



# Wisconsin Land+Water Conservation Association

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## Legislative/Administrative Committee

Minutes of the December 13, 2021 Meeting

Meeting called to order by Calkins at 1:00 pm.

▪ **Roll Call** - All attendees virtual

Committee Members: Kurt Calkins Chair (Columbia), Paul Daigle (Marathon), Wes Davis (Rock), Scott Frank (Shawano), Brian Haase (Waupaca), Erin Hanson Vice Chair/Secretary (Door), Amy Piaget (Dane), Russ Rindsig (Barron), Melissa Schlupp (Sauk), Paul Tollard (Fond du Lac)

WI Land + Water Staff: Christina Anderson, Matt Krueger

Agencies: Mark Witecha (DATCP), Andrea Topper (DATCP), Katy Smith (DATCP), Jennifer Heaton (DATCP), and Mike Gilbertson (DNR)

Other Attendees: Katie Abbot (Iowa), Chase Cummings (Dunn), Tyler Gruetzmacher (Barron), Matt Hanewall (La Crosse), Mark Jenks (Kenosha), Kirk Langfoss (Marathon), Chris Murphy (Rock), Haillie Passow (Trempealeau)

▪ **Adopt Agenda/Additions** (12/13/2021)

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

▪ **Approve Previous Meeting Minutes** (10/18/2021)

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

▪ **Agency/Partner Reports**

Jennifer Heaton – DATCP

- DATCP received a record number of transfer requests in 2021 and several waiver requests.
- In the next few weeks contracts will be sent for SEG innovation and producer-led grants.
- DATCP is planning to stakeholder meetings for ATCP 50 revisions. The first topic will be incorporation of the Silurian Bedrock Verification Technical Standard into rule. Other meetings will cover different topics, including general information about the rule revision process and cost-share. DATCP will need to move quickly since the process is limited to a 30 month window.

Mike Gilbertson – DNR

- Targeted Performance Standard for Nitrate will not be completed/promulgated because DNR ran out of time to complete within the 30 months.
- NOD module for BITS (BMP Implementation Tracking System) is now required to be used for reporting projects funded by NOI/NOD grants. DNR is beginning to plan for the next module which is intended to track NR 151 implementation. Preliminary conversations will begin in 2022.
- DNR expects to public notice the “Direct Runoff Guidance” document soon, with a 30-day comment period in the start of 2022.

- **“Opinion Regarding Requirement to submit SNAP Plus Files” and NMP Program Update**  
**DISCUSSION:** Mark Witecha (DATCP Soil & Water Management Section Manager) reported that DATCP recently requested a legal opinion on this question: “Can DATCP or County LCDs require submittal of a SnapPlus database for determining compliance with nutrient management requirements?” The response was yes, since there is existing authority in state statutes (outlined in a memo available from DATCP). Counties should consult with their Corporation Counsel if they have planners reluctant to submit files. Andrea Topper (DATCP) spoke with plan writers about their concerns which include data privacy and competitors taking their work. Version 3 of SnapPlus will be cloud-based and allow for viewable only databases which may help resolve this concern.

DATCP plans to return to Quality Assurance Review of nutrient management plans in 2022. Their review team will be more focused than in the past, and include planners who may prepare fraudulent plans. Cody Calkins will be laying out the process in near future. The authority to disqualify planners is included in ATCP 50. The CCA board can also review qualification, so long as there has been sufficient education for planners to know what is required of them.
- **Farmland Preservation Program (FPP) Implementation Discussions with DATCP**  
**DISCUSSION:** Amy Piaget and Paul Tollard identified a concern about the workload associated with FPP implementation, data collection, and need for continued conversation about program implementation statewide. Discussion of whether there should be a standing committee to ensure counties are consistently implementing the FPP program. A pending bill for FPP would increase the tax credit rate and change eligibility for planning grants to make funds available for staffing (though not at a level sufficient to meet staffing need across the state).
- **Large Scale Solar and Agriculture**  
**DISCUSSION:** Matt Krueger explained this is an emerging issue with an opportunity to use collective experience and knowledge to help work through considerations that counties may face. Christina Anderson will be pulling information together a resource document that outlines necessary information and/or questions to be answered. WI Land + Water is in an information-gathering phase, rather than taking a position on the topic. Katy Smith (DATCP) is working on pulling together a website and can share that information.
- **Nutrient Management Policy Paper Next Steps**  
**DISCUSSION:** Krueger provided update on considerations about how to roll out the policy paper. Krueger discussed the policy position with an agriculture coalition group where it received a mixed reception. The Land and Water Conservation Board meeting in October discussed progress on nutrient management, how to improve numbers of acres under nutrient management, and members are interested in reviewing the “big picture” around this topic. Krueger will keep this committee updated on this, as well as ongoing NR 151 implementation conversations.
- **Developing Updated Process For Supporting Local Policy Issues (Area Reps)**  
**DISCUSSION:** Kurt Calkins explained that the purpose behind having designated area reps on the leg/adm committee would be to bring forward to this committee the local policy issues that they want vetted at the state level. Each area could have a standing agenda item on their meeting agendas to identify these local issues. Committee was in general agreement with this structure.

- **Legislative/Policy Updates**

Krueger provided updates on:

- NR 151 (Targeted Nitrate Standard) - did not go forward, Chris Clayton (DNR) will speak at the December County Con meeting on this topic.
- SB677 and SB678 are two bills with provisions from the water quality task force bills (e.g. changes to well compensation program). There is bipartisan support for these bills but they are still progressing through the capital. A draft bill (rival to SB678) seeks to only remove the requirement that the well is used to water livestock but keeps in place the 40 mg/l eligibility threshold. It may challenge the bipartisan support for SB678.
- Clean water initiative members lobbied together on budget items and are beginning conversations about CAFO and nonpoint programs, including nutrient management.

- **Inventory of Historic Conservation/Legislative Issues (WI Land & Water)**

**DISCUSSION:** Krueger and others reviewed the past issues that the organization has engaged on in the last ten years (resolutions and legislative issues) to determine if anything is missing or needs a position statement to be created. Anderson reported there are a few consistent themes (e.g. staffing grant, Farmland Preservation Program) along with a random grab bag of items that the organization cares about. They want to review how to make proactive decisions about priorities, and be transparent about how we choose to engage and take positions on issues. Looking back is harder than planning forward.

- **Conservation Topics on Website**

**DISCUSSION:** Krueger asked all counties to submit conservation success stories to WI Land + Water so they have a ready list of stories to tell about specific counties when meeting with legislators, etc.

- **Other Items of Interest**

**DISCUSSION:** Environmental issues resolutions at the WCA conference – what is WI Land + Water role in that process? Krueger shares budget priorities with WCA, and depending on the issue, may reach out to make sure they know our position on issues.

- **2022 Meeting Dates**

1:00 – 3:00 pm on February 14, May 9, and October 10 (virtual).

Afternoon of July 15, in conjunction with county con meeting if in person

- **Adjourn**

**MOTION** (Haase, Piaget) to adjourn at 3:15 pm.