



Wisconsin Land+Water Conservation Association

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Legislative/Administrative Committee

Minutes of the February 11, 2021 Meeting

Meeting called to order by Calkins at 9:30 am.

▪ Roll Call

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), Perry Lindquist (Waukesha), Dan Masterpole (Chippewa), Amy Piaget (Dane), Russ Rindsig (Barron), Lynda Schweikert (Grant)

WI Land + Water Staff: Christina Anderson, Matt Krueger, Kristin Teston

Agencies: Coreen Fallat (DATCP), Chris Clayton and Mike Gilbertson (DNR)

Other Attendees: Steve Bradley (Portage), Chase Cummings (Dunn), Lisa Derr (Dodge), Tyler Gruetzmacher (Barron), Kirk Langfoss (Marathon), Bob Micheel (Monroe), Jim Winkler (Oneida),

▪ Adopt Agenda/Additions (2/11/2021)

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

▪ Approve Previous Mtg Minutes (12/11/2020)

MOTION (Schweikert, Haase) to approve the minutes of the December 11, 2020 meeting. Motion carried, no negative vote.

▪ New Committee Members

MOTION (Haase, Hanson) to approve Wes Davis, Rock County LCC and Russ Rindsig, Barron County LCC as new committee members. Motion carried, no negative vote.

▪ Agency/Partner Reports

Coreen Fallat, DATCP:

- Staff updates: hired Dennis Marquardt (NW area engineer) and Taylor Hundley (SE area engineer); Dave Russell (SW area engineer) is retiring. Ryan Erisman resigned effective 02/17/21. There are currently no nutrient management staff at DATCP, though interviews for 2 positions in that section are in progress. Katy Smith is on maternity leave until May.
- Watch for a SWRM grant webinar to be scheduled soon. Annual reports are due March 15.
- Producer led impact and FPP reports available online at https://datcp.wi.gov/Pages/Programs_Services/ProducerLedImpactReport.aspx and <https://datcp.wi.gov/Pages/Publications/FarmlandPreservation.aspx>

Chris Clayton, DNR:

- Staff updates: hired Shannon Haydin (Storm Water Section Chief), Melissa Yarrington (Storm Water program coordinator), and Molly Richardson (BITS coordinator).
- Watch for upcoming TRM webinars. TRM grants ending in 2020 will use regular forms but going forward (grants ending in 2021 and later) reporting will be through BITS. BITS (BMP Implementation Tracking System) is a data management system to spatially track BMPs installations. Phase 1 was MDV, Phase 2 is TRM, and upcoming phases will include NOD grants, Urban Nonpoint Source grants, and NR 151 implementation.

▪ **Targeted NR 151 Nitrate Standard Update**

DISCUSSION: Chris Clayton described the purpose of the standard is to achieve compliance with the nitrate groundwater standard of 10mg/L in areas of the state that are susceptible to groundwater contamination. The 30 day public comment period on the draft Economic Impact Analysis (EIA) will start in February, with comments on draft rule accepted later in the spring or early summer of 2021. Targeted areas make up approximately 43% of agricultural land in the state. DNR has an interactive map online which shows a compilation of nitrogen restricted soils as well as areas with groundwater with high nitrate levels at: <https://wi-dnr.maps.arcgis.com/apps/webappviewer/index.html?id=fea5c014a9dd4a6f901140b05e317b6e>

The draft standard is focused on preventing nitrate leaching that causes exceedance of the groundwater standard through nutrient management planning both at the field scale (over a rotation) and farm scale (average over all fields of a farm). It also includes two prohibitions on commercial fertilizer and manure applications to prevent significant leaching in high risk fall period, with limited exceptions. Clayton responded to questions about the data and methods used to identify Towns with high groundwater nitrate levels, saying that the TAC discussed extensively and methods will be released when the draft rule goes out to public comment.

▪ **ATCP 50 Rule Revision**

DISCUSSION: Coreen Fallet discussed the potential for DATCP to open ATCP 50 for revisions, primarily to incorporate the Verification of Depth to Bedrock Standard. The standard has not yet been released while DATCP considers how to address handling map updates and training needs. DATCP may consider including other revisions in the scope statement, such as general housekeeping and/or updates related to new technical standards. DATCP will consult with counties about other issues that might be considered. Timeline is currently unknown since there are many steps to even get the scope approved.

▪ **Legislative Updates**

DISCUSSION: Matt Krueger discussed Governor Evers' proposed budget, see press release here: http://www.thewheelerreport.com/wheeler_docs/files/020521eversag.pdf

Few details are known, though it appears to include some pieces from Water Quality Task Force Bills and items from the last biennial budget. The amount of additional funding to support 3 county conservation staff/county is unclear and it is not known if it's onetime funding or an increase to the base amount. It is likely that the Legislature will have their own budget ideas and the process (eg for public hearings) is uncertain.

Bills

SB68: Farmland Preservation Program bill from last session has been reintroduced and had a hearing in the Senate last week. Companion bill AB54 was introduced in the Assembly.

SB63: Wildlife damage program from last session has been reintroduced. General agreement that WI Land + Water does not need to take a position on this bill.

▪ **Lobbying Strategy in Support of Budget Priorities**

DISCUSSION: Matt Krueger reported that he and Shawn Pfaff (contract lobbyist) have had virtual meetings with legislators advocating for WI Land + Water priorities in an attempt to build and maintain relationships. They are looking for a champion for our issues in the Senate. Partnership with DBA, TNC and Clean Wisconsin has identified general areas of agreement, knowing that there are times when they will not always agree. Krueger will identify if there is an opportunity to coordinate with lobbyists for specific counties.

▪ **Proposed Bylaw Language Updates**

Handout: Proposed Revisions to BYLAWS of the WISCONSIN LAND AND WATER CONSERVATION ASSOCIATION, INC.

DISCUSSION: Perry Lindquist shared recommended language for bylaw changes that create a new section in Article 5 titled "Resolutions and Position Statements" and removes prior language related to area association resolutions and floor-introduced resolutions at the annual meeting. Committees could meet one hour before the annual meeting and make a recommendation so the revised process will not necessarily slow down resolutions. Next steps are to bring the bylaw updates to the Executive Committee followed by consideration by the full membership in 2022. There will need to be an educational process that happens before the vote in 2022.

MOTION (Piaget, Haase) to forward the proposed bylaw changes to the executive committee. Motion carried, no negative vote.

▪ **Report from Nutrient Management Planning Subcommittee**

Handout: A New Approach to Achieving Nutrient Management Plans and Plan Implementation on all Cropland and Applicable Pasture Land in Wisconsin

DISCUSSION: Paul Daigle reviewed the contents of the policy paper. Suggestions included changing the word "authorize" to encourage (authority to adopt ordinances is currently in Statute); changing the word "lift" as it could be misinterpreted; and adding tighter expectations of UW Extension related to outcomes in a five year period.

Responding to questions, Daigle identified the strategy as to not list all of the changes in statute and administrative rule preferring to leave the position paper broad. The purpose is to call for action while allowing for more discussions of details later. Frank raised concerns that Option 2 doesn't provide impetus to move the needle on nutrient management. Masterpole supported the timing and sees it appropriate to "call the question" on nutrient management. Callis needed additional review time.

ACTION: Add to next meeting agenda. In the meantime, provide comments to Kirk Langfoss and Paul Daigle now and do not wait until the next meeting to raise concerns. They will provide a document with tracked changes for the next meeting.

- **CAFO NM Plan Modification & LCD Notification**

DISCUSSION: Tyler Gruetzmacher discussed notifications of changes to CAFO NMPs that are sent to the County after the comment period are too late and without location information. DNR response to Gruetzmacher was to use WAMS to sign up for every CAFO permit. Also would like to discuss DNR sharing GIS layer of CAFO operated fields, perhaps online similar to forestry program. Gruetzmacher will start a simple list of items related to better communication with DNR – committee members can share their ideas with him. DNR is willing to have a discussion and requested the list of items in advance.

- **Schedule 2021 meeting dates**

April 12, 2021 @ 1:00 pm; July TBD; October 18, 2021 @ 10:00 am; December TBD.
July and December will attempt to coordinate with County Con meetings. May need to schedule zoom meetings in-between established dates.

- **Adjourn**

MOTION (Frank, Daigle) to adjourn at 12:45 pm.