0	
Rotational Grazing	0		300 ac		30 ac	0		2 plans	
Cover Crops	0					0		4302 ac	150
Tree sale trees	5525	3475	4250	4250	2825	1850	1011	1100	
Well decommissioning	7	4	5	5	1	12	3	5	12
Manure closings	1	0			1	0	2	0	2
Manure storage	2	0	3		1	1	1	0	1
Cattle Crossing	0	0	0	0	0	1	0	0	
Grade Stabilization	0	7	6	4	3	1	0	3	1
Access Road	0	2100 ft	10400 ft	1250 ft	8980 ft	0	160 ft		
RipRap	0	5705 ft	6500 ft	2400 ft	3800 ft	1798 ft	3730 ft	13259 ft	4210
Feed storage runoff control system	0	0	1	0	0	0	0	0	
Grass Waterway	0	0			1	0	0	0	
Spring Development	0	0	2	2	2	0	0	0	
Watering Facility	0	0	1	2	0	0	0	0	
Underground Outlet	0		300 ft	0	0	0	0	0	
Pipeline for Grazing	0		7500 ft	0	0	0	0	0	
Trails & Walkways	0	0	0	0	0	0	0	4000 ft	3500
Livestock fencing	0	0	0	0	0	0		14700 ft	12000
* Self Certificaton letters are always changing, certificates are issued to the way the tax bill shows the owner 1 land owner may have 3 different certificates or more									

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 21, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: Lisa K. Trumble, DATCP *Lisa K. Trumble*
Resource Management Section,
Bureau of Land and Water Resources

SUBJECT: Recommendation for Approval of the *Buffalo County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department has determined that the *Buffalo County Land and Water Resource Management Plan* meets applicable statutory and rule requirements and requests that the LWCB make a recommendation regarding approval of the plan consistent with the Board's guidance.

Summary: On December 15, 2021, Buffalo County was granted a waiver for the expiration of their LWRM plan. Staff turnovers were a key factor for granting the waiver. The county has had 4 County Conservationists in the last six years. The current County Conservationist was not hired on until November of 2021. Pursuant to s. ATCP 50.02, Wis. Admin. Code, the waiver of expiration of term of approval for the Buffalo County LWRM plan was granted through December 31, 2022. The plan is written as a 10-year plan and recommended for a 9-year approval to keep with the timeline set forth in 2016 (LWCB Docket Number 011-00000-L-16-E-1216), and if approved, the plan would remain in effect through December 31, 2031, and would be subject to a five-year review prior to December 31, 2026.

DATCP staff reviewed the plan using the checklist and finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

To qualify for approval of its plan, Buffalo County must submit an annual work plan meeting DATCP requirements during each year of its plan approval.

Buffalo County held a public hearing on December 13, 2021, as part of its public input and review process. The Buffalo County Land Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

Materials Provided:

- Approval Order Waiving Expiration of LWRM Plan
- LWRM Plan Review Checklist
- Completed LWRM Plan Review form
- 2021 workplan with accomplishments and current 2022 workplan

Presenters: Cale Severson, Buffalo County Conservationist
Dwight Ruff, Land Conservation, Ag & Extension Committee Chair

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
2811 Agriculture Drive, P.O. Box 8911
Madison, WI 53708-8911

IN THE MATTER OF THE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN FOR BUFFALO COUNTY	DOCKET NO. 011-00000-L-16-W-1221 ORDER WAIVING THE EXPIRATION OF APPROVAL OF REVISED LWRM PLAN THROUGH DECEMBER 31, 2022
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INTRODUCTION

The Buffalo County Land Conservation Committee has asked the Department of Agriculture, Trade and Consumer Protection (Department) to grant a waiver of expiration of the term of approval of the County Land and Water Resource Management (LWRM) plan, pursuant to s. ATCP 50.02, Wis. Admin. Code. A waiver of expiration of approval of the Buffalo County LWRM plan, through December 31, 2022, is necessary to ensure that there is no lapse in state funding or implementation of county soil and water resource management programming while the county land conservation committee works with its new county conservation staff to prepare, finalize, and submit a revised LWRM plan that meets the requirements of s. 92.10, Wis. Stats and s. ATCP 50.12, Wis. Admin. Code. The department has considered the request and adopts the following decision:

FINDINGS OF FACT

- (1) Paragraphs (1) through (6) from the “Findings of Fact” in the June 13, 2011 Order approving the revised plan, through December 31, 2016, *In the Matter of the County Land and Water Resource Management Plan for Buffalo County*, LWCB Docket No. 11-13-06-000-L-1, are incorporated by reference as if fully set forth herein. A copy of the Order is on file at the Land and Water Resource Bureau of the Wisconsin Department of Agriculture, Trade and Consumer Protection at 2811 Agriculture Drive, Madison, WI 53708-8911.
- (2) On June 13, 2011, the Department approved the Buffalo County LWRM plan until December 31, 2016, as more fully described in Docket No. 11-13-06-000-L-1.
- (3) On June 13, 2011, when the Department approved the LWRM Plan, it was authorized under s. ATCP 50.12(5), Wis. Admin. Code, to approve the plan for a period not to exceed five (5) years.
- (4) On August 1, 2011, s. ATCP 50.12(5), Wis. Admin. Code, was revised to allow the department to approve a LWRM plan for a specific time, not to exceed ten years.
- (5) On November 14, 2016, Buffalo County requested a five (5) year extension of its plan approval expiration date, based on authorization from its designated Land Conservation

Committee (LCC), and submitted the documentation specified in the Land and Water Conservation Board (LWCB) procedures for extension requests.

- (6) On December 6, 2016, the LWCB reviewed Buffalo County's implementation of its LWRM plan over the past five (5) years, found that Buffalo County met the criteria for a four (4) to five (5) year extension of its plan approval, and recommended approval of the extension of the Buffalo County LWRM plan through December 31, 2021.
- (7) On December 15, 2016, the Department issued an order extending the approval of the Buffalo County LWRM plan, through December 31, 2021, as more fully described in Docket Number 011-00000-L-16-E-1216.
- (8) Under s. ATCP 50.10(1), Wis. Admin. Code, every county LCC shall establish and maintain a county soil and water conservation program. The program shall include a county LWRM plan and a program to implement that plan, per s. ATCP 50.10(1)(a) and (b), Wis. Admin. Code. Under s. 92.10(2), Wis. Stats., the purpose of land and water resource management planning is to conserve long-term soil productivity, protect the quality of related natural resources, enhance water quality, and focus on severe soil erosion problems.
- (9) Under s. 92.14(3), Wis. Stats., the Department shall award an annual grant from the appropriation under s. 20.115(7)(c), (qe), or (qf) or s. 20.866(2)(we) to any county land conservation committee that has a LWRM plan approved by the Department under s. 92.10(4)(d). In administration of the soil and water resource management program, pursuant to s. 92.14(3), Wis. Stats., the county may use the grant for activities under s. 92.14(3)(a)-(g), Wis. Stats., where the purpose of the activity is consistent with the approved LWRM plan.
- (10) Under s. 92.14(6)(g), Wis. Stats., every grant awarded to a county, under ss. 92.14 and 281.65, Wis. Stats., for financial assistance of nonpoint source water pollution abatement, shall be consistent with plans under s. 92.15, 1985 stats., and ss. 92.14, 92.10, and 281.65, Wis. Stats.
- (11) Under s. ATCP 50.12(1), Wis. Admin. Code, the Department shall approve the county LWRM plan before allocating any funds to the county, under s. ATCP 50, Subchapter IV, Wis. Admin. Code.
- (12) Under s. ATCP 50.12(5), Wis. Admin. Code, Department approval of a county LWRM plan shall not exceed ten years.
- (13) Under s. ATCP 50.02, Wis. Admin. Code, the Department may grant a written waiver from any provision of ch. ATCP 50 if the Department finds that the waiver is necessary to achieve the objectives of ch. ATCP 50 for administration of soil and water resource management programming.
- (14) Buffalo County has had three (3) different individuals acting in the capacity of county conservationist charged with implementation of the soil and water conservation

programming, between calendar years 2020 and 2021. This term coincided with the initiation of the county LCC's revision of the county LWRM plan. The newest county conservationist started employment with the county in November of 2021.

CONCLUSIONS OF LAW

- (1) Under s. ATCP 50.02, Wis. Admin. Code, the Department may grant a written waiver from any provision of ch. ATCP 50, Wis. Admin. Code if the Department finds that the waiver is necessary to achieve the objectives of ch. ATCP 50.

- (2) Based on Findings of Fact (1) through (14) above, the Department should issue an order waiving the expiration of approval of the Buffalo County LWRM plan, under s. ATCP 50.12(5), Wis. Admin. Code, for a term ending December 31, 2022.

ORDER

NOW, THEREFORE, IT IS ORDERED that:

- (1) Pursuant to s. ATCP 50.02, Wis. Admin. Code, the waiver of expiration of term of approval of the Buffalo County LWRM plan, is granted through December 31, 2022.

- (2) As a condition of this waiver, the Buffalo County LCC will present its comprehensively-revised LWRM plan at the December 6, 2022 meeting of the LWCB.

Dated this 15th day of December, 2021

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By *Eric Bersberger*
for Randy Romanski, Secretary



Wisconsin Dept. of Agriculture, Trade and Consumer Protection
 Agricultural Resource Management Division
 2811 Agriculture Drive, PO Box 8911
 Madison WI 53708-8911
 Phone: (608) 224-4608

Land and Water Resource Management (LWRM)

LWRM Plan Review Checklist

Wis. Stats. § 92.10 & Wis. Adm. Code § ATCP 50.12.

County: BUFFALO

Date Plan Submitted for Review: 8/31/2022

I. ADVISORY COMMITTEE	Yes	No	Page
1. Did the county convene a local advisory committee that included a broad spectrum of public interests and perspectives (such as affected landowners, partner organizations, government officials, educational institutions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,7

II. PUBLIC PARTICIPATION AND COUNTY BOARD APPROVAL	Date(s)
1. Provide the dates that the local advisory committee met to discuss the development of the LWRM plan and the county plan of work	3/3/21 6/1/21
2. Provide the date the county held a public hearing on the LWRM plan ¹	12-13-21
3. Provide the date of county board approval of the plan, or the date the county board is expected to approve the plan after the LWCB makes its recommendation. ²	12-19-22

III. RESOURCE ASSESSMENT AND WATER QUALITY OBJECTIVES	Yes	No	Page
1. Does the plan include the following information as part of a county-wide resource assessment:			
a. Soil erosion conditions in the county ³ , including:			
i. identification of areas within county that have high erosion rates or other soil erosion problems that merit action within the next 10 years	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ch. 2
b. Water quality conditions of watersheds in the county ³ , including:			
i. location of watershed areas, showing their geographic boundaries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	62-63
ii. identification of the causes and sources of the water quality impairments and pollutant sources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ch. 2

¹ Appropriate notice must be provided for the required public hearing. The public hearing notice serves to notify landowners and land users of the results of any determinations concerning soil erosion rates and nonpoint source water pollution, and provides an opportunity for landowners and land users input on the county's plan. Individual notice to landowners is required if the landowners are referenced directly in the LWRM plan. DATCP may request verification that appropriate notice was provided.

² The county board may approve the county LWRM plan after the department approves the plan. The plan approved by the county board must be the same plan approved by the department. If the department requires changes to a plan previously approved by the county board, the department's approval does not take effect until the county board approves the modified plan.

³ Counties should support their analysis of soil and water conditions by referencing relevant land use and natural resource information, including the distribution of major soil types and surface topographic features, and land use categories and their distribution. Sec. ATCP 50.12(3)(b) requires that a county assemble relevant data, including relevant land use, natural resource, water quality and soil data.

iii.	identification of areas within the county that have water quality problems that merit action within the next 10 years.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	24-28, 37
2. Does the LWRM plan address objectives by including the following:				
a.	specific water quality objectives identified for each watershed based upon the resource assessment, if available	<input checked="" type="checkbox"/>	<input type="checkbox"/>	33-36
b.	pollutant load reduction targets for the watersheds, if available	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/Avai lable

Other comments: Limited data available

IV. DNR CONSULTATION		Yes	No	Page
1.	Did the county consult with DNR ⁴ to obtain water quality assessments, if available; to identify key water quality problem areas; to determine water quality objectives; and to identify pollutant load reduction targets, if any; and to review NR 151 implementation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

Other comments: ____

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V. PLAN IMPLEMENTATION		Yes	No	Page
1. Does the LWRM plan include the following implementation components: :				
a.	A voluntary implementation strategy to encourage adoption of farm conservation practices	<input checked="" type="checkbox"/>	<input type="checkbox"/>	45
b.	State and local regulations used to implement the plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8-12, 46
c.	Compliance procedures that apply for failure to implement the conservation practices in ATCP 50, ch. NR 151 and related local regulations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	44
d.	Relevant conservation practices to achieve compliance with performance standards and prohibitions and to address identified water quality and erosion problems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	53,80
e.	A system for meeting county responsibilities to monitor the compliance of participants in the farmland preservation program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12,48

⁴ While requirements for DNR consultation may be satisfied by including relevant DNR representatives on the advisory committee, counties may also need to interact with DNR staff in central or regional offices to meet all of the consultation requirements. DNR may point counties to other resources to obtain information including consultants who can calculate pollutant load reduction targets.

2. Does the LWRM plan (or accompanying work plan) estimate:			
a. expected costs of implementing the plan including cost-sharing for conservation practices needed to achieve plan objectives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WP,44
b. the staff time needed to provide technical assistance and education and outreach to implement the plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WP,44
3. Does the LWRM plan describe a priority farm strategy designed to make reasonable progress in implementing state performance standards and conservation practices on farms appropriately classified as a priority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8,43

Other comments: __

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VI. OUTREACH AND PARTNERING	Yes	No	Page
1. Does the LWRM plan describe a strategy to provide information and education on soil and water resource management, conservation practices and available cost-share funding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	48
2. Does the LWRM plan describe coordination activities with local, state and federal agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7,49

Other comments: __

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VII. WORK PLANNING AND PROGRESS MONITORING	Yes	No	Page
1. Does the county's most recent annual work plan ⁵ do both of the following:			
a. Provide measurable performance benchmarks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
b. Identify priorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA
2. Does the LWRM plan describe a strategy and framework for monitoring county progress implementing its plan including methodology to track and measure progress in meeting performance benchmarks and plan objectives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	47-48

Other comments:

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⁵ Counties must submit annual work plan by no later than April 15th of every year to meet the requirement in s. ATCP 50.12(2)(i) for counties to have multi-year work plans.

VIII. EPA SECTION 319 CONSIDERATIONS

1. IS THE COUNTY WORKING WITH DNR TO SEEK EPA APPROVAL OF THIS PLAN AS MEETING THE REQUIREMENTS OF A 9 KEY ELEMENT PLAN UNDER SECTION 319 OF THE CLEAN WATER ACT: **No, but will be working on a plan.**

STAFF RECOMMENDATION

Staff has reviewed the above-referenced county LWRM plan based on the criteria required in s. ATCP 50.12, Wis. Admin. Code, and s. 92.10, Stats., and has determined that the plan meets the criteria for DATCP approval of this plan. This checklist review is prepared to enable the LWCB to make recommendations regarding plan approval, and for DATCP to make its final decision regarding plan approval.

Staff Signature: *Lisa K. Trumble*

Date: 11-21-2022



Land and Water Conservation Board
County Land and Water Resource Management Plan
Review of LWRM Plan Revisions

County: Buffalo

Implementation Covering Past Five Years and Future Directions

Answer these four questions in writing (not to exceed 4 pages)

- 1. Provide a representative number of accomplishments within the last five years that can be directly traced to activities identified in multiple work plans. For each accomplishment, explain how the planning process helped the county achieve its outcome, including planning adjustments that helped better target county activities.**

Buffalo County is very hilly and has very steep topography. Erosion can be very severe and several areas in the county suffer from highly erodible soil. Grade stabilization dams and grassed waterways have extreme value in Buffalo County. There is a major emphasis placed on these structures and how they help slow erosion. Several of these structures have been built in the last 5 years and have proven effective in slowing water runoff and making erosion minimal in the areas they serve. The planning process allowed the County to find the worst areas and target management activities on those areas. There were 22 grade stabilization structures and 19 acres of grassed waterways installed. And, while advancements have been made in troubled areas, much work is needed. Funding limits and staff availability detract from planned accomplishments in some cases.

Nutrient Management planning became very important since the Farmland Preservation Plan was adopted in 2018. Producers that wanted to sign up were cost shared on the planning either by a per acre basis through DATCP SWRM or by them taking the class taught by the Buffalo LCD and paid via the NMFE grant. Planning for and working towards a FPP Plan greatly increased the amount of acreage covered under NMPs and was a huge step in gaining farmer interest and plan development.

- 2. Identify any areas where the county was unable to make desired progress in implementing activities identified in recent work plans. For each area identified, explain the work plan adjustments that were made to refocus planned activities. If no areas are identified, explain how the county was able to make progress in all the areas planned.**

The County was seemingly unable to make as much progress as they would have liked in 3 main focus points: cover crops, contour farming, and no-till. Practices such as no-till need different equipment to accomplish. The education aspect is important in this practice as getting farmers to adopt change and veer away from the “way we always did it” mentality. The County needs to make a big push in educational events to promote this change and get it adopted by producers.

Cover crops are definitely a “new” thing to producers. Although it was always there in the form of a crop rotation, the terminology and the way it is thought of is relatively new.

The transition from small dairy operations to larger scale crop production has led to a change in crop rotations and less importance in hay. Cover crops fit a healthy ecosystem providing living roots throughout the year and education needs to happen to get producers to think of this practice as way of the future. Education is critical, but I do not know how effective past educational events have been, as it seems that it has been an on going lag in adoption.

Contour Strips in the county took a hit in the change to crop production times as well when commodity prices got high. Once again, education and outreach is a critical component to getting producers refocused on conservation. The idea of soil as an integral part of the yield and cost saving realized through conservation of soil takes time for some to adopt and needs to be a focus in the future.

One critical element in the inability to make desired progress is staff turnover. Turnover at Buffalo County has been an ongoing issue and with turnover, comes the need for new staff training times with less time devoted to actual on the ground conservation. I believe I am the 5th conservationist in the last 10 years. The technicians have all turned over several times as well.

- 3. Describe the county's approach to implementation of its priority farm strategy including outreach, farm inventories and making use of multiple funding sources. How has the county evaluated the effectiveness of its priority farm strategy and used this information to improve implementation of the agricultural performance standards and conservation practices on farms?**

Buffalo County has been targeting priority farms over the past few years. They have identified and worked with several farms to clean up the operation. They have reached out to these farms and identified several ways to improve and cost share practices using funds from DATCP Bond, SEG, and farmer education, DNR TRM/NOD grants, MDV funding, Buffalo County's in-house funding, and other various grants. Buffalo County has used models and water sampling to evaluate effectiveness of practices put in place and monitored the longevity of practices to understand why or why not the practices have been adhered to. Understanding the why question is important because it gives the LCD a look into effectiveness based on cost of the practice, how hard it is to implement, and the local understanding of the ecosystem need of the practice. The LCD also worked closely with the DNR to understand effectiveness of practices and the environmental benefit of those.

- 4. Provide representative examples that show changes in direction in the county's LWRM plan and annual work plans, with specific examples provided showing adjustments in goals, objectives or planned activities.**

One main directional change that I could find was the shift in resources from a priority watershed to newly discovered priority farms. Farms were discovered that had egregious violations of NR 151 and all attention was moved to right the wrongs of those farms. There was manure violations, uncontrolled manure stacking, and runoff problems that led the LCD to put forth effort in cleaning up those sites and aiding them into coming into compliance with the state statutes. These sites needed several changes including manure storage, nutrient management planning, and one site even needed an entire shift in operations to a whole new format which included shifting the operation from a dairy operation surrounded by a marsh to a ridgetop beef operation.

Please consider answering the following optional question (not to exceed 1 page)

1. The LWCB is interested in learning how county conservation staff are addressing changing weather patterns. To this end, the LWCB reached out to WI Land+Water for guidance, see the **WI Land+Water memo** dated for October 28, 2020. Your response to the following question will be appreciated.

Is climate change resiliency contained in your LWRM plan (Yes or No). If yes, indicate with page number(s) or statement(s) where within the LWRM plan it is located and please consider the factors below, as examples, in your answer.

- a. *Plants and natural communities (forests, wetlands, prairies, invasive species)*
- b. *Soil and agriculture*
- c. *Weather (growing season, seasonal temperatures, precipitation)*
- d. *Infrastructure*
- e. *Land owners (residents)*
- f. *Water resources (groundwater and surface water quality and quantity)*
- g. *Fisheries*
- h. *Wildlife*
- i. *Human health and recreation*

Answer Below

The climate section is located on page 32-33. Buffalo County residents are in a broad spectrum when it comes to the ideas surrounding climate change. Some are firm believers while others are slow to adopt climate change/resilience in their normal lives. The causes of this vary greatly but range from political statements or viewpoints to generally not understanding the science behind it. Some feel they are too far removed from the climate change interface yet speak about how they don't remember such intense rain events, or how dry it is during winter with the lack of snow, or how snow comes and then melts right away. Buffalo County LCD intends to conduct outreach and education in the coming years to residents of the county on how they can better set themselves up for changing weather patterns whether or not climate change is the terminology used in the conversations. There is potential in the county to create thought provoking discussions regarding a change or adaptation to the data surrounding changing weather patterns.

Annual Work Plans

Attach both of the following:

- a. The most current annual work plan, prepared in the current format from DATCP, and addresses all required items such as needed funding and staff hours.
- b. The work plan for the previous year that includes a column that identifies the progress in implementing the planned activities for that year.

Presentation Regarding County Resource Concerns

Prepare and present an 8-10 minute snapshot to the board regarding county resources and management issues. The county must prepare one of following as part of this brief presentation:

- a. A PowerPoint (showing what your county looks like, can include maps), or
- b. A hand out (2 page max)

Guidance on Board Review Process

The LWCB's review supplements, but does not replace compliance with the DATCP checklist for LWRM plan approval. This encourages and supports honest presentations from the county. The county is strongly encouraged to have the LCC chair or committee member be a part of the presentation to the Board to contribute policy and other insights to the discussion. The goal of the review is not to fail counties. The board recognizes the dynamic nature of the planning process. Board members are interested in how counties tackle priorities over time and how they respond to changing conditions in pursuing their priorities. The board will evaluate a county's planning and implementation based on how well the county balances and prioritizes the following: agricultural performance standards, other state priorities (impaired waters, FPP checks), and local priorities. When needed, the Board will provide constructive support to counties to improve the quality of their planning.

Land Conservation Committee Notification

The LCC was provided a completed copy of this form (including attachments) on: November 7th, 2022

Signature of Authorized Representative: Cal Swann Date: 11/3/22
(e.g. County Conservationist, LCC chair)

Send completed form and attachments to:
Lisa.Trumble@wi.gov

**BUFFALO COUNTY 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	Grade Stabilization Structures (4) Critical Area Stabilization (7 acres) NM planning and training: 10 landowners trained, 2,000 acres Erosion Transect Survey (500 data points)	NM plan development 2506 acres Grassed waterway 8 acres Grade stabilization structures 3 Critical area stabilization 3 acres
<ul style="list-style-type: none"> <i>Livestock</i> 		
Livestock	Grazing Plan (1) Livestock Fencing (~400 ft) Manure Storage/Waste Transfer Facility (Poultry Barn 1)	Livestock fencing 400 ft
<ul style="list-style-type: none"> <i>Water quality</i> 		
Water quality/quantity (other than activities already listed in other categories)	Streambank Stabilization (1200 lin ft) CREP (15 acres new easements) Citizen monitoring – 7 water sampling location Conservation Internship (1) Planning: LWRM plan revision, begin 9KE planning	Planning: LWRM plan revision
<ul style="list-style-type: none"> <i>Forestry</i> 		
Forestry	Logging Road Seed sales for soil erosion (30 acres)	30 acres worth of seed sold
<ul style="list-style-type: none"> <i>Invasive</i> 		
Invasive species	AIS Contract – Beaver Creek Invasive Species Removal Community Work Days (3)	Beaver Creek Contract- 3 miles of trout stream surveyed for invasives, signage installed, purple loosertrife beetle release
<ul style="list-style-type: none"> <i>Wildlife</i> 		
Wildlife-Wetlands-Habitat (other than forestry or invasive species)	Wetland restoration (1) Wildlife damage program – UW Extension Tree and Shrub Sales – 4000 stems Bluff Prairie (15 acres)	Tree sales- 4000 seedlings Bluff prairie- 10 acres
<ul style="list-style-type: none"> <i>Urban</i> 		
Urban issues		

**BUFFALO COUNTY 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

- *Watershed*

Watershed strategies	Buffalo-Whitewater Watershed and Lower Trempealeau Plan – MDV P mitigation practice installation LWRM Plan Revision Producer – Led Program (Waumandee, Lower Trempealeau) Rose Valley Watershed Project (final year, 4 practices, two NMP's)	LWRM plan revision
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- *Other*

Other	PL566 – Inspect and maintain 13 county-owned structures NMM inspect 35 mines, monitor reclamation on two	Inspect and maintain 13 PL-566 Inspect 35 mines
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Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits	1	1
Manure storage construction and transfer systems	1	1
Manure storage closure	1	
Livestock facility siting	0	
Nonmetallic/frac sand mining	0	
Stormwater and construction site erosion control	0	
Shoreland zoning	0	
Wetlands and waterways (Ch. 30)	3	3
Other	0	

**BUFFALO COUNTY 2021 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	25
For FPP	5
For NR 151	20
Animal waste ordinance	7
Livestock facility siting	0
Stormwater and construction site erosion control	0
Nonmetallic mining	30

Table 4: Planned outreach and education activities

Activity	Number
Tours	1 Bluff Prairie Tour
Field days	3
Trainings/workshops	2
School-age programs (camps, field days, classroom)	3
Newsletters	2
Social media posts	20
News release/story	5

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
Land Conservation Full-time Staff	2080*3	221,113
Support Staff	693.33	20,800
Cost Sharing (can be combined)		
<i>Ex. Bonding</i>	<i>N/A</i>	<i>\$47,650</i>
<i>Ex. SEG</i>	<i>N/A</i>	<i>\$20,000</i>
<i>Ex. MDV</i>	<i>N/A</i>	<i>\$13,676</i>

**BUFFALO COUNTY 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 		
Cropland, soil health and/or nutrient management	Grade Stabilization Structures (1) Critical Area Stabilization (4 acres) Grassed Waterways (4 acres) NM planning and training: 10 landowners trained, 2,000 acres Erosion Transect Survey (500 data points)	Amount of cost-share dollars spent \$57,000 SWRM, \$30,000 MDV, SEG NMFE \$15,000 # lbs of sediment and P reduced (using any approved method) Will use STEPL and SnapPlus to quantify P and Sediment reductions after installation Twenty Landowner Site Visits
<ul style="list-style-type: none"> <i>Livestock</i> 		
Livestock	Grazing Plan (0) Livestock Fencing (~400 ft) Manure Storage/Waste Transfer Facility (Poultry Barn 1)	Grazing plan and fencing is part of WQT Manure storage is part of MDV – Buffalo-Whitewater Watershed
<ul style="list-style-type: none"> <i>Water quality</i> 		
Water quality/quantity (other than activities already listed in other categories)	Streambank Stabilization (1440 lin ft) CREP (15 acres new easements) Citizen monitoring – 7 water sampling location Conservation Internship (1) Planning: LWRM plan revision, begin 9KE planning	SWRM \$20,000, WQT, WAV
<ul style="list-style-type: none"> <i>Forestry</i> 		
Forestry	Logging Road Seed sales for soil erosion (30 acres)	
<ul style="list-style-type: none"> <i>Invasive</i> 		
Invasive species	AIS Contract – Beaver Creek Contract Invasive Species Removal Community Work-Days (3 days/ ~10 acres)	<i>Number of surveys completed</i> <i>Number of control efforts implemented/sites treated</i>
<ul style="list-style-type: none"> <i>Wildlife</i> 		
Wildlife-Wetlands-Habitat (other than forestry or invasive species)	Wetland restoration (0) Wildlife damage program – UW Extension Tree and Shrub Sales – 4000 stems Bluff Prairie (15 acres)	
<ul style="list-style-type: none"> <i>Urban</i> 		
Urban issues		

**BUFFALO COUNTY 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

- *Watershed*

Watershed strategies	Buffalo-Whitewater Watershed and Lower Trempealeau Plan – MDV P mitigation practice installation LWRM Ten-Year Plan Revision, Begin 9KE planning	STEPL and Snap Plus modeling BITS and Excel tracking, ArcGIS Conservation Practice Mapping Updating Culvert Inventory
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- *Other*

Other	PL566 – Inspect and maintain 13 county-owned structures NMM inspect 17 mines, monitor reclamation on two	
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Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits	0	0
Manure storage construction and transfer systems	1	1
Manure storage closure	1	1
Livestock facility siting	0	
Nonmetallic/frac sand mining	2	
Stormwater and construction site erosion control	0	
Shoreland zoning	0	
Wetlands and waterways (Ch. 30)	5	5
Other	0	

**BUFFALO COUNTY 2022 ANNUAL WORK PLAN
LOCALLY IDENTIFIED PRIORITIES**

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	25
For FPP	5
For NR 151	20
Animal waste ordinance	7
Livestock facility siting	0
Stormwater and construction site erosion control	0
Nonmetallic mining	17

Table 4: Planned outreach and education activities

Activity	Number
Tours	1
Field days	3
Trainings/workshops	2
School-age programs (camps, field days, classroom)	3
Newsletters	2
Social media posts	25
News release/story	5

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
Land Conservation Full-time Staff	2080*3	221,113
Support Staff	693.33	20,800
Cost Sharing (can be combined)		
<i>Ex. Bonding</i>	<i>N/A</i>	<i>\$57,000</i>
<i>Ex. SEG</i>	<i>N/A</i>	<i>\$20,000</i>
<i>Ex. MDV</i>	<i>N/A</i>	<i>\$31,000</i>



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

CORRESPONDENCE/MEMORANDUM _____ State of Wisconsin

DATE: December 6, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: Katy Smith, DATCP
Bureau of Land and Water Resources Management

SUBJECT: 2022 Review of Land and Water Conservation Board Bylaws and Revisions

Recommend Action:

This is an action item. In accordance with Section IX. Of the Land and Water Conservation Board Bylaws, bylaws shall be reviewed at the December meeting of even numbered years. Other changes may be proposed and reviewed during the course of the meeting or the Board may make a motion to accept the Bylaw Revisions as drafted.

Summary of Drafted Changes:

- 1) Drafted revisions clarify board authorities related to the relinquishment of pre-2009 farmland preservation agreements and farmland preservation agreements signed under the authority of 2009 Wisconsin Act 374.
 - a. The roles and responsibilities of the LWCB related to relinquishments for pre-2009 Farmland Preservation Agreements no longer apply because they were superseded by s. 91.60(3)(a), Wisconsin Statutes. Farmland Preservation Agreements entered into under the authority of 2009 Wisconsin Act 374 have all expired in accordance with 2009 Wisconsin Act 374 (1)(c).
- 2) Drafted revisions clarify that committees formed in accordance with Section VIII. of the bylaws may, but are not required to elect officers.
- 3) Drafted revisions clarify the roles of advisors on committees formed by the Board.
- 4) Drafted revisions remove the requirement to have the Board Secretary sign the meeting minutes.
 - a. A record of open meetings of governmental bodies must be kept in accordance with s. 19.88, Wis. Stats. However the statute does not require that the minutes be signed. This practice would create an administrative efficiency and align practice with the ATCP Board.
- 5) Drafted revisions clarify what constitutes a quorum on committees formed in accordance with Section VIII. of the Bylaws.
- 6) Drafted insertions establish the purpose, composition, and frequency of meetings of the LWCB Advisory Committee on Research.

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*WISCONSIN
LAND & WATER CONSERVATION BOARD*

BYLAWS



LAST AMENDED 12-~~64~~-20220

*Wisconsin Department of Agriculture, Trade
and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911*

I. PURPOSE

The Wisconsin Land and Water Conservation Board (the board), which is attached to the Department of Agriculture, Trade and Consumer Protection (DATCP), advises DATCP on issues related to the soil and water resource management program ~~and administers certain aspects of the farmland preservation program~~. The board also advises the Department of Natural Resources (DNR) on issues related to the nonpoint source water pollution abatement program including Targeted Runoff Management (TRM) and Notice of Discharge (NOD) funding projects.

The board is responsible for making decisions relative to adjudicatory matters, policy review and program administration, and rulemaking. Specific authorities and duties are listed in Appendix A.

II. MEMBERS

A. Members

As required by s. 15.135(4)(b) of the Wisconsin Statutes, the board consists of:

- 1) The secretaries of administration, of natural resources, and of agriculture, trade and consumer protection, or their designees;
- 2) Three members of county land conservation committees elected biennially by the county land conservation committees at their annual meeting in even-numbered years for 2-year terms; and
- 3) Four other members appointed by the Governor for staggered 4-year terms. One of those members shall be a resident of a city with a population of 50,000 or more, one shall represent a governmental unit involved in river management, one shall be a farmer and one shall be a member of a charitable corporation, charitable association or charitable trust, the purpose or powers of which include protecting natural resources, including scenic or open space, and maintaining or enhancing air or water quality.
- 4) One representative appointed by the Governor for a 2-year term.

B. Advisory Members

As required by s. 15.135(4)(c) of the Wisconsin Statutes, the board shall invite:

- 1) The U.S. Secretary of Agriculture to appoint a representative of the Natural Resources Conservation Service and a representative of the Farm Service Agency to serve as advisory members of the board.
- 2) The Dean of the College of Agricultural and Life Sciences of the University of Wisconsin-Madison and the Director of the University of Wisconsin-Extension to serve or appoint a person to serve as an advisory member of the board.
- 3) The staff of the county land conservation committees employed under s. 92.09 to designate jointly a person to serve as an advisory member of the board.

The board may invite representatives of other organizations to provide information and advice relative to its responsibilities.

C. Vacancies

If one or more of the county land conservation committee member positions on the board is vacant, the president of the Wisconsin Land and Water Conservation Association, Inc. (Wisconsin Land + Water) board of directors may call a special meeting of the committees to fill the vacancies, but vacancies may be filled only if a majority of the committees are represented at the special meeting. [s. 15.135(4), Stats.]

D. Terms

The terms of members of the board appointed under s. 15.135(4)(b)2 (representing Wisconsin Land + Water) shall expire on January 1. [s. 15.07(1)(cm), Stats.]

The term of the member appointed by the Governor under s. 15.135(4)(b)2m for a 2-year term shall expire on May 1 of an even-numbered year. [s. 15.07(1)(cm), Stats.]

The terms of other members shall expire on May 1. If the term is for an even number of years, it shall expire in an odd-numbered year. [s. 15.07(1)(c), Stats.]

E. Attendance

1) Member Attendance

If a member cannot attend a meeting in-person, the member shall notify DATCP staff as soon as possible. DATCP staff will attempt to make alternative arrangements to allow attendance by telephone, video or internet conferencing, if such alternative arrangements do not impede the meeting as defined in Section 19.82(2), Stats., and the member's motions and votes can be recorded as required by Section 19.88(3), Stats.

If a member is absent at two consecutive meetings without reasonable justification, as determined by the board, the board may notify the Governor's office or the entity that the member represents.

2) Advisor Attendance

If an advisor cannot attend a meeting in-person, the advisor shall notify DATCP staff as soon as possible. DATCP staff will attempt to make alternative arrangements to allow attendance by telephone, video or internet conferencing, if such alternative arrangements do not impede the meeting as defined in Section 19.82(2), Stats.

If an advisor is absent at two or more consecutive meetings without reasonable justification, the board chair may contact the entity responsible for the advisor's appointment to determine the causes for the person's absence and to establish a basis for re-engagement of the appointed person, and if circumstances warrant, to request a new appointee.

F. Oath of Office

Each member shall take and file the official oath prior to assuming office. [s. 15.07(7), Stats.]

III. OFFICERS

At its first meeting in each year, the board shall elect a chair, vice-chair and secretary, each of whom may be re-elected to succeed himself or herself. [s. 15.07(2), Stats.]. Candidates for each office shall be nominated from the floor unless the Board agrees to a different procedure in a meeting held prior to the election.

~~Committees formed in accordance with Section VIII of these Wisconsin Land and Water Conservation Board Bylaws may, but are not required to, elect officers. Advisors serving on a committee shall not be serve as officers.~~

IV. AUTHORITIES AND RESPONSIBILITIES

A. Adjudication

~~In administering the farmland preservation program, the board has quasi-judicatory authority to:~~

~~1) approve or reject a request for release or relinquishment from an agreement entered into before July 1, 2009 or under 2009 Wisconsin Act 374 and not modified under the new Farmland Preservation law, after the local governing body has acted on the request;~~

~~This authority is listed in full in Appendix A under Farmland Preservation.
Withdrawn.~~

B. Policy Review and Program Administration

The board has various authorities and responsibilities related to policy review and program administration. These include general program responsibilities under the ~~farmland preservation program, the~~ soil and water resource management program, and the nonpoint source water pollution abatement program, including the Targeted Runoff Management Program and Notice of Discharge Grants. These authorities are listed in full in Appendix A.

The board may take such actions including the issuance of guidance and adoption of resolutions as are necessary to carry out its authorities and responsibilities.

C. Program Evaluation

The board has the authority to require DNR and DATCP to conduct or contract for another person to conduct any evaluation or audit of the nonpoint source water pollution abatement program that the board determines is necessary.

D. Rulemaking

Under s. 92.04(3)(f), the board has no rulemaking authority on matters related to land and water conservation. The board may make recommendations to rules relevant to these issues.

V. DECISION MAKING PROCESSES

The board will use the following procedures when exercising its authority in the categories identified under Section IV.

A. Adjudication

~~When the board acts in its quasi-adjudicatory capacity under the farmland preservation program, DATCP staff shall provide the board with the following materials:~~

- ~~1) an explanation of the board's statutory authority related to the issue before the board;~~
- ~~2) an explanation of the statutory or rule provisions pertaining to the issue;~~
- ~~3) a proposed decision consisting of proposed findings of fact, proposed conclusions of law, and a proposed order; and~~
- ~~4) an explanation of the proposed decision, including relevant factual, legal, and policy background. If facts relevant to the proposed decision are contested, DATCP staff shall identify the contested facts.~~

~~Before rendering a decision, the board may hear evidence and arguments related to contested issues, or may appoint one or more board members to hear the contested issues on behalf of the board. If necessary, the board may request DATCP to provide an impartial hearing examiner to hear and evaluate evidence on behalf of the board.~~

~~The board may adopt DATCP staff's proposed decision as the final decision of the board, or it may modify the proposed decision. If the board modifies the proposed decision, the board's final decision shall include an explanation for the modification. If the board's final decision is appealed in circuit court, the board chair or designee shall certify the board's decision and record to the circuit court.~~

Withdrawn.

B. Policy Review and Program Administration

When a policy or program administrative item is brought before the board for decision, staff shall provide the board with the following:

- 1) the statutory authority under which the board is authorized to act, and the scope of that authority;
- 2) a statement indicating whether the board is responsible for making a final decision or for recommending a decision to another entity;
- 3) an accurate and objective statement of relevant facts;
- 4) an objective statement of policy issues and background;
- 5) options available to the board; and
- 6) staff recommendations.

C. Program Evaluation

In fulfilling the program evaluation responsibilities of the nonpoint source water pollution abatement program and the soil and water resource management program, staff shall prepare the following materials for the board:

- 1) an evaluation plan, which includes water quality monitoring and analysis;
- 2) a biennial joint program evaluation report of the nonpoint source water pollution abatement program and the soil and water resource management program;
- 3) statewide accomplishment reports; and
- 4) fiscal information related to cost share grants and technical assistance.

D. Forum

The board may provide a forum for discussion of emerging issues related to land and water conservation.

VI. MEETING PROCEDURES

A. Schedule and Place of Meetings

Regular meetings will be held on the first Tuesday of February, April, June, August, October, and December unless an alternate date is approved by the chair. The LWCB Advisory Committee on Research will hold regular meetings on the first Tuesday of January, March, May, July, September and November.

Special meetings may be called or canceled by the chair at anytime.

Meetings will generally be held at DATCP or DNR in Madison, or other appropriate locations approved by the chair. Other locations for meetings may be scheduled for special events or to accommodate particular agenda items.

The LWCB and its committees may hold a meeting by telephone, video or internet conferencing as long as it meets the definition of a meeting as set forth in Section 19.82(2), Stats., in that it is for the purpose of conducting governmental business and involves a sufficient number of members of the body to determine the body's course of action on the business under consideration. If any unit of state or local government issues a public health emergency that precludes the LWCB and its committees from meeting in-person, the LWCB and its committees shall hold meetings by telephone, video or internet conferencing consistent with the definition of a meeting as set forth in Section 19.82(2), Stats. Deference to in-person meeting shall be consistent with DATCP guidance. The LWCB must follow all Open Meeting Law requirements in Chapter 19, Subchapter V Stats., and provide the public with an effective means to monitor the meeting.

All meetings shall be noticed in accordance with the open meeting laws, Chapter 19, Stats.

B. Agendas

1) Individual Meeting Agendas

The agenda shall be prepared by the staff of DATCP Land and Water Resources Bureau in consultation with the DNR Watershed Management Bureau, and coordinated with the chair of the board, 14 calendar days prior to the next scheduled meeting. The

agenda will be electronically transmitted to members at least 10 days prior to the next regularly scheduled meeting, except in the case of special or emergency meetings.

The agenda shall include:

- a) approval of minutes of the previous meetings(s),
- b) public appearances, if any,
- c) approval of agenda,
- d) actions as authorized by statutes,
- e) recommendations to DATCP or DNR as authorized by statutes,
- f) recommendations to DATCP or DNR on program policy issues,
- g) advisory member reports,
- h) committee or departmental reports,
- i) other business authorized by law, and
- j) future meetings scheduled.

2) Annual Agenda

During the board's December meeting, DATCP and DNR staff will submit a proposed annual agenda for the board's activities for the following year. Preparation of the annual agenda shall be coordinated with the board chair. The board shall take action during the December meeting to approve or disapprove the proposed annual agenda. The annual agenda shall indicate the party(ies) responsible for each agenda item.

C. Record of Meetings

A record of each board or committee meeting shall be prepared and preserved by DATCP, consistent with VI. E. below. The record of a meeting shall be electronically transmitted to each member, each advisory member and any agency or individual upon request.

D. Board Materials

1) Review

DNR and DATCP shall coordinate the preparation of all meeting materials relevant to the soil and water resource management program and the nonpoint source pollution abatement program to ensure distribution in accordance with Section VI. D.2).

DATCP and DNR will obtain all necessary legal review and internal approvals of materials submitted to the board in accordance with the requirements established by each agency.

2) Distribution

All board materials, including DATCP and DNR materials, shall be forwarded to DATCP's Agricultural Resource Management (ARM) Division for electronic distribution to the board and its advisors. If board members and advisors do not have internet access and a working email address, they are responsible for making arrangements with a third party to receive board communications and materials electronically.

Materials prepared by DATCP and DNR related to board agenda items shall be sent electronically by DATCP to the board members and advisors at least 10 days prior to the board meeting, and sooner if possible. Staff may distribute materials at other times, including on meeting days, when appropriate.

All press releases pertaining to board issues shall be reviewed and approved by the board chair, and shall be published on board stationery with a board member listed as a media contact

E. Conduct of Meetings

1) Conduct of Meetings

The chair or, in the absence of the chair the vice chair or, in the absence of both, the secretary, or in the absence of all three, any member chosen by the members present, shall call the meetings of the board to order and shall act as chair of the meetings. The board secretary shall act as secretary of all meetings of the board. In the absence of the secretary, the presiding officer may appoint any member present to act as secretary of the meeting. The secretary shall direct the department to prepare a record of all board meetings. A record of each meeting must be prepared as required by sec 19.88, Stats. Minutes of each meeting are the usual method to meet this requirement, and shall be taken by DATCP staff ~~and signed by the secretary of the board and approved by the board, or applicable committee, at its next business meeting.~~ With the approval of the chair or the secretary of the board or a board committee, a digital audio recording may be used as an alternative meeting record. The board is committed to conducting its meetings and business without using paper including record sharing and retention using electronic technologies, and to this end it recognizes and gives full legal effect to electronically-submitted documents, electronic signatures, electronic notarization and acknowledgement, and electronically- maintained files, consistent with subch. II of ch. 137, Stats. Whatever its form, any record of a meeting must be retained by DATCP in accordance with established guidelines in Records Disposition Authorizations (RDAs). Any subject matter regarding procedure not covered by these bylaws will be covered by *The Sturgis Standard Code of Parliamentary Procedure*. Meetings shall be conducted in accordance with Wisconsin's open meeting law.

2) Manner of Acting

Except as otherwise expressly provided in these bylaws, action shall be taken by the board upon a vote of a majority of the members present at a meeting and the same shall be the action of the board. The voting on all matters at a meeting for which a roll call vote is requested shall be by yeas and nays and the yeas and nays shall be reflected in the record of the meeting. All resolutions shall be presented in writing or reduced to writing during or after the meeting, and shall be reflected in the record of the meeting.

3) Quorum

Six board members shall constitute a quorum and no formal business may be transacted unless a quorum is present. When fewer than six members are present, the meeting will be a conference of the board and its deliberations considered as expressions of opinion of the individual board members and consideration of information presented by DATCP and others present.

On committees formed in accordance with Section VIII. of these Land and Water Conservation Board bylaws, a quorum shall be constituted by a majority of Board members serving on the committee . In accordance with s. 15.07(4), Stats. advisors serving on committees may not count towards a quorum.

VII. COMPENSATION AND EXPENSES

Board members who are not employees of state agencies are eligible to receive \$25.00 per diem plus expenses "incurred in the performance of their duties." [s. 15.07(5), Stats.]. The following policy defines the duties of members of the board, the performance of which establishes eligibility for per diem and expenses.

A. No Prior Approval Required

Board members will receive per diem and expenses for attending:

- 1) Official meetings of the Land and Water Conservation Board;
- 2) A meeting of a governmental body of which the Land and Water Conservation Board is a member, if the member is representing the Land and Water Conservation Board;
- 3) Area meetings of the Wisconsin Land and Water Conservation Association if the board member has been invited to participate in the meeting in his or her capacity as a member of the Land and Water Conservation Board.

B. Prior Approval Required

Board members will receive per diem and expenses for attending any other meetings, other than those listed in Section VII, A, or activities, only if prior approval has been obtained from the board chair, with the concurrence of the ARM Division administrator.

VIII. COMMITTEES

The board shall set forth the composition of any committees it establishes, the areas or matters concerning which such committees shall advise the board, the specific duties and responsibilities the board expects them to perform and discharge, and such other matters as the board deems relevant to individual committees. Board advisors serving on a committee shall not vote on committee actions.

An executive committee of the LWCB Officers may meet as necessary to fulfill responsibilities of the LWCB.

- A. LWCB Advisory Committee on Research

The LWCB Advisory Committee on Research purpose shall be to create, implement and oversee the process for the State of Wisconsin Land & Water Conservation Board to advise the University of Wisconsin System on research and outreach needs relating to soil & water conservation. The Committee will provide oversight of a sustainable, lasting process which involves all Board members and advisor organizations as part of the normal agenda of the Board.

Members of the LWCB Advisory Committee on Research shall have terms concurrent with their regular LWCB appointment. New members may be appointed by the Board Chair in the event of a vacancy. No more than 5 voting members of the Land and Water Conservation Board and 2 advisors, being the:

- The dean of the College of Agricultural and Life Sciences of the University of Wisconsin-Madison, or their designee,
- and the director of the University of Wisconsin-Extension, or their designee may serve on the committee at any one time.

IX. REVIEW OF AND AMENDMENTS TO THE BYLAWS

Bylaws shall be reviewed at the December meeting of even numbered years. These bylaws may be altered, amended or repealed and new bylaws may be adopted by an affirmative vote of six members present at any regular meeting provided that notice of each proposed change hereof or addition hereto has been delivered personally, or electronically transmitted to each member at such address as the member shall have designated to the board, not less than 10 days prior to the time of meeting at which the proposed change or addition is to be considered.

X. STAFF ASSISTANCE

DATCP and DNR shall provide staff to assist the board in performing its statutory duties.
[ss. 92.05(3)(i) and s. 281.65(4)(s), Stats.]

Bylaws originally adopted by the LCB in 12/88 and thereafter amended on 4/91, 2/94, 4/95, 4/97, 12/98, 2/01, 4/04, 2/09, 12/10, 6/11, 12/14, 12/16, 12/18, ~~and~~ 12/20 and 12/22.

APPENDIX A - Program Authorities and Responsibilities

FARMLAND PRESERVATION PROGRAM—under Chapter 91, 2007 Wisconsin Statutes, and 2009 Wisconsin Act 374

The roles and responsibilities of the LWCB related to relinquishments for pre-2009 Farmland Preservation Agreements no longer apply because they were superseded by s. 91.60(3)(a), Wisconsin Statutes. Farmland Preservation Agreements entered into under the authority of 2009 Wisconsin Act 374 have all expired in accordance with 2009 Wisconsin Act 374 (1)(c). Authorities that no longer apply are marked with an asterisk (*).

<u>Cite</u>	<u>Language</u>
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91.19(3)	<u>*If the request for release of land or relinquishment of the FPA is approved by the local governing body...the board shall, within 60 days...approve or reject the application for release or relinquishment. (This pertains to an agreement entered into before July 1, 2009 or under 2009 Wisconsin Act 374 and not modified under the new Farmland Preservation law.)</u>
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91.19(5)	<u>*If the application for release of land or relinquishment of the FPA is rejected by the local governing body having jurisdiction...the applicant may appeal to the board. The board shall, within 60 days...approve or reject the request for release or relinquishment. (This pertains to an agreement entered into before July 1, 2009 or under 2009 Wisconsin Act 374 and not modified under the new Farmland Preservation law.)</u>
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2009 WI ACT 374

Section 1.

(1) (a)	<u>*Notwithstanding the repeal and recreation of chapter 91 of the statutes by 2009 Wisconsin Act 28 and subject to paragraphs (b) and (c), the department of agriculture, trade and consumer protection shall process an application for a farmland preservation agreement in accordance with chapter 91, 2007 stats., if the application was submitted to the county clerk under section 91.13 (1), 2007 stats., no earlier than January 1, 2008, and no later than June 30, 2009, and if processing of the application was not completed before July 1, 2009. Section 91.60 (3) of the statutes, as affected by 2009 Wisconsin Act 28, applies to a farmland preservation agreement entered into under this subsection as though the farmland preservation agreement had been entered into before July 1, 2009.</u>
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SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

Several of the roles and responsibilities relating to Department programs no longer apply because the programs are not active. The items that no longer apply are marked with an asterisk (*).

<u>Cite</u>	<u>Language</u>
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92.04(1)(a)	The board may hold public hearings in the performance of its functions.
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92.04(1)(b)	The board may delegate to its chairperson or to one or more of its members any of its powers or duties.
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92.04(1)(c)	The board may make studies and recommendations on matters relating to soil and water conservation.
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- 92.04 (2)(a) The board shall advise DATCP and the DATCP secretary on matters relating to exercise of DATCP's authority under this chapter.
- 92.04(2)(b) The board shall review land and water resource management plans prepared under s. 92.10, and make recommendations to DATCP on approval or disapproval of those plans.
- 92.04(2)(c) *The board shall review soil and water conservation standards prepared under s. 92.105. The board shall establish guidelines for the approval of these standards.
- 92.04(2)(d) The board shall review annual grant allocation plans developed under s. 92.14 (6)(b) and make recommendations to DATCP on approval, modification or disapproval of the plans.
- 92.04(2)(e) The board shall review the evaluation plan prepared under s. 92.14(13). After its review, the board shall make recommendations on the plan to DATCP and the DNR.
- 92.04(2)(f) The board shall review the annual reports under ss. 92.14(12) and 281.65(4)(o).
- 92.04(2)(g) The board shall advise the University of Wisconsin system annually on needed research and educational programs relating to soil and water conservation.
- 92.04(2)(h) The board shall review compliance with state soil erosion control goals established under s. 92.025. The board shall notify DATCP and the legislature if these goals are not achieved or if it is unlikely that these goals will be achieved.
- 92.04(2)(i) *The board shall establish a tolerable erosion level based on an erosion rate which is acceptable and maintains long-term soil productivity.
- 92.04(2)(j) The board shall keep a full and accurate record of all proceedings before it and all actions taken by it.
- 92.04(2)(k) *The board shall review and affirm or reverse pollution abatement determinations made by county land conservation committees under s. 281.20(3)(b) when requested to do so under the provisions of s.281.20(5).
- 92.04(2)(L) *The board shall review and affirm or reverse critical site determinations made by county land conservation committees under s. 281.65(7)(a)2. when requested to do so under the provisions of s.281.65(7)(b).
- 92.04(3)(a) The board shall review all rules of DATCP relating to implementation of Chapter 92 prior to promulgation. (Note: The board has no rule-making authority on matters relating to soil and water conservation.)
- 92.10(1) DATCP, the board and land conservation committees jointly shall develop and administer the land and water resource management planning program.
- 92.10(5)(a) The board shall review land and water resource management plans submitted by the land conservation committees and make recommendations to DATCP.
- 92.10(5)(b) The board shall solicit comments on land conservation committee plans [land and water resource management plans] from the agencies identified as advisers to the board.

- 92.105(2)&(3) *The board shall develop guidelines...for the administration of soil and water conservation standards. [This includes standards used in the farmland preservation program.] The board shall review and approve or disapprove standards....
- 92.14(6)(d) The board shall review the annual allocation plan submitted...and make recommendations to DATCP and DNR on approval, modification, or disapproval of the plan.
- 92.14(12) The board shall review annual reports [on the SWRM program] provided by DATCP and DNR.
- 92.14(13) The board shall make recommendations to DATCP and the DNR on the joint [program evaluation] plan, which includes water quality monitoring, and analysis, for the program administered under ss. 92.14 and 281.65, Stats.
- 92.17(2)(c) *The board shall review drafts of shoreland management ordinances and make recommendations to DATCP for approval or disapproval.

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

Several of the roles and responsibilities relating to the Priority Watershed Program no longer apply because this program is being phased out. The items that no longer apply are marked with an asterisk (*).

<u>Cite</u>	<u>Language</u>
281.65(3)(a)	*The board shall review the list, prepared by the DNR, of watersheds and lakes that have impaired waters caused by nonpoint source pollution.
281.65(3)(am)	*The board shall designate priority watersheds and priority lakes.
281.65(3)(ap)	*The board shall review and approve priority land and priority watershed plans.
281.65(3)(at)	The board shall review rules drafted under [s. 281.65, Stats.] and make recommendations regarding the rules before final approval of the rules by the natural resources board.
281.65(3)(b)	Before September 1, of each even-numbered year, the board shall submit to the Governor and the DNR a report that includes recommendations for the amount to be appropriated for the NPS program for the next biennium and any changes that would improve the efficiency or effectiveness of the NPS program.
281.65 (3)(bm)	The board shall submit, as it deems necessary, to the governor and the DNR a report that includes: (1) recommendations for the amount to be appropriated for the program, and (2) any changes that the board determines would improve the efficiency or effectiveness of the program.
281.65(3)(c)	The board shall assist counties and the DNR to resolve concerns about the program.
281.65(3)(d)	The board shall establish priorities for the allocation of funds in the event that program needs exceed available funding in any fiscal biennium.

- 281.65(3)(e) The board shall request the building commission to authorize public debt to be contracted in the amount that the board determines to be necessary for the purposes of the program.
- 281.65(3)(f) The board shall require DNR and DATCP to conduct or contract for another person to conduct any evaluation of the program under this section and of individual priority watershed or priority lake projects that the board determines is necessary.
- 281.65(3m) *The board shall identify priority lakes and watersheds by July 1, 1998, based on the list submitted by the DNR and recommendations from the DNR and DATCP. The board shall identify priority lakes and watersheds using the provisions of s.281.65 (3m).
- 281.65(4)(L) Before September 1 of each year, the board shall review a budget report, submitted by DNR [in consultation with DATCP], that includes anticipated expenditures for [*priority lake, watershed, and] targeted runoff management projects for the next year and criteria for ending these projects. If the anticipated expenditures exceed available funding, the report must also include a plan for reducing expenditures.
- 281.65(4c)(c) After receiving [*priority watershed, priority lake, or] any NPS pollution abatement project scores, and DNR recommendations on funding those projects no later than September 1 of each year, the board shall recommend projects for funding under s.281.65 in the following year.
- 281.65(5s) *The board shall review, and affirm, modify or reverse any modifications made by the DNR to priority lake or watershed plans, including designating additional sites as critical sites.

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 14, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: Lisa K. Trumble, DATCP *Lisa K. Trumble*
Resource Management Section,
Bureau of Land and Water Resources

SUBJECT: Five Year Review of the *Outagamie County Land and Water Resource Management Plan*

Recommended Action: This is an action item. The LWCB should determine whether the county has met the LWCB's criteria for a five-year review of a LWRM plan approved for ten years. If the LWCB makes a formal determination that the county has failed to meet these criteria, DATCP will automatically modify its order to terminate approval of the county's plan effective December of this year.

Summary: The Outagamie County land and water resource management plan has been approved through December 31, 2027, contingent on a five-year review conducted prior to December 31, 2022. In advance of the five-year review, Outagamie County has completed a DATCP approved form designed to implement the LWCB's reference document dated October 27, 2021 and the criteria for conducting a five-year review. The county has provided written answers to four questions regarding past and future implementation, has provided the required work planning documents, and has appropriately involved the Land Conservation Committee.

Materials Provided:

- Completed Five Year Review Form
- 2021 Annual Workplan with Accomplishments
- 2022 Annual Workplan

Presenter: Greg Baneck, Outagamie County Conservationist
Debbie VanderHeiden, Land Conservation Committee Chair
Sarah Kussow, GIS Specialist/Watershed Planner LCD



Land and Water Conservation Board
County Land and Water Resource Management Plan
Five Year Review of LWRM Plans

County: Outagamie

Implementation Covering Past Five Years and Future Directions

Answer these four questions in writing (not to exceed 4 pages)

1. Provide a representative number of accomplishments that can be directly traced to activities identified in multiple work plans. For each accomplishment, explain how the planning process helped the county achieve its outcome, including planning adjustments that helped better target county activities.

Outagamie County has utilized Nine Key Element Watershed Planning to work towards the implementation of TMDL's within the County. As part of the Nine Key process ACPF(Agriculture Conservation Planning Framework) and EVAAL(Erosion Vulnerability Assessment for Agriculture Land) GIS models are run to evaluate areas of the watershed which are most vulnerable to erosion and runoff. In the past 5 years, Nine Key Element plans have been developed and approved by EPA/DNR covering the following HUC12 watersheds: Garners Creek-Fox River, City of Green Bay- Fox River, Ashwaubenon Creek, and Dutchman Creek. A nine key element plan has also been submitted for DNR/EPA approval for Middle and Lower Duck Creek.

In the last 5 years Outagamie County, in collaboration with local partners, has been succesful in receiving several grants totaling almost \$6 million dollars to continue implementing conservation work in the Lower Fox River Basin. Most recently Outagamie County was successful in partnering with Fox Wolf Watershed Alliance on as a subsidiary on a USDA Climate Smart grant awarded to Edge Dairy Farmer Cooperative, this will bring in approximately 7 million in funds for soil health practices in the Fox-Wolf Basin which also have the benefit of sequestering green house gases. The nine key element planning process has been critical in the ability of the County to acquire these grant funds. See attached table.

In March of 2020, Outagamie County completed a structural storage study of the Lower Fox Basin in partnership with the WDNR. The results of this study help with planning and siting practices that store water on the landscape with the hopes of reducing flash flooding and severe erosion issues downstream.

Outagamie County is also a partner in NEW Water's adaptive management program in the Ashwaubenon and Dutchman Creek watersheds. One of LCD engineering technicians and other support staff is partially funded through this program.

In 2022, the Outagamie County Soil Health Education and Demonstration (SHED) facility was built in partnership with Oneida Nation and NEW Water. The SHED will become a key part of advancing conservation education/outreach through hosting field

days, workshops, and small group interactions allowing community members and producers to share their experiences and learn about soil health practices. Soil Health demonstration plots have been established at the SHED site for the past 3 years.

LCD has fully implemented CityView permitting software system. CityView is used to track participation in the Farmland Preservation Program, compliance with state and local standards, and implementation of conservation practices. CityView is integrated into the County GIS system and allows for storage of attachments such as photos and construction plans. This system is also compatible with the newly introduced DNR BITS tracking system for grant reporting. CityView allows data exports and imports into the DNR BITS system.

2. Identify any areas where the county was unable to make desired progress in implementing activities identified in multiple work plans. For each area identified, explain the work plan adjustments that were made to refocus planned activities. If no areas are identified, explain how the county was able to make progress in all the areas planned.

In recent years, the County has not made the desired progress for implementing Nutrient Management Plans (NMP). Initially after the first push of compliance inventories for FPP the county was able to sign up many landowners who participated in FPP who weren't compliant with NMP. The challenge is getting landowners to obtain Nutrient Management Plans without an incentive such as FPP tax credit. The work plan goal acres for nutrient management has decreased because of this.

Other work plan goals such as implementing cover crops and conservation tillage can be highly dependent on weather factors, funding, and ability to track. In 2021, the goal for residue management acres was met but acres of cover crops fell short. In 2020, the goal acres were met for both residue and cover crops. Currently we are working with farmers in overcoming challenges (manure management, weather, etc.) that come with implementing cover crops and no-till. Therefore, there has not been a lot of implementation of these practices without cost share funding. Additionally, NRCS has been providing funds for these practices locally but is difficult to track given the limited information provided by NRCS. Outagamie County has been working with DNR, Fox-Wolf Watershed Alliance, and other counties on using remote sensing methods to better track adoption of cover crops and reduced tillage.

The LCD noticed a trend that we are now doing more waste storage closures than new waste storage system installations. Two factors seem to be at play here: 1. The County has historically focused more attention on waste storage and barnyard runoff practices and the majority of high priority farms have been addressed at this point. 2. Many small farms are going out of business as typical farm sizes increase in the County.

Currently Outagamie County does not track informal assistance/advice (phone, office drop in, etc) given to landowners relating to forestry and wildlife management so it is difficult to determine if the work plan goal is being met. Outagamie County will start tracking these types of phone calls, office visits, etc. to better track this work plan goal. The same applies to invasive species identification and management. The county has tree planting and prairie planting equipment available for landowners to use that is now tracked regularly with our new CityView permitting software system. The County also has a contractual agreement

with Pheasants Forever were an intern is hired during the summer to plant prairie in the county. More recently, Outagamie County has acquired Natural Resource Damage Assessment (NRDA) funds that are available to enhance conservation practices such as buffers with pollinator species to provide more habitat benefits to some of our projects.

LCD currently only tracks the amount of acres our low-disturbance manure injectors get used on. When comparing these numbers to work plan goals it appears that we are not meeting our acreage goals but there are several farms that have now purchased their own equipment and do it on their own and is not being tracked. LCD will work on trying to track low disturbance manure injection acres that are not being done with our equipment and cost share assistance in order to determine if this work item goal needs to be adjusted for future years.

3. Describe how the county's work plans implement its priority farm strategy and the effectiveness of county actions implementing agricultural performance standards and conservation practices on farms. In particular, the county should describe outreach, farm inventories, and additional funds that were pursued to implement its strategy.

Priority farms are identified through the Working Lands Initiative (WLI) program inventories, complaints, TMDL/9 Key Element farm inventory, requests from landowners and sites identified by field staff as having known runoff issues. Inventorying farms in 9 Key Element watershed areas is beneficial in applying for Federal, State and Local grant funding because it gives a good estimate to the type and number of practices that are needed. Inventorying by watershed also allows the county to prioritize farms based on severity of runoff, waste, and erosion issues therefore more effectively utilizing funds to achieve the greatest impact. 9 Key Element planning is being completed on the HUC 12 level watershed by watershed. Watersheds are prioritized for planning based upon their ranking by delivery of nutrients and sediment within the TMDL Plans.

The Upper Fox/Wolf River TMDL has also been finalized since the County LWRM plan was written. The same process of developing 9 Key element plans for the portion of the county in the Upper Fox/Wolf Basin will be continued in partnership with the counties that share watershed boundaries with Outagamie County.

As mentioned previously, the Nine Key element planning process has been critical in our ability to obtain grant funds, many funding sources now require a Nine Key element plan to be eligible.

The county utilizes social media (YouTube & Facebook), county website, tours, one-on-one site visits, field days and letters for outreach efforts. The county also works with several partner organizations on outreach. LCD regularly develops and provides articles for inclusion in several newsletters produced by Fox-Wolf Watershed Alliance (Basin Buzz, The Source, and Keepers of the Fox). LCD is also involved in the Lower Fox Demonstration Farm Network and Upper Fox and Wolf Demonstration Farm Network. LCD provides tours of conservation practices implemented to interested organizations and partners. Outagamie County is a partner in organizing the annual Lower Fox Farmer Roundtable event. The event has been held since 2016. The Fox Farmer Roundtable is an annual event that brings in experts on different conservation practices and allows farmers to share their experiences with conservation practices. The event is attended by farmers, crop consultants, and other agency members. As mentioned previously, Outagamie LCD was also successful in finding funds, partners, and a site to build the SHED facility to utilize as an educational demonstration site.

4. Provide representative examples that show changes in direction for work planning in the upcoming five years, with specific examples provided showing adjustments in planned activities in the county's most recent work plan.

The County continues to focus on implementation of conservation practices on cropland and implementation in Lower Fox Basin due to TMDL priorities. The department has maintained 2 full time Agronomists working with producers to promote non-structural BMP's including no-till, strip till, cover cropping, interseeding, and reduced disturbance manure management practices. Additional engineering technician staff have been brought on for implementing structural practices in the Lower Fox Basin. The county has started to focus on new innovative structural practices including Phosphorus Removal Systems, Two-Stage Ditches, and Agricultural Runoff Treatment Systems. The County has recently secured grant funds to implement these practices.

The County continues to use social media (Facebook, YouTube) in outreach efforts. The Department continues to work closely with the Lower Fox Demonstration Farms project which holds 2-3 field days per year, bringing 75-100 operators to each event to learn the latests in techniques and discuss with their peers challenges and successes. Outagamie County is also involved in the more recently formed Upper Fox-Wolf Demonstration Farms Network.

The County continues to seek out new sources of grant funding and project partners. The county has started making connections with food processors in order to better understand their needs and how to better synergize with producers. New sources of grant funds in the last 5 years include Great Lakes Sediment and Nutrient Reduction Program (GLSNRP), Fund for Lake Michigan, NRDA, and General Mills. Funding from the Fund for Lake Michigan and General Mills has allowed the LCD to purchase additional regenerative agriculture equipment (GPS grazing collars and a cover crop broadcast seeder). New equipment and technology for farmers to use has aided in implementing conservation practices (cover crops, residue management/no till, strip till, low disturbance manure injection). By allowing operators to try cutting edge equipment on their farms without taking the initial financial risk and investment, an increasing number of operators are now purchasing their own equipment to help increase soil health and reduce nutrient and sediment runoff. Additionally, several growers are making modifications to vertical till equipment to accommodate seeding cover crops all in one pass. Other innovative techniques including side dressing liquid manure into standing corn are now being applied within some parts of the Lower Fox Basin.

Outagamie County continues to think out of the box on how to get farmers to adopt cropping practices. The County secured funding through GLRI and Great Lakes Sediment and Nutrient Reduction Program to create a funding program that incentized farmers for a 3-year commitment of conservation cropping practices on a portion of their farm's acreage. By getting a 3-year commitment from farmers, Outagamie County agronomists can help farmers overcome the barriers (weather and manure management) to achieve full adoption of soil health cropping practices with a dairy rotation.

With the finalization of the Upper Fox and Wolf TMDL the same effort in advancing soil health practices and other innovative conservation practices will also be used in the Upper Fox and Wolf Basin in coming years.

Annual Work Plans

Attach both of the following:

- a. The most current annual work prepared by the county.
- b. The work plan for the previous year that includes a column that identifies the progress in implementing the planned activities for that year.

Board Review Process

The goal of the review is not to fail counties. The board recognizes the dynamic nature of the planning process. Board members are interested in how counties tackle priorities over time and how they respond to changing conditions in pursuing their priorities. The board will evaluate a county's planning and implementation based on how well the county balances and prioritizes the following: agricultural performance standards, other state priorities (impaired waters, FPP checks), and local priorities. When needed, the Board will provide constructive support to counties to improve the quality of their planning. Counties have the option to prepare a brief presentation to illustrate their successes and future priorities.

Land Conservation Committee Notification

The LCC was provided a completed copy of these questions (including attachments) on: 11/3/2022

Signature of Authorized Representative:
(e.g. County Conservationist, LCC chair)

Dellie Vandy/Li Date: 11-8-2022

Send completed questionnaire and attachments to:
Lisa.Trumble@wi.gov

Grant Name	Source	Timeframe	Amount	Funding Allocations
Upper Duck Creek 3 TMDL Implementation	DNR- TRM	2022-2024	599,200	Staff & Conservation Practices
Implementing Innovative Riparian BMPS in the Lower Fox (Riparian)	EPA - GLRI	2022-2025	572,318	Staff & Conservation Practices
Accelerating Adoption of Nutrient Management through Farmer-led Outreach and Education	EPA - GLRI	2020-2022	781,945	Staff & Conservation Practices
Enhanced Treatment Technologies for Removal of P from Agricultural Runoff Treatment Systems	Fund for Lake Michigan	2021-2022	124,104	Research
Plum and Kankapot Creeks Right Time Conservation	GLSNRP	2019-2022	267,778	Staff, Equipment, and Conservation Practices
Building the Water Storage Capacity of the Lower Fox	GLSNRP	2020-2023	199,268	Staff & Conservation Practices
Targeting Dissolved Phosphorus from Ag Runoff in Lower Fox (Dissolved P)	EPA - GLRI	2022-2025	599,643	Staff, Conservation Practices, and Outreach
Building Community Along the Fox Through Water Quality Improvements	EPA - GLRI	2022-2025	550,898	Staff, Conservation Practices, and Outreach
Plum and Kankapot Creek TRM 2019-2021	DNR- TRM	2019-2022	999,999	Staff & Conservation Practices
Apple Creek Watershed Structural Practice Demonstration	WDNR	2022-2025	600,000	Staff, Conservation Practices, and Research
Innovative Solutions to Overcome Barriers to Adoption of Regenerative Ag Practices- Complements the General	Fund for Lake Michigan	2022-2023	70,000	Equipment/Education
Innovative Solutions to Overcome Barriers to Adoption of Regenerative Ag Practices	General Mills	2021-2022	45,000	Equipment/Education
Fox-Wolf Basin, Wisconsin Pilot Project: Building Climate Smart Commodities from the Ground Up	FWWA/USDA/Edge Dairy Farmer Cooperative	2022-2026	313,080	Staff, Conservation Practices, and Outreach
Riparian Restoration in Lower Fox River Basin	Natural Resource Damage Assessment (NRDA)	2019-2022	228,000	Conservation Practices
Total			\$	5,951,233

**OUTAGAMIE COUNTY LCD 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of “planned activities” in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> • <i>Cropland</i> 		
<p>Cropland, soil health and/or nutrient management – Per LWRM Objective 1 <i>NR151 Implementation and Objective 2 – Manage crop and nutrient sources in an economic and environmentally sound manner</i></p>	<ul style="list-style-type: none"> • <i>Continue implementing cover cropping (4,000 acres), no-till (5,000 acres), and low disturbance manure injection (6,500 acres) in Priority Watersheds including the Plum and Kankapot as well as the Upper Duck and Apple Creeks, and other key identified sites in the County, expanding into the Wolf River TMDL in conjunction with the Wolf River Demonstration Farms effort.</i> • <i>Continue to sign acreage for Nutrient Management cost-share funding (1,000 acres)</i> • <i>Install 2 acres of grassed waterways</i> • <i>Promote soil health by increasing the number of landowners utilizing new County owned planting and low disturbance manure injection equipment.</i> • <i>Annually inventory 75 farms to implement state performance standards and prohibitions.</i> <p><i>Administer FPP and ensure participants maintain compliance with Soil and Water Conservation Standards by reviewing 25% of FPP participants.</i></p>	<ul style="list-style-type: none"> • <i>All practices in the cropland category are measured by acres installed</i> • <i>P and Sediment losses will be estimated for all installed practices</i> • <i>Number of landowners who utilize equipment (interseeders, manure injectors, etc.)</i> • <i>Number of farms inventoried</i> • <i>Number of farms spot checked for continued compliance</i>
<ul style="list-style-type: none"> • <i>Livestock</i> 		
<p>Livestock – Per LWRM Objective 1 – <i>NR151 Implementation and Objective 2 Nutrient Management</i></p>	<ul style="list-style-type: none"> • <i>Manure storage/transfer installations (5)</i> • <i>Manure storage closures (5)</i> • <i>Roof Runoff Systems (3)</i> • <i>Milking Center Waste Control (2)</i> • <i>Feed Storage Runoff Control (2)</i> 	<ul style="list-style-type: none"> • <i>All practices listed in the “livestock” category will be tracked by the number installed.</i> • <i>P and Sediment losses will be estimated for each practice as applicable</i>
<ul style="list-style-type: none"> • <i>Water quality</i> 		
<p>Water quality/quantity Per LWRM Objectives 3 and 5</p>	<ul style="list-style-type: none"> • <i>Install streambank/shoreline protection at priority locations identified through 9-Key Element Watershed Planning (10,000ft)</i> • <i>Properly abandon unused wells to protect</i> 	<ul style="list-style-type: none"> • <i>Streambank protections will be measured by feet installed. Reductions of P and sediment will be estimated for each site</i> • <i>Wells will be measured by the number abandoned.</i>

**OUTAGAMIE COUNTY LCD 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

	<ul style="list-style-type: none"> • <i>groundwater from contamination (3)</i> • <i>Install riparian buffers in priority areas as identified in 9KE Plans (40 acres)</i> • <i>Implement critical area stabilization as needed (1 acre)</i> • <i>Protect/enhance groundwater recharge by installing wetland restorations at key locations (3)</i> • <i>Install 2-stage ditches to capture sediment and reduce nutrient transport (10,000 ft.)</i> • <i>Install Agricultural Runoff Treatment Systems to capture sediment and P. (3)</i> • <i>Install Phosphorus Removal Systems to capture dissolved P from tile discharge and concentrated flow areas (3)</i> • <i>Continue to collect edge of field monitoring data within project areas to determine effectiveness of given conservation practices.</i> 	<ul style="list-style-type: none"> • <i>Buffers and Critical Area Stabilization will be tracked by acres installed. Estimates of P and Sediment reductions will be calculated for each.</i> • <i>2-Stage ditches will be measured in feet installed</i> • <i>ARTS will be measured by number of systems installed.</i> • <i>PRS will be measured by the number of systems installed.</i> • <i>Water Quality monitoring will be reported by number of sites actively being monitored</i>
<ul style="list-style-type: none"> • <i>Forestry</i> 		
<p>Forestry – Promote healthy forests and wildlife habitat improvement</p>	<ul style="list-style-type: none"> • <i>Provide technical assistance to landowners on land management for forestry and wildlife (5 landowners)</i> 	<ul style="list-style-type: none"> • <i>Number of landowners assisted</i>
<ul style="list-style-type: none"> • <i>Invasive</i> 		
<p>Invasive species</p>	<ul style="list-style-type: none"> • <i>Provide identification and control information to landowners (10)</i> • <i>Map locations of some species as part of Legal Drain inventory</i> 	<ul style="list-style-type: none"> • <i>Number of landowners assisted</i> • <i>Number of locations mapped.</i>
<ul style="list-style-type: none"> • <i>Wildlife</i> 		
<p>Wildlife-Wetlands-Habitat (other than forestry or invasive species)</p>	<ul style="list-style-type: none"> • <i>Continue annual Tree and Wildflower sale (sell at least 35,000 trees)</i> • <i>Install treatment wetlands in key locations identified in 9KE Planning process (1)</i> 	<ul style="list-style-type: none"> • <i>Number of trees sold</i> • <i>Number of treatment wetlands installed</i>
<ul style="list-style-type: none"> • <i>Urban</i> 		
<p>Urban issues</p>	<ul style="list-style-type: none"> • <i>Coordinate with municipalities in 9KE Planning as pertinent.</i> • <i>Work with Point Sources to collaborate on TMDL Implementation via Adaptive Management or Multi Discharger Variance</i> 	<ul style="list-style-type: none"> • <i>Number of municipalities worked with</i> • <i>Number of Point Sources coordinated with</i>

**OUTAGAMIE COUNTY LCD 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

	<i>participation</i>	
<ul style="list-style-type: none"> <i>Watershed</i> 		
Watershed strategies	<ul style="list-style-type: none"> <i>Continue HUC 12 planning approach for TMDL Implementation</i> <i>Complete at least one 9KE Plan and submit to DNR and EPA for next ranked HUC 12 watershed in the Lower Fox Basin</i> <i>Apply for grant funding for implementing approved 9KE Plans.</i> 	<ul style="list-style-type: none"> <i>Number of watershed plans completed in the Lower Fox Basin</i> <i>Completed and submitted (yes/no)</i> <i>Number of grants applied for</i>
<ul style="list-style-type: none"> <i>Information and Education</i> 		
I&E – Per LWRM Work Plan Goal 4, Objectives 1-3	<ul style="list-style-type: none"> <i>Continue collaboration with FWWA in distributing bi-annual newsletter “Basin Buzz”, and monthly e-newsletter “The Source”</i> <i>Continue Annual Speaking & Poster Contest, Conservation Field Days, and staff presentations at Local schools</i> <i>Continue collaboration with Brown County and other local agencies in holding field day events, tours, and farmer group meetings (Lower Fox Demo Farms Network and Upper Fox/Wolf Demo Farms Network)</i> <i>Regularly update County website, Facebook page, and YouTube page</i> <i>Conduct at least one annual rural and urban tour for committees, departments and elected officials that focuses on land and water conservation initiatives.</i> <i>Assist County and Townships with Land & Water Resources issues as time allows.</i> <i>Work with other agencies to educate and the Fox/Wolf Watershed Alliance with landowners and water users about curly leaf pondweed, Eurasian milfoil, spotted knapweed, buckthorn, Phragmites, purple loosestrife, and others.</i> <i>Organize and encourage others to control the spread of invasives.</i> 	<ul style="list-style-type: none"> <i>Number of newsletters</i> <i>Number of participants and speaking events</i> <i>Number of new posts and updates</i> <i>Number of tours</i> <i>Number of landowners informed about invasives</i>

**OUTAGAMIE COUNTY LCD 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued
Feedlot permits	N/A	N/A
Manure storage construction and transfer systems	3	3
Manure storage closure	5	5
Livestock facility siting	N/A	N/A
Nonmetallic/frac sand mining	N/A	N/A
Stormwater and construction site erosion control	N/A	N/A
Shoreland zoning	N/A	N/A
Wetlands and waterways (Ch. 30) - Assistance	8	8
Other		

Table 3: Planned inspections

Inspections	Number of inspections planned
Total Farm Inspections	110
For FPP	75
For NR 151	10
Animal waste ordinance	10
Livestock facility siting	N/A
Stormwater and construction site erosion control	3
Nonmetallic mining	N/A

**OUTAGAMIE COUNTY LCD 2022 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 4: Planned outreach and education activities

Activity	Number
Tours	1
Field days	2
Trainings/workshops	2
School-age programs (camps, field days, classroom)	3
Newsletters	2
Social media posts	40
News release/story	5

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
<i>County Conservationist</i>	2080	\$133,742
<i>Technicians</i>	10400	\$444,681
<i>Agronomy Staff</i>	4160	\$165,353
<i>Watershed Management/Planning Staff</i>	4160	\$220,206
<i>Support Staff</i>	4160	\$112,080
<i>Support Costs</i>	N/A	\$125,942
Cost Sharing (can be combined)		
<i>Bonding</i>	N/A	\$49,000
<i>SEG</i>	N/A	\$65,000
<i>TRM</i>	N/A	\$608,700
<i>GLRI Plum/Kankapot</i>	N/A	\$195,000
<i>AOC Funding -</i>	N/A	\$600,000
<i>GLRI – Riparian Habitat and Dissolved P Grants</i>	N/A	\$400,000
<i>NEW Water</i>	N/A	\$410,000
<i>GLSNRP</i>	N/A	\$142,422
<i>MDV</i>	N/A	\$7,500

**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 1: Planned activities and performance measures by category

CATEGORY (goal and objective from LWRM plan can be added in each category)	PLANNED ACTIVITIES WITH BENCHMARKS If applicable identify focus areas, e.g. HUC 12 watershed code (examples of types of "planned activities" in italics)	PERFORMANCE MEASUREMENTS (examples in italics)	PERFORMANCE MEASUREMENTS (examples in italics)
<ul style="list-style-type: none"> <i>Cropland</i> 			
<p>Cropland, soil health and/or nutrient management – Per LWRM Objective 1 <i>NR151 Implementation and Objective 2 – Manage crop and nutrient sources in an economic and environmentally sound manner</i></p>	<ul style="list-style-type: none"> <i>Continue implementing cover cropping (7500 acres), no-till (5,000 acres), and low disturbance manure injection (6000 acres) in Priority Watersheds including the Plum and Kankapot as well as the Upper Duck and Apple Creeks, and other key identified sites in the County, expanding into the Wolf River TMDL in conjunction with the Wolf River Demonstration Farms effort.</i> <i>Continue to sign acreage for Nutrient Management cost-share funding (1,000 acres)</i> <i>Install 2 acres of grassed waterways</i> <i>Promote soil health by increasing the number of landowners utilizing new County owned planting and low disturbance manure injection equipment.</i> <i>Annually inventory 100 farms to implement state performance standards and prohibitions.</i> <p><i>Administer FPP and ensure participants maintain compliance with Soil and Water Conservation Standards by reviewing 25% of FPP participants.</i></p>	<ul style="list-style-type: none"> <i>All practices in the cropland category are measured by acres installed</i> <i>P and Sediment losses will be estimated for all installed practices</i> <i>Number of landowners who utilize equipment (interseeders, manure injectors, etc.)</i> <i>Number of farms inventoried</i> <i>Number of farms spot checked for continued compliance</i> 	<p>Activities Completed</p> <ul style="list-style-type: none"> <i>3,658 acres of Cover Crops</i> <i>6,341 acres of Residue Management/No Till</i> <i>1,455 acres of Low Disturbance Manure Injections</i> <i>170 acres of NMP</i> <i>3 acres of grassed waterways</i> <i>20 farms, 97 parcels inspected for FPP</i> <i>13 parcels inspected for NR 151 compliance</i> <i>5,449 lbs of phosphorus & 903 tons of sediment reduced</i>
<ul style="list-style-type: none"> <i>Livestock</i> 			
<p>Livestock – Per LWRM Objective 1 – <i>NR151 Implementation and Objective 2 Nutrient Management</i></p>	<ul style="list-style-type: none"> <i>Manure storage/transfer installations (5))</i> <i>Manure storage closures (3)</i> <i>Roof Runoff Systems (5)</i> <i>Milking Center Waste Control (2)</i> <i>Feed Storage Runoff Control (1)</i> 	<ul style="list-style-type: none"> <i>All practices listed in the "livestock" category will be tracked by the number installed.</i> <i>P and Sediment losses will be estimated for each practice as applicable</i> 	<ul style="list-style-type: none"> <i>2 Manure Storage/Transfer Installations</i> <i>11 Manure Storage Closures</i> <i>1 Roof Runoff System</i> <i>0 Milking Center Waste Control</i> <i>0 Feed Storage Runoff Control</i>

**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

• *Water quality*

<p>Water quality/quantity Per LWRM Objectives 3 and 5</p>	<ul style="list-style-type: none"> • <i>Install streambank/shoreline protection at priority locations identified through 9-Key Element Watershed Planning (15,000 ft)</i> • <i>Properly abandon unused wells to protect groundwater from contamination (1)</i> • <i>Install riparian buffers in priority areas as identified in 9KE Plans (40 acres)</i> • <i>Implement critical area stabilization as needed (1 acre)</i> • <i>Protect/enhance groundwater recharge by installing wetland restorations at key locations (3)</i> • <i>Continue to collect edge of field monitoring data within project areas to determine effectiveness of given conservation practices.</i> 	<ul style="list-style-type: none"> • <i>Streambank protections will be measured by feet installed. Reductions of P and sediment will be estimated for each site</i> • <i>Wells will be measured by the number abandoned.</i> • <i>Buffers and Critical Area Stabilization will be tracked by acres installed. Estimates of P and Sediment reductions will be calculated for each.</i> • <i>Water Quality monitoring will be reported by number of sites actively being monitored</i> 	<ul style="list-style-type: none"> • <i>10,528 feet of streambank protection (109 lbs of P & 89 tons TSS reduced)</i> • <i>0 abandoned wells</i> • <i>18 acres of buffer (232 lbs of P & 162 tons of TSS reduced)</i> • <i>2 Critical area stabilizations</i> • <i>4 Wetland Restorations (4.7 lbs of P & 0.7 tons TSS Reduced)</i> • <i>Continued monitoring at Plum Creek Treatment Wetland Site 2.</i>
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• *Forestry*

<p>Forestry – Promote healthy forests and wildlife habitat improvement</p>	<ul style="list-style-type: none"> • <i>Provide technical assistance to landowners on land management for forestry and wildlife (10 landowners)</i> 	<ul style="list-style-type: none"> • <i>Number of landowners assisted</i> 	<ul style="list-style-type: none"> • <i>80.9 acres of prairie planted with Pheasants Forever Partnership</i> • <i>17 landowners rented prairie seeding equipment</i>
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• *Invasive*

<p>Invasive species</p>	<ul style="list-style-type: none"> • <i>Provide identification and control information to landowners (10)</i> • <i>Map locations of some species as part of Legal Drain inventory</i> 	<ul style="list-style-type: none"> • <i>Number of landowners assisted</i> • <i>Number of locations mapped.</i> 	<ul style="list-style-type: none"> • <i>Applied for and received WDNR Lake Monitoring & Protection Grant Funds to be allocated to use by Fox Wolf Watershed Alliance to implement aquatic invasive species prevention services for</i>
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**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

			<p><i>Lake Winnebago Coverage area.</i></p> <ul style="list-style-type: none"> 9 locations of invasive phragmites mapped in legal drain districts.
<ul style="list-style-type: none"> <i>Wildlife</i> 			
<p>Wildlife-Wetlands-Habitat (other than forestry or invasive species)</p>	<ul style="list-style-type: none"> Continue annual Tree and Wildflower sale (sell at least 35,000 trees) Install treatment wetlands in key locations identified in 9KE Planning process (2) 	<ul style="list-style-type: none"> Number of trees sold Number of treatment wetlands installed 	<ul style="list-style-type: none"> 30,300 trees sold 0 treatment wetlands installed
<ul style="list-style-type: none"> <i>Urban</i> 			
<p>Urban issues</p>	<ul style="list-style-type: none"> Coordinate with municipalities in 9KE Planning as pertinent. Work with Point Sources to collaborate on TMDL Implementation via Adaptive Management or Multi Discharger Variance participation 	<ul style="list-style-type: none"> Number of municipalities worked with Number of Point Sources coordinated with 	<ul style="list-style-type: none"> Continue to work with NEW Water on adaptive management in Ashwaubenon and Dutchman Creek watersheds. MDV contract signed to assist with cost on barnyard runoff management project utilizing 2020 & 2021 Wolf River MDV funds.
<ul style="list-style-type: none"> <i>Watershed</i> 			
<p>Watershed strategies</p>	<ul style="list-style-type: none"> Continue HUC 12 planning approach for TMDL Implementation Complete at least one 9KE Plan and submit to DNR and EPA for next ranked HUC 12 watershed in the Lower Fox Basin Apply for grant funding for implementing approved 9KE Plans. 	<ul style="list-style-type: none"> Number of watershed plans completed in the Lower Fox Basin Completed and submitted (yes/no) Number of grants applied for 	<ul style="list-style-type: none"> Nine Key Element plan for Middle & Lower Duck Creek developed- submitted spring of 2022. 3 GLRI grants applied for and received for work in the Lower Fox. 1 Large Scale TRM grant applied for and received for work in the Lower Fox.

**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

• *Information and Education*

<p>I&E – Per LWRM Work Plan Goal 4, Objectives 1-3</p>	<ul style="list-style-type: none"> • <i>Continue collaboration with FWWA in distributing bi-annual newsletter “Basin Buzz”, and monthly e-newsletter “The Source”</i> • <i>Continue Annual Speaking & Poster Contest, Conservation Field Days (pandemic dependent), and staff presentations at Local schools</i> • <i>Continue collaboration with Brown County and other local agencies in holding field day events, tours, and farmer group meetings (Lower Fox Demo Farms Network and Upper Fox/Wolf Demo Farms Network)</i> • <i>Regularly update County website, Facebook page, and YouTube page</i> • <i>Conduct at least one annual rural and urban tour for committees, departments and elected officials that focuses on land and water conservation initiatives.</i> • <i>Assist County and Townships with Land & Water Resources issues as time allows.</i> • <i>Work with other agencies to educate and the Fox/Wolf Watershed Alliance with landowners and water users about curly leaf pondweed, Eurasian milfoil, spotted knapweed, buckthorn, Phragmites, purple loosestrife, and others.</i> • <i>Organize and encourage others to control the spread of invasives.</i> 	<ul style="list-style-type: none"> • <i>Number of newsletters</i> • <i>Number of participants and speaking events</i> • <i>Number of new posts and updates</i> • <i>Number of tours</i> • <i>Number of landowners informed about invasives</i> 	<ul style="list-style-type: none"> • <i>Continue to collaborate with FWWA on submitting articles to the Source (now Keepers of the Fox and Winnebago Waterways) and the Basin Buzz.</i> • <i>Conservation Field Days was not held due to COVID.</i> • <i>There were no entries for 2021 County speaking contest.</i> • <i>49 entries from students in poster contest.</i> • <i>Partook in annual virtual farmer roundtable series.</i> • <i>Additional information on I&E in table 4.</i>
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**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 2: Planned activity related to permits and ordinances

Permits and Ordinances	Plans/application reviews anticipated	Permits anticipated to be issued	Permits Issued 2021
Feedlot permits	N/A	N/A	N/A
Manure storage construction and transfer systems	5	5	2
Manure storage closure	3	3	11
Livestock facility siting	N/A	N/A	N/A
Nonmetallic/frac sand mining	N/A	N/A	N/A
Stormwater and construction site erosion control	N/A	N/A	N/A
Shoreland zoning	N/A	N/A	N/A
Wetlands and waterways (Ch. 30) - Assistance	8	8	11
Other			

Table 3: Planned inspections

Inspections	Number of inspections planned	Inspections Completed
Total Farm Inspections	110	110
For FPP	100	97
For NR 151	10	13
Animal waste ordinance	125	0
Livestock facility siting	N/A	N/A
Stormwater and construction site erosion control	3	3
Nonmetallic mining	N/A	N/A

**OUTAGAMIE COUNTY LCD 2021 ANNUAL WORK PLAN
LOCALLY-IDENTIFIED PRIORITIES**

Table 4: Planned outreach and education activities

Activity	Number	Actual
Tours	1	2
Field days	2	1
Trainings/workshops	2	1
School-age programs (camps, field days, classroom)	3	1
Newsletters	2	2 (Featured Projects on County Webpage)
Social media posts	40	30
News release/story	5	2

Table 5: Staff Hours and Expected Costs (staff can be combined or listed individually)

Staff/Support	Hours	Costs
<i>County Conservationist</i>	2080	\$133,355
<i>Technicians</i>	10400	\$425,431
<i>Agromony Staff</i>	4160	\$145,795
<i>Watershed Management/Planning Staff</i>	4160	\$214,078
<i>Support Staff</i>	4160	\$124,545
<i>Support Costs</i>	N/A	\$324,071
Cost Sharing (can be combined)		
<i>Bonding</i>	N/A	\$41,990
<i>SEG</i>	N/A	\$75,000
<i>TRM</i>	N/A	\$1,010,000
<i>GLRI Plum/Kankapot</i>	N/A	\$200,000
<i>GLRI Upper Duck</i>	N/A	\$165,000
<i>ATC</i>	N/A	\$38,000
<i>NEW Water</i>	N/A	\$50,000
<i>GLSNRP</i>	N/A	\$61,866
<i>MDV</i>	N/A	\$12,500

CORRESPONDENCE/MEMORANDUM _____ State of Wisconsin

DATE: November 23, 2022

TO: Land and Water Conservation Board (“LWCB” or “Board”) Members and Advisors

FROM: LWCB Advisory Committee on Research (“Committee”)

SUBJECT: Update from Committee Proceedings November 1st and November 21st, 2022

The Committee is not requesting actions from the LWCB at this time.

On November 1st, the Committee determined for interests of governance and function, to elect a Committee Chair and Vice-Chair. The Committee chose not to elect a Secretary, as department staff are fulfilling the duties of Secretary. Ron Grasshoff was elected to serve as Committee Chair and Bobbie Webster was elected to serve as Vice-Chair.

The Committee has prepared a draft letter and electronic survey to gather information on soil and water conservation research and educational needs. Both remain in draft form as the Committee is still finalizing revisions. The majority of remaining revisions are associated with the survey, which the November 21st, 2022 working group session was able to address. The Committee expects to approve the letter and the electronic survey at the January 3rd committee meeting. Post-approval, the Committee will then distribute the letter and survey to stakeholders.

The Committee requested department legal counsel clarify whether LWCB Advisors – serving on the Committee – could vote on Committee matters, hold office, or be subject to quorum. Department legal counsel advised that, “*advisory members should not be allowed to vote on the Advisory Committee, count toward a quorum, or serve as officers.*” The rationale for this legal advice originates from the following statutes:

- 1) Wis. Stat. § 15.135(4) which states that **members** make up the Board.
- 2) Wis. Stat. § 15.07(4) that requires a majority of **members** to constitute a quorum
- 3) Wis. Stat. § 92.04 which allows the Board the authority to “*delegate to its chairperson or to one or more of its **members** any of its powers or duties*”. By creating the Committee, the Board delegated at least one of its duties to the **members** on the Committee.

The Committee plans to next meet on January 3rd, 2022. At this meeting, the Committee expects to approve the solicitation letter and survey. Post-approval, the Committee will then implement plans to distribute the letter and survey to stakeholders.

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: December 6, 2022

TO: Land and Water Conservation Board Members and Advisors

FROM: DATCP
Land and Water Resource Bureau

SUBJECT: Approval of Proposed 2023 LWCB Annual Agenda

Recommended Action: This is an action item. The LWCB may choose to approve the proposed 2023 annual agenda or choose to amend it before approval.

Summary: DATCP have prepared a proposed annual agenda for LWCB meetings in 2023. Subject to LWCB approval, the meeting dates for 2023 are as follows:

February 7, 2023

April 4, 2023

June 6, 2023

August 1, 2023

October 3, 2023

December 5, 2023

One or more meetings may be held remotely by teleconference in accordance with Board Bylaws for Schedule and Place of Meetings.

If you have any questions about the annual agenda, please contact Stacy Tierman at (608)224-4633 or Lisa Trumble at (608)224-4617.

Materials Provided: LWCB 2023 Proposed Annual Agenda.

Presenter: DATCP

Land and Water Conservation Board



2023 ANNUAL AGENDA

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2023 ANNUAL AGENDA

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February 7, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Review (Dane County)
Responsible Party: Lisa Trumble
- ◆ Gathering input from stakeholders and public on nonpoint funding
Responsible Party: LWCB Chair
- ◆ Report and Potential Recommendation on the 2023 CREP Spending Authority (Carryover Item from December 2022)
Responsible Party: Brian Loeffelholz

LWCB ADMINISTRATIVE MATTERS

- ◆ Election of 2023 Officers
Responsible Party: LWCB Chair
- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative

APRIL 4, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Review (Grant and Burnett Counties)
Responsible Party: Lisa Trumble
- ◆ Extension of DATCP Projects from 2022 into 2023
Responsible Party: Jenni Heaton-Amrhein
- ◆ Report on Governor's Proposed Budget for DNR and DATCP nonpoint programs (and potential board resolution)
Responsible Party: DATCP and DNR Representative
- ◆ Report on Transfers and Reallocations of 2022 Cost-Share Dollars (written report only)
Responsible Party: Jenni Heaton-Amrhein

LWCB ADMINISTRATIVE MATTERS

- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative

JUNE 6, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Review (Green Lake and Kewaunee Counties)
Responsible Party: Lisa Trumble

LWCB ADMINISTRATIVE MATTERS

- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative
- ◆ 2023 Roundtable on UW Systems Soils and Water Conservation Research Needs
Responsible Party: LWCB Advisory Committee on Advising UW-System

AUGUST 1, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Reviews (Juneau and Polk Counties)
Responsible Party: Lisa Trumble
- ◆ Presentation of 2024 Joint Preliminary Allocation Plan
Responsible Party: Jenni Heaton-Amrhein and Joanna Griffin
- ◆ DNR Presentation of the Scores and Rankings of Targeted Runoff Management (TRM) Projects for CY 2024
Responsible Party: Joanna Griffin
- ◆ DNR Presentation of the Scores and Rankings of Urban Nonpoint Source and Storm Water Management Projects for CY 2024
Responsible Party: Joanna Griffin
- ◆ The Annual Soil and Water Conservation Report (written report only)
Responsible Party: Coreen Fallat

LWCB ADMINISTRATIVE MATTERS

- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative
- ◆ Recommendation to UW-System on Soil and Water Conservation Research and Educational Program Needs
Responsible Party: LWCB

OCTOBER 3, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Review (Monroe and Oneida Counties)
Responsible Party: Lisa Trumble
- ◆ DNR Presentation of the Final Scores and Rankings of Targeted Runoff Management (TRM) and Urban Nonpoint Source and Storm Water Management Projects for CY 2024
Responsible Party: Joanna Griffin
- ◆ Recommendation for approval of the 2024 Joint Final Allocation Plan
 - ❖ Response to comments regarding the 2024 Joint Preliminary Allocation Plan**Responsible Party: Jenni Heaton-Amrhein and Joanna Griffin**
- ◆ Presentation on the Annual Soil and Water Conservation Report
Responsible Party: Coreen Fallat

LWCB ADMINISTRATIVE MATTERS

- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative

DECEMBER 5, 2023 LWCB MEETING

DATCP AND DNR PROGRAMS

- ◆ Recommendations related to Land and Water Resource Management Plans: Five Year Reviews (St. Croix and Taylor Counties)
Responsible Party: Lisa Trumble
- ◆ Report and Potential Recommendation on the 2024 CREP Spending Authority
Responsible Party: Brian Loeffelholz

- ◆ Farmland Preservation Program Biennial Report
Responsible Party: Wednesday Jordan, Tim Jackson

LWCB ADMINISTRATIVE MATTERS

- ◆ Approval of Proposed 2024 LWCB Annual Agenda
Responsible Party: LWCB Chair
- ◆ LWCB Advisory Committee on Research - Committee Updates
Responsible Party: Committee Representative

CORRESPONDENCE/MEMORANDUM

DATE: December 6, 2022

TO: LWCB members and advisors

FROM: Ian Krauss

SUBJECT: FSA Program Updates for December LWCB Meeting

- The Dairy Margin Coverage program, or DMC, election signup ends on December 9th.
- Pandemic Assistance Programs
 - The Emergency Relief Program Phase 1, or ERP, signup deadline is December 16th.
 - With ERP Phase 1 ending, two additional emergency relief and pandemic assistance programs from the USDA have been announced. USDA is preparing to roll out the [Emergency Relief Program \(ERP\)](#) Phase Two as well as the new [Pandemic Assistance Revenue Program \(PARP\)](#), which are two programs to help offset crop and revenue losses for producers.
- ARC/PLC enrollment is underway. Paul Mitchell, UW Extension, has provided the 2023 recommendations for producers to consider during enrollment. With current prices and projections, Paul is recommending ARC-CO once again.
- Conservation Reserve Program
 - Continuous Signup 59, which includes CREP, Highly Erodible Land Initiative (HELI), and State Acres for Wildlife Enhancement (SAFE), are currently active and accepting offers.
 - We are still awaiting National Office approval for the updated Soil Rental Rates, once approved these new rates will be in effect for producer offers.
 - It is expected that there will be another General Signup this fiscal year. A formal announcement outlining signup dates, deadlines, and policy is forthcoming.

NRCS Wisconsin Quarterly Update



Environmental Quality Incentives Program

EQIP is the primary program available to farmers for farm and woodland conservation work, offering payments for over 90 basic conservation practices. Applications are accepted on a continuous, year-round basis. Applications received by November 4, 2022 will be evaluated and considered for potential funding in Fiscal Year 2023. Contact Melissa Bartz, melissa.bartz@usda.gov, for more information.

Conservation Stewardship Program

CSP provides assistance to landowners who practice good stewardship on their land and are willing to take additional steps over the next five years to further enhance their stewardship efforts. Applications are accepted on a continuous year-round basis. Applications received by February 10, 2023, will be evaluated and considered for funding in Fiscal Year 2023 for CSP Classic sign-up. Contact Melissa Bartz, melissa.bartz@usda.gov, for more information.

Regional Conservation Partnership Program

The Regional Conservation Partnership Program promotes coordination between NRCS and its partners to deliver conservation assistance to producers and landowners. NRCS provides assistance to producers through partnership agreements and through program contracts or easement agreements. Current active projects for water quality improvement are located within the Oconomowoc River, Milwaukee River and Yahara River watersheds, Driftless Area to improve fish and wildlife habitat, stream and riparian habitat, and select counties in Northern Wisconsin to improve Golden-winged and Kirtland's warblers' habitats, and select areas of Southern Wisconsin to improve soil health and protect agriculturally productive farmland. Contact Melissa Bartz, melissa.bartz@usda.gov, for more information.

Agricultural Conservation Easement Program

The Agricultural Conservation Easement Program (ACEP) focuses on restoring and protecting wetlands, conserving productive agricultural lands and conserving grasslands. Landowners are compensated for enrolling their land in easements. Applications for the ACEP are taken on a continuous basis, and they are ranked and considered for funding one time a year. The outlook for FY23 is good with additional funding from the Great Lakes Restoration Initiative for 2023 projects. The application deadline for 2023 ACEP proposals and projects was October 31, 2022. Contact Greg Kidd, greg.kidd@usda.gov, for more information.

NRCS Programs Financial Update			
Program		FY22	FY23
Environmental Quality Incentives Program (EQIP)	Financial Assistance Allocation	\$33.3 M	0 ^b
	Contracts	1073	0 ^b
Conservation Stewardship Program (CSP)	Financial Assistance Allocation	\$15.5 M	\$275,687 ^c
	New Contracts	273	0 ^c
	Renewal Contracts	217	10 ^c
Agricultural Conservation Easement Program—Agricultural Land Easements (ACEP—ALE) *Includes RCPP ALE in brackets	Financial Assistance Allocation	\$404,088	\$304,000
	Parcels	3	
	Acres	260	
Agricultural Conservation Easement Program—Wetland Reserve Easements (ACEP—WRE)	Financial Assistance Allocation	\$3.3 M	\$4.0 M
	Easements	5	
	Acres	478	
Emergency Watershed Protection Program—Floodplain Easements (EWPP-FPE)	Financial Assistance Reserve	\$3.4 M	0
	Proposed Easements	8	0
	Proposed Acres	556	0
Regional Conservation Partnership Program (RCPP)	Financial Assistance Allocation	\$3.0 M	0 ^b
	Contracts	110 ^c	0 ^b
	Acres	2,712 ^c	0 ^b
^a Includes initiatives and special funding. ^b Initiatives and special funding allocations have not been determined yet. ^c Funding decisions not yet complete for the fiscal year.			

2022 Soil Science Annual Data Refreshed

Wisconsin farmers and forest landowners rely on one common resource for production of food, fuel, and fiber—their healthy soil. To help take care of the vital natural resource, many turn to the U.S. Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS) and the Web Soil Survey (WSS). USDA NRCS soil scientists update the official soils data annually, which is then published on WSS for public use. WSS has been refreshed as of October 1, 2022 and is available for Wisconsin customers to use. For more information visit: www.nrcs.usda.gov/conservation-basics/conservation-by-state/wisconsin/news/2022-soil-science-annual-data-refreshed.

USDA Awards Howard-Suamico School District with Urban Agriculture and Innovative Production Grant, Part of Broader \$14.2 Million Investment

The U.S. Department of Agriculture (USDA) is investing \$14.2 million in 52 grants that support urban agriculture and innovative production, including a project in Green Bay, Wisconsin. This investment, which includes American Rescue Plan Act funds, will enable grant recipients like the Howard-Suamico School District (HSSD), to increase food production and access in economically distressed communities, provide job training and education, and allow partners to develop business plans and zoning proposals. These grants build on \$26.3 million in projects funded since 2020, and are part of USDA’s broad support for urban agriculture through its Office of Urban Agriculture and Innovative Production (OUAIP).

Howard-Suamico Goes Hydroponic, is a project that will improve the school's access to local, fresh, and nutritious food, while also teaching students about innovative agriculture production, using hydroponic technology. For more information visit: www.nrcs.usda.gov/conservation-basics/conservation-by-state/wisconsin/news/usda-awards-howard-suamico-school-district.

Farmers Encouraged to Keep the Stubble During No-Till November

First launched in 2017, the NRCS project is a conservation twist on the national cancer awareness No Shave November campaign that encourages people not to shave during the entire month. The NRCS campaign encourages farmers to “keep the stubble” on their harvested crops fields. The campaign has reached more than two million people nationally through Twitter and local media since 2017.

“Father and son Duane and Derek Ducat along with partner Dale Bogart, of Deer Run Dairy, in Kewaunee, Wisconsin, milk 1,500 cows, manage 2,400 acres and do custom work on 1,400 acres in the area. In partnership with the NRCS, through the Great Lakes Restoration Initiative, the brothers joined on as a Demonstration Farm in the Door-Kewaunee Demo Farms Network to try advanced farming technologies like low disturbance manure applications, cover crops and planting green. To learn more about Deer Run Dairy’s success with no-till farming, visit: www.nrcs.usda.gov/conservation-basics/conservation-by-state/wisconsin/news/farmers-encouraged-to-keep-the-stubble.

Wetland Reserve Easements (WRE) Through the Agricultural Conservation Easement Program (ACEP) *What to Expect Booklet*

This booklet was developed with Easements staff to help guide landowners through the process and components associated with enrolling land in a Wetland Reserve Easement. To view the entire booklet, visit: www.nrcs.usda.gov/sites/default/files/2022-11/What%20to%20Expect%20-%20web.pdf.

USDA Releases Nationwide Farmer, Rancher and Forest Manager Prospective Customer Survey

USDA encourages all agricultural producers to take the survey, especially those who have not worked with USDA previously. The survey gathers feedback on programs and services available through USDA’s Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS) and Risk Management Agency (RMA).

The survey is available online at www.farmers.gov/survey, and producers should complete by March 31, 2023. Stakeholder organizations are also encouraged to share the survey link through their networks. The survey is available in 14 different languages including Arabic, Chinese, English, French, Hmong, Korean, Navajo, Punjabi, Somali, Spanish, Tagalog, Thai, Urdu and Vietnamese.

GovDelivery

Get the news first! Individuals can enroll in GovDelivery to receive up-to-date notifications by e-mail when new information becomes available about any state or national NRCS topic you choose. If you sign-up for these automatic updates, you will only receive notifications you specify and you may unsubscribe at any time. Sign up for Wisconsin updates by visiting: https://public.govdelivery.com/accounts/USDAFARMERS/subscriber/topics?qsp=USDAFARMERS_WI.

**Wisconsin
Natural
Resources
Conservation
Service**





DATCP REPORT
Bureau of Land and Water Resources
December 2022

Soil and Water Resources Management Grants

- Please continue to submit all reimbursement requests – no need to wait until February!
- SWRM Extension Requests with signed contracts are due December 31, 2022. The extension form is available on the [SWRM Resources webpage](#).

County Annual Reports

- It is December again, which means it is annual report time. Just a heads up that counties will be receiving an email from the department toward the end of December with a link to the annual report questions. The reports will be due back by March 15.
- Now is a good time to think about what project or program success you would like to highlight. These stories are important for highlighting conservation work across the state.

Commercial Nitrogen Optimization Pilot Program and Cover Crop Insurance Rebate Program

- Agricultural producers and groups of agricultural producers are eligible for the commercial nitrogen optimization pilot program! The Request for Proposals and application are available on [our webpage](#). The deadline for applications is January 31, 2023.
- DATCP has \$800,000 in funding available to offer Crop Insurance rebates for planting cover crops in 2023 on 2022 cover crops. Acreage that already received cost-sharing or incentive payments for cover crops in 2022 is not eligible for this year's rebate program. Program information is available on the DATCP website, search "cover crops". Applications will be accepted from December 5, 2022 through January 31, 2023. Rebate funds in other states are exhausted quickly, so encourage your eligible producers to apply early!

ATCP 50 Rule Revision

- DATCP continues to move ahead with revisions to the ATCP 50 administrative rule and plan to host stakeholder meetings on December 12 and January 5. These meetings will offer partners and stakeholders a chance to learn more about potential changes and ask questions. To receive notification of those meeting dates, make sure you are on our email list. To view more detail about the meetings or sign up for notifications, visit our webpage: [DATCP Home ATCP 50 Rule Changes \(wi.gov\)](#).

Nutrient Management News

- Request for Pictures: If you have pictures of low disturbance manure injection or applications, please email them to andrea.topper@wisconsin.gov. Please include any information you might have (equipment information, soil moisture, etc.) We are currently working with NRCS to identify what qualifies as a low disturbance event. If you have any questions, please email andrea.topper@wisconsin.gov
- If your county has not yet submitted the 2022 Annual NM Data Survey, or need to make updates, please submit it by December 31st. Please eMail cody.calkins@wisconsin.gov if you still need that survey link or have questions about submitting that data.
- Upcoming Nutrient Management Trainings:

- SnapPlus 101-December 7th from 10am-12pm. Register here: [Wisconsin Land and Water | SnapPlus 101 Training \(wisconsinlandwater.org\)](https://www.wisconsinlandwater.org/SnapPlus101)
 - 2023 Online Nutrient Management Farmer Education Trainings- More information available here:[DATCP Home Nutrient Management Trainings \(wi.gov\)](https://www.datcp.wisconsin.gov/nutrient-management)
 - 2023 Nutrient Management Farmer Education for Pastures and Grazing-January 5th and February 14th from 9:30am-12:00pm. Material will be the same in both sessions, only need attend one session. Register here: <https://go.wisc.edu/775z71>
 - 2023 Nutrient Management Helpline-More information available here: [NPMHelpline.pdf \(wi.gov\)](https://www.datcp.wisconsin.gov/nutrient-management)
- If you haven't yet requested any Runoff Risk Advisory Forecast magnets or keychains, send a request to Andrea Topper (andrea.topper@wisconsin.gov) with the amount you'd like.

Farmland Preservation Program and Agricultural Enterprise Areas

- Please submit completed 2022 farmland preservation agreement applications to DATCP for processing as soon as possible. Applications can be sent to DATCPWorkingLands@wisconsin.gov. As a reminder, a farmland preservation agreement is valid for tax year 2022 only after it is signed and notarized by the landowner and DATCP before the end of the calendar year.
- Farmland Preservation Program staff will work with counties to craft outreach initiatives focused on areas of interest for renewable energy projects that are eligible for, or enrolled in, FP. Contact DATCPWorkingLands@wisconsin.gov to discuss needs or examples.
- Counties should expect to see a first request for copies of their DOR spreadsheet in early December. A copy of DOR spreadsheet should be sent to DATCPWorkingLands@wisconsin.gov by December 30th. Updates may be submitted as needed during the course of tax season.

Conservation Reserve Enhancement Program (CREP)

- County Annual Cost Reporting: Counties need to report their CREP administrative costs to DATCP by no later than December 9, 2022. The county contributions to administer CREP count toward Wisconsin's overall match requirements for federal CREP funds and are important for meeting statewide CREP program requirements reported to FSA by the end of the year. The reporting form (LWR-282) is on the CREP website. Completed reports should be sent as a pdf via email to Brian Loeffelholz (Brian.Loeffelholz@wisconsin.gov).
- CREP 101 Training (Virtual) Jan 25, 2023: DATCP is offering a virtual CREP 101 training on Jan 25, 2023 from 9am – Noon. The training is for all local office staff (LCD, FSA, NRCS). We invite LCD staff to contact their federal partners to attend with them. The training will review program requirements, landowner engagement, agency partnership coordination and administrative processes. All local agency partners are encouraged to attend including both new and seasoned local CREP staff. If interested RSVP via email to Brian Loeffelholz (Brian.Loeffelholz@wisconsin.gov).
- CREP Open for FFY2023 Enrollment: FSA has authorized enrollment for CREP in FFY2023 under signup 59. Enrollment is now underway and FSA State reported this signup has the same terms as last year. Note that authority for CREP under the current Farm Bill ends on 9/29/2023 and there is no guarantee the next Farm Bill will continue CREP or its current provisions. Below are a few important dates to keep in mind.
 - 7/31/2023 - Deadline for producers to submit an offer for re-enrolled land or new land.
 - 8/7/2023 - Deadline for producers to request a conservation plan from NRCS.

- 9/8/2023 - Deadline for NRCS/TSP to complete the conservation plan, sign and obtain signatures on CRP-1, and return the conservation plan to FSA.
- 9/29/2023 - Deadline for COC or CED to approve CRP-1's.

Agricultural Impact Statement (AIS) Program

- The Agricultural Impact Statement (AIS) program has been working with some of Wisconsin's largest energy utilities to reduce the use of chloride based de-icing agents on construction sites that cross farmland. Historically, chloride based products such as sodium chloride (i.e. rock salt) or calcium/magnesium chlorides have been the de-icing agent of choice. However, chloride can affect soil health, vegetation, and agricultural productivity. Energy utilities are now voluntarily adopting chloride alternative products including calcium magnesium acetate or agricultural by-products such as beet juice (when used with chloride). Some energy utilities have chosen to retain chloride based de-icing products, but they are now taking steps to mitigate the impacts of chloride to agricultural lands by voluntarily limiting chloride application rates and establishing spill response plans.
- The AIS program published AIS #4463 for the proposed Whitewater Lateral Natural Gas Pipeline Project in the Town of Whitewater in Walworth County, WI. Access [AIS #4463](#) and [AIS #4463 Appendices](#) at the provided links or visit agimpact.wi.gov for more information.
- Curious about what the AIS program is and does? Check out the new [Intro to the AIS program](#) video at agimpact.wi.gov. We've also launched a new [AIS Frequently Asked Questions](#) page that addresses many of your top AIS questions. Contact zach.zopp@wisconsin.gov for questions regarding any active AIS statement or the AIS program.

Producer-Led Watershed Protection Grant (PLWPG) Program

- This winter the Producer-Led Watershed Protection Grants Workshop will be held on December 13th 2022, rather than in February 2023. All groups funded in 2022 are required to attend the workshop as part of their grant obligation (at least one farmer and one collaborator). The workshop will be held at the Wilderness Resort in Wisconsin Dells, WI. Formal invites with registration information will be send out in October to the watershed groups. Contact dana.christel@wisconsin.gov with any questions.
- Funding decisions for 2023 have been finalized. Forty-five groups applied for approximately \$1.5 million in funding, and forty-three groups received awards totaling \$1 million.

Conservation Engineering

- Several commonly used NRCS WI Conservation Practice Standards (CPS) and WI Construction Specifications (WCS) were recently revised. Notably CPS 629 Waste Treatment was removed, and much of its contents were moved to CPS 561 Heavy Use Protection and the new CPS 627 Wastewater Treatment, Milk House. Additionally, CPS 634 Waste Transfer now has the requirement that pre-fabricated concrete (thin-walled), plastic, and fiberglass tanks must meet performance requirements in Ag Waste Management Field Handbook, and the previous DSPS requirement criteria was removed. A summary of these and other standard and specification changes can be found at [WI Field Office Technical Guide \(FOTG\) Notice WI-104](#). Please reach out to your area engineering contact if you have questions.

Staffing updates

- Randy Zogbaum officially started his new role as the Soil Health and Watershed Specialist on 11/21. Randy will serve as a technical resource on soil health and regenerative systems. Randy's new email is randall.zogbaum@wisconsin.gov, please feel free to reach out with questions or ideas, or just to introduce yourself and welcome Randy to his new role.

- Jenni Heaton-Amrhein has accepted a new position at the Public Services Commission. Her last day at DATCP is December 15th. We wish Jenni well in her new role!

DATE: December 6, 2022

TO: LWCB members and advisors

FROM: Jill Schoen, DNR

SUBJECT: DNR Update, October 2022 - November 2022, for December LWCB meeting

Storm Water Program Update

The department is concluding stakeholder meetings related to the antidegradation rulemaking effort based on EPA's 2015 revised water quality standards rule. The formal comment period is expected to commence Spring of 2023.

For federal fiscal year 2022 (October 2021– September 2022), storm water staff conducted 724 construction, 132 industrial, 113 municipal inspections, and 14 municipal program audits.

The storm water program is beginning recruitment for two, two year project positions funded by the Bipartisan Infrastructure Legislation (BIL). It is anticipated that the department will experience an increase in workload as communities begin construction on infrastructure projects also funded by the BIL. The two positions will have a statewide scope to assist with permitting, inspections and community outreach for municipalities implementing these funds.

The Non-Metallic Mining General Permit was reissued earlier this year in July. The new permit becomes effective on January 1st.

The department has developed a guidance document for post construction storm water management for utility scale solar projects. The document was developed to address the unique circumstances associated with large scale solar projects with many acres developed with impervious solar panels but also recognizing the vegetation under and around the panels. The document was put out for public notice for 30 days. The comment period closed on October 27, 2022. The department will review public comments received and revise the document as appropriate. Once finalized, the document will be published.

CAFO Program Update

Planning is underway for the 2023 CAFO Workshops. We are targeting dates in February. More to come soon!

Gulf Hypoxia Program

During 2022 WDNR and DATCP collaborated to develop a workplan for the new Gulf Hypoxia Program (GHP) authorized under the Bipartisan Infrastructure Law. The first two years of funding (\$1.7 million) will be used to implement Wisconsin's Nutrient Reduction Strategy in the Mississippi River Basin. Wisconsin has proposed to use GHP funds to support implementation, coordination, and reporting of the state Nutrient Reduction Strategy. Tasks in the workplan include nutrient reduction strategy support, watershed project implementation, and visualizing nutrient reduction achievements. Wisconsin intends to fund innovative pilot projects to reduce agricultural nonpoint source nutrient losses, expand support for key initiatives related to agriculture and water quality, and improve state capability to track, report, and demonstrate progress. Major environmental results anticipated from this project include reductions in nitrogen and phosphorus loads to Wisconsin waters and the Mississippi River, particularly from agricultural nonpoint sources. Disadvantaged communities will be given priority consideration.

BMP Implementation Tracking System (BITS): Urban Nonpoint Source Construction and Urban Targeted Runoff Management Modules Now Available

The Urban Nonpoint Source Construction (UNPS-C) and Urban Targeted Runoff Management (Urban TRM) modules in BITS were released for use on September 22, 2022. The modules replaces the PDF version of the UNPS-C and Urban TRM final report form (form 3400-189U). Up through Dec. 5, UNPS-C and Urban TRM grantees may either use BITS or PDF form 3400-189U to submit final reports. Starting on Dec. 5, UNPS-C and Urban TRM grantees are required to use BITS to submit final reports.

BITS allows counties to collect and organize BMP information for multiple grant types in a single location and to easily incorporate spatial data. Having a single repository for grant-related practices enhances DNR's ability to report on and summarize installed practices statewide. Additionally, it helps ensure that the state is working to achieve the goals of their nutrient reduction strategy and will allow grant information to be available in an online viewer, which will improve transparency. More information on BITS, including documentation and training resources, can be found on the [DNR BITS webpage](#).

Surface Water Grants Program Update

The final grant deadline was on November 15th and the surface water grant program is processing the project applications that have been submitted. This year, the department received just under 300 applications from eligible applicants for the available funding to support projects that protect and restore waterbodies and prevent aquatic invasive species. Currently, the surface water grant program is recruiting and assembling grant ranking teams to make determinations on project funding under the multiple grant categories. Final ranking will be determined by the end of January and grant awards will be announced on February 1st.