

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

FROM: John Petty, Administrator
Division of Agricultural Resource Management 

SUBJECT: December 6, 2011, Land and Water Conservation Board Meeting

The Land and Water Conservation Board will hold its next meeting on Tuesday, December 6, 2011, at DATCP in Madison. Chairman Cupp will call the meeting to order at 8 a.m. with the pledge of allegiance. The call to order will continue with approval of the agenda, and approval of the October 4th meeting minutes.

Next on the agenda, the LWCB Officers will report on their October 25th meeting. They will review and approve the meeting minutes and then report on the status of the LWCB legislation and the distribution of the August 2nd forum minutes. They will also discuss any policy recommendations as a result of the August 2nd forum with other LWCB members.

The meeting will proceed with a presentation and discussion on the criteria for a 10-year land and water resource management plan review. At the October 4th meeting, the LWCB tabled their recommendations on the Forest and Oneida Counties LWRM plans. These counties will return before the Board in December to present their modified plans. The LWCB will then hear from other county partners on their conservation activities through presentations of their land and water resource management (LWRM) plans. LaCrosse, Trempealeau, Dunn and Clark Counties' staff will present their LWRM plans for an approval recommendation by the LWCB.

Next, the LWCB will recognize Sandi Cihlar for her 9 years of service on the Board. The LWCB will then break for lunch.

As part of the preliminary 2012 joint allocation presentation, DNR staff will review the proposed scoring for the Targeted Runoff Management and Urban Nonpoint Source and Storm Water Management applications for Calendar Year 2012. DATCP staff will present waivers to postpone the deadline to adopt the allocation plan and to eliminate minimum staffing grant awards. The LWCB will also be presented with an alternative approach to staffing grant allocation. Public appearances will take place after the presentation of the preliminary allocation plan.

The LWCB will then address administrative items. The LWCB will be presented with budget considerations to consider while the Board reviews its 2012 annual agenda. The LWCB Chair will then appoint the Officers Nominating Committee. 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.



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**

December 6, 2011
8:00 a.m. to 3:30 p.m.

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

Agenda

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

- 8:00 a.m. 1 Call to order—Mark Cupp, LWCB
- a. Pledge of allegiance
 - b. Open meeting notice
 - c. Approval of agenda
 - d. Approval of October 4, 2011, LWCB meeting minutes
- 8:15 a.m. 2 Report from LWCB Officers—Mark Cupp
- a. Approval of October 25, 2011, meeting minutes
 - b. Status of LWCB legislation
 - c. Distribution of August 2nd forum minutes
 - d. Discuss any policy recommendations as a result of the August 2nd forum
- 8:45 a.m. 3 Criteria for 10-year land and water resource management plan review
- 9:15 a.m. 4 LWCB recommendation on Land and Water Resource Management plans
- a. Forest County LWRM plan
 - b. Oneida County LWRM plan
- 9:30 a.m. 5 Recommendation for approval of the La Crosse County Land and Water Resource Management Plan—Gregg Stangl, La Crosse County DLC; and Dennis Presser
- 10:00 a.m. 6 Recommendation for approval of the Trempealeau County Land and Water Resource Management Plan—Kevin Lien, Trempealeau County DLM; and Dennis Presser

Mark Cupp, Chair • Tom Rudolph, Vice-Chair • Dennis Caneff, Secretary
Members: Lynn Harrison • Robin Leary • Charles Wagner • Patrick Laughrin • Ryan J. Schroeder
Leah Wavrunek • John Petty • Mary Anne Lowndes

December 6, 2011, LWCB Meeting Agenda

- 10:30 a.m. Break
- 10:45 a.m. 7 Recommendation for approval of the Dunn County Land and Water Resource Management Plans—Daniel Prestebak, Dunn County LCD; and Dennis Presser, DATCP
- 11:15 a.m. 8 Recommendation for approval of the Clark County Land and Water Resource Management Plan—Matt Zoschke, Clark County LCD; and Dennis Presser
- 11:45 a.m. 9 Recognition of former LWCB Member
- 12:00 p.m. Lunch
- 12:45 p.m. 10 Presentation of the preliminary 2012 DATCP and DNR Joint Allocation Plan—Richard Castelnuovo, DATCP; and Corinne Billings, DNR
- a. DNR proposed scoring of the Targeted Runoff Management (TRM) applications for Calendar Year (CY) 2012
 - b. DNR proposed scoring of Urban Nonpoint Source and Storm Water Management (UNPS) applications for Calendar Year (CY) 2012
 - c. Preliminary 2012 Joint Allocation Plan
 - d. Waivers to postpone the deadline to adopt the final 2012 allocation plan and to eliminate minimum annual staffing grant awards
 - e. Alternative approach to staffing grant allocation
- 2:00 p.m. 11 Public appearances*
- *Please complete a Public Appearance Request Card and submit it to a DATCP representative before the start of the meeting*
- 2:30 p.m. 12 Budget considerations and planning for 2012 forums and other activities
- 2:45 p.m. 13 Approval of Proposed 2012 LWCB Annual Agenda
- 3:00 p.m. 14 Selection of the 2012 LWCB Officer Nominating Committee—Mark Cupp
- 3:05 p.m. 15 Agency reports
- a. FSA
 - b. NRCS
 - c. UW-CALS
 - d. UW-Extension
 - e. WALCE
 - f. WLWCA
 - g. DATCP
 - h. DNR
- 3:30 p.m. Adjourn

**DRAFT MINUTES
LAND AND WATER CONSERVATION BOARD
MEETING**

**October 4, 2011
Boardroom 106**

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

Item #1 Call to Order--open meeting notice, oath of office for new LWCB members, approval of agenda, and approval of August 2, 2011, LWCB business meeting and forum minutes

The meeting was called to order by Chairman Cupp at 10 a.m. with the pledge of allegiance. Other LWCB members present were: Tom Rudolph, Denny Caneff, Lynn Harrison, Chuck Wagner, John Petty for the DATCP Secretary, Lynn Wavrunek for the DOA Secretary, and Mary Anne Lowndes for the DNR Secretary. A quorum was present. Advisors present were Kurt Calkins for WALCE, Julian Zelazny for WLWCA, and Patricia Leavenworth for NRCS.

Cupp confirmed with Lori Price that the meeting had been publicly noticed, as required. Price administered the LWCB oath of office to Harrison, Wavrunek, and Lowndes. Harrison replaced Sandi Cihlar as the farmer representative to the LWCB. Introductions took place.

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 August 2, 2011, LWCB meeting business and forum minutes for approval. Rudolph had one change to the business meeting minutes on page 1, 3rd paragraph: change "appointments" to "appoints". He also had a change to the forum minutes on page 2, 5th full paragraph, change "is" to "in." Rudolph made a motion to approve the business meeting and forum minutes with the changes, and Petty seconded the motion. The motion passed.

Item #2 Public appearances

No public appearances took place at this meeting.

Item #3 LWCB administrative items on distribution of the August 2nd forum minutes and forum ideas for 2012—Mark Cupp, LWCB

Caneff announced he will write a draft cover memo highlighting points made at the August 2nd forum to accompany the forum minutes when they are distributed to the same group that past

LWCB forum minutes have been sent to. The LWCB Officers will review the memo at their next meeting before the minutes are sent out. It was decided not to include any policy recommendations along with the minutes but to discuss possible recommendations at a later LWCB meeting.

The LWCB discussed topic ideas for 2012 forums. The topics that were brought up were frack sand mining impacts on water quality and erosion, and other resource management concerns; trading (or adaptive management) of water pollution emissions; and challenges with zoning and regulations regarding non-traditional, small-scale livestock operations. Prior to the next LWCB Officers meeting, Price will send out an e-mail message requesting additional topic ideas for 2012 forums. The Officers will discuss these ideas at more length before bringing them to the LWCB for final decision at the December meeting.

Cupp reported that he briefed Governor Walker's and Senator Schultz' offices on the legislation pertaining to the LWCB's vision for the future, and they feel it's appropriate for one of the legislative standing committees to introduce the legislation. Cupp's next move is to meet with John Petty with DATCP to move it forward to the appropriate committee.

Item #4 Presentation on the Metrogro Program and how the Madison Metropolitan Sewerage District (MMSD) will make use of the provisions in the phosphorus rule—Dave Taylor, MMSD

Taylor's presentation covered the national regulations on biosolids, the 14 land application exposure pathways considered by the Environmental Protection Agency, the USEPA Part 503 rule, and the state regulations framework. He also covered quick facts, site selection and approval, and monitoring in the Metrogro Program; and phosphorus management strategies.

After the presentation, the LWCB asked various questions of Taylor that lead to the following information: testing is done on the Metrogro product to know what is in it, including testing for personal care and pharmaceutical products; cancer treatments is one example where radionuclides come from; basic regulatory requirements are robust and provide some comfort when it comes to areas that are not closely monitored; MMSD is experiencing an increased receipt of septage from private haulers; the size of a waste water treatment plant may determine whether a sanitary district can take septage from private haulers; Dane County has committed funds to the med drop program in order to keep it available and free to the public, and the collected pharmaceuticals are separated by controlled and non-controlled substances and then incinerated; pharmaceuticals in water comes mainly from people ingesting and excreting the product rather than from it being flushed down the toilet; MMSD is investing in a process that harvests struvite, a high phosphorus product, to help reduce phosphorus in biosolids; MMSD bases their application rate on soil tests; and the majority of farmers working with MMSD are not grid sampling. Taylor also spoke on MMSD starting with a Adaptive Management pilot project before fully adopting this concept and using Adaptive Management to bring point sources together to address pollution issues.

Item #5 Recommendation for approval of the Florence County Land and Water Resource Management Plan—Margie Yadro, Florence County LCD; and Dennis Presser, DATCP

Yadro presented the LWRM plan to the LWCB for an approval recommendation. Her presentation covered the following: county geographical information; the public and agency input that was sought on the plan; the county land and water resource inventory; county demographics; conservation priorities; information and education strategy; standards and ordinances; plan implementation budget; and plan progress.

After the presentation, the LWCB discussed with Yadro changing the term “townships” to “towns,” the county’s interstate partnership on invasive species relief, and the sustainable Forestry Conference held each year through the UW Extension. The LWCB also asked for clarification on the plan approval the county was seeking. Yadro explained that the county requests a 10-year approval on the plan with a review after 5 years. Rudolph made a motion for the LWCB to approve the plan for 10 years with a 5-year review. Wagner seconded the motion. The LWCB discussed the need to develop procedures and criteria for a 5-year review prior to approving a plan for 10 years. Rudolph withdrew his motion, and Wagner withdrew his 2nd on the motion. Rudolph motioned for the LWCB to recommend a 5-year approval for the Florence County 10-year Land and Water Resource Management Plan. Caneff seconded the motion. The motion passed. There was consensus that the LWCB work with DATCP on setting procedures and criteria for a 5-year review for a 10-year plan. Cupp will begin this process with DATCP, and it will also be discussed at the next Officers meeting. The procedures and criteria will then be brought before the LWCB for discussion and decision.

Item #6 Recommendation for approval of the Forest County Land and Water Resource Management Plan—Cindy Gretzinger, Forest County LCD; Fred Heider, North Central Regional Planning Commission; and Dennis Presser

Heider presented the Forest County LWRM plan to the LWCB for an approval recommendation. His presentation covered: resources and geology in the county; agriculture, residential development, and commercial/industrial land uses in the county; prior plan goals and accomplishments, shoreland protection projects; and the proposed 5-year plan including priority issues, goals and objectives, monitoring and evaluation, and information and education activities.

After the presentation, there was discussion between the LWCB and the county on sustainable forest management; other forestry associations that should be listed in plan; clarification that the county partners with Langlade County, not Oneida County, on AIS coordination; and the county developing a habitat restoration webpage for landowner use. There was also discussion on the plan lacking measurable goals. Rudolph made a motion for the LWCB to recommend a 5-year approval for the Forest County Land and Water Resource Management Plan. Petty seconded the motion. There was further discussion on including measurable goals in the plan and whether the

LWCB had authority at this time to request this in the plan. Wagner made a motion for the LWCB to table the motion until the December 6, 2011, LWCB meeting when Forest County will present an amended plan with measurable goals. Caneff seconded the motion. The motion passed.

Item #7 Recommendation for approval of the Oneida County Land and Water Resource Management Plan—Dan Kuzlik, Oneida County LWCD; and Dennis Presser

Kuzlik presented the Oneida County LWRM plan to the LWCB for an approval recommendation. His presentation covered the following: county resource assessment; surface water and impaired waters facts; groundwater and county geography including land use; residential development and commercial/industrial activities in the county; prior plan accomplishments; and the updated plan that included the planning process, priority issues, goals and objectives, monitoring and evaluation, and information and education activities.

After the presentation, the LWCB discussed with the county the lack of measurable goals in the plan update and whether the plan checklist should be modified to indicate that the plan met requirements for measurable goals. Caneff made a motion to table a decision on this agenda item until the December 6, 2011, meeting when Oneida County will present a revised plan with measurable outcomes. Wagner seconded the motion. The motion passed with one abstention from Rudolph.

Item #8 Agency reports

a. FSA

No report was given.

b. NRCS

Leavenworth handed out copies of the “Wisconsin NRCS Update September 2011” and highlighted some of the areas in the report. Congress voted to fund the federal government through November 18, 2011. NRCS has obligated all financial assistance dollars and was able to renew agreements in Fiscal Year 2011. NRCS entered into \$3.2 million worth of cooperative agreements, and the federal government no longer funds earmarks. The Standards Oversight Council (SOC) is in the process of updating the standards for manure storage, waste transfer, and waste treatment. Wisconsin NRCS hired a new Easement Program Biologist, Kristin Westad; a new Tribal Resource Conservationist, Chris Borden; and a new state biologist, Steve Bertiens. Upcoming events include a series of soil and water conservation talks through the UW Nelson Institute of Environmental Studies and the Land Trust Alliance rally in Milwaukee.

c. UW-CALS

No report was given.

d. UW-Extension

No report was given.

e. WALCE

Calkins announced the Fall county conservationists meeting is taking place Thursday and Friday of this week in Stevens Point. He reviewed the agenda for the meeting.

f. WLWCA

Zelazny announced that the annual conservation poster and speaking contest will be on November 5th. The annual WLWCA conference will be on December 8-9 in Wisconsin Dells. The ad hoc committee on the WALCE and WLWCA merger has completed its face-to-face meetings and is now talking with affected parties on the proposed merger. A vote on the merger will be done at the annual conference.

g. DATCP

Petty reported that DATCP staff will no longer make any judgment on the county LWRM plan benchmarks. DATCP staff will continue to review the plans to make sure they meet the requirements as listed in the plan checklist. The LWCB can use the checklist as a guide when reviewing plans at a substantive level and then make their decision to recommend approval. Zelazny commented that it is important to commit the joint allocation plan funding to measurable goals in the plan. Rudolph commented that the counties need to be made aware of this new policy change. Caneff added that one of the legislative changes the LWCB is requesting is to have final approval for the county LWRM plans.

Petty also announced that the Ed Odgers, Conservation Engineering Section Chief in the Bureau of Land and Water Resources, retired. The Bureau hired an Engineering Unit Leader, Todd Boehne, to take over many of the duties that Odgers performed.

Petty reported that DATCP still does not know what funding lapse it will need to take, so the allocation plan was unable to be presented to the LWCB at this meeting. He hopes to hear something on the lapse by the end of this month.

Wagner asked if the Emerald Ash Borer has spread further than what was last reported. Petty responded that EAB was recently found in LaCrosse County and in some counties in Minnesota across the Mississippi River from LaCrosse County.

h. DNR

Lowndes reported that DNR does not know what budget lapses it will need to take at this time. She recommended that when the lapses are known, the LWCB may want to hold a special meeting to review the preliminary allocation plan. She also reported that DNR has been given approval to begin hiring for vacant positions. She hopes to fill 4 vacant positions within the nonpoint source program.

Adjourn

Prior to adjournment, Cupp reminded the LWCB to submit ideas on 2012 forum topics and to watch for information on a possible special meeting on the allocation plan. He also plans to meet with DATCP staff on the LWCB legislation and the criteria for the 10-year plan review.

There being no further business before the LWCB, Rudolph made a motion to adjourn the meeting and Petty seconded the motion. The motion passed, and the meeting adjourned at 1:48 p.m.

Respectfully submitted,

Denny Caneff, Secretary

Date

Recorder: LP



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 2

**DRAFT MINUTES
LAND AND WATER CONSERVATION BOARD
OFFICERS TELECONFERENCE MEETING
OCTOBER 25, 2011**

**Room 212, 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 9:05 a.m. Cupp confirmed with Price that the meeting was publicly noticed, as required. Other LWCB Officers present at the meeting by telephone were Tom Rudolph, LWCB Vice-Chair, and Denny Caneff, LWCB Secretary. Richard Castelnovo, Jim VandenBrook, John Petty, and Lori Price, 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 Finalize cover memo for the August 2, 2011, forum minutes, and discuss any policy recommendations as a result of the forum

The group reviewed the draft memo with changes from DATCP staff. Caneff will contact Fred Hageman with DNR to clarify the number of permitted acres in the state that receives the three forms of septage waste. He will also make the changes discussed at today's meeting and then circulate the revised memo to the LWCB Officers for final review before sending it out with the forum minutes.

The Officers discussed possible policy recommendations as a result of the August 2nd forum on Land-Applied Wastes from Municipal, Septic, and Industrial Sources. The following three policy recommendations will be brought before the LWCB at the December meeting: better tracking and documentation on septage spreading needs to be done; search to clarify the human health considerations regarding spreading of septage; and require all septage to be treated at waste water treatment plants. Castelnovo commented that ATCP 50 is now open for revision and suggested the rule might be changed to accommodate some of these recommendations. VandenBrook suggested that the NR rules on septage could be better harmonized. Cupp added that any policy recommendations will be sent out separate from the forum minutes.

Item #3 Discuss forum ideas for 2012

The LWCB officers identified the following forum ideas and will ask the LWCB and advisors to rank their top three ideas:

- Frack sand mining and its impacts on water and air quality, erosion and other resource management concerns
- Trading (or adaptive management) of water pollution emissions
- Challenges with zoning and regulations regarding non-traditional, small-scale livestock operations
- Groundwater quality concerns, such as high nitrate levels in the Central Sands area

- Groundwater quantity concerns, such as draw down of high capacity wells
- Preserving farmland--looking ahead 50 years
- Invasive species with a focus on terrestrial invasive species
- Metallic mining and its impacts on resources
- Revisit staffing grant formula as a result of state budget lapse

The LWCB members and advisors will be asked to submit their rankings by the middle of November. The top three ideas will then be brought before the LWCB at the December meeting for a final decision. Both Cupp and Rudolph talked about upcoming conferences on frack sand mining. The Officers agreed that even though this issue is being addressed at two other events, the LWCB could hold a forum on this topic that would look at this issue in regards to the county land and water resource management plans, which would draw a different audience (county LCDs).

Item #4 Discuss criteria for 10-year land and water resource management plan review

Castelnuovo reviewed each of the key issues in the December LWCB meeting draft agenda item on “Establishing criteria for 10 year approval of land and water resource management plans including approval 5 year extension” and asked for clarification on Caneff’s changes. There was discussion on the purpose of the 10-year plan outlook and what the 5-year work plan and 5-year review would try to accomplish. There were suggestions about how counties could manage dramatic changes within the 5-year plan approval period including the county’s option to submit a new plan. Cupp requested staff to update the agenda item based on today’s discussion and send it out with the December meeting materials.

Item #5 Review draft agenda for December 6, 2011, LWCB meeting

The LWCB Officers reviewed the draft December 6th meeting agenda and moved items around in order to accommodate a possible lengthy discussion on the preliminary joint allocation plan in the afternoon. Also, the “Report on the 2010 Program Accomplishments by Counties” agenda item was removed and will be put on the February 2012 meeting agenda.

Adjourn

There being no further business before the committee, Rudolph moved to adjourn the meeting and Cupp seconded the motion. The motion passed, and the meeting adjourned at 10:30 a.m.

Respectfully submitted,

Denny Caneff, Secretary

Date

Recorder: LP



State of Wisconsin

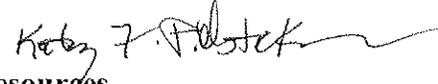
Land and Water Conservation Board

AGENDA ITEM 3

CORRESPONDENCE/MEMORANDUM _____ STATE OF WISCONSIN

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

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

SUBJECT: Establishing Criteria for 10-year Approval of Land and Water Resource Management Plans Including Approval 5-year Extensions

Recommendation: This is an action item. Staff requests that the Land and Water Conservation Board (LWCB) establish criteria for the approval of Land and Water Resource Management (LWRM) plans for a 10 year period, as now allowed by ATCP 50.12(5), including criteria to grant a 5 year extension for plans approved for a 5 year period.

Background: When adopted in 2002, ATCP 50.12 ushered in new requirements for approval of county LWRM Plans including a provision that plans can be approved “for a specified period of time that shall not exceed 5 years, subject to conditions that the department specifies in the order.”

In 2004, members of the LWCB and DATCP staff evaluated plans submitted under these new rules. The purpose of the evaluation was to identify planning requirements that needed clarification and develop a set of recommendations to ensure that county plans were thoroughly and fairly evaluated. The recommendations to improve work plans included requirements that the county set priorities for goals, objectives and activities, and specify anticipated outcomes for high priority activities using measurable benchmarks (e.g. nutrient management plans covering 25,000 acres, 25 farmers trained, streams reclassified to a higher use, etc.). In addition, the Board recommended that counties identify priority farms using a systematic approach that focuses on geography (e.g. watersheds), resource issues (e.g. farms with high nutrient runoff) and other appropriate factors that enable counties to implement the performance standards and other high priority activities.

In August 2007, the Board revisited the questions about how counties were meeting required elements in LWRM plans. DATCP explained that 2004 recommendations created more consistency in plans and made plan review easier, but noted that counties still used various approaches to meeting work plan requirements, particularly in the case of benchmarking priority activities. No further action was taken to address this issue. In managing this issue, DATCP plan reviewers continued to remain flexible in applying the recommendations to meet county needs while recognizing the intent of the recommendations.

At its June 3, 2008 meeting, the Board was asked to recognize the benefits of a 10 year plan horizon and to recommend a method for providing a 10 year approval of LWRM plans. A survey of the county LCDs indicated that counties wanted 10 year plans and were prepared to implement 10-year plan horizons. DATCP staff offered two options:

1. Have a county prepare a 10-year plan, and then grant a 5-year approval period with the understanding that the county could seek a 5-year extension to the approved plan.
2. Have a county prepare a 10-year plan, and then grant a 10-year approval, providing the authority to update the plan through a scaled-down formal process during the ten year approval period.

The Board considered the following reasons for adoption of the first option: (1) ATCP 50 currently only authorized DATCP to approve LWRM plans for 5 years, (2) this approach allowed counties the most flexibility, enabling counties that needed to make mid-course corrections an option to modify their plans and allowing those counties a simple process to extend their plans needed to make mid-course corrections. Staff recommended counties seeking an extension be required to submit an updated work plan. The Board recommended the first option, allowing counties to write their Land and Water resource management plans for a 10-year period with a 5-year approval and a 5-year extension request.

From June 2008 to October 2011, the Board received plans with both 5 and 10 year planning horizons, and always recommended approval of plans for no more than 5 years, leaving open the option for those counties with 10 year plans to seek an extension. During this same period, DATCP continued to issue orders approving plans for 5 years, and included no reference in these orders to conditions upon which an extension would be granted.

Effective August 1, 2011, ATCP 50.12(5) was amended to allow DATCP to “approve a plan for a specified period of time that shall not exceed 10 years, subject to conditions that the department specifies in the order.” (Emphasis added)

At the October 4, 2011, LWCB meeting, the Board considered a 10 year approval of a plan prepared by Florence County for a 5 year horizon. After deliberation, the Board recommended a 5 year approval of the plan. By consensus, the Board agreed to put the question of 10 year plan approvals on its next agenda and asked for DATCP staff to provide input. At the same meeting the Board tabled two plans – for Oneida and Forest Counties – in order to allow these counties time to develop more specific, measurable benchmarks.

Analysis: The following is staff analysis of the key issues:

I. Improve measures of anticipated county performance required in LWRM plans and work plans

A. Options:

1. Retain the current system for identifying and benchmarking high priority activities.
2. Retain the current systems for identifying high priority farms.
3. Provide counties examples of appropriate benchmarks of activities for use in developing work plans.
4. Expand the requirement for identifying and benchmarking activities to include specific benchmarks and targets for the following activities if appropriate for the county:
 - a. Implementation of performance standards for farms
 - b. Implementation of stormwater management and related urban standards
 - c. Farmland Preservation conservation compliance
 - d. Groundwater and/or Karst concerns
 - e. Permit and ordinance administration
 - f. Lake and stream protection (e.g. shoreline protected, invasive species management)
 - g. Watershed protection (e.g. Phosphorus reduction/trading, TMDL, Nitrogen management)
 - h. Program evaluation and monitoring
 - i. Spending of state cost-share funds

5. Require priority farm strategies include a detailed explanation that shows how the strategy will enable the county to make reasonable progress in implementing all high priority activities (including locally established priorities)

B. Staff Recommendation:

Staff recommends that the Board strengthen requirements for benchmarking and priority farm strategies to facilitate the 5 year review of county's implementation activities. The Board should augment the current system by adopting options 3, 4, and 5, and any other additional provisions it deems appropriate to facilitate reviews. Without improvements in these areas, the Board will not be able to effectively review plan implementation at 5 year intervals. The Board should identify examples of acceptable benchmarking of priority activities and direct DATCP staff to share these examples with counties.

II. Establish standards for a 10 year approval of LWRM plans, and alternatives for counties that fail to meet these standards

A. Options:

1. Revised plans may be considered for 10 year approval if the strategic and work plan documents meet the current requirements for benchmarking high priority activities and the description of the priority farm strategies, with the understanding that counties continue to submit updated work plans with their annual grant applications to reflect any changes in activities and priorities.
2. Revised plans may be considered for 10 year approval only if the strategic and work plan documents meet the enhanced requirements for benchmarking high priority activities and the description of the priority farm strategies (see Nos. I.A.4 & 5), with the understanding that counties continue to submit updated work plans with their annual grant applications to reflect any changes in activities and priorities.
3. Revised plans may be considered for 10 year approval as long as the county requests a 10 year approval.
4. Revised plans may be considered for 10 year approval only if they are developed with the intent to cover a 10 year planning horizon. The intent for a 10 year horizon may be evidenced by language in the planning documents satisfying one or more of the following:
 - a. The local advisory committee specifically considered this longer horizon when they made their recommendations
 - b. The planning documents make a reasonable attempt to identify and analyze resource needs for a period of at least 10 years into the future.
 - c. The planning documents make a reasonable attempt to forecast applicable trends for a period of at least 10 years into the future.
 - d. The planning documents make a reasonable attempt to identify existing and anticipated priorities, with the understanding that changes are likely within the 10 year planning period.
 - e. The plan describes the process for reviewing and updating objectives and activities during the 10 year period, including a five year review before the LWCB (see III and IV below).
5. If a revised plan fails to meet the standards for a 10 year approval, the LWCB will recommend approval of the plan for a 5 year period, with option to secure an extension for 5 years.

B. Staff Recommendation:

Staff recommends that the Board define specific standards for 10 year plan approvals that include new requirements identified in options 2 and 4. The Board should not recommend a 10 year approval if the

county's plan is identical to other plans previously approved only for 5 years. County plans should merit 10 year approval only if they reflect an effort to plan for 10 year period and the county provides solid measures to evaluate performance. Counties that fail to meet the standards for 10 year approval should only receive a 5 year approval, with the option to request a 5 year extension. As an overall goal, staff believes that the criteria should allow county's flexibility in meeting the criteria for 10 year plan approvals, and the Board should focus more on establishing a 5 year review process that effectively evaluates a county's progress in reaching its planned goals, objectives and activities.

III. Establish county reporting obligations to LWCB for plans approved for a 10 year period

A. Options:

1. Counties will only be required to submit updated work plans to DATCP as part of the annual grant application process if they have changes in their anticipated activities and priorities.
2. At the 5 year mark, counties will be required to present an update to the LWCB to account for progress in implementing their plan, and such a requirement will be written into the order granting a 10 year approval.
3. Option 2 may be combined with any of the following additional requirements:
 - (a) The Board will compare benchmarked activities and county performance in a systematic manner to determine performance.
 - (b) As part of a peer review process, Board may assign another county to help evaluate the performance of the county whose plan is up for review.
 - (c) The Board may require counties, if appropriate, to prepare written revisions to parts of their planning documents to reflect a changed focus.

B. Staff Recommendation:

Staff recommends that the Board adopt option 2. The 5 year plan review should be seen as constructive process to help counties reflect on their efforts, and make voluntary changes in their work plans to more precisely target their work. Staff is concerned about recommending Option 3 without considering the additional workload it may impose on all involved including the LWCB.

IV. Establish a process for counties with 5 year plan approvals to extend their approval for an additional 5 years, and in effect secure a 10 year approval

A. Options:

1. Counties will only be required to submit updated work plans to DATCP as part of the annual grant application process if they have changes in their anticipated activities and priorities.
2. Counties will be required to present an update to the LWCB to account for progress in implementing their plan at a specified interval.
3. Option 2 may be combined with any of the following additional requirements:
 - b. The Board will compare benchmarked activities and county performance in a systematic manner to determine performance.
 - c. As part of a peer review process, Board may assign another county to help evaluate the performance of the county whose plan is up for review.
 - d. The Board may require counties if appropriate to prepare written revisions to parts of their planning documents to reflect a changed focus.
4. Option 2 should include additional steps to reflect that the county, in its original planning documents, has not met the more rigorous requirements for 10 year approval identified in Nos. I and II above. Additional requirements may include county board approval of the 5 year extension request based on the county board's consideration of updated work plan that includes benchmarks

for the activities listed in No. I.A.4. However, establishment and use of a Citizen's Advisory Committee would not be required for a 5 year extension request.

B. Staff Recommendation:

Staff recommends that the Board adopt options 2 and 4. If option 4 is not adopted, the board will unfairly impose greater requirements for counties to obtain 10 year approval than for counties to obtain 5 year extension after 5 year approval. Option 4 will equalize the requirements and not create a loophole to avoid accountability. Staff is concerned about recommending Option 3 without considering the additional workload it may impose on all involved including the LWCB.

Note: Separate from the above criteria for 5 year plan extensions, DATCP staff will continue the past practice of recommending up to a 4 year extension of a currently approved 5 year LWRM plan in order to coordinate LWRM plan development with Farmland Preservation Program (FPP) plan development. Coordinating FPP and LWRM plan development reduces duplication of effort by county staff. As a condition of these extensions, the county must provide an updated workplan meeting the enhanced requirements chosen in Option A.I. above.

Presenter: Dennis Presser, Jim VandenBrook and Richard Castelnuovo, DATCP



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 4

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *Forest County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *Forest County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *Forest 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 Forest County, including the implementation strategy for performance standards and priority farms, are discussed.

Forest County held a public hearing on August 30, 2011, as part of their public input and review process. The Forest County Land & Water Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

DATCP staff has reviewed the *Forest 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 *Forest County Land and Water Resource Management Plan*.

At its October meeting the LWCB requested that Forest County revise its work plan and include additional information. As requested, Forest County revised its work plan.

Materials Provided:

- Revised *Forest County Land and Water Resource Management Plan* workplan and budget
- Revised Plan Review Checklist

Presenters: Cindy Gretzinger, Forest County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: Forest

Date Plan Submitted to DATCP For Review: 29 June 2011

Preliminary Review Date: 7 July 2011

Final Review Date: 1 November 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? **Inside cover, p. 9, Att. G & H**
 [s. ATCP 50.12(3)(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? **Attachment F**
 [ss. 92.10(6)(c); ATCP 50.12(4)(a)]

If yes, list the date(s) of the public hearing(s): 30 August 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: **Ch. 3, pp. 11-28**

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.

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? **Ch. 3, pp. 20-26, Attachments A, B & C**

c) soil erosion conditions?

*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. **Ch. 3, pp. 26-28, Attachment D***

[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. 33-41**

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? **Pp. 8,**
[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. 26-28, Attachment D**

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? **Pp. 4, 29, 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? **Pp. 29-30, Attachment J**
 [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?
- c) [ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] **Attachment K**
- d) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 29-30**
 [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)? **Revised work plan**
- 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)] **Revised work plan**
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)] **Revised work plan**
12. Does multi-year description of planned activities identify the expected costs for activities based on a reasonable assessment of available funding and resources?
Revised work plan
 [ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

REGULATIONS FOR PLAN IMPLEMENTATION

YES **NO**

13. Does the plan describe in reasonable detail:
- a) state and local regulations that the county will use to implement the county plan? **P. 42**
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? **P. 42**

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. 34-41, 45**

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. 11-15, 46**

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)] **Pp. 34-41, 43-44**

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: 7 September 2011 Staff Signature 

2012-2016 WORK PLAN

Chapter 6

Based upon the resource concerns identified by the CAC, the resource information available, and the TAC, the Work Plan was updated from the 2006-2011 plan. Goals, objectives, and actions in the Work Plan are listed in priority order. This 2012-2016 Work Plan will focus LWCD activities on an annual basis with regular reviews by the LWCC.

The LWCD along with agency partners will implement the action items listed in the Work Plan as staff and funding become available.

The LWCD has available staff to complete most of the Work Plan activities.

The estimated costs listed in the *Estimated Annual LWCD Staff Hours/Cost* column are annual hours projected to be used by staff to complete the objectives. Costs listed are based upon salary and fringe benefits of LWCD staff in 2011 dollars. Information strategy implementation production costs for Work Plan activities are coming from other departments and therefore are not listed.

The *Measurement Tools for County Departments* column provides targeted actions that represent measurable outcomes to each goal. LWCD staff will use these actions to determine progress on each Work Plan activity on an annual basis.

General administrative activities, including grant, financial, personnel management, and information and education activities listed in Chapter 9 are not included in the LWCD staff hours. We anticipate using 1,820 hours (one FTE) to perform these activities at an estimated cost of \$62,600 annually based upon salary and fringe benefits in 2011 dollars.

Goal 1: Slow the spread of non-native invasive species.

(Anticipated Outcome – To protect native ecosystems.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Control aquatic, non-native, invasive species.				
	1. Seek second DNR grant to cost share a part-time aquatic invasive species position to coordinate county activities. 2. Work with FCAL to coordinate and monitor invasive control & education activities.	LWCD, Forestry AIS Coordinator, LWCD, Zoning, UWEX	252 hours \$5,900 120 hours \$3,000	Apply for and implement DNR 1 grant of \$50,000 annually. Attend 12 meetings of FCAL per year. Create and maintain county database. Make 2 presentations. Attend at least 6 local lake association meetings annually.
B. Control terrestrial, non-native, invasive species.				
	1. Distribute educational materials for terrestrial invasive species to the general public by posting online. 2. Encourage National Forest to manage forest to curtail spread of invasive species. 3. Continue participation with Wild Rivers Invasive Species Coalition (WRISC) across Forest, Florence, and Marinette Counties.	LWCD, Forest County Lakes Association, AIS Coordinator Forestry, County Board LWCD, Forestry, AIS Coordinator, DNR, UWEX, Zoning	184 hours \$4,300 40 hours \$1,000	Provide information on LWCD website update as needed to keep site current. Distribute 500 pieces of educational materials to 10 public places annually. Send 3 attendees annually to Conservation Congress Meetings. Attend minimum of 6 meetings of WRISC. Distribute materials to USFS, lake associations, 3 bait shops, Forest County Area Chamber, and local county libraries.
	4. Use non-invasive species soil stabilizing seed stock.	Highway, LWCD Zoning, Forestry, UWEX	8 hours \$200	Meet with Highway Commissioner twice annually.

(Continued on next page.)

	5. Encourage farmers to plant food plots with non-invasive forage plants.	NRCS, LWCD, UWEX	8 hours	\$200	Create fact sheet with names of non-invasive forage plants and place on LWCD website. Provide info. in UWEX newsletter.
	6. Seek grants or other funding sources to offer cost sharing on shoreline restoration practices.	LWCD, Zoning NRCS, UWEX, DNR	20 hours	\$400	Seek at least one DNR grant of \$20,000 annually. Continue providing letters of support as requested.

Goal 2: Maintain a healthy and vigorous forest.

(Anticipated Outcome – Promote forest consumption through proper silvicultural activities and various recreational pursuits.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Encourage sustainable forestry practices on private and public lands.				
	1. Have Forest Service coordinate their Forest Management plan with all county and local plans to manage the forest for multiple uses and harvest the resource to the greatest extent possible.	County Board, Forestry		Invite representatives of Forest Service to attend one county board meeting annually. Have county and local plans available to the public in office and online.
	2. Support forestry groups such as Wisconsin Productivity Council, Trees for Tomorrow, Wisconsin Woodland Owners, Forestry Industry Safety Training Alliance (FISTA), and Wisconsin County Forests Association.	DNR, Forestry, LWCD	8 hours	\$200 Attend 4 Wisconsin County Forestry Association meetings annually. Attend an additional 4 meetings forestry related annually.
	3. Provide private woodland owners with information about BMPs through existing FISTA workshops.	DNR, USFS, Forestry, LWCD, NRCS, UWEX	8 hours	\$200 Provide BMP updates to loggers annually who bid on timber sales.
	4. Provide input on USFS forestry management plan implementation.	Forestry		Attend annual meetings with the USFS.

(Continued on next page.)

Forest County Land and Water Resource Management Plan – Work Plan 2012-2016

<p>B. Reduce erosion and habitat degradation from unauthorized ATV use.</p>			<p>Forestry, Sheriff, ATV Clubs</p>	<p>Attend a minimum of 6 meetings annually of local ATV clubs. Distribute 10,000 Forest County ATV Maps annually. Distribute 500 Nicolet State Trail maps and Wolf River State Trail maps annually. Update maps annually.</p>
<p>C. Reduce illegal garbage dumping on commercial, county, state, and federal forest lands.</p>			<p>Zoning, Towns</p>	<p>Coordinate 5 garbage drop-off sites throughout County.</p>
			<p>UWEX, Forestry, DNR, USFS, Zoning</p>	<p>Provide fact sheet of places of drop off sites in County.</p>
			<p>Sheriff, Forestry, DNR, USFS</p>	<p>Continue enforcement in 13 towns and City of Crandon.</p>
			<p>Forestry, DNR, USFS, Private Land Owners</p>	<p>Advertise in 2 newspapers of spring and fall clean up days.</p>
			<p>Zoning</p>	<p>Monitor and review one contract annually.</p>
<p>D. Encourage landowners and land management agencies to properly construct and maintain roads.</p>				
			<p>Highway, DNR, USFS, Towns, LWCD, UWEX, FISTA</p>	<p>Highway to host annual training workshop for towns. LWCD to meet with Highway Committee annually.</p>
	<p>8 hours</p>	<p>\$200</p>		
<p>1. Work with towns and industry to design proper road and culvert design to prevent erosion.</p>				

Goal 3: Protect shoreland areas.

(Anticipated Outcome – Minimize water quality degradation from land disturbing activities.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Promote best management practices to restore and maintain riparian habitat.				
	1. Seek second DNR grant to cost share a part-time aquatic invasive species position to coordinate county activities.	LWCD, Forestry	(Already accounted under Goal 1, A, 1.)	Apply for and implement DNR 1 grant of \$50,000 annually.
	2. Develop a habitat restoration web page for riparian property owners to use.	LWCD, NRCS, UWEX, DNR, Forest County Lakes Assoc.	16 hours \$400	Habitat restoration webpage accessible on county and FCAL websites.
	3. Provide sources of information for riparian property owners at the library.	LWCD, NRCS, UWEX	8 hours \$200	Refresh brochure racks and reservable CD-ROM at 3 libraries in County.
	4. Hold educational workshop to teach contractors, real estate agents, and riparian owners about natural shoreline restoration practices.	LWCD, NRCS, UWEX, DNR, Forest County Lakes Assoc.	184 hours \$4,300	Annual workshop attended by 5 contractors, 3 real estate agents, and 5 lake association boards.
B. Promote shoreland stewardship.				
	1. Distribute AIS placemats to restaurants, and provide brochures at festivals and libraries.	AIS Coordinator, LWCD, Zoning, Lake Associations	40 hours \$1,000	Distribute 10,000 AIS placemats to 20 local restaurants/bars. Present information at 3 festivals, and within all 3 county libraries.
	2. Furnish educational handout explaining shoreland zoning, and post it online.	Zoning, LWCD, NCWRPC, UWEX	8 hours \$200	Educational handout available in office and online.
	3. Provide a contact list to landowners of agencies that regulate shorelands and wetlands, and post it online.	Zoning, LWCD, DNR, Towns, UWEX	8 hours \$200	Contact list available to landowners in office and online.

(Continued on next page.)

C. Protect critical habitats and reduce development pressures on small, more sensitive water bodies.						Encourage all lake associations to apply for lake grants, and offer letters of support as requested.
D. Reduce eutrophication.						Talk with 3 clubs annually.
	1. Assist lake associations with applying for DNR lake grants.	LWCD, DNR	8 hours	\$200		
	1. Promote Title 3 applications among various service clubs.	USFS-RAC				

Goal 4: Reduce phosphorus loading to surface waters.

(Anticipated Outcome – Maintain or improve existing water quality.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Reduce phosphorus from septic systems.				
	1. Educate landowners through mailings and newspaper articles on septic system maintenance.	UWEX, Zoning, LWCD,	15 hours \$330	Provide fact sheet, place on county website, distribute to 15 public places
	2. Continue enforcement and inspections at the county level.	Zoning, LWCD	8 hours \$168	Provide 1,200 inspections annually.
	3. Encourage local technical college to train more sanitary inspectors.	Zoning, LWCD, UWEX	2 hours \$42	Contact the college annually to support more training.
B. Reduce phosphorus pollution from lawns.				
	1. Set up information displays at local stores selling lawn fertilizer.	LWCD, UWEX	92 hours \$2,150	Create and install 3 displays annually.
	2. Encourage retailers to sell "no phosphorus" fertilizers.	LWCD, UWEX	92 hours \$2,150	Meet with 3 store managers annually.
	3. Educate landowners via press releases or news stories that phosphorus fertilizer is not allowed in shoreland areas.	LWCD, UWEX	92 hours \$2,150	2 press releases annually, 1 info sheet on county website, make available to lake associations online and in LCS office

(Continued on next page.)

C. Control soil erosion.		NRCS, LWCD	92 hours \$2,150	Hold annual spring workshop for homeowners. Post publications on County and FCAL websites, and make publications available in each local library. Annual workshop attended by 5 contractors, 3 real estate agents, and 5 lake association boards.
1. Educate landowners on proper erosion control by distributing educational information when possible.				
2. Hold educational workshop to teach contractors, real estate agents, and riparian owners about natural shoreline restoration practices.		LWCD, NRCS, UWEX, DNR, Forest County Lakes Assoc.	(Already accounted under Goal 3, A, 4.)	
3. Support adequate zoning staff levels.		County Board		Maintain or add hours to staff the zoning department.
4. Promote construction site erosion control on all riparian sites.		LWCD, Zoning	92 hours \$2,150	Provide BMP brochure to every riparian site applicant.

Goal 5: Promote well planned development.

(Anticipated Outcome – Implement the Comprehensive Plan to minimize negative impacts on land and water resources.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Implement local and county comprehensive plans.				
1. Provide necessary technical information to local units of government for planning efforts.		LWCD, Zoning, NCWRPC	184 hours \$4,300	Review and revise county zoning ordinance. Provide zoning assistance to 4 towns.

Goal 6: Reduce mining impacts on water resources.

(Anticipated Outcome – Ready to act on mining proposals.)

Objective (Highest priority listed first)	Activities (Highest priority listed first)	Responsible Agencies (Lead agency in bold)	Estimated Annual LWCD Staff Hours/Cost	Measurement Tools For County Departments
A. Maintain working knowledge of mining laws.				
B. Non-metallic mining administration.	1. Create a countywide mining ordinance.	Zoning, LWCC		Create and adopt ordinance.
	1. Administer non-metallic mining ordinance.	LWCD, LWCC	300 hours \$6,300	Annually review and administer 18 non-metallic mine permits.

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *Oneida County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *Oneida County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *Oneida 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 Oneida County, including the implementation strategy for performance standards and priority farms, are discussed.

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

Oneida County held a public hearing on August 8, 2011, as part of their public input and review process. The Oneida County Land & Water Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

DATCP staff has reviewed the *Oneida 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 *Oneida County Land and Water Resource Management Plan*.

Materials Provided:

- Revised Plan Review Checklist
- Revised *Oneida County Land and Water Resource Management Plan* workplan and budget

Presenters: Dan Kuzlik, Interim Oneida County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: Oneida

Date Plan Submitted to DATCP For Review: 29 June 2011

Preliminary Review Date: 30 June 2011 Final Review Date: 1 November 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? Pp. 1-2, 7-10
 [s. ATCP 50.12(3)(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? Pp. 2, 12, Attachment F
 [ss. 92.10(6)(c); ATCP 50.12(4)(a)]

If yes, list the date(s) of the public hearing(s): 8 August 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: **Ch. 3, Appendix A,**

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.

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? **Pp. 22-28**

c) soil erosion conditions?

*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. **Pp. 17-20, 28-30, Attachment D***

[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. 7-12**

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? **Pp. 7-12**

[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. 7-12**

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? **Pp. 4, 32**

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? **Pp. 31-33, Attachment J**
 [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?
 [ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] **Attachment K**
- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 31-32**
 [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)? **Revised work plan**
- 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)] **Revised work plan**
11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above? **Revised work plan**
 [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? **Revised work plan**
 [ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

REGULATIONS FOR PLAN IMPLEMENTATION

YES

NO

13. Does the plan describe in reasonable detail:

a) state and local regulations that the county will use to implement the county plan? **Pp. 31-33, 53, Attachment J**

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 31-33, Att. J**

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. 10-12, 29, 31, 35, 37, 39-50, 56**

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. 39-50, 57**

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)] **Pp. 39-50, 54-55**

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: 8 September 2011

Staff Signature



See Chapter 10 Glossary for definitions of abbreviations used here.

Goal 1: Slow the spread of invasive species.
(Anticipated Outcome – Native ecosystem protection.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Agencies-Partnerships (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Quantitative Measurement
A. Control non-native aquatic invasive species.			3,150 hrs, \$87,885	
	1. Seek DNR grants and other sources of funding to assist with prevention, education & control of non-native aquatic invasive species	LWCD, UWEX, DNR	100	Seek a minimum of 2 grants, equating at least \$50,000 per year
	2. Educate shoreland owners, users, and boaters on non-native aquatic invasive species issues	LWCD, UWEX, DNR, OCLRA	1200	6 workshops, 6 presentations, 10 media releases, and attendance at 10 community events per year
	3. Pursue and support research that could improve knowledge and understanding of invasive species life cycles, habitat preferences, management and control methods	LWCD, UWEX, DNR	80	Attend 1 state waters convention, participate in 2 research projects, and develop 1 research project per year
	4. Implement and use approved techniques and data from research when possible	LWCD, DNR	60	Apply current research and techniques to 2 lakes per year
	5. Implement Oneida County Strategic Plan	LWCD, UWEX, DNR, OCLRA	1396	5 goals involving 36 actions
	6. Encourage volunteers to participate in Clean Boats, Clean Waters boat landing inspections	LWCD, UWEX, DNR	30	2 workshops, recruit 30 volunteers per year
	7. Assist DNR with obtaining volunteers to monitor lakes in Oneida County for the Citizen Lake Monitoring program	LWCD, UWEX	30	2 workshops, recruit 20 volunteers per year
	8. Maintain and update database of lakes with non-native invasive species, including the mapping of those species	LWCD, UWEX, DNR	80	Map & maintain database for 10 lakes per year & involve 5 lake associations

(Continue on next page)

Oneida County Land and Water Resource Management Plan – 2012-2016 Work Plan

	9. Assist lake associations/districts and local units of government with obtaining DNR grants to educate, prevent, and control non-native aquatic invasive species	LWCD, UWEX, DNR, OCLRA	30	Provide 5 letters of support, assist in 2 grant proposals per year
	10. Stay current and updated on issues of non-native aquatic invasive species; remain active with professional organizations and groups	LWCD, UWEX	64	Attend 2 state-level meetings, 4 regional meetings, and 8 local meetings per year
	11. Maintain or improve on the working relationship with the media as a way to distribute information	LWCD, UWEX	80	Work with 3 radio stations, 2 TV stations, and 4 newspapers per year, 12 news releases annually
B. Control non-native terrestrial invasive species.			252 hrs, \$7,185	
	1. Distribute educational materials for general public regarding non-native terrestrial invasive species	LWCD, UWEX, Forestry, DNR	8	Distribute 300 pieces of educational materials to 6 public places annually
	2. Provide information through presentations and/or press releases	LWCD, UWEX, DNR	72	Hold 3 presentations & 5 press releases annually
	3. Encourage the use of native plant species for soil stabilization on road right of ways	Highway	4	Meet with Hwy Commissioner 2 times annually
	4. Encourage the use of Invasive Species Best Management Practices for Transportation and Utility Rights of Way	Highway	4	Meet with Hwy Commissioner 2 times annually
	5. Encourage the use of Best Management Practices for Preventing the Spread of Invasive Species by Outdoor Recreation Activities in Wisconsin	DNR, Forestry	8	Meet with Co. Forester 2 times/yr, attend 2 meetings of trail users groups, distribute BMP electronically to 20
	6. Have representation in WHIP	LWCD, RC&D	60	Attend 12 meetings of WHIP Steering Committee
	7. Create non-native terrestrial invasive species map in Oneida County	LWCD, NCWRPC, WHIP, Land Info. Dept.	20	Create/maintain 1 map for terrestrial invasive species
	8. Web page identification assistance	LWCD, NCWRPC	22	Information on 10 invasive species identification
	9. Remain updated and current on issues of non-native terrestrial invasive species	LWCD	12	Attend 2 workshops a year Attend 2 WHIP functions

(Continue on next page)

Oneida County Land and Water Resource Management Plan – 2012-2016 Work Plan

10. Provide information to foresters, loggers, natural resource managers, private wood lot owners, elected officials, and others on the impacts of non-native terrestrial invasive species to woodland habitat	DNR, LWCD, WHIP	8	Work with WHIP to provide 300 packets of terrestrial invasive species information
11. Maintain or improve on the working relationship with the media as a way to distribute information	LWCD, UWEX, DNR	8	Create working relationships with 2 newspaper reporters, 1 TV reporter, 3 radio reporters
12. Encourage volunteers to monitor for non-native terrestrial invasive species	LWCD	14	Recruit 10 volunteers annually
13. Support efforts that eliminate the spread of non-native terrestrial invasive species in the distribution of gravel, rock and sand	LWCD, Highway	12	Send information packets to 50 owners/operators of non-metallic mines

Goal 2: Protect shoreland areas.

(Anticipated Outcome – Minimize impacts from land disturbance activities.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Assist P&Z to implement revised NR 115			40 hours, \$1,140	
1. Provide technical assistance to at least six landowners with mitigation requirements		P&Z, LWCD, UWEX,	38	Meet with P&Z 6 times annually, site visits to 6 landowners
2. Make available a list of native plants of the area to landowners		LWCD, P&Z	2	Provide 50 copies of plant list annually to P&Z
B. Increase compliance and education of current ordinances and waterway classifications.			75 hrs, \$2,138	
1. Work with P&Z to develop at least one shoreland zoning fact sheet, and publish online to encourage compliance with the non-agricultural performance standards and prohibitions		P&Z, LWCD	65	Meet with P&Z staff 4 times annually to create 1 fact sheet(s), add 1 document to P&Z website, add 1 document to LWCD website

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	2. Target distribution of information to OCLRA, lake associations and districts, absentee landowners, developers, contractors and real estate agents, by online publication	LWCD, UWEX, DNR, OCLRA	10	Electronically mail information to 150 prospective persons & 25 groups/businesses
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Goal 3: Restore shorelands.

(Anticipated Outcome – Create shoreland buffers to reduce non-point source pollution.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Encourage landowners to establish shoreland buffers.			1,500 hrs, \$42,765	
	1. Seek State funding to provide cost sharing to at least six riparian landowners	LWCD, DATCP	20	Funding for 6 landowners, 2 riparian buffers to be included
	2. Provide technical expertise to implement at least six shoreland projects on a minimum of 1000 feet of shoreline	LWCD, DATCP	1321	1000' of shoreline, 500 feet of riparian buffers included
	3. Seek funding to hold workshops for landowners, contractors and agency staff on proper techniques and practices for shorelines and buffers	LWCD	20	1 workshop held annually for 50 participants
	4. Assist in research and development of at least one demonstration site(s) on a lakeshore	LWCD, DATCP, DNR	40	1 demonstration site
	5. Maintain or improve knowledge of new products, techniques, regulations, etc by attending professional development workshops, conventions, conferences, etc.	LWCD, UWEX	75	Attend 1 workshop, 1 convention, 1 conference annually
	6. Share techniques used in shoreland restoration with colleagues	LWCD	16	Meet 2 times annually with 4 adjacent counties

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Oneida County Land and Water Resource Management Plan – 2012-2016 Work Plan

	7. Encourage utilization of compost products generated by yard waste, currently available at the Oneida County landfill.	LWCD, Solid Waste	8	Distribute 50 informational sheets to 35 homeowners and 15 businesses
B. Educate riparian residents on the importance of shoreland buffers			250 hrs, \$7,128	
	1. Work with OCLRA and at least three lake associations/districts to provide and develop educational information. Submit related articles for newsletter	LWCD, UWEX, OCLRA	180	2 articles annually for newsletters, work with 3 lake associations, develop 2 info documents annually
	2. Distribute information packets to riparian owners	LWCD, UWEX, P&Z	30	1000 packets
	3. Provide information to local media and various agency newsletters regarding shoreland issues	LWCD, UWEX	16	Create 2 articles annually for newsletters, 4 news releases annually
	4. Encourage landowners to visit Oneida County web page to learn about shoreland restoration.	LWCD, P&Z, UWEX	4	Provide links to 12 entities for LWCD website
	5. Develop information for landowners required to create mitigation plans	LWCD, P&Z	20	Create 1 information packet to be distributed to 50 owners
C. Protect shoreland habitats from land development.			2 hrs, \$57	
	1. Work with landowners to utilize easements, land trusts, and incentive payments to protect critical areas	Northwoods Land Trust	2	Communicate with Northwoods Land Trust 1 time annually for updates

Goal 4: Reduce sources of nonpoint source water pollution.

(Anticipated Outcome- Maintain and improve existing water quality.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Inform contractors, developers, and citizens about construction site erosion control.			75 hrs, \$2,138	
	1. Distribute a fact sheet regarding construction site erosion control to at least 35 contractors or landscapers.	LWCD, P&Z,	10	1 time a year distribute fact sheet to 35 contractors & landscapers
	2. Seek funding to hold workshops for contractors on proper techniques and practices for shorelines and buffers on lakes	LWCD, P&Z,	65	Seek funding to hold 1 workshop annually for 50 participants
B. Assist agricultural producers on proper nutrient management, conservation plan development, and agricultural Best Management Practices (BMP's)			150 hrs, \$4,277	
	1. Create a list of agriculture producers in the county	LWCD, NRCS, UWEX, P&Z, DATCP	70	Create and maintain 1 list of agriculture producers
	2. Implement Agricultural BMPs on voluntary producers	LWCD, DATCP, NRCS	20	Inform and implement BMPs on 2 producers
	3. Prepare or review nutrient management and pest management plans for landowners and land users	NRCS, LWCD	30	2 nutrient management plans, 2 pest management plans
	4. Investigate creating a county animal waste storage and livestock siting ordinance	P&Z, LWCD, DATCP	20	Create 1 ordinance
	5. Investigate septic effluent land spreading on water quality	LWCC	10	Create 1 document

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Oneida County Land and Water Resource Management Plan – 2012-2016 Work Plan

C. Promote rotational grazing to protect surface and ground water.				60 hrs, \$1,711	
	1. Provide information to local farmers regarding pasture walks in the area.	LWCD	5		Research & provide 3 local farmers with information
	2. Develop a rotational grazing plan for one farmer in the county	LWCD, DATCP, NRCS,	55		Develop 1 plan annually
D. Reduce pollution from stormwater runoff in developed areas.			54 hrs, \$1,540		
	1. Provide guidance and/or technical assistance for two local units of government on storm water management	DNR, LWCD, P&Z	20		Send information to 21 towns & 1 city, provide assistance to 2 local units
	2. Assist local units of government in Storm Water Pollution Prevention Plans (SWPPP)	LWCD, DNR	20		Send information to 21 towns & 1 city, provide asst to 1
	3. Encourage local units of government to apply for stormwater management funding through DNR's Targeted Runoff Management Program (TRM)	DNR, P&Z, LWCD	4		Send information to 21 towns & 1 city
	4. Encourage landowners to use rain gardens and rain barrels. Provide information and technical assistance to those interested	LWCD	10		Provide information to 50 landowners, assist 5 with implementation annually
E. Educate the public on sources of urban pollution.			18 hrs, \$513		
	1. Distribute existing publications and provide information for two local media outlets and at 3 public locations.	UWEX, LWCD, DNR	8		Distribute 10 different publications to 2 local media and 3 public locations annually
	2. Create a link from LWCD web page to DNR website on Runoff Management	LWCD, NCRPC	2		Provide 1 separate link
	3. Assist local units of government by helping distribute fact sheets to the public	LWCD	8		Contact 21 towns & 1 city, distribute 200 fact sheets

Goal 5: Educate public about groundwater quality.

(Anticipated Outcome – Maintain groundwater for human consumption.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Properly maintain septic systems.			40 hrs, \$1,140	
	1. Work with two lake associations to require replacement of failing septic systems	P&Z, UWEX, LWCD, DNR	20	Work with 2 lake associations & 1 lake district
	2. Inventory all on-site septic systems regardless of age to ensure proper maintenance	P&Z,	2	Meet with P&Z 1 time a year for updates
	3. Educate landowners through mailings, and local media	P&Z, UWEX, LWCD, DNR	16	1 press release annually, 1 info sheet on county website, create & distribute 25 flyers for public places
	4. Work with area septic service companies to provide information	P&Z,	2	Meet with P&Z 1 time a year for updates
B. Properly maintain wells.			40 hrs, \$1,140	
	1. Educate landowners about proper well monitoring	Health, UWEX, LWCD, DNR	5	Educate 20 landowners annually, create fact sheet for website
	2. Offer technical and financial assistance to properly abandon 3 wells	LWCD, DATCP	35	1 press release annually, assist with 3 wells annually
C. Encourage landowners to enhance or restore degraded wetlands.			58 hrs, \$1,654	
	1. Educate local units of government on the importance of protecting wetlands within their community at their towns association meeting	DNR, LWCD, UWEX	8	Provide 21 towns, 1 city with 1 created info packet, provide towns association with 1 packet, updates 1/year
	2. Utilize available grant programs to provide cost sharing for wetland restorations	LWCD, NRCS	40	Pursue grant(s) for 1 wetland restorations annually
	3. Work with conservation groups/organizations to explore educational possibilities	LWCD, UWEX, DNR,	10	Work with 2 groups annually

Goal 6: Protect lake ecosystems from recreational pressure degradation.
(Anticipated Outcome – Maintain healthy lake ecosystems.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Educate lake users on techniques to prevent damage to sensitive lake ecosystems.			80 hrs, \$2,281	
	1. Work with OCLRA, at least three lake associations/districts, and at least 300 lake users to identify environmentally sensitive areas on lakes	LWCD, UWEX, OCLRA, DNR	60	Work w/ 1 county lake association, 3 lake groups, 300 lake users, visit 3 major recreational lakes
	2. Educate lake users through local media	DNR, UWEX, LWCD	5	1 press release annually
	3. Encourage boaters' safety courses to include a section on environmental stewardship	DNR, UWEX, Sheriff	5	Meet with instructors 1 time year
	4. Encourage local governments to adopt boating ordinances	Lake Assoc./Districts, LWCD	10	Contact 20 lake associations/districts

Goal 7: Improve forest silviculture for multiple uses.

(Anticipated Outcome – Maintain a healthy vigorous forest, while also providing for wildlife habitat, water quality, and recreation.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Improve forest management to control sediment, erosion and protect habitat cover types			20 hrs, \$570	
	1. Encourage ten private landowners to use professional forestry assistance	DNR, FISTA	8	Distribute 120 publications to 6 public places,
	2. Promote teacher use of DNR Environmental Education for Kids (EEK) program	DNR	4	Include 1 publication with 50 mailings of Speaking & Poster contest information
	3. Promote use of Forestry Best Management Practices (BMPs.)	DNR, FISTA	8	Distribute 120 publications to 6 similar public places
B. Control illegal garbage dumping on commercial, county, state, and federal forestlands			8 hrs, \$228	
	1. Continue a tire recycling program	Solid Waste	2	1 program, meet 1 time/year w/ Solid Waste for updates
	2. Support volunteers and groups to assist with clean up along roadways in the county	Highway	4	Meet with Hwy Commissioner 2 times/year
	3. Help promote and support the "Clean Sweep" program	Solid Waste	2	1 program, meet 1 time/year w/ Solid Waste for updates
C. Reduce erosion and habitat degradation caused by trail use.			24 hrs, \$684	
	1. Assist clubs by providing educational materials for users	Forestry	8	Distribute 120 publications to 6 similar public places
	2. Provide technical assistance for erosion problems	LWCD, DATCP	16	Create 1 fact sheet, attend 1 club meeting, 1 trail assessment annually

Goal 8: Promote on-line resource information distribution.

(Anticipated Outcome – More informed public on land & water resource management issues.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Establish a natural resources web page.			72 hrs, \$2,053	
	1. Provide information about land & water resource management and educational information relating to all the goals in the plan	LWCD, ITS, UWEX	20	Information on all 10 goals, distribute electronic copies of LWRM Plan to 20 resource managers/professionals
	2. Establish county webpage for LWCD services	LWCD, ITS, UWEX	40	Create & update 1 webpage for LWCD
	3. Provide links from LWCD webpage to DNR & UWEX shoreland restoration web sites	LWCD, ITS, UWEX	4	Provide 1 separate link for DNR, provide 1 separate link for UWEX
	4. Provide links from LWCD webpage to various organizations and agencies such as UWEX-Lakes, OCLRA, WHIP, NRCS, DATCP, etc.	LWCD, ITS, UWEX	4	Provide 12 links to other natural resource sites & pursue additional links annually
	5. Provide a contact list of resource professionals	LWCD, ITS, UWEX	4	Provide list of 20 resource professionals, update list annually

Goal 9: Minimize impacts on our natural resources from mining activities.

(Anticipated Outcome – Restore mining sites to their natural conditions.)

Objective (Highest priorities in bold)	Activities (Highest priorities in bold)	Responsible Agencies (Lead agency in bold)	Estimated Staff Hours/Cost Needed	Measurement Tools
A. Reclaim abandoned mining sites for wildlife habitat, improved aesthetics, and other post-mining uses.			38 hrs, \$1,083	
	1. Provide technical assistance to restore abandoned mining sites	P&Z, DNR, LWCD	16	Site visits to 3 non metallic mining sites annually
	2. Encourage the use of native plant species for soil stabilization and re-vegetation at mining sites	P&Z, LWCD	12	Provide 1 list of native vegetation suitable for mining sites, meet with P&Z 1 time a year
	3. Encourage the use of Wisconsin's Forestry Best Management Practices for Invasive Species (WFBMPIS)	P&Z, LWCD	8	Provide 1 copy of BMP to 25 mine owners/operators and P&Z, meet with P&Z 1 time a year

Goal 10: Reduce wildlife conflicts.

(Anticipated Outcome – Less crop damage from wildlife.)

Objective (Highest priority in bold)	Activities (Highest priority in bold)	Responsible Agencies (Lead agency in bold)	Estimated LWCD Staff Hours/Cost Needed	Measurement Tools
A. Reduce wildlife damage to crops.			28 hrs, \$798	
	1. Provide technical assistance to at least four commercial landowners on abatement measures to reduce or prevent wildlife damage to crops	APHIS-WS LWCD, DNR,	8	Assistance to 4 commercial landowners, meet w/ APHIS 4 times annually for updates
	2. Promote and educate the public on Wildlife Damage Program issues.	LWCD, DNR	8	Provide information on LWCD website, distribute 120 publications to 6 similar public places
	3. Crop damage assessment	APHIS-WS LWCD, DNR	8	Meet with APHIS-WS 4 times a year for updates
	4. Continue participating in DNR deer processing/donation program	LWCD, DNR	4	Recruit 2 participating meat processors annually
B. Provide input to DNR & Conservation Congress about hunting and harvesting goals for large game.			16 hrs, \$456	
	1. Annually attend DNR meeting prior to the spring Conservation Congress meeting	LWCD, DNR	8	4 attendees annually
	2. Attend Conservation Congress Meeting to express concerns and vote on issues presented	LWCD, DNR	8	4 attendees annually



State of Wisconsin

Land and Water Conservation Board

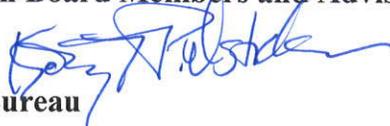
AGENDA ITEM 5

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *La Crosse County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *La Crosse County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *La Crosse 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 La Crosse County, including the implementation strategy for performance standards and priority farms, are discussed.

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

La Crosse County held a public hearing on September 20, 2011, as part of their public input and review process. The La Crosse County Land Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

DATCP staff has reviewed the *La Crosse 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 *La Crosse County Land and Water Resource Management Plan*.

Materials Provided:

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

Presenters: Greg Stangl, La Crosse County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: La Crosse

Date Plan Submitted to DATCP For Review: 25 August, 2011

Preliminary Review Date: 26 August, 2011 Final Review Date: 4 November 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? Pp. Summary-2, Ch 1-3 [s. ATCP 50.12(3)(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): September 20, 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. Ch. 3

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? Ch. 3, pp. 1-19, 22

c) soil erosion conditions?

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)] Ch. 3, pp. 14-21

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? Ch. 3, p. 13

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake?

[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? Ch. 3, p. 16

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? Ch. 5, p. 2

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? Ch. 4, pp. 1-6, Ch. 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?
[ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] Ch. 4, pp. 4-5
- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04?
[ss. 92.10(6)(a)4.;ATCP 50.12(2)(g)] Ch. 5, pp. 1-6, Appendix

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. 1-7, 5-11, 6-4, 7-1
 - 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. 1-7, 5-11, 6-4, 7-1
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. 1-7, 5-11, 6-4, 7-1
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. 1-7, 5-11, 6-4, 7-1
[ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

REGULATIONS FOR PLAN IMPLEMENTATION

YES **NO**

13. Does the plan describe in reasonable detail:
- a) state and local regulations that the county will use to implement the county plan? **Ch. 4, pp. 1-4, Ch. 6, pp 1- 3, Ch. 7**
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? **Ch. 4, pp. 1-6, App.**

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)] **Ch. 5, pp. 6-8, Ch. 6 p. 2, 4, Appendix**

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)] **Ch. 3, p. 18, Ch. 5, pp. 5-10**

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)] **Pp. 3-13 to 3-19, Ch. 5 pp. 10-11**

SUMMARY

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

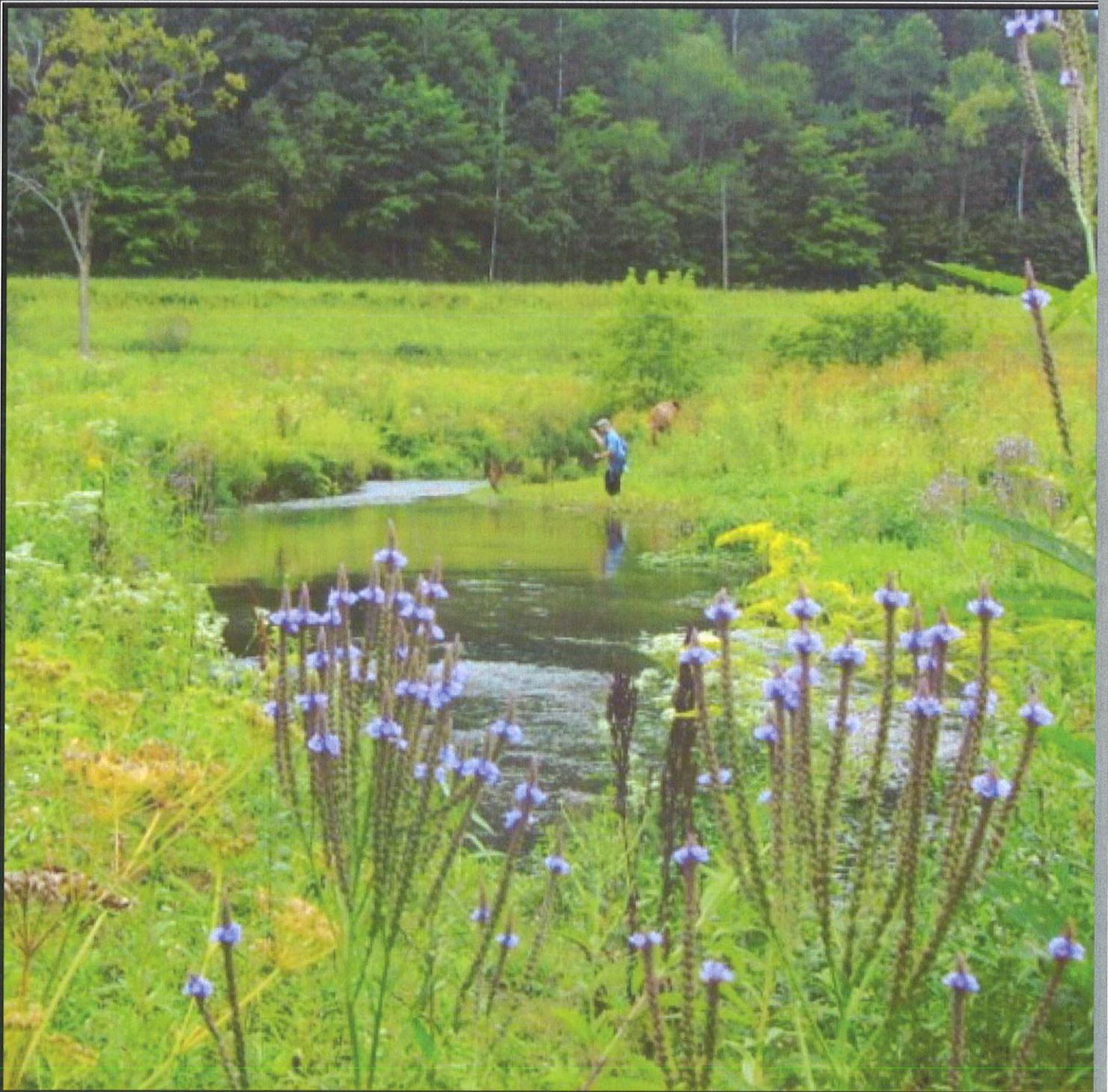
18. Staff has reviewed the plan based on the criteria required in ss. ATCP 50.12 and ATCP 50.30 (3) and s. 92.10 (6), Stats. and recommend approval of this plan.

Date Reviewed: 3 November 2011 **Staff Signature** 

La Crosse County

Land & Water Resource Management Plan

2012 - 2016



La Crosse County Land and Water Resource Management Plan 2012-2016

Acknowledgements

Prepared and Implemented by the La Crosse Department of Land Conservation:

Gregg Stangl, Land Conservation Director
Robert Nelson, Conservation Specialist
Sue Sheehan, Land Conservation Technician
Matt Hanewall, Conservation Specialist
Mary Jo Webster, Conservation Specialist
Bruce Olson, Conservation Specialist
Kurt Pederson, Conservation Specialist

Local Advisory Committee Members:

Gregg Stangl, Director, Department of Land Conservation
Cindy Koperski, DNR, Program & Planning Analyst
Steve Huntzicker, UWEXT, Agricultural Agent
Greg Yakle, NRCS, District Conservationist

Mary Jo Webster, Conservation Specialist
Jeff Bluske, Director, Land Use and Zoning
Karl Green, UWEX, CNRED Agent
Kurt Rasmussen, DNR, Wastewater Specialist
Bob Nelson, Conservation Specialist, Department of Land Conservation
Jake Vande Berg, Farm Service Agency

Planning Resource and Development Committee:

Don Meyer, Chair
Marilyn Pedretti
Bev Mach
Dennis Manthei
Donald Bina
Tina Wehrs
Bob Keil
Marlane Anderson, FSA

PLAN SUMMARY

La Crosse County sits in the heart of the un-glaciated region of Wisconsin. The landscape here consists of towering bluffs and vast coulees that provide panoramic views of contoured farm fields, wooded hillsides and clear running streams. Bordered by the Mississippi River to the west and the Black River to the north, La Crosse County is rich in high quality natural resources. Diverse and complex ecosystems thrive here. La Crosse County and the Coulee Region support many rare plants and animals that are only found in this part of the state. This abundance of natural resources and beauty has led the La Crosse area to be known as "God's Country". Over 130,000 people choose to live here and many more come to visit, primarily because the quality of life the area has to offer is unmatched. The natural resources base of this area contributes mightily to that desire to be a part of God's Country.

The La Crosse County Department of Land Conservation has been charged with the responsibility of protecting and enhancing the soil and water resources of the county. In conjunction with our conservation partners, Department of Natural Resources, (DNR) Natural Resources Conservation Service (NRCS) and Department of Agriculture, Trade and Consumer Protection, (DATCP) we develop and administer programs that provide technical, planning and financial assistance to landowners that cooperatively implement conservation measures that protect soil and water resources. The purpose of the La Crosse County Land and Water Resource Management Plan is to:

- Identify and prioritize natural resources issues and concerns for La Crosse County
- Develop a coordinated effort to resolve those issues and concerns
- Provide guidance for cooperating agencies to assist in implementing the plan
- Develop activities, goals and objectives that give clear direction for implementation of the plan
- Obtain financial assistance to implement the Land and Water Resource Management Plan

This plan relies heavily on the assumption that state and federal monies will be available to the Department of Land Conservation to systematically implement the major goals and objectives established by the La Crosse County Planning, Resources and Development Committee. It is imperative that there be adequate staff hours to fulfill the time commitments required to address the needs of the county's valued natural resources. The Wisconsin Department of Agriculture, Trade and Consumer Protection must also re-evaluate their allocation of staffing grants to counties. Those counties that fully participate in DATCP programs and give preference to meeting their goals should be considered for priority staff funding over those counties that do not. The Department of Natural Resources also needs to make a stronger financial commitment to counties who are mandated to implement storm water management and construction site erosion control ordinances. Unfunded mandates such as NR 216 puts stress on those local units of government that, by WPDES permit, are obligated to implement a program that requires hiring well-trained staff and to expend additional financial resources.

Funding for cost share assistance to cooperating landowners will be a necessity to provide incentive for conservation program participation. The Department of Land Conservation is required to provide cost share assistance when implementing the rules of NR 151. Providing financial assistance for those participating in the state's Farmland Preservation Program is not required but incentive money will be critical in achieving conservation compliance by the 2015 deadline.

Abbreviated Table of Contents

- Chapter 1: Background, Plan Development, Citizen Participation, Public Input, Plan Oversight, Funding and Mandates, Program of Work, Estimated Program Costs
- Chapter 2: 2007-2011 Plan Accomplishments
- Chapter 3: Basins, Watersheds, Water Quality Assessment-Goals and Standards, Water Quality Monitoring, Topography, Land Use, Soil Erosion Conditions, Water Quality Assessment Schedule
- Chapter 4: Agricultural Performance Standards- NR 151, ATCP 51, County Activities Subject to Regulation- Chapter 23, Permits, Enforcement, Technical Requirements
- Chapter 5: Agricultural Performance Standards Implementation, Prioritizing for Compliance, Priority Farms-Farmland Preservation Program, Targeted Watersheds, Financial and Technical Assistance Policies, Cost Share Sources, Information and Education, Nutrient Management, FPP Self Certification, Basin and LWRM Plan Coordination, Tracking and Monitoring, Intergovernmental Cooperation, Agricultural Performance Standards Implementation Schedule
- Chapter 6: Urban Performance Standards Implementation, Urban Land Use Assessment, NR 151 Non-Agricultural Performance Standards, NR 216 Storm Water Discharge Permits, Non-Agricultural Performance Standards Implementation, NR 216 Implementation, Urban Performance Standards Implementation Schedule
- Chapter 7: Non-Metallic Mining Ordinance, County Reclamation Program, Non-Metallic Mining Ordinance Schedule

Chapter 1: Introduction

Background: This plan is a revision of the 2007-2011 La Crosse County Land and Water Resources Management Plan. This plan is in response to Wisconsin 1997 Acts 27 and 1999 Act 9 which amended Chapter 92 to require counties to develop and implement Land and Water Resources Management plans.

Plan Development: The La Crosse County Department of Land Conservation convened a meeting of cooperating agencies in May of 2011 to review natural resources data and discuss current resource management issues in La Crosse County. Representatives from the Department of Natural Resources, Natural Resources Conservation Service, Farm Service Agency and UW-Extension were in attendance.

Citizen Participation: Land Conservation Department staff held several citizen participation meetings throughout La Crosse County to solicit public input regarding natural resources issues and concerns and how DLC staff can address them through program administration. For urban related issues, an environmental educator was hired to meet with contractors, builders, homeowners and realtors to gauge the department's effectiveness in construction site erosion control and storm water management programs and solicit ideas to make improvements.

Public Participation: A public hearing regarding the contents, goals and objectives of the La Crosse County revised Land and Water Resources Management Plan was held on Tuesday, September 20th, 2011 at 6:30 pm in the La Crosse County Administrative Building, 400 4th Street North, Room B190, La Crosse, WI 54601.

Plan Oversight: The La Crosse County Planning, Resources and Development Committee has approved procedures for the implementation and any revisions of this plan.

Funding and Mandates: The DLC details concerns about LWRMP implementation when state grant funds for staff is steadily decreasing.

Program of Work: The Department of Land Conservation has two primary areas of work which consist of rural programs and urban based programs. The department has trained staff that assists the public with wide-ranging issues that may involve animal waste management or complex storm water runoff control in an urbanized area. The Department of Land Conservation has 7 full-time employees. The Department has 14,430 available staff hours annually.

Estimated Program Costs: Department staff has estimated that it will cost \$2,877,703.00 to implement this plan with the State of Wisconsin providing \$717,633.00 and La Crosse County providing \$2,160,070.00 over the five year period.

Chapter 2: 2007-2011 Plan Accomplishments

2007-2011 Plan Accomplishments: Records indicate that the DLC was successful in obtaining all of the “high priority” goals and objectives for both the agriculture and urban programs and nearly accomplished all of the other goals set by the PR&D Committee.

Chapter 3: Water Quality Assessment

Basins: La Crosse County contains two primary watershed basins; the Black River Basin and the LaCrosse-Bad Axe River Basin. Both of these basins drain to the Upper Mississippi River Watershed Basin.

Watersheds: La Crosse County has many diverse sub-watersheds. Many of them are considered to be high value resources that support cold-water sport fisheries. Other watersheds often support warm-water sport fisheries and receive high levels of recreation from fishing to canoeing and kayaking as well as swimming and recreational boating.

Water Quality Goals and Standards: The PR&D Committee has established goals for the County’s water resources that are in line with other County Departments, State and Federal Agencies and based on scientific research. The committee has established the following water quality parameters; total phosphorus- 0.05 mg/L or less, fecal coliform bacteria-1000 colonies/100 ml and dissolved oxygen-not less than 5 mg/L of water at any time of the year, not less than 6 mg/L of water for streams supporting a cold water sport fishery and no less than 7 mg/L of water during trout spawning seasons.

Water Quality Monitoring-Performance Standards: La Crosse County has operated an extensive stream water quality monitoring station since 1995. The DLC staff also regularly monitors 27 of the County’s largest sub-watersheds to watch for possible pollution from agricultural sources and get a general idea of the overall health of the County’s streams.

Topography, Land Use, Soil Erosion Conditions: La Crosse County is located in the heart of Wisconsin’s drift-less region. It consists of steep bluffs and deep coulees covered by rich and fertile, wind-blown silt loam. There are 170,000 acres of farmland in the county, most of which is cropped for feeding dairy cattle or for cash grain. Much of the farmed acres are steep slopes that are susceptible to soil erosion and animal waste runoff. It is estimated that the County’s average erosion rate is 4.2 tons/ac/yr compared to the County’s average “tolerable” soil loss rate of 4.5 tons/ac/yr.

Water Quality Assessment Schedule: The DLC has established a schedule for monitoring the County’s water resources over the next five years and have estimated the associated costs at \$57,411.00.

Chapter 4: Agricultural Performance Standards

State Agricultural Performance Standards, NR 151: It is the intent of this plan and the DLC to implement the state’s agriculture performance standards and prohibitions and incorporate the practices in all department activities and programs.

ATCP 51: La Crosse County, by way of a zoning ordinance, regulates the number of animal units that a landowner may keep on their property before needing to obtain permits. The County’s limit is 200 animal units for new and expanding operations or a 20% increase in animal units for existing operations with more than 200 animal units. The DLC uses the ATCP 51 Livestock Facility Siting Application and rule process to review affected farming operations.

County Activities Subject to Regulation, Chapter 23: La Crosse County adopted an Animal Waste Management Ordinance in 1998. The ordinance regulates the construction and operation of both animal feedlots and manure storage facilities. The ordinance incorporates and enforces the Agriculture Performance Standards and Prohibitions of NR 151.

Permits: Permits are required for the construction of new manure storage facilities and feedlots. Notices of non-compliance may be issued for existing feedlots and storage facilities that do not meet ag performance standards and prohibitions.

Enforcement: La Crosse County can take enforcement and appeals action for non-conforming pre-existing regulated activities by way of the Animal Waste Management Ordinance-Chapter 23.

Technical Requirements: The Department of Land Conservation utilizes the Best Management Practices as listed in ATCP 50 Subchapter VIII. Conservation practice installation is also done in accordance with the USDA-NRCS Field Office Technical Guide.

Chapter 5: Agricultural Performance Standards Implementation

Prioritizing for Compliance: Agricultural facilities that are new or expanding and sites previously determined to be non-compliant with the agriculture performance standards will be given highest priority for technical and financial assistance when enforcing the state ag performance standards under NR 151.

Priority Farms, Farmland Preservation Program: La Crosse County is zoned as exclusive agriculture. There are currently 261 participants in the FPP in the county. All participants will be required to be in full compliance with NR 151 ag performance standards to remain eligible to receive the program tax credit. DLC staff will provide planning and technical assistance and privileged financial assistance for those program participants who wish to stay eligible for the program. They are the DLC's highest priority farms.

Targeted Watersheds: The DLC participates in the DNR's Targeted Runoff Management grant program to correct agriculture related water quality issues. The Department targets watersheds with degraded water quality that are listed by the DNR as an impaired water body. These watershed projects, when active, are given a high priority.

Financial And Technical Assistance Policies: The Department of Land Conservation will allocate limited financial assistance monies to those landowners who are 1. in the Farmland Preservation Program and are found to be non-compliant. 2. Those landowners seeking to voluntarily comply with the NR 151 ag performance standards. 3. those who are facing enforcement actions due to noncompliance issues and are considered a threat to the health and safety of the general public and aquatic life. Technical assistance policies mirrors those for financial assistance. No assistance, financial or technical is given to those applying for a permit under ATCP 51.

Cost Share Resources: La Crosse County utilizes the following sources to provide cost share assistance to landowners who participate in county conservation programs; La Crosse County Environmental Fund, DATCP's Soil and Water Resource Management Program, DNR's Targeted Runoff Management grant program and the USDA-NRCS Environmental Quality Incentive Program.

Information and Education Program: The Department of Land Conservation will work with UW-Extension Services to develop and implement an effective educational program for rural landowners and will continue to have town hall meetings regarding program updates.

Nutrient Management: Land Conservation staff, in conjunction with NRCS and UW-Extension, will continue to provide nutrient management planning assistance for farmers who need to remain in compliance with conservation standards. The private sector businesses that provide soil testing services have not increase staff to meet the demand for more soil sampling and nutrient management planning services. The DLC will attempt to assist with the nutrient management plan writing until the workload exceeds staff capacity.

FPP Self Certification: La Crosse County provides a self-certification process for FPP participants to easily certify their compliance with the ag performance standards and prohibitions.

Basin and LWRM Plan Coordination: The Department of Land Conservation and Department of Natural Resources will continue to work cooperatively to develop and implement strategies that address local water resources concerns.

FPP and Tracking: Department staff will monitor conservation compliance requirements for FPP participants with mandatory annual crop reporting and on site spot-checks once every four years.

Intergovernmental Cooperation: The La Crosse County Land and Water Resource Management Plan relies on the cooperation of departments and agencies at the Town, County, State and Federal level. The DLC will continue this relationship when implementing the plan.

Agricultural Performance Standards Implementation Schedule- Objectives, Actions, Dates, Costs: This plan sets program goals, anticipated actions and dates and highly subjective estimated costs.

Chapter 6: Urban Performance Standards Implementation

Urban Land Use Assessment: Urban sprawl around the La Crosse Metro Area continues to convert agricultural lands. The recent economic slow-down has stymied the conversion of farmland to residential and hobby farm uses. There are over

2400 undeveloped lots available in La Crosse County, enough to supply the expected growth in the County for the next 25 years.

NR 151 Non Agricultural Performance Standards for Construction Site Erosion Control and Storm Water Management: The La Crosse County Land and Water Resource Management Plan references the Best Management Practices as listed in Subchapter III of NR 151. These BMP's are assumed to provide an 80% reduction in sediment load on construction sites.

NR 216 Storm Water Discharge Permits: La Crosse County is listed as a municipal separate storm sewer system (MS4) and is required to obtain a Wisconsin Pollution Discharge Elimination System permit.

Non Agricultural Performance Standards Implementation: The La Crosse County Board of Supervisors approved the Post-Construction Storm Water Management Ordinance in November of 2008. The ordinance controls erosion and storm water runoff from construction sites that are an acre in size or larger.

NR 216- Implementation of MS4 Requirements: This plan describes the details for implementing the requirements of the County's WPDES permit including Public Information and Outreach, Illicit Discharge Detection and Elimination, Construction Site Pollutant Control, Post-construction Site Storm Water Management and Pollution Prevention/Good Housekeeping.

Chapter 7: Non-Metallic Mining Ordinance

County Reclamation Program: La Crosse County has established a mine reclamation program to regulate 17 non-metallic mines which include 190 active acres. The program requires mine owners and operators obtain permits with the submittal of a mine reclamation plan and provide financial assurance until the mine is completely reclaimed. Annually, DLC staff inspects the mines and reports the active acres at each site.

APPENDIX

PROGRAM ADMINISTRATION SCHEDULE 2012 - 2016

36 % TOTAL PROGRAM HOURS 5,195	ACTIVITY	OBJECTIVE	DATES	5 YEAR PROJECTED COSTS	
				COUNTY (1)	STATE (2)
DLC	Administration of all Department programs (see program of work Rural and Urban) including County Forest timber harvests and forest properties maintenance. Administration includes meetings and prep for meetings reporting, budget management, personnel management, grant applications, coordination with other agencies and units of government, and general assistance to the public. Includes holidays, sick leave and vacation.	Coordinate programs with County Board, DNR, NRCS, DATCP, UWEX	2012-2016		
Total Cost				\$775,042	\$258,347

- (1) Based on 2011 salary and fringe for program administration. Includes operating expenses/supplies and county cost sharing to implement all sections of the LWRMP. Does not include matching revenues / expenditures.
- (2) Based on 2011 SWRM staff and supply (operating expense) reimbursement.

WATER QUALITY ASSESSMENT SCHEDULE 2012 – 2016

2.0 % TOTAL PROGRAM HOURS 289	ACTIVITY	OBJECTIVE	DATES	PROJECTED COSTS*	
				COUNTY (1)	STATE (2)
DLC	Conduct quarterly sampling of 24 county watersheds	Obtain water quality data to establish county priorities and water quality baseline	2012-2016		
DLC	Maintain monitoring station and collect data as required from Dutch Creek monitoring station	Obtain water quality data to establish county priorities and water quality baseline	2012-2016		
DLC	Submit samples to health lab for analysis	Obtain water quality data to establish county priorities and water quality baseline	2012-2016		
DLC, DNR	Coordinate exchange data with DNR	Obtain water quality data to establish county priorities and water quality baseline	2012-2016		
DLC	Analyze data, prioritize surface water bodies for planning purposes.	Prioritize watersheds	2012-2016		
DLC	Report annually to the PR&D monitoring program data	Obtain water quality data to establish county priorities and water quality baseline	2012-2016		
Total				\$43,059	\$14,352

*Based on 2011 costs includes salary, fringe and administrative supplies to implement this section of the LWRMP

- (1) Based on 2011 staff costs only to implement this section of the LWRMP.
- (2) Based on 2011 SWRM staff and supply reimbursement

Priority Activities Objectives Material Frequency Who

MEETINGS			12	13	14	15	16
1) Pork Producers Twilight	Perf. Stds. Handouts	Handouts	1	1	1	1	1
2) Holstein Breeders Twilight	Perf. Stds. Handouts	Handouts	1	1	1	1	1
3) Towns Association	Permits / Performance Standards	Handouts	1	1	1	1	1
4) Farm Bureau	Water Quality Info (monthly & annual meetings)	Power Point / Display / Discussion of Perf. Stds	1	1	1	1	1
5) Croplands	Performance Standards	Handouts	1	1	1	1	1
6) WTC	Bring teachers up-to-date	Power Point / Materials	1	1	1	1	1
NOTIFICATIONS							
1) Town Boards	Update on Permits & Perf. Stds.	Handouts / Mail	1	1	1	1	1
2) Ag Building Contractors	Permit Regulations	Handouts / Mail	1	1	1	1	1
3) FSA Newsletter	Performance Standards	Articles	1	1	1	1	1
4) Farm Bureau	Perf. Stds / Newsletters	Articles / Handouts	1	1	1	1	1
5) Post brochures at Ag Service Center, Co-op, etc.	Performance Standards / Permits	Handouts	1	1	1	1	1

AGRICULTURAL PERFORMANCE STANDARD IMPLEMENTATION SCHEDULE

40 % TOTAL PROGRAM HOURS 5,772	ACTIVITY <u>High Priority Activities are in Bold Print</u>	OBJECTIVE	DATES	5 YR PROJECTED COSTS	
				COUNTY (1)	STATE (2)
DLC	Conduct determinations of compliance with Ag. Performance Standards for an estimated 261 FPP participants by 2015. See "FPP Tracking"	Make determinations on an estimated 50 participants per year.	2012-2015		
DLC	Maintain FPP participants land use decisions in GIS for monitoring purposes	Improve water quality, implement performance standards	2012-2016		
DLC	Develop schedules of compliance for FPP participants not meeting ag performance standards	Improve water quality, implement performance standards	2012-2014		
DLC	Amend Chapter 23 Animal Waste Management Ordinance	Improve water quality, implement performance standards	2013		
DLC	Work towards full compliance of agricultural performance standards based on the general priorities as indicated within the LWRMP work plan	Improve water quality, implement performance standards	2012-2016		
DLC	Conduct annual spot checks of 65 FPP participants to ensure compliance with conservation standards	Improve water quality, implement performance standards	2012-2016		
DLC	Implement information education activities as indicated in figure 5-3	Improve landowner awareness of NR 151, ATCP 50, ATCP 51 and Chapter 23 requirements	2012-2016		
DLC, NRCS	Participate in Local Work Group meetings	Coordination	2012-2016		
DLC	Update / Maintain Department Web-site. Include new materials developed for new I&E program	Increase landowner knowledge of performance standards	2012-2016		
DLC, NRCS, UWEXT	Enroll 75 landowners into NPM workshops where financial assistance is received, conduct annual NPM workshops	Improve water quality, implement performance standards	2012-2016		
DLC	Mail out self-certification forms to FPP participants, within targeted watersheds and others as necessary	Implement priority farms strategy	2012-2016		
Total Cost				\$861,157	\$287,053

(1) Based on 2011 staff costs only to implement this section of the LWRMP.

(2) Based on 2011 SWRM staff and supply reimbursement.

URBAN PERFORMANCE STANDARDS SCHEDULE

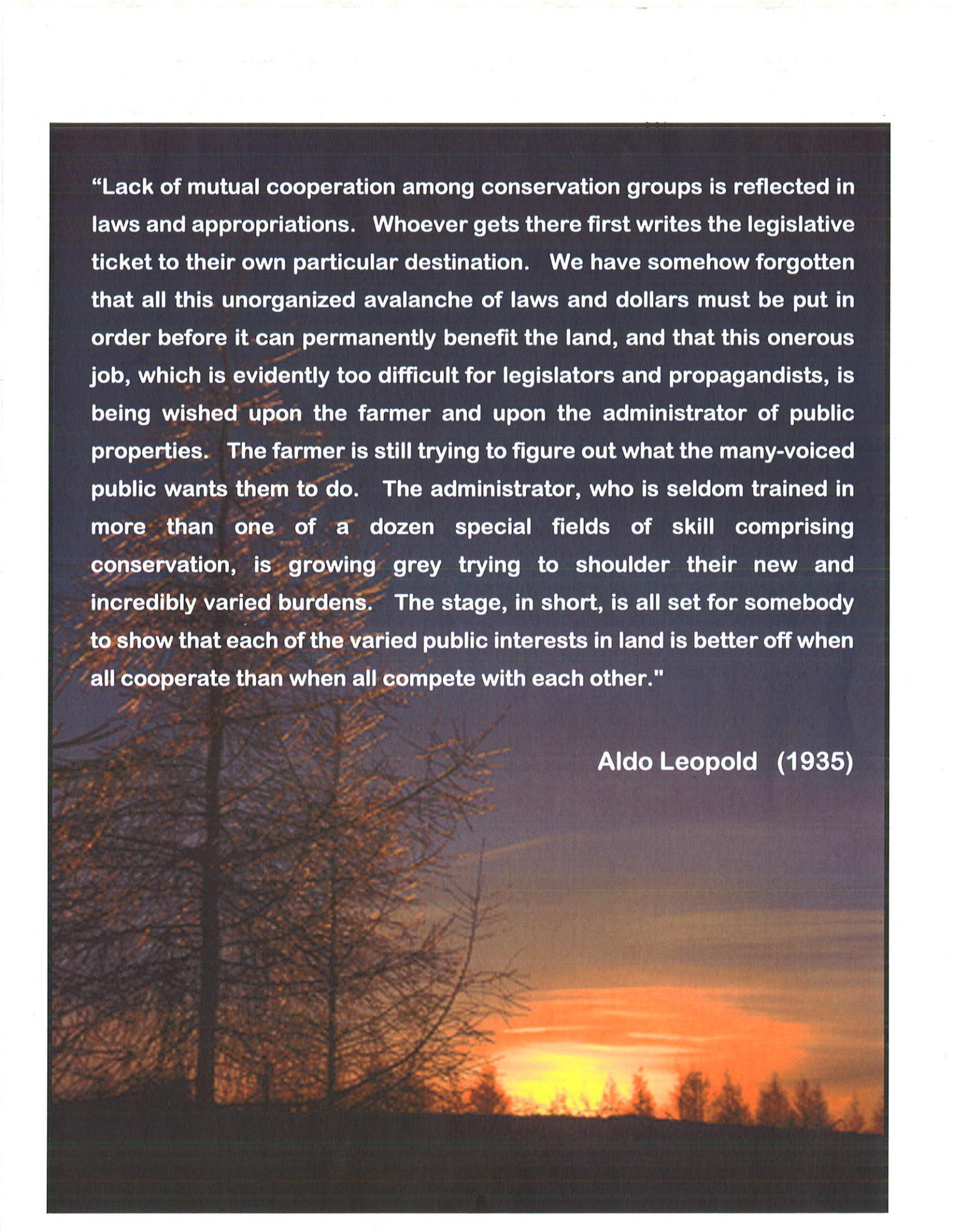
21.0 % TOTAL PROGRAM HOURS 3,030	ACTIVITY	OBJECTIVE	DATES	5 YEAR PROJECTED COSTS	
				COUNTY (1)	STATE (2)
DLC	Review 10 plat plans and sites, issue 600 erosion control permits and conduct 500 inspections and enforcement activities per chapter 21	Implement Chapter 21	2012-2016		
La Crosse Co.	Identify areas of illicit discharge under NR 216	Implement storm water management program	2012		
DLC, UWEX	Promote storm water BMP's through 3 field demos	Promote storm water education	2012-2016		
DLC, UWEX	Hold 5 workshops on County Stormwater Management Ordinance	Implement storm water management program	2012-2016		
UWEX, DLC	Coordinate storm water I&E efforts with other MS4's	Implement storm water management program	2012-2016		
DLC	Educate landowners regarding shoreline and Streambank erosion	Promote storm water education	2012-2016		
DLC	Provide construction site erosion control training to other County LCD staff	Promote storm water education	2012-2016		
DLC	Assist Land Information and Zoning with conditional use permit reviews	Implement Chapter 21	2012-2016		
DLC	Integrate tracking of urban permitted sites with GIS	Implement Chapter 21	2012-2016		
Total Costs				\$452,107	\$150,703

(1) Based on 2011 staff costs only to implement this section of the LWRMP.

(2) Based on 2011 SWRM staff and supply grant award

OBJECTIVES, ACTIVITIES, DATES, COSTS NON-METALLIC MINING PROGRAM

1% TOTAL PROGRAM HOURS 144	ACTIVITY	OBJECTIVE	DATES	5 YR PROJECTED COSTS	
				COUNTY (1)	STATE (2)
DLC	Review NMM plans issue permits and enforce Chapter 27	Insure proper reclamation of mines as required by the state	2012-2016		
DLC	Conduct annual site inspections to determine compliance / unreclaimed acreage	Insure proper reclamation of mines as required by the state	2012-2016		
Total Cost				\$28,705	\$7,176

A photograph of a sunset or sunrise over a landscape with trees, serving as a background for the text. The sky is a mix of orange, yellow, and blue, with the sun low on the horizon. Silhouettes of trees are visible in the foreground and middle ground.

“Lack of mutual cooperation among conservation groups is reflected in laws and appropriations. Whoever gets there first writes the legislative ticket to their own particular destination. We have somehow forgotten that all this unorganized avalanche of laws and dollars must be put in order before it can permanently benefit the land, and that this onerous job, which is evidently too difficult for legislators and propagandists, is being wished upon the farmer and upon the administrator of public properties. The farmer is still trying to figure out what the many-voiced public wants them to do. The administrator, who is seldom trained in more than one of a dozen special fields of skill comprising conservation, is growing grey trying to shoulder their new and incredibly varied burdens. The stage, in short, is all set for somebody to show that each of the varied public interests in land is better off when all cooperate than when all compete with each other.”

Aldo Leopold (1935)



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 6

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *Trempealeau County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *Trempealeau County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *Trempealeau 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 Trempealeau County, including the implementation strategy for performance standards and priority farms, are discussed.

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

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

DATCP staff has reviewed the *Trempealeau 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 *Trempealeau County Land and Water Resource Management Plan*.

Materials Provided:

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

Presenters: Kevin Lien, Trempealeau County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: Trempealeau

Date Plan Submitted to DATCP For Review: 12 September 2011

Preliminary Review Date: 15 September 2011

Final Review Date: 28 October 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? Pp. 9-10, Appendices A-D [s. ATCP 50.12(3)(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 October 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: **Pp. 13-16**

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.

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? **Pp. 15-16, App. E-I**

c) soil erosion conditions?

*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. **Pp. 13-14, 16-17***

[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. 18-23**

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? **App. I-J**

[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? **App. I-J**

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? **P. 30**

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? **Pp. 29, App. J**
 [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?
 [ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] **P. 28**
- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 24-31, App. H, J**
 [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)? **App. I**
- 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)] **App. I**
11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above? **App. I**
 [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? **P. 30**
 [ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)]

REGULATIONS FOR PLAN IMPLEMENTATION

YES **NO**

13. Does the plan describe in reasonable detail:
- a) state and local regulations that the county will use to implement the county plan? **Pp. 24-28**
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? **P. 31**

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. 24-31**

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. 29-31, Appendix J**

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? **P. 33**
 [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: 28 Oct 11 Staff Signature: 

PLAN SUMMARY

Introduction

In 1997, Wisconsin Act 27 and 1999 Wisconsin Act 9 amended Chapter 92 of the Wisconsin Statutes requiring counties to develop Land and Water Resource Management plans. County Land and Water Resource Management plans were not intended to be just another planning document. Instead the plans were to be a process by which counties assessed their resource conditions and needs and would decide how best to manage their resources.

The 2011 Trempealeau County Land and Water Resource Management Plan (LWRMP) is an update to the original plans adopted by the Land and Water Conservation Board in 1999 and later updated in 2006. This plan revision was overseen by the County's Environment & Land Use Committee. The Committee utilized information gathered from the comprehensive planning process, public input, as well as additional input from various cooperating agencies. The plan also relied on public input from past land and water resource protection and preservation efforts. Current land uses are rapidly changing within Trempealeau County, due to the rapid growth of non-metallic mining permits for Frac Sand. This is also inspiring Townships to revise their comprehensive plans to reflect the changes they are facing.

Public participation is an important part in developing and/or revising a Land & Water Resource Management Plan. Trempealeau County's 2011 plan revision was overseen by the County's Environment & Land Use Committee. The committee gathered public input by several methods. In 2009 the County adopted a County Comprehensive Plan which was developed from a public input intensive planning process. The committee utilized information gathered from the comprehensive planning process as part of the revision process. During the 2011 Land & Water Resource Management Plan revision process, the committee invited the Division of Land Management Public Advisory Committee, along with the public to provide input on changes at its August 10th and 17th meetings, as well as public input at the October 17th, 2011 public hearing on the revision. In addition, input was requested from various cooperating agencies during the plan revision process. Draft plans were sent to the DNR Forester, DATCP, UW-Extension, Farm Service Agency and the Department of Natural Resources seeking input and comments on the plan.

Trempealeau County has a rich tradition in valuing and protecting its natural resources. The plan revision also relied on public input from past land and water resource protection and preservation efforts. The following information was reviewed and considered during the revision process.

Resource Assessment

Physical Characteristics and Geography

Trempealeau County is located in west Central Wisconsin. The county is approximately 476,800 acres in size. Its boundaries are partially formed by three rivers: the Mississippi River on the south, the Trempealeau River on the West and the Black River on the southeast. Trempealeau County has a humid, continental climate that is characterized by cold and snowy winters and warm summers with hot and humid periods.

Total internal surface water area in the county is 1600 acres (excluding the Mississippi River). Artificial millponds account for approximately 410 acres with streams and rivers accounting for approximately 1,190 acres. There are 25 streams in the county which are Exceptional Resource Waters (NR102) totaling approximately 59 miles. The county has 6 streams totaling 26.5 miles that are on the Wisconsin 303d impaired waters list.

Agriculture is by far the most prevalent land use in the County. Dairying and meat animal production together account for approximately 70% of Trempealeau County income.

Water Resource Assessment

Results of well water tests over the past twenty-five years demonstrate increases of nitrate levels and detects of triazine. Results of well water sampling done through out the county from 2001 through 2005 showed that 36% of the wells tested had nitrate levels above the state and federal public health standards. These results strongly suggest that the ground water quality of Trempealeau County has been affected by land use activities.

Non-point source pollutants are the primary cause of surface water quality problems in the county. Sources of surface water pollutants include: barnyard runoff, nutrient and sediment runoff from cropped fields, manure runoff from improperly stacked/stored animal waste, concentrated flow erosion from cropped fields and logging trails, ephemeral erosion from cropped fields and runoff from construction projects.

Computer modeling of soil particle transport and delivery to surface waters conducted for the three most recent watershed projects within Trempealeau County (Beaver Creek, Middle Trempealeau and Upper Trempealeau) indicate that within Trempealeau County, sediment generated by cropland soil erosion is a significant non-point pollutant. These three watersheds are representative of the entire surface area of Trempealeau County.

Plan Goals

Based on input gathered through public meetings, committee meetings and review of past Land and Water Resource priorities, the following goals for our revised LWRM plan were addressed and grouped under four general category headings. The DLM has used these goals as a foundation for the development of this plan. Objectives for each goal were developed from issues of concern that were identified. Chapter 3 contains specific objective items and action items for each identified goal.

Category 1 – Water Quality:

Goal: Protect the Surface Water Resources of Trempealeau County.

Category 2 – Land Resources:

Goal: Protect and Enhance the Soil Resources of Trempealeau County.

Category 3 – Non-Agricultural Land Management

Goal: Manage Land Uses to Preserve Land and Water Resources of the County.

Category 4 – Forests and Invasive Species.

Goal: Encourage sustainable forestry practices that protect groundwater and surface water resources.

Goal: Protect forests from invasive species and pests.

Implementation Tools and Strategies

A variety of voluntary and regulatory mechanisms are currently being employed within Trempealeau County to encourage or require compliance with the Agricultural and Non-Agricultural Performance Standards contained within NR151 and County Ordinances.

Strategies implemented to address land and water resource concerns include:

- Information and Education (Newsletters, outreach to landowners, farmers, schools, etc.)
- Interagency coordination (DATCP, USDA, UW Extension, Western Technical College)
- Identification of Priority Farms:
 1. Livestock facilities of any size that have an existing County Feedlot Permit but have not fully complied with State/County Performance Standards due to a lack of cost share funding necessary to require compliance with State Agricultural Performance Standards (ATCP50). Livestock facilities located within a WQMA shall be given priority consideration in the allocation of available cost sharing. DATCP provides approximately \$61,000.00 per year to cost share practice

installation that will result in compliance with a State Performance Standard. The average cost to bring an existing Priority Farm into compliance with all of the State Agricultural Performance Standards is \$31,250.00. Given the amount of funding provided to the county for this purpose, Trempealeau County shall attempt to bring ten of the forty-eight existing Priority Farms into compliance with all of the States Agricultural Performance Standards within this five year planning period.

2. Un-permitted livestock facilities that are required to obtain a County Livestock Facilities Permit after July 1, 2006, either because they are new facilities, or are existing facilities that are expanding by equal to or greater than 20% and after expansion shall be equal to or greater than 300 Animal Units.
3. Those livestock facilities that are required to obtain a County Animal Waste Management Storage Ordinance Permit.

Note: The definition of new and existing livestock facilities are those definitions contained within ATCP 51.

Funding and Plan Implementation

The Trempealeau County Land and Water Resources Action Plan is derived from the goals and objectives described in Chapter 3 of the plan. It can be used by all personnel that work to protect soil and water resources in Trempealeau County. This plan also identifies agencies and personnel that will be involved in the implementation of the plan as well as projected costs associated with implementation. The Department of Land Management is the lead agency unless otherwise denoted. We assigned a high, medium or low priority to all activities listed. Those receiving a high level are a core function of the Department and we expect to fulfill those activities. Those receiving a medium rank are considered very important and we will make reasonable efforts to complete those activities. Low priority rankings are highly unlikely to be addressed.

Evaluation and Monitoring

Trempealeau County has a Geo-database system to track compliance with State/County Agricultural Performance Standard(s) on a parcel specific basis. This tracking system will also by tax parcel identification, track animal waste storage permits, livestock facility permits and non-metallic mining permits.

Through the use of Annual Accomplishment Reports, financial data, installed practices, pollutant data, information and education activities and NR151 compliance, will all be reported to DATCP and other agencies as required.

Appendix I

The following table is the "Trempealeau County Land and Water Resource Action Plan" that is derived from the goals and objectives described in Section 3 of this plan. The action plan addresses four categories: Water Quality, Land Resources, Non-Agricultural Land Management and Forests & Invasive Species. The Department of Land Management is the lead agency unless otherwise denoted. We assigned a high, medium or low priority to all activities listed. Those receiving a high level are a core function of the Department and we expect to fulfill those activities. Those receiving a medium rank are considered very important and we will make reasonable efforts to complete those activities. Low priority rankings are not used as they are highly unlikely to be addressed. Note: All staff and budget projections are subject to change, pending grant and county budgeting commitments.

Each category details the following:

Goals	These are broad categories addressing the major resources and concerns expressed by residents, elected officials and agencies during the planning process.
Objectives	Represent specific ways to meet the goals and are intended to be measurable.
Actions	These are work items to be conducted by county staff, partner agencies and/or volunteers.
Who	These are agencies or individuals to address various actions: Trempealeau County Department of Land Management (DLM); Natural Resources Conservation Service (NRCS); Farm Service Agency (FSA); University of Wisconsin Extension Service (UWEX); Wisconsin Department of Natural Resources (DNR); Wisconsin Technical College (WTC).
When	This is a five year action plan to be reviewed and revised by the Trempealeau County Department of Land Management and the Environment & Land Use Committee at the end of the period. Updated work plans will be submitted to DATCP and other cooperating agencies.
Estimated Yearly Costs	These list minimum staffing needs and various agency cost sharing. Information is in hours and/or cost figures.
Accomplishments	These are projected outcomes of the efforts in the categories.
Priority	Objectives and Actions are listed as low, medium, or high priority

Category 1 – Water Quality

Goal 1 - Protect and Enhance the Water Resources of Trempealeau County.

Objective A – Protect the surface water resources of Trempealeau County.

Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> 1. Reduce in-stream sedimentation to protect spawning beds and aquatic insects that provide a food source for fish, waterfowl and other wildlife, by encouraging or requiring county land users to adopt management practices and/or install the structural practices necessary to comply with State/County Agricultural and Non-Agricultural Performance Standards. 2. Reduce nutrient loading to streams from manure runoff from feedlots and barnyards, fertilizer (septage, manure, chemical) runoff from cropland fields, leachate runoff from feed storage areas, and runoff from urban sources by encouraging or requiring land users to adopt management practices and/or install the structural practices necessary to comply with State/County Agricultural and Non-Agricultural Performance Standards. 3. Reduce thermal degradation of trout streams by considering thermal impacts when funding, designing, and installing agricultural BMP'S and urban BMP'S installed to comply with Storm Water Management Ordinance requirements. Design and install structures to maximize thermal recovery. 4. Enhance fish and other aquatic habitat by incorporating cold water and warm water fish habitat structures into the design of stream bank and lake shore stabilization projects. 	DLM DNR	2011-2016	1560 Hours \$ 51,595	<p>Complete 35 NR151 on-site evaluations.</p> <p>Apply for cost-share funding to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p> <p>Provide technical assistance to assist 10 landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p> <p>Install streambank stabilization projects and fish habitat structures.</p>	High

Objective B – Protect the groundwater resources of Trempealeau County.

Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> 1. Encourage or require agricultural producers to comply with the State and County Agricultural Performance Standards. 2. Encourage or require agricultural producers to properly abandon failing manure storage structures. 3. Encourage or require property owners to properly abandon unused or improperly constructed wells. 4. Require that 70% of runoff from new urban development (commercial, subdivisions, etc.) is properly infiltrated into groundwater aquifers. 	DLM DNR	2011-2016	2080 Hours \$ 63,458	<p>Complete NR151 on-site evaluations.</p> <p>Apply for cost-share funding to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p> <p>Provide technical assistance to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p>	High

Objective C – Protect the wetlands of Trempealeau County.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> 1. Avoid locating basins, dams, and other agricultural and storm water management BMP'S in wetlands that are not low quality 2. Protect existing wetland functional values by designing and installing BMP'S that avoid degrading any of the eight functional values described in NR103. 3. To enhance existing wetlands, encourage property owners to design and install wetland conservation activities as identified in NR353. 	DLM	2011-2016	250 Hours \$ 8,268	<p>Provide technical assistance to 5 landowners for achieving wetland improvements.</p> <p>Encourage participations with Federal Wetland programs through the NRCS and US F&WS.</p>	High

Category 2 – Land Resources

Goal 1 - Protect and Enhance the Soil Resources of Trempealeau County.

Objective A – All croplands within Trempealeau County shall be cropped to equal or less than "T"					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> 1. As staff time availability permits, provide cropland soil erosion control plans to county producers. 2. Monitor cropland soil erosion control plans for Farmland Preservation participants once every five years to determine if a plan has been developed and if so, if farming operations are in compliance with the plan. Issue Notices of Non-Compliance if a plan has not been developed or complied with. 3. Ensure that all cropland soil erosion control plans required as a component of a nutrient management plan meets the requirements of NR151 and ATP50. 4. Provide information pertaining to this Performance Standard in the Department of Land Management Newsletter and to individual land owners as appropriate. 	DLM NRCS	2011-2016	2080 Hours \$ 61,140	<p>Update 46 conservation plans.</p> <p>Spot check for compliance.</p> <p>Apply for cost-share funding to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p>	High

Objective B – Ensure that all areas of gully and ephemeral erosion are adequately stabilized and sodded.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> 1. The E&LU Committee shall prioritize any available non-animal waste management financial assistance towards the installation of grassed waterways, as required when using the RUSLE2 planning model, and the stabilization of gullies that transport sediment directly to surface water resources. Within the limits of cost share funding available, the county shall attempt to eliminate concentrated flow erosion on two farms per year. 2. Urge DNR to add grassed waterways to the list of Agricultural Performance Standards contained within NR151. 	DLM NRCS DNR	2011-2016	2080 Hours \$ 63,458	<p>Update 75 conservation plans.</p> <p>Spot check for compliance.</p> <p>Apply for cost-share funding to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p> <p>Provide technical assistance to assist landowners with achieving compliance with the</p>	High

<p>3. Urge DATCP to exempt grassed waterways, that are required to be installed as a pre-requisite to the use of the RUSLE2 cropland erosion prediction model, from the cost share, maintenance, and "lost opportunity payment" requirements of ATCP50.</p> <p>4. Provide information to crop producers pertaining to the requirement that areas of concentrated flow and ephemeral erosion be addressed as a pre-requisite to the use of the RUSLE2 Cropland Erosion Prediction Model.</p>				<p>State Agricultural Performance Standards and Prohibitions.</p>	
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Objective C – All croplands farmed in compliance with a nutrient management plan that complies with the technical standards contained within ATCP50.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<p>1. Require that a Nutrient Management Plan, that meets the technical standards contained within ATCP50, be submitted along with a copy of a Livestock Facilities Ordinance and/or Animal Waste Management Ordinance Permit application.</p> <p>2. Maintain a DLM staff agronomist that is qualified to check nutrient management plans for technical adequacy.</p> <p>3. Provide information pertaining to this Performance Standard in the Department of Land Management Newsletter and directly to landowners as appropriate.</p>	<p>DLM WTC UWEX NRCS</p>	<p>2011-2016</p>	<p>1560 Hours \$ 45,218</p>	<p>Provide annual SNAPPLUS nutrient management training to 20 landowners.</p> <p>Complete on site manure spreader calibrations.</p> <p>Maintain list of available Nutrient Management Plan developers.</p>	<p>High</p>

Objective D – All Trempealeau County livestock producers to comply with the Manure Management Prohibitions.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<p>1. Require that all county landowners requesting DLM technical or financial assistance cooperate with DLM staff in conducting an on-farm evaluation to determine existing compliance with State Agricultural Performance Standards. DLM staff shall track compliance and, if applicable, develop a schedule of compliance to ensure compliance with the remaining Agricultural Performance Standards within a time period specified by State Statutes, Administrative Rule or E&L/DLM policy (approximately 50 on site farm evaluations per year).</p> <p>2. Require that all livestock producers wishing or required (after July 1, 2006) to be permitted through the County's Livestock Facilities Performance Standards Ordinance and/or the County Animal Waste Management Ordinance to comply with the Manure Management Prohibitions as a condition of the permit.</p> <p>3. Within the limits of available funding, attempt to bring ten livestock facilities with feedlot permits in existence prior to the enactment of ATCP51 into compliance with the Manure Management Prohibitions.</p> <p>4. Use all available TRM Grant funds or LWRM Grant funds to cost share practices that are required to be cost shared due to the cost share mandates of ATCP50.</p> <p>5. Provide information pertaining to the Manure Management Prohibitions in the Department of Land Management Newsletter.</p>	<p>DLM DNR</p>	<p>2011-2016</p>	<p>1560 Hours \$ 47,938</p>	<p>Update conservation plans.</p> <p>Spot check for compliance.</p> <p>Apply for cost-share funding to assist landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p> <p>Provide technical assistance to assist 10 landowners with achieving compliance with the State Agricultural Performance Standards and Prohibitions.</p>	<p>High</p>

Objective E – Reduce Non-Agricultural use of Productive Farmland.				
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments
<ol style="list-style-type: none"> Integrate Working Lands Initiative changes to Farmland Preservation program locally. Update Trempealeau County Farmland Preservation Plan, due in 2014. As part of implementing FPP update, assist landowners interested in: <ul style="list-style-type: none"> - forming Ag Enterprise Areas (AEA). - Acquiring Purchase of Agricultural Conservation Easements (PACE). - Modify pre-June 30, 2009 Farmland Preservation Agreements to become eligible for the \$5.00 per acre, per year, farmland preservation credit. Provide information and education to landowners about the Working Lands Initiative benefits. 	DLM	2011-2016	1560 Hours \$ 48,119	<p>Protect productive agricultural land permanently when possible.</p> <p>Provide information brochures to landowners.</p> <p>Host one informational meeting.</p>
				Priority High

Category 3 – Non-Agricultural Land Management

Goal 1 - Manage Land Uses to Preserve Land and Water Resources of the County.

Objective A – Utilize the Town Land Use plans to separate conflicting land uses and to reverse the trend towards fragmentation of the county's woodland and farmlands.				
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments
<ol style="list-style-type: none"> Continue to review and revise the County Comprehensive Plan based on Town input every 5 years or as requested. Provide information to the Town Boards during the annual Department of Land Management meeting with the Town Boards. 	DLM	2011-2016	1040 Hours \$44, 992	<p>Assist Towns with achieving goals set within their Smart Growth Plans.</p> <p>Host one annual meeting with the Townships for updates and information.</p>
				Priority High
Objective B – Ensure that ground and surface water resources are not degraded due to storm water discharges from construction sites.				
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments
<ol style="list-style-type: none"> Work with DNR to become an "Authorized Local Program" as defined and allowed through NR216.415 State Administrative Rule. Continue to require that the post-development infiltration volumes do not exceed the allowed percentages of the pre-development infiltration volumes based on an average annual rainfall for all residential and non-residential construction sites. Continue to provide engineering services to the Towns and to the County Highway Department to ensure that they meet the NR151 storm water management requirements associated with the construction or reconstruction of transportation facilities. Provide information to the earth moving contractors during the annual Department of Land Management Contractors Workshop. 	DLM	2011-2016	1040 Hours \$ 36,475	<p>Meet the requirements of NR216.</p> <p>Protect surface and groundwater.</p> <p>Reduce sediment from leaving the construction site.</p> <p>Host one annual contractors workshop for 50 contractors.</p> <p>Provide information brochures to landowners.</p>
				Priority High

<p>5. Provide information to Developers during initial plan review meetings.</p> <p>6. Provide information to the general public through the Department of Land Management Newsletter.</p>					
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Objective C – Protect water resources from construction site sedimentation.

Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> Continue to enforce the County 1 and 2 family Construction Site Erosion Control Ordinance (approximately 140 per year). Continue to enforce the construction site erosion control requirements of the County Sub-Division Ordinance (approximately 2 per year). Continue to provide engineering services to the Towns and to the County Highway Department to ensure that they meet the NRI 51 Construction Site Erosion Control requirements associated with the construction or reconstruction of transportation facilities (approximately 10 per year). Continue to enforce the erosion control requirements of the County Comprehensive Zoning Ordinance for all land disturbing activities that involves 4,000 square feet or greater (approximately 200 per year). Continue to enforce the erosion control requirements for land disturbing activities within the County Shoreland Zoning Ordinance (approximately 1 per year). Provide information pertaining to this Non-Agricultural Performance Standard through the Department of Land Management Newsletter. 	DLM	2011-2016	1040 Hours \$ 32,277	<p>Meet the requirements of the Uniform Dwelling Code.</p> <p>Protect surface and groundwater.</p> <p>Reduce sediment from leaving the construction site. Approximately 200 sites per year.</p> <p>Host annual contractors workshop.</p> <p>Provide information brochures to landowners.</p>	High

Objective D – Ensure that the soil and water resources of Trempealeau County are not degraded due to the improper land disposal of seepage and why.

Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> Continue to enforce the seepage and why disposal requirements of the County Comprehensive Zoning Ordinance. Continue to make appropriate parties aware of this county ordinance requirement through direct contacts as necessary. 	DLM	2011-2016	1040 Hours \$ 31,764	<p>Meet the requirements of the State Sanitation Code.</p> <p>Protect surface and ground water.</p> <p>Prevent human health hazards.</p> <p>Provide informational brochures to landowners.</p>	Medium

Objective E – Ensure that the ground and surface water resources of the county are not degraded by seepage effluent discharged from failing/septic systems.

Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
<ol style="list-style-type: none"> Continue to enforce the septic system requirements of the County Sanitation Code (all violations). Continue to seek Wisconsin Fund cost share funds to replace failed septic systems (annually). Continue to notify landowners of these requirements through direct contacts and through the Department of Land Management Newsletter. 	DLM	2011-2016	1040 Hours \$ 31,764	<p>Meet the requirements of the State Sanitation Code on approximately 80 sites per year.</p> <p>Comply with Comm 83.</p> <p>Protect surface and ground water.</p>	High

4. Continue compiling comprehensive inventory and maintenance program for all POWTS within the governmental jurisdictional area.				Prevent human health hazards. Provide informational brochures to landowners.	
Objective F – Protect water resources from being negatively impacted by Non-Metallic Mining sites.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
1. Assist in the permitting of new non-metallic mining reclamation operations. 2. Assist mine operators in meeting ordinance regulations.	DLM	2011-2016	3120 Hours \$ 108,451	Comply with NRI35. Reduce conflicts between neighbors and mine operators. Protect surface and ground water. Protect air quality. Annual inspection of all permitted non-metallic mining sites. Approximately 65 per year.	High

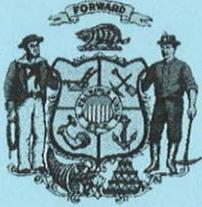
Category 4 – Forests and Invasive Species

Goal 1 - Encourage Sustainable Forestry Practices that Protect Groundwater and Surface Water Resources.

Objective A – Inform residents and loggers about the importance of sustainable forestry practices.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
1. Make information available regarding forest best management practices to landowners and loggers.	DLM DNR Forester	2011-2016	100 Hours \$3,054	Distribute brochures and educational materials.	Low

Goal 2 - Encourage the Regeneration of Forests and Strive to Manage Invasive Species and Pests.

Objective A – Provide opportunities for residents to practice forest regeneration.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
1. Continue to maintain the DLM Tree and Shrub Program. 2. Provide information to residents on the WDNR State Nursery Program and the opportunity to purchase seedlings.	DLM DNR Forester	2011-2016	140 Hours \$4276	Continue to sell 15-18,000 seedlings annually. Encourage landowners to enroll in Forestry Programs and improve timber stands through the WDNR Forestry Program.	Medium
Objective B – Protect forests from invasive species and pests.					
Actions	Who's Responsible	When	Estimated Annual Costs	Anticipated Accomplishments	Priority
1. Inform and educate landowners about the threats posed by invasive species and pests. 2. Assist local and state agencies in eliminating or controlling the spread of gypsy moths and emerald ash borers. 3. Provide information to landowners on identifying invasive plant, animal and insect species.	DLM DNR Forester	2011-2016	100 Hours \$3,054	Reduce the chance of invasive species and pests to the County by keeping landowners informed. Distribute brochures and educational materials.	Low



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 7

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *Dunn County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *Dunn County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *Dunn 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 Dunn County, including the implementation strategy for performance standards and priority farms, are discussed.

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

Dunn County held a public hearing on October 25, 2011, as part of their public input and review process. The Dunn County Land Conservation Committee presented the LWRM plan for County Board approval on November 15th, 2011.

DATCP staff has reviewed the *Dunn 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 *Dunn County Land and Water Resource Management Plan*.

Materials Provided:

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

Presenters: Dan Prestebak, Dunn County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: Dunn

Date Plan Submitted to DATCP For Review: 15 September 2011

Preliminary Review Date: 16 September 2011 Final Review Date: 28 October 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? Pp. 2, 7, 11-12, App. A Ex. 1 [s. ATCP 50.12(3)(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): 25 October 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: November 15, 2011

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: **Pp. 13-22, App. A Exhibit 2, 3, 6**

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.

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? **Pp. 17-19, 24-26, 29**

c) soil erosion conditions?

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)] **Pp. 13-16**

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. 34-47, App. A Exhibit 2**

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? **Pp. 12-13**

[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. 13-16, 23-29**

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? **Pp. 9, 27-28**

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? **Pp. 26-27**
 [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?
 [ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] **App. A Exhibit 4, 5**
- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 27-31**
 [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. 37-47**
- 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. 37-47**
11. Does the multi-year description of planned activities identify the priorities for each activity listed in 10a) and b) above? **Pp. 37-47**
 [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?
 [ss. 92.10(4)(d);ATCP 50.12(2)(i);ATCP 50.12(3)(f)] **Pp. 37-47**

REGULATIONS FOR PLAN IMPLEMENTATION

YES NO

13. Does the plan describe in reasonable detail:
- a) state and local regulations that the county will use to implement the county plan? **Pp. 30-33**
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? **App. A, Exhibit 4**

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. 33-34, App. A Exhibit 7**
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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. 48-55**
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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. 35-36**
 [ss. 92.10(6)(a)6.;ATCP 50.12(2)(j)]
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SUMMARY

17. Does the plan meet all of the requirements for approval as listed above?
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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.
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Date Reviewed: 200ct11 Staff Signature 

Plan Summary

This 2012 Dunn County Land and Water Resource Management Plan (LWRM Plan) will provide direction for the Dunn County Land Conservation Division for the next ten years and it contains a Five Year Work Plan that will be revised in 2016. This LWRM Plan meets the requirements of Wisconsin Act 27, Chapter 92 of the Wisconsin Statutes and is consistent with the *Dunn County Comprehensive Land Use Plan, 2010-2030*.

Introduction

Dunn County is located in west central Wisconsin and encompasses an outstanding variety of natural resources that are critical for sustaining a healthy economic and natural environment. Historically, our waterways have supplied the necessities of life - transportation, drinking water, and industrial power. Our soil first supplied vast groves of timber that was harvested for lumber and then later it was cleared for farmland. Today, we have a mixture of agriculture, education, and industry and our watercourses are used mainly for human recreation such as boating, fishing, and the scenic beauty that they provide.

The community of Dunn County is requesting "clean water - fishable, swimmable, water" from within and from outside of the LWRM planning process. In the fall of 2009, a "Clean-up Lake Menomin" Petition with over 250 signatures was presented to the City of Menomonie and the Land Conservation Committee. Several non-profit organizations including Sustainable Dunn and the Tainter/Menomin Lake Improvement Association, as well as other partners, including the Dunn County Board of Supervisors, joined together to present a series of events focused on what the group termed "2011: The Year of Water". Over 200 people attended the kick-off event on Sunday, January 26th, 2011, at the Mabel Tainter Center for the Arts in Menomonie, Wisconsin.

Public Participation

A Citizens Advisory Committee and a Technical Advisory Committee were selected and approved by the Land Conservation Committee to take part in this planning process, offer suggestions, and review the plan. The two committees met together for three large group meetings where several members of the technical committee gave formal presentations on several aspects of resource management. A list of resource concerns identified in our 2000 and 2007 LWRM planning sessions was developed and committee members were given the opportunity to add to this list at each meeting. Next, we held three small group meetings addressing specific areas of interest.

We felt it was important for each member of the committee to understand things like: how phosphorus works in surface water, how nitrates enter ground water, how soil loss is determined, how a nutrient management plan works, and the benefits of a conservation plan. We also learned about new ways to address and reduce nonpoint

pollution that were developed since our 2007 planning session such as the Wisconsin Phosphorus Index, the City of Menomonie's MS 4 Stormwater Program, and changes to the Agricultural and Non-Agricultural Performance Standards.

The Land Conservation Committee held a public hearing on the 2012 Dunn County Land and Water Resource Management Plan on October 25th, 2011, at 8:30 a.m. The Plan will be presented to the Dunn County Board of Supervisors at their meeting on November 15th, 2011.

Current Land Use Issues and Resource Concerns

Dunn County has been using the DATCP approved Transect Survey since 1999 and we have used that data to assess soil erosion, cropping trends, and tillage methods. Our soil erosion rates have not significantly changed, but we did find a slight increase (3%) in the number of acres meeting the state performance standard for soil loss or "T" value.

Dunn County lies totally within the "Lower Chippewa River Basin" and is divided into eight major watersheds, four draining into the Red Cedar River before it empties into the Chippewa River, and four draining directly into the Chippewa River. We have three main lakes, Tainter, Menomin and Eau Galle, which are all impoundments. Each is susceptible to excess phosphorus loading and algal blooms. Entire lakes can be covered when an algal bloom is severe and wind-blown bays form an algal mat that displays worse conditions.

Ground water provides drinking water for all county residents and a majority of the water used by industry. We have one groundwater aquifer in the sandstone bedrock that underlays a wide variety of soils from loamy sands to heavy silts. Having one aquifer means that we cannot drill a deeper well to solve groundwater contamination issues, making it that much more important to protect the aquifer and prevent groundwater pollution from occurring.

Much of our sandstone bedrock is of the Cambrian formation which is made up of sand particles of the ideal size and shape for what is called "hydraulic fracking" or "frac sand" in the oil and natural gas industry. The LCD regularly receives requests from both landowners, asking if their property has potential for mine development, and from mining companies who are inquiring about the permit process for establishing new mines. The long term impact of "frac sand mining" on our drainage patterns, ground water, and wildlife is undetermined, but it definitely has the potential to change much of the natural landscape.

Major Planned Activities

The plan is primarily focused on "improving water quality by reducing soil erosion". Algal blooms are caused by an excess of phosphorus in the water. From presentations in our LWRM planning meetings, we know that most phosphorus entering our surface

water is attached to soil particles. If we can significantly reduce soil erosion, we can reduce the length and duration of algal blooms. Bringing County landowners into compliance with the NR 151 Performance Standards will also reduce the amount of phosphorus entering our surface water.

The plan defines our goals in resource conservation as:

- Goal 1: Maintain, Protect and Improve our Surface Water Resources
- Goal 2: Conserve Long Term Soil Productivity of Cropland
- Goal 3: Protect Ground Water Quantity and Quality
- Goal 4: Protect and Enhance Related Natural Resources and the Environment for Residents, Visitors, and Future Generations
- Goal 5: Preserve Rural Character, Small Farms, and the Environment

Performance Standards and Priority Farms

Our priority farms will be as follows: Landowners in the Farmland Preservation Program; landowners in the Red Cedar River Watershed; and, landowners in the watersheds of impaired waters. When possible, we will continue to use our DATCP cost sharing funds to assist landowners to come into compliance with the performance standards.

Work Plan

The work plan chart identifies the goals, objectives, associated action items, partner agencies, and evaluation tools where applicable. It contains a public awareness and education objective for each goal, an estimate of where available staff time and funding will be directed, and it prioritizes action items.

Conclusion

Throughout this planning process, the Community of Dunn County through the Citizen and the Technical Advisory Committees, the Land Conservation Committee, and the Land Conservation Staff have established a commitment to improve and maintain the quality of our soil, water, and other natural resources. This will be accomplished by providing assistance to resource users in rural and urban areas, city and town governments, and through public awareness and education.

It is understood that implementing this plan is dependent on funding from many different entities including the State and Dunn County. The Land Conservation Committee intends to implement this plan with available staff and funding. Currently, the State statutory funding amounts are not being met and are inadequate to fully implement all of the work plan action items.

Purpose and Authority

The legislature finds that the soil resources of the State are being depleted by wind and water erosion and that the waters of this State are being polluted by non-point sources of pollution. The legislature further finds that these are statewide problems endangering the health and welfare of the State's citizens, its recreational resources, agricultural productivity and industrial base.

The legislature declares it to be the policy of this State to halt and reverse the depletion of the State's soil resources and pollution of its waters.

Chapter 92, Wisconsin Statutes (1982)

The purposes of the land and water resource management planning program are to conserve long-term soil productivity, protect the quality of related natural resources, enhance water quality and focus on severe erosion problems.

WI Act 27, Amendments to Chapter 92.10 (2), Wisconsin Statutes (1997)

Local leadership in natural resource management is an important component of Wisconsin Act 27 which amended Chapter 92 of the Wisconsin Statutes in 1997. Elected officials and policy makers have reaffirmed that local leaders are in the best position to successfully manage natural resources. More importantly, it is local government's responsibility to engage the public in land use management planning that impacts the quality of the natural resources in each county.

In Dunn County, the management of natural resources dates well before November 16th, 1982, when the Dunn County Board of Supervisors officially designated the Land Conservation Committee as "The County Board's agent to authorize and approve Land Conservation Committee powers and programs." The resolution also charged the Land Conservation Committee with approval of annual and long range plans.

On November 14th, 2000, the Dunn County Board of Supervisors merged Land Conservation, Planning, Solid Waste, Surveying and Zoning and they collectively make up the Dunn County Environmental Services Department. The five Divisions function as a self-directed management team, without a department head, to cooperatively manage the natural resources of Dunn County.

Goal 1: Maintain, Protect and Improve our Surface Water Resources			
<p>Overview: On January 19th, 2011, the Dunn County Board of Supervisors supported the efforts of the non-profit organization <i>Sustainable Dunn</i> by adopting the “<i>Year of Water 2011</i>” initiative and resolved to advance the County’s Sustainability Action Plan. They directed staff to work collaboratively and in concert with <i>Sustainable Dunn</i> to maintain, protect, and improve our water resources. The priority for the LCD is to keep contaminants, especially contaminants attached to soil particles, from entering surface water. The primary way to accomplish this is to reduce soil erosion.</p>			
Objective	Action Item	Executor	Evaluation Tools & Accomplishments
<p>Objective 1: Increase public awareness and provide water quality education</p>	<p>Action 1: ★ ★ Continue to be a stakeholder in the Tainter/Menomoin TMDL process as outlined in “The Water Quality Principles for the Red Cedar River Watershed” (Appendix A, Exhibit 6)</p>	<p>The Community, LCD, DNR, RC&D, EPA</p>	
	<p>Action 2: ★ ★ Continue to participate in public events sponsored by organizations such as Sustainable Dunn and the Tainter/Menomoin Lake Improvement Association (TMLIA)</p>	<p>Groundwater Guardians</p>	<p>5 Events</p>
	<p>Action 3: ★ ★ ★ Assist with the “Red Cedar Basin” Water Quality Improvement Conference</p>	<p>RC&D TMLIA WCWRPC LCD</p>	<p>1 Conference</p>
	<p>Action 4: ★ ★ Continue the Conservation & Environmental Awareness Speaking Contests, the Soil Judging contests, and other youth education activities</p>	<p>LCD</p>	<p>2 Events hosted by Dunn County, number of students who participated</p>
	<p>Action 5: ★ ★ Develop workshops and field days to promote water quality improvement practices</p>	<p>UWEX LCD</p>	<p>5 Events hosted, topics presented, number of people who attended</p>
	<p>Action 6: ★ ★ Monitor and maintain records on surface water quality and quantity</p>	<p>Red Cedar Monitoring Group</p>	<p>18 Monitoring sites located in Dunn County</p>

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
Goal 1, Objective 1, (continued)	Action 7: ★ Assist the TMLIA and Leadership Menomonie with the Shoreland Restoration Specialist Certification Program for area landscapers and contractors	TMLIA	
Objective 2: Prevent contaminants from entering surface water	Action 1: ★ ★ Develop conservation plans with landowners that reduce soil erosion to "T" or below and provide technical design, construction, supervision, and cost sharing to implement conservation practices that are planned	LCD NRCS	6,000 Acres of conservation plans
	Action 2: ★ ★ ★ Identify fields with 0 to 30% residue and work with landowners to increase the amount of residue after planting (this resource need was identified by our Transect Survey)	LCD NRCS	3,000 Acres of land with conservation practices applied to improve water quality
	Action 3 ★ ★ Continue and expand DATCP/County cost sharing program and assist landowners with the design and installation of BMPs that reduce soil erosion	LCD NRCS	Waterways See list in Appendix A, Exhibit 5
	Action 4: ★ Continue to make the mulch spreader available to reduce erosion from construction sites	LCD	
	Action 5: ★ ★ Reduce stormwater runoff from construction sites (rural and urban)	DNR LCD City of Menomonie, Zoning Towns	Implement ordinance in Action Item #20
	Action 6: ★ ★ Encourage field edge and stream bank buffers through CREP (Conservation Reserve Enhancement Program) and Continuous CRP (Conservation Reserve Program) when completing conservation plans	LCD NRCS	

Objective	Action Item	Executor	Evaluation Tools & Accomplishments	
(Goal 1, Objective 2, continued)	Action 7: ★ ★ ★ Continue the farmer-written Nutrient Management Planning Program developed with Chippewa Valley Technical College	LCD CVTC UWEX	6,000 acres of nutrient management plans per year	
	Action 8: ★ ★ When Nutrient Management Plans are developed in SNAP-Plus, use the Wisconsin Phosphorus Index to educate landowners on each field's potential to contribute phosphorus to surface water	CVTC UWEX-NPM LCD		
	Action 9: ★ Develop a system for determining and recording before and after Phosphorus Index values	LCD DNR		
	Action 10: ★ ★ ★ Continue and expand the Town of Grant Phosphorus Reduction Pilot Project including obtaining grant funding for cost sharing and staff	CVTC UWEX NRCS LCD	6 New landowners participating in 2012; 20 in 2013; 30 in 2014	
	Action 11: ★ ★ ★ Implement the NR 151 strategy found on pages 27 and 28	LCD	Complete all remaining FPP/WLI reviews in 2012, begin Red Cedar River Watershed reviews in 2013	
	Action 12: ★ ★ ★ Administer the Farmland Preservation Program and ensure compliance with the NR 151 Soil and Water Conservation Standards (spot check 25% percent of participants annually)	LCD	30 Farmland Preservation Program status reviews per year	
	Action 13: ★ ★ Assist with implementation of the Tainter/Menomoin TMDL Pan	DNR LCD		
	Action 14: ★ ★ Administer the Dunn County Manure Management Ordinance	LCD NRCS	2 Permits issued, site visits	
	Action 15: ★ ★ Develop a Pollution Trading Program with the Village of Coifax if requested	Village of Coifax, DNR		

Goal 2: Conserve Long Term Soil Productivity of Cropland			
Overview: Reducing soil erosion from cropland and maintaining long term production of our soil resource is a great concern. Soil can be eroded away by wind, water, and tillage. Erosion removes the surface soil which has the highest amount of biological activity, organic matter, and nutrients. Nutrients removed by erosion are no longer available to support plant growth. Instead, they accumulate in water (such as Lakes Tainter, Menomin and Eau Galle) causing severe algal blooms and lake eutrophication.			
Objective	Action Item	Executor	Evaluation Tools & Accomplishments
Objective 1: Increase public awareness and provide education on soil erosion and soil productivity	Action 1: ★★ ★ Continue to conduct the annual Transect Survey to monitor soil erosion rates, tillage, and cropping trends	LCD	Annual Transect Survey
	Action 2: ★★ ★ Promote conservation tillage, no till, and other BMPs at workshops, field days, and community events	UWEX, LCD NRCS	
	Action 3: ★★ ★ Promote and make the Dunn County Soil Survey and Web Soil Survey available to students, landowners, and the general public	LCD NRCS	Distribute the Soil Survey, provide education in utilizing the data
	Action 4: ★★ ★ Utilize demonstration sites such as the USGS monitoring stations in Grant Township to promote the installation of BMPs	UWEX USGS LCD	Include information at public meetings and presentations
Objective 2: Reduce soil loss to "T" and below	Action 1: ★★ ★ Develop conservation plans with landowners that reduce soil erosion to "T" or below and provide technical design, construction, supervision, and cost sharing to implement conservation practices that are planned	LCD NRCS	6,000 Acres per year
Objective 3: Preserve and improve soil quality for long-term production	Action 1: ★★ ★ Educate producers when developing conservation plans using the Soil Conditioning Index (SCI), Soil Tillage Intensity Rating (STIR), and "T" values determined by RUSLE 2	LCD NRCS	

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
(Goal 2, Objective 3, continued)	Action 2: ★★ Continue farmer-written Nutrient Management Planning Program developed with Chippewa Valley Technical College	LCD CVTC UWEX	20 Plans completed
Estimated cost to meet Goal 2: 4,600 hours annually, \$21,000 cost-share annually			
Goal 3: Protect Ground Water Quantity and Quality			
<p>Overview: Groundwater is referred to as Wisconsin's "Buried Treasure." Conservation and protection of Groundwater was identified as a natural resource concern and priority in Dunn County's first Land & Water Resource Management Plan ten years ago. In this planning session, committee members recognized that groundwater is abundant in Dunn County and provides critical base flow to our creeks and streams, water for industry, and provides drinking water for all County residents.</p>			
Objective 1: Increase public awareness and provide education on ground water quality and quantity	<p>Action 1: ★★ Continue to advise the present Ground Water Guardian Program and explore new avenues</p> <p>Action 2: ★★ Assist in the creation of standards for development in groundwater recharge areas</p> <p>Action 3: ★★ Continue to distribute and secure funding for additional Ground Water Attenuation (GWA) Maps. Provide an electronic copy on a website that is accessible to the public</p> <p>Action 4: ★ Address and assess the impact of high capacity wells on ground water resources</p>	Groundwater Guardians, LCD	Attend annual meeting and advise
		Planning Zoning LCD	Assist with draft Groundwater Ordinance for Dunn County
		LCD	Print 50 maps and reprint as needed
		LCD DNR	

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
(Goal 3, Objective 1, continued)	Action 5: ★★ Develop a method for storing historical ground water data (elevation of groundwater, contamination, etc.)		
Objective 2: Prevent contaminants from entering ground water	Action 1: ★★ ★ Decommission abandoned wells (technical and financial assistance)	LCD NRCS	5 Wells abandoned
	Action 2: ★★ ★ Close abandoned manure storage structures (technical and financial assistance)	NRCS LCD	2 Manure storage structures closed
	Action 3: ★ Coordinate with DNR to keep a current list of approved sites for land spreading of septage	DNR LCD	
Objective 3: Increase infiltration to recharge ground water.	Action 1: ★ Encourage development of rain gardens and the use of rain barrels	UWEX, Sustainable Dunn, TMLIA	2 Public workshops/meetings
	Action 2: ★★ Encourage preservation and restoration of wetlands	NRCS, Pheasants Forever, Ducks Unlimited	20 Acres
	Action 3: ★ Encourage infiltration-friendly land use and best management practices		Provide education with presentations and discussions
	Action 4: ★★ Assist the Zoning Division with administration of the Shoreland Wetland Zoning Ordinance	Zoning LCD	Provide assistance to Zoning when requested
Estimated cost to meet Goal 3: 1,600 hours annually, \$13,000 cost-share annually			

Goal 4: Protect and Enhance Related Natural Resources and the Environment for Residents, Visitors, and Future Generations			
Overview: Dunn County is blessed with an abundance of natural resources. These resources are highly valued for their natural beauty, wildlife habitat, the recreational opportunities they provide, and their contribution to the economy.			
Objective	Action Item	Executor	Evaluation Tools & Accomplishments
<p>Objective 1: Improve public awareness and provide educational opportunities to protect and enhance the natural resources of Dunn County</p> <p>Objective 2: Improve and enhance the natural resources of property owned by Dunn County</p>	<p>Action 1: ★★ Install near shore coarse woody aquatic habitat and terrestrial buffers in the County Park System to be used as demonstration sites for improving habitat and water quality in Tainter, Menomin, and Eau Galle Lakes</p>	LCD Facilities	Development of plans, feet of habitat, buffers developed, provide brochure and training
	<p>Action 1: ★★ Develop a long range plan for the Dunn County Islands including hardwood and softwood timber management, recreation, invasive species control, and endangered species preservation</p>	LCD, DNR, Lower Chippewa River Alliance	One plan developed
	<p>Action 2: ★★ Manage the Dunn County Islands including maintaining logging roads and administering timber sales</p>	LCD DNR	Maintain 5 miles of access road, one crossing, two timber sales
	<p>Action 3: ★★ Assist the Facilities Committee in making Dunn County parks safe and aesthetically pleasing recreational areas</p>	Facilities LCD	
	<p>Action 4: ★★ Work with the Health Care Center Committee to reduce and control erosion on County cropland</p>	LCD HCC	

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
(Goal 4, Objective 2, continued)	Action 5: ★ ★ Develop a system to distribute information and organize and coordinate the efforts of citizens and organizations to combat invasive aquatic and terrestrial invasive species	Citizens, Townships, Highway Department, Red Cedar Monitoring Group	Inform the public of meetings, hold meetings
	Action 6: ★ ★ Administer the Wildlife Damage Abatement and Claims Program and the Venison Donation Program	DNR USDA-APHIS Fish & Game	Implement one program
	Action 7: ★ ★ Continue to provide the tree planter rental and tree trucking program for Dunn County residents	LCD DNR	12 Landowner rentals and one tree trucking program
	Action 8: ★ ★ Continue to monitor and manage the three Knight's Creek Watershed PL 566 structures including updating the Emergency Action Plans	LCD NRCS	3 Structures monitored
	Action 9: ★ ★ Research and develop new sources of funding for conservation.	LCC LCD	
	Action 1: ★ Promote recreational use of private land enrolled in programs that have access requirements such as the Managed Forest Law, Wildlife Damage, and the new Voluntary Public Access Program	DNR	
	Action 2: ★ Continue to support trout stream restoration projects on Gilbert and Wilson Creeks and the Eau Galle River	DNR, TU, WHIP	1 Stream project
	Action 3: ★ Support acquisition and restoration of natural areas, wetlands, trout streams, fish and wildlife areas, parks, boat landings, and recreational lands	WWLT DNR PF TU	Coordinate with agencies to provide assistance as requested
	Objective 3: Support community organizations and public agencies that promote the recreational use of natural resources		

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
(Goal 4, Objective 3, continued)	Action 4: ★ Assist the Dunn County Snowmobile Association (DCSA) by administering and coordinating the local Snowmobile Trails Program	LCD DCSA	Annually
	Action 5: ★★ Continue to administer and financially support the County Conservation Aids Program	LCD DNR	1 Project per year
	Action 6: ★★ Continue to be an advisor to the Dunn County Alliance of Conservation and Sports Clubs	LCD	6 Meetings
Estimated cost to meet Goal 4: 600 hours annually			
Goal 5: Preserve Rural Character, Small Farms, and the Environment			
Overview: When working with Town Planning Commissions while developing the agricultural and natural resources element of individual town plans, "Preservation of Rural Character" was a high priority for all Townships.			
Objective 1: Improve public awareness and provide educational opportunities to preserve rural character, small farms, and the environment	Action 1: ★★ Assist the Planning Division with the revision and implementation of the Dunn County Farmland Preservation Plan	Planning LCD Zoning	1 Farmland Preservation Plan revision to be completed in 2012
	Action 2: ★★ Implement an NR 151 parcel tracking software system	IT LCD	1 Tracking system developed
	Action 3: ★★ Identify productive farmland in the Farmland Preservation Plan revision process and stress its importance for future generations	Planning Zoning	

Objective	Action Item	Executor	Evaluation Tools & Accomplishments
(Goal 5, Objective 1, continued) Objective 2: Facilitate a rural-urban partnership <i>Estimated cost to meet Goal 5: 600 hours annually</i>	Action 4: ★ ★ Assist towns and Dunn County in evaluating and protecting the environmentally sensitive areas identified in town land use plans and encourage the protection of environmental corridors Action 5: ★ ★ Work with the Zoning Division and the agriculture community to incorporate Livestock Siting language in the next Comprehensive Zoning Ordinance Action 6: ★ ★ Administer the Non Metallic Mining Reclamation Ordinance including the monitoring of active acres and encouraging reclamation as an on-going process of mining and minimizing contamination of surface and groundwater	Townships	Provide assistance as requested
		Zoning Planning LCD	Provide assistance as requested
		LCD DNR	Visit permitted sites annually (currently 23 active sites)
		LCD LCC	One report
			One report
		UWEX LCD	
		LCD DNR	Annual conference
		UWEX LCD	

APPENDIX A, EXHIBIT 8 (Estimated Funding Available to Implement Planned Activities)

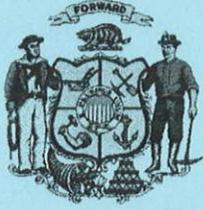
The following table contains what is believed to be a reasonable estimate of the funding available from Dunn County and the State of Wisconsin based on past revenue and expenses to implement the planned activities identified in the Work Plan.

	2012	2013	2014	2015	2016
County Revenue for Staffing	\$399,513*	\$407,503	\$415,653	\$423,966	\$432,445
State Revenue for Staffing**	\$138,700**	\$141,474	\$144,303	\$147,189	\$150,133
Hours Available (Seven FTE's)	12,000	12,000	12,000	12,000	12,000
State Cost Share	\$51,800***	\$62,000	\$62,000	\$62,000	\$62,000

* Amount from the proposed 2012 Dunn County Budget

**Amount received in 2011. This amount is \$44,170 below the amount Dunn County would receive if the first three positions were fully funded by the State according to the formula contained in Chapter 92.14 (6): 100% funding for the first position, 70% funding for the second position, and 50% for the third position and any additional positions.

***2012 Preliminary DATCP/DNR Joint Allocation Plan



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 8

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 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 *Clark County Land and Water Resource Management Plan*

Action Requested: This is an action item. The department requests that the LWCB recommend approval of the *Clark County Land and Water Resource Management Plan* through December 31, 2016.

Summary: The *Clark 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 Clark County, including the implementation strategy for performance standards and priority farms, are discussed.

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

Clark County held two public hearings on October 25 and 26, 2011, as part of their public input and review process. The Clark County Land Conservation Committee will present the LWRM plan for County Board approval after receiving a recommendation for approval from the LWCB.

DATCP staff has reviewed the *Clark 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 *Clark County Land and Water Resource Management Plan*.

Materials Provided:

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

Presenters: Matt Zoschke, Clark County Conservationist
Dennis Presser, DATCP

Land and Water Resource Management Plan Review Checklist

County: Clark

Date Plan Submitted to DATCP For Review: 23 August 2011

Preliminary Review Date: 26 August 2011 Final Review Date: 1 November 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? Pp. 2-4, Ch. 4, pp. 57-61 [s. ATCP 50.12(3)(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): 25 & 26 October, 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: **Ch. 2 & 3, pp. 6-47, 49-55**

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.

b) water quality information from basin water quality plans or from other sources, including DNR water quality assessments? **Pp. 20-31**

c) soil erosion conditions?

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. Pp. 8-10, 16-19

[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? **Ch 5, pp. 62-65**

b) consultation with DNR concerning those water quality objectives for each water basin, priority watershed and priority lake? **Ch. 5, pp. 62-65**
[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? **Ch. 5, pp. 62-65**

b) consultation with DNR to identify those key water quality problems areas?

8. Does the plan describe in reasonable detail a plan to identify priority farms in the county? **P. 69**

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? **Ch. 6, pp. 66-71, App. B, C** [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? [ss. 92.10(6)(a)3.;ATCP 50.12(2)(e)] **App. D**
- c) county strategies to encourage voluntary implementation of conservation practices listed under s. ATCP 50.04? **Pp. 66-71** [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. 93-94**
- 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. 93-94**
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. 93-94**
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. 93-94**

REGULATIONS FOR PLAN IMPLEMENTATION

YES **NO**

13. Does the plan describe in reasonable detail:

a) state and local regulations that the county will use to implement the county plan? **Pp. 47-49, 77**

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. 69-70**

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)] **Ch. 9, pp. 76-77, App. A**

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. 72-73**

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)] **Ch. 8, pp. 74-75**

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: 1 November 2011 Staff Signature 

PLAN SUMMARY

In 1997, Wisconsin Act 27 amended Chapter 92 of the Wisconsin Statutes requiring counties to develop Land and Water Resource Management Plans and utilize them as the main implementation component of Wisconsin's Land and Water Resource Management Program. The intent of this change was to support the local implementation of conservation programming that improves decision-making, streamlines administrative and delivery mechanisms, provides flexibility in obtaining grants and other funding, supports innovation and cost-effectiveness in conservation best management practice implementation, ensures economic and environmental accountability, and creates and defines mechanisms to expend local, state, and federal funds to protect Wisconsin's land and water resources. Ultimately, the land and water resource management planning program strives to conserve soil productivity, enhance water quality, and protect the quality and quantity of related natural resources.

Many opportunities were provided to the public to gather their input, including a natural resources opinion survey mailed to over 1,500 households, five citizen advisory meetings attended by more than 150 people, and two public hearings located in the northern and southern parts of Clark County. The opinions gathered from the survey and the meetings were presented to the Land Conservation Committee during the months of June, July, and August. The Clark County Land Conservation Committee, after much discussion and deliberation, agreed on the following goals:

1. Reduce Sediment and Nutrient Delivery to Surface Water
2. Reduce Nutrient and Other Contaminant Delivery to Groundwater
3. Maintain the Health and Viability of the Animal and Plant Communities
4. Maintain the Functionality of the Existing Hydrologic Infrastructure
5. Increase Efforts to Inventory the Water Resources

These goals were incorporated into the Land and Water Resource Management Work Plan for 2012-2016. This list of goals will guide local natural resource professionals as they perform the following activities:

- Develop a coordinated effort to resolve identified issues and concerns.
- Determine the roles of agencies in implementing the work plan.
- Implement strategies that support the conservation programs for the local community.
- Secure funding for the management of the natural resource base in Clark County.

To meet the goals established in the Clark County Land and Water Resource Management Plan 2012-2016, citizens can assist by participating in existing, as well as new Federal, State, and Local conservation programs. In order to meet the requirements in NR151.09, NR151.095, and ATCP50.08, cost-share funding for landowners will be needed for the installation of conservation best management practices (BMP) that control nonpoint source pollution from soil erosion and nutrient runoff.

Additionally, the implementation of this five-year work plan is dependent upon having available staff at the Clark County Land Conservation Department to assist landowners with the technical

assistance needed to implement the BMPs. Where possible, the Clark County Land and Water Resource Management Plan 2012-2016 will coordinate conservation efforts with other conservation agencies and thereby improve program delivery efficiency and effectiveness at all levels of government.

Chapter 1: Introduction

Background: Clark County first developed a Land and Water Resource Management Plan in August of 2000. This revision is in response to Wisconsin 1997 Act 27, which amended Chapter 92 to require counties to develop the plans.

Plan Development and Citizen Participation: The Clark County Land Conservation Department convened meetings with natural resources management professionals and local citizens to gather opinions and assist in the development of the plan.

Public Input: Public hearings were held on October 25th at the Neillsville Courthouse Auditorium and October 26th at the Clark County Health Care Center. Public comments were accepted at any time, in any manner, up until one week before the final draft of the plan was submitted to DATCP and DNR for review.

Related Resource Management Plans: Information regarding the natural resources in Clark County were obtained from WDNR Basin Plans, Priority Watershed Implementation Plans, Clark County Plans, and local Lake Management Plans.

Cooperating Agencies and Organizations: The agencies and organizations that have worked cooperatively with the Land Conservation Committee on different projects and programs are listed.

Chapter 2: County Setting, Natural Resources, and Trends

General Characteristics: Clark County is located in West Central Wisconsin, is 1,215 square miles in size with 45 local units of government and a population of 34,684. It is predominantly a rural county with an economy that revolves around the agriculture, manufacturing, and recreation industries.

Regional Perspective: Clark County is bordered by Taylor, Chippewa, Eau Claire, Jackson, Wood, and Marathon Counties.

History and Development: Clark County was common ground for Chippewa, Menominee, Winnebago, and Sioux Indians. Clark County was originally covered in white pine and was logged off near the turn of the 20th century. Agriculture soon moved in after the logging ceased.

Climate: In Clark County, winters are very cold and summers are fairly warm. In winter, the average temperature is 16 °F and in summer the average temperature is 67 °F. Total annual precipitation is about 31 inches. Average snowfall is 40.6 inches.

Soils: Most of the soils in Clark County formed partially in glacial till or glacial outwash. Many formed in residuum from sandstone and sandstone/shale. Some soils formed in lacustrine deposits, alluvium, or organic material.

Land Cover: Between the years 2001 and 2006, there was no appreciable change to any one class of land cover.

Forest: Approximately 43 percent of the county is forested, making up 334,368 acres including privately and publicly owned lands.

Farmland and Agriculture: There are an estimated 2,170 farms in Clark County with 440,376 acres of farmland. Clark County leads the state in number of dairy farms and milk cows.

Physiography, Relief, and Drainage: About 95 percent of the county is in the Central Plain Region and the rest is in the Northern Highland Region. Clark County was subject to three glacial advances. The highest elevation in Clark County is 1,460 feet, northeast of Dorchester and the lowest elevation is about 883 feet, near Lake Arbutus.

Geology: Cambrian rocks of the Mount Simon Formation underlie the majority of Clark County. The bedrock geology of the county consists mainly of upper Cambrian age sandstone. Precambrian crystalline rock underlies the northernmost and eastern portions of the county.

Watersheds: Clark County is located within three major river basins and has 13 distinct WDNR designated watersheds. Clark County has also designated watersheds.

Wetlands: There are 100,338 acres of wetland in Clark County or 12.9 percent of the total acres in the county, according to WDNR data.

Surface Water Features: There are no natural lakes in Clark County, only man-made reservoirs. There are three major waterways in Clark County: the Black River, the Yellow River, and the Eau Claire River. There are six currently listed impaired water bodies and one previously listed impaired watershed in Clark County, according to the WDNR. There are no outstanding resource waters listed by the WDNR in Clark County. Within Clark County, the only exceptional resource water listed is an unnamed creek (17-5 T24N R1E), a branch of the Cunningham Creek.

Groundwater: Groundwater is the source of all drinking water in Clark County. Clark County is moderately susceptible to groundwater contamination. 11% of the wells tested in Clark County exceeded the ES of 10 mg/L of nitrates. Additionally, 20% of the wells tested in Clark County were found to contain coliform bacteria. Most of Clark County is located in a region of Wisconsin that is considered to be groundwater quantity deficient. Many private and public drinking water wells in this area yield low amounts of water, about 2 to 5 gallons per minute.

Air Quality: Clark County is considered to be an attainment area.

Habitat and Ecology: The Land Legacy Report, released by the WDNR in 2006, identifies places that are critical in meeting conservation and recreation needs in the future. Threatened

and endangered species exist in Clark County. Clark County also has numerous aquatic and terrestrial invasive plants and animals. Unique and wilderness-like landscapes exist in Clark County. Pollution impacts on habitat and the local ecology are from point and nonpoint source discharges.

Agricultural and Natural Resource Trends and Outlook: It is anticipated that farmland trends for Clark County over the next five years will lead to increased pressure to convert farmland to other uses. The size of the average farm will continue to show increases. Dairy herd sizes will continue to increase. The number of dairy farms will continue to decline. Demand for forest products is predicted to increase, while forests managed for timber harvest are expected to decrease.

Land Use: Private resource land is the largest land use in Clark County at 76 percent, while public resource land makes up 17 percent. The remaining 7 percent is equally divided between intensive use areas, such as residential, commercial, industrial, and transportation corridors.

Existing Clark County Development Regulations: Clark County and its communities currently administer a variety of codes and ordinances related to natural resources. These include: Shoreland/Wetland Zoning Ordinance, Floodplain Ordinance, Private Onsite Wastewater Treatment System Ordinance, Non-Metallic Mining Reclamation Ordinance, Animal Manure Management Ordinance, and Land-spreading of Petroleum Contaminated Soil Ordinance.

Chapter 3: Land and Water Resource Conditions

Basins/Geography: Clark County consists of three major drainage basins. They are the Black-Buffalo-Trempealeau River Basin, the Lower Chippewa River Basin and the Central Wisconsin River Basin.

Exceptional and Outstanding Resource Waters: There are no outstanding resource waters listed by the WDNR in Clark County. There is one short segment of an unnamed stream in southeast Clark County designated as an exceptional resource water because it is a classified trout stream. Other streams are in the process of being classified as trout water, including Black Creek, Dickison Creek, Halls Creek, Scott Creek, and Sterling Creek.

Impaired Waters: There are six currently listed impaired water bodies and one impaired watershed previously listed in Clark County, according to the WDNR. They include Mead Lake, Lake Arbutus, Black River, Rock Dam Lake, Sherwood Lake, and the Wolf River. The Upper Yellow River Watershed was previously listed as impaired.

Watersheds: There are 13 WDNR watersheds in Clark County that drain to three major river basins.

Chapter 4: Environmental Issues and Concerns

Natural Resources Opinion Survey: In early May of 2011, a three question "Natural Resources Opinion Survey" was mailed out to over 1,500 county households, and also to each local unit of government. The survey had a 27% return rate.

Natural Resources Management Professionals Meeting: The meeting was held on Tuesday, May 31st, 2011 at the Clark County Courthouse Auditorium in Neillsville, Wisconsin.

Citizen Advisory Meetings: Citizen advisory meetings were held in five different locations in Clark County over the course of two months. The meetings occurred on June 7th at the courthouse auditorium in Neillsville, July 12th at the Withee Town Hall, July 23rd at the Hewett Town Hall, July 29th at the Mead Town Hall, and August 1st at the Farm Bureau Meeting in Neillsville.

Natural Resource Management Goals: The results of these natural resource professional and citizen meetings were presented to the Clark County Land Conservation Committee for review at their June, July, and August 2011 regularly scheduled meetings.

Chapter 5: Goals and Objectives

The management of the natural resources of Clark County is grouped into the following main categories: Surface Water, Groundwater, Wildlife: Flora and Fauna, Wetlands and Riparian Corridors, and Water Resources Inventory. The following goals represent the priority work plan focus for the Clark County Land Conservation Committee and its department for the next five years:

1. Reduce Sediment and Nutrient Delivery to Surface Water
2. Reduce Nutrient and Other Contaminant Delivery to Groundwater
3. Maintain the Health and Viability of the Animal and Plant Communities
4. Maintain the Functionality of the Existing Hydrologic Infrastructure
5. Increase Efforts to Inventory the Water Resources

Each goal, in the five-year work plan for the Clark County Land Conservation Department, has specific objectives and actions that will be used to ensure the success in meeting the goals.

Chapter 6: Runoff Management Performance Standards and Prohibitions

Performance Standards: Effective October 1, 2002, and amended in 2010, NR151 set forth minimum performance standards and prohibitions for achieving nonpoint source pollution control. The role of the Clark County Land Conservation Department is to assist landowners in planning, designing, and installing conservation plans and conservation best management practices that meet NR151 standards.

Local Implementation Strategy: The Clark County Land Conservation Department has developed an information and education strategy, as well as a priority farm identification process to inform landowners of the runoff management performance standards and prohibitions. The strategy also describes the methods for compliance determination, enforcement, and appeals.

Cost-Share Assistance: Cost-share funds will be made available to landowners through the County's Soil and Water Resource Management Program. The Land Conservation Committee has established a cost containment policy to equitably distribute the limited cost-share funds.

Best Management Practices: The list of conservation best management practices that are eligible to receive cost-share assistance under the Clark County Soil and Water Resource Management Program are numerous and subject to Land Conservation Committee approval.

Chapter 7: Coordination with Other Resource Management Plans and Programs

To meet the goals established in the Clark County Land and Water Resource Management Plan 2012-2016, citizens can assist by participating in existing, as well as new Federal, State, and Local conservation programs. There are numerous programs available to landowners to help them comply with the NR151 requirements established by the WDNR. The Clark County Land Conservation Department will make an effort to coordinate the implementation of programs with other local, state, and federal agencies.

Chapter 8: Evaluation and Monitoring

The Land Conservation Department has developed a strategy to evaluate and monitor the goals of the work plan including surface water-sediment delivery, surface and groundwater-nutrient delivery, wildlife: flora and fauna, wetlands and riparian corridors, and water resources inventory. The Clark County Land Conservation Department utilizes a Geographic Information System (GIS) developed by the County's Land Information Office.

Chapter 9: Information and Education Strategy

Implementation of the Clark County Land and Water Resource Management Plan will depend heavily upon a successful information and education program.

Work Plan: 2012-2016

The work plan is for the program years 2012-2016. The work plan states the goals, objectives, and actions that will be taken during the implementation of the plan. It also shows who is responsible for conducting the actions and what the anticipated level of staff hours and funding will be needed to accomplish the goals.

Comments or suggestions should be directed to the Clark County Land Conservation Department, 517 Court Street, Courthouse, Room 102, Neillsville, WI 54456. Additional information is also available online at the Clark County government web site at <http://www.co.clark.wi.us>

2012-2016 CLARK COUNTY CONSERVATION WORK PLAN*

Goal #1 - Reduce Sediment and Nutrient Delivery to Surface Water					
Objective	Actions	Who	When	Est. Staff Hours for 5 yrs	Outcome
1. Reduce pollutant loading to surface waters	A. Provide technical assistance and cost-share funds for the installation of best management practices that reduce pollutant delivery	LCD, NRCS	2012-2016	5,000	Provide \$50,000 annually for cost-share assistance
	B. Assist landowners with meeting the Runoff Management Performance Standards, including landowners participating in the Farmland Preservation Program	LCD	2012-2016	2,500	Assist 35 landowners annually
	C. Administer the Clark County Animal Manure Management Ordinance	LCD	2012-2016	5,000	Issue 15-20 new facility permits and 3-5 closure permits annually
	D. Assist landowners with developing winter manure/wastewater spreading plans	LCD, UWEX	2012-2016	200	Assist 5 landowners annually
	E. Implement Mead Lake TMDL and others	LCD, NRCS, UWEX	2012-2016	1,000	Provide \$75,000 annually for cost-share assistance
2. Increase the number of acres that implement nutrient management planning	F. Continue to require all permitted storage facilities to annually submit an approved nutrient management plan	LCD	2012-2016	1,500	Review and approve annually submitted nutrient management plans
	G. Provide cost-share funds for the implementation of nutrient management plans	LCD, NRCS	2012-2016	200	Provide \$25,000 annually for cost-share assistance
3. Increase the use of clean water diversions, buffer strips, and/or tillage setbacks	H. Provide technical assistance for BMP installation	LCD	2012-2016	500	Assist 5 landowners annually
4. Reduce soil erosion and sediment and nutrient delivery	I. Promote reduced tillage, no-till, and cover crops	LCD, UWEX	2012-2016	200	Assist 15 landowners annually
	J. Conduct the Soil Erosion Transect Survey	LCD, NRCS	2012-2016	500	Conduct survey annually
5. Reduce discharges from milkhouse wastewater, silage leachate runoff, and direct deposition of manure into surface water.	K. Provide technical assistance for BMP installation	LCD	2012-2016	500	Assist 5 landowners annually
6. Educate landowners about the application of fertilizer, manure, and other plant nutrients.	L. Conduct four nutrient management training sessions annually	LCD, UWEX	2012-2016	500	Assist 25 landowners annually
7. Educate residents, contractors, other local governments about construction site erosion control and stormwater runoff management	M. Assist local contractors and local units of government with meeting the stormwater and erosion control requirements in NR216	LCD	2012-2016	100	Assist 5 contractors/ town officials annually
	N. Conduct two training sessions for local contractors and town officials	LCD	2013, 2015	200	Assist 25 contractors/ town officials
Estimated Staff Hours = 17,900; Estimated Staff Costs = \$626,500; Estimated Other Costs = \$750,000					

Goal #2 - Reduce Nutrient and Other Contaminant Delivery to Groundwater					
Objective	Actions	Who	When	Est. Staff Hours for 5 yrs	Outcome
1. Reduce pollutant loading to groundwater	A. Provide cost-share funds for the installation of best management practices that reduce pollutant delivery	LCD, NRCS	2012-2016	see 1.1.A.	Provide \$20,000 annually for cost-share assistance
2. Increase the level of maintenance and repair on animal manure and agricultural wastewater storages	B. Administer the Clark County Animal Manure Management Ordinance	LCD	2012-2016	see 1.1.C.	see 1.1.C.
3. Increase the level of maintenance and repair on industrial, municipal, and residential wastewater storages	C. Administer the Clark County Animal Manure Management Ordinance	LCD	2012-2016	see 1.1.C.	see 1.1.C.
	D. Assist landowners and cooperate with WDNR on the completion of WDNR Form 3400-196 "Notice of Intent to Store Industrial Wastes in Existing Off-Site Manure Structures"	LCD	2012-2016	1,500	Assist 15 landowners annually
4. Increase the abandonment of unused manure storages	E. Administer the Clark County Animal Manure Management Ordinance	LCD	2012-2016	see 1.1.C.	see 1.1.C.
5. Increase the number of property sealed and abandoned unused wells.	F. Provide technical assistance and cost-share for BMP installation	LCD	2012-2016	see 1.1.A.	Provide \$2,500 annually for cost-share
6. Encourage landowners to dispose of all unused chemicals and fertilizers in the most environmentally sound manner	G. Organize a countywide Clean Sweep every three-four years	LCD, UWEX, P&Z, Health	2014, 2016	250	Provide an environmentally safe alternatives for chemical and other hazardous waste disposal
7. Educate private and public water supply owner/operators about the importance of wellhead protection planning	H. Conduct two training sessions for local residents	LCD	2012, 2015	100	Assist 50 landowners
	I. Provide technical assistance	LCD	2012-2016	500	Assist 15 landowners annually
Estimated Staff Hours = 2,350; Estimated Staff Costs = \$82,250; Estimated Other Costs = \$112,500					

Goal #3 - Maintain the Health and Viability of the Animal and Plant Communities

<i>Objective</i>	<i>Actions</i>	<i>Who</i>	<i>When</i>	<i>Est. Staff Hours for 5 yrs</i>	<i>Outcome</i>
1. Increase the amount of native vegetation being planted	A. Provide technical assistance for BMP installation	LCD, NRCS	2012-2016	500	Assist 25 landowners and provide \$50,000 in cost-share assistance
2. Increase the amount of invasive species inventorying and the level of control	B. Conduct a countywide inventory	LCD	2012, 2015	500	Increase the knowledge of the location of invasive species
3. Maintain the biological diversity, ecology, and environmental functions of the landscape	C. Support CREP, CRP, WRP, SAFE, etc. and provide technical assistance to landowners	LCD, NRCS, FSA	2012-2016	250	Assist 20 landowners
4. Maintain prime farmland by limiting the impacts of rural residential development	D. Assist landowners with Wisconsin Working Lands Initiative Program	LCD	2012-2016	1,000	Assist interested landowners and town officials, as needed
5. Educate the public on the importance of diverse ecosystems	E. Conduct two training sessions for local residents	LCD	2012, 2016	100	Assist 30 landowners
Estimated Staff Hours = 2,350; Estimated Staff Costs = \$82,250; Estimated Other Costs = \$50,000					

Goal #4 - Maintain the Functionality of the Existing Hydrologic Infrastructure

<i>Objective</i>	<i>Actions</i>	<i>Who</i>	<i>When</i>	<i>Est. Staff Hours for 5 yrs</i>	<i>Outcome</i>
1. Increase the "net gain" of wetland acres through wetland restoration and creation	A. Provide cost-share and technical assistance for BMP installation	LCD, NRCS	2012-2016	1,500	Assist 10 landowners and provide \$50,000 for cost-share assistance
2. Preserve existing wetlands, floodplains/flood fringes, riparian corridors, and natural conveyances by avoiding intentional destruction	B. Assist landowners with applying for the proper permits and/or finding alternatives	LCD	2012-2016	500	Assist 10 landowners
3. Maintain, improve, and/or restore the natural condition of the shoreland corridor, littoral zone, and instream habitat of rivers and lakes	C. Provide cost-share and technical assistance for BMP installation	LCD	2012-2016	1,500	Assist 10 landowners and provide \$50,000 for cost-share assistance
4. Educate the public on the importance of water conservation	D. Conduct two training sessions for local residents	LCD	2013, 2015	250	Assist 30 landowners
5. Educate the public on the interconnection between groundwater and surface water	E. Conduct two training sessions for local residents	LCD	2014, 2016	250	Assist 30 landowners
Estimated Staff Hours = 4,000; Estimated Staff Costs = \$140,000; Estimated Other Costs = \$100,000					

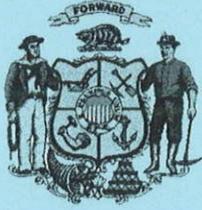
Goal #5 - Increase Efforts to Inventory the Water Resources

<i>Objective</i>	<i>Actions</i>	<i>Who</i>	<i>When</i>	<i>Est. Staff Hours for 5 yrs</i>	<i>Outcome</i>
1. Increase water quality and quantity monitoring on surface water resources	A. Develop monitoring sites for streams and lakes with the assistance of WDNR	LCD	2013, 2015	1,500	Increase the number of monitoring sites in Clark County at a cost of \$30,000
2. Increase water quality and quantity monitoring on groundwater resources	B. Conduct a countywide groundwater study	LCD	2012, 2014, 2016	1,500	Increase the number of monitoring sites in Clark County at a cost of \$30,000
3. Maintain a database of surface and groundwater quality and quantity changes	C. Use GIS to map results	LCD	2012-2016	1,000	Increase the accessibility of monitoring data
4. Educate the public about the importance of improving water quality and what actions they can take to preserve clean and abundant water for future generations	D. Conduct a countywide drinking water well sampling program	LCD	2012, 2014, 2016	see 5.1.B.	Assist 250 landowners
Estimated Staff Hours = 4,000; Estimated Staff Costs = \$140,000; Estimated Other Costs = \$60,000					

To implement the 2012-2016 Work Plan the following resources will be needed:

Total Staff Hours = 30,800
 Total Staff Costs = \$1,071,000
 Total Other Costs = \$1,072,500
 Total Costs = \$2,143,500

*The 2012-2016 work plan does not include the activities and hours required of department staff in order to fulfill their county government employment obligations (i.e. training, administrative, financial, etc.)



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 9



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 10

DATE: November 22, 2011

TO: Land and Water Conservation Board (LWCB) and Advisors

FROM: Pamela Biersach, Director *Mary Anne Lowndes for*
Bureau of Watershed Management, DNR

SUBJECT: DNR Proposed Scoring of Targeted Runoff Management (TRM) Applications for Calendar Year (CY) 2012

Recommended Action: Staff requests that the Land and Water Conservation Board make recommendations on the DNR's proposed scoring of TRM applications.

Summary: Pursuant to s. 281.65(4c)(b), Wis. Stats., DNR is informing the Land and Water Conservation Board through this memo of Targeted Runoff Management grant application scores for projects to be considered for grant funding. Scoring results for projects being considered for CY 2012 funding are presented in the attached tables.

The revised ch. NR 153, Wis. Adm. Code, became effective on January 1, 2011, and now includes four, separate TRM project categories as noted below. Projects are scored and ranked against other projects in the same category. Based on available appropriations, the Department has \$4,919,613 to fund CY 2012 TRM grants. Total available funding will be sub-allocated amongst the four project categories.

The following is a summary of the scoring and ranking process to date:

A. Small-Scale Total Maximum Daily Load (TMDL)

- Six applications were submitted and are eligible for consideration.
- Funding requests for the applications total \$646,150.
- Based on available funding, the Department has \$321,750 to fund CY 2012 Small-Scale TMDL TRM projects. This will fully fund the top three projects on the list..

B. Small-Scale Non-TMDL

- Thirty-four applications were submitted and are eligible for consideration.
- Funding requests for the applications total \$4,244,575.
- Based on available funding, the Department has \$2,434,224 to fund CY 2012 Small-Scale Non-TMDL TRM projects. This will fully fund the top 19 projects on the list. Three projects were moved to the bottom of the list because the applicant's funding request exceeded 20% of available funds for this project category (per s. NR 153.20(2)(d)3.b., Wis. Adm. Code).

C. Large-Scale TMDL

- Four applications were submitted and are eligible for consideration.
- Funding requests for the applications total \$1,635,620.
- Based on available funding, the Department has \$1,635,620 to fund CY 2012 Large-Scale TMDL TRM projects. This will fully fund all projects on the ranked list.

D. Large-Scale Non-TMDL

- Two applications were submitted and are eligible for consideration.

- Funding requests for the applications total \$1,712,025.
- Based on available funding, the Department has \$528,019 to fund CY 2012 Large-Scale Non-TMDL TRM projects. This will partially fund the top (one) project on the list.

Attached are the scoring lists DNR will use to make funding decisions for the CY 2012 TRM grants. The following process has been used:

1. All projects are scored and then ranked by score for each project category.
2. For Small-Scale TMDL and Non-TMDL applications only, the highest scoring application from each DNR region that is above the median score in each of the two project categories is identified and moved to the top of the ranked list.
3. Selection of applications continues based on rank order, regardless of location, until funds are exhausted.

The attachments show the final rank order of applications. The maximum possible award for any project is \$150,000. Further, no one applicant may receive more than 20% of the total available funding in a given project category. Projects on the ranked list whose funding request exceeds 20% of the total available funding will be awarded that 20% and the balance of the request will be moved to the bottom of the ranked list; additional funding is provided only after all other eligible projects have first been funded. The cumulative funding requests for selected applications may not exceed the available funding.

If additional funds become available prior to March 31, 2012, DNR will select additional applications from the list. Funds available after April 1, 2012 will be rolled into the calendar year 2013 grant cycle.

The Department will include allocations to counties for TRM projects in the *CY 2012 Joint DATCP/DNR Final Allocation Plan*. In addition, the DNR will issue grants to successful governmental units. During the grant agreement development process, funding amounts will be adjusted as necessary to reflect final cost-share rates and eligible project components.

Materials Provided:

CY 2012 Small-Scale TRM Scoring by Project Category & Rank
CY 2012 Large-Scale TRM Scoring by Project Category & Rank

Presenter: Corinne Billings, DNR

CY 2012 Small-Scale TRM Scoring by Project Category & Rank

Maximum possible points = 190.90.

Note: Shaded projects are proposed to be funded.

Small-Scale TMDL Applications

Rank	Applicant Name	Project Name	Region	Region Boost	Final Score	Total Eligible Cost	Amount Requested	Cumulative Requested
1	Lac La Belle, Village*	Lac La Belle-Sedimentation Project	SER	Yes	144.00	\$479,505	\$150,000	\$150,000
2	Buffalo County*	JK (Joe Kabus) Barnyard	WCR	Yes	113.30	\$31,071	\$21,750	\$171,750
3	Washington County	Ihlenfeld Farms Waste Storage	SER		101.70	\$280,000	\$150,000	\$321,750
4	Trempealeau County	North and Newcomb Valley Creeks TMDL Erosion Stabilization	WCR		101.00	\$221,550	\$150,000	\$471,750
5	Washington County	Held Dairy Waste Storage	SER		100.70	\$235,000	\$150,000	\$621,750
6	Outagamie County	Vandelloo-Heitpas Farm	NER		96.80	\$35,000	\$24,400	\$646,150
						\$1,282,126	\$646,150	

*Region Boost with score equal to or greater than median of 101.35.

Small-Scale Non-TMDL Applications

Rank	Applicant Name	Project Name	Region	Region Boost	Final Score	Total Eligible Cost	Amount Requested	Cumulative Requested
1	Calumet County*	Bon Home	NER	Yes	151.00	\$219,360	\$150,000	\$150,000
2	Marathon County*	Excelsus Dairy	WCR	Yes	126.20	\$217,255	\$150,000	\$300,000
3	Door County	Lilly Bay Watershed	NER		149.50	\$215,460	\$150,000	\$450,000
4	Marinette County	Finger Farm	NER		137.90	\$246,576	\$150,000	\$600,000
5	Marinette County	Darga Farm	NER		137.90	\$466,379	\$150,000	\$750,000
6	Outagamie County	Steve Daniels	NER		137.70	\$143,616	\$100,000	\$850,000
7	Marinette County	Jeremy Gross Farm	NER		136.40	\$327,443	\$150,000	\$1,000,000
8	Shawano County	Hartleben Animal Waste Mngt	NER		129.30	\$300,800	\$150,000	\$1,150,000
9	Outagamie County	Sleepy Hollow Farm of Black Creek	NER		123.90	\$124,000	\$86,500	\$1,236,500
10	Waupaca County	Potters Creek-Manske Project	NER		122.10	\$192,600	\$134,820	\$1,371,320
11	Pierce County	Hendrickson Manure Storage	WCR		120.60	\$121,138	\$84,797	\$1,456,117
12	Shawano County	Aisworth Animal Waste Mngt	NER		120.60	\$150,000	\$150,000	\$1,606,117

Small-Scale Non-TMDL Applications

Rank	Applicant Name	Project Name	Region	Region Boost	Final Score	Total Eligible Cost	Amount Requested	Cumulative Requested
13	Portage County	Lein Farms Manure Storage	WCR		117.60	\$300,000	\$150,000	\$1,756,117
14	Waushara County	Magdanz Dairy LLC	NER		117.20	\$362,500	\$140,733	\$1,896,850
15	Buffalo County	GT (Greg Thomas) Manure Mngt.	WCR		115.40	\$146,345	\$146,345	\$2,043,195
16	Jackson County	Laufenberg Barnyard Runoff	WCR		115.30	\$220,460	\$150,000	\$2,193,195
17	Dane County	Thomas Helt Roof Project	SCR		115.30	\$74,970	\$52,479	\$2,245,674
18	Walworth County	Martin Vanderstappen Manure Storage	SER		114.91	\$374,540	\$100,000	\$2,345,674
19	Shawano County	Berg Animal Waste Mngt.	NER		114.20	\$126,500	\$88,550	\$2,434,224
20	Brown County	Strebel Farms	NER		112.90	\$218,000	\$150,000	\$2,584,224
21	Sawyer County	Wilderness Walk	NOR		109.00	\$48,600	\$34,020	\$2,618,244
22	Brown County	Conard Farms	NER		108.90	\$223,000	\$150,000	\$2,768,244
23	Polk County	Mabry's Manure Storage	NOR		107.40	\$85,000	\$59,500	\$2,827,744
24	Oconto County	Cook 11	NER		106.70	\$251,630	\$150,000	\$2,977,744
25	Green Lake County	White Creek Watershed	NER		105.00	\$125,100	\$85,000	\$3,062,744
26	Kewaunee County	Steinhorst	NER		103.70	\$217,556	\$150,000	\$3,212,744
27	Trempealeau County	Tamarach Valley Dairy LLC	WCR		102.80	\$214,200	\$149,940	\$3,362,684
28	Trempealeau County	Darrell Kleppen Project	WCR		102.60	\$64,995	\$45,497	\$3,408,181
29	Lincoln County	Randy Krueger Animal Waste Storage	NOR		99.40	\$214,530	\$150,000	\$3,558,181
30	Trempealeau County	Neal Schank Voluntary TRM	WCR		82.90	\$123,420	\$86,394	\$3,644,575
31	Portage County	Zoromski Farms Manure Storage	WCR		75.70	\$300,000	\$150,000	\$3,794,575
32^	Marinette County	Eric Vanderwalle Farm	NER		130.50	\$261,558	\$150,000	\$3,944,575
33^	Marinette County	Pioneer Farm	NER		128.50	\$490,445	\$150,000	\$4,094,575
34^	Marinette County	Dennis Gross Farm	NER		120.60	\$222,200	\$150,000	\$4,244,575
						\$7,390,176	\$4,244,575	

*Region Boost with score equal to or greater than median of 116.30.

^Project moved to the bottom of list because applicant funding request exceeds 20% of available funds for this project category, as required by s. NR 153.20(2)(d)3.b., Wis. Adm. Code.

CY 2012 Large-Scale TRM Scoring by Project Category & Rank

Maximum possible points = 243.80.

Note: Shaded projects are proposed to be funded.

Large-Scale TMDL Applications

Rank	Applicant Name	Project Name	Region	Final Score	Total Project Cost (Local Assistance & BMPs)	State Share Local Assistance Amount Requested	State Share Cropping BMP Request	State Share Structural BMP Request	State Share Total Amount Requested	State Share Amount Proposed Award	Cumulative Proposed Award
1	Chippewa County	Little Lake Wissota Stewardship	WCR	172.20	\$1,629,500	\$74,620	\$177,379	\$568,821	\$820,820	\$820,820	\$820,820
2	Outagamie County	Dutchman Creek	NER	169.30	\$490,000	\$28,000	\$0	\$280,000	\$308,000	\$308,000	\$1,128,820
3	Outagamie County	Ashwaubenon Creek	NER	167.50	\$490,000	\$28,000	\$0	\$280,000	\$308,000	\$308,000	\$1,436,820
4	Green County	Legler School and Pioneer Valley Creeks	SCR	152.70	\$374,000	\$0	\$9,800	\$189,000	\$198,800	\$198,800	\$1,635,620
					\$2,983,500	\$130,620	\$187,179	\$1,317,821	\$1,635,620	\$1,635,620	

Large-Scale Non-TMDL Applications

Rank	Applicant Name	Project Name	Region	Final Score	Total Project Cost (Local Assistance & BMPs)	State Share Local Assistance Amount Requested	State Share Cropping BMP Request	State Share Structural BMP Request	State Share Total Amount Requested	State Share Amount Proposed Award	Cumulative Proposed Award
1	Door County	Dunes Lake Ag Implementation	NER	199.00	\$1,144,986	\$67,613	\$173,250	\$502,875	\$743,738	\$528,019	\$528,019
2	Kewaunee & Brown Counties	School Creek-Kewaunee River	NER	152.40	\$1,817,515	\$88,026	\$64,360	\$815,901	\$968,287	\$0	\$528,019
					\$2,962,501	\$155,639	\$237,610	\$1,318,776	\$1,712,025	\$528,019	

DATE: November 22, 2011

TO: Land and Water Conservation Board (LWCB) and Advisors

FROM: Pamela Biersach, Director *Mary Anne Lowndes for*
Bureau of Watershed Management, DNR

SUBJECT: DNR Proposed Scoring of Urban Nonpoint Source & Storm Water Management (UNPS) Applications for Calendar Year (CY) 2012

Recommended Action: This is an informational item. However, if the LWCB wishes to do so, it may vote to “receive” the report. A vote to “receive” the report does not bind the LWCB to any position.

Summary: The Department of Natural Resources funds UNPS projects under s. 281.66, Wis. Stats. The purpose of this program is to control polluted runoff from urban project areas. Funds may be used for two types of projects: 1.) Design/construction projects (may also include land acquisition); and 2.) Planning projects. Each project type has its own application process and funding source. Consequently, construction projects and planning applications do not compete against each other for funding.

The purpose of this agenda item is to inform the LWCB of the scoring, ranking, and project selection process conducted to date for the CY 2012 UNPS Construction and Planning projects.

UNPS – Construction Projects

The maximum state cost share per successful application is \$150,000. An additional \$50,000 is available for property acquisition, if applicable.

- Twenty-six applications were submitted and are eligible for consideration.
- Total grant requests for these applications total \$3,162,341.

Based on current available funding, the Department has \$2,668,595 to fund CY 2012 UNPS Construction grants. This will fully fund the top 22 projects on the ranked list. One project was moved to the bottom of the list because the applicant’s funding request exceeded 20% of available funds for this program (per s. NR 155.20(2)(b), Wis. Adm. Code).

UNPS – Planning Projects

The maximum state cost share per successful application is \$85,000.

- Thirteen applications were submitted and are eligible for consideration.
- Total grant requests for these applications total \$625,221.

Based on current available funding, the Department has \$625,221 to fund CY 2012 UNPS Planning grants. This will fully fund all projects on the ranked list.

Funded projects should be completed within 24 months from the start of the grant period, although it may be possible for project sponsors to request an extension. Once the *2012 Joint Final Allocation Plan* is signed, DNR will develop grant agreements for successful applications. During the grant agreement development process, funding amounts may be adjusted as necessary to reflect final cost-share rates and eligible project components.

Materials Provided:

CY 2012 UNPS-Construction Scoring by Rank
CY 2012 UNPS-Planning Scoring by Rank

Presenter: Corinne Billings, DNR

CY 2012 UNPS-Construction Scoring by Rank

Maximum possible points = 180.4.

Note: Shaded projects are proposed to be funded.

Rank	Applicant Name	Project Name	Region	Final Score	Total Eligible Cost (BMPs & Prop. Acq.)	Total Amount Requested (BMPs & Prop.)	Cumulative Requested
1	Fitchburg, City	Red Arrow Trail Pond	SCR	151.50	\$123,750	\$60,000	\$60,000
2	Watertown, City	Mary Street BMP	SCR	151.00	\$1,087,123	\$200,000	\$260,000
3	Fitchburg, City	Valley View Pond	SCR	149.10	\$204,750	\$100,000	\$360,000
4	Manitowoc, City	Dewey Street Pond	NER	146.30	\$508,065	\$150,000	\$510,000
5	Brown Deer, Village	BMPs	SER	140.80	\$200,000	\$100,000	\$610,000
6	Bellevue, Village	Windsor Drive Pond	NER	138.60	\$284,398	\$110,915	\$720,915
7	Bellevue, Village	Eaton Road Pond	NER	137.50	\$446,838	\$122,880	\$843,795
8	Bellevue, Village	Allouez Avenue Pond	NER	136.40	\$483,688	\$200,000	\$1,043,795
9	Bellevue, Village	Ontario Road Pond	NER	135.30	\$140,052	\$70,026	\$1,113,821
10	Pewaukee, Village	Stormwater BMPs	SER	133.00	\$175,150	\$87,575	\$1,201,396
11	Manitowoc, City	Rheume Park Pond	NER	132.00	\$158,610	\$79,305	\$1,280,701
12	Sussex, Village	Bioretention Basins	SER	132.00	\$260,000	\$130,000	\$1,410,701
13	Sussex, Village	Daylighting	SER	131.00	\$525,875	\$200,000	\$1,610,701
14	Manitowoc, City	Oak Park Pond	NER	130.90	\$430,200	\$140,942	\$1,751,643
15	Manitowoc, City	Dufek Pond	NER	127.60	\$258,140	\$92,930	\$1,844,573
16	Cedarburg, Town	Wet Detention Pond	SER	126.50	\$323,600	\$150,000	\$1,994,573
17	Wauwatosa, City	Stormwater Inlet Replacements	SER	125.20	\$315,562	\$149,000	\$2,143,573
18	Kewaunee County	Fairgrounds Pond	NER	118.90	\$306,415	\$125,000	\$2,268,573
19	Wisconsin Rapids, City	STH 54 Pond	WCR	115.00	\$140,044	\$70,022	\$2,338,595
20	Middleton, City	Pheasant Branch-South Fork Stabilization	SCR	113.80	\$124,215	\$60,000	\$2,398,595
21	Milwaukee, City	Grange Avenue-Green Streets	SER	113.00	\$608,000	\$150,000	\$2,548,595
22	Middleton, City	Pheasant Branch-Park to Parmenter	SCR	112.20	\$214,846	\$120,000	\$2,668,595
23	Mercer, Town	Eastern Downtown Pond	NOR	106.00	\$537,911	\$160,000	\$2,828,595
24	Bellevue, Village	Green View Place Pond	SCR	105.60	\$141,340	\$52,296	\$2,880,891
25	Racine, City	Lincoln Park Streambank	SER	99.00	\$200,000	\$100,000	\$2,980,891
26 [^]	Bellevue, Village	Manitowoc Road Pond	NER	132.00	\$453,830	\$181,450	\$3,162,341
					\$8,652,402	\$3,162,341	

[^]Project moved to bottom of list because applicant funding request exceeds 20% of available funds, as required by s. NR 155.20(2)(b), Wis. Adm. Code.

CY 2012 UNPS-Planning Scoring by Rank

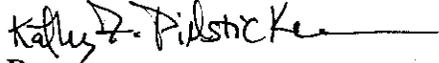
Maximum possible points = 169.4.

Note: Shaded projects are proposed to be funded.

Rank	Applicant Name	Project Name	Region	Final Score	Total Eligible Cost	Amount Requested	Cumulative Requested
1	Fitchburg, City	STWM Masterplan for Nine Springs Creek	SCR	141.60	\$134,165	\$75,000	\$75,000
2	Eau Claire County	Chippewa Valley I & E Outreach	WCR	130.90	\$90,000	\$45,000	\$120,000
3	Howards Grove, Village	STWM Master Plan Implementation	SER	128.20	\$52,000	\$33,800	\$153,800
4	Oshkosh, City	Pollution Analysis Update	NER	123.20	\$124,720	\$80,000	\$233,800
5	Watertown, City	Update to WQ Calculations	SCR	119.90	\$80,500	\$42,350	\$276,150
6	Milwaukee County	It All Adds UP	SER	118.90	\$121,000	\$70,000	\$346,150
7	Dunkirk, Town	Stormwater Management	SCR	118.80	\$24,800	\$16,368	\$362,518
8	Mount Pleasant, Village	Keep Our Waters clean I & E	SER	116.90	\$133,500	\$80,000	\$442,518
9	Racine, City	City-wide STWM Water Quality Update	SER	106.70	\$45,000	\$31,500	\$474,018
10	Mount Horeb, Village	STWM Utility Creation	SCR	106.30	\$43,719	\$30,603	\$504,621
11	Racine, City	Root River Streambank Assessment Update	SER	98.80	\$100,000	\$70,000	\$574,621
12	Marshfield, City	City-wide WQ Model Update	WCR	94.30	\$66,900	\$40,100	\$614,721
13	Deerfield, Village	Stormwater Utility Feasibility Study	SCR	46.00	\$15,000	\$10,500	\$625,221
					\$1,011,304	\$625,221	

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: November 22, 2011**TO:** Land and Water Conservation Board Members and Advisors**FROM:** Kathy Pielsticker, DATCP 
Bureau of Land and Water ResourcesPamela Biersach, DNR 
Bureau of Watershed Management**SUBJECT:** *2012 Joint Preliminary Allocation Plan for the Soil and Water Resource Management Program and the Nonpoint Source Program*

Recommended Action: This is an informational item. However, if the LWCB wishes to do so, it may vote to "receive" the *2012 Joint Preliminary Allocation Plan*. A vote to "receive" the preliminary allocation plan does not bind the LWCB to any position.

Summary: The *2012 Joint Preliminary Allocation Plan* details how both, the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Natural Resources (DNR) propose to allocate available nonpoint grant funds to county Land Conservation Committees and other project sponsors. This plan does not include allocation of DNR funds to cities, towns, and villages for projects under ss. 281.65 or 281.66, Stats. For 2012, \$19,677,218 will be jointly allocated. A breakdown of this joint allocation is provided below.

As part of the decision-making record, DATCP prepared an environmental assessment (EA). The EA finds that DATCP's proposed allocation is not a major action significantly affecting the quality of the human environment and concludes that an environmental impact statement is not required.

A. Breakdown of 2012 Joint Allocation**County Staff and Support Grants** **Total = \$7,894,600**

DATCP proposes to allocate \$7,779,600 in grants to county land conservation committees (counties) and other project sponsors from the following sources:

\$5,036,900	DATCP SEG from s. 20.115(7)(qe)
\$2,742,700	DATCP GPR from s. 20.115(7)(c)

The following steps are involved in the two-tier process used to make the staffing allocation. Tier 1 awards each county \$85,000 as a basic award. Tier 2 attempts to provide counties with funding to pay for three positions based on actual costs of those positions at the rate of 100 percent for the first position, 70 percent for the second, and 50 percent for the third. As a result of increases in staffing costs, combined with no increased appropriations, DATCP can fund each county's first position, and only 39% of the county requests for their second positions at the 70% rate. DATCP has no funding for a county's third position funded at the 50% rate.

DATCP may consider alternative approaches to apportion the \$1.1 million lapse in GPR funds other than allocation using the staffing grant formula.

The maximum amount that DNR can allocate to counties through the Urban Nonpoint Source and Storm Water Management Grant Program for planning projects is \$115,000. These segregated funds come from the Urban Nonpoint Source and Storm Water Management account. DNR has yet to determine the specific allocations to individual counties.

Cost-Share Grants**Total = \$11,139,187**

DATCP proposes to allocate a total of \$5,084,155 for cost-sharing composed of the following funding sources:

\$ 3,566,822	DATCP Bond from s. 20.866(2)(we)
\$ 200,000	DATCP Bond Reserve from s. 20.866(2)(we)
\$ 1,317,333	DATCP SEG Revenue from s. 20.115(7)(qf)

In 2012, DATCP will allocate \$ 3,566,822 in Bond Revenue funds as follows: provide each county base funding of \$20,000 and make performance-based awards consistent with grant procedures used in prior grant years.

DATCP will again set up a \$200,000 reserve of Bond funds for regulatory animal waste response (NR 243) projects. Individual grant awards from this reserve will be allocated to counties on first-come, first-served basis using a separate application process, <http://www.dnr.state.wi.us/runoff/grants/applications/NOD.htm>.

Of the remaining SEG funds from s. 20.115(7)(qf), available after a decrease of \$3.5 million to account for a shortfall in the Environmental Fund, DATCP proposes to allocate \$1,317,333 using a new streamlined process that ranks applicants based on the number farmers in each county claiming an FPP credit in 2009, the number of NM checklists submitted by the county in 2010 and the county's record of spending or committing SEG funds.

DNR proposes to allocate a total of \$6,055,032 as follows:

\$ 5,047,532	DNR Bond Revenue from s. 20.866(2)(te)&(tf)
\$ 0	DNR GPR from s. 20.370(6)(aa)
\$ 125,000	DNR Bond Revenue from s. 20.866(2)(th)
\$ 882,500	DNR Sec. 319 Account (federal)

Other**Total = \$643,431**

DATCP will allocate \$643,431 in SEG funds from s. 20.115(7)(qf) for contracts to support nutrient management implementation and other project activities including SOC.

B. Next Steps

The 2012 Joint Preliminary Allocation Plan, and DATCP's EA, were provided to all county land conservation department offices and other interested parties prior to the LWCB's December 6, 2011 meeting. Counties, project cooperators and others may submit comments about this 2012 Joint Preliminary Allocation Plan or the alternative approaches to funding the DATCP staffing grant. In addition to written comments, interested persons may request to appear before the LWCB to present comments by completing a Public Appearance Request Card at the start of the December 6, 2011 meeting. Written comments must be postmarked, faxed, or e-mailed by Thursday, December 22, 2011 to:

Dilip Patel
DATCP, Land & Water Resources Bureau
P.O. Box 8911
Madison, WI 53708-8911
Fax: 608-224-4615
E-mail: Dilip.Patel@wi.gov

Materials Provided:

- ◆ *2012 Joint Preliminary Allocation Plan*
- ◆ *Environmental Assessment*

Presenters: Richard Castelnuovo (DATCP); Corinne Billings (DNR)

2012 JOINT PRELIMINARY ALLOCATION PLAN

Soil and Water Resource Management Grant Program and Nonpoint Source Program

The allocations identified in this joint preliminary plan provide counties and others with grant funding for conservation staff and support costs, landowner cost sharing, and runoff management projects. The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and Department of Natural Resources (DNR) are making these allocations to protect Wisconsin's soil and water resources, consistent with the objectives in chs. 92 and 281, Wis. Stats.

DATCP is allocating grants to county land conservation committees (counties) and other project cooperators in 2012 through the Soil and Water Resource Management Program (see Table A). DNR is allocating grants to counties through the Targeted

Runoff Management (TRM), Urban Nonpoint Source and Storm Water Management (UNPS), and Notice of Discharge (NOD) grant programs (see Table B).

For 2012, a total of \$19,677,218 is allocated based on the state budget for the 2011-13 biennium. Table C summarizes all allocations, by grantee. Organized by funding category, Chart 1 below summarizes grant fund requests, unmet funding requests and preliminary allocations. Chart 2 below divides the allocation categories into funding sources.

While these allocations have been adjusted to reflect required and other lapses, the legislature must approve agency lapse plans. Allocations may be further adjusted to account for changes in required lapses or other reductions.

Chart 1: Summary of Requests and Joint Allocations for Grant Year 2012

Funding Category	Total Requests	Unmet Requests	Final Allocations
DATCP ALLOCATIONS			
County Staff/Support	\$16,188,469	\$8,408,869	\$7,779,600
County LWRM Cost-Share (B)	\$8,091,768	\$4,524,946	\$3,566,822
NR 243 Reserve (B)	\$200,000	\$0	\$ 200,000
County LWRM Cost-Share (SEG)	\$4,401,002	\$3,083,669	\$1,317,333
Contracts for Projects (SEG)	\$ 1,040,621	\$397,190	\$ 643,431
SUBTOTAL	\$29,921,860	\$16,414,674	\$13,507,186
DNR ALLOCATIONS			
UNPS Planning	\$115,000		\$ 115,000
UNPS Construction	\$125,000		\$ 125,000
TRM Construction	\$8,238,370	\$3,318,757	\$4,919,613
NOD Reserve (B & CP)	\$1,010,419		\$1,010,419
SUBTOTAL	\$9,488,789	\$3,318,757	\$6,170,032
TOTAL			\$19,677,218

Abbreviations Used Above:

LWRM = Land & Water Resource Management Plan Implementation
NA = Not Applicable or Available
TRM = Targeted Runoff Management
UNPS = Urban Nonpoint Source and Storm Water Management
B = Bond Revenue
CP = Cropping Practices

Chart 2: Funding Sources

Staff and Support Grants

\$5,036,900 DATCP SEG from s. 20.115(7)(qe)
 \$2,742,700 DATCP GPR from s. 20.115(7)(c)

\$7,779,600 DATCP Subtotal

\$ 115,000 DNR SEG from s.20.370(6)(dq)

\$ 115,000 DNR Subtotal

\$7,894,600 Staff and Support Grant Total

Cost-Share Grants

\$ 3,566,822 DATCP Bond from s. 20.866(2)(we)

\$ 200,000 DATCP Bond Reserve from s. 20.866(2)(we)

\$ 1,317,333 DATCP SEG Revenue from s. 20.115(7)(qf)

\$ 5,084,155 DATCP Subtotal

\$ 5,047,532 DNR Bond Revenue from s. 20.866(2)(te)&(tf)

\$ 0 DNR GPR from s. 20.370(6)(aa)

\$ 125,000 DNR Bond Revenue from s. 20.866(2)(th)

\$ 882,500 DNR Sec. 319 Account (federal)

\$ 6,055,032 DNR Subtotal

\$11,139,187 Cost-Share Grant Total

Contracts for Projects

\$ 643,431 DATCP SEG from s. 20.115(7)(qf)

\$ 643,431 Project Grant Total

Combined Grant Total \$19,677,218

Table A: 2012 Preliminary Allocations of DATCP Funding

County	DATCP Staffing & Support Allocation	LWRM Plan Implementation		Total DATCP 2012 Allocation	County	DATCP Staffing & Support Allocation	LWRM Plan Implementation		Total DATCP 2012 Allocation
		Cost-Sharing Bonding	Cost-Sharing SEG				Cost-Sharing Bonding	Cost-Sharing SEG	
Adams	108,567	60,242	25,000	193,809	Oconto	113,766	20,000	0	133,766
Ashland	94,946	60,242	22,000	177,188	Oneida	91,293	60,242	0	151,535
Barron	98,472	20,000	25,000	143,472	Outagamie	131,289	60,242	30,000	221,531
Bayfield	94,917	60,242	25,000	180,159	Ozaukee	133,089	60,242	25,000	218,331
Brown	117,093	60,242	30,000	207,335	Pepin	91,863	34,634	25,000	151,497
Buffalo	95,975	60,242	14,000	170,217	Pierce	105,617	60,242	25,000	190,859
Burnett	93,788	20,000	12,000	125,788	Polk	120,566	34,634	12,012	167,212
Calumet	117,434	60,242	30,000	207,676	Portage	111,717	60,242	0	171,959
Chippewa	131,755	60,242	21,000	212,997	Price	92,302	60,242	14,000	166,544
Clark	108,903	60,242	25,000	194,145	Racine	109,959	60,242	22,000	192,201
Columbia	113,631	60,242	25,000	198,873	Richland	91,588	60,242	21,000	172,830
Crawford	94,125	31,678	0	125,803	Rock	132,119	60,242	25,000	217,361
Dane	147,640	60,242	25,000	232,882	Rusk	98,591	60,242	5,600	164,433
Dodge	123,277	34,634	25,000	182,911	Saint Croix	109,019	56,599	25,000	190,618
Door	126,157	60,242	25,000	211,399	Sauk	107,030	60,242	25,000	192,272
Douglas	102,540	20,000	3,371	125,911	Sawyer	86,136	24,250	8,150	118,536
Dunn	117,637	38,292	16,800	172,729	Shawano	98,180	20,000	30,000	148,180
Eau Claire	105,695	60,242	25,000	190,937	Sheboygan	136,583	60,242	0	196,825
Florence	90,828	45,609	0	136,437	Taylor	114,479	60,242	25,000	199,721
Fond du Lac	121,741	20,000	21,600	163,341	Trempealeau	103,691	60,242	25,000	188,933
Forest	85,000	20,000	0	105,000	Vernon	99,761	56,584	25,000	181,345
Grant	96,705	60,242	25,000	181,947	Vilas	98,147	41,950	0	140,097
Green	105,391	60,242	25,000	190,633	Walworth	128,591	60,242	25,000	213,833
Green Lake	119,679	60,242	30,000	209,921	Washburn	111,590	20,000	0	131,590
Iowa	94,869	60,242	25,000	180,111	Washington	99,081	60,242	10,000	169,323
Iron	91,550	41,950	0	133,500	Waukesha	121,594	20,000	0	141,594
Jackson	102,611	60,242	25,000	187,853	Waupaca	99,338	60,242	25,000	184,580
Jefferson	131,964	20,000	25,000	176,964	Waushara	103,678	45,609	11,200	160,487
Juneau	94,333	41,950	0	136,283	Winnebago	119,098	60,242	30,000	209,340
Kenosha	124,008	49,267	25,000	198,275	Wood	106,226	60,242	20,000	186,468
Kewaunee	100,582	38,292	28,000	166,874	Reserve		200,000		200,000
LaCrosse	117,173	60,242	30,000	207,415	Sub-Totals	\$7,779,600	\$3,766,822	\$1,317,333	\$12,863,755
Lafayette	92,485	60,242	25,000	177,727					
Langlade	85,000	60,242	21,000	166,242	OTHER PROJECT FUNDING				
Lincoln	92,412	60,242	22,000	174,654					
Manitowoc	136,327	60,242	30,000	226,569	UW EXT/CALS			535,777	535,777
Marathon	123,261	60,242	30,000	213,503	NWTC			54,654	54,654
Marinette	120,590	60,242	22,000	202,832	WLWCA - SOC - Training			50,000	50,000
Marquette	100,336	60,242	25,000	185,578	Cons. Obs. Day			3,000	3,000
Menominee	85,000	20,000	0	105,000	Sub-Totals	\$0	\$0	\$643,431	\$643,431
Milwaukee	99,670	20,000	0	119,670					
Monroe	109,552	60,242	19,600	189,394	TOTAL	\$7,779,600	\$3,766,822	\$1,960,764	\$13,507,186

Table A-1: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three, Tier 3

County	Tier 2										2012 Final Allocation - Tier Approach
	Tier 1 Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award at ~39% (of 70%)	Adjusted Award (Tier 1 + Round 1 & 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available	
Adams	85,000	87,315	2,315	87,315	54,031	54,031	21,252	108,567	33,839	0	108,567
Ashland	85,000	67,944	0	85,000	42,342	25,286	9,946	94,946	5,481	0	94,946
Barron	85,000	69,794	0	85,000	49,457	34,251	13,472	98,472	32,029	0	98,472
Bayfield	85,000	65,634	0	85,000	44,580	25,214	9,917	94,917	13,664	0	94,917
Brown	85,000	94,083	9,083	94,083	58,501	58,501	23,010	117,093	41,786	0	117,093
Buffalo	85,000	68,065	0	85,000	44,837	27,902	10,975	95,975	11,254	0	95,975
Burnett	85,000	65,107	0	85,000	42,235	22,342	8,788	93,788	27,032	0	93,788
Calumet	85,000	95,667	10,667	95,667	55,339	55,339	21,767	117,434	30,675	0	117,434
Chippewa	85,000	103,912	18,912	103,912	70,788	70,788	27,843	131,755	41,975	0	131,755
Clark	85,000	88,430	3,430	88,430	52,050	52,050	20,473	108,903	36,528	0	108,903
Columbia	85,000	93,666	8,666	93,666	50,760	50,760	19,965	113,631	35,813	0	113,631
Crawford	85,000	70,024	0	85,000	38,176	23,200	9,125	94,125	10,700	0	94,125
Dane	85,000	116,645	31,645	116,645	78,802	78,802	30,995	147,640	48,850	0	147,640
Dodge	85,000	101,072	16,072	101,072	56,453	56,453	22,205	123,277	40,307	0	123,277
Door	85,000	102,164	17,164	102,164	61,000	61,000	23,993	126,157	39,437	0	126,157
Douglas	85,000	83,935	0	85,000	45,659	44,594	17,540	102,540	5,041	0	102,540
Dunn	85,000	95,623	10,623	95,623	55,969	55,969	22,014	117,637	39,463	0	117,637
Eau Claire	85,000	84,692	0	85,000	52,922	52,614	20,695	105,695	37,802	0	105,695
Florence	85,000	67,646	0	85,000	32,170	14,816	5,828	90,828	4,595	0	90,828
Fond du Lac	85,000	98,344	13,344	98,344	59,485	59,485	23,397	121,741	40,414	0	121,741
Forest	85,000	61,206	0	85,000	23,648	0	0	85,000	0	0	85,000
Grant	85,000	67,590	0	85,000	47,169	29,759	11,705	96,705	30,705	0	96,705
Green	85,000	89,744	4,744	89,744	39,782	39,782	15,647	105,391	27,457	0	105,391
Green Lake	85,000	97,241	12,241	97,241	57,047	57,047	22,438	119,679	37,005	0	119,679
Iowa	85,000	73,449	0	85,000	36,642	25,091	9,869	94,869	24,013	0	94,869
Iron	85,000	71,013	0	85,000	30,639	16,652	6,550	91,550	8,332	0	91,550
Jackson	85,000	80,481	0	85,000	49,294	44,775	17,611	102,611	0	0	102,611
Jefferson	85,000	108,230	23,230	108,230	60,341	60,341	23,734	131,964	39,127	0	131,964
Juneau	85,000	65,276	0	85,000	43,453	23,729	9,333	94,333	15,318	0	94,333
Kenosha	85,000	97,549	12,549	97,549	67,269	67,269	26,459	124,008	15,933	0	124,008
Kewaunee	85,000	74,081	0	85,000	50,534	39,615	15,582	100,582	34,191	0	100,582
LaCrosse	85,000	91,959	6,959	91,959	64,103	64,103	25,214	117,173	44,674	0	117,173
Lafayette	85,000	64,937	0	85,000	39,093	19,030	7,485	92,485	26,462	0	92,485
Langlade	85,000	62,699	0	85,000	12,531	0	0	85,000	6,292	0	85,000
Lincoln	85,000	71,913	0	85,000	31,932	18,845	7,412	92,412	11,181	0	92,412
Manitowoc	85,000	110,083	25,083	110,083	66,723	66,723	26,244	136,327	47,614	0	136,327

Table A-1: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three, Tier 3

County	Tier 1							Tier 2							2012 Final Allocation - Tier Approach
	Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award at ~39% (of 70%)	Adjusted Award (Tier 1 + Round 1 + Round 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available					
Marathon	85,000	95,799	10,799	95,799	69,818	69,818	27,462	123,261	45,922	0	123,261				
Marquette	85,000	96,578	11,578	96,578	61,047	61,047	24,012	120,590	43,443	0	120,590				
Menominee	85,000	71,585	0	85,000	52,405	38,990	15,336	100,336	8,305	0	100,336				
Milwaukee	85,000	62,380	0	85,000	19,929	0	0	85,000	3,162	0	85,000				
Monroe	85,000	78,871	0	85,000	43,427	37,298	14,670	99,670	11,907	0	99,670				
Oconto	85,000	88,654	3,654	88,654	53,132	53,132	20,898	109,552	30,075	0	109,552				
Onieda	85,000	93,596	8,596	93,596	51,279	51,279	20,170	113,766	35,384	0	113,766				
Outagamie	85,000	64,147	0	85,000	36,853	16,000	6,293	91,293	23,316	0	91,293				
Ozaukee	85,000	106,994	21,994	106,994	61,767	61,767	24,295	131,289	41,037	0	131,289				
Pepin	85,000	109,704	24,704	109,704	59,453	59,453	23,385	133,089	37,680	0	133,089				
Pierce	85,000	68,402	0	85,000	34,047	17,449	6,863	91,863	18,769	0	91,863				
Polk	85,000	80,724	0	85,000	56,692	52,416	20,617	105,617	38,325	0	105,617				
Portage	85,000	96,639	11,639	96,639	60,831	60,831	23,927	120,566	40,255	0	120,566				
Price	85,000	90,338	5,338	90,338	54,353	54,353	21,379	111,717	36,071	0	111,717				
Racine	85,000	62,297	0	85,000	41,268	18,565	7,302	92,302	9,145	0	92,302				
Richland	85,000	88,357	3,357	88,357	54,921	54,921	21,602	109,959	35,233	0	109,959				
Rock	85,000	62,756	0	85,000	38,994	16,750	6,588	91,588	27,849	0	91,588				
Rusk	85,000	107,432	22,432	107,432	62,765	62,765	24,687	132,119	37,168	0	132,119				
Saint Croix	85,000	71,483	0	85,000	48,071	34,554	13,591	98,591	28,846	0	98,591				
Sauk	85,000	85,660	660	85,660	59,388	59,388	23,359	109,019	42,051	0	109,019				
Sawyer	85,000	84,878	0	85,000	56,130	56,008	22,030	107,030	36,292	0	107,030				
Shawano	85,000	58,635	0	85,000	29,252	2,887	1,136	86,136	19,404	0	86,136				
Sheboygan	85,000	71,226	0	85,000	47,283	33,509	13,180	98,180	24,631	0	98,180				
Taylor	85,000	108,772	23,772	108,772	70,706	70,706	27,811	136,583	39,658	0	136,583				
Trempealeau	85,000	94,213	9,213	94,213	51,523	51,523	20,266	114,479	30,946	0	114,479				
Vernon	85,000	82,257	0	85,000	50,264	47,521	18,691	103,691	35,818	0	103,691				
Vilas	85,000	73,464	0	85,000	44,064	37,528	14,761	99,761	34,059	0	99,761				
Walworth	85,000	73,732	0	85,000	44,693	33,425	13,147	98,147	31,223	0	98,147				
Washburn	85,000	105,448	20,448	105,448	58,838	58,838	23,143	128,591	45,134	0	128,591				
Washington	85,000	91,899	6,899	91,899	50,063	50,063	19,691	111,590	8,068	0	111,590				
Waukesha	85,000	75,149	0	85,000	45,650	35,799	14,081	99,081	31,660	0	99,081				
Waupaca	85,000	95,378	10,378	95,378	66,651	66,651	26,216	121,594	42,589	0	121,594				
Waushara	85,000	73,495	0	85,000	47,958	36,453	14,338	99,338	30,225	0	99,338				
Winnebago	85,000	81,983	0	85,000	50,503	47,486	18,678	103,678	35,915	0	103,678				
Wood	85,000	98,556	13,556	98,556	52,225	52,225	20,542	119,098	33,325	0	119,098				
Totals	6,120,000	6,045,358	437,908	6,557,908	3,605,461	3,106,018	1,221,692	7,779,600	2,047,435	0	7,779,600				

Table B: 2012 Preliminary Allocations of DNR Funding

County	Targeted Runoff Mgmt. BMP Construction	Urban NPS & Storm Water Mgmt. BMP Construction	Urban NPS & Storm Water Mgmt. Planning	Total DNR 2012 Preliminary Allocations
Adams	\$0	\$0	\$0	\$0
Ashland	\$0	\$0	\$0	\$0
Barron	\$0	\$0	\$0	\$0
Bayfield	\$0	\$0	\$0	\$0
Brown	\$0	\$0	\$0	\$0
Buffalo	\$0	\$0	\$0	\$0
Burnett	\$0	\$0	\$0	\$0
Calumet	\$0	\$0	\$0	\$0
Chippewa	\$0	\$0	\$0	\$0
Clark	\$0	\$0	\$0	\$0
Columbia	\$0	\$0	\$0	\$0
Crawford	\$0	\$0	\$0	\$0
Dane	\$0	\$0	\$0	\$0
Dodge	\$0	\$0	\$0	\$0
Door	\$0	\$0	\$0	\$0
Douglas	\$0	\$0	\$0	\$0
Dunn	\$0	\$0	\$0	\$0
Eau Claire	\$0	\$0	\$0	\$0
Florence	\$0	\$0	\$0	\$0
Fond du Lac	\$0	\$0	\$0	\$0
Forest	\$0	\$0	\$0	\$0
Grant	\$0	\$0	\$0	\$0
Green	\$0	\$0	\$0	\$0
Green Lake	\$0	\$0	\$0	\$0
Iowa	\$0	\$0	\$0	\$0
Iron	\$0	\$0	\$0	\$0
Jackson	\$0	\$0	\$0	\$0
Jefferson	\$0	\$0	\$0	\$0
Juneau	\$0	\$0	\$0	\$0
Kenosha	\$0	\$0	\$0	\$0
Kewaunee	\$0	\$0	\$0	\$0
LaCrosse	\$0	\$0	\$0	\$0
Lafayette	\$0	\$0	\$0	\$0
Langlade	\$0	\$0	\$0	\$0
Lincoln	\$0	\$0	\$0	\$0
Manitowoc	\$0	\$0	\$0	\$0
Marathon	\$0	\$0	\$0	\$0
Marinette	\$0	\$0	\$0	\$0
Marquette	\$0	\$0	\$0	\$0
Menominee	\$0	\$0	\$0	\$0
Milwaukee	\$0	\$0	\$0	\$0
Monroe	\$0	\$0	\$0	\$0
Oconto	\$0	\$0	\$0	\$0
Oneida	\$0	\$0	\$0	\$0
Outagamie	\$0	\$0	\$0	\$0
Ozaukee	\$0	\$0	\$0	\$0

Table B: 2012 Preliminary Allocations of DNR Funding

County	Targeted Runoff Mgmt. BMP Construction	Urban NPS & Storm Water Mgmt. BMP Construction	Urban NPS & Storm Water Mgmt. Planning	Total DNR 2012 Preliminary Allocations
Pepin	\$0	\$0	\$0	\$0
Pierce	\$0	\$0	\$0	\$0
Polk	\$0	\$0	\$0	\$0
Portage	\$0	\$0	\$0	\$0
Price	\$0	\$0	\$0	\$0
Racine	\$0	\$0	\$0	\$0
Richland	\$0	\$0	\$0	\$0
Rock	\$0	\$0	\$0	\$0
Rusk	\$0	\$0	\$0	\$0
Saint Croix	\$0	\$0	\$0	\$0
Sauk	\$0	\$0	\$0	\$0
Sawyer	\$0	\$0	\$0	\$0
Shawano	\$0	\$0	\$0	\$0
Sheboygan	\$0	\$0	\$0	\$0
Taylor	\$0	\$0	\$0	\$0
Trempealeau	\$0	\$0	\$0	\$0
Vernon	\$0	\$0	\$0	\$0
Vilas	\$0	\$0	\$0	\$0
Walworth	\$0	\$0	\$0	\$0
Washburn	\$0	\$0	\$0	\$0
Washington	\$0	\$0	\$0	\$0
Waukesha	\$0	\$0	\$0	\$0
Waupaca	\$0	\$0	\$0	\$0
Waushara	\$0	\$0	\$0	\$0
Winnebago	\$0	\$0	\$0	\$0
Wood	\$0	\$0	\$0	\$0
TRM & UNPS Reserves*	\$4,919,613	\$125,000	\$115,000	\$5,159,613
NOD Reserve				\$1,010,419
Total	\$4,919,613	\$125,000	\$115,000	\$6,170,032

*The reserve amounts for TRM and UNPS Grants are estimated because the grants have not yet been awarded.

Table C: Summary of 2012 Joint Preliminary Allocations of DATCP and DNR Funding

County	Staffing & Support from DATCP and DNR	Cost-Sharing from DATCP and DNR	Total Allocation of DATCP and DNR Funding	County	Staffing & Support from DATCP and DNR	Cost-Sharing from DATCP and DNR	Total Allocation of DATCP and DNR Funding
Adams	108,567	85,242	193,809	Oconto	113,766	20,000	133,766
Ashland	94,946	82,242	177,188	Oneida	91,293	60,242	151,535
Barron	98,472	45,000	143,472	Outagamie	131,289	90,242	221,531
Bayfield	94,917	85,242	180,159	Ozaukee	133,089	85,242	218,331
Brown	117,093	90,242	207,335	Pepin	91,863	59,634	151,497
Buffalo	95,975	74,242	170,217	Pierce	105,617	85,242	190,859
Burnett	93,788	32,000	125,788	Polk	120,566	46,646	167,212
Calumet	117,434	90,242	207,676	Portage	111,717	60,242	171,959
Chippewa	131,755	81,242	212,997	Price	92,302	74,242	166,544
Clark	108,903	85,242	194,145	Racine	109,959	82,242	192,201
Columbia	113,631	85,242	198,873	Richland	91,588	81,242	172,830
Crawford	94,125	31,678	125,803	Rock	132,119	85,242	217,361
Dane	147,640	85,242	232,882	Rusk	98,591	65,842	164,433
Dodge	123,277	59,634	182,911	Saint Croix	109,019	81,599	190,618
Door	126,157	85,242	211,399	Sauk	107,030	85,242	192,272
Douglas	102,540	23,371	125,911	Sawyer	86,136	32,400	118,536
Dunn	117,637	55,092	172,729	Shawano	98,180	50,000	148,180
Eau Claire	105,695	85,242	190,937	Sheboygan	136,583	60,242	196,825
Florence	90,828	45,609	136,437	Taylor	114,479	85,242	199,721
Fond du Lac	121,741	41,600	163,341	Trempealeau	103,691	85,242	188,933
Forest	85,000	20,000	105,000	Vernon	99,761	81,584	181,345
Grant	96,705	85,242	181,947	Vilas	98,147	41,950	140,097
Green	105,391	85,242	190,633	Walworth	128,591	85,242	213,833
Green Lake	119,679	90,242	209,921	Washburn	111,590	20,000	131,590
Iowa	94,869	85,242	180,111	Washington	99,081	70,242	169,323
Iron	91,550	41,950	133,500	Waukesha	121,594	20,000	141,594
Jackson	102,611	85,242	187,853	Waupaca	99,338	85,242	184,580
Jefferson	131,964	45,000	176,964	Waushara	103,678	56,809	160,487
Juneau	94,333	41,950	136,283	Winnebago	119,098	90,242	209,340
Kenosha	124,008	74,267	198,275	Wood	106,226	80,242	186,468
Kewaunee	100,582	66,292	166,874	Reserve: DATCP/NR243		200,000	200,000
LaCrosse	117,173	90,242	207,415	NOD Reserve: DNR		1,010,419	1,010,419
Lafayette	92,485	85,242	177,727	Reserve: DNR UNPS and TRM		\$5,159,613	\$5,159,613
Langlade	85,000	81,242	166,242	Sub-Totals	\$7,779,600	\$11,254,187	\$19,033,787
Lincoln	92,412	82,242	174,654				
Manitowoc	136,327	90,242	226,569	OTHER PROJECT FUNDING			
Marathon	123,261	90,242	213,503	UW EXT/CALS		535,777	535,777
Marinette	120,590	82,242	202,832	NWTC		54,654	54,654
Marquette	100,336	85,242	185,578	WLWCA -SOC		50,000	50,000
Menominee	85,000	20,000	105,000	Cons. Obs. Day		3,000	3,000
Milwaukee	99,670	20,000	119,670	Sub-Totals		643,431	643,431
Monroe	109,552	79,842	189,394	TOTAL	\$7,779,600	\$11,897,618	\$19,677,218

DATCP'S PRELIMINARY ALLOCATION

1. Staff and Support

The allocation under this category provides staff and support funding for counties, and project grants to cooperators. Unless otherwise noted below, grant awards are provided consistent with the terms of the 2012 grant application (The terms can be found in the application materials located at [http://datcp.wi.gov/Environment/Land and Water Conservation/SWRM Grant Program Working Manual/Allocation and Other SWRM Functions/index.aspx](http://datcp.wi.gov/Environment/Land_and_Water_Conservation/SWRM_Grant_Program_Working_Manual/Allocation_and_Other_SWRM_Functions/index.aspx))

A. Funds Available

The amount listed in Chart 2 consists of DATCP's 2011-12 appropriation of \$3,843,100 in GPR funds and \$5,036,900 in SEG funds "for support of local land conservation personnel under the soil and water resource management program." In addition, for FY 2012, DATCP must further reduce GPR funding by \$1,100,400 to meet the agency's lapse required by 2011-2013 Biennial Budget (Act 32). DATCP has no unspent GPR funds that can be used to supplement the amount available for allocation.

B. Grant Awards

The staffing allocation proposed in this plan follows the Tier 1 and 2 formula historically used by DATCP. In a separate memorandum, DATCP is proposing alternative approaches to the staffing allocation to account for the significant reduction in funding for grants. In addition to commenting on the proposal in this plan, counties and other interested parties are encouraged to evaluate these alternatives and provide input during the comment period. DATCP will consider these comments before making a final decision on the funding formula for 2012 staffing grants.

Staffing Allocation: Tier 1

As provided by Tier 1, DATCP will allocate a total of \$6,120,000 to provide base funding of \$85,000 to each county in accordance with ATCP 50.32(5)(b)1., Wis. Admin. Code. With the closure of the last of the priority watershed projects, no county will receive the higher funding authorized by ATCP 50.32(5)(b)2.

Staffing Allocation: Tier 2

In addition to base funding, DATCP will allocate \$1,659,600 to counties in an attempt to meet the goal in s. 92.14(6)(b), Stats. of funding an average of 3 staff persons per county at the rates of 100, 70 and 50%. DATCP will make Tier 2 awards in three rounds. For round one, DATCP can fully fund county requests for their first position at the 100% rate. However, for round two, DATCP can only fund about 39% of the county requests for their second positions at the 70% rate. DATCP has no funding to make awards in round three for a county's third position funded at the 50% rate. Table A-1 (pages 3 and 4) provides round-by-round details of the Tier 2 allocation for each county.

Staffing Allocation: Tier 3

DATCP will not allocate funds using the Tier 3 approach to implement state priorities. To the extent this consideration is addressed, it may be considered as part of DATCP's efforts to work with DNR and the counties to identify ways to improve the current funding structure (see future directions for a discussion of this concern).

Staffing Allocation: Unmet Needs

To meet the goal of funding three positions at 100, 70 and 50 percent, DATCP would need about \$3.9 million more. This shortfall has increased by nearly \$1.5 million from \$2.4 million needed for the 2011 allocation to fully fund three positions per county. In light of the reductions in state appropriations and increases in staffing costs, it is likely that the gap between county need and state support will grow.

Discretionary Allocations to Project Cooperator

DATCP has changed how it funds grant requests for project cooperators such as the Standards Oversight Council (SOC) and Conservation Observance Days, and will make awards for these projects using SEG Revenue from s. 20.115(7)(qf). See the detailed discussion on page 10 regarding justification for this change and description of the award decisions.

Reallocation and Redirection

DATCP approves the \$15,000 reallocation to Menominee Indian Tribe of Wisconsin submitted with Menominee County's grant application.

Future Directions

In the foreseeable future, economic uncertainty will continue to challenge DATCP's capacity to fund county staff. In the last two biennia, required lapses have become a fixture in the budgeting process. With the commitment to protect SEG appropriations in this biennium, GRP funded programs such as staff grants are particularly vulnerable. As a direct result of Act 32, with its 10 percent reduction to GPR appropriation and required lapse of \$1.1 million, DATCP has been forced into a position where it cannot protect the funding of county staff, who represent the core of our state's conservation delivery infrastructure. Unlike past reductions, DATCP cannot use SEG cost-share funds to make up for lost funds. As a result of this significant reduction in funding for staff, DATCP has crossed a critical threshold in the implementation of the staff funding formula. DATCP is meeting less than half of the goal for funding three positions, since it is barely funding a quarter of the costs of the second staff position.

Under these circumstances, we need to reassess our commitment to a funding formula with built-in biases including a requirement for minimum awards independent of need and no limit on salaries upon which grants are based. In the short-term, we need to understand consequences of applying the funding formula to manage a \$1.1 million lapse and whether an alternative approach might more fairly allocate this reduction among the counties. DATCP may consider one or more of the following options to fine-tune the formula to manage this concern: eliminating the minimum grant requirement, dividing the percentage reduction equally among all counties, capping awards for the first and second positions, expressly defining specific activities counties will use to determine the soil and water resource management work performed by each position for which funding is requested, linking the staff grant award to county commitment and performance in meeting state priorities.

These short-term actions may help alleviate larger concerns about funding formula but in the end we need to address structural problems with the funding formula. As noted previously, there is an unbridgeable gap between county needs and the state capacity to meet these needs, driven by rising staff costs and declining funds. As part of a complete and responsible assessment, DATCP also needs to consider options to build increased accountability into the system. Under the current system, counties receive staffing grants without regard to their efforts in implementing high priority local or state activities.

Specifically, counties in their annual reports to DATCP do not report on their progress in implementing benchmarked activities in their work plans, which must be updated as part of their DATCP-approved land and water resource management (LWRM) plans. DATCP will evaluate how the agency can better track implementation efforts and create incentives to improve performance. In a similar vein, there is no mechanism to encourage or reward county implementation of state priorities. DATCP will look at ways to create incentives to implement state priorities including the strengthened FPP compliance requirements and link performance to grant awards.

Beginning with this allocation, DATCP will work with counties, LWCB and other interested parties to evaluate alternatives to better allocate staffing grants to address short-term concerns. Working together, we can begin the discussion that might lead to more extensive review of the funding mechanism.

2. Bond Revenue Cost-Sharing

The allocation under this category provides counties funds they may use for landowner cost-sharing to install bondable practices such as manure storage, and streambank and shoreline protection. Unless otherwise noted below, grant awards are provided consistent with the terms of the 2012 grant application.

A. Funds Available

The allocation amount listed in Chart 2 consists of \$3.5 million, half of DATCP's 2011-13 authorization of \$7.0 million in bond funds, with the following adjustments:

- Increase the amount by \$266,822 from unspent bond funds from 2010.

B. Grant Awards

Allocation to Reserve for NR 243 projects

DATCP will allocate \$200,000 to a reserve for the purpose of funding regulatory animal waste response (NR 243) projects. DATCP and DNR use a separate process to allocate funds from this reserve, which is available at web site, <http://dnr.wi.gov/runoff/grants/>.

Allocation to Counties for Landowner Cost-Sharing

After setting the \$200,000 reserve, DATCP has \$3,566,822 in bond funds available for allocation to counties as individual grants. DATCP will allocate these funds in two steps: the award of base funding and performance-based grants consistent with the approach followed since 2004. The performance component of this allocation strategy meets the following grant priorities: (1) a county's demonstrated ability to manage and implement funded projects, and (2) a county's demonstrated cooperation and commitment.

After providing base funding of \$20,000 to each county, DATCP's funding approach awards the remaining \$2,126,822 based on past performance in spending bond cost-share dollars. Specifically the performance measure rewards counties that have 20 percent or less underspending calculated using a cumulative three-year average of county underspending. Table 1 on page 13 reflects the underspending history of all counties, and the additional awards that they qualify to receive. Since DATCP does not have sufficient funds to honor county requests in full, it caps and prorates awards to fairly distribute limited funds. Table A (page 2) under the "Bond Cost-Sharing" column restates the total awards for each county in this category, along with the other allocations the county will receive in 2012.

Unmet Needs for Bond Funds

Total requests from counties exceed available funds by \$4,524,946. The lack of funds has practical impacts for implementing state and local priorities, limiting progress in implementing the farm runoff standards, and cutting off grants to farmers who need to show compliance with conservation standards to participate in the Farmland Preservation Program.

3. SEG Fund Allocation

The allocations under this category provides funding for landowner cost-sharing, which in combination with training supports for nutrient management planning, and then provides funding for statewide implementation support activities. Unless otherwise noted below, grant awards are provided consistent with the terms of the 2012 grant application.

A. Funds Available

The allocation amount listed in Chart 2 consists of DATCP's 2011-12 appropriation of \$5,356,700 in SEG funds identified in 20.115(7)(qf) "for cost-sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel," and the following adjustments:

- A decrease of \$3.5 million in available funds to cover a shortfall in the Environmental Fund.
- An increase in encumbrance of \$52,032.

Of \$1,908,732 in available funds, \$1,317,333 will be allocated for cost-sharing and the remainder for the award of project grants. By dedicating a portion of the SEG funds for project support, DATCP is securing the statewide infrastructure activities fundamental to implementing state conservation activities, most importantly nutrient management planning.

Landowner Cost-Sharing

DATCP awards grants to counties to provide cost-sharing to farmers primarily for nutrient management plans at the maximum rate of \$7 per acre for four years. Fifty-eight counties applied for \$4,401,002 in grants; however, DATCP can provide funding to meet about 30 percent of the requests, allowing counties to cost-share nutrient management plans on 47,047 acres at the approximate rate of \$28 per acre.

In 2012, DATCP made changes to the application process intended to streamline the award grants. DATCP identified criteria for scoring applications including the number of farmers in each county claiming FPP tax credits in 2009, number of NM checklists submitted to DATCP in 2010 for farmers located in the county, and the county's record in spending or committing at least 80% of its 2010 SEG funds. In addition to changing award criteria, DATCP simplified the process to eliminate submissions by the counties of information, and instead will rely on data already collected by state agencies regarding county need and performance.

DATCP scored each application using the 100 point scale specified in the grant application. Applicants were ranked based on scores and organized into 4 groups that are each allocated the following awards: \$30,000 maximum award for 12 applicants in Group 1 with scores between 86 to 100 points (Three counties requested less than the maximum and will receive lower awards); \$25,000 maximum awards for 37 applicants in Group 2 with scores between 56 to 85 points (Nine counties

requested less than the maximum and will receive lower awards); \$22,000 maximum awards for 8 applicants in Group 3 with scores between 25 and 55 points(Four counties requested less than the maximum and will receive lower awards); \$10,000 for the 1 applicant in Group 4 with scores less than 25 points. Setting different award levels for counties based on their rankings is a legitimate approach to achieve DATCP's grant objectives to reward applicants that best meet grant criteria.

Table 1 on page 13 enumerates each county's score and grouping, and the competitive award for each county. (Note: the lowest scoring county will receive \$5 less to properly account for the funds available for allocation). The term "NA" is used to identify the 13 counties that did not apply for funds. Table A on page 2 also reflects amounts allocated to each county under the "Cost-Sharing SEG" column.

Nutrient Management Support Activities and other Contracts for Projects

By dedicating a portion of the SEG funds for support, DATCP has attempted to develop and maintain the statewide infrastructure activities fundamental to implementing state priorities such as nutrient management planning. To more effectively support this infrastructure, DATCP is consolidating funding of all projects under this grant category. Funding cooperators from the same source will ensure consistent treatment of grant recipients that carry out similar work of providing statewide support or other unique benefit that enhances our state conservation delivery system. Responsible for the development of nutrient management and other technical standards, the Standards Oversight Council (SOC) plays an important technical role in supporting program implementation. Its activities provide comparable benefits to those provided by projects historically funded with SEG dollars such as the efforts of Northeast Wisconsin Technical College (NWTC) to provide technical support through education and training. Among the advantages of funding projects through this funding source, DATCP can extend projects for one year to allow cooperators to spend unused funds and complete work required by the project. By providing a better mechanism to fund projects, this approach will enable DATCP to meet the following grant priorities in s. ATCP 50.30(3) while meeting overall program requirements: fund cost-effective activities that address and resolve high priority problems; build a systematic and

comprehensive approach to soil erosion and water quality problems; contribute to a coordinated soil and water resource management program and avoid duplication of effort. None of the projects funded in this category will provide support for county land conservation personnel.

The 2012 project awards in this category are listed in the lower right-hand corner of the Table A. For those projects receiving funding, DATCP had to account for the impact of \$3.5 million reduction in SEG funds. In all except one case, DATCP will provide less than the amount requested. In making its award decisions, including the reduction in funding from the requested amount, DATCP considered the statewide benefit of the project, and the history of the project in delivering benefits. In case of NWTC, its grant request was sufficiently low that any further reduction would undermine the project. To the extent that a funding request was denied, the reasons for DATCP's decision are provided below.

Specifically, DATCP will award \$535,777 (including \$52,032 of encumbered funds specified on page 10) to UWEX/CALS whose application meets the grant requirements established for a grant award in each of the three categories. This award is about 18 percent less than the amount requested. This award authorizes UWEX/CALS to seek reimbursement up to the following amounts in each grant category: (1) \$200,000 for maintaining and improving SNAP and related soil and nutrient management projects, (2) \$204,671 for outreach and training including evaluation, and (3) \$131,106 for MALWEG grant administration. The funding allocated among the three categories reflects DATCP's assessment of the funds required to accomplish needed work and make up for lost federal funding.

NWTC requested funding primarily to coordinate an expanded educational program within the system, which meets the project component related to education and training. DATCP will award the full amount of NWTC's request and anticipates that the 2012 award of \$54,654 will be combined with extended funds from 2011 to sustain this project.

Wisconsin Land and Water Conservation Association (WLWCA) submitted two grant proposals which will be funded at \$50,000, a level greatly reduced from the total requested amount of \$325,000. Part of the funding, not to exceed \$25,000, will support the Standards Oversight Council (SOC) to maintain statewide capacity to develop and maintain technical

standards for urban and rural soil and water resource conservation practices. Additional funding for WLWCA will enhance statewide capacity to provide training and implementation support using private and public sector partnerships.

The remaining funding will be used to fill unmet needs for statewide training and capacity building by engaging the private sector and other underutilized resources. WLWCA is a private non-profit with a track record of providing statewide training and coordinating conservation activities with DATCP and NRCS funding. Nutrient management will be the initial focus of this project's implementation support.

Given the small amount of the request, and our historical support for Conservation Observance Days, DATCP agrees to provide \$3,000 for the limited purpose of covering the costs incurred by the county hosting this event.

DATCP will not fund the \$50,000 request from Central Wisconsin Windshed Partners, Inc (CWWP) for cost-sharing to farmers in installing wind breaks in central Wisconsin. As explained in prior allocation plans, DATCP expects that counties in this part of the state will use part of their individual cost-share allocations to help farmers install windbreaks.

DATCP cannot fund Shawano County's request of \$7,967 because its proposal is not statewide in scope and fails to meet the other criteria in the 2012 joint application for implementation of support projects.

Unmet Needs for Cost-Share Funding

For the 2012 allocation, DATCP remains unable to meet demand for bond revenue cost-sharing, falling short by \$4,524,946. Additional dollars for cost-sharing are needed to account for the higher construction costs for practices such as manure storage, to enable farmers to meet expanded compliance responsibilities related to new agricultural performance standards, and to support farmer participation in the FPP tax credit program.

By reason of the funding reductions, DATCP fell considerably short in funding nutrient management cost-sharing. On the cost-share front, the award of \$1,317,333 is about 30 percent of requested amounts for cost-sharing. Reduced funding also deeply impacted DATCP's funding of support activities. At this reduced funding level, we have seriously compromised basic program activities statewide at a

time when the demands for nutrient management have never been more pressing. To compensate for the lack of cost-sharing, county conservation programs will need to rely more on federal cost-sharing, farmer training and technical assistance.

Future Directions

In light of the pattern of reduced funding for SEG cost-share funding, DATCP must revisit the application process and criteria used for awarding nutrient management cost-sharing. The application process needs to be designed consistent with the amount of funds available and not impose undue burdens if funding remains at low levels. DATCP is interested in retaining the simplicity of the approach adopted in 2011, but would like to include criteria that ensure that cost-share funds will be allocated in areas of need and to counties that will effectively spend these funds.

With respect to all cost-sharing allocations, DATCP is interested in identifying award criteria that reward a county's efforts in implementation of state priorities. In addition to agricultural performance standards, state priorities include FPP compliance and new large scale watershed projects funded by DNR. DATCP is looking at options for making use of cost-share data collected as part of its cost-share reimbursement process.

DATCP needs to streamline the mechanism for transfer of cost-share dollars from counties that cannot use the funds to those that have farmers ready to spend the funds. The current system remains cumbersome and inefficient, and DATCP will evaluate options outside of rulemaking.

Before changing program requirements, DATCP will work with the LWCB, the counties and other partners to secure feedback. DATCP will also look to stakeholders for guidance on new approaches, particularly options for advancing implementation of the new FPP program. In addition, DATCP will take specific actions to ensure that counties fully understand any changes in grant requirements when they complete future grant applications.

Table 1: 2012 County Cost-Share Awards (Bond and SEG Funds)

County	Bond		SEG			County	Bond		SEG		
	08-10 Cumulative Average Under-Spending	*Award Above \$20,000 Base	Score	Grouping	Award		08-10 Cumulative Average Under-Spending	*Award Above \$20,000 Base	Score	Grouping	Award
Adams	0%	40,242	65	2	25,000	Marathon	6%	40,242	100	1	30,000
Ashland	0%	40,242	25	3	22,000	Marinette	0%	40,242	55	3	22,000
Barron	22%	0	85	2	25,000	Marquette	12%	40,242	65	2	25,000
Bayfield	0%	40,242	65	2	25,000	Menominee	0%	0	NA	NA	0
Brown	6%	40,242	100	1	30,000	Milwaukee	73%	0	NA	NA	0
Buffalo	1%	40,242	70	2	14,000	Monroe	3%	40,242	65	2	19,600
Burnett	27%	0	65	2	12,000	Oconto	23%	0	NA	NA	0
Calumet	9%	40,242	100	1	30,000	Oneida	4%	40,242	NA	NA	0
Chippewa	12%	40,242	55	3	21,000	Outagamie	0%	40,242	100	1	30,000
Clark	3%	40,242	80	2	25,000	Ozaukee	8%	40,242	85	2	25,000
Columbia	4%	40,242	85	2	25,000	Pepin	10%	14,634	65	2	25,000
Crawford	4%	11,678	NA	NA	0	Pierce	1%	40,242	65	2	25,000
Dane	18%	40,242	85	2	25,000	Polk	15%	14,634	65	2	12,012
Dodge	9%	14,634	85	2	25,000	Portage	0%	40,242	NA	NA	0
Door	0%	40,242	80	2	25,000	Price	0%	40,242	55	3	14,000
Douglas	21%	0	10	4	3,371	Racine	0%	40,242	50	3	22,000
Dunn	2%	18,292	85	2	16,800	Richland	8%	40,242	75	2	21,000
Eau Claire	0%	40,242	85	2	25,000	Rock	3%	40,242	85	2	25,000
Florence	7%	25,609	NA	NA	0	Rusk	2%	40,242	50	3	5,600
Fond du Lac	2%	0	100	1	21,600	Saint Croix	3%	36,599	85	2	25,000
Forest	31%	0	NA	NA	0	Sauk	2%	40,242	85	2	25,000
Grant	5%	40,242	85	2	25,000	Sawyer	5%	4,250	25	3	8,150
Green	0%	40,242	85	2	25,000	Shawano	75%	0	100	1	30,000
Green Lake	0%	40,242	100	1	30,000	Sheboygan	13%	40,242	NA	NA	0
Iowa	1%	40,242	85	2	25,000	Taylor	9%	40,242	65	2	25,000
Iron	0%	21,950	NA	NA	0	Trempealeau	0%	40,242	85	2	25,000
Jackson	0%	40,242	65	2	25,000	Vernon	14%	36,584	85	2	25,000
Jefferson	33%	0	85	2	25,000	Vilas	13%	21,950	NA	NA	0
Juneau	0%	21,950	NA	NA	0	Walworth	1%	40,242	85	2	25,000
Kenosha	1%	29,267	65	2	25,000	Washburn	25%	0	NA	NA	0
Kewaunee	9%	18,292	100	1	28,000	Washington	0%	40,242	100	1	10,000
LaCrosse	5%	40,242	100	1	30,000	Waukesha	7%	0	NA	NA	0
Lafayette	3%	40,242	85	2	25,000	Waupaca	3%	40,242	65	2	25,000
Langlade	8%	40,242	85	2	21,000	Waushara	5%	25,609	65	2	11,200
Lincoln	0%	40,242	25	3	22,000	Winnebago	1%	40,242	100	1	30,000
Manitowoc	0%	40,242	100	1	30,000	Wood	1%	40,242	65	2	20,000
						TOTALS		2,126,822			1,317,333
NA= No application		Gray shading =Lesser award based on amount requested by county									

DNR'S PRELIMINARY ALLOCATION

The DNR's portion of this preliminary allocation may provide funding to counties through three programs:

- 1) Targeted Runoff Management (TRM),
- 2) Notice of Discharge (NOD), and
- 3) Urban Nonpoint Source & Storm Water Management (UNPS).

Table B shows the preliminary DNR allocations to each county grantee for all three programs. Proposed allocations for CY 2012 include funding for TRM, UNPS, and NOD grants. CY 2012 reserves have been established where specific county allocations are unknown at this time.

FUNDING SOURCES

The allocations for TRM projects are from bond revenue (ss. 20.866(2)(te) and (tf), Wis. Stats.) and Federal Clean Water Act Section 319 funds.

The allocation for NOD projects is from bond revenue (ss. 20.866(2)(te) and (tf), Wis. Stats.).

The allocations for UNPS construction projects are from bond revenue appropriated in s. 20.866(2)(th), Wis. Stats. Allocations for UNPS planning projects are from segregated funds appropriated in s. 20.370(6)(dq), Wis. Stats.

Note: The DNR will also provide TRM grants and UNPS grants to non-county grantees. Wisconsin Statutes do not require that non-county grantees be listed in this allocation plan.

- For all grant programs, funds will be considered "committed" when a grantee has returned a signed copy of the grant agreement to the DNR.
- For the TRM and UNPS programs, grant agreements not signed by the deadline may be rescinded by the DNR, and the associated grant funds may be used to fund other eligible projects in rank order based on project scores. If, for any reason, funds committed through this allocation plan become available after March 31, 2012, these funds may be held over to fund projects selected in the next grant cycle.

1. TRM Preliminary Allocation

Table B contains a lump-sum allocation of \$4,919,613 in a reserve for county TRM applicants. The amount placed in reserve is the maximum combined amount that all county TRM applicants may be awarded. As shown in Chart 1, this reserve amount results in \$3,318,757 in unmet needs for county TRM projects. The DNR's recommendation for 2012 TRM project allocations will be discussed with the LWCB at their December 2011 meeting. The exact amount allocated to successful county TRM applicants will be included in the *2012 Joint Final Allocation Plan*.

The maximum cost-share amount that can be awarded for a single small-scale TRM project is \$150,000 and a large-scale TRM project is \$1,000,000.

TRM allocations made through this plan will be reimbursed to grantees during calendar years 2012 and 2013, as well as 2014 for large-scale TRM projects. Project applications have been screened, scored, and ranked in accordance with s. 281.65(4c), Wis. Stats. Adjustments to grant amounts may occur to account for eligibility of project components, cost-share rates, or ch. NR 151 enforcement action at the time that the DNR negotiates the actual grant agreement with a successful applicant.

2. UNPS Preliminary Allocation

Table B contains lump-sum allocations of \$115,000 in a reserve for planning grants and \$125,000 in a reserve for construction grants for potential successful county applicants. The amount placed in reserve is the maximum that all county UNPS applicants may be allocated. As shown in Chart 1, this reserve amount results in \$0 in unmet needs for county UNPS projects. The DNR's recommendation for 2012 UNPS project allocations will be discussed with the LWCB at their December 2011 meeting. The exact amount allocated to successful applicants will be included in the *2012 Joint Final Allocation Plan*.

For calendar year 2012, UNPS planning grants are limited to a maximum of \$85,000 per project and construction grants are limited to a maximum of \$150,000 per project.

Note: The DNR will also provide UNPS planning and construction grants to non-county applicants. Wisconsin Statutes do not require that non-county grantees be listed in this allocation plan.

The UNPS allocations made through this plan will be reimbursed to grantees during calendar years 2012 and 2013. Project applications have been screened, scored, and ranked in accordance with s. 281.66, Wis. Stats. Adjustments to these amounts may occur to account for eligibility of project components or cost-share rates at the time that the DNR negotiates the actual grant award with applicants.

3. Notice of Discharge Preliminary Allocation

A. Background

The DNR issues notices of discharge (NOD) and notices of intent (NOI) under ch. NR 243, Wis. Adm. Code; this rule regulates animal feeding operations. DNR has authority under s. 281.65(4e), Wis. Stats., to fund NODs and NOIs outside the competitive TRM process. This section of the Statutes authorizes DNR to make grants to governmental units, which in turn will enter into cost-share agreements with landowners that have received an NOD or NOI from the DNR. Because bond revenue is involved, the DNR may not make grants directly to landowners in this program.

Grants and cost-share agreements issued provide financial assistance to landowners to meet the regulatory requirements of an NOD issued under ch. NR 243, Wis. Adm. Code. In some cases, cost-share assistance must be offered before enforcement action can be taken. In other cases, the DNR is not required to provide cost sharing but may do so at its discretion. Under ch. NR 243, Wis. Adm. Code, the DNR has several permitting and enforcement options available should landowners fail to meet the conditions of the NOD.

B. Allocation

In this allocation plan, the DNR establishes a reserve of \$1,010,419 for NOD projects during CY 2012. This reserve consists of bond revenue for structural best management practices in eligible locations. The DNR may use its discretion to increase this reserve if needed. In order to receive a grant award, a governmental unit must submit an application to the DNR that describes a specific project and includes documentation that an NOD or NOI has either already been issued or will be issued by the DNR concurrent with the grant award. Once the DNR issues a grant to the governmental unit to address an NOD or NOI, the DNR will designate a portion of the reserve specifically for that project.

Since DATCP also administers funds to correct NODs, the DNR and DATCP will consult on each NOD funding proposal in order to assure that the two agencies are making most efficient use of their available funds to address these problem sites.

The DNR will require that county grantees commit funds to a cost-share agreement with the landowner within a time-frame that is consistent with the compliance schedule in the NOD. The county grantee shall use the grant award to reimburse the landowner for costs incurred during the grant period, which may extend beyond CY 2013. If the landowner fails to install practices listed in the cost-share agreement in the timeframe provided, the DNR will terminate its grant with the county, leaving the landowner to correct the problems identified in the NOD without the benefit of state cost sharing.

Fund balances from terminated grants and projects completed under budget may be returned to the reserve account and made available to other NOD applicants. Reserve funds remaining at the end of calendar year 2012 may either be carried over for the calendar year 2013 NOD reserve account or may be reallocated for calendar year 2013 TRM projects. DNR and DATCP will make a joint report annually to the LWCB on progress in administering NOD funds.

**SUMMARY OF CHANGES TO THE 2012
JOINT PRELIMINARY ALLOCATION PLAN**

This section will be completed to account for any changes in the proposed allocation plan based on comments received, LWCB input and other factors identified by DATCP or DNR.

Counties, project cooperators and others may submit comments about this 2012 Joint Preliminary Allocation Plan and related memorandum entitled "Proposed alternative approaches for the allocation of 2012 DATCP staffing grants." In addition to written comments, interested persons may request to appear before the LWCB to present comments by completing a Public Appearance Request Card at the start of the December 6, 2011 meeting. Written comments must be postmarked, faxed, or e-mailed by Thursday, December 22, 2011 to:

Dilip Patel
Land & Water Resources Bureau, DATCP
P.O. Box 8911
Madison, WI 53708-8911

Phone: 608-224-4610
Fax: 608-224-4615
E-mail: Dilip.Patel@wi.gov

FINAL ACTION

DATCP has determined that the action described in this allocation plan for the 2012 soil and water resource management grant program shown in Table A conforms with the applicable DATCP provisions of s. 92.14, Wis. Stats, and ATCP 50, Wis. Admin. Code. DATCP reserves the right to reallocate grant funds unexpended by recipients.

Dated this ____ day of _____, 20__.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND
CONSUMER PROTECTION

Ben Brancel, Secretary

DNR has determined that the actions described in this allocation plan for the 2011 allocations of DNR funds shown in Table B conforms with the provisions of ss. 281.65 and 281.66, Wis. Stats.

Dated this ____ day of _____, 20__.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

Cathy Stepp, Secretary

Environmental Assessment
DATCP's Portion of the 2012 *Joint Preliminary Allocation Plan*
November 2011

I. The Nature and Purpose of the Proposed Action

Each year, the Department of Agriculture, Trade and Consumer Protection (DATCP), together with the Department of Natural Resources (DNR), allocates grant funds to counties and others for the purpose of supporting county conservation staff, landowner cost-sharing and other soil and water resource management (SWRM) activities. DATCP funds are allocated in accordance with ch. 92, Stats., and ch. ATCP 50, Wis. Adm. Code. Counties are required to have DATCP-approved land and water resource management (LWRM) plans as an eligibility condition for grants. The details of the DATCP's proposed action are set forth in Charts and Tables in the 2012 Joint Preliminary Allocation Plan that accompanies this Environmental Assessment.

II. The Environment Affected by the Proposed Action

As further explained in Section III.A., the DATCP grant program operates in every county, potentially covering all of Wisconsin's 34.8 million acres. While the program can fund activities that protect surface and ground waters throughout the state, grant funds are primarily used to protect rural areas and install conservation practices on farms, which cover 50% of Wisconsin's land base (16.2 million acres). Ultimately each county's LWRM plan determines the nature and scope of conservation activities in the areas and the natural resources affected by DATCP funds.

III. Foreseeable Environmental Effects of the Proposed Action

A. Immediate Effects

The environmental effects of the proposed allocation plan are positive. Through support for conservation staff and landowner cost-sharing, the proposed allocation plan will result in actions on farms and other areas that reduce soil erosion, prevent farm runoff, improve management of manure and other nutrients, and minimize pollution of surface and ground water.

By providing annual funding for conservation staff and others, DATCP secures statewide capacity to deliver a wide range of water quality programs. DATCP staffing grants enable counties to hire and retain conservation staff who have the experience and technical skills required to implement county resource management plans (including the state agricultural performance standards), facilitate landowner participation in state and federal cost-share programs, and ensure cross-compliance of farmers in the revamped farmland preservation program. By funding special projects that support conservation implementation, DATCP is filling critical needs in areas such as nutrient management training and is engaging underutilized resources to build delivery capacity.

Each year, counties use cost-share funds to address state and local priorities identified in their local plans. Cost-share funds result in the installation of practices that control runoff pollution and improve water quality. In 2010, counties and landowners spent about \$3.8 million in DATCP funds to install cost-share practices with the highest spending on these practices: \$0.64 million to cost-share about 31,435 acres in nutrient management plans, \$0.55 million for 29,754 feet of streambank protection; \$0.38 million for 1,028 acres of waterways; \$0.31 million for 12 manure

storage structures, and \$0.24 million for 214 barnyard practices. Expenditures in 2010 declined from those in 2009, largely based on the significant reduction in nutrient management cost-sharing.

B. Long-Term Effects

By providing grant funds to support conservation staff and other project cooperators, DATCP sustains and nurtures a statewide infrastructure that generates these benefits that build on each other over time:

- Outreach and education that results in positive behavioral changes.
- Development of conservation technologies such as SNAP Plus and the Manure Advisory System, and the training systems to effectively use these technologies.
- Technical assistance that ensures the proper design and implementation of conservation practices.
- Resource management planning that tackles local and state priorities.
- Permitting and other regulation of livestock farms that requires properly designed manure storage and nutrient management plans.
- Administration of farmland preservation and other programs that protects valuable resources.

DATCP cost-share grants are critical to making reasonable progress in achieving water quality goals. Farmers are not required to meet state runoff control standards without cost-sharing. Long-term, state commitment to farmer cost-sharing determines the extent to which conservation practices are installed, and in end the degree to which water quality is improved. When conservation practices are installed in a watershed or other area over time, the combined effect of these practices can result in marked water quality improvements.

Fully assessing the long-term benefits, however, is complicated for a number of reasons including the fact that DATCP's grant program operates within a collection of conservation and natural resource programs. See Section III.E. for more a detailed discussion.

C. Direct Effects

DATCP funding results in actions such as the installation of conservation practices and capital improvements that directly reduce water quality pollution and reduce soil erosion. It also secures access to technical or other assistance that support conservation efforts, including conservation and nutrient management planning.

D. Indirect Effects

Installed conservation practices not only improve resources in the immediate area, but benefit surrounding areas including resources located "downstream" from the installed practice. Implemented on fields upstream from a lake, for example, nutrient management practices reduce sediment and nutrients that would otherwise collect in surface waters, and can provide additional protection for groundwater. Installed practices may have secondary benefits at a site, as is the case with shoreline buffers which not only serve to control runoff, but may increase wildlife habitat.

The installation and maintenance of conservation practices may create secondary impacts that must be mitigated. To minimize erosion from excavation and construction projects such as a manure storage facility or barnyard runoff control systems, DATCP rules require landowners to implement measures to manage sediment runoff from construction sites related to the installation of DATCP cost-shared practices. Adverse environmental impacts may result from improper design and installation of practices. DATCP cost-share rules avoid this outcome by requiring design and construction according to established technical standards. Improper maintenance can undermine the benefits of a long-term conservation practice. By requiring a maintenance period for conservation projects installed with DATCP cost-share dollars, DATCP ensures that practices perform in the long-term as intended.

In rare cases, certain negative impacts are unavoidable. Unusual storm events can cause manure runoff from the best-designed livestock yards. By virtue of its construction, a new livestock yard produces runoff risks that would not exist if the facility were never built. Unavoidable impacts may also arise if a cost-shared practice is not maintained or is improperly abandoned. Manure storage facilities that are not properly abandoned or emptied may present a water quality threat, unless they are closed in accordance with technical standards.

Overall, the positive benefits of reducing nonpoint runoff significantly outweigh the slight risks associated with the installation and maintenance of conservation practices.

E. Cumulative Effects

While it is difficult to accurately gauge the cumulative effects of this action, it is clear that SWRM grant funds play an integral part in supporting a comprehensive framework of federal, state, and local resource management programs. By contributing to the support of nearly 354 county conservation employees, DATCP grant funds secure the foundation necessary to deliver a myriad of programs including participation in the following:

- In 2010, federal programs from Natural Resources Conservation Service provided nearly \$17.0 million for 1042 cost-share contracts to install conservation on working lands, and \$6.6 million to conservation stewardship payments to 968 farmers and forestland owners. Key efforts included the Great Lakes Restoration Initiative which dedicated \$1.6 million for agricultural conservation practices to reduce erosion, sediment and nutrient loss in Lake Michigan.
- The conservation reserve enhancement program (CREP) and similar federal programs protect important natural resources while allowing landowners to make use of valuable working lands. As of June 2011, CREP has resulted in 2733 fifteen year agreements and 403 perpetual conservation easements that have enrolled over 42,000 acres into various conservation practices (e.g. riparian buffers and filter strips), and provided the financial and technical assistance to enable over 3000 landowners to achieve a goal of more sustainable agricultural practices.
- The DNR continues to provide annual funding in the neighborhood of \$4.5 million to counties for cost sharing of about 40 Targeted Runoff Management Projects.

Assessing the full extent of the effects is complicated by complex interactions and far-reaching impacts of grant funding. For example, conservation activities funded by DATCP can dampen the potential negative environmental impacts of actions driven by farm policies and economics. In particular, the risks of cropland soil erosion have increased as a result of conditions that favor increased cash grain/row cropping, and that increase market incentives to grow these crops.

IV. Persons, Groups, and Agencies Affected by the Activity

A. Those Directly Affected

County Conservation Programs and Cooperators: The proposed allocation plan provides funding to support 72 county conservation programs. The staffing grant allocation provides about \$8.8 million, roughly one third of the costs to support county conservation staff, with counties shouldering \$14.3 million of the costs. DATCP grants are one of several sources for cost-share funds that include county levies, DNR grants and NRCS funding. In 2009, counties spent about \$3.8 million in DATCP cost-share funds on projects to implement LWRM plans. DATCP grants also fund private and public entities that support statewide implementation of conservation programs or provide special services to promote conservation.

Landowners: Farmers and other landowners rely on many services, such as technical assistance, provided by conservation staff funded with DATCP grants. They also benefit from cost-share dollars to install conservation practices.

Other county residents: County residents benefit from resource management planning, permitting and other services provided by county conservation staff funded through DATCP grants. Information and education efforts, as an example, help urban residents better manage lawn fertilizers, improve backyard wildlife habitat, control invasive species and minimize construction site erosion.

Farm-related businesses: Farm supply organizations, nutrient management planners and soil testing laboratories, agricultural engineers, and construction contractors provide goods and services purchased by landowners who receive cost-sharing.

B. Those Significantly Affected

Those landowners whose soil and water resources are improved or protected, as a consequence of the proposed allocations, receive significant benefits. Those neighboring landowners with properties located "downstream" of lands with nutrient and sediment delivery runoff problems also stand to benefit. Certain measures, such as nutrient management plans, can help the drinking water wells that serve neighboring landowners and communities. The general public benefits from conservation practices that protect water resources.

V. Significant Economic and Social Effects of the Proposed Action

On balance, DATCP's proposed action will have positive economic and social effects.

DATCP allocations have significant implications. DATCP grants support cost-sharing and technical assistance that are critical to maintaining farmer eligibility for state and federal program benefits. By enabling farmers to meet farm runoff standards, grant-funded activities help farmers avoid the costs related to government enforcement actions and other liability risks. For example, farmers who follow a nutrient management plan gain liability protection in the case of a manure spill or groundwater contamination. With the passage of the Working Lands Initiative, farmers will need the support provided by DATCP grant funds to meet new conservation compliance requirements.

The economic impacts of conservation vary with each individual farmer and the type of practices involved. To receive cost-sharing, landowners must pay 30% of the costs (10% in the case of economic hardship) to install a practice. Landowners also must adjust their management routines to accommodate new conservation practices and meet government cost-sharing requirements. With these changes, farmers face new risks including potential for reduced productivity and reduced profits. Farmers implementing these practices, however, may also see long-term benefits including savings on inputs, and sustaining soil at productive levels.

From the standpoint of local economies, grants funds will generate demand for the purchase of goods and services to design, install and maintain conservation practices. The farm-related businesses listed in IV.A. will directly profit from this increased demand.

Socially, DATCP allocations provide needed support for the farming community and others to take a more active role in the protection and preservation of natural and agricultural resources. Through the increased adoption of conservation measures, farmers can ensure continued acceptance by the rural communities of farms as responsible and productive neighbors. Improved water quality enhances recreational opportunities, as well as protects the scenic rural landscape, both of which are essential to tourism.

VI. Controversial Issues Associated with the Proposed Action

Despite the promise of a new beginning with the 2011-2011 biennial budget, our weakened economy has again required us to contend with reduced funding, including required lapses and shortfalls in available funds. As in the past, DATCP has been forced to delay the allocation plan to gain sufficient assurance concerning the funds available for allocation. In turn, this disruption has forced county programs to prepare budgets for 2012 without reliable information about potential 2012 awards. With the late release of the allocation plan, DATCP and the counties are facing new challenges. The plan includes unavoidable and significant reductions in staff funding. DATCP must determine how to allocate loss, and counties are facing the daunting task of managing significant reductions in funding with their budgets nearly complete. Whatever the resolution, we will in the end see reduced capacity to deliver conservation programs, which will adversely impact farmers and other beneficiaries of these services.

Unlike DATCP's response in recent years to required lapses, the agency is unable to shield the county staff from the impact of required agency lapse. In managing past lapses, DATCP had made a commitment to protect the conservation delivery infrastructure, and keep intact the delivery system of county conservation departments and the educational support apparatus for nutrient management. DATCP was able to honor this commitment by taking cuts in SEG cost-sharing before reducing staffing grants. While this approach limited cost-sharing for nutrient management, it preserved state capacity to deliver conservation programs and secured the county staff needed to deliver cost-sharing when funding was restored.

In this biennium, DATCP does not have the option to use SEG funds to cover its required lapse. By an October 14, 2011 directive to agency heads, DOA reiterated that "the lapses may not be taken from segregated appropriations." The DOA lapse instructions also directed state agencies to "minimize layoffs" of its employees. With the sources narrowed to include only GPR funded programs such as the staffing grants, DATCP faced another constraint in managing the lapse. It could not make up for the lost GPR funds by tapping into its SEG appropriation for cost-sharing and contracts. Section 20.115(7)(qf) specifically limits the use of the SEG funds "for cost-sharing grants and contracts under the soil and water resource management program under

s. 92.14, but not for the support of local land conservation personnel.”

With the latest loss of over one million dollars in staff funding, DATCP must reassess how it will allocate the loss among counties. As discussed in more detail in the allocation plan and other related documents, DATCP will need to understand consequences of applying the current funding formula with this reduction and consider whether an alternative approach might more fairly allocate this reduction among the counties. To make its decision, DATCP will solicit input using the comment period required in the allocation process, and work with Land and Water Conservation Board (LWCB) to review the options.

Whatever DATCP’s final response, funding reductions for county staff will have profound impacts on the statewide implementation of conservation and related programs. County staff are the unquestioned hub that drives implementation. Either as a result of layoffs or through shifts in responsibility, there will be fewer staff in the counties to deliver conservation programs such as cost-sharing for bondable practices and support for implementation of statewide priorities such as the compliance requirements of the Farmland Preservation program. Given the considerable demand for conservation services that has only grown over the years, we need more, not fewer, county staff to handle the workload.

Besides raising short-term concerns about managing staffing allocation, the significant reduction in funding calls greater attention to the shortcomings of the staffing grant formula utilized since 2006. The problem in a nutshell is as follows: while county costs for salary and fringe benefits increase each year, DATCP does not receive more appropriations to cover these increased costs. Since the 2006 allocation, DATCP has lost ground at the rate of several hundred thousand dollars each year in its attempt to meet the goal in sec. 92.14(6)(b), Stats., to fund an average of 3 staff in each county at 100, 70 and 50 percent. In 2012, DATCP will need an additional \$3.9 million to meet this target. With the present appropriation, the 2012 allocation from DATCP can only cover 100 percent of the costs of a county’s first position and one quarter of the costs of the second position which is funded at 70 percent. We have reached the point where the funding formula is too compromised to attain any semblance of the statutory goal. As we search for solutions, we face complications arising from changes in state law that will reduce county costs for fringe benefits such as retirement contributions and health insurance payments. These changes, which will impact the 2013 allocation, translate into reduced costs for funding each of the three positions, and will stretch existing funds to allow DATCP funds to cover the costs of more staff.

Any assessment of the funding formula must also consider the inadequate levels of accountability in the current grant system. Presently, counties receive staffing grants without regard to their performance. Grants are not tied to county efforts in implementing high priority local or state activities. The evaluation of the staffing grant formula should consider how the agency can better track implementation efforts and create incentives to improve performance. In this respect, there could be opportunities based on the LWCB’s work to improve benchmarking of planned activities and conduct reviews of county performance.

On the cost-sharing front, inadequate support has direct impact on progress in achieving conservation goals. With about \$1.3 out of a possible \$5.3 million remaining for cost-sharing, DATCP and the county partners face significant challenges in advancing nutrient management implementation. To compensate for the loss of cost-sharing, DATCP in the past has relied on its investment in infrastructure to support implementation including increased outreach capacity, expanded grants to train farmers, and improvement in the SNAP Plus planning tool. However,

the cuts in staffing grants will reduce county capacity to provide this important support.

Independent of the present budget challenges and the required lapses needed to manage the shortfalls, it is important to emphasize that DATCP has not been provided adequate funds to meet county needs for cost-share dollars and ultimately to make reasonable progress in implementing state runoff control standards for farms. While the loss of nutrient management cost-sharing is the most glaring problem, DATCP remains unable to satisfy about \$7.5 million in county requests for cost-share funds to prepare nutrient management plans and install hard practices such as manure storage, shoreland protection, and barnyard runoff controls. Following the January 2011 adoption of new and modified agricultural performance standards in NR 151, counties will need new sources of funds to achieve compliance with feed storage and other changed standards. This new demand will only put more pressure on limited funds available. In addition, counties continue to face unmet demands for cost-share funds to implement local priorities such as shoreline protection identified in their LWRM plans. Without additional funding from the legislature, counties will continue to fall behind in cost-sharing practices to meet state and local priorities.

VII. Possible Alternatives to the Proposed Action

A. Take No Action

Taking no action on the proposed allocations is inconsistent with legal requirements. DATCP and DNR are statutorily mandated to provide grant assistance for their respective programs. Some level of state appropriations will be available.

B. Delay Action

There is no need to delay action. Furthermore, delaying the grant allocation runs the risk of hampering counties in meeting their legal responsibilities, including their contractual responsibilities to landowners, and undermines the significant environmental, economic, and social benefits of the program.

C. Decrease the Level of Activity

Further decreasing the allocations would provide fewer environmental benefits and would be inconsistent with legislative intent to implement the nonpoint program. Therefore, this is an undesirable choice. However, decreases in allocations will depend on available funding.

D. Increase the Level of Activity

Increasing the allocations in a given project category provides additional environmental benefits and further legislative objectives. Such increases depend on appropriations.

E. Change the Amounts Allocated to Some or All Recipients

The allocation plan reflects a weighing and balancing of competing priorities and demands. It implements ATCP 50 and legislative directives regarding allocation of grant funds. It also reflects the input and consensus of the counties on funding issues. Changes in individual awards cannot be made without upsetting the weighing and balancing used to develop the overall allocation plan, and would unfairly deviate from grant criteria announced as part of the grant application.

VIII. Mitigation of Adverse Environmental Effects

Overall, the allocations are anticipated to have positive environmental effects. Any adverse environmental effects will be of a secondary and minor nature, and can be mitigated. DATCP minimizes adverse impacts through outreach and training, and improvements in the technical standards.

IX. Final Determination

This assessment finds that the *2012 Preliminary Allocation Plan* will have no significant environmental impact and is not a major state action significantly affecting the quality of the human environment. No environmental impact statement is necessary under s. 1.11(2), Stats.

Date _____ By _____
Richard Castelnuovo, Section Chief
Land and Water Resources Bureau
Agricultural Resource Management Division

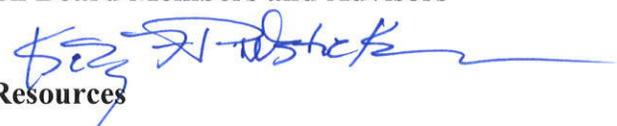
The decision indicating that this document is in compliance with s. 1.11, Stats., is not final until certified by the Administrator of the Agricultural Resource Management Division.

Date _____ By _____
John Petty, Administrator
Agricultural Resource Management Division

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

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

SUBJECT: Waivers to Postpone the Deadline to Adopt the Final 2012 Allocation Plan and to Eliminate Minimum Annual Staffing Grant Awards

Recommended Action: This is an informational item.

Summary: DATCP may waive any provision of ch. ATCP 50, Wis. Am. Code if it finds that the waiver is necessary to achieve the objectives of ch. ATCP 50, Wis. Adm. Code.

DATCP is seeking a waiver to postpone the deadline for adoption of the 2012 joint allocation plan for the following reasons. First, DATCP delayed the release of a proposed allocation plan to ensure that it had correct information on the funding available to meet grant commitments for county staff and other awards. Second, DATCP cannot complete the steps necessary to adopt the allocation plan by the December 31, 2011, deadline [s. ATCP 50.28(2)(c)] and will need until early 2012 to provide for a 30-day comment period regarding the preliminary allocation plan, and an additional 30-day waiting period for adoption of a final allocation plan if there are material revisions to the preliminary draft plan. While the waiver provides a postponement of the deadline until March 2012, DATCP anticipates presenting the joint final allocation plan to the LWCB at its February 7, 2012, meeting.

DATCP also is seeking a waiver of the minimum annual staffing grant award [s. ATCP 50.32(5)(b)] to accomplish the following purposes related to ATCP 50: appropriately account for the closure of the priority watershed program, eliminate the \$85,000 minimum grant award since it does not reflect a county's actual costs for staff [s. 92.14(6)(b), Wis. Stats., sets the goal for staff funding on an "actual costs" basis], and enable the department to more fairly allocate the \$1.1 million reduction in the appropriation for staffing grants among the counties.

Granting a waiver in either of these cases does not violate any statutory provisions. Moreover, the granting of these waivers will allow DATCP to meet its general responsibilities under ATCP 50.

The attached proposed orders granting the two waivers have been prepared for the secretary's signature, as required by law, and include the facts that support each waiver, and the legal justification for each waiver.

Materials Provided: *Proposed Order Granting A Waiver, By Postponement, Of The Deadline To Adopt The Final 2012 Allocation Plan* and *Proposed Order Granting A Waiver Of The Minimum Annual Allocation for County Staff Awards*

Presenter: Richard Castelnuovo, DATCP

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

IN THE MATTER OF A WAIVER OF)	DATCP DOCKET NO. 11-M-10
SOIL AND WATER RESOURCE)	
MANAGEMENT RULES)	ORDER GRANTING A WAIVER, BY
(Section ATCP 50.28 (2)(c),)	POSTPONEMENT, OF THE DEADLINE
Wisconsin Administrative Code)	TO ADOPT THE FINAL 2012
)	ALLOCATION PLAN

INTRODUCTION

Under s. ATCP 50.04, Wis. Admin. Code, the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (“department”) may waive provisions of ch. ATCP 50, Wis. Adm. Code (Soil and Water Resource Management Program) if the department finds that the waiver is necessary to achieve the objectives of ch. ATCP 50. The department secretary must issue the waiver in writing.

Pursuant to s. ATCP 50.04, the department hereby makes the following findings and conclusions, and issues the following order waiving, by postponement, the deadline in s. ATCP 50.28 (2)(c), Wis. Adm. Code that requires the department adopt the final allocation plan by December 31 of the year preceding the calendar year to which the plan applies. The department is waiving, on a one-time basis, this requirement and postponing the deadline until March 31, 2012.

FINDINGS OF FACT

(1) The department and the State of Wisconsin Land and Water Conservation Board (“LWCB”) are jointly responsible for administering Wisconsin’s soil and water conservation program under ch. 92, Wis. Stats. The program is designed to preserve the state’s soil and water resources and halt and reverse the depletion of the state’s soil resources and pollution of its surface waters.

(2) Under s. ATCP 50.04, Wis. Adm. Code, the department may waive any provision of ch. ATCP 50, Wis. Adm. Code, if the department finds that the waiver is necessary to achieve the objectives of ch. ATCP 50. The secretary must issue the waiver in writing.

(3) Section 92.14(6)(b), Wis. Stats., requires the department and the Department of Natural Resources (DNR) prepare an annual grant allocation plan. Sec. 92.14(6)(d) requires that the LWCB review the annual allocation plan.

(4) Section ATCP 50.28 (2)(c), Wis. Adm. Code, also requires that the department adopt the final allocation plan by December 31 of the year preceding the calendar year to which the plan applies.

(5) At the August 2, 2011 meeting of the Land and Water Resources Board (LWCB), in lieu of presenting the 2012 preliminary allocation plan to the LWCB, the Agricultural Resource Management Division Administrator presented a July 21, 2011 memorandum explaining the need for a delay in the allocation process because the state agencies could not determine funds available for allocation without a resolution of the uncertainties surrounding state revenues and fund conditions, and clarification of the lapses required of agencies.

(6) The delay in the release of the 2012 preliminary allocation plan, while not in accordance with the ideal procedures outlined in the **Note** to s. ATCP 50.28(2) (b)1, Wis. Admin. Code, does not violate a rule requirement.

(7) On October 4, 2011, the LWCB received an update explaining that the Department of Administration had not yet clarified required lapses, and consequently, no preliminary allocation plan could be presented.

(8) On or about October 15, 2011, the department's lapse and other reductions in spending were finalized, and the department was authorized to proceed to complete its portion of the preliminary allocation plan.

(9) The department and DNR will present the 2012 joint preliminary allocation plan to the LWCB at its December 6, 2011 meeting, and the department will also present alternative approaches to manage the reduced funding for staffing grants.

(10) Under the circumstances, the department cannot complete the allocation process by the December 31, 2011 deadline for adoption of the final joint allocation plan for 2012. Specifically, the department cannot meet the following requirements before December 31, 2011: provide for a 30-day comment period regarding the preliminary allocation, and also provide for an additional 30-day waiting period to adopt a final allocation plan if there are material revisions to the preliminary draft plan.

(11) Chapter 92, Wis. Stats., does not specify any particular timeframe to adopt a final annual allocation plan. A postponement will not violate ch. 92, Stats.

(12) Granting a postponement of the deadline for adoption of the 2012 joint allocation plan is necessary to ensure that the department has adequate funding available to meet the commitments in the allocation plan, and will provide sufficient time for the department to complete the steps necessary to adopt the allocation plan, including those steps identified in par. (10) above.

(13) This one-time postponement, combined with the short duration of the postponement until March 31, 2012, will have no appreciable impact in meeting the objectives of ch. ATCP 50, Wis. Adm. Code.

CONCLUSIONS OF LAW

(1) Pursuant to s. ATCP 50.04, Wis. Adm. Code, the department may waive a requirement under ch. ATCP 50 if the department finds that a waiver is necessary to achieve the objectives of ch. ATCP 50, the waiver is in writing, and no statutory provision is affected.

(2) The department has made the findings required under s. ATCP 50.04, Wis. Adm. Code.

(3) Pursuant to s. ATCP 50.04, Wis. Adm. Code, and Findings of Fact (1) through (13), the department should, on a one-time basis, waive the requirement in s. ATCP 50.28 (2)(c) to issue the allocation plan by December 31 of the year preceding the calendar year to which the plan applies, in this case by December 31, 2011, and postpone the deadline date no later than March 31, 2012.

ORDER

NOW, THEREFORE, it is ordered pursuant to s. ATCP 50.04, Wis. Adm. Code, that:

(1) The department grants a waiver, on a one-time basis, from the provision of s. ATCP 50.28 (2)(c), Wis. Adm. Code, requiring the department to adopt its final joint allocation plan by December 31 of the year preceding the calendar year to which the plan applies, in this case December 31, 2011, on the condition that the department adopt the 2012 final allocation plan no later than March 31, 2012.

Dated this _____ of _____, 2011.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By: _____
Ben Brancel, Secretary

(4) With the 2006 allocation plan, the department implemented a new formula for funding staff intended to meet the statutory goal in 92.14(6)(b), Wis. Stats., “to attempt to provide funding under this section for an average of 3 staff persons per county with full funding for the first staff person, 70% funding for the 2nd staff person and 50% funding for any additional staff persons. . . “ This statutory formula was intended to fund the Land and Water Resource Management Program, the 72 county conservation program established to succeed the priority watershed program.

(5) As of December 31, 2009, the last of the priority watershed projects closed, and the department discontinued making staffing grant awards based on previous priority watershed project awards from DNR beginning with the 2010 allocation plan.

(6) To meet its lapse obligation under Act 32 (the 2011-13 Biennial Budget) for 2012, the department cannot spend about \$1.1 million dollars of the \$3.8 million GPR appropriation for staffing grants. Combined with a \$427,000 reduction in the base GPR appropriation under Act 32, this lapse has imposed a significant reduction in the funds available to the department to make staffing grants in this biennium.

(7) For the 2012 allocation, the department cannot implement the current staffing grant formula in the administrative rules (which combines an \$85,000 minimum with grant awards for the first, second and third positions at different rates) to fairly allocate the \$1.1 million reduction among the counties. In particular, the current formula will insulate some counties from any reduction in their allocation and cause other counties to assume more than their proportionate share of the reduction.

(8) A waiver of the minimum grant requirements will accomplish the following purposes related to ATCP 50: appropriately account for the closure of the priority watershed program, eliminate the \$85,000 minimum grant award since it does not reflect a county’s actual costs for staff [the operative consideration for funding under s. 92.14(6)(b), Wis. Stats.], enable the department to more fairly allocate the \$1.1 million reduction in the appropriation for staffing grants among the counties.

(9) A waiver would not contravene any statutory provision, and would further the statutory goal in s. 92.14 (6) (b) by eliminating the minimum grant awards provided counties independent of their actual costs to pay for their first, second and third positions.

CONCLUSIONS OF LAW

(1) Pursuant to s. ATCP 50.02, Wis. Adm. Code, the department may waive minimum grant requirements in s. 50.32(5)(b), Wis. Adm. Code, if the department finds that a waiver is necessary to achieve the objectives of ch. ATCP 50, the waiver is in writing, and no statutory provision is affected.

(2) The department has made the findings required under s. ATCP 50.02, Wis. Admin. Code.

(3) Based on the findings above, the department should issue a waiver of the minimum grant requirements in s. 50.32(5)(b), Wis. Adm. Code, to eliminate basing department annual staffing allocations to counties on previous priority watershed project awards from DNR and to eliminate the requirement that annual staffing allocations to counties be a minimum of \$85,000.

ORDER

NOW, THEREFORE, IT IS ORDERED, pursuant to s. ATCP 50.02, Wis. Adm. Code, that:

(1) The department grants a waiver of the minimum grant requirements in s. ATCP 50.32(5)(b), Wis. Adm. Code, to eliminate basing department annual staffing allocations to counties on previous priority watershed project awards from DNR and to eliminate the requirement that annual staffing allocations to counties be a minimum of \$85,000. The waiver does not preclude the department, in its discretion, from

establishing a minimum staffing grant award in any year it allocates funds, particularly if needed to avoid undue hardship for any counties. The waiver will remain in effect until formally rescinded by order of the Secretary.

Dated this _____ day of _____, 2011.

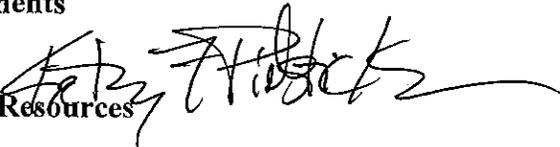
STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Ben Brancel, Secretary

CORRESPONDENCE/MEMORANDUM _____ **State of Wisconsin**

DATE: November 22, 2011

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

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

SUBJECT: Proposed alternative for allocation of the 2012 DATCP staffing grants

Recommended Action: This is an informational item and is presented for consideration as part of the Board's deliberation on 2012 DATCP staffing allocation.

Discussion: As also discussed in the DATCP's portion of the *2012 Joint Preliminary Allocation Plan* and the accompanying Environmental Assessment, DATCP is facing challenges in implementation of the staffing grant formula as a result of GPR reductions in funding for 2012. With GPR reductions totaling nearly \$1.5 million (a \$.4 million cut to the base appropriation followed by a \$1.1 million lapse), the funds available for the 2012 staffing allocation have been significantly reduced, and DATCP must consider the fairest approach to apportion the most recent reduction among the counties. Specifically DATCP will be evaluating two alternatives to the current two-tiered system that includes a minimum grant award of \$85,000 (Tier 1) and the formula that awards grants based on the first, second, and third positions at the rate of 100, 70 and 50 percent formula (Tier 2).

In its 2012 grant application, DATCP anticipated the possibility of a significant reduction in funding, and provided this notice to the counties:

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.

DATCP is pursuing alternatives to the staffing allocation based on the following circumstances. Unlike DATCP's response in recent years to required lapses, DATCP is unable to shield county staff from the impact of required agency lapse. In managing past lapses, DATCP had made a commitment to protect the conservation delivery infrastructure, and keep intact the delivery system of county conservation departments and the educational support apparatus for nutrient management. DATCP was able to honor this commitment by taking cuts in SEG cost-sharing before reducing staffing grants. While this approach limited cost-sharing for nutrient management, it preserved state capacity to deliver conservation programs and secured the county staff needed to deliver cost-sharing when funding was restored.

However, this lapse includes requirements that significantly limit DATCP's options. In an October 14, 2011 memorandum, DOA reiterated this directive for agencies to manage their portion of the \$174 million lapse required by Act 32 (the 2011-13 Biennial Budget): "Unlike past biennia, the lapses may not be taken from segregated appropriations . . . [and] these lapse

allocations may only be taken from sum certain GPR or PR appropriations that have a positive cash balance.” These instructions preclude DATCP from using SEG funds to cover the lapse. DOA also directed DATCP and other agencies to “minimize layoffs” within state agencies. As a result, agencies such as DATCP had to look at grant and other programs funded by GPR. Once the staffing grant was identified as a source, DATCP could not make up for the lost GPR funds by tapping into its SEG appropriation for cost-sharing and contracts. Section 20.115(7)(qf) specifically limits the use of the SEG funds “for cost-sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel.”

DATCP has developed a lapse plan to reflect the agency’s required and other lapses including what in the agency’s view is an unavoidable reduction of over one million dollars in staff grant awards. It should be noted that the legislature must still approve agency lapse plans in December. Based on the legislature’s actions, allocations may be further adjusted to account for changes in required lapses or other reductions.

However, DATCP has reasonable confidence that the staffing grant allocation will be reduced by \$1.1 million and it believes we must reassess how it will allocate the lapse among counties. This memorandum offers an alternative approach to allocating staffing grants. It describes the alternative in a narrative form and then provides a table that calculates each county’s allocation under the alternative. This alternative should be compared against the baseline, which is allocation of the staffing grant according to the formula based on Tier 1 and Tier 2. To facilitate this comparison, the memorandum begins by describing the baseline funding formula and includes a table that enumerates each county’s allocations using this grant formula. While DATCP has incorporated the baseline approach into the preliminary allocation plan, which is planned for presentation to LWCB in December along with this memorandum, DATCP may adjust the staffing grant formula in the final allocation to reflect the alternative approach. DATCP will consider feedback regarding this memorandum in making its final decision.

Discussion of Approaches: Here is the baseline and the alternative approach:

A. Baseline Staffing Allocation

The staffing formula follows a two-tiered process to allocate funds. Tier 1 awards each county \$85,000 as a basic award. Tier 2 attempts to provide counties with funding to pay for three positions based on actual costs of those positions at the rate of 100 percent for the first position, 70 percent for the second, and 50 percent for the third. As a result of increases in staffing costs, combined with no increased appropriations, DATCP can fund each county’s first position, and only 39% of the county requests for their second positions at the 70% rate. DATCP has no funding for a county’s third position funded at the 50% rate.

Table A-1 shows the specific county allocations using the baseline approach.

B. Twelve percent reduction across the board

This alternative allocation is calculated following the same steps as described in A above, except that the lapse of \$1.1 million is not included in the initial calculation of county’s allocation.

Once each county's allocation is determined, then the following adjustments are made to account for the lapse:

1. Each county's allocation is reduced by 12.40 percent, which is calculated based on the lapse amount of \$1.1 million in relation to overall funds available (\$8.8 million)
2. The reductions would be applied to all counties, even if their new allocation fell below the \$85,000 minimum award level.
 - a. To accomplish this, DATCP would need to waive the \$85,000 minimum award in its rule, eliminate the minimum award under its discretionary authority for 2012 only, and then in the future evaluate the award of a minimum grant amount.

Table A-2 shows the specific county allocations using the 12 percent reduction approach.

Comment process: Counties and others are invited to provide input regarding these alternatives as part of the comment process required for the allocation plan. The procedures for commenting, including the deadline for submissions, are the same as those announced in the preliminary allocation. In providing comments, counties and others should consider the full scope of benefits and drawbacks to each alternative; particularly if they are expressing a preference for one option over the other, looking beyond the impacts to any one county.

In addition to written comments, interested persons may request to appear before the LWCB to present comments by completing a Public Appearance Request Card at the start of the December 6, 2011 meeting. Written comments must be postmarked, faxed, or e-mailed by Friday, December 22, 2011 to:

Dilip Patel
DATCP, Land & Water Resources Bureau
P.O. Box 8911
Madison, WI 53708-8911
Fax: 608-224-4615
E-mail: Dilip.Patel@wi.gov

DATCP will share comments on the alternatives with the LWCB along with other comments on the allocation plan. The LWCB will make recommendations about the allocation of staffing grants. DATCP will decide the best approach for the staffing grant in the final allocation.

Materials Provided:

- ◆ *Tables A-1 and A-2*

Presenter: Richard Castelnovo (DATCP)

Table A-1: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three, Tier 3

County	Tier 1										Tier 2				2012 Final Allocation - Tier Approach
	Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award ~ 39% (of 70%)	Adjusted Award (Tier 1 + Round 1 + Round 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available					
Adams	85,000	87,315	2,315	87,315	54,031	54,031	21,252	108,567	33,839	0	108,567	0	108,567		
Ashland	85,000	67,944	0	85,000	42,342	25,286	9,946	94,946	5,481	0	94,946	0	94,946		
Barron	85,000	69,794	0	85,000	49,457	34,251	13,472	98,472	32,029	0	98,472	0	98,472		
Bayfield	85,000	65,634	0	85,000	44,580	25,214	9,917	94,917	13,664	0	94,917	0	94,917		
Brown	85,000	94,083	9,083	94,083	58,501	58,501	23,010	117,093	41,786	0	117,093	0	117,093		
Buffalo	85,000	68,065	0	85,000	44,837	27,902	10,975	95,975	11,254	0	95,975	0	95,975		
Burnett	85,000	65,107	0	85,000	42,235	22,342	8,788	93,788	27,032	0	93,788	0	93,788		
Calumet	85,000	95,667	10,667	95,667	55,339	55,339	21,767	117,434	30,675	0	117,434	0	117,434		
Chippewa	85,000	103,912	18,912	103,912	70,788	70,788	27,843	131,755	41,975	0	131,755	0	131,755		
Clark	85,000	88,430	3,430	88,430	52,050	52,050	20,473	108,903	35,528	0	108,903	0	108,903		
Columbia	85,000	93,666	8,666	93,666	50,760	50,760	19,965	113,631	35,813	0	113,631	0	113,631		
Crawford	85,000	70,024	0	85,000	38,176	23,200	9,125	94,125	10,700	0	94,125	0	94,125		
Dane	85,000	116,645	31,645	116,645	78,802	78,802	30,995	147,640	48,850	0	147,640	0	147,640		
Dodge	85,000	101,072	16,072	101,072	56,453	56,453	22,205	123,277	40,300	0	123,277	0	123,277		
Door	85,000	102,164	17,164	102,164	61,000	61,000	23,993	126,157	39,437	0	126,157	0	126,157		
Douglas	85,000	83,935	0	85,000	45,659	44,594	17,540	102,540	5,041	0	102,540	0	102,540		
Dunn	85,000	95,623	10,623	95,623	55,969	55,969	22,014	117,637	39,463	0	117,637	0	117,637		
Eau Claire	85,000	84,692	0	85,000	52,922	52,922	20,695	105,695	37,802	0	105,695	0	105,695		
Florence	85,000	67,646	0	85,000	32,170	14,816	5,828	90,828	4,595	0	90,828	0	90,828		
Fond du Lac	85,000	98,344	13,344	98,344	59,485	59,485	23,397	121,741	40,414	0	121,741	0	121,741		
Forest	85,000	61,206	0	85,000	23,648	0	0	85,000	0	0	85,000	0	85,000		
Grant	85,000	67,590	0	85,000	47,169	29,759	11,705	96,705	30,705	0	96,705	0	96,705		
Green	85,000	89,744	4,744	89,744	39,782	39,782	15,647	105,391	27,457	0	105,391	0	105,391		
Green Lake	85,000	97,241	12,241	97,241	57,047	57,047	22,438	119,679	37,005	0	119,679	0	119,679		
Iowa	85,000	73,449	0	85,000	36,642	25,091	9,869	94,869	24,013	0	94,869	0	94,869		
Iron	85,000	71,013	0	85,000	30,639	16,652	6,550	91,550	8,332	0	91,550	0	91,550		
Jackson	85,000	80,481	0	85,000	49,234	44,775	17,611	102,611	0	0	102,611	0	102,611		
Jefferson	85,000	108,230	23,230	108,230	60,341	60,341	23,734	131,964	39,127	0	131,964	0	131,964		
Juneau	85,000	65,276	0	85,000	43,453	23,729	9,333	94,333	15,318	0	94,333	0	94,333		
Kenosha	85,000	97,549	12,549	97,549	67,269	67,269	26,459	124,008	15,933	0	124,008	0	124,008		
Kewaunee	85,000	74,081	0	85,000	50,534	39,615	15,582	100,582	34,191	0	100,582	0	100,582		
LaCrosse	85,000	91,959	6,959	91,959	64,103	64,103	25,214	117,173	44,674	0	117,173	0	117,173		
Lafayette	85,000	64,937	0	85,000	39,033	19,030	7,485	92,485	26,462	0	92,485	0	92,485		
Langlade	85,000	62,699	0	85,000	12,531	0	0	85,000	6,292	0	85,000	0	85,000		
Lincoln	85,000	71,913	0	85,000	31,932	18,845	7,412	92,412	11,181	0	92,412	0	92,412		
Manitowoc	85,000	110,083	25,083	110,083	66,723	66,723	26,244	136,327	47,614	0	136,327	0	136,327		

Table A-1: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three, Tier 3

County	Tier 2										2012 Final Allocation - Tier Approach
	Tier 1 Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award at ~39% (of 70%)	Adjusted Award (Tier 1 + Round 1 & 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available	
Marathon	85,000	95,799	10,799	95,799	69,818	69,818	27,462	123,261	45,922	0	123,261
Marquette	85,000	96,578	11,578	96,578	61,047	61,047	24,012	120,590	43,443	0	120,590
Menominee	85,000	71,585	0	85,000	52,405	38,990	15,336	100,336	8,305	0	100,336
Milwaukee	85,000	62,380	0	85,000	19,929	0	0	85,000	3,162	0	85,000
Monroe	85,000	78,871	0	85,000	43,427	37,298	14,670	99,670	11,907	0	99,670
Oconto	85,000	88,654	3,654	88,654	53,132	53,132	20,898	109,552	30,075	0	109,552
Ontonagon	85,000	93,596	8,596	93,596	51,279	51,279	20,170	113,766	35,384	0	113,766
Outagamie	85,000	64,147	0	85,000	36,853	16,000	6,293	91,293	23,316	0	91,293
Ozaukee	85,000	106,994	21,994	106,994	61,767	61,767	24,295	131,289	41,037	0	131,289
Pepin	85,000	109,704	24,704	109,704	59,453	59,453	23,385	133,089	37,680	0	133,089
Pierce	85,000	88,402	0	85,000	34,047	17,449	6,863	91,863	18,769	0	91,863
Polk	85,000	80,724	0	85,000	56,692	52,416	20,617	105,617	38,325	0	105,617
Portage	85,000	96,639	11,639	96,639	60,831	60,831	23,927	120,566	40,255	0	120,566
Pribe	85,000	90,338	5,338	90,338	54,353	54,353	21,379	111,717	36,071	0	111,717
Racine	85,000	62,297	0	85,000	41,268	18,565	7,302	92,302	9,145	0	92,302
Richland	85,000	88,357	3,357	88,357	54,921	54,921	21,602	109,959	35,233	0	109,959
Rock	85,000	62,756	0	85,000	38,994	16,750	6,588	91,588	27,849	0	91,588
Rusk	85,000	107,432	22,432	107,432	62,765	62,765	24,687	132,119	37,168	0	132,119
Saint Croix	85,000	71,483	0	85,000	48,071	34,554	13,591	98,591	28,846	0	98,591
Sauk	85,000	85,660	660	85,660	59,388	59,388	23,359	109,019	42,051	0	109,019
Sawyer	85,000	84,878	0	85,000	56,130	56,008	22,030	107,030	36,292	0	107,030
Shawano	85,000	58,635	0	85,000	29,252	2,887	1,136	86,136	19,404	0	86,136
Shawano	85,000	71,226	0	85,000	47,283	33,509	13,180	98,180	24,631	0	98,180
Sheboygan	85,000	108,772	23,772	108,772	70,706	70,706	27,811	136,583	39,658	0	136,583
Taylor	85,000	94,213	9,213	94,213	51,523	51,523	20,266	114,479	30,946	0	114,479
Trempealeau	85,000	82,257	0	85,000	50,264	47,521	18,691	103,691	35,818	0	103,691
Vernon	85,000	73,464	0	85,000	49,064	37,528	14,761	99,761	34,059	0	99,761
Vilas	85,000	73,732	0	85,000	44,693	33,425	13,147	98,147	31,223	0	98,147
Walworth	85,000	105,448	20,448	105,448	58,838	58,838	23,143	128,591	45,134	0	128,591
Washington	85,000	91,899	6,899	91,899	50,063	50,063	19,691	111,590	8,068	0	111,590
Washington	85,000	75,149	0	85,000	45,650	35,799	14,081	99,081	31,660	0	99,081
Waukesha	85,000	95,378	10,378	95,378	66,651	66,651	26,216	121,594	42,589	0	121,594
Waupaca	85,000	73,495	0	85,000	47,958	36,453	14,338	99,338	30,225	0	99,338
Waushara	85,000	81,983	0	85,000	50,503	47,486	18,678	103,678	35,915	0	103,678
Winnebago	85,000	98,556	13,556	98,556	52,225	52,225	20,542	119,098	33,325	0	119,098
Wood	85,000	87,164	2,164	87,164	48,462	48,462	19,062	106,226	29,563	0	106,226
Totals	6,120,000	6,045,858	437,908	6,557,908	3,605,461	3,106,018	1,221,692	7,779,600	2,047,435	0	7,779,600

Table A-2: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three & Then Lapse of 12.39%

County	Tier 2										2012 Allocation without Lapse	2012 Final Allocation with Lapse of 12.39%
	Tier 1 Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award ~ 74% (of 70%)	Adjusted Award (Tier 1 + Round 1 & 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available		
Adams	85,000	87,315	2,315	87,315	54,031	54,031	40,394	127,709	33,839	0	127,709	111,883
Ashland	85,000	67,944	0	85,000	42,342	25,286	18,904	103,904	5,481	0	103,904	91,028
Barron	85,000	69,794	0	85,000	49,487	34,251	25,606	110,606	32,029	0	110,606	96,900
Bayfield	85,000	65,634	0	85,000	44,580	25,214	18,850	103,850	13,664	0	103,850	90,981
Brown	85,000	94,083	9,083	94,083	58,501	58,501	43,736	137,819	41,786	0	137,819	120,741
Buffalo	85,000	68,065	0	85,000	44,937	27,902	20,860	105,860	11,254	0	105,860	92,742
Burnett	85,000	65,107	0	85,000	42,235	22,342	16,703	101,703	27,032	0	101,703	89,100
Calumet	85,000	95,667	10,667	95,667	55,339	55,339	41,372	137,039	30,675	0	137,039	120,057
Chippewa	85,000	103,912	18,912	103,912	70,788	70,788	52,922	156,834	41,975	0	156,834	137,399
Clark	85,000	88,430	3,430	88,430	52,050	52,050	38,913	127,343	36,528	0	127,343	111,563
Columbia	85,000	93,666	8,666	93,666	50,760	50,760	37,949	131,615	35,813	0	131,615	115,305
Crawford	85,000	70,024	0	85,000	38,176	23,200	17,345	102,345	10,700	0	102,345	89,663
Dane	85,000	116,645	31,645	116,645	78,802	78,802	58,913	175,558	48,850	0	175,558	153,803
Dodge	85,000	101,072	16,072	101,072	56,453	56,453	42,205	143,277	40,300	0	143,277	125,522
Door	85,000	102,164	17,164	102,164	61,000	61,000	45,604	147,768	39,437	0	147,768	129,457
Douglas	85,000	83,935	0	85,000	45,659	44,594	33,339	118,339	5,041	0	118,339	103,675
Dunn	85,000	95,623	10,623	95,623	55,969	55,969	41,843	137,466	39,463	0	137,466	120,431
Eau Claire	85,000	84,692	0	85,000	52,922	52,922	39,335	124,335	37,802	0	124,335	108,928
Florence	85,000	67,646	0	85,000	32,170	14,816	11,077	96,077	4,595	0	96,077	84,171
Fond du Lac	85,000	98,344	13,344	98,344	59,485	59,485	44,472	142,816	40,414	0	142,816	125,118
Forest	85,000	61,206	0	85,000	23,648	0	0	85,000	0	0	85,000	74,467
Grant	85,000	67,590	0	85,000	47,169	29,759	22,248	107,248	30,705	0	107,248	93,958
Green	85,000	89,744	4,744	89,744	39,782	39,782	29,741	119,485	27,457	0	119,485	104,679
Green Lake	85,000	97,241	12,241	97,241	57,047	57,047	42,649	139,890	37,005	0	139,890	122,555
Iowa	85,000	73,449	0	85,000	36,642	25,091	18,758	103,758	24,013	0	103,758	90,900
Iron	85,000	71,013	0	85,000	30,639	16,652	12,449	97,449	8,332	0	97,449	85,373
Jackson	85,000	80,481	0	85,000	49,294	44,775	33,474	118,474	0	0	118,474	103,793
Jefferson	85,000	108,230	23,230	108,230	60,341	60,341	45,112	153,342	39,127	0	153,342	134,340
Juneau	85,000	65,276	0	85,000	43,453	23,729	17,740	102,740	15,318	0	102,740	90,009
Kenosha	85,000	97,549	12,549	97,549	67,269	67,269	50,291	147,840	15,933	0	147,840	129,520
Kewaunee	85,000	74,081	0	85,000	50,534	39,615	29,617	114,617	34,191	0	114,617	100,414
LaCrosse	85,000	91,959	6,959	91,959	64,103	64,103	47,924	139,883	44,674	0	139,883	122,549
Lafayette	85,000	64,937	0	85,000	39,093	19,030	14,227	99,227	26,462	0	99,227	86,931
Langlade	85,000	62,699	0	85,000	12,531	0	0	85,000	6,292	0	85,000	74,467
Lincoln	85,000	71,913	0	85,000	31,932	18,845	14,089	99,089	11,181	0	99,089	86,810
Manitowoc	85,000	110,083	25,083	110,083	66,723	66,723	49,883	159,966	47,614	0	159,966	140,143

Table A-2: 2012 Staff and Support Tier 1, Tier 2, Rounds One, Two and Three & Then Lapse of 12.39%

County	Tier 2										2012 Allocation without Lapse	2012 Final Allocation with Lapse of 12.39%
	Tier 1 Base Allocation	First Position at 100% (Round 1)	Round 1 Award	Adjusted Award (Tier 1 + Round 1)	Second Position at 70% (Round 2)	Eligible Round 2 Award	Round 2 Award at ~74% (of 70%)	Adjusted Award (Tier 1 + Round 2)	Third Position at 50% (Round 3)	Round 3 Award No Funds Available		
Marathon	85,000	95,799	10,799	95,799	69,818	52,197	52,197	147,996	45,922	0	147,996	129,656
Marquette	85,000	96,578	11,578	96,578	61,047	45,639	45,639	142,217	43,443	0	142,217	124,594
Menominee	85,000	71,585	0	85,000	32,405	29,149	29,149	114,149	8,305	0	114,149	100,004
Menominee	85,000	62,380	0	85,000	19,929	0	0	85,000	3,162	0	85,000	74,467
Milwaukee	85,000	78,871	0	85,000	43,427	37,298	27,884	112,882	11,907	0	112,882	98,894
Monroe	85,000	88,654	3,654	88,654	53,132	39,722	39,722	128,376	30,075	0	128,376	112,468
Oconto	85,000	93,596	8,596	93,596	51,279	38,337	38,337	131,933	35,384	0	131,933	115,584
Ontario	85,000	64,147	0	85,000	36,853	11,962	11,962	96,962	23,316	0	96,962	84,947
Outagamie	85,000	106,994	21,994	106,994	61,767	46,178	46,178	153,172	41,037	0	153,172	134,191
Ozaukee	85,000	109,704	24,704	109,704	59,453	44,448	44,448	154,152	37,680	0	154,152	135,050
Pepin	85,000	68,402	0	85,000	34,047	13,045	13,045	98,045	18,769	0	98,045	85,895
Pierce	85,000	80,724	0	85,000	56,692	52,416	39,187	124,187	38,325	0	124,187	108,798
Polk	85,000	96,639	11,639	96,639	60,831	45,478	45,478	142,117	40,255	0	142,117	124,506
Portage	85,000	90,338	5,338	90,338	54,353	40,635	40,635	130,973	36,071	0	130,973	114,743
Price	85,000	62,297	0	85,000	41,268	18,565	13,879	98,879	9,145	0	98,879	86,626
Racine	85,000	88,357	3,357	88,357	54,921	41,060	41,060	129,417	35,233	0	129,417	113,380
Richland	85,000	62,756	0	85,000	36,994	16,750	12,522	97,522	27,849	0	97,522	85,437
Rock	85,000	107,432	22,432	107,432	62,765	46,924	46,924	154,356	37,168	0	154,356	135,228
Rusk	85,000	71,483	0	85,000	48,071	25,833	25,833	110,833	28,846	0	110,833	97,099
Saint Croix	85,000	85,660	660	85,660	59,388	44,399	44,399	130,059	42,051	0	130,059	113,942
Sauk	85,000	84,878	0	85,000	56,130	41,872	41,872	126,872	36,292	0	126,872	111,150
Sawyer	85,000	58,635	0	85,000	29,252	2,887	2,158	87,158	19,404	0	87,158	76,357
Shawano	85,000	71,226	0	85,000	47,283	33,509	25,052	110,052	24,631	0	110,052	96,414
Sheboygan	85,000	108,772	23,772	108,772	70,706	52,861	52,861	161,633	39,658	0	161,633	141,604
Taylor	85,000	94,213	9,213	94,213	51,523	38,519	38,519	132,732	30,946	0	132,732	116,284
Trempealeau	85,000	82,257	0	85,000	50,264	35,527	35,527	120,527	35,818	0	120,527	105,591
Vernon	85,000	73,464	0	85,000	49,064	28,056	28,056	113,056	34,059	0	113,056	99,046
Vilas	85,000	73,732	0	85,000	44,693	33,425	24,989	109,989	31,223	0	109,989	96,359
Walworth	85,000	105,448	20,448	105,448	58,838	43,988	43,988	149,436	45,134	0	149,436	130,918
Washburn	85,000	91,899	6,899	91,899	50,063	37,428	37,428	129,327	8,068	0	129,327	113,301
Washington	85,000	75,149	0	85,000	45,650	26,764	26,764	111,764	31,660	0	111,764	97,914
Waukesha	85,000	95,378	10,378	95,378	66,651	49,829	49,829	145,207	42,589	0	145,207	127,213
Waupaca	85,000	73,495	0	85,000	47,958	36,453	27,253	112,253	30,225	0	112,253	98,343
Waushara	85,000	81,983	0	85,000	50,503	47,486	35,501	120,501	35,915	0	120,501	105,569
Winnebago	85,000	98,556	13,556	98,556	52,225	39,044	39,044	137,600	33,325	0	137,600	120,549
Wood	85,000	87,164	2,164	87,164	48,462	36,231	36,231	123,395	29,563	0	123,395	108,104
Totals	6,120,000	6,045,858	437,908	6,557,908	3,605,461	2,322,094	2,322,094	8,880,000	2,047,435	0	8,880,000	7,779,600



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 11



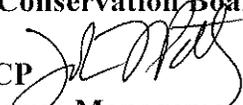
State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 12

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

FROM: John Petty, DATCP 
Agricultural Resource Management Division

SUBJECT: Budget Considerations and Planning for 2012 Forums and Other Activities

Recommended Action: In planning for 2012 meetings and other activities the Department requests the LWCB identify specific measures to reduce costs, including holding only one forum. The LWCB should consider implementing changes as part of planning for their 2012 meetings and activities.

Summary: At the February 1, 2011, LWCB meeting, the Board was presented with a revised budget as a result of the Bureau of Land and Water Resources (LWR) budget shortfalls. The LWCB budget is part of the Bureau's operating budget, and the largest meeting expenses arise from mileage reimbursement requests and per diems. The Bureau continues to limit or eliminate staff travel, attendance at trainings and conferences, the hours of Limited Term Employee staff, and filling vacant positions.

At the December 2012 meeting, the LWCB will be planning its 2012 agenda, including making decisions concerning the top three choices for forums:

- 1) Frack sand mining and its impacts on water and air quality, erosion, and other resource management concerns;
- 2) Revisit staffing grant formula as a result of state budget lapse;
- 3) Groundwater quality concerns, such as high nitrate levels in the Central Sands area

In 2012, budget considerations will continue to challenge us on every front. Budget cuts at the county level and within our partner agencies may limit the capacity of county staff and other partners to participate in LWCB meetings and activities. In particular, there will be a reduction in staffing grants in order to manage a funding lapse required of DATCP. Within DATCP, the operating budget for LWR budget remains under stress, and may not be successfully managed without taking one or more of the actions discussed in the February 2011 Board meeting.

In light of this situation, LWCB should take active role in reducing its costs by adopting one or more of the following measures:

- Hold only one forum in 2012.
- Incorporate one or more forum topics (e.g. staffing grants) into regular meeting presentations, and avoid holding a separate forum.

- Hold at least one regular business meeting using a combination of teleconference and Microsoft Live Meeting; staff suggest the June 2012 meeting be held in this manner
- Consider eliminating one meeting (for example, the June 2012 meeting), and reassigning scheduled items to meetings held on other dates.
- Reduce or eliminate Officers Committee meetings, or agree to reduce costs by not requesting per diems for them.
- Volunteer not to request reimbursement of travel expenses, including mileage, for some of the regular LWCB meetings

The LWCB should consider the above-listed economies when deciding what forums to schedule and approving the annual agenda later in the meeting.

Presenters: John Petty, DATCP



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 13

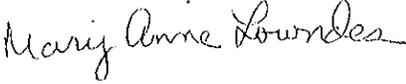
CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

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

Mary Anne Lowndes, DNR 
Runoff Management Section

SUBJECT: Approval of Proposed 2012 LWCB Annual Agenda

Recommended Action: This is an action item. The LWCB may choose to approve the proposed 2012 annual agenda or choose to amend it before approval.

Summary: DNR and DATCP staff have prepared a proposed annual agenda for LWCB meetings in 2012. Subject to LWCB approval, the meeting dates for 2012 are as follows:

February 7, 2012, in Madison

April 3, 2012, location TBD

June 5, 2012, location TBD

August 7, 2012, in Madison

October 2, 2012, in Madison

December 4, 2012, in Madison

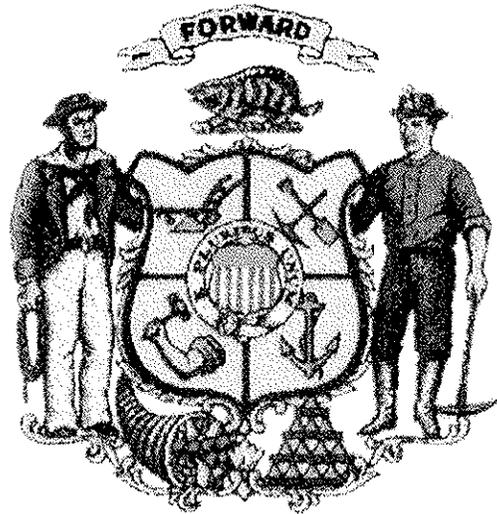
If you have any questions about the annual agenda, please contact Lori Price at (608) 224-4622 or lori.price@wisconsin.gov.

Materials Provided: LWCB 2012 Proposed Annual Agenda.

Presenter: Kathy Pielsticker, DATCP

Land and Water Conservation Board

PROPOSED 2012 ANNUAL AGENDA



Prepared by the
Department of Agriculture, Trade and Consumer Protection
and the
Department of Natural Resources

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February 7, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

- ◆ 2013 Grant Applications
Responsible Party: Richard Castelnuovo and Corinne Billings
- ◆ Final 2012 DATCP and DNR Joint Allocation
Responsible Party: Richard Castelnuovo and Corinne Billings
- ◆ Gathering Input from Stakeholders and Public on Funding and Annual Joint Allocation Plan
Responsible Party: LWCB
- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser
- ◆ Report on 2009 Program Accomplishments by Counties
Responsible Party: Dennis Presser and Shelley Warwick

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

- ◆ Update on the Nonpoint Source Program Fiscal Status (written report only)
Responsible Party: Patrick Kirsop

LWCB ADMINISTRATIVE MATTERS

- ◆ Election of 2012 Officers
Responsible Party: Officers Nominating Committee Chairperson

OTHER

- ◆ Wisconsin Sustainable Planting and Harvest Guidelines for Nonforest Biomass
Responsible Party: Sara Walling and Scott Hull

APRIL 3, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser
- ◆ Extension of DATCP Projects from 2011 into 2012
Responsible Party: Richard Castelnovo
- ◆ Report on DATCP and DNR Transfer of Cost-Share Dollars
Responsible Party: Richard Castelnovo and Corinne Billings

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

- ◆ Update on the Nonpoint Source Program Fiscal Status
Responsible Party: Patrick Kirsop

JUNE 5, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser

AUGUST 7, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser
- ◆ Presentation of 2013 Joint Preliminary Allocation Plan
Responsible Party: Richard Castelnuovo and Corinne Billings

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

- DNR Proposed Selection of Targeted Runoff Management (TRM) Projects for CY 2013
Responsible Party: Corinne Billings
- Update on Selection Process for Urban Nonpoint Source and Storm Water Management Projects
Responsible Party: Corinne Billings

OCTOBER 2, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser
- ◆ Report and Potential Recommendation on the 2013 CREP Spending Authority
Responsible Party: Brian Loeffelholz
- ◆ Recommendation for approval of the 2013 Joint Final Allocation Plan
Responsible Party: Richard Castelnovo and Corinne Billings

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

- ◆ Update on the Nonpoint Source Program Fiscal Status
Responsible Party: Patrick Kirsop

DECEMBER 4, 2012, LWCB MEETING

FARMLAND PRESERVATION PROGRAM

- ◆ Approval of Farmland Preservation Program Releases or Relinquishments
Responsible Party: Kris Modaff
- ◆ Review Farmland Preservation Program Agreement Appeals
Responsible Party: Kris Modaff

SOIL AND WATER RESOURCE MANAGEMENT PROGRAM

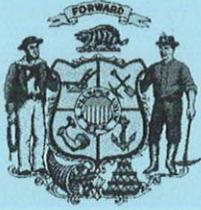
- ◆ Recommendations on Land and Water Resource Management Plans
Responsible Party: Dennis Presser
- ◆ Report on 2010 Program Accomplishments by Counties
Responsible Party: Dennis Presser and Shelley Warwick

NONPOINT SOURCE WATER POLLUTION ABATEMENT PROGRAM

- ◆ Update on the Nonpoint Source Program Fiscal Status (written report only)
Responsible Party: Patrick Kirsop

LWCB ADMINISTRATIVE MATTERS

- ◆ Selection of 2013 Officer Nominating Committee
Responsible Party: LWCB Chairperson
- ◆ Approval of Proposed 2013 LWCB Annual Agenda
Responsible Party: LWCB Chairperson
- ◆ Review of the LWCB Bylaws
Responsible Party: LWCB Chairperson



State of Wisconsin

Land and Water Conservation Board

AGENDA ITEM 14

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: November 22, 2011

TO: Land and Water Conservation Board Members and Advisors

FROM: John Petty, Administrator 
Division of Agricultural Resource Management

SUBJECT: Selection of 2012 LWCB Officer Nominations Committee Members

Recommended Action: This is an action item. The LWCB Chair will appoint and announce the 2012 LWCB Officer Nominations Committee members.

Summary: The LWCB bylaws state that at the December meeting, the Chair shall appoint three members to the Nominations Committee. Of the committee members, only one member shall be a representative of the county land conservation committees. At the first meeting of the year, the Nominations Committee will report back with a nominee or nominees for the offices of chair, vice-chair, and secretary.

The following are the Nominations Committee members from past years:

2009 Committee

Sandi Cihlar
Chuck Wagner
Jana Steinmetz

2010 Committee

Chuck Wagner
Sandi Cihlar
Jana Steinmetz

2011 Committee

Chuck Wagner
Ryan Schroeder
Robin Leary

Presenter: Mark Cupp, LWCB Chair