



# Wisconsin Land+Water Conservation Association

131 W. Wilson Street, Suite #601 · Madison, Wisconsin 53703  
(608) 441-2677 · Fax: (608) 441-2676 · [www.wisconsinlandwater.org](http://www.wisconsinlandwater.org)

---

## Legislative/Administrative Committee

Minutes of the October 18, 2021 Meeting

Meeting called to order by Calkins at 10:04 am.

▪ **Roll Call** - All attendees virtual

Committee Members: Kurt Calkins Chair (Columbia), Greg Baneck (Outagamie), Paul Daigle (Marathon), Wes Davis (Rock), Scott Frank (Shawano), Brian Haase (Waupaca), Erin Hanson Vice Chair/Secretary (Door), Melissa Luck (Richland), Amy Piaget (Dane), Russ Rindsig (Barron), Melissa Schlupp (Sauk), Lynda Schweikert (Grant), Paul Tollard (Fond du Lac), Ben Wojahn (Vernon)

WI Land + Water Staff: Christina Anderson, Matt Krueger

Agencies: Jennifer Heaton (DATCP), Coreen Fallat (DATCP), and Mike Gilbertson (DNR)

Other Attendees: Paul Sebo (Washington)

▪ **Adopt Agenda/Additions (08/18/2021)**

**MOTION** (Rindsig, Frank) to approve the agenda. Motion carried, no negative vote.

▪ **Approve Previous Meeting Minutes (08/18/2021)**

**MOTION** (Piaget, Rindsig) to approve the Aug. 18, 2021 minutes. Motion carried, no negative vote.

▪ **Agency/Partner Reports**

Coreen Fallat – DATCP

- ATCP 50 scope statement is available. It includes implementation of the Silurian Bedrock Standard along with updates to other parts of rule. Expiration date is March 21, 2024.
- DATCP is partnering with the WI Wetlands Association on a two-year wetland grant from EPA to review conservation standards in ATCP 50, analyze policies, and train/educate DATCP's conservation engineering section and LCD staff to understand wetlands in a watershed context.
- CREP – DATCP is currently down one staff person (Melissa Gilmore moved out of state).
- DATCP is working on database/IT updates and will be reaching out to counties to see how DATCP can make their system compatible with the systems counties are using.
- SWRM funding – counties having difficulty with spending bond or seg please contact DATCP so they can assist with finding ways to allocate and spend the funds.

Mike Gilbertson – DNR

- DNR has a new Office of Agriculture and Water Quality. Brian Weigel is the lead and will focus on developing partnerships and working more closely with the agriculture industry.
- The Targeted Performance Standard for Nitrate was to go to the Natural Resources Board in September for approval to go to public hearing. The September Natural Resource Board meeting was cancelled and the timeline for moving the rule forward is now unknown.
- DNR's guidance for evaluating Agriculture Direct Runoff is expected to go to public comment soon and may be finalized by the end of the calendar year.

- Daigel requested that the next meeting agenda have the “Clearinghouse for Water Quality Trading and Third Party Administrator”. DNR contact could be Matt Claucherty.
- **Discuss LWRM SEG Allocation Use Of 50% Funds On Soft Practices (DATCP)**  
**DISCUSSION:** Heaton reported that starting in 2017 DATCP allowed up to 25% of SEG allocation to be spent on cropland practices for implementation of nutrient management plans, so long as the land also had a nutrient management plan. In 2020 listening sessions DATCP heard a need for flexibility, so the amount increased to 50% in 2021 (same for 2022). The change was identified in the grant application but not all counties may have heard until recently. Committee discussion included appreciation for DATCP flexibility, need to align flat rates between DNR TRM and DATCP SEG (e.g. cover crops), and a suggestion to use an annual fee schedule rather than flat rate in rule.
- **Discuss Most Current Proposed Water Quality Legislative Bills**  
**DISCUSSION:** Krueger reviewed LRB-3387/P7, which is a preliminary draft of a bill that would include several pieces of the 2020 proposed bills that came from the Speaker’s Water Quality Task Force. *This bill creates a commercial nitrogen optimization pilot program; expands eligibility for nitrate-contaminated wells under the well compensation grant program; provides crop insurance premium rebates for planting cover crops; expands eligibility for producer-led watershed protection grants, lake protection grants, and river protection grants; creates a factor to be considered during preparation of the annual allocation plan for soil and water resource conservation grants to counties; and creates a new hydrogeologist position at the University of Wisconsin-Madison Division of Extension.* It is approximately a three million dollar proposed package, unclear if funding would be from nonpoint account or federal recovery act funding.
- **WI Land + Water Presidents “Future Direction and Funding Security Initiative”**  
**DISCUSSION:** Krueger described how WI Land + Water is considering planning to advocate for long-term and sustainable conservation funding, recognizing that the status quo isn’t going to get us where we need to be for water quality. They are starting with an initial conversation which may lead to follow up discussions and/or actions that will overlap with this committee’s work.
- **Update on Process for Further Assessment of Guiding Principles, Policy Positions and Legislative/Budget Priorities**  
**DISCUSSION:** Krueger, Anderson, Calkins, and Luck met to review WI Land + Water’s past resolutions to see how many have been translated into guiding principles and position statements. After a first review they decided not to trace each resolution, instead categorizing resolutions into similar topics. They also plan to review WI Land + Water’s past positions on bills and advocacy for budget priorities in the same way. The “Member’s Hub” of the new WI Land + Water website can be used to communicate results. The ultimate goal is to move away from resolutions and discuss important topics in committees. The results of their review may help refine goals and objectives for some committees.
- **Legislative Updates (AB 500, AB 229, SB 571)**  
**DISCUSSION:** Krueger provided updates on:
  - AB 500 – WI Land + Water registered in opposition. It allows for injecting storm water to recharge groundwater. <https://docs.legis.wisconsin.gov/2021/related/proposals/ab500>

- AB 229 – passed by Senate, not yet taken up by Assembly. Krueger is looking for feedback from anyone with interest in topic (fertilizers produced from composting manure).  
<https://docs.legis.wisconsin.gov/2021/related/proposals/ab229>
  - SB 571 – repeals obsolete tax credits, does not impact Farmland Preservation Program.
  - AB505 – aquatic plant management plans and permit exemptions, changes definition of private pond; also, attempts to short-circuit an ongoing DNR administrative rulemaking process.  
<https://docs.legis.wisconsin.gov/2021/proposals/ab505>
  - Other: Farmland Preservation bill passed committees unanimously in the last legislative session. As written, changes were to take effect in 2020, now changing to 2022. WI Land + Water signed onto two letters related to federal funds – one to Senators Baldwin & Johnson in support of climate provisions in Build Back Better, the other in support of the National Wildlife Federation “double up for conservation act” for congress to direct funding to climate and agriculture federal programs.
- **ARPA Funding – LWCD Planning, County Allocation Process**  
**DISCUSSION:** Committee members discussed the different approaches their counties are taking to plan for allocating federal recovery act funding. It appears that various aspects of LWCD work are eligible, such as purchase of equipment (low disturbance manure) and implementation of nine-element watershed plans.  
*Note (not discussed during meeting): WCA guidance refers to LWCD work, with direct language in section D - Investment in Infrastructure, Water & Sewer (page 18). References “control of nonpoint source pollution...protect waterbodies...”, and “efforts to address climate change”.*  
<https://files.constantcontact.com/77ea05ac001/62af23ee-9157-4203-887f-46c7bb84cc2c.pdf>
  - **End of Session Legislative/Capital Update from Shawn Pfaff**  
**DISCUSSION:** Shawn Pfaff gave highlights of the fall session, including: redistricting which will go forward in earnest in November, \$2.8 billion surplus in state budget, and federal funding through recovery act and possible infrastructure funds. There is emphasis on maintenance of effort with a need to continue to invest in schools and transportation. Upcoming issue may be large solar farm projects if the new infrastructure bill is passed. Water issues continues to be front and center, though there is little movement. WI Land + Water members should continue to maintain good relationships with lawmakers and be ready with projects. The “Clean Water Initiative” discussions with Dairy Business Association and others continue.
  - **Other Items of Interest**  
**DISCUSSION:** Krueger discussed possible topics for the December County Con meeting include: new UW-Extension Ag institute, new DNR office of Ag and Water Quality, Trading Clearinghouse, Shoreline Zoning Enforcement, Innovation SEG projects, WI Tribal Advisory Council, and support of Producer-led groups (from a county perspective).
  - **Adjourn**  
Next meeting date December 13 at 1:00 pm (virtual). 2022’s meeting schedule will be set then.  
**MOTION** (Frank, Haase) to adjourn at 12:38 pm.