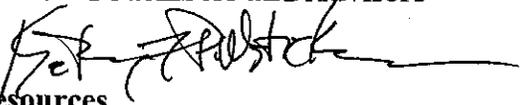


**CORRESPONDENCE/MEMORANDUM****State of Wisconsin**

**DATE:** January 19, 2011

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Kathy F. Pielsticker, Director   
Bureau of Land and Water Resources

**SUBJECT:** February 1, 2011, Land and Water Conservation Board Meeting

The Land and Water Conservation Board will hold its next meeting on Tuesday, February 1, 2011, at the Department of Agriculture, Trade and Consumer Protection. Chairman Cupp will call the meeting to order at 9:15 a.m. with the pledge of allegiance. The call to order will continue with the approval of the agenda and the December 7, 2010, LWCB meeting minutes, and information on LWCB membership change and renewal. Public appearances will end the call to order.

Next, Kathy Pielsticker will give an update on DATCP's Division of Agricultural Resource Management's budget and how it affects the LWCB's budget.

The agenda will continue with reports from the LWCB committees. The LWCB Officer Nominating Committee will report their findings and recommend officer nominations. The LWCB will then elect the 2011 LWCB Chair, Vice-Chair, and Secretary officers. The LWCB Officers will report on their January 10, 2010, meeting. The Officers will first approve the minutes from the meeting and then give an update on the LWCB legislation and present information on the status of developing the 2011 LWCB forums.

After the Officers' report, the LWCB will hear from their partners in conservation. Taylor County LCD and Marathon County CPZD staff will present their county land and water resource management plans for a LWCB recommendation of approval.

After the plan presentations, DATCP and DNR staff will report on the 2012 grant applications. The meeting will conclude with agency reports.

If you have any questions concerning the materials or would like additional information on any of the issues, please contact Lori Price at (608) 224-4622 or [lori.price@wisconsin.gov](mailto:lori.price@wisconsin.gov).



*State of Wisconsin*

---

*Land and Water Conservation Board*

# **AGENDA ITEM 1**



State of Wisconsin

## Land and Water Conservation Board

PO Box 8911  
Madison, WI 53708-8911  
608-224-4622

### Land and Water Conservation Board Meeting

February 1, 2011  
9:15 a.m. to 12:15 p.m.

Wisconsin Department of Agriculture, Trade and Consumer Protection  
Boardroom 106  
2811 Agriculture Drive, Madison, WI

#### Agenda

*THE LWCB MAY TAKE ACTION ON ANY OF THE ITEMS LISTED ON THE AGENDA AT  
THE SCHEDULED MEETING*

- 9:15 a.m. 1 Call to order—Mark Cupp, LWCB
- a. Pledge of allegiance
  - b. Open meeting notice
  - c. Approval of agenda
  - d. Approval of December 7, 2010, LWCB Meeting minutes
  - e. LWCB membership changes
  - f. Public appearances\*
- \*Please complete a Public Appearance Request Card and submit it to a DATCP representative before the start of the meeting.*
- 9:30 a.m. 2 Budget update—Kathy Pielsticker, DATCP
- 9:45 a.m. 3 Report of the LWCB Officers Nominating Committee
- a. Approval of the January 18, 2011, meeting minutes
  - b. Election of the 2011 LWCB Officers
- 10:00 a.m. 4 Report of the LWCB Officers Committee—Mark Cupp
- a. Approval of January 10, 2011, meeting minutes
  - b. LWCB legislation update
  - c. Status of developing 2011 LWCB forums
- 10:15 a.m. 5 Recommendation for approval of the Taylor County Land and Water Resource Management Plan—Steve Oberle, Taylor County LCD; and Dennis Presser, DATCP
- 10:45 a.m. Break

Mark Cupp, Chair • Tom Rudolph, Vice-Chair • Dennis Careff, Secretary  
Members: Sandi Cihlar • Robin Leary • Charles Wagner • Patrick Laughrin • Ryan J. Schroeder  
Jana Steinmetz • Kathy Pielsticker • Ken Johnson

*February 1, 2011, LWCB Meeting Agenda*

- 11:00 a.m. 6 Recommendation for approval of the Marathon County Land and Water Resource Management Plan—James Burgener, Marathon County CPZD; and Dennis Presser, DATCP
- 11:30 a.m. 7 Report on 2012 grant applications—Richard Castelnuovo, DATCP; and John Pfender, DNR
- 11:45 a.m. 8 Agency reports
- a. FSA
  - b. NRCS
  - c. UW-CALS
  - d. UW-Extension
  - e. WALCE
  - f. WLWCA
  - g. DATCP
  - h. DNR
- update on the Nonpoint Source Program fiscal status (written report only)
- 12:15 p.m. Adjourn

**DRAFT MINUTES  
LAND AND WATER CONSERVATION BOARD  
MEETING  
December 7, 2010**

**Boardroom 106  
Wisconsin Department of Agriculture, Trade and Consumer Protection  
2811 Agriculture Drive, Madison, Wisconsin**

**Item #1 Call to Order--open meeting notice, approval of agenda, and approval of LWCB meeting minutes**

The meeting was called to order by Chairman Cupp at 10:15 a.m. with the pledge of allegiance. Other LWCB members present were: Tom Rudolph, Denny Caneff, Sandi Cihlar, Chuck Wagner, Ryan Schroeder, Ken Johnson for the DNR Secretary, Kathy Pielsticker and Richard Castelnovo for the DATCP Secretary. A quorum was present. Advisors present were: Julian Zelazny for WLWCA; Kurt Calkins for WALCE; and Patricia Leavenworth and Ron Howard for NRCS.

Cupp confirmed with Price that the meeting had been publicly noticed, as required. Cupp presented the agenda for approval. Wagner made a motion to approve the agenda, and Rudolph seconded the motion. The motion passed.

Cupp presented the October 5, 2010, LWCB meeting minutes for approval. The following changes were made to the minutes: Item #6, page 4, 3<sup>rd</sup> paragraph, 1<sup>st</sup> sentence, change from "LWCB member" to "LWCB members"; Item #8f, page 5, 5<sup>th</sup> paragraph, 2<sup>nd</sup> sentence should read "... poster and speaking contest . . ." and 3<sup>rd</sup> sentence should read "... December 9-10 in Wisconsin Dells"; and under the adjournment paragraph, page 6, 2<sup>nd</sup> sentence should read "They were to . . ." Cihlar made a motion to approve the minutes as amended, and Rudolph seconded the motion. The motion passed.

**Item #2 Public appearances**

There were no public appearances at this meeting.

**Item #3 October 25, 2010, LWCB Officers meeting report: approval of minutes, LWCB legislation update, and future LWCB forums**

Cupp presented the October 25, 2010, LWCB Officers meeting minutes for approval. Rudolph made a motion to approve the minutes as written, and Caneff seconded the motion. The motion passed.

On the LWCB legislation update, Cupp reported that he has been in contact with Senator Schultz' and Representative Clark's offices and it is hoped that the legislation can be introduced after the new Governor and his administration have taken office in January. Rudolph reported

that he hopes to talk with his area legislators soon. There was some discussion on whether it was possible the legislation would be introduced before the state budget deliberations begin. It was noted that the new administration will most likely focus on jobs and the state budget first.

On future LWCB forums, the LWCB approved a forum on land spreading of waste for either the February or June 2011 meeting and a forum on implementation of NR 115 for the April 2011 meeting. Cupp assigned Caneff and Cihlar to work on topics for the land spreading forum, and Rudolph and Johnson to work on topics for the NR 115 forum. Both groups should plan to present their ideas at the January LWCB Officers meeting. The LWCB suggested the following topics for the NR 115 forum: presentation of the NR 115 ordinance requirements and the model ordinance and presentation of a successful shoreland zoning ordinance that meets and exceeds the model ordinance.

**Item #4 Recommendation for approval of the Columbia County Land and Water Resource Management Plan—Kurt Calkins, Columbia County LWCD; and Dennis Presser, DATCP**

Calkins presented the plan to the LWCB for an approval recommendation. His presentation covered development of conservation issues from citizen input, objectives and action items including accomplishments from the prior plan and how they relate to the new plan, program participation updates, manure management in the county, grassed waterways, inheriting the parks department, developing a county land trust, and LWRM funding including increase in partnerships.

After the presentation, the LWCB discussed these issues: addressing land spreading of waste and high nitrate levels in the county, outreach activities in local schools, and the county animal waste ordinance. Wagner made a motion for the LWCB to recommend approval of the Columbia County Land and Water Resource Management plan. Rudolph seconded the motion. The motion passed.

**Item #5 Report and potential recommendation on the 2011 Conservation Reserve Enhancement Program (CREP) spending authority—Brian Loeffelholz, DATCP**

Loeffelholz reported that the state will reach its goal of enrolling 100,000 acres in CREP using \$28 million instead of the original \$40 million allocated for the program. Allocation adjustments were made based on CREP participation by the counties. Counties were notified of the allocation adjustments and no formal comments were received back from the counties. Fifteen-year agreements were more popular than perpetual agreements. The Department recommends the allocation adjustment which would allow for expenditure of \$12 million to fund the establishment of easements under the Purchase of Agricultural Conservation Easements (PACE) program. Wagner asked why there is not more participation in CREP. Loeffelholz responded that there is a lack of staff funding at the county level to administer the program. Calkins added that the program is not very profitable but if it fell under governmental standard with compensation, there might be more participation. Castelnuovo asked if the tillage setback might help to encourage program participation. Calkins responded that it might. Cihlar asked if there

will be more participation in CREP, particularly putting land under perpetual easements, under the Working Lands Initiative. Calkins responded that he approaches perpetual easements by asking landowners if they plan to ever remove the land from the easement. Loeffelholz added that CREP may help to promote PACE.

Cihlar made a motion for the LWCB to recommend approval of the proposed adjustments to the county CREP spending authorities. Caneff seconded the motion. The motion passed.

**Item #6 Recommendation for approval of the Lincoln County Land and Water Resource Management Plan—Diane Hanson, Lincoln County LICD; and Dennis Presser, DATCP**

Hanson presented the plan to the LWCB for an approval recommendation. Her presentation covered the county's vision of preserving its rural character, plan development and public participation, resource assessment, major resource concerns, plan goals and objectives, performance standards implementation, regulations, monitoring and evaluation, budget for implementing plan, and prior plan accomplishments.

After the presentation, the LWCB discussed with Hanson whether there were any issues between zoning updates and property rights groups; threats of conversion of agricultural lands in the county; accounting for all wastes in nutrient management planning; fragmentation of forested lands and impact on recreational programs; and how consolidation of Land Information, and Land and Water Resources Departments is working. Rudolph made a motion to recommend approval of the Lincoln County Land and Water Resource Management Plan. Castelnovo seconded the motion. The motion passed.

After this item, the LWCB took a lunch break.

**Item #7 Recommendation for approval of the Marinette County Land and Water Resource Management Plan—Greg Cleereman, Marinette County LWCD; and Justin Shell, DATCP**

Cleereman presented the plan to the LWCB for an approval recommendation. His presentation covered county geography and land uses, prior plan accomplishments, new plan goals, youth conservation education, nutrient management planning, project funding, shoreland zoning activities, management and prevention of the spread of invasive species, and changes since the last plan was approved.

After the presentation, the LWCB discussed with Cleereman the importance of conservation education for children, activities associated with outreach to the agricultural community, working with UW Extension, and the phragmites invasive species as a possible biological fuel source. Caneff then made a motion for the LWCB to recommend approval of the Marinette County Land and Water Resource Management Plan. Rudolph seconded the motion. The motion passed.

**Item #8 Request for extension of the Waukesha County Land and Water Resource Management Plan—Justin Shell, DATCP**

Shell reported that Waukesha County is requesting a one-year extension of the prior LWRM plan in order to complete the plan revision so it accurately reflects changes being made to the county farmland preservation plan. This extension request requires a rule waiver of plan approval length as stated in ATCP 50.12(5). Wagner made a motion for the LWCB to recommend approval of the waiver and the one-year extension request with the conditions that the county submit an updated 2011 workplan by April 15, 2011, and that the new plan revision be for a period of four years. Rudolph seconded the motion. The motion passed.

**Item #9 Approval of the proposed 2011 LWCB annual agenda**

The LWCB reviewed the proposed 2011 annual agenda and added the County Progress Report under the SWRM Program to the February 1, 2011, meeting date; and removed the land spreading forum and “(tentative)” from the NR 115 forum under the April 5<sup>th</sup> meeting date. The land spreading forum will continue to be listed as tentative under the February 1<sup>st</sup> and June 7<sup>th</sup> meeting dates. In January, the LWCB Officers will discuss whether the land spreading forum will be ready in time for the February meeting or moved to the June meeting, and February 1<sup>st</sup> agenda item entitled, “Gathering Input from Stakeholders and Public on Funding and Annual Joint Allocation Plan.” Wagner made a motion to approve the amended 2011 annual agenda, and Caneff seconded the motion. The motion passed.

**Item #10 Review of the bylaws**

The LWCB reviewed the suggested changes to the bylaws and made amendments to those changes. [For a complete set of bylaw changes, see the attached document.]

Rudolph made a motion for the LWCB to approve the amended bylaws, and Johnson seconded the motion. The motion passed.

**Item #11 Selection of the 2011 Officers Nominating Committee**

Cupp appointed Wagner, Schroeder, and Leary to the 2011 Officers Nominating Committee. Wagner will chair the committee and will report the committee’s findings back to the LWCB at the February 1, 2011, meeting. LWCB members should contact either Wagner or Price with suggested officer nominations by January 1, 2011.

**Item #12 Agency reports**

**a. FSA**

No report was given.

**b. NRCS**

Leavenworth handed out copies of a shortened version of the NRCS annual report. The Conservation Stewardship Program had a successful signup with 968 landowners joining the program for \$6 million in annual payments. For the Environmental Quality Incentives Program, \$17 million was obligated for 1042 contracts. The new initiatives in EQIP are the Great Lakes Restoration Initiative and the Mississippi River Basin Initiative. For the Wildlife Habitat Incentives Program, \$489,000 was obligated for 57 contracts. Howard reported that \$25 million was obligated for 35 floodplain protection easements totaling 5,124 acres. For the Wetlands Reserve Program, \$10.6 million was obligated for 28 easements. The Farm and Ranch Lands Protection Program partnered with PACE this year with \$1.83 million obligated for 9 new easements. For the Grassland Reserve Program, \$489,000 was obligated for 57 easements.

**c. UW-CALS**

No report was given.

**d. UW-Extension**

No report was given.

**e. WALCE**

Calkins reported that the study on combining the WALCE and WLWCA organizations is taking place through an appointed committee. Also, Ed Hernandez will be stepping down as WALCE Treasurer so the search is on for a new one. The 2011 professional improvement conference will take place on March 2-4, 2011, in Wisconsin Rapids.

Castelnuovo commented on counties combining departments that results in funding county staff positions that are not doing conservation work, and whether a survey should be done in this area for purposes of better understanding funding county staff.

**f. WLWCA**

Zelazny reminded the LWCB that the WLWCA annual conference is taking place later this week in Wisconsin Dells. The keynote speaker will be the CEO of NACD, Jeff Eisenberg, and the elections for LCC representatives to the LWCB will also take place at the conference.

**g. DATCP**

Castelnuovo reported that the department will move forward with the 2012 grant applications. The Department of Administration has projected a \$1.5-2.2 billion state budget deficit, which may impact future funding decisions. The Agricultural Enterprise Areas and Purchase of Agricultural Conservation Easements programs are moving forward with 2011 petition and project requests respectively. There are two PACE workshops scheduled in January and February of 2011. The final meeting of the Livestock Facility Siting Technical Expert

Committee will take place on December 16<sup>th</sup>. At this meeting, the committee will issue its final technical recommendations on changes to the livestock siting standards. DATCP also is providing engineering assistance to DNR to help with CAFO permit review. The Bureau of Land and Water Resource (BLWR) recently hired a new agricultural engineer, Matt Woodrow, in the Appleton office. The BLWR recently reorganized, and it is hoped that staff can improve program outreach to customers as a result.

**h. DNR**

Johnson reported the draft general CAFO permit has been forwarded to EPA Region V for review; therefore, it will not be done by the end of this year as originally anticipated. The phosphorus rules, NR 102 and NR 217, went into affect on December 1, 2010. The Rock River TMDL will go to public hearing on December 16, 2010, in Watertown, and then on to EPA for review. Once it is approved, it will be incorporated into the Point Source and Nonpoint Source Programs. It is the largest TMDL done in Wisconsin.

**Adjourn**

Before the meeting adjourned, Cupp reviewed LWCB member assignments on the forums and officer candidate suggestions. Being no further business before the LWCB, Rudolph made a motion to adjourn the meeting, and Wagner seconded the motion. The motion passed, and the meeting adjourned at 2:30 p.m.

Respectfully submitted,

---

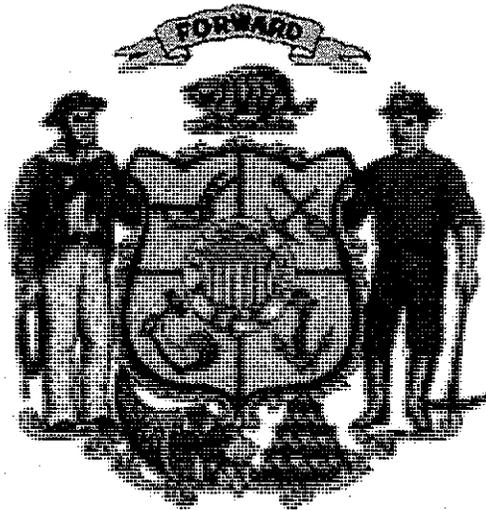
Denny Caneff, Secretary

Date

Recorder: LP

*WISCONSIN  
LAND & WATER CONSERVATION BOARD*

*12-7-10 CHANGES TO BYLAWS*



*Wisconsin Department of Agriculture, Trade  
and Consumer Protection  
P.O. Box 8911  
Madison, WI 53708-8911  
(608)224-4622*

## 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 (WLWCA) 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 WLWCA) 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

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.

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 the December meeting, the chair shall appoint three members to a nominating committee, of which only one member shall be a representative of the county land conservation committees. The nominating committee shall report back at the first meeting of each year with a nominee or nominees for the offices of chair, vice chair and secretary.

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.]

IV. AUTHORITIES AND RESPONSIBILITIES

A. Adjudication

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

1) approve or reject applications for farmland preservation agreements when the application is rejected by the local governing body or DATCP.

2) 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;

3) certify farmland preservation plans and exclusive agricultural zoning ordinances.

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

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.

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

~~The board has the authority to promulgate administrative rules to carry out its responsibilities listed in Appendix A for the farmland preservation program.~~ Under s. 92.04(3)(f), the board has no rulemaking authority on matters related to soil and water conservation. The board ~~makes may make~~ recommendations to ~~DNR on its proposed administrative 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.

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 soil land and water conservation.~~

~~D. Rulemaking~~

~~If the board elects to promulgate administrative rules to carry out its responsibilities, the board shall follow the procedures and processes outlined in ch. 227, Stats., and the *Administrative Rule Handbook* prepared by DATCP.~~

VI. MEETING PROCEDURES

A. Schedule and Place of Meetings

Regular meetings will be held on the first Tuesday of February, April, June, August, and October, and December ~~on the day preceding the annual WLWCA conference~~ unless an alternate date is agreed to by a majority of the board. ~~Regular meetings will be extended into the following day when agendas so require.~~

Special meetings may be called by the chair at anytime.

~~Meetings will generally be held at DATCP or at DNR in Madison, or other appropriate locations including. The December meeting should be held at the site of the annual WLWCA Conference.~~ 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 teleconference call as long as it meets the definition of a meeting as set forth in Chapter 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. The LWCB must follow all Open Meeting Law requirements in Chapter 19, Subchapter V, and provide the public with an effective means to monitor the call.

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 mailed 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 and additions or changes,
- 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. Minutes

Minutes of each meeting shall be taken by DATCP staff and signed by the secretary of the board. Minutes shall be mailed ~~or electronically transmitted~~ to each member, each advisory member and any agency or individual upon request.

D. Board Materials1) Review

DNR materials relevant to the soil and water resource management program and the nonpoint source pollution abatement program shall be delivered to DATCP at least 7 days prior to the board mailing date, and sooner if possible.

DATCP materials that are relevant to the nonpoint source pollution abatement program shall be delivered to DNR at least 7 days prior to the board mailing date, and sooner if possible.

DATCP materials related to board decision items (that is, matters on which the board is expected to vote, rather than informational items or reports) shall have legal review. DATCP materials shall be reviewed by DATCP's chief legal counsel or the chief legal counsel's designee before those materials are approved by the administrator of the Agricultural Resource Management Division (ARM). DNR will obtain legal review ~~by its agency counsel~~ if such review is deemed necessary. Materials will be approved by the Watershed Management Bureau Director, or the Director's designee, prior to delivery to DATCP for mailing.

The administrator of the ARM Division or the administrator's designee shall approve all DATCP materials for distribution to the board.

2) Distribution

All board materials, including DATCP and DNR materials, shall be forwarded to DATCP's Agricultural Resource Management Division, and distributed to the board under the signature of the administrator of the ARM Division or the administrator's designee.

Materials prepared by DATCP and DNR related to board agenda items shall be mailed by DATCP to the board at least 10 days prior to the board meeting, and sooner if possible. However, upon permission of the board chair, staff may distribute certain materials at board meetings to supplement presentations to the board, when appropriate.

All press releases prepared by staff pertaining to board issues shall be reviewed and approved by the board chair.

E. Conduct of Meetings1) 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 minutes of all board meetings. 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 entered upon the minutes of the meeting. All resolutions shall be presented in writing or reduced to writing during or after the meeting, and shall be entered in full upon the minutes 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.

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 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.

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

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 mailed 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;  
amended: 4/91, 2/94, 4/95, 4/97, 12/98, 2/01, 4/04, and 02/09.

## APPENDIX A - Program Authorities and Responsibilities

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

Cite            Language

91.06            The board shall review farmland preservation plans and exclusive agricultural use zoning ordinances, and shall certify whether the plans and ordinances meet the standards of subchapters IV and V.

Chapter 91  
2007 Wisconsin Statutes

91.13(7)        If the application for a farmland preservation agreement (FPA) is rejected by the local governing body or the department, the board shall, within 60 days after appeal, approve or reject the application.

91.19(3)        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.)

91.19(5)        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.)

2009 WI ACT 374

Section 1

(1) (a)        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.

91.61            The board shall certify agricultural preservation plans.

91.73            Exclusive agricultural zoning ordinances may be submitted to the board for review and certification under s. 91.06.

### **SOIL AND WATER RESOURCE MANAGEMENT PROGRAM**

Cite            Language

92.04(1)(a)    The board may hold public hearings in the performance of its functions.

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.

- 92.04(1)(c) The board may make studies and recommendations on matters relating to soil and water conservation.
- 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)( <del>b</del> )(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.



**JIM DOYLE**  
GOVERNOR  
STATE OF WISCONSIN

---

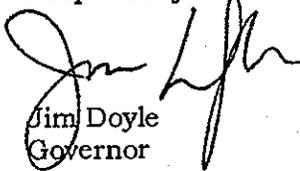
December 14, 2010

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do reappoint Robin Leary to be a Large City rep on the Land and Water Conservation Board to serve a term expiring May 1, 2013.

Ms. Leary will be available to the Senate for hearings and my staff will assist in any way they can.

Respectfully submitted,

  
Jim Doyle  
Governor



**JIM DOYLE**  
GOVERNOR  
STATE OF WISCONSIN

---

GOVERNOR'S APPOINTMENT

**NAME:** Robin Leary

**MAILING ADDRESS:** 2104 Providence Court  
Eau Claire, WI 54703

**E-MAIL ADDRESS:** learyrj@uwec.edu

**RESIDES IN:** Eau Claire, WI

**TELEPHONE:** 715-836-5630 (w)  
715-832-3741 (h)

**APPOINTED TO:** Land and Water Conservation Board  
Large City rep

**TERM:** A term to expire May 1, 2013

**SUCCEEDS:** Herself

**SENATE CONFIRMATION:** Yes

**DATE OF APPOINTMENT:** December 14, 2010

**DATE OF NOMINATION:** December 14, 2010

**FROM WLWCA.ORG:**

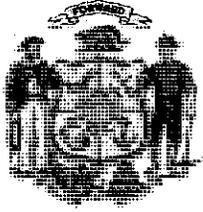
## **2010 Land and Water Conservation Board Information**

---

In even-numbered years, WLWCA is responsible for holding elections for three members to serve on the state Land and Water Conservation Board (LWCB). Each area is encouraged to nominate one candidate to serve on the LWCB. The LWCB is attached to the Department of Agriculture, Trade and Consumer Protection (DATCP) and advises DATCP and the Department of Natural Resources (DNR). They connect local and state governments on conservation and farmland preservation issues. Chapters 91, 92 and 281.65 of the Wisconsin statutes further delineate the LWCB's program authorities and responsibilities.

The LWCB is composed of three state agency leaders; one Governor-appointed member that serves a two-year term; four Governor-appointed members representing urban, rural, river management and natural resource preservation areas; and three members of county land conservation committees.

**Elected to the LWCB on December 10, 2010 were Patrick Laughrin from Calumet County, Tom Rudolph from Oneida County and Charles Wagner from Kewaunee County.**



*State of Wisconsin*

*Land and Water Conservation Board*

---

# **AGENDA ITEM 2**

**CORRESPONDENCE/MEMORANDUM** \_\_\_\_\_ **STATE OF WISCONSIN**

**DATE:** January 25, 2011

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Kathy F. Pielsticker, DATCP  
Bureau of Land and Water Resources



**SUBJECT:** Report on Budget Status and Adjustments to LWCB Operating Budget

**Recommendation:** There is no action required on this agenda item.

**Summary:** The LWCB’s annual budget of \$9,000 for 2009 and 2010 covered costs for regular, committee, and special meetings as well as meals, travel expenses, and teleconference costs associated with the meetings. This budget was established in 2009 in response to required reductions in the budget of Bureau of Land and Water Resources (BLWR). The LWCB has kept well within its budget since that time, exercising prudence during these tough budget times.

Since the 2009 adjustment, the Division of Agricultural Resource Management, particularly BLWR, has continued to experience budget shortfalls. The Bureau has been forced to reduce staff travel, attendance at important training and conferences, and the LTE hours of valued staff. Since the LWCB budget comes directly out of the Bureau’s budget, the LWCB also is impacted by these conditions.

Accordingly, effective from January 1, 2011 and until further notice, the budget of the LWCB will be adjusted as follows:

LWCB Operating Budget	Maximum Allowable Amount (in dollars)	
	2009-2010	2011
Per diems	1,100	1,100
Mileage	6,400	5,000
Meals	300	700
Miscellaneous costs, including teleconferences or other unplanned costs	450	200
Group meals, lodging, meeting room rental, transportation, award costs, and conferences or other meetings	750	750
<b>TOTAL</b>	<b>9,000</b>	<b>7,750</b>

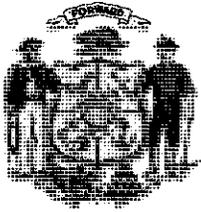
This adjustment is intended to ensure that the LWCB bear its fair share of the shortfall within the BLWR. It is likely that this budget will need to be revisited with the beginning of new budget cycle on July 2011.

This and future adjustments will require that the LWCB remain flexible in making plans to conduct its regular and special business. In planning forums, the LWCB should consider options to minimize travel and lodging costs for members, DATCP staff, and meeting participants. The LWCB also should consider alternatives to save costs including holding one or two of their remaining 2011 meetings by teleconference. By electing to pursue simple choices such as moving the June forum after the start of the new fiscal year (post-July 2011), the LWCB can help manage this shortfall.

The LWCB members and advisors should be commended for their diligence in continuing to work within the constraints of a tight budget.

**Materials Provided:** None

**Presenter:** Kathy Pielsticker, DATCP



*State of Wisconsin*

*Land and Water Conservation Board*

---

# **AGENDA ITEM 3**

**DRAFT MINUTES  
LAND AND WATER CONSERVATION BOARD  
OFFICER NOMINATIONS COMMITTEE  
TELECONFERENCE MEETING**

**January 18, 2011  
Room 211, DATCP, 2811 Agriculture Drive  
Madison, Wisconsin**

**Call to order: open meeting notice, roll call, and approval of agenda**

The teleconference meeting was called to order by Committee Chair Chuck Wagner at 9:04 a.m. Other Committee members present were Robin Leary. Lori Price with DATCP was present at the meeting site.

Wagner confirmed with Price that the meeting was publicly noticed. Wagner made a motion to approve the agenda, and Leary seconded the motion. The motion passed.

**Discuss officer nominations for LWCB**

Wagner reported that he contacted all three current LWCB officers, and they are willing to continue to serve in 2011. Leary made a motion for the Committee to recommend the current slate of officers, Mark Cupp as LWCB Chair, Tom Rudolph as LWCB Vice-Chair, and Denny Caneff as LWCB Secretary, to serve in 2011. Wagner seconded the motion. The motion passed.

**Adjourn**

Being no further business before the Committee, Leary made a motion to adjourn the meeting, and Wagner seconded the motion. The motion passed, and the meeting ended at 9:06 a.m.

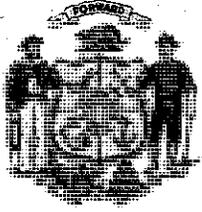
Respectfully submitted,

---

Chuck Wagner, Committee Chair

Date

Recorder: LP



*State of Wisconsin*

---

*Land and Water Conservation Board*

# **AGENDA ITEM 4**

**DRAFT MINUTES  
LAND AND WATER CONSERVATION BOARD  
OFFICERS TELECONFERENCE MEETING  
January 10, 2011**

**Room 172, DATCP  
2811 Agriculture Drive, Madison, Wisconsin**

**Item #1 Call to order: open meeting notice, roll call, and approval of agenda**

Chairman Cupp called the meeting to order at 9 a.m. Cupp confirmed with Castelnovo that the meeting was publicly noticed, as required. Roll call was taken with other LWCB Officers Tom Rudolph, LWCB Vice Chair, and Denny Caneff, LWCB Secretary, present by phone. Richard Castelnovo and Dennis Presser of DATCP were present at the meeting site.

Cupp presented the meeting agenda for approval. Rudolph made a motion to approve the agenda as written and Caneff seconded the motion. The motion passed.

**Item #2 Update on legislation pertaining to changes in LWCB roles and responsibilities**

Cupp has contacted Rep. Marklein (Assembly District 51, Sauk, Iowa & Lafayette Counties), is working with Jonathan Klein from Senator Schultz' office. Cupp has met with staff from Senator Kapanke's and Rep. Nerison's Offices. Kapanke and Nerison are the chairs of the Senate and Assembly Agriculture Committees.

There was concern about informing the new DATCP administration about this legislative proposal. DATCP staff will look into this.

Richard will update the LWCB with information on the department's programmatic efforts related to livestock siting.

**Item #3 Proposed topics for LWCB forums on "Land Spreading of Septage and Municipal/Industrial Waste" and "Local Implementation of Revised NR 115 on Shoreland Zoning Requirements"**

Caneff will meet with Fred Hegeman of DNR, along with LWCB members Sandi Cihlar and Ken Johnson on Wednesday, January 19<sup>th</sup> to develop an outline for the land spreading forum. It should include critical issues, gaps in policy, and the use of the resource without damaging surface or groundwater.

The local implementation of NR 115 is the more urgent of the two topics. Rudolph noted that Nicolet College held a forum last fall and is interested in hosting another one in the spring, either April or June. The potential panel would include Bob Martini, President of the Board

of Trustees for Nicolet College; Karl Jennrich, Oneida County Zoning Director; and Rebecca Frisch, Director of the Langlade County Land Records and Regulations Department. Nicolet College could host both the April LWCB meeting and the NR 115 forum.

**Action item:** Check the LWCB bylaws regarding a change in meeting date and location. Assuming that the meeting date and location can be changed from Madison, Rudolph is to confirm the date of April 4 with Nicolet College or find another location for the meeting and Forum. Also, he is to work with Lori Price to confirm presenters listed above and others possibly including a representative from Wisconsin Association of Lakes.

**Item #4      Gathering input from stakeholders and public on funding and annual joint allocation plan**

The LWCB wants to take a more active role in the allocation process. Currently the LWCB first addresses the annual allocation in August when the preliminary plan is presented for grant awards made in the subsequent year. To secure input and provide recommendations, the LWCB is planning to put out a call for soliciting stakeholder input in February, receive comments from interested parties in April, and provide recommendations concerning the allocation plan in June. Specific stakeholders to reach out to include WCA, WLWCA, and WALCE; and there will be a specific agenda item for the April meeting to receive input.

**Item #5      Review draft agenda for February 1, 2011, LWCB meeting**

Remove the forum from the afternoon of the February meeting.

**Adjourn**

Being no further business before the committee, Rudolph made a motion to adjourn the meeting, and Cupp seconded the motion. The motion passed, and the meeting adjourned at 9:42 a.m.

Respectfully submitted,

---

Denny Caneff, Secretary

Date

Recorder: DP



*State of Wisconsin*

---

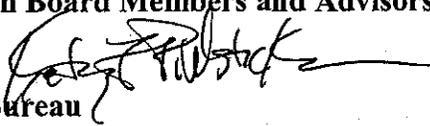
*Land and Water Conservation Board*

# **AGENDA ITEM 5**

**CORRESPONDENCE/MEMORANDUM** \_\_\_\_\_ **State of Wisconsin**

**DATE:** January 18, 2011

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Kathy F. Pielsticker, DATCP   
Land and Water Resources Bureau

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

**Action Requested:** This is an action item. The department requests that the LWCB recommend approval of the *Taylor County Land and Water Resource Management Plan* through December 31, 2015.

**Summary:** The *Taylor County Land and Water Resource Management Plan* revises and updates the original plan approved in June 2000. The plan describes the land and water resources in the county. It describes the land conservation department and the various departments and agencies that will implement the plan. Conservation-based regulatory requirements used in Taylor County, including the implementation strategy for performance standards and priority farms are discussed.

The plan contains a multi-year work plan to address local goals. These goals address both surface and groundwater quality and quantity, and stewardship of agricultural and forest lands. The work plan includes an estimated budget for implementing the plan and achieving the goals.

Taylor County held a public hearing on January 17, 2011, as part of their public input and review process. The Taylor Land Conservation Committee will present the LWRM plan for County Board approval after receiving recommendation for approval from the LWCB.

DATCP staff has reviewed the *Taylor County Land and Water Resource Management Plan* using the checklist. Staff finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code.

**Materials Provided:**

- Plan Review Checklist
- *Taylor County Land and Water Resource Management Plan* Summary, including workplan and budget

**Presenters:** Steve Oberle, Taylor County Conservationist  
Dennis Presser, DATCP

# Land and Water Resource Management Plan Review Checklist

County: Taylor

Date Plan Submitted to DATCP For Review: 24 November 2010

Preliminary Review Date: 29 November 2010 Final Review Date: \_\_\_\_\_

**YES**      **NO**

## PLAN DEVELOPMENT AND PUBLIC PARTICIPATION

1. Does the plan or documentation submitted with the plan indicate consultation with a local advisory committee?

[s. ATCP 50.12(3)(a)] Pp. ii, v-vi, 1, App. A

*Note: This committee should reflect a broad spectrum of public interests and perspectives.*

2. Does the plan or documentation submitted with the plan indicate that the county made a reasonable effort to:

a) notify affected landowners of committee findings about key problems and needed conservation practices, if individual site determinations of compliance with performance standards or prohibitions are included in the plan?

b) provide an opportunity for landowners to present information on the accuracy of committee findings?

[ss. 92.10(6)(b); ATCP 50.12(4)(b)]

*Note: Landowners must receive adequate notification to allow meaningful participation. The required public hearing provides an opportunity to present information.*

3. Does the plan or documentation submitted with the plan indicate the county held a public hearing on the plan?

[ss. 92.10(6)(c); ATCP 50.12(4)(a)]

If yes, list the date(s) of the public hearing(s): 17 January, 2011

4. Does the plan or documentation submitted with the plan indicate that the county board approved the plan? A checked no will not affect plan approval, see note below. [s. ATCP 50.12(5)]

If yes, list the date of county board approval: \_\_\_\_\_

*Note: 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.*

## ASSESSMENT OF WATER QUALITY AND RESOURCE CONDITIONS

YES NO

5. Does the plan include a county-wide assessment of water quality and soil erosion conditions which describes:

a) relevant land use, natural resource, water quality and soil data?

*Note: This may include (i) the distribution of major soil types and surface topographic features, (ii) watershed areas, including their geographic boundaries, and (iii) land use categories and their distribution. Pp. 9-30, App. B*

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? Pp. 14-25

c) soil erosion conditions? Pp. 11-13, 26-27

*Note: This may include an estimate of the soil erosion rates for (i) the county as a whole, (ii) for local areas where erosion rates are especially high, and (iii) watershed or other geographical areas.*

[ss. 92.10(6)(a)1.; ATCP 50.12(2)(a)]

## GOALS, OBJECTIVES AND ACTIONS

6. Does the plan describe in reasonable detail:

a) water quality objectives, including those for groundwater, water basins, priority watersheds and priority lakes? Pp. 31-38

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? Pp. ii, 31-38  
[ss. 92.10(6)(a)2.; ATCP 50.12(2)(c)]

7. Does the plan describe in reasonable detail:

a) key water quality and soil erosion problem areas? Pp. 31-38

b) consultation with DNR to identify those key water quality problems areas? Pp. ii, 31-38

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? Pp. 50

*Note: The plan should focus on criteria identified in [s. ATCP 50.12(2)(f)]*

**YES**      **NO**

9. Does the plan describe in reasonable detail:

- a) applicable performance standards and prohibitions to address nonpoint source pollution control goals? **App. G**  
[s. 92.10(6)(a)4.]

*Note: In addition to the performance standards and prohibitions authorized by chs. 92 and 281, Stats., this may include those under ch. 283 and ss. 59.692 and 59.693, Stats.*

- b) conservation practices needed to address key water quality and erosion problems? **App G**  
[ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)]

- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 48-56**  
[ss. 92.10(6)(a)4.;ATCP 50.12(2)(g)]

**PLANNED ACTIVITIES**

10. Does the plan include a multi-year description of planned county activities to:

- a) meet specific water quality objectives and priorities identified in the county's land and water resource management plan (see no. 6-9 above)? **Pp. 57-67**

- b) ensure compliance with the performance standards and prohibitions, including implementation of farm conservation practices required under ATCP 50.04? **Pp. 57-67**  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]

11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above? **Pp. 57-67**  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]

12. Does multi-year description of planned activities identify the expected costs for activities based on a reasonable assessment of available funding and resources? **Pp. 57-67**  
[ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

**REGULATIONS FOR PLAN IMPLEMENTATION**

**YES**



13. Does the plan describe in reasonable detail:

a) state and local regulations that the county will use to implement the county plan? Pp. 6-8

Note: The department may request the county to provide copies of relevant local regulations under [s. ATCP 50.12(2)(b)].

b) compliance procedures, including notice, hearing, enforcement and appeal procedures, that will apply if the county takes action against a landowner for failure to implement conservation practices required under [ss. ATCP 50.12(2)(h)], NR 151 or related local regulations? Pp. 48-56

**INFORMATION AND EDUCATION STRATEGY**

14. Does the plan describe in reasonable detail an information and education strategy including information related to conservation practices and cost-share funding? Pp. 39-47, 48, 64-66

[ss. 92.10(6)(a)7.;ATCP 50.12(2)(k)]

**COORDINATION**

15. Does the plan describe in reasonable detail how the county will coordinate its land and water conservation program with federal, state and local agencies, including roles and responsibilities? Pp. 39-47

[ss. 92.10(6)(a)8.;ATCP 50.12(2)(L) and (3)(h)]

**MONITORING AND EVALUATION**

16. Does the plan describe in reasonable detail a system to monitor planned activities and measure the progress of activities in meeting plan goals and objectives? Pp. 68-73

[ss. 92.10(6)(a)6.;ATCP 50.12(2)(j)]

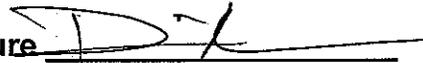
**SUMMARY**

17. Does the plan meet all of the requirements for approval as listed above?

**STAFF RECOMMENDATION**

18. Staff has reviewed the plan based on the criteria required in ss. ATCP 50.12 and ATCP 50.30 (3) and s. 92.10 (6), Stats. and recommend approval of this plan.

Date Reviewed: 6 Jan 11

Staff Signature 





# Taylor County Land and Water Resource Management Plan Summary

## 1. Introduction

The 2005 Taylor County Land and Water Resource Management Plan (LWP) was revised and updated in 2010. The plan's purpose is to guide the Land Conservation Committee and Department in their efforts to conserve and protect natural resources while supporting sustainable economic and recreational use of these resources. Information and guidance is also provided for citizens, county government, and state and federal agencies.

Goals and objectives in the plan will help to guide natural resource conservation and protection work in Taylor County through the year 2020. The plan will also provide the basis for seeking funding from various private, local, state, and federal sources to conduct land and water conservation and protection efforts in Taylor County. A major element of the plan update was to develop a strategy for implementation of state agricultural runoff performance standards. The plan is organized into five major sections.

### **Introduction:**

Describes the plan development process and requirements, and related plans and ordinances.

### **Resource Assessment:**

Provides information about topography, soils, groundwater, surface water, shorelands, wetlands, woodlands, agricultural land, and population. It also reports natural resource concerns that were identified and prioritized during the planning process.

### **Goals, Objectives, and Activities:**

Provides a detailed implementation strategy for each of four major plan goals. For each goal, objectives and activities are identified. Separate chapters detail educational strategies and the implementation approach for the agricultural performance standards.

### **Plan Implementation:**

Describes how the Land Conservation Department will work with various agencies to implement the plan. A plan of work lists partner agencies and establishes a timeline for implementation and expected outcomes for priority activities.

### **Evaluation and Monitoring:**

Describes how plan accomplishments will be tracked. It also discusses methods to monitor water quality and forest resources and to inventory sources of pollution.

## 2. Public Participation

### **Resource Concern Survey**

A LWP survey was developed and mailed to 1000 randomly selected citizens for land conservation staff, committee members, and technical work group participants to gain input on natural resource concerns, potential threats to local natural resources, and activities the local, state, and federal conservation staff should emphasize to address potential threats to local natural resources. Surveys were also mailed to all town, village, and city elected officials and to the Taylor County Board of Supervisors. Survey responses were received from 158 individuals.

A technical work group (TWG) was formed and comprised of staff from local, state, and federal agency partners whose work involves land and water resource conservation in Taylor County. The TWG analyzed resource information; reviewed the 2010 LWP survey results; reviewed goals, objectives, and activities from the 2005 plan; and provided guidance for development of the 2010 LWP goals, objectives, and activities. The Taylor County Land Conservation Committee (LCC) Chair was invited to the TWG meetings and all TWG and LCC members reviewed and provided comments on drafts of the plan document.

A public hearing for the Taylor County Land and Water Resource Management Plan will be scheduled following Land & Water Conservation Board approval.



#### **Public Opinion Survey**

A public opinion survey was conducted as part of this planning process. The survey was sent to 1000 randomly selected households throughout Taylor County.

Some of the key results of the survey were:

- ✓ Groundwater, rivers and streams, and wildlife are the top ranked natural resource concerns in the county.
- ✓ Invasion of exotic and invasive species is the primary potential threat to our local natural resources.
- ✓ Lake and stream protection and drinking water well testing and other groundwater protection programs also ranked high.
- ✓ About two-thirds of survey respondents supported a small increase in property taxes to accomplish resource protection.

### **3. Current Land Use Issues**

Taylor County is located in North Central Wisconsin. Agricultural land covers 28.5 percent of the county; forested land covers 51.2 percent; urban land covers less than 1 percent; and wetlands and surface water cover 19.1 percent of the county. The soils of Taylor County have a low natural fertility and are generally acidic. Many are poorly drained. Many of the soils in the county are unsuitable for conventional septic system drainfields.



#### **Groundwater Resources**

Groundwater supplies all of the drinking water in Taylor County. Drinking water testing in Taylor County over the past several years identified bacteria, arsenic, chloride, phosphorus, iron, and manganese as contaminants of particular concern.



#### **Surface Water Resources**

Lakes, ponds, rivers, streams, and intermittent waterways make up the surface waters of Taylor County. Sediment, nutrients, and other pollutants are carried in runoff water from watersheds that drain to these surface water features.

The surface waters of Taylor County occupy four major basins of North Central Wisconsin. There are 283 lakes in Taylor County. Of these, only 19 are greater than 50 acres. Lakes and impoundments cover 2730 acres.

There are 67 named streams totaling 494 miles. Sixty miles of stream are classified as trout waters. The Jump, Yellow, Black, and Rib are the major rivers in the county. The lakes, rivers, and wetlands of the county

are impacted by land use practices in the watersheds that drain to them. Most of the pollutants that enter surface water resources are carried in runoff from many diffuse, or nonpoint, sources.

The major pollutants of concern are sediment carried from areas with bare soil such as crop fields and construction sites, and phosphorus attached to soil particles and dissolved in water from fertilizers and livestock operations. The Department of Natural Resources basin plans list a variety of nonpoint sources of sediment and nutrients including streambank pasturing, barnyard runoff, cropland erosion, fertilization, winter manure spreading, sand and gravel washing, and runoff from urban and residential land. Runoff from these sources can also contribute bacteria and organic materials that reduce oxygen content in the water as they decay and may alter temperature and other habitat conditions.

#### Woodlands



Woodlands provide habitat for a variety of plants and animals, as well as adding scenic beauty to the landscape. Large continuous blocks of forested land are important habitat for a variety of plants and animals. Woodlands also provide recreational opportunities in Taylor County. Snowmobiling, hunting, hiking, cross-country skiing, and all terrain vehicle use are popular activities throughout forested areas. Woodlands managed according to approved forest management practices can support varying objectives, such as timber production, recreation, and wildlife habitat.

#### Agricultural Land

Land classified as farmland decreased slightly from 257,143 acres in 2002 to 242,932 acres in 2007. During the same time period (2002-2007), the number of farms

increased from 1056 to 1208. The average farm size decreased from 244 acres in 2002 to 201 acres in 2007. Slightly over 53% of all land in farms is cropland, with approximately 32% woodland and 8% pasture. The remaining land in farm (7%) is considered as idle land or farmsteads.



#### 4. Performance Standards and Prohibitions Implementation Strategy.

The Taylor County Land Conservation Department (LCD) will work together with the Department of Natural Resources (DNR) and other agencies to implement the agricultural performance standards in Taylor County.

The land and water plan technical work group reviewed the following guiding principles for implementation of the agricultural performance strategy:

- Encourage voluntary participation in an ongoing cost sharing program for agricultural conservation practices
- Implement cost effective practices like conservation plans, nutrient management plans, grazing plans, and streambank fencing over high-cost practices like barnyards and manure storage
- Encourage farmer-developed nutrient management plans
- Coordinate DATCP funding for conservation practices to meet the agricultural performance standards with other cost share opportunities such as the Federal EQIP (Environmental Quality Incentives Program of the Natural Resources Conservation Service)
- Evaluate all performance standards at one time for a particular farm/site

The soil and water conservation standards for the Taylor County Farmland Preservation Program and the Taylor County Animal Manure and Nutrient Management Ordinance (Chapter 63 – Taylor County Code) are tied to the NR 151 performance standards. These standards will also be used in the ongoing Land Conservation Department's voluntary cost-share program. Sources of cost-share include, but are not limited to: DATCP Soil and Water Resource Management (SWRM) grants, DNR Targeted Runoff Management (TRM) and Notice of Discharge (NOD) funds, and USDA-Environmental Quality Incentives Program (EQIP) grants.

The agricultural performance standards strategy involves the following steps:

1. Conduct information and education activities.
2. Select and evaluate parcels for compliance.
3. Document and report compliance status.
4. Offer technical assistance and cost sharing.
5. Administer technical assistance and cost sharing.
6. Conduct enforcement activities
7. Monitor compliance
8. Track program activities and progress.

#### **Priority Farm Strategy**

Priority farms for detailed on-site review will be selected from an initial list of farms for Taylor County using the priority criteria below. These established priorities will also be used to rank applicants in the voluntary cost share program.

#### **Priority Areas**

Jump River watershed (Exceptional)  
Rib River watershed (Exceptional)  
Yellow River watershed (Impaired)  
Black River watershed

#### **Priority Sites**

1. Water Quality Management Areas
  - ✓ Feet of shoreline (more shoreline = higher priority)
  - ✓ Slope to water (greater slope = higher priority)
2. Number of animal units (more manure generated = higher priority)
3. Dairy before beef
4. Cropping practices
  - Conventional tillage
  - No hay in rotations
5. Livestock producers without nutrient management plans
6. Crop producers without nutrient management plans

## 5. High Priority Workplan Activities

The plan goals were developed to address concerns identified in the planning process. High priority activities are shown under the appropriate plan goal.

### Plan Goals

- I. *Preserve and improve groundwater quality and maintain adequate quantity to supply clean water for domestic and industrial uses and for recharging surface waters and wetlands.*

**High Priority:** Continue drinking water testing and education program.

- II. *Protect and enhance surface waters and wetlands to preserve ecological, recreational, scenic values, fish and wildlife habitat.*

**High Priority:** Provide technical and financial assistance to encourage implementation of appropriate conservation practices.

- III. *Promote sustainable agricultural and land use practices that encourage wise use of the land base of Taylor County.*

**High Priority:** Provide technical assistance and cost sharing for nutrient management planning.

- IV. *Encourage stewardship of private forestlands to protect soil, water resources, fish and wildlife habitat, and to promote sustainable resource use.*

**High Priority:** Promote restoration and management of historic and native wildlife habitat types.

- V. *Keep informed and influence all legislation that will have impacts on the Taylor County Land & Water Resource Management Plan goals and objectives.*

## 6. Progress Tracking and Evaluation

Plan evaluation assesses whether the objectives and activities of the plan are being accomplished. Evaluation measures are listed for each plan objective in tables within the plan. Measures of plan success include resource monitoring, practice completion, assistance provided, and compliance with standards. A land and water management plan evaluation session will be held every two years. Agencies will track activities and progress as outlined in the evaluation tables. Results will be presented and analyzed at the biannual meeting. The results will be used to update the work plan every other year.

**Table S-1. Annual Staff and other Funding Needs for Plan Implementation**

	<b>Staff FTEs<sup>1</sup></b>	<b>DATCP Cost Sharing</b>	<b>Other Funding</b>
Goal 1: Groundwater	1.00	\$50,000	\$10,000 <sup>2</sup>
Goal 2: Surface Water	1.00	\$50,000	
Goal 3: Agricultural/land use	2.00	\$200,000	
Goal 4: Forestlands	0.50		\$3,000 <sup>3</sup>
Overall Goal	0.50		\$5,000
Educational Activities			\$5,000
<b>TOTAL</b>	<b>5.00</b>	<b>\$300,000</b>	<b>\$23,000</b>

<sup>1</sup> Full Time Equivalent

<sup>2</sup> County tax levy to support drinking water program.

<sup>3</sup> Nutrient management cost-sharing from Kraft Dairy Trust will likely run out by the end of 2012.

## **Chapter 6. Plan Implementation**

The land and water resource management plan is a five-year strategic plan for Taylor County. The plan was developed to guide the Taylor County Land Conservation Committee and Department. The plan also identifies natural resource concerns and recommended activities for other county departments, municipalities, and state and federal agencies. These recommendations will be forwarded to the appropriate agency with distribution of the final plan.

### **Work Plan**

A work plan to implement the plan activities is outlined in the tables that follow. This work plan identifies lead and cooperating agencies and a timeline for each activity. Addresses and telephone numbers for these agencies are listed in Appendix H.

**Table 4. Preserve and improve groundwater quality and maintain adequate quantity to supply clean water for domestic and industrial uses and for recharging surface waters and wetlands.<sup>21</sup>**

<b>Activity<sup>22</sup></b>	<b>Partners<sup>23</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>24</sup></b>
<b>1. Drinking water testing and education program</b> <b>I&amp;E ACTIVITY</b>	<b>LCD, UWEX</b> RC&D HEALTH	Annually	Tests (200) Presentations (3) News releases (2)
2. Compilation of groundwater / geologic information and mapping	<b>LCD, LI</b> RC&D, DNR UWEX WGNHS	ONGOING	Digital map layers
3. Technical and financial assistance for conservation practices	<b>LCD, NRCS</b> UWEX, DNR FSA	ONGOING	Cost share practices Landowner contacts
4. Well abandonment cost sharing	<b>LCD, NRCS</b> HEALTH	ONGOING	Wells properly abandoned
5. Animal manure ordinance	<b>LCD,</b> ZONING, NRCS, FSA UWEX, DNR DATCP	Update: as needed Implementation: ONGOING	Performance standards incorporated in ordinance Permits issued
6. Assistance with other groundwater efforts	<b>LCD, NRCS</b> UWEX, DNR NRCS, FSA HEALTH	ONGOING	Assistance provided
<i>Implementation of Goal 1 will require 1.00 FTE, \$10,000 of county funds, and \$50,000 cost-share funds annually.</i>			

<sup>21</sup> DATCP = Wisconsin Department of Agriculture, Trade, and Consumer Protection  
DNR = Wisconsin Department of Natural Resources  
FSA = USDA Farm Service Agency  
HEALTH = Taylor County Health Department  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
ORGS = Lake and River Organizations  
RC&D = Pri-Ru-Ta Resource Conservation and Development Council  
UWEX = University of Wisconsin Extension  
WGNHS = Wisconsin Geological and Natural History Survey  
ZONING = Taylor County Zoning Administration

<sup>22</sup> High priority activities are indicated in bold.

<sup>23</sup> Lead agencies are indicated in bold type.

<sup>24</sup> Annual outcomes are dependent upon staff and resources available.

**Table 5. Protect and enhance surface waters and wetlands to preserve ecological, recreational, scenic values, fish and wildlife habitat.<sup>25</sup>**

<b>Activity<sup>26</sup></b>	<b>Partners<sup>27</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>28</sup></b>
<b>1. Technical and financial assistance for conservation practices</b>	<b>LCD, NRCS</b> FSA, DNR UWEX	ONGOING	Technical assistance provided (50 landowners) Cost share practices installed (units per DATCP) Milking center waste control (2) Manure storage (2) Waste transfer system (2) Heavy use area protection (2) Manure storage closure (2) Fencing (4 projects) Livestock watering facilities (3) Access roads/cattle lanes (3) Grassed waterway systems (2) Well decommissioning (1) Roof runoff control (2) Sediment basins (2) Filter strips (2) Streambank and shoreline protection (3)
<b>2. Assistance for waterway associations</b>  I&E ACTIVITY	<b>LCD, UWEX</b> DNR, LCD ORGS. RC&D ZONING	ONGOING	Countywide org. formed by 2015 Assistance provided (6 contacts)
<b>3. Grant for lake and river classification</b>	<b>ZONING</b> LCD, DNR UWEX, LI	2011-2015	Successful grant application Lakes classified Rivers classified
<i>Implementation of Goal 2 will require 1.0 FTE and \$50,000 of cost-share funds annually.</i>			

<sup>25</sup> DATCP = Wisconsin Department of Agriculture, Trade, and Consumer Protection  
DNR = Wisconsin Department of Natural Resources  
FSA = USDA Farm Service Agency  
HEALTH = Taylor County Health Department  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
ORGS = Lake and River Organizations  
RC&D = Pri-Ru-Ta Resource Conservation and Development Council  
UWEX = University of Wisconsin Extension  
WGNHS = Wisconsin Geological and Natural History Survey  
ZONING = Taylor County Zoning Administration

<sup>26</sup> High priority activities are indicated in bold.

<sup>27</sup> Lead agencies are indicated in bold type.

<sup>28</sup> Annual outcomes are dependent upon staff and resources available.

**Table 6. Promote sustainable agricultural and land use practices that encourage wise use of the land base.**

<b>Activity</b> <sup>29</sup>	<b>Partners</b> <sup>30</sup>	<b>Timeline</b>	<b>Annual Outcomes</b> <sup>31</sup>
Agricultural Performance Strategy – Information and Education <b>I&amp;E ACTIVITY</b>	<b>LCD, FSA</b> NRCS DATCP DNR	2011 – 2012	Program info sent to farms News release Handouts through FSA
Agricultural Performance Standards Strategy – inventory	<b>LCD, NRCS</b> DATCP DNR	ONGOING	Priority list developed
Agricultural Performance Standards Strategy – compliance review, technical assistance and cost sharing.	<b>LCD, NRCS</b> DATCP DNR	ONGOING	On-site visits completed Sites certified compliant Practices installed Conservation and nutrient management plans
Agricultural Performance Standards – follow-up assistance and enforcement	<b>LCD, DNR</b>	ONGOING	Inspections Sites certified compliant
Educational strategy activities related to aquatic invasive species.  <b>I&amp;E ACTIVITY</b>	<b>LCD, UWEX</b> DNR, ORGS TOURISM	ONGOING	Clean boats/clean water workshop News releases Presentations Aquatic invasive grant apps.
Animal manure ordinance	<b>LCD</b> ZONING NRCS, FSA UWEX, DATCP	Update: as needed Implementation: Ongoing	Updated ordinance Permits issued
<i>Implementation of Goal 3 will require 2.0 FTE and \$200,000 of cost share funds annually.</i>			

<sup>29</sup> High priority activities are indicated in bold.

<sup>30</sup> Lead agencies are indicated in bold type.

<sup>31</sup> Annual outcomes are dependent upon staff and resources available.

**Table 6 (cont.). Promote sustainable agricultural and land use practices that encourage wise use of the land bases.**<sup>32</sup>

<b>Activity</b> <sup>33</sup>	<b>Partners</b> <sup>34</sup>	<b>Timeline</b>	<b>Annual Outcomes</b> <sup>35</sup>
<b>1. Nutrient management planning</b>	<b>LCD, NRCS</b> UWEX RC&D DATCP	ONGOING	Farms planned (8) Acres planned (4,000)
2. Conservation planning	<b>NRCS, LCD</b> UWEX RC&D DATCP	ONGOING	Farms planned Acres planned
3. Technical and financial assistance for conservation practices	<b>LCD, NRCS</b> FSA, DNR UWEX RC&D FORESTRY	ONGOING	Practices implemented (DATCP units)
4. Farmland preservation	<b>LCD, NRCS</b>	ONGOING	Acres enrolled Compliance checks completed
5. Soil testing <b>I&amp;E ACTIVITY</b>	<b>LCD</b>	ONGOING	Soil tests completed Soil test interpretation

<sup>32</sup> DATCP = Wisconsin Department of Agriculture, Trade, and Consumer Protection  
DNR = Wisconsin Department of Natural Resources  
DOC = Wisconsin Department of Commerce  
Forestry = Taylor County Forestry and Recreation Department  
FSA = USDA Farm Service Agency  
Health = Taylor County Health Department  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
ORGS = Lake and River Organizations  
RC&D = Pri-Ru-Ta Resource Conservation and Development Council  
UWEX = University of Wisconsin Extension  
ZONING = Taylor County Zoning Administration

<sup>33</sup> High priority activities are indicated in bold.

<sup>34</sup> Lead agencies are indicated in bold type.

<sup>35</sup> Annual outcomes are dependent upon staff and resources available.

**Table 7. Encourage stewardship of private forestlands to protect soil, water resources, fish and wildlife habitat, and to promote sustainable resource use.<sup>36</sup>**

<b>Activity<sup>37</sup></b>	<b>Partners<sup>38</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>39</sup></b>
Forest stewardship education and technical assistance <b>I&amp;E ACTIVITY</b>	<b>LCD, DNR</b> FORESTRY RC&D	ONGOING	Land stewardship conference Presentations Landowner contacts
Tree and shrub sales	<b>LCD, DNR</b> FSA	ANNUALLY	Trees and shrubs sold Landowner contacts
Upland invasive species education <b>I&amp;E ACTIVITY</b>	<b>LCD, DNR</b> USFS UWEX FORESTRY RC&D	ONGOING	Invasive species display Presentations News releases Landowner contacts

*Implementation of Goal 4 will require 0.50 FTE annually.*

<sup>36</sup> DATCP = Wisconsin Department of Agriculture, Trade, and Consumer Protection  
DNR = Wisconsin Department of Natural Resources  
DOC = Wisconsin Department of Commerce  
Forestry = Taylor County Forestry and Recreation Department  
FSA = USDA Farm Service Agency  
Health = Taylor County Health Department  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
ORGS = Lake and River Organizations  
RC&D = Pri-Ru-Ta Resource Conservation and Development Council  
UWEX = University of Wisconsin Extension  
USFS = United States Forest Service  
ZONING = Taylor County Zoning Administration

<sup>37</sup> High priority activities are indicated in bold.

<sup>38</sup> Lead agencies are indicated in bold type.

<sup>39</sup> Annual outcomes are dependent upon staff and resources available.

<b>Table 8: Overall Activities<sup>40</sup></b>			
<b>Activity<sup>41</sup></b>	<b>Partners<sup>42</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>43</sup></b>
Implement state and federal programs locally **	Varies	ONGOING	New program compliance
Promote land and water plan activities**	<b>LCD</b> <b>MUNICIPAL</b> County depts. State and federal agencies	2011 - 2020	News releases Presentations
<b>I&amp;E ACTIVITY</b>			
Contribute to land use planning	<b>ZONING</b> <b>UWEX</b> LI, LCD DNR NWRPC <b>MUNICIPAL</b>	ONGOING	Town and county land use plans completed
Develop GIS	<b>LI</b> , LCD NRCS <b>ZONING</b> FSA FORESTRY DNR	ONGOING	GIS map layers completed GIS tools used in projects
Involvement in state policy	Varies	ONGOING	
Wildlife Damage Program	<b>LCD</b> , <b>DATCP</b>	ONGOING	Claims processed
<i>Implementation of the overall activities will require 0.50 FTE and \$5,000 annually (for implementation of all educational activities).</i>			

<sup>40</sup> DNR = Wisconsin Department of Natural Resources  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
MUNICIPAL = Municipalities: Towns, Villages, County  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
UWEX = University of Wisconsin Extension  
ZONING = Taylor County Zoning Administration

<sup>41</sup> High priority activities are indicated in bold.

<sup>42</sup> Lead agencies are indicated in bold type.

<sup>43</sup> Annual outcomes are dependent upon staff and resources available.

<b>Table 9. General Educational Activities<sup>44</sup></b>			
<b>Activity<sup>45</sup></b>	<b>Partners<sup>46</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>47</sup></b>
General information requests	<b>LCD, Varies</b>	ONGOING	Contacts
Youth education	<b>LCD, UWEX DNR Schools Youth groups</b>	ONGOING	Teachers assisted. Youth group leaders assisted Presentations

<sup>44</sup> DNR = Wisconsin Department of Natural Resources  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
MUNICIPAL = Municipalities: Towns, Villages, County  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
UWEX = University of Wisconsin Extension  
ZONING = Taylor County Zoning Administration

<sup>45</sup> High priority activities are indicated in bold.

<sup>46</sup> Lead agencies are indicated in bold type.

<sup>47</sup> Annual outcomes are dependent upon staff and resources available.

Note: This table repeats work plan activities from earlier tables. It is included here to view all educational activities together for the convenience of those involved in plan implementation.

<b>Table 10. Workplan for Educational Strategies<sup>48</sup></b>			
<b>Activity<sup>49</sup></b>	<b>Partners<sup>50</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>51</sup></b>
<b>Drinking water testing and education program***</b>	<b>LCD, UWEX RC&amp;D HEALTH</b>	Annually	Tests (200) Presentations (3) News releases (2)
<b>Assistance for waterway associations ***</b>	<b>LCD, UWEX DNR, LCD ORGS RC&amp;D ZONING</b>	ONGOING	Countywide org. formed by 2015 Assistance provided
Agricultural Performance Strategy – Information and Education **	<b>LCD, FSA NRCS DATCP DNR</b>	2011 – 2012	Program info sent to farms News release Handouts through FSA
Educational strategy activities related to aquatic invasive species. **	<b>LCD, UWEX DNR, ORGS TOURISM</b>	ONGOING	Clean boats/clean water workshop News releases Presentations Aquatic invasive grant apps.
Forest stewardship education and technical assistance	<b>LCD, DNR FORESTRY RC&amp;D</b>	ONGOING	Land stewardship conference Presentations Landowner contacts

<sup>48</sup> DNR = Wisconsin Department of Natural Resources  
 LCD = Taylor County Land Conservation Department  
 LI = Taylor County Land Information Office  
 MUNICIPAL = Municipalities: Towns, Villages, County  
 NRCS = Natural Resource Conservation Service  
 NWRP = Northwest Regional Planning Commission  
 UWEX = University of Wisconsin Extension  
 ZONING = Taylor County Zoning Administration

<sup>49</sup> Very high priority activities are indicated in bold with three asterisks. High priority activities are indicated with two asterisks.

<sup>50</sup> Lead agencies are indicated in bold type.

<sup>51</sup> Annual outcomes are dependent upon staff and resources available.

<b>Table 10 (cont.). Workplan for Educational Strategies<sup>52</sup></b>			
<b>Activity<sup>53</sup></b>	<b>Partners<sup>54</sup></b>	<b>Timeline</b>	<b>Annual Outcomes<sup>55</sup></b>
Upland invasive species education	<b>LCD, DNR</b> USFS UWEX <b>FORESTRY</b> RC&D	ONGOING	Invasive species display Presentations News releases Landowner contacts
Soil testing	<b>LCD</b>	ONGOING	Soil tests completed Soil test interpretation
Promote land and water plan activities**	<b>LCD</b> <b>MUNICIPAL</b> County depts. State and federal agencies	2011 - 2020	News releases Presentations
General information requests	<b>LCD, Varies</b>	ONGOING	Contacts
Youth education	<b>LCD, UWEX</b> DNR Schools Youth Groups	ONGOING	Teachers assisted Youth group leaders assisted Presentations

<sup>52</sup> DNR = Wisconsin Department of Natural Resources  
LCD = Taylor County Land Conservation Department  
LI = Taylor County Land Information Office  
MUNICIPAL = Municipalities: Towns, Villages, County  
NRCS = Natural Resource Conservation Service  
NWRP = Northwest Regional Planning Commission  
UWEX = University of Wisconsin Extension  
ZONING = Taylor County Zoning Administration

<sup>53</sup> Very high priority activities are indicated in bold with three asterisks. High priority activities are indicated with two asterisks.

<sup>54</sup> Lead agencies are indicated in bold type.

<sup>55</sup> Annual outcomes are dependent upon staff and resources available.

## Budget and Funding

The Taylor County Land and Water Resource Management Plan is a document that can be used by all of the partners that work to protect natural resources in the county. A combination of private, local, state, and federal sources will be sought to implement the priorities of the plan. As funding opportunities arise, the plan goals and objectives will be referenced to develop project applications. A partial list of potential funding sources is included in Appendix C. The lead agency to pursue funding will depend upon the individual activity being pursued.

Resources needed for plan implementation are listed in Table 11 below. Four full time equivalent staff will carry out the activities in the plan. Additional resources are contributed by agencies and departments listed in the workplan, but not detailed in the budget below.

**Table 11. Annual Staff and other Funding Needs for Plan Implementation**

	<b>Staff FTEs<sup>56</sup></b>	<b>DATCP Cost Sharing</b>	<b>Other Funding</b>
Goal 1: Groundwater	1.00	\$50,000	\$10,000 <sup>57</sup>
Goal 2: Surface Water	1.00	\$50,000	
Goal 3: Agricultural/land use	2.00	\$200,000	\$3,000 <sup>58</sup>
Goal 4: Forestlands	0.50		
Overall Goal	0.50		\$5,000
Educational Activities			\$5,000
<b>TOTAL</b>	<b>5.00</b>	<b>\$300,000</b>	<b>\$23,000</b>

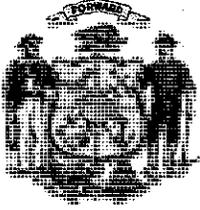
The survey of Taylor County residents conducted for this project indicated that over half were willing to pay small increases in property taxes to support conservation practices.

Local residents, staff, and elected officials should also use their influence to structure the development of state and federal grant programs whenever possible.

<sup>56</sup> Full Time Equivalent

<sup>57</sup> County tax levy to support drinking water program.

<sup>58</sup> Nutrient management cost sharing from Kraft Dairy Trust will run out end of 2011.



*State of Wisconsin*

*Land and Water Conservation Board*

---

# **AGENDA ITEM 6**

**CORRESPONDENCE/MEMORANDUM** \_\_\_\_\_ **State of Wisconsin**

**DATE:** January 18, 2011

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Kathy F. Pielsticker, DATCP   
Land and Water Resources Bureau

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

**Action Requested:** This is an action item. The department requests that the LWCB recommend approval of the *Marathon County Land and Water Resource Management Plan* through December 31, 2015.

**Summary:** The *Marathon County Land and Water Resource Management Plan* revises and updates the county's previous plan. The plan describes the land and water resources in the county. It describes the land conservation department and the various departments and agencies that will implement the plan. Conservation-based regulatory requirements used in Marathon County, including the implementation strategy for performance standards and priority farms are discussed.

The Marathon plan contains a multi-year workplan to address local goals. These goals address both agricultural and urban nonpoint source pollution control.

Marathon County held a public hearing on December 7, 2010, as part of their public input and review process. The Marathon Land Conservation Committee will present the LWRM plan for County Board approval after receiving recommendation for approval from the LWCB.

DATCP staff has reviewed the *Marathon County Land and Water Resource Management Plan* using the checklist. Staff finds that the plan complies with all the requirements of section 92.10, Wisconsin Statutes, and Chapter ATCP 50, Wisconsin Administrative Code. Staff recommends approval of the *Marathon County Land and Water Resource Management Plan*.

**Materials Provided:**

- Plan Review Checklist
- *Marathon County Land and Water Resource Management Plan* Summary, including workplan and budget

**Presenters:** James Burgener, Marathon County Conservationist  
Dennis Presser, DATCP

## Land and Water Resource Management Plan Review Checklist

County: Marathon

Date Plan Submitted to DATCP For Review: 10 November 2010

Preliminary Review Date: 15 November 2010      Final Review Date: January 14, 2011

**YES**      **NO**

### PLAN DEVELOPMENT AND PUBLIC PARTICIPATION

1. Does the plan or documentation submitted with the plan indicate consultation with a local advisory committee?



[s. ATCP 50.12(3)(a)] Pp. 5-6

*Note: This committee should reflect a broad spectrum of public interests and perspectives.*

2. Does the plan or documentation submitted with the plan indicate that the county made a reasonable effort to:

a) notify affected landowners of committee findings about key problems and needed conservation practices, if individual site determinations of compliance with performance standards or prohibitions are included in the plan?



b) provide an opportunity for landowners to present information on the accuracy of committee findings?



[ss. 92.10(6)(b); ATCP 50.12(4)(b)]

*Note: Landowners must receive adequate notification to allow meaningful participation. The required public hearing provides an opportunity to present information.*

3. Does the plan or documentation submitted with the plan indicate the county held a public hearing on the plan?



[ss. 92.10(6)(c); ATCP 50.12(4)(a)]

If yes, list the date(s) of the public hearing(s): 7 December 2010

4. Does the plan or documentation submitted with the plan indicate that the county board approved the plan? A checked no will not affect plan approval, see note below. [s. ATCP 50.12(5)]



If yes, list the date of county board approval: \_\_\_\_\_

*Note: 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.*

**ASSESSMENT OF WATER QUALITY AND RESOURCE CONDITIONS**

**YES NO**

5. Does the plan include a county-wide assessment of water quality and soil erosion conditions which describes:

a) relevant land use, natural resource, water quality and soil data?

*Note: This may include (i) the distribution of major soil types and surface topographic features, (ii) watershed areas, including their geographic boundaries, and (iii) land use categories and their distribution. Pp. 7-34*

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? Pp. 11-12, 15, 17, 19, 21, 27-33

c) soil erosion conditions? Pp. 8-11, 13, 23-25

*Note: This may include an estimate of the soil erosion rates for (i) the county as a whole, (ii) for local areas where erosion rates are especially high, and (iii) watershed or other geographical areas.*

[ss. 92.10(6)(a)1.; ATCP 50.12(2)(a)]

**GOALS, OBJECTIVES AND ACTIONS**

6. Does the plan describe in reasonable detail:

a) water quality objectives, including those for groundwater, water basins, priority watersheds and priority lakes? Pp. 35-38

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? Pp. 35-38  
[ss. 92.10(6)(a)2.; ATCP 50.12(2)(c)]

7. Does the plan describe in reasonable detail:

a) key water quality and soil erosion problem areas? Pp. 35-38

b) consultation with DNR to identify those key water quality problems areas? Pp. 35-38

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? P. 38

*Note: The plan should focus on criteria identified in [s. ATCP 50.12(2)(f)]*

**YES**      **NO**

9. Does the plan describe in reasonable detail:

- a) applicable performance standards and prohibitions to address nonpoint source pollution control goals? **P. 39, A-6**  
[s. 92.10(6)(a)4.]

*Note: In addition to the performance standards and prohibitions authorized by chs. 92 and 281, Stats., this may include those under ch. 283 and ss. 59.692 and 59.693, Stats.*

- b) conservation practices needed to address key water quality and erosion problems? **Appendix C.**  
[ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)]

- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 38-42**  
[ss. 92.10(6)(a)4.;ATCP 50.12(2)(g)]

**PLANNED ACTIVITIES**

10. Does the plan include a multi-year description of planned county activities to:

- a) meet specific water quality objectives and priorities identified in the county's land and water resource management plan (see no. 6-9 above)? **Pp. 48-58 (note dates are 2010-2020; workplan will only be approved for five years)**

- b) ensure compliance with the performance standards and prohibitions, including implementation of farm conservation practices required under ATCP 50.04?  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]      **Pp. 48-58**

11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above?  
[ss. 92.10(6)(a)5.;ATCP 50.12(2)(i)]      **Pp. 48-58 (Bold)**

12. Does multi-year description of planned activities identify the expected costs for activities based on a reasonable assessment of available funding and resources?  
[ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]      **Pp. 48-58**

**REGULATIONS FOR PLAN IMPLEMENTATION**

YES



13. Does the plan describe in reasonable detail:
- a) state and local regulations that the county will use to implement the county plan?  
*Note: The department may request the county to provide copies of relevant local regulations under [s. ATCP 50.12(2)(b)]. Pp. 44-47, A-10*
  - b) compliance procedures, including notice, hearing, enforcement and appeal procedures, that will apply if the county takes action against a landowner for failure to implement conservation practices required under [ss. ATCP 50.12(2)(h)], NR 151 or related local regulations? Pp. 63-64



**INFORMATION AND EDUCATION STRATEGY**

14. Does the plan describe in reasonable detail an information and education strategy including information related to conservation practices and cost-share funding?  
 [ss. 92.10(6)(a)7.;ATCP 50.12(2)(k)] Pp. 59-61



**COORDINATION**

15. Does the plan describe in reasonable detail how the county will coordinate its land and water conservation program with federal, state and local agencies, including roles and responsibilities?  
 [ss. 92.10(6)(a)8.;ATCP 50.12(2)(L) and (3)(h)] Pp. 42-44



**MONITORING AND EVALUATION**

16. Does the plan describe in reasonable detail a system to monitor planned activities and measure the progress of activities in meeting plan goals and objectives?  
 [ss. 92.10(6)(a)6.;ATCP 50.12(2)(j)] P. 47, 63-64



**SUMMARY**

17. Does the plan meet all of the requirements for approval as listed above?



**STAFF RECOMMENDATION**

18. Staff has reviewed the plan based on the criteria required in ss. ATCP 50.12 and ATCP 50.30 (3) and s. 92.10 (6), Stats. and recommend approval of this plan.



Date Reviewed: 14 January 2011 Staff Signature 

## **MARATHON COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN**

### **PLAN SUMMARY**

Through Wisconsin Act 27 (1997-1999 Biennial Budget Bill), Chapter 92.10 of the Wisconsin Statutes was amended, creating a county land and water resource management planning program. The Marathon County Land and Water Resource Management (LWRM) Plan responds to soil and water quality concerns through local, state, and federal programs. The current plan represents a 10 year (2010-2020) implementation plan that emphasizes cooperation with State and Federal conservation partners, as well as a renewed emphasis on education. The LWRM Plan is intended to complement and coordinate with existing plans rather than replace them. It focuses on the Marathon County Conservation, Planning and Zoning Department's (CPZ) strengths in the areas of conservation planning, water quality planning, information and education, technical assistance, and program administration. The quality of life for Marathon County residents is dependent upon sound management of the natural resources and thoughtful land use policies. The LWRM Plan brings the human and natural resources together in a strategic plan to protect and improve our soil and water resources.

This LWRM plan was developed through a process that assessed the resource conditions, identified goals and developed a strategy to integrate existing programs with new initiatives into a working, dynamic document. The Marathon County LWRM Plan was written with the assistance of partner agencies, including the Wisconsin Department of Agriculture, Trade and Consumer Protection; Wisconsin Department of Natural Resources; Farm Services Agency; Natural Resources Conservation Service; and University of Wisconsin Cooperative Extension. Input on the plan also came from a local Citizens Advisory Group (CAG), comprised of individuals who represent a wide array of interests such as local officials, local farmers and landowners, municipalities, lake residents and watershed organizations. A public hearing on the plan was held December 7, 2010.

The function of the plan is to provide:

1. An assessment of the current resource conditions of land and water resources;
2. An overview and status report on current land and water conservation programs;
3. An overview of regulatory requirements related to land conservation and water quality, including land use and state agricultural performance standards;
4. A review of monitoring and evaluation methods administered by the CPZ Department and other agencies for the purpose of determining conservation needs and documenting responses in natural resources;
5. An overview of information and education initiatives that will be used to raise awareness of the importance of maintaining and enhancing natural resources;
6. An implementation strategy to guide the CPZ in carrying out the recommendations of the plan; and
7. To provide maximum coordination of county, federal and state conservation programs.

In summary, the LWRM Plan outlines a comprehensive strategy for the implementation of soil and water conservation in Marathon County from 2010 through 2020. The Marathon County Land Conservation and Zoning Committee identified four (4) long term program outcomes for the natural resource protection efforts in Marathon County:

1. Land use activities are well planned to enhance community development, minimize conflicts, maximize infrastructure investments, and protect rural character.

2. Improve and protect the surface and ground water assets to enhance public health and safety, recreational opportunities, and economic development.
3. Maintain the soil and water resources as productive assets through topsoil and organic matter conservation.
4. Marathon County agricultural and woodlot producers are economically strong.

The Conservation, Planning and Zoning Department and Land Conservation and Zoning Committee will evaluate the work plan on an annual basis to ensure the resource needs are being adequately addressed and the plan is responsive to new and emerging resource priorities. The plan also aims to build on previous planning efforts and the major accomplishments associated with prior plans. Since 2005, Marathon County has reached several significant milestones, including:

- Amending Chapter 11 of the Marathon County Code of Ordinances in 2008 to align local regulatory policy with State Performance Standards for agricultural nonpoint source pollution.
- Development of Chapter 13 of the Marathon County Code of Ordinances in 2006 to require operational licenses for livestock facilities with greater than 500 animal units.
- Provide administration support and education to landowners and agronomists for nearly 400 nutrient management plans covering 140,000 cropland acres.
- Provide education and technical assistance to over 220 farmers that utilize Managed Grazing to improve environmental performance and profitability.
- Safely closed 90 "idled" waste storage facilities.
- Completed approximately 44 landowner projects funded with Targeted Runoff Management (TRM) funds. Projects result in landowners complying with local ordinances and State Agricultural Performance Standards.
- Completed approximately 77 nutrient management plans and 59 conservation projects funded with Soil and Water Resource Management funds. Projects result in landowners complying with local ordinances and State Agricultural Performance Standards.
- Completed the Lower Big Rib River Priority Watershed which reduced sedimentation by nearly 5,000 tons and phosphorus loading by 24,000 pounds annually.
- Conducted agricultural performance standard evaluations on nearly 400 farms.
- Initiated land use and water quality assessment project for the Big Eau Pleine River Watershed, and
- Initiated land use and water quality assessment project for the Eastern Lakes Project.

Implementing the goals identified in this plan will help to protect and enhance the natural resources in Marathon County. This can only be accomplished through ongoing partnerships with resource conservation agencies, landowners, watershed groups, recreationists, and the citizens of Marathon County.

## CHAPTER V – WORK PLAN IMPLEMENTATION AND COORDINATION

### A. STAFFING RESOURCES

The Conservation Division of the Conservation, Planning and Zoning Department consists of approximately 6.25 Full Time Equivalent (FTE) staff members that are focused on Land and Water Resource Management Plan efforts. The staff will be dedicated to achieving the goals and objectives stated in the LWRM Plan and specifically targeted to the operations identified in the priority farm strategy. The breakdown for staff time and responsibilities is as follows:

1. 2.0 FTE – Marathon County Waste Storage Facility and Nutrient Management Ordinance. Ensures compliance county-wide to Performance Standards, as well as protecting the safety and health concerns associated with proper manure containment and utilization. Staff also monitor and track nutrient management compliance for over 400 landowners on approximately 145,000 cropland acres.
2. 0.5 FTE – Livestock Facility Siting Ordinance. Responsible for the administration of ordinance including education, application review and approval, and annual monitoring.
3. 1.25 FTE – Managed Intensive Grazing initiatives. Provides educational and technical assistance to livestock producers, schools and lenders, as well as administering federal and state cost-share funds to landowners to implement best management practices. Marathon County coordinates activities and staff with Lincoln County in a joint grazing project.
4. 1.0 FTE – Division Administration. Provides oversight and coordination of conservation programs, monitoring of program and regulatory compliance requirements, enforcement activities, preparation of resource management plans, special project studies, and educational activities.
5. 1.5 FTE – Farmland Preservation Plan. Provides administration, compliance and monitoring of the Farmland Preservation Program for participating landowners.

Additional staff time within the CPZ Department is available to provide accounting, Geographical Information System, Comprehensive Planning and regulatory assistance.

Along with the county staff, the Conservation, Planning and Zoning Department rely upon the following agencies to provide the specialized assistance to local conservation program delivery. Where appropriate the coordination of federal, state and county staff responsibilities are identified with the work plan.

1. Department of Natural Resources – Coordination of WPDES permit monitoring and compliance, site evaluations and administration of Targeted Resource Management projects, enforcement inspections and compliance checks of performance standards, and development of water quality monitoring projects.
2. USDA–Natural Resource Conservation Service – Conservation planning, engineering standards review, EQIP grant administration and project selection, CREP administration and education, Grazing Initiative projects and other federal resource enhancement programming.

3. UW-Extension – Information sharing and development of handouts to keep producers and professional groups aware of program and performance standards requirements.
4. USDA-Farm Services Agency – Programming and informational support for Farmland Preservation Program, CREP and the Waste Storage Facility and Nutrient Management Code.
5. Department of Agriculture, Trade and Consumer Protection – Engineering design and plan review services, support of Best Management Practice standards and drawings, grant allocations for staffing and LWRM Plan implementation activities, soil erosion transect support and CPZ staff training and education.

## **B. FISCAL RESOURCES**

To implement the LWRM Plan the County will access grants from county, state and federal sources. In 2010, Marathon County will receive funding from local levy, Department of Agriculture, Trade and Consumer Protection, Department of Natural Resources to support staffing expenditures and to fund grants to landowners to implement Best Management Practices.

The following ten (10) year work plan identifies goals, objectives and actions to be undertaken by the Conservation, Planning and Zoning Department in cooperation with our partners for the program years 2010 through 2020. County staff needs and costs are estimated on a per-year basis. Dollar amounts for staff can be estimated by multiplying the hours by \$50.00. The program funding for staff and practice cost-sharing will come from a combination of federal, state and county sources.

**GOAL 1: Agricultural Nonpoint Runoff.**

OBJECTIVES	ACTIVITIES	WHO	WHEN	ANNUAL STAFF NEEDS	COST OTHER THAN STAFF	OUTCOME
Reduce soil sedimentation delivery rates to surface waters	Prepare or revise "conservation plans" (25)	CPZ NRCS	2010-20	700 (\$35,000)		Landowners understand compliance requirements of programs and develop a Schedule of Compliance
	Monitor conservation compliance of Farmland Preservation Program participants: includes self certification and on-farm evaluations (400)	CPZ	2010-20	1000 (\$50,000)		Landowners, DOR, and DATCP will know conservation compliance status for Working Lands Initiative
	Provide technical design and installation assistance to landowners			500 (\$25,000)	\$60,000	All acres enrolled in FPP program will meet State Agricultural Performance Standards Landowners implement BMP's to reduce nonpoint runoff
Increase Management Intensive grazing	Develop conservation and grazing plans for transitioning farms. (20)	CPZ NRCS	2010-20	500 (\$25,000)		Landowners will understand the management and technical best management practices of grazing
	Provide plan implementation assistance	CPZ NRCS	2010-20	500 (\$25,000)	\$100,000	Landowners will successfully transition or adopt practices of grazing to be meet State Performance Standards and improve profits
Implementation of Nutrient Management Plans	Prepare or revise Conservation Plans (25)	CPZ NRCS	2010-20	400 (\$20,000)		Landowners understand soil erosion compliance requirements of SNAP+ planning model
	Provide grant and technical support to NM plan writers for spreading restriction maps, planning status and compliance schedules.	CPZ DATCP DNR	2010-20	500 (\$25,000)	\$25,000	Agronomists and landowners will have understanding of local ordinances, technical standards, and BMP's required for NM plan development
	Maintain NM Plan database for all parcel and participating acres (400)	CPZ	2010-20	600 (\$30,000)		Landowners, CPZ staff and agency partners will know status of program and Performance Standards compliance
	Review NM Plans technical standard compliance	CPZ DNR	2010-20	300 (\$15,000)		Landowners, agronomists, and agency partners will know the quality of compliance documentation

OBJECTIVES	ACTIVITIES	WHO	WHEN	ANNUAL STAFF NEEDS	COST OTHER THAN STAFF	OUTCOME
	Develop local ordinance authority to require winter spreading plans for manure applications in critical areas	CPZ	2010-2012	200 (\$10,000)		Land Conservation & Zoning Committee will understand the value and policy implications of enhanced regulatory requirements
Administer County Waste Storage Facility and NM Ordinance	Review and approve design plans for Waste Storage Facilities (10)	CPZ NRCS DATCP	2010-20	400 (\$20,000)		Landowners and designers understand the local ordinance requirements for design plans and permits
	Provide technical assistance and site assessments for landowners and engineers (10)	CPZ DATCP DNR	2010-20	400 (\$20,000)	\$155,000	Design plans and best management practices are implemented according to standards Surface and ground water quality is protected from animal waste discharges
	Provide administrative and technical assistance to Waste Storage Closure Project (15)	CPZ	2010-20	400 (\$25,000)	\$100,000	Landowners with abandoned waste storage facilities understand regulatory requirements to close facilities Closure of facilities safeguards environmental and health concerns of direct waste discharges
	Monitor compliance with ordinance (365)	CPZ	2010-20	200 (\$10,000)		CPZ staff and agency partners understand the status of compliance with local ordinances and State Performance Standards
Administer Livestock Siting Ordinance	Application Assistance, review and approval of license applications (2)	CPZ	2010-20	600 (\$40,000)		Landowners, consultants, engineers and local officials understand the standards and compliance requirements of license applications
	Monitoring and inspection of Licensees (6)	CPZ	2010-20	300 (\$15,000)		All licensees are in compliance with local ordinances and State Rules

**GOAL 2: Groundwater Protection**

OBJECTIVES	ACTIVITIES	WHO	WHEN	STAFF NEEDS	COST, OTHER THAN STAFF	OUTCOME
Develop education and incentive strategies to increase conservation of water in both urban and rural areas.	Educate the public and users about groundwater use and need to protect.	CPZ	2010-20	200 (\$5,000)	\$5,000	Residents will understand where we get our water for residential and industrial use and the importance of protecting
Maintain the current groundwater levels in our aquifers. Increase the infiltration of rain and snowmelt to replenish aquifers	Incorporate groundwater education and well sampling opportunities into farm visits by staffs.	CPZ	2010-20	200 (\$10,000)	\$50,000	Farm producers will understand their groundwater quality and best management practices available for protection. Marathon County will have a data base of groundwater quality tests to determine trends
Promote and improve the functioning of wetlands	Review and update Marathon County Groundwater Protection Plan (2001).	CPZ	2010-20	300 (\$15,000)		Rural and urban residents understand educational and regulatory strategies intended to protect the groundwater resources from overuse and contamination.
Promote and improve the functioning of wetlands	Promote and develop technical and planning assistance to landowners for implementation of wetlands and sediment basins	CPZ NRCS	2010-20	1000 (\$50,000)	\$250,000 EQIP	Landowners understand the function and value of wetlands to reduce sediment and nutrient delivery to surface waters and to moderate water flows.

GOAL 3: Forestry

OBJECTIVES	ACTIONS	WHO	WHEN	STAFF NEEDS	COST, OTHER THAN STAFF	OUTCOME
County officials will be actively engaged in regional and statewide groups to provide leadership in this land use effort.	Educate farmers about forest management and economic opportunities during farm visits. Officials will be active in associations to advocate and promote forest practices and land use program participation	CPZ, UW-EX, DNR, DATCP	2010-15	300 (\$15,000)		Environmental and governmental associations, committees, and Boards will understand the importance of forest land in protecting soil and water resources
Officials and staff need to increase participation in regional and state program development to reduce barriers for programs such complexity of participation and plan development.	Staff and officials will work with associations and committees to simplify and broaden the participation in land use programs	CPZ, DATCP	2010-15	200 (\$10,000)		Landowners will increase participation in best management practices and programs that preserve and improve forest land use
Develop a strategy to identify and target land parcels that could benefit from woodland development.	Develop a ranking and prioritization of lands where forest development would benefit the community Identify barren, fallow cropland and urban-rural transition areas Promote tree planter use and planning for these landowners.	UWEX, CPZ	2010-15	200 (\$10,000)  200 (\$10,000)		Landowners and municipalities will understand where critical acres are for tree planting and management

**GOAL 4: Land Use Conversion**

OBJECTIVES	ACTIONS	WHO	WHEN	STAFF NEEDS	COST, OTHER THAN STAFF	OUTCOME
<p>Minimize the permanent conversion of farmland to nonfarm land uses</p>	<p>Educate Tax preparers of WLI rules and benefits Develop and promote local ordinances for WLI</p>	<p>CPZ, UW-EX, DNR DATCP</p>	<p>2010-20</p>	<p>300 (\$15,000)</p>		<p>Prime farmland stays in productive state and farmers improve economic situation</p>
<p>County officials are actively engaged in regional and statewide groups to provide leadership in this land use effort.</p>	<p>Specifically, the County (staff and officials) must be available to discuss zoning ordinances, enterprise areas, and conservation easements.  Provide Comprehensive Plan implementation seminars</p>	<p>LC&amp;ZC</p>	<p>2010-20</p>	<p>200 (\$10,000)</p>		<p>Local municipal and Town officials understand the administrative and policy aspects of the WLI program.  Local officials with understand how to develop policies and plans for the implementation of land use initiatives</p>
<p>Maximize conservation compliance with program participants</p>	<p>Conduct status reviews for landowners evaluating PS&amp;P (100) Provide planning and technical assistance to comply (30)</p>	<p>CPZ</p>		<p>1,000 (\$50,000)  1000 (\$50,000)</p>		<p>Landowners meet state performance standards and remain eligible for benefits</p>
<p>Maximize participation of landowners in Agricultural Enterprise Areas and conservation easements to maximize the effectiveness of the program opportunities.</p>	<p>Rural economic development to promote agricultural enterprises that will maintain farms and rural landscape  Develop criteria for Ag enterprise Areas and Pace participants</p>	<p>UWEX CPZ  UW-EX CPZ, DNR</p>	<p>2010-20  2010-20</p>	<p>400 (\$20,000)  400 (\$20,000)</p>		<p>Farmers improve their economic status without converting lands  Marathon County maximizes the participation in program</p>

**GOAL 5: Lake and Reservoir Management**

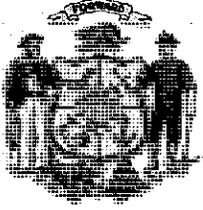
OBJECTIVES	ACTIONS	WHO	WHEN	ESTIMATED STAFF NEEDS (hours and dollars)	ESTIMATED COST, OTHER THAN STAFF (dollars and source)	OUTCOME
Develop an Operation and Maintenance Plan for the aerator system at the Big Eau Pleine River Reservoir	Develop Lake management Plan Develop a partnership contract for aeration system	CPZ UW-EX DNR DATCP UWSP	2010-15	300 (\$12,000)		Assure the long-term operations and effectiveness of the equipment.
Develop a long-term strategy to minimize the agricultural nonpoint runoff contributions to the Big Eau Pleine River and Reservoir.	Develop TMDL plan Secure resource grants from local, state, and federal	CPZ DATCP DNR	2010-15	400 (\$8,000)		Landowners, industries, recreationists, and farmers understand the water quality standards and best management practices
Develop Lake Management Plan for the Eastern Lakes Project utilizing community contributions and assessment data gathered from the Easter Lakes Project.	Develop resource assessments	UWEX CPZ UWSP DNR	2010-15	300 (\$15,000)		Landowners and local officials will understand the water quality status and challenges of the lakes
	Develop Education Plan for residents and lake users	UW-EX CPZ DNR UWSP	2010-15	300 (\$15,000)		Landowners and local officials will understand policy and planning needs to protect and improve their waters

Education

OBJECTIVES	ACTIONS	WHO	WHEN	STAFF NEEDS	COST, OTHER THAN STAFF	OUTCOME
Provide accurate and timely information to the public regarding resource programs.	Respond to all inquiries about the Farmland Preservation Program (applications, relinquishments, transfers and compliance) Educate landowners about the health of existing resources and efforts that the community can take to improve the concerns.	CPZ DATCP	2010-20	600 (\$20,000)		Landowners will understand Soil and Water Conservation Standards and performance standards of program.
Create a Farmer Advisory Group	Provide soil information and interpretation and other conservation-related information to customers	CPZ NRCS	2010-20	200 (\$10,000)		Staff and program participants will understand program effectiveness and ways to improve services
Provide opportunities for youth to learn about conservation	Sponsor Environmental Speaking & Poster Contest Presentations at Area School Forest and classrooms	CPZ CPZ	2010-20 2010-20	100 (\$2,500) 100 (\$5,000)		The association will promote and share conversation efforts through North Central WLWCA speaking and Poster Contest Students will understand the importance of soil and water conservation
Educate farmers and agricultural professionals about the benefits of Management Grazing	Conduct pastures walks, winter meetings and conferences. Provide educational and technical support to lake residents and citizen groups in caring for lakes and reservoirs.	CPZ UWEX NRCS	2010-20	600 (\$20,000)		Landowners, nutritionist, lenders and educators will understand the viability and economics of grazing management

WORKLOAD ANALYSIS 2010-2020

GOAL	LAND CONSERVATION OPERATIONS	TOTAL HOURS AVAILABLE	TOTAL HOURS NEEDED	UNMET NEED (hours)
1	Agriculture Nonpoint Runoff	7,500	7,500	Monitoring and reporting
2	Groundwater	200	1,700	Monitoring and assessments
3	Forestry	200	900	Landowner support and assessment
4	Land Conversion	2,800	3,600	Landowner assistance and compliance
5	Lake and Reservoir Management	500	1,300	Planning and assessments
*	Education	500	1,600	Outreach
	<b>Subtotal</b>	11,700	16,600	



*State of Wisconsin*

---

*Land and Water Conservation Board*

# **AGENDA ITEM 7**



## CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: January 20, 2011

TO: Land Conservation Departments (LCDs) and Land Conservation Committees (LCCs)

FROM: *Per Castelnovo*  
Richard Castelnovo, Chief  
Resource Planning Section, DATCP

*Mary Anne Lowndes*  
Mary Anne Lowndes, Acting Chief  
Runoff Management Section, DNR

SUBJECT: Joint DATCP/DNR Grant Application for Calendar Year 2012

We are enclosing the joint grant application for calendar year 2012 funding. You should use this application to request the following grant funds:

From DATCP (General authority from s. 92.14, Stats, with sources of funding listed after each grant)

- County annual staff and support, and project cooperator grants currently limited to funding for the Standards Oversight Council. (SEG from s. 20.115(7)(qe), Stats. and GPR from s. 20.115(7)(c), Stats.)
- Cost-sharing for LWRM plan implementation (Bond Revenue from s. 20.866(2)(we), Stats.)
- Cost-sharing for nutrient management plans (SEG from s. 20.115(7)(qf), Stats.)
- Contracts for nutrient management support activities (SEG from s. 20.115(7)(qf), Stats.)

From DNR

- Cost sharing for targeted runoff management (TRM) projects (s. 281.65, Stats.)
- Cost sharing and planning grants for Urban Nonpoint Source and Stormwater Management (UNPS & SW) projects (s. 281.66, Stats.)

Note: The joint application for DNR-funded TRM and UNPS & SW projects is only used to summarize grant requests made by the County through a separate application process.

**NOTICE: This application is intended to collect information necessary to make future grant awards in the grant categories listed above, but is not a commitment by DATCP or DNR to provide specific funding in any grant category. Grant awards are contingent upon funds authorized or appropriated in the 2011-2013 biennial budget.**

The postmark deadline for all joint DATCP/DNR application materials is April 15, 2011.

Please return your signed Joint DATCP/DNR pages and necessary attachments including Table 1 and 2 by April 15, 2011 to:

Dilip Patel  
DATCP  
P.O. Box 8911  
Madison, WI 53708-8911

For questions about the DATCP application, contact Dilip Patel at 608-224-4610, [dilip.patel@wisconsin.gov](mailto:dilip.patel@wisconsin.gov), or Kris Modaff at 224-4611 [kris.modaff@wisconsin.gov](mailto:kris.modaff@wisconsin.gov)

Please return your completed DNR TRM and Urban NPS & Storm Water Management (from DNR web site) grant application materials by April 15, 2011 to:

Kathleen Thompson, WT/3  
DNR  
101 S. Webster St.  
Madison, WI 53703

For questions about these applications, please contact Kathleen Thompson at (608) 267-7568 or [Kathleen.Thompson@wisconsin.gov](mailto:Kathleen.Thompson@wisconsin.gov)

## I. Required LWRM Plan Under § ATCP 50.12

**What you need to know:** Every county is required to have an approved LWRM plan to be eligible for a DATCP grant. In addition, a county must have on file with DATCP a current description of its planned activities for 2011 and if available any updates to its 2012 workplan. Work plans must include at a minimum all of the following:

- **Prioritized goals, objectives, and activities.** The goals, objectives, and activities should be prioritized in some understandable way, such as assigning activities identifiers of high, medium, or low priority, or bolding the highest priority activities. If the LWRM plan and work plan are very focused, the entire work plan may be identified as "high priority".
- **Anticipated outcomes for--at a minimum--all high priority activities.** Anticipated outcomes should be measurable (e.g. 25,000 acres of nutrient management, 25 farmers trained, stream reclassified to a higher use).

**What you need to do:** A county must do one of the following to satisfy this requirement, and check the appropriate option on the application to show compliance:

1. Certify that the county's work plan on file with DATCP accurately describes its planned activities for 2011.
2. Submit with the application an updated work plan reflecting its 2011 planned activities. Contact Dilip Patel ([Dilip.Patel@wisconsin.gov](mailto:Dilip.Patel@wisconsin.gov) 608-224-4610) to submit an updated plan by email.

**Work plan updates for 2011 planned activities:** A county should submit an updated work plan for 2011 if it knows that its planned activities for 2011 (e.g., focus on compliance monitoring involving farmland preservation program) are not accurately described in the work plan on file with DATCP. You may add to your work plan without changing your LWRM plan by inserting planned activities within the goal that most closely relates to nutrient management. Appropriate goals may include surface water protection, groundwater protection, implementation of performance standards, pollution reduction and control, managing nutrients, runoff management, and soil erosion control.

## II. Required Annual Reporting Under § ATCP 50.18

**What you need to know:** To meet the reporting requirements under s. ATCP 50.18, Wis. Admin. Code, counties must complete a financial report (consisting of two parts--county expenditures and staffing) and annual accomplishment report. *DATCP may withhold funding under ch. ATCP 50 from a county land conservation committee that fails to meet these reporting requirements.*

**What you need to do:** Applicants must complete all three parts:

### **A. Financial Reporting**

Complete the following on the reverse side of the joint application form.

**For line 1:** (enter the total amount of all LCD expenditures in 2010), enter all expenditures administered by the LCD, including staff salaries and fringe benefits, other LCC and LCD operating costs, cost-sharing expenditures (e.g., NPS watershed projects, county cost-share programs, etc.) and any other expenditures regardless of the source of funding.

**For line 2:** (enter the total expenditure from all non-county sources of revenue), count revenues from DATCP, DNR Priority Watershed, DNR Wildlife Damage Control, USDA NRCS, foundations, EQIP, etc.

**For line 3:** (Enter the amount of county source funding expended in 2010), subtract Line 2 from Line

1. The amount on this line should reflect funding from county sources such as levies and fees.

**For line 4:** enter the actual amount of salary and fringe benefits paid from budgeted county source funds (levies). Line 4 cannot exceed Line 3.

## **B. Number of FTEs by Funding Sources**

Complete the following on the reverse side of the joint application form.

Enter the number of FTEs (for 2010) by funding source by following these three steps. Use steps 1 and 2 to determine the number of Full Time Equivalents (FTE) engaged in SWRM activities for 2010. Step 3 asks you to identify the funding source for the counted county staff.

- 1. Count only persons employed or contracted by the county who engaged in land and water resource management plan activities conducted under the authority and supervision of county land conservation committees (LCC) and make adjustments for staff who work less than 100% time in these areas.** To the extent that a land and water resource management plan does not include them, staff who work on the following activities should also be counted:
  - o local regulation of agriculture (Chapters 92 and 93).
  - o Farmland Preservation reviews (Chapter 91).
  - o CREP sign-ups and monitoring (Chapter 93).
  - o priority watershed work (Chapter 281).
  - o activities related to DNR notices of discharge (Chapters 281, 283).

*For this calculation, you will need to review who was on staff in 2010 and how much of their time was spent on **SWRM activities**. If your department consolidated during this time and new non-conservation staff positions were assigned, or existing staff was reassigned during a particular year, consider in the year's total the number of staff (based upon hours) dedicated **only** to SWRM activities.*

*The staff count total should **not** include staff who devote time to activities outside SWRM activities (examples might include planning, zoning unrelated to FPP, recycling or land records positions). However, you may include these activities if they are identified in your LWRM plan and they were conducted under the authority and supervision of the LCC.*

- 2. Include all full time, part-time, LTE, interns and independent contractors in your count and make adjustments for those working fewer than 2080 hours.**

Report the total number of staff as full time equivalents (FTE), based upon the estimate of the number of hours spent in 2010 on SWRM activities. In determining the percentage for those employed part-time, as LTEs, as interns or independent contractors, assume that one FTE = 2,080 hours.

For example:

1. One full time staff working 2,080 hours in one year = 1 FTE
2. One full time intern for 3 months (approximately 520 hours) = 0.25 FTE
3. One part-time staff person for one year (approximately 1,040 hours) = 0.5 FTE
4. One full time person who spends 1,500 hours per year on LWRM plan implementation = 0.70 FTE

- 3. After counting the number of staff performing SRWM activities, approximate how many were funded from each of the three (3) different source fund categories:**

- Category 1 **County levy, permit fees or service fees.** These are funds generated locally and might include a permit fee through a manure storage ordinance, fees charged for design or review of stormwater plans.
- Category 2 **DATCP soil and water resource management (SWRM) program funding, DNR priority watershed nonpoint program funding, and TRM (if/when available).**
- Category 3 **All other:** Other funding sources including USDA service agreements with TSP, tribal or EPA Great Lakes grants, DNR lakes grants, DNR wildlife grants, DNR invasive species grants, and any other grants from other public or private nonprofit sources.

### C. Accomplishment Reporting

By no later than March 1, 2011, you will receive an email with separate instructions on what you must do to meet your annual reporting requirements. You should be able to complete the electronic survey form in less than 4 hours. Most questions can be answered without collecting or tabulating additional data. The instructions also will explain how you are to submit your completed form. If you have questions regarding this process, you may contact James VandenBrook, *Phone: 608-224-4501 or e-mail, [Jim.VandenBrook@Wisconsin.gov](mailto:Jim.VandenBrook@Wisconsin.gov)* or a DNR representative.

Counties are encouraged --but are not required to--supplement the annual report form with other documents that can be sent by email, including any annual reports provided to the county, narrative or other reports, success stories, educational efforts, photos, work plans updated to reflect annual accomplishments. Please email these to Dilip Patel, [Dilip.Patel@wisconsin.gov](mailto:Dilip.Patel@wisconsin.gov)

### III. Staffing Grants Requests

#### A. DATCP

All DATCP grant application materials are available on the web at, [http://datcp.state.wi.us/arm/agriculture/land-water/conservation/annual\\_allocation.jsp](http://datcp.state.wi.us/arm/agriculture/land-water/conservation/annual_allocation.jsp)

#### 1. Staffing Grant: Tiers 1 & 2

*What you need to know:* DATCP plans to make available grants for staff and support, but is not projecting the amount of funding it will have to make awards in this category. Past funding levels may not be a reliable indicator of funding available for 2012.

Tier 1 provides a minimum staffing grant of \$85,000 to each county. Through Tier 2, DATCP will attempt to provide counties with funding at the rate of 100%, 70% and 50% to pay for three staff positions based on actual costs for those positions. As part of the Tier 2 process, DATCP will adjust awards in rounds one, two or three by considering whether a county's Tier 1 award is adequate to cover the costs of the first position at 100%, the second at 70%, and third at 50%.

*Examples:* Counties A and B both receive Tier 1 award of \$85,000. County A first position costs \$90,000 in salary and fringe benefits. This county would be eligible for an additional \$5,000 in the

round one allocation designed to allocate 100% of the salary and fringe benefits for the county's first position. On the other hand, County B only needs \$59,800 to pay for its first position. This county would not receive an award in round one of tier 2 because its first position is completely covered at 100%. In round two, County A would receive the full amount of its request to cover 70% of the costs of its second position. County B would be eligible to receive an award for its second staff position at the 70% rate only if its actual costs exceeded \$36,000 (70% of \$36,000 = \$25,200), and then its award for the second position would be reduced by \$25,200 (\$85,000 - \$59,800).

If DATCP does not have sufficient funds to allocate for the first, second, third or subsequent positions, it will prorate amounts allocated.

Counties can use staffing grants for any of the purposes in ss. ATCP 50.32(3) and (4). In addition to the support costs identified in s. ATCP 50.32(4), DATCP identifies the following as support costs for which all counties may seek reimbursement:

- If a county *requires* a cost-share practice for a landowner who may qualify for economic hardship treatment under s. ATCP 50.42(4), a county may seek reimbursement for the costs related to an eligibility determination, including the costs of a certified public accountant or accredited financial institution preparing a financial statement.

**NOTICE: If DATCP is required to reduce the allocation for staffing grants, DATCP may consider options that more fairly distribute the reduction among counties, rather than apply the reduction according to the formulas in Tier 1 and 2. Counties will be given an opportunity to comment on any approach that deviates from Tiers 1 and 2 before final action is taken.**

*What you need to do:* To apply for funding in this category, follow these steps under each Tier:

#### Tier 1

**Step 1: Apply for Base Funding on the DATCP/DNR 2012 Joint Application Form.** The minimum amount of \$85,000 base funding as per ATCP 50.32. On page 1 of the Joint Application Form, counties may reduce the \$85,000 already inserted in the form.

#### Tier 2

**Step 1. Complete "Table 1. DATCP 2012 STAFF APPLICATION DATA"** (formerly Table 2) in Excel to determine eligible staffing costs for purposes of this allocation.

**Note:** The instructions refer to the columns Titled in Table 1 as A-G.

- a. Identify all employees and contractors (including part-time staff) who performed soil and water resource management activities (conservation activities under ATCP 50, CREP program etc.) in 2010.
- b. List all the positions on Table 1, arranging the positions in **descending order (very important)**, starting with the position for which you are requesting 100% funding. **Note:** You may wish to consider listing your highest paid position first, your second highest paid position next, and so forth.
- c. From the list of titles, select the position description that best describes each position listed, inserting the corresponding letter A-E for that title in Column A.

- d. Identify the status of each position listed (FTE, LTE, IC) (electronic version has drop down menu) in Column B. Include the fill date for any vacant or newly hired position hired during or after 2010. County staff positions vacant for more than one year cannot be included. **Note:** If you list vacant and newly hired positions, you will be asked to demonstrate that the county has taken action consistent with an intent to fill the position in 2011.
- e. Provide the salary or fee for each position listed (Column C) based on actual costs incurred in 2010, unless the position is vacant or new. For a FTE position filled only part of the time in 2010, mark with an asterisk, project the full year (only if the position is working full time henceforth) of salary and provide an explanation of the projections as a note. For a new FTE position, list anticipated salary costs and attach appropriate documentation (salary cannot exceed rates paid for equivalent classification).
- f. Provide fringe benefits for each employee listed (Column D) based on actual costs incurred in 2010, unless the position is vacant or new. For an FTE position filled only part of the time in 2010, mark with an asterisk, project the full year (only if the position is working full time henceforth) of fringe benefits and provide an explanation of the projections as a note. For a new FTE position, list anticipated fringe costs and attach appropriate documentation.
- g. Determine percent (round to the nearest integer %) of time that each position performs soil and water resource management (SWRM) activities (Column E). As defined in s. ATCP 50.32(3)(a), this includes activities related to land and water resource management plan implementation, CREP, priority watershed and activities that are reported to the LCC. For example, you cannot count as SWRM activity that portion of a staff person's time dedicated to management or administration of the parks or zoning department. You may only count activities related to zoning and planning, parks and recreation, non-metallic mining and forest management if those activities are set forth in the Land and Water Resource Management Plans and reported to the LCC.
- h. Check to see if the total eligible costs (Column F) are correctly tabulated by manually adding Columns C and D and multiplying the result by Column D. (**Note:** The spreadsheet has an imbedded formula that calculates this number using entries in Columns C, D & E and rounds it to a whole number.)
- i. Repeat steps "a-f" for each position listed. Insert additional rows for more positions, if needed. Make sure that the formulas are dragged into the additional rows that are added. Make sure that the Total sums all of the rows including the additional rows you added for Column F.
- j. **Please leave column "G" blank.** The spreadsheet automatically calculates the sum of fourth and subsequent position.

#### **Incomplete applications**

County applications that fail to follow submission requirements will be treated as incomplete, and the counties will be informed that they must resubmit materials in accordance with grant application requirements. Incomplete applications include those that are missing required information (e.g. the list all employees and contractors performing soil and water resource management activities for the land conservation committee) and submissions where the electronic forms are not provided as well as signed versions.

A county that alters the links or formulas in the electronic grant materials will be treated as having filed an incomplete application, and will be informed that it must resubmit materials in accordance with grant application requirements.

**Step 2. Transfer request to the Joint Application Form (page 1).** Since electronic version of Table 1 is directly linked with the application form, visually confirm that for the first position, the amount

from column F in Table 1, transferred to 2. A. i. For the second (from column F in Table 1), third (from column F in Table 1) and fourth (from Column G in Table 1) and subsequent positions confirm that the amounts are transferred to the application form in 2. A. ii, 2. A. iii. And 2. B. iv. respectively. The column "Amount Requested of DATCP" will automatically be calculated from the information entered in 2.A.i and entered by formula in this column. This applies to 2. A. ii and iii, and 2. B. iv respectively.

Under the column "Amount Requested of DATCP", you may reduce the "Total Staff Requests" automatically calculated by the spreadsheet. If you decide to request less, please delete calculation generated by the imbedded formula and type in the lower amount. Repeat these steps for the second, third and subsequent positions. For each of these positions, you may not request more than 70% and 50% on lines 2.A.ii. and 2.A.iii. and 2. B. iv. respectively. The "Total Staffing Request" under the column "Amount Requested of DATCP" is the sum of Step 2 only and is automatically summed by formula.

**Step 3. Sign Joint Application Form and Table 1.** Print both forms once completed in Excel, obtain the required signatures, and submit signed paper copies of the Joint Application Form and Table 1 to DATCP.

**Step 4. Email joint application form (page 1) and Table 1.** Please send the electronic version of the joint application and Table 1 to Dilip Patel, [Dilip.Patel@wisconsin.gov](mailto:Dilip.Patel@wisconsin.gov)

### Tier 3

DATCP will not make Tier 3 awards in 2012.

#### **Verification and correction of staffing data in Table 1**

Counties should exercise great care in verifying the salary and fringe benefit information provided in Table 1. DATCP has adopted a new policy to restrict counties in making changes to this information after they submit their original application materials. The procedures outlined below apply only if a county intends to make changes to Table 1 after the April 15<sup>th</sup> grant application deadline.

*Counties have a limited period between April 29<sup>th</sup> - June 30<sup>th</sup> to correct the staffing data they submitted with their grant application, and thereby revise their grant application.* Within this period, DATCP will provide each county with a table listing the staffing data upon which the preliminary allocation will be based. If the county concludes that the data is correct, it does not need to take further action. However, if a county determines that the information sent by DATCP is not accurate, the county will need to do the following to correct its original submission. The county must provide documentation verifying the salary and benefits for the first, second or third position. This documentation may include (a) a W-2 form from the particular year (as long as the county provides a multiplier for benefits), or (b) a breakdown of staffing costs for that position on a weekly or monthly basis. The CFO must certify that the revised salary and benefits are accurate, and must explain the steps the county will institute to avoid providing DATCP inaccurate information on staff salary costs. If a county does not follow these procedures, DATCP will not adjust the staffing data provided in the original grant application.

Following the release of the preliminary allocation, DATCP will not accept requests to modify a county's staffing grant allocation unless the request will result in a reduced staffing grant allocation for the county.

## 2. Cooperator Grants

**What you need to know:** DATCP has scaled back its annual grant awards to project cooperators to carry out statewide priorities, and awarded funding to one recipient, Standards Oversight Council, in

recent allocations. Funding for cooperators is designed to achieve these goals: (a) provide a cost-effective approach to addressing and resolving high priority problems, (b) ensure a systematic and comprehensive approach to address soil erosion and water quality problems, (c) contribute to a coordinated soil and water resource management program and avoids duplication of effort, and (d) help meet county soil and water resource management needs and state program requirements.

***What you need to do:*** Potential applicants for funding in this category need to recognize the limitations imposed by DATCP for funding cooperators, including DATCP's focus on maximizing the use of this funding to support county staff. Those interested in applying for funding should submit a letter by April 15, 2011 that describes their project and justifies their specific request for funding. Applicants should include an appropriate work plan that describes planned activities for new or ongoing projects. In addition, they should provide any details pertinent to the grant request. Grant funds are paid on reimbursement basis.

## **B. DNR**

### 1. Urban Nonpoint Source & Storm Water Management Grant Program – Planning

This grant program provides financial assistance for planning projects in urban areas. For a planning project to be eligible for funding, it must currently be in an urban area or one that is projected to be urban within 20 years. An "urban area" is one that meets at least one of these criteria:

1. Has a population density of at least 1,000 people per square mile,
2. Is a commercial land use,
3. Is the non-permitted portion of a privately-owned industrial site, or
4. Is a municipally-owned industrial site (regardless of NR 216 permit requirements).

The cost-share rate is 70 percent for planning projects. The maximum amount that can be awarded for planning projects is \$85,000. This is a reimbursement program; that means project costs must first be paid by the grantee before reimbursement is obtained from the DNR.

The grant application form and instructions for this program are available on the DNR web site at: <http://dnr.wi.gov/runoff/financial.htm>.

In addition to completing and submitting the Urban Nonpoint Source & Storm Water Management planning grant application to the DNR, enter the total amount being requested on page 1 of the *Joint DATCP/DNR Grant Application for Calendar Year 2012*.

Mail the completed application by the postmark deadline directly to:  
Kathleen Thompson, WT/3  
DNR  
101 S. Webster St.  
Madison, WI 53703

Applications postmarked no later than April 15, 2011 will be considered for funding.

## **IV. Cost-Sharing and Support Requests**

### **A. DATCP**

All DATCP grant application materials are available on the web at,  
[http://datep.state.wi.us/arm/agriculture/land-water/conservation/annual\\_allocation.jsp](http://datep.state.wi.us/arm/agriculture/land-water/conservation/annual_allocation.jsp)

#### 1A. Bond Cost-Sharing: LWRM Plan Implementation

**What you need to know:** Through the DATCP application, counties also may request cost-share funds for 2012 to implement LWRM plans. To fund this category, DATCP typically makes available half of the bond funds authorized in the biennium and includes unspent funds from past years in this allocation. For 2012, DATCP is not projecting the amount of funding it will have to make awards in this category. Past funding levels (which have built off a base of \$3.5 million for each year of the biennium) may not be a reliable indicator of funding available for 2012. In addition to legislative authorization, DATCP must secure approval of debt authorization before making bond funds available.

DATCP will allocate base funding and performance-based awards consistent with the approach followed since 2004. All counties with approved and extended Land and Water Resource Management Plans in effect during 2012 are eligible for base \$20,000 funding. For allocation of performance-based funding, DATCP will use the performance measure used in prior years; namely, a county's ability to spend previously allocated cost-share dollars on a timely basis.

**What you need to do:** On line 1 of the "Cost-Sharing" application under the heading "Land and Water Resource Mgmt. (LWRM) Plan Implementation," enter your bond fund request. Enter the **total** amount of the bond funding requested (including the base funding of \$20,000). The LCC may choose to request a lower amount than the base funding of \$20,000. For requests over \$20,000, DATCP will determine your final award based on your history of underspending.

#### 1B. Bond Cost-Sharing: NOD/NOI Funding

From bond funds available for allocation in 2012, DATCP plans to set aside \$200,000 for cost-sharing to resolve notices of discharge and notices of intent. To access these funds, counties must use an application process separate from this application. Go to this website for additional information, [http://dnr.wi.gov/runoff/grants/applications/instructions\\_NOD.htm](http://dnr.wi.gov/runoff/grants/applications/instructions_NOD.htm)

Contact Coreen Fallat, [Coreen.Fallat@Wisconsin.gov](mailto:Coreen.Fallat@Wisconsin.gov), 608-224-4625 or Lisa Schultz, [LisaJ.Schultz@Wisconsin.gov](mailto:LisaJ.Schultz@Wisconsin.gov), 608-224-4625

#### 2. Nutrient Management Cost-Sharing

**What you need to know:** DATCP will make grant awards in this category from the appropriation dedicated for this purpose after setting aside some of the appropriated funds for nutrient management implementation support activities. Given the state's projected budget deficit and past lapses of this appropriation, DATCP is not projecting the amount of funding available for cost-share grants. Based on these considerations, DATCP has elected to manage this uncertainty by greatly simplifying the application process for this competitive grant.

DATCP will streamline award criteria to focus on core measures of need and performance. To further simplify the process, DATCP will not require applicants to submit information related to the funding criteria, instead DATCP will rely on data already collected by state agencies to evaluate an applicant's

need and performance. As a measure of need, DATCP will consider the number of farmers in each county who are subject to the new compliance requirements in the farmland preservation program (FPP), relying on the 2009 Department of Revenue data regarding FPP tax claimants, <http://www.revenue.wi.gov/ra/frm11.pdf>. As a measure of performance, DATCP will consider the number of NM checklists submitted to DATCP in 2010 for farmers located in the county. DATCP may also consider the county's record in spending or committing at least 80% of its 2010 SEG funds.

DATCP will continue to use a scoring system based on 100 point scale to rank applications. DATCP will award applicants up to a maximum of 60 points based on the participation rate of farmers in the FPP program, up to 30 points for the number of checklists submitted in 2010, and up to 10 points based on the county's 2010 spending or commitment of SEG funds. DATCP will establish a scale for points awarded within each category based on the overall performance of applicants within each category and other factors. For each applicant, DATCP will calculate the total score based on points earned for each funding criteria. An applicant's total score will determine its rank. Based on applicant rankings, DATCP will establish different award levels for grant recipients and make awards to qualifying applicants at the appropriate award levels.

The following conditions and restrictions apply to the use of these cost-share funds. These funds are primarily intended for nutrient management cost-sharing, but counties may cost-share other "soft" practices to support nutrient management implementation. Counties are expected to cost-share nutrient management plans for four years (usually at the rate of \$7 per acre) to achieve compliance with state standards. These grant funds may be combined with funds from other sources to cost-share nutrient management plans. These grant funds may NOT be used to pay for conservation practices that can be cost-shared using bond revenue funds nor may they be used to pay for county staff services.

***Practices supporting nutrient management plans:*** If DATCP SEG funds are used or combined with other funds for conservation tillage (high residue management systems), contour farming, strip-cropping and other practices supporting a nutrient management plan, the county must certify that the supporting practice was (1) required to meet "T" or other requirement of the NRCS 590 standard; and (2) the most cost-effective approach to meeting the requirement.

***What you need to do:*** Applicants are required to perform one step to apply for these grant funds and no longer must submit additional paperwork.

### **Step 1. Enter Amount Requested for Cost-Sharing and Acres That Will Be Cost-Shared**

Under section entitled "Cost-Sharing Grants," a county may apply for SEG funds for NM cost-sharing by entering the dollar amount of its request and the number of acres that will be cost-shared using these funds. The funding requested should equal the number of acres multiplied by the state cost-share rate of \$28 per acre, unless the county uses a cost-share rate other than \$28 per acre. In that case, the county should indicate the different cost-share rate in the space provided, and the county's request should equal number of acres multiplied by this per acre rate.

### **3. Nutrient Management Support Activities**

***What you need to know:*** DATCP will make grant awards in this category from the appropriation dedicated for this purpose, subject to any lapses and reductions, and reduced by funds set aside by DATCP for nutrient management cost-sharing. DATCP is not projecting the amount of funding it will have to make awards in this category. Past funding levels may not be a reliable indicator of funding available for 2012.

Applicants for funding must demonstrate a statewide capacity to accomplish one or more of the following: Maintain and improve the Soil Nutrient Application Program –Plus (SNAP-Plus), expand and support nutrient management planning through education, outreach and project implementation; and facilitate statewide farmer training through grants and other support. DATCP may award up to the maximum amount provided for each of the three grant categories. DATCP may adjust the award levels for any of these three categories to reflect changing program needs, particularly in the area of farmer training. As a condition for receiving funds, grant recipient(s) must enter into a memorandum of understanding with DATCP to clarify the relationship of the parties for a period not to exceed three years.

**What you need to do:** Entities interested in this funding opportunity may obtain a separate application by contacting James VandenBrook, *Phone: 608-224-4501 or e-mail, [Jim.VandenBrook@Wisconsin.gov](mailto:Jim.VandenBrook@Wisconsin.gov)*. The application package may also be downloaded from this web site, [http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/annual\\_allocation.jsp](http://www.datcp.state.wi.us/arm/agriculture/land-water/conservation/annual_allocation.jsp).

## **B. DNR**

### 1. Targeted Runoff Management Grant Program

The Targeted Runoff Management (TRM) Grant Program provides financial assistance for rural and urban governmental units to install best management practices (BMPs). Significant changes have been made to the TRM Grant Program that took effect on January 1, 2011, when revisions to ch. NR 153, Wis. Adm. Code, were promulgated. Most notably project proposals for agricultural areas are now possible in the following categories:

- ◆ Small-scale agricultural projects in Total Maximum Daily Load (TMDL) & Non-TMDL areas
- ◆ Large-scale agricultural projects in TMDL and Non-TMDL areas

The grant application forms and instructions for this program are available on the DNR web site at: <http://dnr.wi.gov/runoff/financial.htm>.

In addition to completing and submitting the TRM grant application(s) to the DNR, enter the total amount being requested on page 1 of the *Joint DATCP/DNR Grant Application for Calendar Year 2012*.

Please complete the application and mail it by the postmark deadline directly to:

Kathleen Thompson, WT/3  
DNR  
101 S. Webster St.  
Madison, WI 53703

All TRM applications for CY 2012 funding must be postmarked no later than April 15, 2011 to be considered for a grant.

### 2. Urban Nonpoint Source & Storm Water Management Grant Program – BMP Construction

The Urban Nonpoint Source & Storm Water Management (UNPS & SW) Grant Program provides financial assistance for BMP construction projects in urban areas.

To obtain an UNPS & SW construction grant application, go to the following DNR web site:  
<http://dnr.wi.gov/runoff/financial.htm>.

In addition to completing and submitting the UNPS & SW construction grant application to the DNR, enter the total amount being requested on page 1 of the *Joint DATCP/DNR Grant Application for Calendar Year 2012*.

Please complete the application and mail it by the postmark deadline directly to:

Kathleen Thompson, WT/3  
DNR  
P.O. Box 7921  
Madison, WI 53707-7921

To be considered for a grant, all applications must be postmarked no later than April 15, 2011.

**JOINT DATCP/DNR NONPOINT SOURCE GRANT APPLICATION FOR CALENDAR YEAR 2012**

PLEASE READ THE INSTRUCTIONS BEFORE COMPLETING THE APPLICATION  
COMPLETE ALL APPLICABLE SECTIONS, PRINT, MAIL SIGNED COPY TO DATCP  
ALL COUNTIES MUST COMPLETE REQUIRED FINANCIAL INFORMATION ON THE REVERSE SIDE

COUNTY REQUESTS THE FOLLOWING FUNDING FOR CALENDAR YEAR 2012 FROM THE WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION UNDER SEC. 92.14, WIS. STATS., AND THE DEPARTMENT OF NATURAL RESOURCES UNDER SECTIONS 281.65 and 281.66, WIS. STATS.:	

SIGNATURE OF LCC CHAIR, BOARD CHAIR OR COUNTY EXECUTIVE

DATE

**NOTICE:** This application does not represent a commitment by DATCP or DNR to provide funding for any grant category at any specific level. In light of current economic conditions and the continued uncertainty regarding state revenue, the state funding authorized or appropriated for these grant awards may be reduced, lapsed or eliminated.

STAFFING/PLANNING GRANTS		Amount Requested of DATCP	Amount Requested of DNR
1	<b>SWRM Tier 1</b>		
	<b>A. Base Funding</b> Enter no more than \$85,000. <i>(Note: Counties are no longer eligible for BASG makeup)</i>	\$ 85,000.00	
2	<b>SWRM Tier 2</b>		
	<b>A. Funding for three positions</b> Enter 100, 70, and 50% of the amount in Table 1, column F for each designated position  Amount from Table 2, column F		
	<b>i. First (100%) position</b>	\$0	
	<b>ii. Second (70%) position</b>	\$0	
	<b>iii. Third (50%) position</b>	\$0	
	<b>B. Funding for subsequent positions</b> Enter 50% of the amounts in Table 1, column F for other listed positions  Amount from Table 1, column G		
<b>iv. Fourth &amp; more (50%) positions</b>	\$0		
3	<b>Urban NPS &amp; Storm Water Management - Planning Projects</b>		
<b>TOTAL STAFFING REQUESTS ►</b>		\$ 85,000.00	

COST-SHARING GRANTS		Amount Requested of DATCP	Amount Requested of DNR
1	<b>Land and Water Resource Mgmt. (LWRM) Plan Implementation: Bond Funds</b>		
2	<b>LWRM Plan Implementation: SEG Funds</b> Acres that will be cost-shared (at rate of \$28 per acre or other rate of \$___)		
3	<b>Targeted Runoff Management Projects</b> The application for this grant is available on the DNR website.		
4	<b>Urban NPS &amp; Storm Water Management - Construction Projects</b> The application for this grant is available on the DNR website.		
<b>TOTAL COST-SHARING REQUESTS ►</b>		\$ -	\$ -

Please provide this contact information for questions about the application.

NAME OF COUNTY CONTACT:	PHONE:
-------------------------	--------

**REPORTING AND OTHER DATCP REQUIREMENTS**

**A. FINANCIAL REPORT OF COUNTY LCD EXPENDITURES FOR 2010**

1 Enter the total amount of all county LCD expenditures in 2010 from all funding sources.

2 Enter the amount of expenditures in 2010 from all non-county sources.   
**(Of the total expenditure listed in line 1, enter the amount that was funded using non-county sources. Non-county includes all grants, shared revenue, and any other funds from sources outside the county. Line 2 plus line 3 equals line 1).**

3 Enter the amount of county source funding expended in 2010.  \$ -  
**(County source funding may include county levies, fees, permits, tree sales, or other funds generated by the county. This amount is used to determine fulfillment of maintenance of effort requirements).**

4 Enter the amount of salary and fringe benefits paid using county source funding.   
**(LINE 4 CANNOT EXCEED LINE 3).**

County funded	DATCP SWRM	All Other
In 2010 # of FTE in County (see instructions) ▶		

**B. 2010 ANNUAL REPORT**  
 The county certifies that it has completed its annual report of activities and accomplishments on forms provided by DATCP and has submitted its report electronically to DATCP.

**C. 2011 ACTIVITIES PLAN**  
**The county has provided a description of its planned activities for 2011 by (check one):**  
 certifying that the county's workplan for 2011 on file with DATCP accurately describes its planned activities for 2011.  
 attaching an update reflecting its 2011 planned activities to this application.

**D. WORK PLAN UPDATES FOR 2011**  
 A county should submit an updated work plan for 2011 if it knows that its planned activities for 2011 are not accurately described in the work plan on file with DATCP.

**TABLE 1**

DATCP 2012 STAFF APPLICATION DATA FOR _____ COUNTY								
COUNTY LCD STAFF POSITION INFORMATION FOR 2010								
Column A	Column B		Column C ~	Column D ~	Column E ~	Column F ~	Column G ~	
Position Number	Position Title	Status		Salary or Fee	Fringe (only for employees)	% Time spent on conservation activities (see instructions)	Total eligible staffing costs (C+D)*E (Rounded to the nearest dollar)	This is the sum of the 4th and subsequent positions.
		Limited (LTE), Permanent (FTE), Independent Contractor (IC)	If not currently hired or retained*, insert expected fill date					
1							\$0.00	
2							\$0.00	
3							\$0.00	
4							\$0.00	\$0.00
5							\$0.00	
6							\$0.00	
7							\$0.00	
8							\$0.00	
9							\$0.00	
10							\$0.00	
11							\$0.00	
12							\$0.00	
13							\$0.00	
14							\$0.00	
15							\$0.00	
16							\$0.00	
17							\$0.00	
18							\$0.00	
19							\$0.00	
20							\$0.00	
<b>TOTAL</b>							<b>\$0.00</b>	

I certify that the information on this form regarding the amounts paid by the county is accurate

\_\_\_\_\_  
Signature of the Chief Financial Officer of the County

\_\_\_\_\_  
Date

~ In Columns C to F use 2010 compensation data (see instructions regarding new or vacant positions).

\* Must attach evidence showing that the county has taken action (e.g. posting of position), consistent with an intent to rehire or fill a new position. When filling vacant positions, salary cannot exceed rates paid for equivalent classification and benefits must be based on standard percentage used in county. Fees must be based on past payments made to contractors.

**POSITION TITLES** (Insert the letter A-E in column A that best describes position title of employee)

A = **Department Head:** County Conservationsist; Director; Administrator; Supervisor; Manager; Conservation Coordinator

B = **Administrative Support:** Clerk; Secretary; Admin. Assistant; GIS Specialist; Computer Programmer; Office Manger; Typist

C = **Technician:** Project Manager/Coordinator; Specialist; Engineering Technician; Agronomist; Planner; Conservationist; Forester

D = **Engineer:** Environmental; Project; Civil; Conservation

E = **I & E:** Education Coordinator; PR Representative

**APPLICATION**  
**2012 ALLOCATION OF GRANT FUNDS**  
**FOR NUTRIENT MANAGEMENT SUPPORT ACTIVITIES**  
**WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP)**  
**SOIL AND WATER RESOURCE MANAGEMENT PROGRAM**

**Applications must be received or postmarked no later than April 15, 2011.**

The Wisconsin Department of Agriculture, Trade and Consumer Protection ("DATCP") is soliciting applications for the calendar year 2012 from one or more entities to provide statewide support for implementation of nutrient management. Applications shall not exceed the dollar amounts in each of the categories listed below. DATCP will allocate and administer grant funds in accordance with ch. 92, Wis. Stats., and Subchapter IV of ATCP 50, Wis. Admin. Code.

**NOTICE: This application does not represent a commitment by DATCP or DNR to provide funding for any grant category at any specific level. In light of current economic conditions and the continued uncertainty regarding state revenue, the state funding authorized or appropriated for these grant awards may be reduced, lapsed or eliminated.**

**Grant requirements and restrictions**

Applicants must have statewide capacity to carry out project activities, and awards are not intended to fund the activities of individual counties to implement nutrient management plans.

Project activities must be completed between January 1 and December 31, 2012. DATCP may grant extensions under limited conditions. DATCP may make awards to more than one applicant, and may use one or more contracts to administer the grants funds.

Payment of grant funds is made on a reimbursement basis, and requests for payment must be supported by adequate documentation of costs incurred. No grant funds may be used to pay for county staff services, lobbying activities, or overhead or indirect costs. Support costs are limited to those specified in ATCP 50.32(4)(a) through (d).

In addition to signing a grant contract with DATCP, each successful grant applicant must enter into or extend a existing memorandum of understanding (MOU) with DATCP that defines (i) the mutual goals for the nutrient management project for the duration of the MOU, (ii) its party's commitment and capacity to carry out the purposes and intent of the project statewide. The MOU does not guarantee future funding and grant recipient(s) will need to apply each year for funding.

**Application Instructions**

Applicants for funding must submit a written application not to exceed three pages, double-spaced, that demonstrates a statewide capacity to deliver one or more of the following:

1. Maintain and improve the Soil Nutrient Application Program –Plus (SNAP-Plus)  
**Up to \$240,000 in funds are available for this project component**
  - a. Improve the research base supporting SNAP-Plus and update predictive models as needed.
  - b. Deliver specific products related to the program such as new reporting capabilities for the existing SNAP-Plus software program.
  - c. Provide SNAP-Plus training to consultants and farmers to ensure its effective use.

- d. Provide on-going coordination with USDA on changes to RUSLE2 and updates to the soils database.
  - e. Evaluate user concerns, identify needed fixes, and resolve programming issues.
  - f. Provide technical and other support for watershed or other large-scale projects to promote use of SNAP in identifying runoff priorities and developing nutrient management plans.
2. Expand and support nutrient management planning through education, outreach and project implementation

**Up to \$200,000 in funds are available for this project component**

- a. Provide statewide delivery and maintenance of the Nutrient Management Farmer Education Curriculum (NMFEC) to a minimum of 350 farmers (updates for rules, recommendations, etc.).
  - b. Provide and deliver statewide nutrient management publications.
  - c. Provide regional\* farmer education programs to help them develop and update their own NM plan.
  - d. Provide regional\* calibration of manure spreaders.
  - e. Provide regional\* soil sampling education.
  - f. Provide regional\* private sector agronomist education and assistance for NM planning.
  - g. Provide regional\* education of conservation partners (NRCS, LCDs, UWEX).
  - h. Provide technical and other support for watershed or other large-scale projects to promote nutrient management planning consistent with state standards.
  - i. Submit to DATCP NM Checklists, signed by the trainer, for all completed farmer-written plans produced using these funds.
  - j. Conduct evaluation(s) to monitor effectiveness of training and farmer adoption of NM plans.
- \* "Regional" specifically envisions expansion of services in the SW and NC regions of the state.

3. Facilitate farmer training through grants and other support

**Up to \$210,000 in funds are available for this project component**

- a. Administer in cooperation with DATCP a grant program to provide support and other costs\*\* that will ensure farmer participation and completion of training.
- b. Provide other support necessary to facilitate training of famers and others.
- c. Submit to DATCP NM Checklists, signed by the trainer, for all completed farmer-written plans produced using these funds.

\*\* Provide at least \$120,000 of these funds directly to farmers as stipends and payments for training costs.

Applicants shall submit a separate budget summary, not to exceed one page, providing such details as staffing costs to carry out project activities.

Direct questions about the grant requirements, restrictions and the application process to James VandenBrook, Phone: 608-224-4501 or E-mail, [Jim.VandenBrook@wisconsin.gov](mailto:Jim.VandenBrook@wisconsin.gov)

Send the completed application to *Dilip Patel* or *Kris Modaff*, Land & Water Resources Bureau, DATCP, P.O. Box 8911, Madison, WI 53708-8911, Phone: 608-224-4610 or -4611 E-mail: [Dilip.Patel@wisconsin.gov](mailto:Dilip.Patel@wisconsin.gov) or [Kris.Modaff@wisconsin.gov](mailto:Kris.Modaff@wisconsin.gov). Completed applications may also be faxed to 608-224-4615.

_____ REQUESTS THE FUNDING FOR 2012 FROM THE WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION UNDER SEC. 92.14, WIS. STATS., and s. ATCP 50.28, WIS. ADMIN. CODE, IN THE AMOUNT OF \$ _____ FOR THE PURPOSE OF PROVIDING STATEWIDE SUPPORT FOR NUTRIENT MANAGEMENT IMPLEMENTATION.	
SIGNATURE OF AUTHORIZED REPRESENTATIVE:	DATE:



*State of Wisconsin*

---

*Land and Water Conservation Board*

# **AGENDA ITEM 8**

## CORRESPONDENCE/MEMORANDUM

**DATE:** January 18, 2011

**TO:** Land and Water Conservation Board Members and Advisors

**FROM:** Mary Rose Teves, Director   
Bureau of Community Financial Assistance  
Department of Natural Resources

**SUBJECT: AGENCY REPORT -- Nonpoint Source Program Fiscal Status**

**Recommended Action:** This is an informational item; no action is needed.  
The purpose of this memo and attachment is to provide an update of the Nonpoint Source Program fund balances as of December 31, 2010, and to provide information on the turnaround times for Priority Watershed payments.

**Expenditures and Fund Balances:**

The attached chart summarizes available funding, budget reductions, encumbered and committed funds, expenditures and fund balances from July 1, 2010 through December 31, 2010.

**Turn-around Time for Payment of Priority Watershed Reimbursement Requests:**

During the months of November and December 2010, 5 payments were made. The average turn-around time was under 1 day.

**Attachment:** Chart – Nonpoint Source Program Funds

**Presenter:** Mary Rose Teves, Director  
Bureau of Community Financial Assistance  
Department of Natural Resources



**REPORT TO THE WISCONSIN LAND & WATER CONSERVATION BOARD**  
**CONCERNING DNR NONPOINT SOURCE PROGRAMS FUNDS IN STATE FISCAL YEAR (SFY) 2011**  
 December 31, 2010

A PROGRAM	B SOURCE OF FUNDS	C APPR	D FUND TYPE	E ROLL OR END	G CARRYOVER FROM PRIOR SFY	H FY 11 NEW FUNDS	I LOSSES	J REVERSALS	K TOTAL BUDGET	M ENCUMBRING BALANCE	N TOTAL PAYMENTS	O GRANTS ISSUED	P GRANTS NOT YET ISSUED	Q TOTAL OBLIGATIONS	S BALANCE AVAILABLE FOR CY 12
TARGETED RUNOFF MGMT	BONDING	TE1	Continuing	ROLL	\$2,430,430	\$0	\$0	\$0	\$2,430,430	\$1,985,962	\$291,190	\$73,630	\$0	\$2,350,792	\$79,648
	BONDING	TF1	Continuing	ROLL	\$11,669,455	\$0	\$0	\$0	\$11,669,455	\$10,648,053	\$1,016,559	\$0	\$0	\$11,664,612	\$4,843
	GPR	602	Biennial	ROLL	\$610,351	\$587,900	(\$587,900)	\$0	\$610,351	\$349,341	\$261,010	\$0	\$0	\$610,351	\$0
	FEDERAL	683	Continuing	ROLL	\$385,948	\$126,834	\$0	\$0	\$512,782	\$523,077	\$182,381	\$7,324	\$0	\$512,782	\$0
NOTICE OF DISCHARGE	BONDING	TE1	Continuing	ROLL	\$1,667,192	\$0	\$0	\$0	\$1,667,192	\$1,001,598	\$290,320	\$49,847	\$325,427	\$1,667,192	\$0
	BONDING	TF1	Continuing	ROLL	\$126,834	\$0	\$0	\$0	\$126,834	\$0	\$0	\$0	\$126,834	\$126,834	\$0
	GPR	602	Biennial	ROLL	\$32,482	\$200,000	(\$122,300)	\$0	\$110,182	\$10,586	\$17,780	\$0	\$81,816	\$110,182	\$0
	FEDERAL	683	Continuing	ROLL	\$414,052	\$673,166	\$0	\$0	\$1,087,218	\$141,660	\$0	\$45,774	\$699,784	\$1,087,218	\$0
MUNICIPAL FLOOD CONTROL	BONDING	TH1	Continuing	ROLL	\$4,837,413	\$0	\$0	\$0	\$4,837,413	\$4,898,547	\$30,884	\$0	\$0	\$4,729,431	\$107,982
	SEG	658	Biennial	ROLL	\$1,166	\$27,100	\$0	\$0	\$28,266	\$28,266	\$0	\$0	\$0	\$28,266	\$0
URBAN STRMWTR-CONSTRUCTN	BONDING	TH1	Continuing	ROLL	\$6,092,582	\$0	\$0	\$0	\$6,092,582	\$5,617,462	\$261,990	\$168,914	\$0	\$6,048,266	\$44,316
	SEG	658	Biennial	ROLL	\$1,047,043	\$1,286,100	(\$1,089,800)	\$0	\$1,900,177	\$953,113	\$201,709	\$28,011	\$0	\$1,182,833	\$7,344
URBAN STRMWTR-PLANNING	BONDING	TE1	Continuing	ROLL	\$937,400	\$0	\$0	\$0	\$937,400	\$433,592	\$487,715	\$16,093	\$0	\$937,400	\$0
PRIORITY WTRSHDS-GRANTS	GPR	602	Biennial	ROLL	\$16,095	\$0	\$0	\$0	\$16,095	\$16,095	\$0	\$0	\$0	\$16,095	\$0
	FEDERAL	683	Continuing	ROLL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PRIORITY WTRSHDS-EASMTNT	BONDING	TE1	Continuing	ROLL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>FUND SOURCE TOTALS</b>	BONDING	s.20.866.2(e); s.281.65			\$5,035,022	\$0	\$0	\$0	\$5,035,022	\$3,421,152	\$1,069,225	\$139,570	\$325,427	\$4,955,374	\$79,648
	BONDING	s.20.866.2(f); s.281.65			\$11,796,289	\$0	\$0	\$0	\$11,796,289	\$10,648,053	\$1,016,559	\$0	\$126,834	\$11,791,446	\$4,843
	BONDING	s.20.866.2(h); s.281.66,281.665			\$10,929,995	\$0	\$0	\$0	\$10,929,995	\$10,316,009	\$292,774	\$168,914	\$0	\$10,777,697	\$152,298
	GPR	s.20.370.6(aa); s.281.65			\$658,928	\$787,900	(\$710,200)	\$0	\$736,628	\$376,022	\$278,790	\$28,011	\$81,816	\$736,628	\$0
	SEG	s.20.370.6(cc); s.281.66,281.665			\$1,048,209	\$1,313,200	(\$1,089,800)	(\$53,166)	\$1,218,443	\$981,379	\$201,709	\$28,011	\$0	\$1,211,099	\$7,344
	FEDERAL	s.20.370.6(cc); CWA 319-EPA			\$800,000	\$800,000	\$0	\$0	\$1,600,000	\$464,737	\$182,381	\$53,098	\$699,784	\$1,600,000	\$0
					<b>\$30,268,443</b>	<b>\$2,901,100</b>	<b>(\$1,800,000)</b>	<b>(\$53,166)</b>	<b>\$31,316,377</b>	<b>\$26,207,352</b>	<b>\$3,041,438</b>	<b>\$389,593</b>	<b>\$1,433,861</b>	<b>\$31,072,244</b>	<b>\$244,133</b>

FOOTNOTES: